HOUSE OF ASSEMBLY

Tuesday, October 22, 1974

The SPEAKER (Hon. J. R. Ryan) took the Chair at 2 p.m. and read prayers.

PETITION: ONKAPARINGA WOOLLEN COMPANY

Mr. GOLDSWORTHY presented a petition signed by 247 residents of the Lobethal area stating that public statements had been made to the effect that Onkaparinga Woollen Company intended to transfer certain departments of its Lobethal Division to the Thebarton Division, an action that would deprive the Lobethal community of its main source of employment and have a serious effect on the district. The petitioners prayed that the House of Assembly would immediately institute and conduct a public inquiry into this matter in order to correct, by amending the law if necessary, any injustices that might occur.

Petition received and read.

VICTOR HARBOR SEWERAGE SCHEME

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Victor Harbor Sewerage Scheme Extension (Ozone Heights and Ocean View Area).

Ordered that report be printed.

PERSONAL EXPLANATION: COUNTRY PARTY SELECTION

Mr. BLACKER (Flinders): I seek leave to make a personal explanation.

Leave granted.

Mr. BLACKER: During the last two weeks several innuendoes and insinuations have been made by certain members of the Liberal Party that there has been a working arrangement between the Labor Party and the Country Party in the soliciting of Country Party candidates in the Eyre District.

The SPEAKER: Order! The honourable member's explanation does not sound like a personal explanation to me.

Mr. BLACKER: This matter was first publicly brought to my attention by interjections in the House between the member for Eyre and the member for Mitchell two weeks ago. Last Wednesday, when speaking on the Local Government Act Amendment Bill, the member for Eyre made several remarks in which he accused the member for Mitchell of soliciting Country Party candidates. A short time later, the member for Hanson made a remark in the House about the member for Mitchell's being the unofficial organiser for the Country Party.

The SPEAKER: Order! The honourable member has sought leave to make a personal explanation and, as such, permission has been given, but such permission does not permit of a general statement, a debate on an issue, or a reply to a debate: the explanation must apply to the honourable member himself and come into the category of a personal explanation.

Mr. BLACKER: Since the allegations of collusion have been made and printed, I have brought this matter to the attention of the full executive of my Party and am confident that absolutely no collusion or discussion has taken place between the Parties either by me or by my Party. I am disappointed and somewhat surprised that Liberal Party members should use these tactics of innuendo and I completely deny that any such discussion or collusion has been engaged in by me or by any other member of my Party.

Mr. GUNN (Eyre): I seek leave to make a personal explanation.

Leave granted.

Mr. GUNN: I claim to have been misrepresented by the member for Flinders (Mr. Blacker) who, in the course of a personal explanation (and I do not believe he misrepresented me intentionally), said that I and other members of my Party have alleged there was a working relationship between the Australian Labor Party and the Country Party in the Eyre District. On the two occasions that I raised the matter, I said, in a question and in a speech (as reported on page 1535 of *Hansard*), that a certain Labor Party member had tried to use the name of the Country Party to split the anti-Socialist vote in Eyre. In no circumstances did my colleagues or I indicate that the Country Party was directly involved in the matter. I endeavoured to point out to the House the lengths to which the Labor Party would go to try to divide the anti-Socialist forces in this State.

The SPEAKER: Order! The latter part of the honourable member's statement is out of order, as it was not part of his personal explanation.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and published in *Hansard*.

PAY-ROLL TAX

In reply to Mr. BECKER (September 18).

The Hon. D. A. DUNSTAN: The organisation and staffing of the Pay-roll Tax Branch of the State Taxes Department has been reviewed by the Commissioner of Stamps during the past 12 months. During this period, in conjunction with the Public Service Board the following steps have been taken to ensure maximum collection of this tax:

(1) Two additional officers have been appointed to detect unregistered employers;
(2) Liaison with the Labour and Industry Department has been established as a basis for investigations of unregistered employers;
(3) Inspectors of the Labour and Industry Department were authorised by the Commissioner of Stamps to perform duties under the Pay-roll Tax Act.

The staffing situation of the branch is under constant review to ensure that the maximum tax is collected.

RURAL LAND TAX

In reply to Mr. RUSSACK (October 2).

The Hon. D. A. DUNSTAN: An analysis of land tax levied for 1973-74 will not be available until late in November. Using available statistics, it is estimated that the 1973-74 tax levied in respect of land used for primary production was $1 375 000, of which about $300 000 applied to land used for primary production within the Metropolitan Planning Area. Therefore, the figure for 1973-74 rural land tax would be about $1 075 000.

GAWLER FLOODING

In reply to Mr. BOUNDY (October 9).

The Hon. J. D. CORCORAN: The Primary Producers Emergency Assistance Act, 1967, provides:

(*a*) Advances shall bear interest at the rate charged by the State Bank of South Australia in respect of overdraft loans made to primary producers at the time of making the advance.

(*b*) With the concurrence of the Treasurer and after due inquiry, the Minister of Lands may remit part or the whole of any advance made under the Act.

It has been announced previously that advances made under the Act to assist growers in the Virginia area to overcome losses caused by hail damage which occurred in October, 1973, would be interest free for one year. When making this announcement the Minister of Lands also stated that the matter of the interest rate to be charged on advances beyond the first year would be reviewed in the light of individual circumstances and experience during that period. In reviewing the question of interest rate the Minister will take into account the effects of flooding on the economic position of growers.

BRANDY EXCISE

In reply to Mr. ARNOLD (September 18).

The Hon. J. D. CORCORAN: The matter of assistance to co-operative wineries to overcome their present liquidity problems is still being examined. The Minister of Irrigation has advised me that there have been no summonses by the Lands Department in respect of non-payment of water rates during the present financial year or the previous financial year. The department has accepted procuration orders in lieu of cash for the past 35 years, and will continue to do this. Deferred payment of irrigation water rates will not be subject to an interest charge. This concession was also available for the previous two seasons.

MODBURY HIGH SCHOOL

In reply to Mrs. BYRNE (August 20).

The Hon. HUGH HUDSON: It is intended to provide Modbury High School with a standard two-storey building comprising a library resource centre and language laboratory on the ground floor and a general learning area designed as an open-space flexible complex to accommodate 250 students on the top floor. Sketch plans have been prepared but no precise information is available as to when this work can be included on a tender-call programme. However, the intention is to present evidence to the Public Works Standing Committee within a few weeks and to proceed with working drawings, so that, as soon as funds are available, tenders can be called without further delay.

It is also planned to construct an art-craft complex at the school. Facilities in this building will include four art areas, a photography room, and two additional craft spaces with appropriate offices, preparation rooms, etc., and together with existing solid structure buildings, art and craft accommodation will then be adequate for a school enrolment of 1 250 students. Whereas it is hoped to construct the building in solid structure, consideration will need to be given to providing these facilities in Demac if limitations on available finance continue to delay solid-structure programmes. A schedule of requirements for the building was forwarded to the Public Buildings Department in May of this year and, consequently, detailed plans are not yet available.

JAMESTOWN SCHOOLS

In reply to Mr. VENNING (October 15).

The Hon. HUGH HUDSON: Although a preliminary report on the possibility of merging the primary and high schools at Jamestown has been prepared, the matter is still under consideration by the department's Community Project Group. When this group has completed its research, a co-ordinating planning group will make firm recommendations with regard to the proposed amalgamation. I shall be pleased to advise the honourable member when there is some significant information available. Regarding delay in the provision of essential facilities at the existing two schools, it is the lack of available funds that has led to the delay in the building of a replacement home economics centre and a library resource centre at the high school. At the primary school, the essential need for a library is being met by the provision of a Demac unit as an interim measure.

DRINK CONTAINERS

In reply to Mr. KENEALLY (October 1).

The Hon. L. J. KING: Shopkeepers can, with some justification, claim that costs of handling empty bottles are considerable and, while the matter has been subject to negotiation between manufacturers and retailers for many years, as yet no satisfactory solution has been found. The public should not automatically expect shopkeepers to refund deposits on bottles that were not purchased from them. Many bottles are purchased from supermarket-type outlets but instead of being returned to them are passed in to small mixed businesses or delicatessens.

Some shopkeepers are giving confectionery in lieu of cash to children as a refund of bottle deposits when the children want cash, and while this is undesirable, it would be difficult to devise legislation to satisfactorily control this practice as among other things it would be almost impossible to establish the point of sale of the particular bottles. There is a clear legal and moral obligation on a shopkeeper who receives a deposit to refund it in cash when the bottle is returned. Any specific complaints received will be examined by the Prices and Consumer Affairs Branch.

MODBURY HOSPITAL

In reply to Mrs. BYRNE (September 25).

The Hon. L. J. KING: Action is being taken to erect a "give way" sign at the Modbury Hospital visitors car park.

HEALTH STUDIO

In reply to Mr. SLATER (September 24).

The Hon. L. J. KING: Over the years many complaints have been received regarding contracts that require large sums to be paid for the provision of services over extended periods of time, such as those provided by McNallys Health Studios and other firms offering health and fitness courses, dancing lessons, and the like. Firms offering such services have been careful to ensure that contracts entered into by clients have been legally binding agreements and, in spite of the fact that some consumers claimed to have been pressured into signing contracts against their better judgment, difficulty has been experienced by those wishing to opt out of such agreements.

The Prices and Consumer Affairs Branch has had some measure of success in arranging for cancellation of such contracts but, because of the difficulties involved, it is now examining this problem to determine whether legislation should be recommended for the protection of consumers who enter into such transactions. The particular complaint referred to by the honourable member is being held in abeyance pending the receipt of further information from the young lady concerned.

UNDER-AGE DRINKING

In reply to Mr. PAYNE (September 18).

The Hon. L. J. KING: Generally, the amendment to section 137 of the Licensing Act has facilitated policing of the law relating to under-age drinking on licensed premises, and has contributed significantly to the preventive legislation. Policing of under-age drinking is a continuing

activity, and offenders are reported with a view to prosecution. However, it is inevitable that there will be instances where juveniles escape detection because their age is deceptive. So far as can be assessed from police observations, where doubt exists as to age licensees request proof of age from a purchaser. Of course, where the evidence produced is false, the efficacy of the legislation is negated. In this respect it has been observed in several instances that drivers' licences produced as evidence of age have, in fact, belonged to an older relative and have been used without that person's knowledge.

MEDICAL TECHNOLOGY COURSE

Mr. EVANS (on notice):

1. What is the expected cost of the nine postgraduate scholarships in medical technology at the South Australian Institute of Technology?

2. Have similar scholarships been offered to officers in the Hospitals Department, studying part-time for the degree of Bachelor of Applied Science (Medical Technology) and, if not, why not?

3. Is it a condition of the scheme that a contract to serve in the Public Service be entered into and, if so, has this been offered to part-time students as an alternative to a deduction in salary and, if not, why not?

4. Have some students who are completing the degree of Bachelor of Applied Science been unable to find employment and, if so, how many?

5. Does the Government intend to liberalise the study-leave conditions for existing officers studying part-time by offering a bond in lieu of salary deductions?

The Hon. HUGH HUDSON: The replies are as follows:

1. Seven scholarships for the one-year graduate diploma in medical technology course were awarded for 1974. These postgraduate scholarships were specially provided to meet the specific needs of the Flinders Medical Centre. The allowances being paid to students will total about $19 500 for the year.

2. Similar scholarships have not been offered to officers in the Hospitals Department to study the Degree of Bachelor of Applied Science (Medical Technology). However, the Institute of Medical and Veterinary Science awards scholarships to some employees on a very selective basis. One award was made for 1974. Opportunities also exist for officers of the Public Service to apply for Public Service undergraduate study awards, and these are awarded on a competitive basis in areas of occupational need.

3. It is a condition of the postgraduate scholarship scheme that a contract to serve in the Hospitals Department for one year be entered into. Under the Public Service part-time Education Assistance Scheme contracts of service are not offered as an alternative to a deduction in salary. Liberal provisions are made under the scheme to support students by granting time off with pay in approved courses. In the case of the Degree of Bachelor of Applied Science (Medical Technology), students may be granted all necessary time off and receive pay for up to 11 hours for lectures, tutorials, and practicals, and payment for all necessary travelling time during normal working hours.

4. From inquiries made and in the Public Service Board's knowledge, employment opportunities are quite favourable for students completing the Degree of Bachelor of Applied Science (Medical Technology).

5. The Public Service Board considers that existing provisions under the part-time Education Assistance Scheme are equitable, and adequately meet all existing circumstances. The board does not hold the view that a contract of service is a satisfactory alternative to a deduction of salary, having regard to the objectives and concepts of the scheme.

NORTHFIELD HOSPITAL

Mr. MILLHOUSE (on notice): If ward C3 at Northfield Hospital is converted for use as a day hospital—

(*a*) when will it be so converted;
(*b*) what is the estimated capital cost of conversion;
(*c*) what is the estimated annual cost of using it for this purpose;
(*d*) what staff will be required, and is such staff available?

The Hon. L. J. KING: The reply is as follows: (*a*) Conversion has been completed; (*b*) $33 000; (*c*) $55 000; (*d*) one administrative officer, one group worker, two occupational therapists (each part-time), one registered nurse, four enrolled nurses, and one pantrymaid. There could be problems in recruiting some of the staff.

GLADSTONE GAOL

Mr. VENNING (on notice):

1. Is it intended to close Gladstone Gaol?

2. How much has been spent in upgrading this gaol since the Mitchell report was received?

3. If it is intended to close this gaol, what use will be made of the buildings?

The Hon. L. J. KING: The replies are as follows:

1. Yes.

2. The Mitchell report was released in July, 1973, and since that time the amount of $28 523 has been spent on Gladstone Gaol. This expenditure has been principally on routine maintenance of toilet and sewerage systems, etc., and incudes expenditure to date on re-roofing, which was necessary in view of the leaking and perished condition of the old iron. There is still an amount of about $3 100 to be spent to complete the job. However, further works totalling $227 700 had been approved to upgrade the prison to reasonable standard, although this amount did not include sewerage of individual cells. Immediately the Mitchell report was released, these works were deferred, pending an assessment of the report, the departmental situation, and the siting of new institutions recommended in the report. Therefore, the only money spent on Gladstone Gaol since release of the Mitchell report has been for essential maintenance, and, in effect, there has been no upgrading expenditure.

3. At this point the future use of the buildings is undecided.

ADVISORY COMMITTEES

Dr. EASTICK (on notice):

1. How many advisory committees are now established?

2. What is the purpose of each committee?

3. What are the terms of reference of each committee?

4. Who are the personnel of each committee?

5. Have any changes to personnel been effected in the last six months and, if so, what changes have been made?

6. For what reason has any committee member been replaced during this period?

The Hon. D. A. DUNSTAN: Until the Leader spells out what he means by "advisory committees", it is impossible to reply to this question.

PUBLIC BUILDINGS DEPARTMENT

Mr. MATHWIN (on notice):

1. How many apprentices were working in the Public Buildings Department in each of the years 1970-71 to 1973-74?

2. What is the year of their apprenticeships, and to what trades are they apprenticed?

3. Are there any apprentice trainees employed in the Public Buildings Department and, if so, how many and to what trades?

The Hon. J. D. CORCORAN: The replies are as follows:

1. For 1970-71, 143; 1971-72, 152; 1972-73, 156; and for 1973-74, 150.

2. Trade	1st year	2nd year	3rd year	4th year
Carpenters and joiners	11	10	10	10
Furniture polishers	1	1	1	—
Wood machinist	1	2	1	1
Fitter and turner	3	4	5	1
Welder	2	—	1	2
Panel beater	—	—	—	1
Motor mechanic	—	2	2	3
Electrical fitter	4	6	5	5
Radio trades	—	3	1	—
Refrigeration mechanic	4	4	4	2
Sheet metal worker	1	1	1	1
Bricklayer	1	—	1	—
Painter	4	3	1	3
Plumber	8	—	6	6

3. No.

HANSARD

Mr. BECKER (on notice):

1. What was the total cost of producing and printing *Hansard* for the financial year ended June 30, 1974?

2. What was the average weekly number of copies printed?

3. What was the total revenue received from sales?

4. What was the value of copies provided for Government departments and other organisations and persons, free of charge?

5. What was the total amount of postage incurred by the Government Printer in distributing *Hansard*?

6. Are present rates of subscription under review?

7. What is the estimated costs and receipts of *Hansard* for the financial year ending June 30, 1975?

The Hon. L. J. KING: The replies are as follows:

1. $141 475.

2. 2 700.

3. $2 241.

4. Members, $2 772; other, $1 686; total $4 458.

5. $12 827.

6. No.

7. Estimated "cost" for 1974-75, $238 000; estimated "receipts" for 1974-75, $1 870.

THERAPEUTIC GOODS

Dr. TONKIN (on notice):

1. Have guidelines for the control, by legislation, of consumer advertising of therapeutic goods been adopted by the Australian Health Ministers' Conference and, if so, what are these guidelines?

2. Is it intended to introduce legislation in this Parliament to control such advertising and, if so, when?

3. Will such controls be mainly directed at the advertising of analgesics and, if not, what other therapeutic goods will be controlled?

4. Will this Government adopt all criteria agreed to at the Health Ministers' Conference?

The Hon. L. J. KING: The replies are as follows:

1. The Australian Health Ministers, at their recent annual conference, agreed to proposals for uniform controls on the labelling and advertising of all therapeutic goods. Ministers agreed to take the proposals back to their States with the view to adoption. The guidelines, which apply to all therapeutic goods, are divided into three sections, namely:

(1) advertising to the medical and allied professions,

(2) advertising to the general public,

(3) supplementary labelling on dispensed medicines.

2. It is not necessary to introduce legislation in Parliament as the Food and Drugs Act includes regulatory power to control the advertising of therapeutic goods; any regulations to be made under those powers will be tabled in the usual manner. The proposals will be considered shortly by the Food and Drugs Advisory Committee, but no indication can yet be given as to when regulations will be recommended.

3. The intended controls are directed at all therapeutic goods; that is, any drug for which a therapeutic claim is made, such as patent medicines, prescription drugs, vitamins, and minerals. The controls are not mainly directed at analgesics, but more stringent provisions apply to those drugs than to other therapeutic products.

4. The proposals will be considered by the Food and Drugs Advisory Committee: whether or not the committee will recommend the adoption of all of the criteria depends on its consideration of the matter and of the submissions that are being made on the proposals.

COUNCIL BOUNDARIES

Mr. GOLDSWORTHY (on notice): What is the cost, so far, of the Royal Commission into Local Government Areas?

The Hon. G. T. VIRGO: The cost is $36 845.

ADOPTIONS

Dr. TONKIN (on notice):

1. How many people are now on the waiting list for child adoption?

2. What is the average waiting time for adoption?

3. What are the reasons for the smaller number of children now available for adoption?

4. What is the average age of children now being adopted?

The Hon. L. J. KING: The replies are as follows:

1. A total of 997.

2. The waiting time to adopt a child varies considerably. Applicants may have to wait for three years or longer.

3. More unmarried mothers are keeping their children. Improved methods of contraception and availability of abortion in some cases also affect the number of children becoming available.

4. Excluding children adopted by natural parents and other relatives, 83 per cent of children adopted during 1973-74 were aged under one year. Many of the other children had been in the homes of the adopting parents for a considerable time before the adoption application came before the court.

BREAD

Dr. TONKIN (on notice):

1. How many times has the price of bread been increased during the past two years?

2. On what dates have approvals been given for increases in price, and what has been the increase for a large loaf each time?

3. When is it expected the next increase in bread prices will be approved?

The Hon. L. J. KING: The replies are as follows:

1. There have been seven increases in the price of bread over the past two years.

2. Dates on which these increases applied and the rises per 900 gram loaf, whether ordinary or sliced and wrapped, sold over the shop counter or delivered are as follows:

Date	Increase a loaf
January 15, 1973	1c
June 25, 1973	2c
January 21, 1974	2c
May 24, 1974	2c
July 1, 1974	2c
August 26, 1974	2c
October 21, 1974	3c

3. No further increases are contemplated at this stage, as no application has been received from the Bread Manufacturers Association.

HEROIN

Dr. TONKIN (on notice):

1. Because of the recently reported marked increase in the availability, supply, and abuse of heroin in Melbourne and the Eastern States generally, is there any evidence to suggest that this increase is being reflected in Adelaide and South Australia?

2. What actions are being taken to restrict or minimise the importation of heroin into South Australia?

3. What other actions are contemplated to counter any increase in heroin abuse in this State?

The Hon. L. J. KING: The replies are as follows:

1. Drug Squad members report a general awareness of an increase in the availability of heroin in South Australia, as evidenced by the fact that in 1973 only one offence for possession of heroin was detected, whereas up to date there have been 10 offences involving six offenders detected and dealt with this year. They report having no evidence however of any constant flow of this particular drug into South Australia such as to sustain a ready market.

2. An Australia-wide liaison exists between the various police drug squads and other Australian agencies concerned with policing the drug scene, and the constant passing of intelligence between all parties has enabled the related authorities to exercise an appreciable measure of control in restricting and minimising the importation of heroin into this State. It has been this intelligence, together with information from informants, that has contributed to the success which has so far been achieved in this particular area of drug abuse.

3. Continual training of police in drug investigation is one of the measures being used to counter drug abuse in South Australia, inclusive of heroin, together with inviting community involvement through drug health education. Drug Squad members have been trained, and additional members attend courses each year to equip them to lecture to public groups on drug use and abuse. The use of trained police dogs to search for drugs is another measure that is also being developed.

RESERVOIRS

Dr. EASTICK (on notice):

1. What was the water level in the Warren and South Para reservoirs, respectively, on Friday morning in each of the past six weeks?

2. What is the depth of water in each reservoir when it reaches full capacity?

3. How many times, and when, has each reservoir reached full capacity this year?

4. What has been the recorded rainfall in this area for this year to date and in 1971?

5. How many times have the South Para gates been open this year, how many each time and when?

The Hon. J. D. CORCORAN: The replies are as follows:

1.

Friday Morning	Water level in metres: Warren reservoir	South Para reservoir
11/10/74	14·50	30·12
4/10/74	15·56	29·81
27/9/74	14·88	28·80
20/9/74	15·05	27·97
13/9/74	14·80	27·68
6/9/74	14·88	27·60

2. South Para . . . . . 30·50 metres
Warren . . . . . 14·80 metres (until 10/10/74, when lowered to 14·04 metres)

3. Warren reservoir reached full capacity on 19/7/74 and has remained full since that time. South Para reservoir has not reached full capacity this year. During the heavy intake period on October 4, 1974, the spillway gates were operated to limit the water level to ·5 metres below the top of the gates.

4. Recorded rainfall in this area:

	To October 17 1974	1971
At Williamstown . .	857·4 mm	735·9 mm
At South Para reservoir	828·3 mm	816·4 mm

5. The first time on which the spillway gates at South Para were opened this year was on Thursday, October 3. Details of openings subsequent to that date are as follows:

Thursday, October 3:

8.30 a.m.: One 1·4 m gate open transferring water to Barossa reservoir.

3.00 p.m.: One 3·7 m gate opened. Total one 3·7 m and 1·4 m gates. Water still being transferred to the Barossa reservoir.

Friday, October 4:

8.00 a.m.: Inlet tunnel to Barossa reservoir closed—all flow from South Para reservoir, now flowing down the river.

8.30 a.m.: One 3·7 m gate and one 1·4 m gate opened. Total two 3·7 m gates and two 1·4 m gates.

9.00 a.m.: One 3·7 m gate opened. Total three 3·7 m and two 1·4 m gates.

10.00 a.m.: One 3·7 m gate opened. Total four 3·7 m and two 1·4 m gates.

11.15 a.m.: One 3·7 m gate opened. Total five 3·7 m and two 1·4 m gates open.

11.45 a.m.: One 3·7 m gate opened. Total six 3·7 m and two 1·4 m gates open.

2.30 p.m.: One 3·7 m gate opened. Total seven 3·7 m and two 1·4 m gates open.

4.00 p.m.: One 3·7 m gate closed. Total six 3·7 m and two 1·4 m gates open.

7.00 p.m.: One 3·7 m gate closed. Total five 3·7 m and two 1·4 m gates open.

8.00 p.m.: One 3·7 m gate closed. Total four 3·7 m and two 1·4 m gates open.

10.00 p.m.: One 3·7 m gate closed. Total three 3·7 m gates and two 1·4 m gates open.

Saturday, October 5:

12.30 a.m.: One 3·7 m gate closed. Total two 3·7 m and two 1·4 m gates open.

3.00 a.m.: One 3·7 m gate closed. Total one 3·7 m gate and two 1·4 m gates open.

11.00 a.m.: One 1·4 m gate closed. Total one 3·7 m and one 1·4 m open.

1.00 p.m.: One 1·4 m gate closed. Total one 3·7 m gate open.

Sunday, October 6:

4.30 a.m.: One 3·7 m gate closed. Two 1·4 m gates opened. Total two 1·4 m gates open.

6.00 a.m.: One 1·4 m gate closed. Total one 1·4 m gate open.

This condition remained unchanged until 8 a.m. on October 11, when all gates were closed. At 11.20 a.m. on October 11, one 1·4 m gate was opened. This situation was maintained without further change until 9.40 a.m. on October 15, when all gates were closed.

Wednesday, October 16:

1.00 a.m.: One 1·4 m gate opened.

2.00 a.m.: One 1·4 m gate opened. Total two 1·4 m gates open.

3.00 a.m.: One 3·7 m gate opened. Total one 3·7 m and two 1·4 m gates open.

5.00 a.m.: One 1·4 m gate closed. Total one 3·7 m and one 1·4 m gates open.
9.20 a.m.: All gates closed.
Thursday, October 17:
2.50 p.m.: One 1·4 m gate opened.
Friday, October 18:
8.00 a.m.: One 1·4 m gate opened. Total two 1·4 m gates open.

Full supply level for the South Para reservoir is the quantity held when the water level is at the top of the spillway gates. For practical reasons in the operation of the gates, and making allowance for wind action, it is necessary to allow a minimum of 152 mm of freeboard from the top of the gates. The level on Friday, October 18, 1974, was about 203 mm below the top of the gates: at that level the reservoir would be regarded as being at full capacity.

PARLIAMENTARY SALARIES

Mr. MILLHOUSE (on notice): When is it intended to call the Parliamentary Salaries Tribunal together, pursuant to section 6 of the Parliamentary Salaries and Allowances Act?

The Hon. D. A. DUNSTAN: No decision has been made.

HOSPITALS

Dr. TONKIN (on notice):

1. Is it intended to phase out the part-time sessional medical consultant staff at public hospitals and replace it with full-time medical staff at all levels and, if so, over what period?

2. If this alteration is not proposed, what will be the basis for the payment of visiting medical consultant staff in public hospitals, in the event of the Commonwealth Health Insurance programme being implemented in South Australia?

3. Under this proposed scheme, will standard ward beds be provided in private and community hospitals and on what basis will consultant medical staff be employed in these hospitals?

The Hon. L. J. KING: The replies are as follows:

1. Part-time sessional medical consultant staff are employed only at public teaching hospitals, and it is not intended to phase out such staff.

2. The method of payment of consultant staff in public hospitals under the proposed Australian Health Insurance programme is a matter still to be jointly considered between the Australian Department of Social Security and the State. The Commonwealth proposal contemplates that every doctor will be paid (on a basis to be arranged) for providing free medical treatment to hospital patients, that is, those receiving free treatment in standard wards.

3. There is no proposal as far as is known for visiting medical specialists on a sessional basis to be employed in private or community hospitals where it is expected that the present doctor-patient relationships will still be maintained. As stated in 2 above, the Commonwealth proposals will be subject to further joint consultation and agreement between the Commonwealth and the State.

Dr. TONKIN (on notice):

1. Has consideration been given to the proposed agreement between the State and Commonwealth Governments in relation to the Commonwealth Health Insurance programme and, if so, has this Government decided to agree to the Commonwealth proposals?

2. If so, what will be the effect on hospital financing in relation to public hospitals, community and Government-subsidised hospitals and private hospitals, respectively?

The Hon. L. J. KING: The replies are as follows:

1. Yes: consideration has been given to the proposed agreement between the State and Commonwealth Governments in relation to the Commonwealth Health Insurance programme. However, no final agreement has been reached, and for that to be done it would be necessary to enter into a specific agreement in terms of section 30 and schedule 2 of the Commonwealth Health Insurance Act, 1973.

2. Until such an agreement should be completed, it is not possible to indicate what effect this would have on hospital financing in the various types of hospitals.

LAND AND BUSINESS AGENTS ACT

Dr. EASTICK (on notice):

1. Has the application pursuant to section 15 of the Land and Business Agents Act, 1973, which had not been determined as at August 13, 1974, now been determined and what was the result thereof?

2. Have any other applications been received and, if so, with what result?

The Hon. L. J. KING: The replies are as follows:

1. No. This applicant previously held a licence that was allowed to lapse. There is no educational qualification bar to his being relicensed. However, the determination of his application has been held up awaiting for him to comply with statutory requirements in regard to audit of trust accounts in respect of previous licence.

2. Yes. Three. One has been refused on grounds that applicant does not hold prescribed qualifications. The other two have not yet been determined by the board: in one case the applicant has not been available for interview, and in the other the application is a recent one and will be heard by the board, probably at its next meeting.

Mr. COUMBE (on notice): Is the Minister aware of the delays and difficulties being experienced by hotel brokers under the operations of the new provisions of the Land and Business Agents Act and, if so, does the Government intend to amend this Act during the present session?

The Hon. L. J. KING: The Hotel Brokers' Association of South Australia Incorporated has made allegations of difficulties in negotiating sales of premises licensed under the Licensing Act. Representations have been made concerning the form provided in the regulations that must be furnished by or on behalf of the vendor in relation to the sale of small businesses (which includes licensed premises) where the total consideration is less than $30 000. Consideration is being given to amending this form, not only in relation to licensed premises but also in relation to other small businesses. Correspondence and discussions with interested parties are still taking place. However, it is not considered necessary to amend the Land and Business Agents Act.

ENGINEERING AND WATER SUPPLY DEPARTMENT

Dr. EASTICK (on notice):

1. For what period and in what capacity was Mr. Walter Jones, of 19 Mortimer Street, Kurralta Park, employed by the Engineering and Water Supply Department?

2. What were the reasons for and the full circumstances surrounding Mr. Jones leaving the employment of the department?

3. What long service leave entitlement was due to Mr. Jones and at what rate was it paid?

4. Would Mr. Jones have qualified for long service leave payment at a higher rate in the Mines Department?

The Hon. HUGH HUDSON: The replies are as follows:

1. From November 6, 1972, to July 23, 1973, as a fitter; from March 24, 1973, to July 20, 1973, as a yardman.

2. Mr. Jones' employment with the department was terminated because of his unsuitability as a fitter, and his attitude to his supervisors. However, to enable him to qualify for long service leave payments, he was allowed to continue with the department as a yardman to complete his 10 years service.

3. Ninety calendar days long service leave. Payment was made at the rate of $72·10 a week.

4. Yes: if his 10 years service had been completed and his services terminated while he was still employed in the Mines Department in his old position.

FARM MACHINERY

Mr. GOLDSWORTHY (on notice): Have regulations concerning safety in the operation of farm machinery and tractors been drafted and, if so, when will these regulations be tabled in Parliament?

The Hon. D. H. McKEE: These regulations are at present being drafted by the Crown Solicitor, and will be tabled in Parliament as soon as they have been made.

STATE FINANCES

The Hon. D. A. DUNSTAN: I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: In my Budget for the financial year I forecast a deficit of $12 000 000, which, after receipt of the completion grant for 1972-73 of $8 500 000, would have left us with a deficit on Revenue Account of manageable size, as against which we held sufficient Loan moneys. However, in setting this target of a $12 000 000 deficit I had included in the Estimates of Revenue a special amount of $6 000 000 as a grant from the Commonwealth for which I believed that I had a virtual undertaking from the Prime Minister and which would have gone a long way towards avoiding the introduction of new taxes. However, as we now know, that grant was not forthcoming, and as a result of this and of two other factors the prospective deficit for 1974-75 is materially increased. These factors are, first, that as a result of prospective wage escalations there will be a greater net impact on the Budget, after taking account of increased general purpose grants from the Commonwealth and increased pay-roll tax. This State has made more provision for forward wage increases than other States have done in their Budgets, but I am convinced that, on present indications, what we have done will be inadequate and that what they have done will be even more inadequate. Secondly, there has been the down-turn in receipts from stamp duties and certain other forms of State taxation. Specifically in stamp duties, of course, the receipts have declined particularly with the decline in sales of properties that has arisen from the increase in interest rates, which has been Commonwealth Government policy. The Government has been reluctant to proceed with further measures that would have an inflationary effect.

At the recent Premiers' Conference, all Premiers made clear to the Commonwealth that they would be completely against any conjoint action to contain cost inflation if they were forced into further inflationary tax increases. However, despite that fact, we have not had a response from the Commonwealth Government, and it would be completely irresponsible for the State Government to ignore the increase in the prospective deficit merely because certain measures were not announced in the annual Budget. As I pointed out in my Budget speech on August 29, it is desirable that we maintain flexibility in our approach and be prepared to introduce other measures during the course of the year if that seems appropriate.

Accordingly, I have now to announce that Cabinet has approved the introduction of two new taxing measures. The first will relate to the licensing of petroleum products outlets, in relation to which we propose to legislate along the general lines of the recently-passed New South Wales legislation, and with similar rates. A Bill to give effect to this decision will be introduced during the current session, when I shall be able to give much more detail.

The second measure will impose a franchise licence fee on retail sales of cigarettes and tobacco. The rate presently proposed is the same as that proposed for petroleum products, namely, 10 per cent on the total sales for a preceding period. Incidentally, this was the overall rate charged in Tasmania. I hope to have this legislation before the Parliament soon but, if the administrative details prove to be too complicated for that, it will have to be introduced in the session early next year. However, I hope it can be introduced before then.

I very much regret having to make this announcement. The Government has considered all conceivable alternatives available to it in the way of taxation measures to try to get at measures that will be the least cost inflationary. I assure honourable members that all the other alternatives that we have considered would be more cost inflationary than those that we have now announced.

Dr. EASTICK: Will the Treasurer say what major financial expenditures the Government has either postponed or abandoned, as tangible evidence that it is vitally concerned about the present critical inflationary problem to the extent that it is making sacrifices itself, not just continuing to rip money from the increasingly hard-hit taxpaying public? We have had cost of living increases of more than 17 per cent in South Australia, an increase of 5·4 per cent for the latest quarter, and massive increases in motor car registration fees and in the other areas that have been outlined in this House over a period of time. These matters are against a background of a refusal by the Government to take positive action to close down railway lines that are non-productive and expensive. We also have many other measures that are non-productive and pie in the sky in nature. I ask the Treasurer, therefore, to indicate clearly to the people of this State what tangible means the Government intends to use to cut its coat according to the cloth that is available instead of trying to stretch more cloth out of the taxpaying public.

The Hon. D. A. DUNSTAN: I have outlined previously to the House the budgetary measures the State Government has undertaken and the close surveillance it has established over every area of Government.

Dr. Eastick: Not close enough.

The Hon. D. A. DUNSTAN: I know that the Leader has a grand habit of making general statements because, when I have asked him previously to be specific, he has said, "That's your job."

Dr. Eastick: Start on the railways.

The Hon. D. A. DUNSTAN: I have said previously that I am interested that the Leader wants us to close down the railways. I assure him that we are looking at railway services.

Mr. Gunn: Start with the Premier's Department.

The Hon. D. A. DUNSTAN: If the honourable member thinks that we will solve the budgetary problems of this State in my own department, he has another think coming.

Mr. Gunn: Why don't you make a start though?

The SPEAKER: Order! Honourable members know what is required of them; I will not explain it further. Standing Order 169 will prevail if interjections continue. The honourable Premier.

The Hon. D. A. DUNSTAN: The Opposition in this matter has constantly required the Government to expand its services. We have had this year question after question and demand after demand from the Opposition that we should increase expenditure and services in the State, while, at the same time, the Opposition has asked us to cut actual expenditure. We demand, and the public demands, that if the Opposition wants to pretend, and that is all it will be doing—

Dr. Eastick: There is no pretence.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: If the Opposition wants to pretend it is an alternative Government, which this Government and the public know it is not—

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The Opposition knows it could not hang together for five minutes. The member for Hanson gave clear evidence of that immedately after the last State by-election.

Mr. Becker: Don't worry about that.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I am sure the honourable member does not like me referring to that.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Members opposite cannot hang together as an Opposition, let alone as a Government. However, assuming it pretends to be an alternative Government, it must take the responsibility of producing alternative expenditure patterns, and that it has not done and will not do. If the Leader wants me to spell out what we are going to do, it is up to him to suggest what services should be cut in addition to the railways.

Dr. Eastick: Can I go down to the Treasury?

The Hon. D. A. DUNSTAN: The Leader can go to the Treasury; I do not mind giving him Treasury information. Anyway, members already have that information.

Mr. Evans: No we haven't.

The Hon. D. A. DUNSTAN: Members opposite know perfectly well that they do have the accounts. If members opposite propose that we cut expenditure, I want to know what services we should stop and who it is we should sack.

Dr. Tonkin: It's up to you!

The Hon. D. A. DUNSTAN: It's not up to the Government; members opposite must take the responsibility of saying, "We propose that you sack Government workers." I know members opposite will not take that responsibility, because they have no sense of responsibility, anyway.

Mr. McANANEY: Does the Treasurer believe that a reduction in Government expenditure, so that the Budget can be balanced, would cause any more unemployment than his efforts to reduce expenditure in the private sector by raising taxes to eliminate the deficit?

The Hon. D. A. DUNSTAN: I do not believe that the Government's raising of taxes will create unemployment.

Mr. Evans: You're joking.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I am not joking, but members opposite may have their little joke if they like. If Opposition members can point to people who have been put out of work because of the Government's revenue measures, I should like to know who they are. Whom do they cite as being put out of work by this Government?

Mr. McAnaney: Those who—

The SPEAKER: Order! I warn the honourable member for Heysen.

The Hon. D. A. DUNSTAN: Opposition members may make that sort of statement, but they seem to be completely irresponsible in making it.

Mr. McAnaney: You call that irresponsible!

The Hon. D. A. DUNSTAN: The honourable member and other Opposition members are irresponsible in trying to produce any criticism they can of a Government that is acting perfectly responsibly.

Mr. Wells: So there!

The SPEAKER: Order! I warn the honourable member for Florey.

The Hon. D. A. DUNSTAN: If the member for Heysen wants us specifically to sack people, and that is the implication in his question—

Mr. Goldsworthy: Come on!

The Hon. D. A. DUNSTAN: The honourable member has said that, in reducing Government expenditure, we would be sacking fewer people than we would be causing to be unemployed by raising revenue. If Opposition members want us to reduce expenditure, they must point to the areas that will result in a reduction in expenditure of about $12 000 000, and they will have to say whom they want sacked.

Dr. TONKIN: Will the Treasurer say why he has not included a demand for a more equitable Commonwealth-States Financial Agreement, allied to a more reasonable income tax structure, as one of the major points in his recently announced plan to meet the current financial crisis in Australia? On the front page of today's *News* prominence is given to the Treasurer's six-point plan to beat inflation but neither of those matters is mentioned, yet they are fundamental and are generally agreed to be so. No-one in this State is unaware of the effect that increased wages has had on the level of his income tax: the Commonwealth Government is raising twice as much revenue from income tax this year as it received when it first came to office. No-one is unaware that the recently announced fuel and tobacco taxes have had to be imposed because the Commonwealth Government is not giving this State the general revenue and Loan funds that the State should have as its right. What is the Treasurer doing to obtain these funds, and why does he apparently not want to obtain them?

The Hon. D. A. DUNSTAN: Obviously the honourably member does not bother to read or listen. I have raised this matter at every Premiers' Conference I have attended since 1967. Of course, it was raised at the most recent conference. Further it has been stated publicly that it has been listed as a matter for discussion at the conference of State and Commonwealth Labor Leaders this week.

Dr. Tonkin: And you haven't got anywhere.

The Hon. D. A. DUNSTAN: No, I have not.

Dr. Tonkin: Perhaps you should leave.

The Hon. D. A. DUNSTAN: I have not got any further than my predecessor in this office or his predecessor got, and unfortunately we are getting the same kind of treatment as we got from Liberal Governments in Canberra. The plain fact is that under Liberal Governments in Canberra we could not get better treatment, and the formula at present operating is a Liberal Government formula that was imposed by Mr. Gorton. At that time I was very outspoken about the inadequacy of the provision for the States, and all the Liberal State Premiers agreed

that they would stick out with me against the Commonwealth Government. However, at the 1970 conference, they were all bought off one by one. Mr. Askin, as he then was, was offered $2 per capita, and so was Victoria. We had all agreed in 1970 that we would oppose the proposed formula and that we would insist on a formula that had a larger base and a different betterment factor. We all agreed that we would stick, but the Premiers I have mentioned were all bought off one by one. When I said to Mr. Askin, "You said you would stick," he replied, "Oh, Don. how can I pass up $10 000 000?" with the implication that the rest of us could sink or swim! This matter is not new and, if the honourable member suggests that I have not raised it, all I can say is that he has been in sleepy hollow since he got into politics. He may have been there: evidently, he has not bothered to read the statement that I have made today.

Dr. Tonkin: I wasn't impressed.

The Hon. D. A. DUNSTAN: I am not concerned whether the honourable member was impressed, because he would not want to be impressed. His general attitude is to criticise, even before he starts reading. The honourable member knows perfectly well that I stated specifically that the six points I had put to Mr. Whitlam on that occasion were the areas of conjoint State and Commonwealth action to contain cost inflationary increases. They arose out of what was done by the working party appointed by the most recent Premiers' Conference on the points which I had raised there and to which Mr. Hamer, Sir Robert Askin, Sir Charles Court and Mr. Reece agreed.

The Hon. Hugh Hudson: What about Bjelke-Petersen?

The Hon. D. A. DUNSTAN: He would not even talk about it. The honourable member for Bragg then spoke about another topic which was raised at that conference and at other Premiers' Conferences and which I have constantly raised in public. The honourable member has asked me why I did not include that. I could have included many other things in discussing Commonwealth-State relations, and this was a specific suggestion of conjoint action in relation to inflation.

Mr. GOLDSWORTHY: My question is directed to the Treasurer. He is absent, but I assume he will come into the House while I am talking, because that is what he usually does. What was the specific nature of the Prime Minister's undertaking that a grant of $6 000 000 would be made available by the Commonwealth Government to assist the South Australian Budget? Today, the Treasurer again referred to the undertaking he had received from the Prime Minister that $6 000 000 would be made available by the Commonwealth Government to South Australia to help with the Revenue Budget. We are becoming used to the Prime Minister's making statements and then retracting them; nevertheless, this is a serious matter because it has led to the announcement of savage increases in State taxes. I therefore ask the Treasurer whether the Prime Minister's undertaking was conveyed by letter or minute, or whether it was verbal; or was it the sort of undertaking that the Treasurer received in relation to the wine imposts?

The Hon. HUGH HUDSON: I understand it was a verbal undertaking, but I will check that with the Treasurer. It certainly led the South Australian Government to submit to the Australian Government a series of specific projects, to which South Australia was already committed. The understanding we had of the submission was that projects to which South Australia was already committed would be financed by additional assistance from the Australian Government. The matters to which the Treasurer has referred this afternoon in his Ministerial statement—

Dr. Eastick: Can you give us more information?

The SPEAKER: Order! Interjections are out of order.

The Hon. HUGH HUDSON: The Leader of the Opposition—

The SPEAKER: Order! The honourable Leader of the Opposition is out of order.

The Hon. HUGH HUDSON: He is also peddling untruths.

Mr. Goldsworthy: The other alternative is that Whitlam's a liar.

The SPEAKER: Order!

The Hon. HUGH HUDSON: It was clearly understood that we would get additional assistance.

Mr. Goldsworthy: Of about $6 000 000?

The Hon. HUGH HUDSON: Something of that order. Submissions were made to the Prime Minister on that basis and in terms of submitting specific projects to which this Government was already committed, anyway: they were made in the knowledge that, if the Commonwealth Government had provided finance towards the projects, South Australia's Budget would have been relieved of a $6 000 000 commitment.

Dr. Eastick: Not if—

The Hon. HUGH HUDSON: That is what I said.

The SPEAKER: Order!

The Hon. HUGH HUDSON: I object to the Leader's continual attempt to falsify statements; his falsifications will be recorded in *Hansard* and should be known for the falsehoods they are.

Mr. EVANS: In the temporary absence of the Treasurer, can the Minister of Education say whether the 10 per cent petroleum products tax will apply to natural gas?

The Hon. HUGH HUDSON: I will refer the question to the Treasurer.

Mr. DEAN BROWN: Can the acting Treasurer (the Minister of Education) say why the Treasurer has completely ignored the grossly inflationary impact of his new revenue-raising fuel tax of 10 per cent?

Mr. Wells: You're a glutton for punishment!

The SPEAKER: Order!

Mr. DEAN BROWN: I like to come out with the truth, revealing the facts. It has been announced that the Government will impose a fuel tax. However, yesterday we learned that South Australia had, at 17·1 per cent, the highest inflationary rate during the last 12 months of any State in Australia. It is obvious (and I am sure that, as a former economist, the Minister of Education will realise this) that any fuel tax is highly inflationary. As all aspects of our economy largely depend on transport, the costs involved are automatically passed on. About 12 months ago, in this House in asking a question of the Treasurer (and this was one of the first questions I asked in the House) I predicted that South Australia would have one of the highest inflation rates in Australia and that we were pricing ourselves out of the labour market. Furthermore, in today's *News* the Treasurer has suggested a six-point plan to control inflation: his first point is that of wage indexation. As a former economist the Minister will realise that all economists claim that wage indexation will increase inflation rather than reduce it. Therefore, fully appreciating the tremendous effect it will have on inflation and the wage spiral in this State, I ask the question.

The Hon. HUGH HUDSON: In replying to the former agricultural technician, I am sure that the honourable member heard the Treasurer say today that the alternatives that were considered by the Government were believed to be more inflationary than would be the proposal that has

been adopted. I point out to the honourable member (although realising that he will not listen to any reply and that, if he did, he would not absorb it even if he were capable of absorbing it)—

Members interjecting:

The SPEAKER: Order!

The Hon. HUGH HUDSON: —that the inflationary effect will depend on the extent to which the products or services selected enter into the costs. In the case of tobacco and cigarettes, whilst the proposal affects the cost of living, it does not affect the cost of production.

Mr. Dean Brown: Transport does.

The Hon. HUGH HUDSON: In relation to transport, it partially affects the cost of production—

Mr. Dean Brown: Largely!

The Hon. HUGH HUDSON: —to the extent that the revenue collected is from fuel used in the productive process, but a large part of the revenue is on fuel that is not used in that process. If taxes imposed on other products were fully entering into production, the inflationary effect in raising the same sum would be greater than in the case of petrol. I should have thought that the honourable member would be capable of working that out: if he cares to have it set out in a more simple way, I will write it out in a simpler form for him.

BOOK SALESMEN

Mr. JENNINGS: Is the Attorney-General aware of the activities late last week of book salesmen who operated in my district and probably in others? Apparently, they operated in an insistent way, putting the foot in the door and refusing to take "No" for an answer. As soon as I was approached about the matter, I contacted the Prospect police and the Criminal Investigation Branch, and an investigation of the matter was undertaken immediately. Although the police found out where these salesmen had been, they could not find out where they were at that time. Will the Attorney ascertain whether these salesmen have operated in other areas throughout the State? Apparently, there is evidence that they have come from Victoria. Has this matter been taken up already and, if it has not, will the Attorney take it up immediately and ask the Chief Secretary to look into it?

The Hon. L. J. KING: I will have the matter investigated.

SUPERPHOSPHATE BOUNTY

Mr. RODDA: As a result of the cessation of the superphosphate bounty to take place on December 31, urgent action is required with regard to the situation that has arisen in connection with ordering superphosphate. Will the Minister of Education ask the Minister of Agriculture to have discussions with his Commonwealth colleagues about continuing the bounty? I understand that this week superphosphate companies have issued circulars in order to find out the expected use of superphosphate throughout the State. However, I have been told that many users of superphosphate are in such a stringent financial position that they cannot arrange to order superphosphate, as suggested by the producers of superphosphate to assist them in compiling stocks of rock phosphate for the delivery that must surely take place before the end of the year. Furthermore, the use of railway rolling stock will be complicated by these factors. As members of the rural community are in something of a trauma about this, a clear explanation by the Commonwealth Minister for Agriculture would certainly help the rural community at this time.

The Hon. HUGH HUDSON: I am not sure whether the honourable member is suggesting that perhaps the State should consider taking over the superphosphate bounty from the Commonwealth Government.

Mr. Rodda: No, I merely suggest you put pressure on the Commonwealth Government.

The SPEAKER: Order! The honourable member has asked his question.

The Hon. HUGH HUDSON: I am glad to hear that the honourable member does not want the State to spend any more money. I will raise the matter with the Minister of Agriculture to see whether he thinks there would be any advantage in approaching the Commonwealth Government about the matter.

HILRA ESTATE

Mr. GROTH: Will the Acting Minister of Works investigate the possibility of having the sewer construction programme of the Hilra Estate subdivision made available to the Salisbury council before the end of this year? I have received a letter from the Salisbury council regarding the installation of a sewerage scheme for Hilra Estate, Salisbury North. The council, which has allocated $60 000 this year from an Australian Government grant for the total road construction in this muddy subdivision, would prefer the sewerage mains to be installed before completion of the roads. The council wishes to spend the allocated funds before July next year and would prefer to have the roads constructed before next winter. The council and I have received many complaints from constituents about the condition of the roads in the subdivision.

The Hon. HUGH HUDSON: I will look into the matter for the honourable member.

MYXOMATOSIS

Mr. ALLEN: Does the Minister of Education, representing the Minister of Agriculture, know whether a progress report is available on the use of fleas in spreading myxomatosis among rabbits? It is generally known in the North of the State that fleas were released in rabbit burrows about three years ago in the hope that they would help in spreading myxomatosis. It is claimed in the drier areas of the State that the flea might be more useful than the mosquito in the spread of this disease. Rabbit numbers increased this year because of the excellent season, but with the warm weather the advent of myxomatosis will probably eradicate the rabbits. Rabbits are not in plague proportions in the northern parts of the State as claimed by the member for Elizabeth last week, when he said the numbers were greater than previously.

The SPEAKER: Order! The honourable member cannot comment on a question asked previously.

Mr. ALLEN: The rabbits are not in plague proportions and it is not the worst plague in living memory. About 30 or 40 years ago rabbits were in the North in extremely large numbers, but that is not the case today. In fact, the local people are cashing in on the present situation: with rabbits at 60c a pair they are making much money before myxomatosis takes its toll on the rabbit population.

The Hon. HUGH HUDSON: I thank the honourable member for his question. I am not sure that the Opposition's interest in fleas is entirely healthy. However, it is uplifting to find that at least one member of the Opposition has an interest in constructive proposals for the benefit of the State. In view of that, I shall be pleased to pass the inquiry to my colleague.

JUVENILE AID PANELS

Mr. DUNCAN: Has the Attorney-General reached a decision concerning the sitting times of juvenile aid panels? Some time ago several constituents told me that they were having difficulty attending juvenile aid panel meetings because the meetings were held during working hours. As a result of that, parents were losing money because of loss of wages. Has the Attorney-General been able to see whether these meetings can be held after normal working hours to ensure that people do not suffer economic loss through having to attend?

The Hon. L. J. KING: An effort has been made from the beginning to keep appointments for juvenile aid panels flexible so that the convenience of members of the public and, in particular, of parents of children concerned may be met as far as possible. However, I am grateful to the honourable member for raising the matter of evening appointments for these panels. As a result of his raising this matter I have had it investigated, and I believe that it will be possible to arrange evening appointments in most areas. However, I think we might be up against the problems that attend the evening sittings of courts, and one of these problems is that we never know, when the summons is issued, whether or not the convenience of the person concerned would be met by requiring him to attend in the evening, because not all people find that convenient. It is possible to have a greater degree of informality in arranging for appointments to meet juvenile aid panels, and an overture can be made to certain parents to see what time would meet their convenience. At present, the matter is being further examined and it has been decided to arrange evening appointments wherever practicable and wherever it appears to meet the convenience of a specific number of parents in a certain area.

APPRENTICES

Mr. WELLS: Can the Minister of Labour and Industry say whether any new subsidies have been made available to encourage employers to train more apprentices? I have heard that the Australian Government has made a generous sum available to encourage reluctant employers to increase their number of apprentices, thus ensuring an adequate supply of skilled tradesmen for the State in the future.

The Hon. D. H. McKEE: The honourable member's information is correct: the Australian Government has made additional money available for apprenticeship training. The metropolitan allowance has been brought into line with the country allowance of $454 a year, and there has also been an increase in off-the-job training allowance from $16 to $20 a week. In addition, the living-away-from-home allowance has been increased from $10 to $12·60 a week.

ST. AGNES HEALTH CENTRE

Mrs. BYRNE: Will the Attorney-General ask the Minister of Health what stage has been reached in the establishment of a community health centre at St. Agnes? The Australian Government has announced that it has allocated $1 800 000 for such projects in South Australia, of which $53 475 is to be used to extend an established private medical centre at St. Agnes to provide comprehensive medical and psycho-social care. This development will also permit the extension of some out-patient consulting facilities from Modbury Hospital to the health centre and provide for comprehensive teaching in community medicine to undergraduates, postgraduates and clinic staff. As this centre will be used for teaching purposes, representations have been made to me that it is desirable that the centre be completed as soon as possible, preferably by the beginning of next year's first university term.

The Hon. L. J. KING: I will refer the matter to the Minister of Health.

GOVERNMENT FILMS

Mr. EVANS: Can the Premier say why the Government will not disclose the contract prices of films produced by the South Australian Film Corporation? The South Australian Film Corporation has been letting contracts for the production of films for Government departments. Recently, the Premier refused to disclose the contract price to the Film Corporation of each film and also refused to disclose the price received from the Government departments. Today he has given the Opposition to understand that Treasury details are not available, but this is a monetary consideration, with State money being used by one department to produce films to sell to other departments. I have been told that the amount added by the Film Corporation varies from 30 per cent to 50 per cent, and it would be of interest to an Opposition, in assessing where cuts in expenditure could be made, to know whether the actual overheads of the Film Corporation were not high. Therefore, I ask the Premier why he has refused to disclose the contract price to the corporation from the person or company producing the film and also to disclose the price received by the corporation from Government or other departments.

The Hon. D. A. DUNSTAN: Information has been given to the honourable member in reply to previous questions in this House.

Mr. Dean Brown: You just said—

The SPEAKER: Order! I warn the honourable member for Davenport.

PETRO-CHEMICAL PLANT

Mr. DEAN BROWN: Will the Premier confirm that the Redcliff petro-chemical complex will not proceed unless the Commonwealth A.L.P. Government changes its taxation policies? I understand from reliable sources around Adelaide that the Redcliff petro-chemical complex will not proceed. Apparently, the main reason for this is the new taxation policies announced recently by the Commonwealth Treasurer (Mr. Crean).

Dr. Tonkin: Not again?

Mr. DEAN BROWN: Yes. Under these new taxation policies of the Commonwealth Treasurer, it will not be economic to explore for gas or liquid petroleum. I shall quote from the Commonwealth Treasurer's Budget speech, which was delivered on, I think, September 17. At page 25, the Commonwealth Treasurer states:

> Deductions will not in future be allowable for capital expenditure incurred on company formation and capital raising. Capital expenditure on the development of a mine or well, on the provision of community facilities adjacent to a mine or well, or on the purchase of mining rights or information will be deductible henceforth over the estimated life of the mine or well.

That compares to a much more favourable arrangement that existed before the new announcement by the Commonwealth Treasurer. However, other items in the Commonwealth Government's policy are also involved. A report in the *Sydney Morning Herald* of September 30, 1974, shows clearly that the Commonwealth Department of Urban and Regional Development is opposed to the Redcliff petro-chemical project. I am amazed that that report did not

appear in South Australia and that the Premier has not commented on it in this House. Apparently the Commonwealth Government (except Mr. Connor, Minister for Minerals and Energy) now has a policy of total opposition to the Redcliff project. Following the announcement last week of the closure of Woomera, South Australia needs new employment—

The SPEAKER: Order!

Mr. Langley: Question!

The Hon. D. A. DUNSTAN: No.

FRUIT FLY

Mr. NANKIVELL: Can the Minister of Education, representing the Minister of Agriculture, say whether it is intended to construct a permanent office for use by fruit fly inspectors operating a fruit fly road block at Pinnaroo, and, if it is, will he ascertain when it is intended to erect such a building? I understand that a site peg has been placed near the present temporary accommodation, and that the inspectors concerned understand the peg to indicate the site of the proposed permanent building. That belief was sustained because, I understand, a Public Buildings Department inspector appeared on the scene to inspect the building that was not there.

The Hon. HUGH HUDSON: For a moment I was worried that the honourable member was going to say that a Public Buildings Department inspector had appeared on the scene to inspect the site peg, and I am pleased that that was not the situation but that he appeared only to inspect a building that was not there. However, I will get a report on the matter and bring it down as soon as possible.

PARINGA BRIDGE

Mr. ARNOLD: Can the Minister of Transport say whether Highways Department engineers have studied the approach to the Paringa bridge adjacent to Grimshaw's caravan reserve and, if they have, what action will be taken to reduce the increasing number of fatal accidents that are occurring in this section of the approach road to the bridge? As the Minister is probably well aware, the approach to the Paringa bridge from the Renmark side, which is in the form of an S bend as it comes on to the bridge, is not banked. Recently, three semi-trailers have gone through the guard rails of the approach to the bridge, and these accidents have resulted in fatalities.

The Hon. G. T. VIRGO: Highways Department engineers, in collaboration with the Road Traffic Board, are constantly evaluating the problems of this road and the accidents that occur thereon. However, I find it difficult to accept some of the conclusions that are reached from time to time about the cause of accidents, not by the Highways Department and the Road Traffic Board, but by other people. Equally, I find it difficult to believe that all the accidents caused by semi-trailers going through the guard rails in the S-bend section of Sturt Highway leading into Paringa are caused by the condition of the road. It seems to me that at least some of the accidents have probably been caused by the way the vehicles have been driven. I believe it is far too easy in the area of road accidents to always blame the other person when the responsibility can usually be attributed to the person involved in the accident. Having said that as a generality, I believe that, in the interests of all concerned, it would be desirable to get a detailed report on the specific area of Sturt Highway to which the honourable member refers. Therefore, I shall be happy to get a report for him.

RETRAINING

Mr. MATHWIN: Can the Minister of Labour and Industry say whether it is a fact that people who apply for retraining under the national education and training scheme must, before they are accepted for the scheme, first find an employer who will train them and then get permission from the union that they will be allowed to do that work? Is the Minister aware that so many different retraining schemes are now operating that a situation of complete chaos has arisen, creating hardship for those who wish to obtain employment or be retrained?

The Hon. D. H. McKEE: If the honourable member wishes, I can probably arrange for some retraining for him. The retraining scheme to which he has referred is, as he knows, a Commonwealth matter, the scheme being sponsored by the Commonwealth Government. I will obtain a detailed report for the honourable member and let him have it as soon as possible.

PRINTING COSTS

Mr. BECKER: I intended to ask my question of the Premier, but unfortunately he is not here; he is probably outside rehearsing his lines.

The SPEAKER: Order!

Mr. BECKER: If he is out on business, I have not been told that.

The SPEAKER: Order! What is the honourable member's question?

Mr. BECKER: Can the Minister of Education, representing the Premier, say whether the Government will review subscription rates for the *Government Gazette* and *Hansard*, in order to bring them into line with the costs involved? I accept the earlier challenge by the Premier that members on this side should suggest areas in which the taxpayer's money can be saved. My information is that 2 200 copies of the *Government Gazette* are printed each issue. The cost of producing the *Gazette* in 1973-74 was $342 251. The return from sales was $18 310; advertisements returned $43 947; and the value of supplying the *Gazette* to Government departments free of charge was $7 284. Therefore, the total credit to the State was $69 541, making the total loss on printing the *Gazette* $272 710. In 1974-75, the cost of publishing the *Gazette* is estimated to be $380 000, with receipts of $70 000, so that the loss will be $310 000. In 1973-74, the cost of printing and publishing *Hansard* was $141 475. The average total of weekly copies was 2 700, returning from sales $2 241. The cost of postage was $12 827. It is estimated that the cost of printing, publishing, and distributing *Hansard* in 1974-75 will be $238 000, on which the sales return is expected to be $1 870. Therefore, the loss on *Hansard* in 1974-75 is estimated to be $236 130. In all, the loss expected to be incurred by the Government in respect of these two publications is $546 130. Although I realise that a sum of $546 000 is not great in proportion to the State's deficit of $12 000 000, this is a case where subsidising a public service is costing the taxpayer more than $500 000. Will the Government consider bringing the price of these publications into line with the cost involved in printing them, or investigate alternatives? For instance, in the past I understand notices now printed in the *Government Gazette* were published in the press; perhaps that system could again be considered.

The Hon. HUGH HUDSON: I will refer the matter to the Premier. Do I understand correctly that the honourable member has offered to pay for the free copies of *Hansard* that he now has allocated to him?

Mr. Becker: I am talking about the total cost—

The SPEAKER: Order!

The Hon. HUGH HUDSON: I gather from the honourable member that he wishes to pay for the free copies allocated to him. I point out that, in all, about 1 000 free copies are distributed.

MINE ACIDITY

Mr. McANANEY: Can the Minister of Development and Mines say whether his department has investigated the claims of Mr. Pascoe that the use of lime at the Brukunga mine would be much cheaper than the presently suggested methods of eliminating acidity problems occurring at mines in the Bremer River area?

The Hon. D. J. HOPGOOD: I understand that consideration has been given to this method. As I am not aware of the exact position regarding the investigation, I will obtain a detailed report for the honourable member. This matter has been investigated thoroughly. The suggestion to which the honourable member refers, based as it is on an aspect of the matter considered at high school chemistry level, seems a little simplistic. I would be surprised if, for instance, Australian Mineral Development Laboratories, which has partly handled the matter for the Mines Department, had not come up with that solution if it were adequate. I believe that more sophisticated methods have to be employed.

ABALONE DIVERS

Mr. GUNN: Will the Minister of Fisheries follow the decision of his colleague, the Tasmanian Minister for Agriculture and Fisheries (Mr. Costello), and grant abalone divers, when they are ill, the chance to employ divers in their stead? The Minister will be aware that his Tasmanian colleague has virtually agreed to allow licences to be attached to the abalone boat. This is a situation that abalone divers in this State have sought for some time, and I shall be pleased if the Minister will consider this proposition.

The Hon. G. R. BROOMHILL: We are now discussing proposals for a suitable arrangement with abalone divers, and I will tell the honourable member of the result.

At 3.14 *p.m., the bells having been rung*:

The SPEAKER: Call on the business of the day.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

STATUTES AMENDMENT (COMMITTEE SALARIES) BILL

Returned from the Legislative Council without amendment.

PRIVACY BILL

Adjourned debate on second reading.

(Continued from October 17. Page 1583.)

The Hon. L. J. KING (Attorney-General): The second reading debate on this Bill has been unusual, in that several speakers have either not read or not understood the Bill. Other speakers have addressed themselves to the issues, but those Opposition members who for the most part addressed themselves to the issues tended to see merit in the objectives of the Bill but disputed it on grounds that seem to me (and I hope I shall be able to show) to have no validity. When listening to several speakers, including the Leader of the Opposition, I gained the impression that there was a degree of ambivalence in their approach to the Bill. Much of what they and the Leader, in particular, said seemed to support the principles of the Bill, yet the Leader indicated that he did not intend to vote for it. This is a surprising situation, because, for reasons that have been advanced by both sides, there is a compelling tendency in the modern world towards the protection of the value of privacy. The whole development of modern society, with its increasing technology and urbanism, produces a situation in which privacy has become more valuable to us, and the circumstances in which we live place it under greater and greater threat. In these circumstances the gap in the law to which I have frequently referred, and which provides no remedy in the courts for a citizen whose privacy has been infringed, becomes more and more of an anomaly.

I believe it is the duty of legislators in this time and age to tackle this deficiency in our law and resolve the difficulties that attend on a solution. I do not deny that there are difficulties. The Leader based his opposition to the Bill on several grounds, although much of what he said tended to support the objects of the Bill and, indeed, its principles. The Leader referred to the fact that the present Bill now binds the Crown, although the Bill as originally introduced did not. I believe (and it has always been my belief) that the original Bill had the effect of binding the Crown, because it made infringements of privacy a tort, and the Crown Proceedings Act provides that the Crown, which can be sued in the name of the State of South Australia, is liable for tort in an action by a citizen, in the same way as a citizen or subject is liable for tort in an action brought by another subject. Of course, the Crown is liable for the torts of its servants. The combination of those provisions has the effect that the Government was bound by the Bill as it was introduced in its original form. However, doubts have been raised, although I do not think they were valid doubts, and it was decided to put in the express provision that the Bill binds the Crown. The Leader suggested that the Bill should confine itself to certain specific instances of invasion of privacy. He did not specify them, although I think he had in mind the provisions in the Bill that are given as instances of the general right of privacy.

His contention, as I understood it, was that there should be some specific indication of what conduct constituted an invasion of privacy. I believe that this would be a great mistake. It is impossible for the Legislature to forecast the various ways in which the privacy of the citizen might be infringed. Really, the possibilities are very varied and they might even be regarded as infinite. There are innumerable ways in which privacy can be infringed, and I have referred to many of them in discussions outside this House, and during the debate; and many are referred to in the literature. I do not believe it is possible for Parliament to lay down in advance, as an exhaustive list, specific instances of infringement of privacy. I believe it would be unwise to do so because the purpose of this Bill is to sow a new seed in the law.

The object of this Bill is to give the law the impetus which it needs in this area to enable the courts to develop a new body of jurisprudence for the protection of the privacy of the citizen. This type of protection is the sort of protection that the courts are best able to develop, and it is important that we leave the situation so that, whilst Parliament indicates the principles, the courts apply those principles to the specific cases that

are brought before them. That is the way in which our law operates; indeed, that is the way in which our law has been developed, and nothing would be more mistaken than for Parliament to attempt to anticipate every instance of infringement of privacy that could occur in the future. It obviously could not do it and we do not attempt to do it in any other branches of the law. The Leader sought to give examples of matters which he felt might result in actions being brought under the provisions of this Bill and which somehow would work against the public interest if that occurred. He referred particularly to the use to which land or tall buildings might be put.

I am not sure that I understood exactly the point of that illustration but in general terms I think it would be impossible, as he suggested, for us to exclude from the provisions of this Bill anything done in the lawful use of property. The whole idea of creating a right of privacy for the infringement of which an action can be brought at law is to create remedies in relation to matters which would otherwise be lawful and, if a person used his property as a vantage point or as a means of unreasonable infringement of the privacy of his neighbours, the neighbours should have a remedy. It would be futile to provide a defence for him to say he was simply using his property as he was legally entitled to do because, if what he is doing is infringing the privacy of his neighbours, the very purpose of this Bill is to create a remedy.

An analogous situation occurs in relation to the law of nuisance, where a person may be doing something in his property such as holding a party or using his radio or television set; it may be a perfectly lawful thing in itself but, if the music is so loud that it creates an unreasonable infringement of his neighbour's right to use his property as he likes, the law of nuisance steps in and provides the neighbour with a remedy, notwithstanding that what the defendant was doing was prima facie a lawful use of his property. The same situation would arise under this Bill. The Leader referred to two matters in which he suggested that disclosures might infringe on a person's privacy but nevertheless be in the public interest. He suggested that disclosures about agreements entered into or activities of a land developer, or perhaps the allotment of shares to public figures, would come within that category.

Illustrations of that kind refute themselves because, in the very course of giving the illustration, it is necessary (indeed, the Leader said) that these disclosures would be in the public interest. If they are in the public interest, the defence set out in the Bill applies, and no action for those disclosures can succeed. Certainly in both instances the Leader gave (the allotment of shares and the actions of the land developers), disclosures by the media or by anyone else would plainly be in the public interest and this Bill would not give rise to any right of action. The Leader surprised me very much with his suggestion that we should adopt as an alternative to this Bill the suggestion made by Mr. Storey that the defence of justification in an action for defamation should be changed so that the defendant would have to show, in order to succeed, not only that what was said was true but also that it was for the public benefit. This is the law of New South Wales: it is not the law of this State, and the press has carried on a strong agitation to have the law of New South Wales amended so as to delete the requirement of public benefit.

The press has subjected that requirement in the New South Wales law of defamation to precisely the same criticisms that it makes of this Bill. I invited the Leader to say whether he supported Mr. Storey's view that the defamation law of South Australia should be changed, and he said he was coming to that, but he did not ever get to it. It seemed to me to be a surprising approach to say, on the one hand, as the Leader did, that the expression "the public interest" was so vague that it should not be used in legislation and then to suggest that the law of defamation should be altered so that the plea of justification must carry with it an obligation to show not only that the statement is true but also that it is for the public benefit. If the expression "public interest" is vague and not one to be left with the courts, the expression "public benefit" must be in the same category.

If the Leader was seeking to satisfy the criticisms of people in the media with regard to this Bill, he would get small thanks from them for advocating a change in the law of defamation along the lines he suggested. The Leader pinned much faith, as indeed did the Australian Journalists Association, on the contention that there ought to be a press council, which would solve all problems. A press council has relevance only to invasions of privacy by the media and, as I have said over and over again, this Bill is not one dealing with the media specifically at all: it deals with all invasions of privacy whether by the media or by anyone else, and a press council of itself cannot deal with anything outside actions by the media. That, of itself, is not a solution, but there are other problems. I favour the notion of a press council but, whatever merits it may have, a press council is no substitute for the proper legal remedies in the hands of an individual to vindicate himself and to obtain redress for invasions of his privacy from the courts.

If a person's privacy is invaded, he is entitled not to have to go to a press council but to go to the court, where citizens have their rights vindicated, defended and protected. A citizen is entitled to go there and say, "My rights have been infringed and my privacy has been invaded; I seek an injunction restraining further infringements of my privacy and to be compensated for any infringement that has already occurred." A press council could do neither of those two things.

Mr. Goldsworthy: That costs money.

The Hon. L. J. KING: The honourable member knows that, if a person does not have the means to approach the court, our legal aid system enables him to obtain legal representation. He is in exactly the same position in this regard as he would be in regard to nuisance or defamation, the remedies for which, as our law provides, are to be sought in the courts. If a person does not have the resources for seeking that vindication, we provide legal aid for this purpose.

Mr. Goldsworthy: He can go to the Law Society, but he still has to pay the money back over a period.

The Hon. L. J. KING: Yes. He pays within his means, not necessarily the whole sum. If he succeeds, the sum determined by the Law Society is proportionate to his means, as regards both weekly or periodic instalments and the total amount of liability.

Mr. Goldsworthy: A person I know received a bill for $5 weekly for a $400 sum.

The Hon. L. J. KING: If the honourable member can be more specific, I will take up the case if they are the correct amounts. The general rule I have agreed with the Law Society is that the upper limit of liability will be two years contributions of instalments. The sum of $5 a week for 100 weeks would be within that limit. If the honourable member's figures are different, I will study the matter.

Mr. Goldsworthy: It's expensive.

The Hon. L. J. KING: If an action is brought for infringement of privacy and it succeeds, the successful party gets an order for costs against the other party. It is no different from any other remedy at law. If we are to adhere to the rule of law, that is the way remedies must be provided. The question of legal aid and enabling people to approach the court is a more general one that I cannot cover now. I believe that a press council, which is a different proposition, should be established. If a citizen's complaints about the invasion of his privacy are satisfied by the press council, he will not involve himself in litigation, but that is no argument against the remedy being made available to him. I think it is illuminating to read on the topic a book recently published, entitled *Invasion of Privacy*, by Donald Madgwick and Tony Smythe.

Mr. Gunn: Is it in the library?

The Hon. L. J. KING: I am not sure. I had my copy procured from London, but our copy may not yet have reached the library.

Mr. Goldsworthy: You don't mean the Morison report!

The Hon. L. J. KING: I know that the honourable member was impressed by that report. However, I will commend to him some of the reports to which I have referred. I have already told the honourable member elsewhere, and I repeat it here, that whatever virtues the Morison report may have, I think it stops short of achieving what must be achieved in current circumstances. Anything that stops short of putting a remedy in the hands of an individual to defend and vindicate his right of privacy does not do the job properly. The same criticism might be made of the Younger report. I think the honourable member would do better to read the Report of the United Kingdom Section of the International Commission of Jurists, which is most important and convincing, and also our own Law Reform Committee's report, which is a most important publication.

Mr. Goldsworthy: That's all lawyers' stuff.

The Hon. L. J. KING: A considerable volume of material has been written on the law of privacy by non-lawyers but, when we come to formulating the actual ways in which the law can vindicate the right of privacy, we must turn to the lawyers for the solutions. Interestingly enough, Opposition members, in the course of the debate, quoted extensively from legal literature on the subject. As the honourable member is interested in getting away from lawyers, I will quote from the book by Madgwick and Smythe, which is not a legal book; to the best of my knowledge, the authors are not lawyers (they do not write like lawyers), and it is not a legal textbook in any shape or form. I have not gone into their backgrounds to see whether they have had legal training at any stage of their careers, but their comments on the Press Council, at page 150, are interesting, and read as follows:

The Younger Committee on Privacy, as we have seen, has now recommended that the proportion of lay members of the Press Council should be increased from 20 per cent to one-half. We must in principle endorse this recommendation, since all complaints must be seen to be examined impartially. (Such complaints of course are by no means confined to privacy issues alone, but deal with all aspects of a responsibly functioning press.) Clearly, many members of the council must continue to be drawn from the industry itself, which has a specialised knowledge of the difficulties faced by news-gatherers. Equally, they must be balanced by at least a like number of members whose judgments can be seen to be disinterested.

We are far from convinced by the Younger committee's recommended method of appointing the lay element. To say that "the Press Council should put forward names of suitable people from whom vacancies among the lay members should be filled" is simply to revive all the old fears. Nor are those fears allayed by the recommendation that "the council should create an appointments commission with members independent of the press", since the task of such a commission is merely, in Younger's words, "to make the decision on who should be appointed lay members from among the names put forward by the Press Council".

The worst that can be said about the Press Council, whatever its composition, is that it is a watchdog with no teeth. It can growl loudly enough (and often does), but it cannot bite. Even when it adjudicates in favour of a complainant, it cannot redress damage already done. Its function is useful in that it can draw the attention of the public to transgressions from ethical standards; but it cannot deter a determined editor from pursuing his own course, particularly where that editor does not even accept the principle involved.

This was clearly illustrated when, more than six years after the Profumo affair, the *News of the World* decided to serialise the memoirs of Miss Christine Keeler, advertising the publication in advance with the words: "Christine Keeler will tell: The full story behind the tragedy of Mr. John Profumo, the War Minister who lied to the House of Commons about his secret relationship with her". For the background to this decision, and the protest that followed, we must refer to the Declaration of Principle made by the Press Council some years earlier, in 1966. It arose out of the notorious Moors murders trial of Ian Brady and Myra Hindley, when the chief prosecution witness, David Smith, revealed that he had received weekly payments from a newspaper to provide information. The third part of the declaration, which was accepted by all national newspapers except the *News of the World*, read:

> No payment should be made for feature articles to persons engaged in crime or other notorious misbehaviour where the public interest does not warrant it; as the council has previously declared, it deplores publication of personal articles of an unsavoury nature by persons who have been concerned in criminal acts or vicious conduct.

Invoking this clause, the Press Council itself raised the case of the Keeler memoirs. Both the paper's Editor, Mr. S. W. Somerfield, and Chairman, Mr. Rupert Murdoch, were invited to appear before the council's Complaints Committee. Neither accepted the invitation. In a statement, the council noted that the *News of the World* had rejected part three of the declaration on the grounds that it was "another step on the road to censorship". Said the Press Council:

> The council emphatically disagrees. If anything, the declaration is a step away from censorship. Certainly the best insurance against censorship is self-control among editors and, where this fails, an expression of adverse opinion by the Press Council as representing the general view of the profession. This is the best answer to those people who mistakenly wish to impose some external control. If a publication is, on an objective view, offensive, then it has a contrary tendency and it is to that extent a disservice to the press. Those who disagree with the opinion expressed will always call it "censorship"; it is in fact an opinion intended to influence an editor towards voluntarily observing standards which the profession as a whole thinks desirable.

After rehearsing the events arising out of the Profumo affair and Miss Keeler's part in them, the statement concluded:

> In the opinion of the Press Council it must be a question of degree what events will justify dragging up the past of a man who has been involved in a scandal and submitting him again to the glare of publicity after a lapse of several years. This has no relation to the status of the person concerned. For instance, in a case where the parents of a man who had been convicted of murder some years previously were named as they were about to emigrate, the council strongly condemned the publication as "hounding". A man should not be deprived of similar protection merely because he has been in a higher rank of life unless the public interest justifies reference to him. The council can find no such justification in the *News of the World* publication. The Press Council finds the complaint proved and the *News of the World* is censured accordingly.

The authors also state:

But the Press Council's adjudication could have offered little comfort to Mr. Profumo, who had already more than paid the penalty for his indiscretion.

There is much more that would be of interest to members, but the point that is well made is that a press council can do no more than exercise some sort of general type of discipline over the members. Indeed, even then it would be dubious how far it could deal with publications that came into South Australia from outside the State. The press council has no teeth. There is no way in which it can prevent the continued publication of the offending material and no way in which it can provide a remedy or compensation for articles already published.

Mr. Goldsworthy: What about the Kennedy articles?

The Hon. L. J. KING: I do not know "what about the Kennedy articles". What the position is regarding the Kennedy articles is not a question that we must decide at present.

Mr. Goldsworthy: If it can have a bearing on this Bill, it is important, isn't it?

The Hon. L. J. KING: If the honourable member understands the provisions of this Bill, he will understand—

Mr. Goldsworthy: That they will cause embarrassment!

The Hon. L. J. KING: I am drawing the honourable member's attention to the provisions of the Bill. It is necessary that the material be an unreasonable and substantial invasion of privacy, and each of the examples given in the Bill, including the references to embarrassment, are examples of that. The first thing a person must show is that it is an unreasonable and substantial invasion of privacy and then, as I have pointed out, the matter is still not actionable if the publication is in the public interest.

They are the tests. They are tests that are quite capable of being applied by a court, and it is interesting that the Press Council in the United Kingdom, in dealing with the Profumo matter, had to apply that test: was this publication in the public interest? Why is it that a press council is capable of deciding what is in the public interest, but a court is not?

Mr. Goldsworthy: This Bill isn't about the press, anyway. That's what you told us.

The Hon. L. J. KING: As the honourable member knows, this Bill binds everyone: it binds the press and it binds all citizens. It is not about the press: it is about privacy, and the press will be subject to the same laws and rules prescribed by this Bill as will be every other citizen. Does the honourable member suggest that the press should not be so subject?

Mr. Goldsworthy: No. You said they'd never be affected.

The Hon. L. J. KING: I have never said that, and to say it would be nonsense.

Mr. Goldsworthy: You said you had confidence in the press of this State and didn't think that the press here would be affected.

The Hon. L. J. KING: Does the honourable member not have confidence in the press of this State?

Mr. Goldsworthy: I have confidence.

The Hon. L. J. KING: Let us be clear about that matter and about what I have said. I have said that the press in South Australia, carrying on as it generally does, does not infringe the privacy of people, but there have been occasions when it has infringed, and I am sure that, if this Bill becomes law, sub-editors will watch this matter closely and that infringement will not occur. The press will be bound by the rules and affected just as other citizens are, to the extent that it will have to ensure that its activities conform to these rules, or it will expose itself to the risk of an action for injunction or compensation. That is what the Bill seeks to achieve. If the press in South Australia has infringed the privacy of people, I am sure that, under the Bill, it will take precautions to ensure that it does not do so in future.

Mr. Goldsworthy: What if a body corporate takes out a writ and there is no further discussion?

The Hon. L. J. KING: I will deal with that matter now. I have turned up my notes regarding some comments by the member for Bragg. Whether it is a body corporate or an individual that institutes proceedings under this Bill, the institution of the proceedings does not stop further discussion. In order to prevent further discussion of the matter, the plaintiff must go to a judge and secure an injunction restraining further publication of the offending matter. The rules of law regarding securing an injunction are quite clear: the person must establish, first, that he has a prima facie case; that is to say that, on the evidence available, it appears on the face of the case that there has been a substantial and an unreasonable invasion of his privacy and that that invasion has not been for the protection of anyone's legitimate interests and is not in the public interest. The person must do more than that: he must show that, if an injunction were not granted, the damage would be irreparable and could not be compensated for later.

The person must also show that, looking at all the facts, the balance of convenience is in favour of granting an injunction and stopping publication now, rather than allowing it to go on and leaving it to the court finally to decide whether there should be compensation. In practice, the result of these three criteria is that in actions for defamation it is the exception rather than the rule that a temporary or an interim or interlocutory injunction is granted. In that connection I refer the House to Snell's *Principles of Equity*, 26th Edition, and to this statement at page 720 about the law of libel:

An interlocutory injunction, however, will only be granted in the clearest cases, i.e., where there is a danger of a repetition of the libel and the court would set aside the verdict as unreasonable if the jury did not find the matter complained of to be libellous.

Salmond on the *Law of Torts*, 16th Edition (it was issued last year and is a completely up-to-date textbook), at page 608 states:

But an interlocutory injunction to restrain the publication of defamatory matter will be granted only in the clearest cases (and perhaps not at all when justification or fair comment are pleaded), in which any jury would say the matter was defamatory, and in which, if the jury did not so find, their verdict would be set aside on appeal as unreasonable.

Therefore, it is only in the clearest of cases that a plaintiff would be able to obtain an interlocutory injunction restraining the continued publication of the offending matter. As I have pointed out previously, the law of contempt of court, to which the Australian Journalists Association has referred in its publication, does not inhibit the continued publication of the offending matter. What it prohibits is a discussion in a way likely to prejudice the fair trial of the action on the actual issue of whether there has been an infringement of privacy, which is a very different thing indeed.

Mr. Goldsworthy: Well, the best way to play safe is to keep right out of it.

The Hon. L. J. KING: That is a fairly damning indictment of the press if it is true, because if, as has

been suggested, the press must face the question of whether to continue publishing details of, say, the undesirable trading practices of a pyramid sales company, or something like that, and if it shrinks from doing it merely because of the possibility that the company may bring an action or make use of the subsequent publication, although the press is convinced that what it is doing is in the public interest, that is fairly faint-hearted behaviour on the part of the press. We cannot make laws based on the assumption that people will behave unreasonably.

Mr. Goldsworthy: They're not lawyers!

The Hon. L. J. KING: They have lawyers to advise them. Every newspaper has its solicitor and consults him, not infrequently, on a question of defamation if there is doubt, or if a writ has been issued.

Mr. Goldsworthy: "Let's ring the lawyer"?

The Hon. L. J. KING: Precisely. It is done all the time. Newspapers consult their solicitors frequently at short notice on questions arising out of legal matters. The example cited by the member for Kavel relates to the issue of a writ by someone claiming that his privacy has been infringed. The honourable member then asks what the newspaper does about continuing publication of the matter about which the complaint has been made in the writ. In those circumstances the newspaper will have already consulted its solicitors and be able to take advice as to what it can and cannot publish in the future.

Mr. Mathwin: You're putting them in an impossible position.

The Hon. L. J. KING: What is impossible about asking anyone, whether a newspaper or anyone else, to ask himself realistically, "Am I invading someone's privacy?" Why should not people have to ask themselves that? Why should not people have to face up to the issue of whether they are unreasonably intruding on someone else's privacy? Why should not the people of *Four Corners* who hounded Mrs. Petrov have to ask themselves, "Are we invading this woman's privacy? Have we any right to do what we are doing?" If they cannot answer that question themselves (and they jolly well should be able to) they can go to lawyers and ask them. It is absolutely unreasonable, and it shows no regard for the rights and interests of the ordinary citizen, to say that, because it poses a problem now and again for someone in the media to have to answer that question, we all should be deprived of any remedy in cases where our privacy is unreasonably infringed.

I do not accept that, and I am astonished that the interests of ordinary people of South Australia are not in the minds of some members opposite and are so far subordinated to the convenience (and it is no more than the convenience) of people associated with the media. Such people have, by reason of their association with the media, great responsibilities. They also have great privileges. It is by no means unreasonable that we, as legislators, should ask journalists, sub-editors, and newspaper managers, in common with all other South Australians, to face up to the responsibility, and that we should tell them that their way of carrying on their activities should not unreasonably infringe the privacy of individuals unless they can justify that invasion or infringement in the public interest.

Mr. Goldsworthy: The converse of your proposition is also true. You hang much on an isolated incident. You don't use a sledge hammer to crack a walnut, you know.

The Hon. L. J. KING: If the member for Kavel regards the Petrov incident as isolated, he just does not understand what modern society and our modern way of life is doing to the privacy of our people. I am just astonished that, with all that has been written since the publication of the Warren and Brandeis article in 1890, to which reference has already been made (that is, everything in the literature, by lawyers and non-lawyers on this topic), anyone could regard the infringement of privacy in the Petrov matter as an isolated incident. It is an illustration of the problem with which we have been living during the whole of this present century, and which is intensifying, and it is the reason why all these examinations of the problem have taken place.

If the honourable member believes there is no problem, why does he imagine all the commissions have been asked to examine the question, and have examined it? Why does he think that all the articles have been written about it? Why does he think that the law of almost every civilised country in the world has been changed to incorporate provisions analogous to the provision we are introducing here? If he believes that there is no concern with regard to the problems of the individual citizen and his privacy in this State and in this country, the honourable member is simply blind.

Mr. Goldsworthy: I didn't say that: I just said that you were going about it the wrong way.

The Hon. L. J. KING: That is not actually what the honourable member said, but we will not worry about that. The member for Bragg, in the course of his remarks, spent some time dealing with the virtues of the common law. He made suggestions, which I did not understand, that I was devoted in some way to what he called statute law as distinct from common law. However, we need not worry about that too much except to refer to the history of the common law in this regard and, indeed, the history of legal development of the law of privacy. In the United States of America, following the article by Warren and Brandeis, to which the member for Mitcham referred, in 1890, there was a rather remarkable development in the common law, as it applies in the United States, which provided for the citizens of that country the sort of remedy that we provide in this Bill: namely, that an infringement of privacy enables a citizen to obtain an injunction from a court and also to obtain damages.

Throughout continental Europe there have been developments in the law brought about by the decisions of the courts. Those decisions have had the same results as in the United States. It is interesting that in those countries, particularly in Germany and France, this remedy has been created by the courts in reliance on the constitutional guarantee of the integrity of the personality of the citizen. The courts have seen privacy as being so intimately related to the right to protection of personality that that very provision in the Constitution has, in the view of the courts in Europe, been enough to enable them to develop the remedy themselves.

They have developed a remedy that enables citizens of many countries in continental Europe to obtain compensation for the infringement of their privacy and to obtain orders from a court for protecting them from further infringement of their privacy. In the United Kingdom it has been recognised that the common law is no longer capable of solving the problem, for the same reason as it cannot be solved in Australia—because the comon law has come to a dead end. The member for Mitcham referred to the Victoria Park racing case, in which the High Court of Australia held that the common law recognised no general right of privacy. The courts in this country are in the same position as those in the United Kingdom and Canada (but unlike the United States of America), where the common law is incapable of further development without legislative impetus.

In the United Kingdom attempts have been made to remedy the situation by a succession of private members' Bills, but so far without success. An interesting situation now exists in that country, however, because the foremost protagonist of the sort of Bill I have introduced (Mr. Alexander Lyon, M.P.) is now the Minister of State in the Home Office responsible for these matters. From a recent conversation I had with him I think we can look forward fairly confidently to his pushing the matter further. It is almost certain, I should think, that the last has not been heard of this subject in the United Kingdom, because Mr. Lyon is of much the same opinion as he has been throughout; in fact, he is even more strongly of that opinion and is now in a better position, as Minister, to influence the course of events than he was as a private member. In our sister Dominion of Canada, legislation has already been enacted in two Provinces. At present, a committtee of officers of all Provinces of Canada is meeting to draft a model Bill with a view to adoption by all the remaining Canadian Provinces. These same remedies in relation to privacy will be included. The Ministers responsible for these matters to whom I spoke in Quebec and Ontario assured me that they intended to introduce this legislation in those two great Provinces as soon as the model Bill was available. I think we can confidently expect that this legislation will exist throughout the Dominion of Canada within the next year or so. Therefore, the trend everywhere in the common law countries is to follow what has happened in European countries and provide remedies in the courts for the invasion of citizens' privacy.

The member for Kavel referred in his speech to differences of opinion among judges on various matters and to the possibility of having dissenting judgments, but I cannot see the relevance of his remarks. If the law is to develop, there will inevitably be differences of opinion. Dissenting judgments often make the most significant contribution to the development of a body of law and jurisprudence in relation to a certain subject. Of course, there will be differences of opinion among the judges in this area as in all other areas; the very independence of the Judiciary makes that inevitable. Not only is it inevitable: it is also desirable, because the law would not develop unless we had judges of an independent turn of mind and capable of making their own individual contributions to the development of the law.

Mr. Goldsworthy: This matter is so vague that you're unlikely to get two judgments coinciding.

The Hon. L. J. KING: The provisions of this Bill are no vaguer than are all the other general principles of law which govern our daily lives and which give rise to remedies in the courts. In the law of negligence we have an obligation to exercise reasonable care to ensure that our actions do not injure or cause damage to other people. The law is as general as that, yet that is the rule of law we all must observe. In an individual case, it falls to the court to decide whether the facts amount to that want of care and hence of negligence. Nothing could be more vague than that (if the honourable member wants to call it vague), but it is the sort of law which must of necessity govern our actions and which the courts must apply to individual cases. This applies throughout the law. Defamation is the closest analogy to privacy, and we have another case of this so-called vagueness here. One of the defences to actions for defamation is that the publication amounts to fair comment on a matter of public interest. That is precisely the same sort of question as that posed by the present Bill. There is nothing vaguer about this Bill than about any other general principle of law which governs our lives and which the courts have to apply to particular facts.

The member for Davenport wants to exclude corporations from the ambit of the Bill. I am surprised about this. This point has been raised by others, including the Law Society. It seems to me that industrial espionage is a real and growing problem in all advanced societies. I believe that, like an individual, a corporation has its own proper area of privacy. It should be able to protect its secrets from being stolen and able to bring an action against someone who invades the privacy of its affairs unreasonably, thereby bringing about a loss to the corporation. I cannot see why this distinction should be made between corporations and individuals and why the theft of information about an industrial process should be actionable by an individual, if the business is conducted by an individual, whereas, if he incorporates the business and makes it a body corporate, there should be no protection. I believe that, if there is an unreasonable invasion of privacy, it should be actionable whether a corporation or an individual is concerned.

The member for Mitcham raised two points about the drafting of the Bill. It was hard to know whether or not he favoured the Bill. He said he supported it, although he wanted it to go to a Select Committee. However, he spent much of his time arguing against the Bill, whereas the Leader, who said he opposed it, spent much of his time arguing in favour. The member for Mitcham asked why the references in the Justice Committee's draft Bill, giving us examples of unreasonable invasion of privacy, that there was an intrusion into the home and family of the plaintiff, were not included in the Bill. Although we carefully considered this matter, we finally decided that they were inappropriate. The Bill protects a person from an unreasonable invasion of privacy. Often an intrusion into a person's home or family will be an unreasonable invasion of his privacy, so that no specific reference is needed. Making a specific reference to it would seem to imply that somehow a person might have an action for what was really an intrusion affecting some other person, namely, his wife and family. That does not harmonise with the way in which our law approaches things.

If the matter amounts to an invasion of the privacy of the husband in the home, he brings his own action. If it is an invasion of the wife's privacy, she brings her action, and the children, who have the same rights as adults in this regard, can bring their own actions if their privacy is invaded. Sometimes, the intrusion will be an invasion of the privacy of all members of the family, and they will all have their actions. Although I understand what is behind the thinking of the Justice Committee in this regard, I do not think it is appropriate to make the specific reference to home and family.

The member for Mitcham also referred to the substitution of the word "likely" for the word "calculated". I take responsibility for this. I think that "calculated" is a word to be avoided in Statutes, as it is one of the most equivocal words that can possibly be used. It can have a subjective meaning, namely, doing something with the intention of bringing about a result. Or does it mean doing something having the effect of producing a certain result? Because it is equivocal in meaning, we have substituted the word "likely", which I think is much more capable of a precise meaning.

Mr. Goldsworthy: That comment sums up the whole Bill.

The Hon. L. J. KING: With almost every comment he has made, the honourable member has demonstrated his inability to grasp this Bill. If I were doing as much injury to my reputation as the honourable member is doing to his by making his repeated interjections, I think I would desist from interjecting. In this reply, I have tried to deal with those observations that I was able to cull from the speeches of Opposition members that had some relevance to the Bill. A great many comments were completely irrelevant, even incomprehensible. Others were just straight-out political nonsense and attempts to make a Party-political point. It was a little disappointing that some members would not address themselves to what are serious issues in the Bill. We were treated to much nonsense.

Amongst the things said by some members was the statement that the Bill would enable the Government to suppress freedom of the press or freedom of expression. I think the member for Bragg spoke about the Bill as a weapon in the hands of the Government. I do not know whether the honourable member understood the Bill or not, or whether he had read it. For the sake of anyone who may take that sort of nonsense seriously, I point out that this Bill provides no remedy at all to the Government. No criminal offence is created by it; no penalty is imposed by it; and no right of action is conferred on the Government in any shape or form by this Bill. Indeed, one thing that cannot happen under this Bill is that the Government may take action. The only rights of action given by the Bill are given to individuals who are natural persons or bodies corporate who may bring action for remedies for infringements of their privacy.

There is no way in which the State, as such, can bring a charge or a prosecution against anyone and impose penalties or bring about the imposition of penalties on anyone. That fact is plain to anyone who reads the Bill. I refer to it because some people not understanding the Bill's provisions may take seriously some of the comments made by Opposition members.

In Committtee, I intend to move some amendments to which I will not refer now. I regard this Bill as an important advance in the law of South Australia, and I hope that members will take it very seriously in that way. The common law in this country, as in other countries of the British Commonwealth, has come to a dead end with respect to privacy. It is incapable of providing protection and remedies for the citizen that he should have in our modern society. Unless the Legislature is willing to introduce and formulate principles that will give to the law the impetus it needs to provide this protection, the citizen will be left without a remedy. Moreover, the citizen in this country will be left without a remedy when the citizens in most of the other free countries of the world have it.

We will be in this position. Throughout the United States of America the remedy will exist; soon it will exist in Canada; virtually it exists all over the Continent; and before long it will exist in the United Kingdom. Surely, we in this Parliament are capable of grasping the issues that are posed by the Bill; surely, we are capable of reaching a decision that will give the courts the impetus they need to extend these remedies and these protections to the citizen. If we ignore this opportunity, we will leave the law in its present defective and unsatisfactory state. People who suffer intrusions on their privacy will be left, as they are now, without remedy. It will continue to be necessary to tell them that we are sorry for them, that we sympathise in their plight, that what has been done to them is very wrong, but that the law provides no remedy for them. In my opinion, that would be a scandal and a reproach to the law, and it would be a reproach to us if we let it continue.

The House divided on the second reading:

Ayes (26)—Messrs. Becker, Boundy, Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Crimes, Duncan, Dunstan, Evans, Groth, Harrison, Hopgood, Hudson, Jennings, King (teller), Langley, McAnaney, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Noes (11)—Messrs. Allen, Blacker, Dean Brown, Chapman, Coumbe, Goldsworthy, Gunn, Mathwin, Rodda, Tonkin (teller), and Venning.

Pairs—Ayes—Messrs. Corcoran, Eastick, and Keneally.

Noes—Messrs. Arnold, Nankivell, and Russack.

Majority of 15 for the Ayes.

Second reading thus carried.

Mr. BOUNDY (Goyder): I move:

That this Bill be referred to a Select Committee.

As there has been strong reaction against this Bill from many who are especially interested in this matter, I believe that those who have complained should have the chance to be heard in presenting their case against the Bill. There is no hurry about this legislation. This is the second time it has been introduced and the idea of a right of privacy has been talked about for a long time. What can be lost by referring the Bill to a Select Committee? Only a couple of weeks at the most. It may be said that people have had an opportunity to make representations but they did not do so between the two sessions. The only appropriate way for Parliament to receive the views of interested parties is to set up a Select Committee. Submissions have already been received from the Australian Journalists Association; from the *Advertiser* on behalf of every newspaper, radio station and television channel in Adelaide; and from the Council for Civil Liberties and the Law Society of South Australia.

Justice should not only be done but it should be seen to be done. People against the Bill, either wholly or in part, should be able to be heard, to influence the form the legislation finally takes, and indeed to have a say whether the Bill is passed at all. If this motion for a Select Committee is refused, it will show that the Government (and the Attorney-General in particular) is either too arrogant to brook opposition or too afraid of the force of the arguments of those opposed to the Bill. The Attorney-General must face the fact that there will be a Select Committee whether he supports the motion or not: if it is not set up by this House, the other place is certain to do so. The Liberal Movement would much prefer to see a Select Committee set up by the House of Assembly.

Mr. GOLDSWORTHY (Kavel): I support the motion. I do not believe it is necessary to bulldoze the Bill through the House. I have made clear that I oppose the Bill, but the Attorney-General would no doubt plead, in an attempt to mitigate the criticism that has been levelled unceasingly against this Bill, that the Bill was introduced during the previous session and allowed to lie on the table. I believe the Select Committee is the second line of defence. We have not had an opportunity of receiving a formal report but we know that certain sections of the community are opposed to it, although we have been made aware of the enthusiasm of the Law Society and the international panel of jurists whose deliberations the Attorney-General has relied on heavily. We have certainly been made aware of the value of Select Committees in the past. It is not an understatement to say that the Government has changed its mind as a result of the deliberations following formal

evidence given to a Select Committee. I was not in favour of the Bill, but I believe that the Attorney-General and other members would benefit from the deliberations of a Select Committee.

The Hon. L. J. King: Do you include yourself?

Mr. GOLDSWORTHY: Any additional evidence will have to be more convincing than that submitted in the second reading explanation and the subsequent remarks of the Attorney-General before I agree to the passage of this radical legislation. The fact that the Attorney-General allowed the Bill to lie on the table for some time indicates that he does not think the matter is urgent, but it appears that he fears the formal nature of a Select Committee, because such a committee must submit a formal report to this House. He prefers the higgledy-piggledy procedure of recommendations being made to individual members rather than the formal proceedings of a Select Committee. For these reasons I cannot see how the Attorney-General can oppose the motion.

Mr. GUNN (Eyre): I strongly support the motion and the remarks of the member for Kavel, because if the Attorney-General and the Government refuse to accept the motion they will be clearly demonstrating that they will not lay at rest the great concern and the many doubts many people in the community have expressed regarding this legislation. It is breaking new ground, and grave doubts have been expressed about the future operations of one of the fundamental rights of a democracy—the freedom of the press. I believe that, if the Government takes a course of action that impedes the freedom of the press within the community, it will have much to answer for.

The SPEAKER: Order! The honourable member must speak to a motion now being considered by this House. We are dealing not with the Bill but with a motion.

Mr. GUNN: I was giving my reasons for supporting this important motion. As the member for Kavel rightly pointed out, it will not take much time to refer this Bill to a Select Committee. It is surely more important to protect the proper democratic processes of this State than to rush this radical legislation through this Chamber. We know the Government has the numbers to push it through today, but the rights, integrity and the wishes of the community should be put before the iron-fisted attitude the Government generally displays in this House.

Mr. DEAN BROWN (Davenport): I have voted against the second reading because I believe we do not require such a Bill at this stage. There are other forms whereby effects—

The SPEAKER: Order! I have already pointed out that we are dealing with a motion, not with a Bill.

Mr. DEAN BROWN: I support this motion because the Attorney-General has claimed on several occasions that statements made by members on this side have been false. If the Attorney-General really believes that, and if he is a reasonable man, he will be prepared to take the Bill to a Select Committee. Alternatively, if he is not prepared to back his statement he will not allow it to go to a Select Committee. It will be interesting to see whether the Attorney-General is pushing this Bill through as quickly as possible in an attempt to stifle outside opinion on the Bill.

Mr. MATHWIN (Glenelg): I support the motion. I spoke and voted against the second reading. In this case people should be given an opportunity to give evidence before a Select Committee. That is a reasonable attitude to take. I listened with interest to the Attorney's reply. As he said that several countries in the world were likely to adopt similar legislation, I take it that he, in his wisdom, wishes to be the first in the field in this matter. I believe that the short delay caused by the Bill's being referred to a Select Committee would be well worth while, if for no reason other than that it would prove to the public that the Attorney-General was flexible and willing to take further evidence from concerned people. Recently, the Government has seen fit to appoint several Select Committees on various Bills, one concerned with local government. I am pleased that the Government has referred the local government Bill to a Select Committee, and I would be pleased if the Government also saw fit to support this motion.

Another Select Committee which was appointed by the Government and on which I have just served was the Select Committee on the Sex Discrimination Bill. The evidence of people from all walks of life was of great advantage not only to the committee but also to the Government, and it is there for future reference. Much the same applies in the case of the Bill now before us: the matter would be opened up to all interested people, and there are many of them, both for and against the legislation. I am sure that their evidence would be of advantage to Parliament even if, after the evidence had been taken and collated in the proper manner, it was decided that the Bill be continued with or amended, and I would be satisfied with such a finding. I believe we owe a duty to the public of the State to support the motion, and I am pleased to support it.

The Hon. L. J. KING (Attorney-General): I oppose the motion. I have listened to what has been said by members in support of the motion, but I do not think that any real reason has been advanced for appointing a Select Committee on the Bill. There are Bills on which a Select Committee serves a valuable purpose; but the points that have been made in support of a Select Committee for this Bill apply virtually to every measure that encounters any opposition in the House. Really, all that has been said in support of a Select Committee is that it would provide an opportunity to those opposed to the Bill to put their arguments to the committee; but they have already been able to put their arguments to me and to individual members, and have always been able to do that. They have also used the columns of the press.

This is a Bill on which I have deliberately allowed the maximum possible opportunity for everyone who had anything to say on the matter to express his point of view. The Bill was introduced many months ago during the last session.

Dr. Tonkin: Some time in April.

The Hon. L. J. KING: I am indebted to the honourable member. The Bill was allowed to remain on the Notice Paper for months so that all those interested in it could study it, evaluate it, submit their criticisms of it, canvass the matter publicly, and make submissions to me or to any other member. When the Bill was introduced this session, it was allowed to remain on the Notice Paper for some weeks; so, ample opportunity has been given for everyone to make any points he had to make regarding the Bill. However, it is not the kind of Bill on which light could be thrown by a Select Committee, because it does not depend on the evaluation of factual material.

The principles underlying the Bill have been subject to criticism and public assessment, and much opportunity has been allowed for that process to take place. I thought that the member for Goyder in many ways provided the answer when he said that this matter had been discussed for a long time: indeed, it has. His colleague the member

for Mitcham went even further and said that it had been discussed for about 75 years and that he felt confident that nothing said in this debate would throw additional light on the issue. I agree with him, and the same arguments apply to the proposed appointment of a Select Committee. As this matter has been hammered out at great length for the best part of a century, it is unthinkable that anything said in a Select Committee could do other than canvass the arguments already well known to members who have taken the trouble to acquaint themselves with the literature on the subject.

It is not the kind of Bill on which any assistance would be derived by Select Committee hearings, and that was proved by my listening to members who have spoken. Many of them who supported the Bill (not the member for Goyder) voted against the second reading, which implies that they are opposed to the concepts and principles of the Bill. The member for Kavel said that he would not be convinced he was wrong unless something new was brought forward but, if he thinks that in a Select Committee, something new could be brought forward after virtually 100 years, he is optimistic. As members have considered the arguments and made up their minds, I do not believe for one moment that a Select Committee would change anything.

There are some measures about which that could not be said, but the mere fact that there is opposition to the Bill is not a ground for appointing a Select Committee, although it may be a ground for leaving the Bill on the Notice Paper for those opposed to it to put forward their points of view on amending it. I see no virtue in appointing a Select Committee, because I do not think that it would change any member's viewpoint. Any member who wants to have a say on the Bill will have an ample opportunity to say what he thinks as it goes through Parliament, but I do not think that anything would be achieved by appointing a Select Committee.

Dr. TONKIN (Bragg): Once again, I find myself totally disagreeing with the Attorney-General.

Mr. Goldsworthy: That's not difficult.

Dr. TONKIN: No. The Attorney-General has spent a considerable time on this occasion and on other occasions telling us that the Bill presents no dangers. On the other hand, considerable concern has been expressed by people in the community who are aware that the Bill could present dangers. The Attorney-General has said that he sees no reason for appointing a Select Committee and that, if we appoint a Select Committee in this instance, we might just as well appoint a Select Committee on every Bill introduced. That might be fair comment in respect of the average Bill, but what I believe the Attorney-General has failed to point out is that this Bill deals with two fundamental human freedoms. One of the freedoms he has espoused (and I fully agree with him) is the right of privacy. However, consciously or unconsciously (and I will pay the Attorney a compliment by saying I believe it is unconsciously), I believe that the Attorney is tending to inhibit the other freedom, the freedom of expression, which is equally as important as the right of privacy. The Attorney-General referred to discussions and meetings that had been going on for many decades, but I submit that the whole problem of balancing the right of privacy against freedom of expression is a discussion that has been going on for centuries. I agree with the Attorney that this discussion will not necessarily be resolved by a Select Committee of this House, but I should like to think that we had tried. The Attorney is being, whether deliberately or otherwise, totally arrogant when he refuses to consider this matter at all. Indeed, he is convinced that he is right, and he is accusing those Opposition members who opposed the second reading of being unable to change their mind. I submit that he is being either a pot or a kettle, because he is guilty of taking exactly the same attitude.

This attitude has been expressed many times by way of sweeping assurances, with no facts or very few facts given. There have been some examples but mostly there have been assurances that what people are frightened will happen under this Bill will not happen, and it has been almost as though he thinks it is so because he says it is. The Attorney cannot give any such assurances. I am disappointed that I have had to speak in the debate on this motion, because I had hoped that the Bill might be defeated at the second reading stage. Nevertheless, the vote on the second reading has shown clearly that the Government intends to push on with this legislation, right or wrong. If it is convinced that it is right, it ought to put the matter to the test by referring the Bill to a Select Committee. I can see no objection to that course. Philosophers, learned judges, and committees over the years have tried, so let us also try. I support the motion.

Mr. EVANS (Fisher): I am disappointed at the Attorney's attitude, which we realise is the Government's attitude. This Government came into office after it had stated that it believed in open government and in giving people the opportunity of putting their point of view. We all know that, when people make representations to any member of Parliament, the member listens to them, considers their point of view, and forms an opinion. However, we do not hear all points of view and, when we speak in the House, we tend to put the point of view on the basis of a judgment we have made on the evidence we have received.

It is not true to say that the evidence one person gives a member of Parliament is passed on to other members, and the Attorney knows that. He has stated that debate on this matter has been going on for about 100 years, and that is proof that there is doubt about the move. The Attorney has also stated that he has given maximum opportunity, but he has not done that. The member for Goyder has given the Government maximum opportunity to agree to refer the matter to a Select Committee. That would be one step closer to giving maximum opportunity, and in the second reading debate I stated that I would accept that but that I did not support the Bill in its present form.

If we want to give people the right of privacy, why not give them that right by the most direct and visible means? A Select Committee is the most direct and visible means by which John Citizen can make his representations to Parliament. If a person writes to a member of Parliament, even if he makes a detailed statement, there is no guarantee that the member of Parliament will read out that information in the House. However, if that person (or a group having a similar interest) gave evidence before a Select Committee, he would know that that evidence was recorded in Parliamentary records for members of Parliament to read at any time.

Much of the other information given on this matter is in the filing cabinet of members. Members decide on that evidence, but the collective evidence has not been recorded. We should let the matter go to a Select Committee so that those who either object to the proposal or support it will be able to give evidence by that direct and visible approach. I cannot understand why the Attorney, a man who states that he believes in fairness and open government and in giving people the opportunity to speak, is refusing on an

issue like this. If he knows that he is right, he has no fears: if he knows that he is wrong, he has fears about being proved wrong. All the members who sit behind the Attorney should show that they support him in taking the direct and visible approach that the Government has been denying.

Mr. McANANEY (Heysen): I support the motion to refer the Bill to a Select Committee. As I have stated, I believe in the right of privacy. I doubt that the matter will affect the press. I know that the Bill must be vague, but I understand that other countries have legislation that protects journalists in regard to what they may do and the fields in which they can work. I consider that we need a combination of both approaches. I do not necessarily reject something because it is new, but possibly some members adopt that attitude. I think we must analyse the matter and, when we think the principle is right, surely we must take action to achieve what we think is desirable. We cannot make progress in this world without taking some risk. I have not supported the Attorney-General regarding many of the Bills that he has introduced, but on this measure we can take a step forward and, if that step is proved to be wrong, we can retreat. With a change of Government in 18 months, another Government will be in office to make a correction.

The SPEAKER: Order!

The House divided on the motion:

Ayes (16)—Messrs. Arnold, Blacker, Boundy (teller), Dean Brown, Chapman, Coumbe, Evans, Goldsworthy, Gunn, Mathwin, McAnaney, Nankivell, Rodda, Russack, Tonkin, and Venning.

Noes (23)—Messrs. Becker, Broomhill, Max Brown, and Burdon, Mrs. Byrne, Messrs. Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, King (teller), Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. Allen, Eastick, and Wardle. Noes—Messrs. Corcoran, Keneally, and Wright.

Majority of 7 for the Noes.

Motion thus negatived.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Non-application of Act."

The Hon. L. J. KING (Attorney-General): I move:

After "of any" to insert "power, function".

Attention has been drawn to the fact that the clause is not sufficiently wide to protect a person carrying out a statutory function conferred on him by this Parliament, because not only duties and obligations are involved but sometimes powers and functions are involved as well that do not carry with them any obligation. We want to ensure that a person is not exposed to action simply because he is doing what is required by this Parliament, namely, carrying out a statutory function. To make that clear, it is necessary to add the words "power, function".

Mr. GOLDSWORTHY: As the tentacles of bureaucracy creep further into the life of the people, the Government requires more information to be extracted and documented. For example, the Valuation Department issues a form that requires minute details about the production of a farm. Some of my constituents consider this form to represent an infringement of their right of privacy. The Education Department requires students to disclose details of their parents' taxation returns in order to justify the allowance that the Government has now decided to subject to a means test. I received a telephone call this afternoon from an irate parent who said that his 18-year-old son was required to furnish details of his parents' income to the Education Department so that the son could receive a means-tested allowance. It seems that public servants are required to get information by snooping around.

The Hon. G. R. Broomhill: You are reflecting on public servants when you say that.

Mr. GOLDSWORTHY: Not at all: I am reflecting on the Government, which tries to pass this sort of legislation. I deplore the need for this amendment, which is being inserted in a totally obnoxious Bill.

Mr. GUNN: The greatest threat to the right of privacy of an individual is the action taken by this Government. I refer to powers given to an inspector under the provisions of the Fisheries Act, and this type of provision has been included in other legislation introduced by this Socialist Government. If this Government is sincere in its claim of protecting the rights of privacy of individuals, it should give them some protection against the actions of its own officers.

Dr. TONKIN: It seems that the Government wishes to protect the activities of its own officers by giving them sweeping powers, which have been given to many Government officers under the provisions of other legislation introduced by this Government. It seems that there must be no doubt that they cannot be impeded by this legislation. It seems that other sections of the community are not to be given the same consideration, and I believe the Attorney can take little comfort from the reaction to this amendment. This is a cynical amendment, and typical of the attitude the Attorney is showing towards this legislation.

Mr. MATHWIN: I oppose the amendment and, indeed, the whole clause. Other members have already referred to the powers of the people involved. The Attorney-General is going to make them untouchables, and no-one will be able to do anything about it. They will have more power than a police officer or anyone else, and no-one will be able to touch them. This sort of provision certainly reminds me of what happened in the Fascist Nazi States of Germany before the Second World War. Government members can laugh about this matter as much as they like but, once powers like this are bestowed on certain people, they will be able to do exactly what they want to do. By this amendment, the Attorney-General has made the clause even worse than it was initially.

Mr. EVANS: The Attorney seems to be trying to amend the Bill to an extent that will make it completely unacceptable. If he tries to force this amendment through with the numbers that sit silently behind him, I will totally oppose it. I remember the Attorney-General saying on television that the Bill was meant to embrace everyone and not just the media. If one is doing one's job in a proper manner, there should be no need for this provision. Why should we set out to exclude public servants who are performing their normal duties?

Although the Attorney-General said there will be no conflict between legislation, he is setting out to ensure that there is a conflict. If this Bill is all-embracing (the Attorney said it affected everyone and not just the media) why should this clause be necessary? I am opposed to the clause, and even more opposed to the amendment. Public servants should be in the same position as that of the man in the street and, if they are performing their duties in the normal manner, they should not be exempted. No-one can deny that in many cases the private citizen is afraid of big brother. Everything relating to the payment of money contains a threat that, if the money is not paid within a specified time, certain action will be taken. Unfortunately, the ordinary citizen can do little about

this. As public servants need no more protection than do people working in the private sector, I oppose the amendment.

Mr. McANANEY: I think the Engineering and Water Supply Department has power to enter one's bathroom to fix a tap and, if one is in the bath at the time, I suppose that is bad luck. Perhaps an action could be brought against the Government if a person's privacy was invaded in this way. If so, it will be a lawyer's paradise. I should like the Minister to explain this matter more fully before I decide how to vote on it.

The Hon. L. J. KING: Members who have opposed the amendment have really missed the whole point of the matter. The Bill creates a remedy for an unreasonable and substantial infringement of privacy. It may be that in some Statutes this Parliament may confer on an individual (it may be a public servant or a private citizen) authority to do something. If we confer on someone the authority to do something, it is incumbent on us to make clear that the mere doing of that thing will not expose him to an action for damages under this Bill. This was recognised by the Justice Committee (the United Kingdom section of the International Commission of Jurists), which included the word "authority" in this context. In the drafting of our Bill, we omitted it, but I now recognise that in doing so we made a mistake. I am indebted to the Law Society for drawing my attention to that mistake. I have provided the Leader of the Opposition with a copy of the Law Society's submission, which no doubt other Opposition members have seen. The society said it questioned whether the scope of clause 4 was sufficiently great as it now stands. In its submission the society said:

It is expressed to apply to a duty or obligation. Clause 4 (*f*) of the Justice Bill refers to "authority" which is a broader concept. Specifically, we feel that a person exercising a power where a discretion is involved may not be considered to be within the terms of the proposed clause 4.

On reflection, I think that is right, and it is therefore necessary for Parliament to make clear what it is doing and that, where the action complained of is done pursuant to the authority of the law, no action lies under this Bill. That is all the amendment does, and the rest of the comments that have been made are really beside the point. There is no suggestion that any immunity is being conferred on a person because he is a public servant. All that is being said in this amendment is that, if a person (be he a public servant or a private citizen) is doing what he is authorised by the Statute to do, that in itself cannot amount to an infringement of privacy so as to give rise to an action under this Bill.

Mr. GOLDSWORTHY: It is obvious that the Attorney-General and his colleagues in the Law Society consider that a conflict could occur. If a public servant or a member of the public was exercising a power conferred on him by a Statute and it was likely that he could be liable under this Bill, a conflict of interest would be highlighted in this clause. This clause and the amendment seek to give absolute discretion to certain public servants or members of the public. If in the case cited by the member for Heysen the person concerned should have knocked on the bathroom door before he entered, that would be a matter of discretion. However, the amendment would favour the man who simply barged in. This highlights the conflict of interest inherent in the Bill because, obviously, this legislation is likely to conflict with other Statutes. Far from the Attorney-General's dismissing as irrelevant what we have said, he has confirmed in my mind the complete relevance of what we have been saying: the intrusion of Government into the private lives and affairs of our citizens has gone too far in many instances. He should scrutinise the operations of this State's bureaucracy and examine some of the activities of Government instrumentalities.

Mr. GUNN: I support the remarks of the member for Kavel. A constituent of mine told me that he was told by a Government inspector, "I have power to enter your home, and you can't do anything about it." Surely, that is a breach of the right of privacy. I told my constituent that the inspector no doubt had the right power under the appropriate Act, but surely the public should be protected against that kind of abuse of power.

The Hon. L. J. King: You're opposed to the whole remedy.

Mr. GUNN: Abuse of power makes the legislation even more obnoxious. Obviously, the Attorney and the Government will force the Bill through by sheer weight of numbers, but at least the public should be given the right to know what has been said about the legislation. This might well be the last time that the press, if the Attorney-General and his colleagues have their way, will have the opportunity of saying what it thinks.

The Committee divided on the amendment:

Ayes (21)—Messrs. Becker, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Crimes, Duncan, Dunstan, Groth, Harrison, Hudson, Jennings, King (teller), Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Noes (15)—Messrs. Allen, Arnold, Blacker, Boundy, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin (teller), McAnaney, Russack, Tonkin, and Venning.

Pairs—Ayes—Messrs. Corcoran, Hopgood, Keneally, and Wright. Noes—Messrs. Dean Brown, Nankivell, Rodda, and Wardle.

Majority of 6 for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 5—"Interpretation."

The Hon. L. J. KING: I move:

In the definition of "action" to strike out "5" and insert "6".

The member for Mitcham drew attention to the need for this drafting amendment.

Amendment carried.

Mr. GOLDSWORTHY: I should like the Attorney-General to explain the following definition:

"Person" includes a body corporate.

The following is an extract from a submission by the Australian Journalists Association:

Under existing defamation laws it is extremely difficult to libel a body corporate, but under this Bill the body corporate would be getting an additional right to prevent discussions on its affairs.

Earlier, the Attorney-General confined his remarks to the question of industrial espionage, but I believe that there are far simpler methods of redress in cases of industrial espionage than those provided for in this Bill. The Attorney-General brushed off the Opposition's suggestions that definite lines of attack could be pursued in this connection. He said that Opposition members should embark on wider reading.

The Hon. L. J. King: That was your suggestion about me.

Mr. GOLDSWORTHY: The Attorney-General suggested that we should read the book that he had in his hand. He referred to a press council. I confess that I have not read the publication.

The Hon. L. J. King: It is not available in Adelaide.

Mr. GOLDSWORTHY: Did the Attorney-General not say that it was in the Parliamentary Library?

The Hon. L. J. King: No.

Mr. GOLDSWORTHY: We can hardly be expected to read a book that is not available in Adelaide. The Attorney could tackle the matter of industrial espionage without having recourse to this measure. I do not say that I suspect legal opinions, but I have read other opinions on this matter, and I refer to a report of a statement by Sir William Haley. This is published in a submission from the Australian Journalists Association about this provision, and the report states:

Sir William Haley, a former Editor of the *Times*, a former Editor-in-Chief of the British Broadcasting Corporation, and a former Joint Managing Director of the Manchester *Guardian* and Evening News Ltd., said in a foreword to *The Freedom of the Press*, a book of the Granada Guildhall Lectures of 1974:

> Many people see the freedom of the press as a contest between the editors and authority, with the ring held by the law. They are prepared to accept this. To the extent that it is true, it is unsatisfactory. For the law to be the ultimate arbiter of what we can and cannot know is a frail safeguard. Lawyers are by nature restrictive. The law is in essence a mediaeval institution with mediaeval ideas of closed associations. There are individual judges who are good. But the law as a whole inhibits.

One of the essential A.J.A. objections to this Bill is that it widens the scope for the law to be the ultimate arbiter of what we can and cannot know. Its tendency will be to inhibit discussion and not to expand it.

I have made the point in relation to existing defamation laws that it is extremely difficult to libel a body corporate, and it seems that discussion of the affairs of a body corporate would be difficult if this provision was included. It seems that there is a strong case to exclude the definition of "body corporate".

Mr. CHAPMAN: In dealing with the right of privacy, I refer to a situation that could exist in industry regarding infringement of the right of an employee. Many people in this country belong to trade unions because they consider that they must be members. It has become part of the policy of some employers to ensure that their employees are members of the respective unions.

However, there is no compulsory unionism in Australia: the individual has the right to decide whether to join the union, irrespective of the tactics and pressures that may be applied. What will happen if an employer or a trade union leader asks a member of the staff whether he is a member of the union? I suggest that, under the Bill, the employee could tell his trade union leader or employer to mind his own business, saying that the request infringed his privacy. On what basis can the Attorney justify such action?

The Hon. L. J. KING: I do not see that this Bill has much to do with the last point that has been mentioned. To ask a question is not of itself an infringement of privacy. There is no legal obligation on anyone to answer a question as matters stand, and the Bill does not alter that. We are dealing with legal obligations and a change in the law, and this Bill does not affect the situation that the honourable member has mentioned.

Regarding the point made by the member for Kavel, I find the matter in the submission that the honourable member has read somewhat contradictory, because it states that it is difficult to libel a body corporate, and then that this provision would give the body corporate even further protection from publicity. That statement in the submission was an odd sort of comment. I should have understood it if it was a statement that it was too easy now to libel it, and that this provision would give them even more protection. There is an area of privacy for business that is proper, whether the business is conducted by a body corporate or an actual person. It is more difficult to defame a body corporate than it is to defame a natural person, because a natural person is capable of some things that a body corporate is not capable of.

That also applies to privacy. I think it would be more difficult to infringe the privacy of a body corporate than to infringe that of an individual. That does not alter the fact that there is an area of privacy for anyone carrying on a business. In terms of the Bill, an action arises only if the intrusion is a substantial and unreasonable intrusion of privacy and cannot be justified in anyone's legitimate interest or in the public interest. The protections are ample there and it seems that there is no reason for excluding a body corporate from the Bill.

True, the opportunity for intrusion on the privacy of the body corporate will be much less than in the case of a natural person, because the area is much smaller. However, that does not alter the fact that there is an area. Nothing in the Bill prevents activities for exposure of a body corporate where the public interest is involved or where that is necessary to protect someone else's legitimate interest.

Mr. BECKER: I seek clarification regarding the term "right to privacy" as it relates to an employee. In commerce, employers sometimes request a senior employee to provide to the senior staff officer a report on the members of the staff who work directly under him. This happens in banks, although I am not sure whether it happens in the Public Service. Some organisations call them staff reports, while others call them secret dossiers. In the organisation in which I was involved, we were required each year to forward to the staff office a report on the members of the staff engaged in the branch. It was necessary to assess whether the officer was fit for the duties he was undertaking, the manner in which he performed those duties, and to give a general report on his community activities, his involvement, his health, his personal and family habits, and so on. It went to the area of his private nature and his private life.

Does this clause adequately protect the employee from discrimination? I know of several cases where, through personalities, the branch manager reported on a member of his staff in relation to that officer's work, but went further and reported on his personal habits and his personal life. I want to support the legislation and I want to see the right to privacy established, because I believe employees have a right to be protected from such secret dossiers. They should be assessed on work value, but their family life and their involvement in the community become areas in which the right to privacy is infringed. It is going much too far.

The Hon. L. J. KING: I want to deal at some length with the important matter raised by the member for Hanson. Unfortunately, I cannot go on with this Bill just at the moment. However, I shall deal with it later.

Progress reported; Committee to sit again.

MORPHETT STREET BRIDGE ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BOATING BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1—In the Title—Leave out "to provide for the control of boating" and insert "to promote safety in boating".

No. 2. Page 2, lines 10 and 11 (clause 5)—Leave out all words in these lines after "device" first occurring in line 10 and insert "(whether or not that engine or device is the principal means of propulsion); and a motor boat is 'under power' when it is being propelled, wholly or to some extent by that engine or device:".

No. 3. Page 2—After line 43 insert new clause 6a as follows:

6a. *Delegation.* (1) The Minister may, by instrument in writing, delegate any of his powers or functions under this Act to the Director.

(2) Any such delegation shall be revocable at will and shall not prevent the Minister from acting personally in any matter.

No. 4. Page 3, line 9 (clause 8)—Leave out "proclamation" and insert "regulation".

No. 5. Page 3, lines 25 and 26 (clause 8)—Leave out subclause (4).

No. 6. Page 4, line 35 (clause 11)—Leave out "appropriate" and insert "prescribed".

No. 7. Page 5, line 5 (clause 11)—Leave out "The" and insert "Subject to subsection (4*a*) of this section, the".

No. 8. Page 5, line 6 (clause 11)—Leave out "appropriate" and insert "prescribed".

No. 9. Page 5 (clause 11)—After line 8 insert new subclause (4*a*) as follows:

(4*a*) Where an application is made for the renewal of the registration of a motor boat of which—

(*a*) the length does not exceed 3 metres; and

(*b*) the engine is capable of developing no more than 5 horsepower,

no fee shall be payable in respect of the renewal of registration.

No. 10. Page 5, lines 17 to 20 (clause 11)—Leave out subclause (8).

No. 11. Page 6, line 1 (clause 14)—After "operated" insert "under power".

No. 12. Page 6, line 13 (clause 14)—Leave out "the" and insert "a".

No. 13. Page 6, line 24 (clause 14)—Leave out "the" and insert "a".

No. 14. Page 8, lines 8 and 9 (clause 20)—Leave out all words in these lines after "order" in line 8 and insert—"—

(*a*) cancel or suspend the licence; and

(*b*) disqualify the convicted person from holding or obtaining a licence for a period specified in the order, or until further order."

No. 15. Page 8, line 22 (clause 22)—Leave out "A" and insert "Subject to subsection (3) of this section, a".

No. 16. Page 8, line 22 (clause 22)—After "boat" insert "under power".

No. 17. Page 8, line 26 (clause 22)—Leave out "A" and insert "Subject to subsection (3) of this section, a".

No. 18. Page 8, line 26 (clause 22)—After "boat" insert "under power".

No. 19. Page 8 (clause 22)—After line 30 insert new subclause (3) as follows:

(3) No offence is committed under this section by a person who operates, or permits another to operate, a motor boat without a licence or permit under this Part provided that—

(*a*) the boat is not operated at a speed in excess of 18 kilometres per hour; and

(*b*) a licensed person is in charge of the boat.

No. 20. Page 9, lines 13 to 22 (clause 23)—Leave out subclause (3) and insert new subclause (3) as follows:

(3) The operator of a boat involved in a collision or other casualty in waters under the control of the Minister shall as soon as practicable give the information required by this section to a member of the Police Force near the place of the collision or casualty.

No. 21. Page 9, line 33 (clause 23)—After "him" insert "or any other person".

No. 22. Page 9 (clause 23)—After line 35 insert new subclause (7) as follows:

(7) It shall be a defence to a charge that a person has failed to comply with subsection (3) of this section if he proves that the only damage or injury resulting from the collision or casualty was damage or injury to property and that a fair estimate of the cost of making good the damage or injury was not more than one hundred dollars.

No. 23. Page 11, line 7 (clause 27)—After "Director" insert "or a member of the Police Force".

No. 24. Page 13, line 25 (clause 36)—Leave out "the general revenue of the State" and insert "a separate fund which shall be applied in defraying the cost of the administration of this Act".

No. 25. Page 13, line 27 (clause 36)—Leave out "pursuant to the provisions of this Act" and insert "by regulation".

No. 26. Page 13, line 31 (clause 36)—After "In" insert "making regulations".

No. 27. Page 13 (clause 36)—After line 34 insert new subclause (4) as follows:

(4) No differential registration fees shall be prescribed under this Act in respect of motor boats.

No. 28. Page 14, line 21 (clause 37)—Leave out "Director" and insert "Minister".

Amendment No. 1:

The Hon. HUGH HUDSON (Acting Minister of Marine): I move:

That the Legislative Council's amendment No. 1 be agreed to.

This amendment changes the title of the Bill. The Legislative Council feels that this is a more effective description of it. I am happy to allow the Legislative Council to change the title in this way.

Mr. GOLDSWORTHY: I am glad the Minister is happy; I take it that he is speaking for the Government. In the promotion of this Bill much was said about its being concerned with safety. Many people made submissions to the Opposition to the effect that a few provisions of the Bill would not in any way increase the safety of boating. Therefore, the Opposition made some amendments to the Bill, but I think it is perfectly happy with the change in title because that is what the Bill is all about.

Motion carried.

Amendment No. 2:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 2 be agreed to.

This amendment alters the definition of "motor boat". The change is intended to ensure that the definition operates in a way precisely related to the purposes set out in the Bill.

Mr. GOLDSWORTHY: I believe that the Opposition would agree to the amendment, but I should like a ruling, Mr. Chairman. May I question the Minister on another aspect of this clause? The alteration to the definition requires clarification.

The CHAIRMAN: You can only question something that has arisen as a result of the Legislative Council's amendment.

Mr. GOLDSWORTHY: A controversy has arisen in relation to the houseboats on the Murray River. There is a division of opinion as to whether or not they are exempted under the definition of "boat" in relation to people being conveyed for money. It seems that the Minister does not think they are exempted. However, as I am out of order I shall not take the matter further.

Motion carried.

Amendment No. 3:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 3 be agreed to.

This inserts a power of delegation, and no objection is taken to that.

Motion carried.

Amendments Nos. 4 *and* 5:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendments Nos. 4 and 5 be agreed to.

These amendments relate to amendments seeking to substitute "regulation" for "proclamation". No objection is taken to these amendments.

Motion carried.

Amendment No. 6:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 6 be agreed to.

It is a question of language. It must be accompanied by the "prescribed" fee instead of the "appropriate" fee. It is consequential, and relates to substitution of "regulation" for "proclamation".

Motion carried.

Amendments Nos. 7 *and* 8:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendments Nos. 7 and 8 be agreed to.

They are preparatory to inserting a further amendment to amendment No. 9 that relates to the exemption to be provided for any motor boat whose length does not exceed three metres, and whose engine is capable of developing no more than five horse-power. It is intended that that amendment shall be further amended.

Mr. GOLDSWORTHY: These amendments pave the way for an important amendment that grants exemptions.

Motion carried.

Amendment No. 9:

The Hon. HUGH HUDSON: I move:

That the House of Assembly agree to the Legislative Council's amendment No. 9 with the following amendment:

In new subclause (4a) (*a*) to strike out "3" and insert "3·048".

The Government is willing to agree to the general principle in the new subclause, which grants an exemption in the case of motor boats whose length does not exceed three metres, which is 9ft. 10½in. Although it may be true that most boats with an overall length of 10ft. have a gunnel length of less than 10ft., some are not designed that way. Therefore, we consider that it would be more appropriate to ensure that the exemption applies strictly to any boat whose length is less than 10ft. For this reason, rather than apply the exemption to boats whose length is 3 m we will apply it to those of a length of 3·048 m, which is the exact metric equivalent of 10ft. This makes the exemption a little more generous than was previously provided.

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

The Hon. HUGH HUDSON: As regards the engine horse-power, there will always be an argument whether or not an engine is capable of developing a certain horse-power. One suggestion is that we could define it in terms of the maker's specification. However, that would be inadequate because it would not allow for the case where an engine had been modified to produce greater power; and it would be difficult, in some cases, to prove the maker's specification as regards power output. In our view, it would be more satisfactory to insert some evidentiary provisions under which an authorised officer of the department could give a certificate of his opinion of the power output of an engine, and provide in that way that the certificate would create a presumption that would have to be rebutted by the operator in any proceedings against him.

Mr. Coumbe: The onus would be on the owner?

The Hon. HUGH HUDSON: It would be, to prove that the engine would develop less than 5 h.p. The basic problem is to try to devise a reasonably clear method of ensuring effective implementation of this provision. It is a question not merely of the horse-power: it is a question of how that is to be determined. Our view is that it is not good enough to specify according to the maker's specification. I therefore propose the amendment to the Legislative Council's amendment No. 9 that I have already moved. A consequential amendment should also be made to clause 35.

The CHAIRMAN: Order! Should we be dealing with that clause now?

The Hon. HUGH HUDSON: It is part of the whole proposition. Whether or not we deal with these amendments one at a time, I think the whole proposition should be explained, as I now propose to do. I intend to move:

That a consequential amendment be made to the Bill as follows:

In clause 35, after paragraph (*d*), to insert the following new paragraph:

(*e*) an allegation in the complaint that the engine of a motor boat referred to in the complaint is or is not capable of developing more than a certain horse-power, specified in the complaint, shall be deemed to be proved in the absence of proof to the contrary.

That is merely putting the onus on the owner to demonstrate that the engine is not capable of developing more than 5 h.p. The remainder of the Legislative Council's amendment No. 9 stays in. No fee is required in any case where a boat is below a certain length and its power is below a certain horse-power but, to try to get a clearer demarcation, should any prosecution ever be involved, it seems appropriate that the evidentiary provision that I have suggested should be inserted.

Mr. ARNOLD: I support the amendment moved by the Minister before the adjournment. In fact, I should have liked to see his amendment go a little further, because I think that the insertion of 3 m by the Legislative Council would tend to encourage people to purchase dinghies not more than 3 m in length. From the point of view of safety, I believe a dinghy between 3·048 m and 3·658 m in length is probably a safe craft. If we are to encourage people to get down to 2·743 m and 2·438 m dinghies, we are getting down to very small craft and tending to defeat the purpose of the Bill.

Mr. Coumbe: Do you prefer an amendment to make it 4 m?

Mr. ARNOLD: I favour 3·658 m. With a boat 3·658 m in length, we have a good safe operating dinghy. Therefore, I move:

That the Hon. Hugh Hudson's amendment be amended by striking out "3·048" and inserting "3·658".

This amendment is moved purely from a safety point of view.

The Hon. HUGH HUDSON: This amendment moved by the member for Chaffey, while I appreciate his motives, is not acceptable. It is fair to say that we have been through some traumas on this matter. The other place saw fit to have a detailed investigation into the kinds of limit that should be imposed for exemption purposes. The 5 h.p. provision generally relates to the suggested length of the boat. The question is not one of length but whether the power of the boat meets conditions required for an exemption. It must be below a certain length and horse-power. A boat 3·658 m long with a 5 h.p. motor may be less safe than a boat 3·048 m long with the same motor. I suggest that the amendment be rejected.

Mr. COUMBE: The Minister has based his argument on the fact that we should accept the recommendations of the Select Committee, but his amendment seems to emanate from his department. The member for Chaffey has had much boating experience, and would know what he is talking about: his amendment should be supported.

The Hon. HUGH HUDSON: My amendments are of the kind that the Select Committee would have appproved if it had thought about them, whereas the amendment of the member for Chaffey involves a substantial change from

that proposed by the Select Committee. It was moved, I suggest, on the spur of the moment.

Mr. ARNOLD: With a boat length of 3·658 m, an additional stability is gained by the extra beam. This safety aspect should be considered seriously.

Mr. CHAPMAN: I support the amendment of the member for Chaffey, because the object of this legislation is to improve the safety of boat operations in all waters. A boat 3·658 m long is beamier, more stable, and much safer to handle at sea than is the smaller boat. A 5 h.p. motor in a boat 3·658 m long would mean a lesser power ratio, but it is more important to have weight and length in a boat to be used in a choppy sea than it is to have a shorter boat that cannot be handled, and this applies whether the boat is rowed or powered by an engine.

The Hon. HUGH HUDSON: If one were interested in the question of safety, one would not include in the Bill a provision to exempt any power boats, but the exemption has been introduced because of arguments rehearsed in this Chamber, in the other place, and before the Select Committee. The future tendency will be for exemption limits to be lowered rather than raised, and ultimately we will reach the situation (as we have done, in effect, with motor vehicles) that there is no exemption from registration for power boats. The Government originally did not intend to include such an exemption, but the legislation will not be passed without it. Having accepted that fact and indicated the Government's willingness to agree to an exemption, I do not intend to worsen the overall situation, compared to what we believe it will be in the long term, by extending the exemption.

Mr. BLACKER: I support the amendment. The Minister expressed concern regarding the extra length of vessels and the restricted horse-power. However, a 5 h.p. limit would be sufficent for one to have adequate control of a vessel in any seas in which craft of that nature were used. Perhaps I have misread the clause, but I think it provides that such vessels must still be registered but that no fee is payable.

The Hon. Hugh Hudson: That is my understanding.

Mr. BLACKER: In those circumstances, I support the amendment.

Mr. ARNOLD: The key purpose of registration was to enable craft, and therefore an irresponsible operator, to be identified. All dinghies will be registered and, therefore, identifiable. My amendment will mean that those persons in the community who can afford only a small dinghy will not have to pay for the right to own that craft. Such a dinghy will still have to be registered, and it will therefore be identifiable, as it will be recorded within the department. That was the prime object of the registration of vessels, and we will in no way reduce the safety aspect if this provision is extended to vessels 3·658 m long. Indeed, it will encourage people who can afford only a dinghy to purchase a 3·658 m dinghy in preference to one less than 3·048 m long. In moving my amendment, I am interested solely in the safety aspect: I have absolutely no ulterior motive. Indeed, I firmly believe that it will enhance the Bill. It is not as though the limit will be continually extended. A 3·658 m dinghy is a good, safe vessel, and further consideration should be given to this matter.

Mr. GOLDSWORTHY: I am highly disturbed by the Minister's explanation in opposing the amendment. He said he expected that in future even these exemptions would be phased out. He also said he believed that the Government had accepted this amendment because it believed the Bill would fail if exemptions were not included. I have examined the report of the Select Committee, on which Government members were represented. I think the Minister of Agriculture handled this matter in another place. The relevant section of that committee's report is as follows:

On the matter of fees, the committee was divided in its opinion as to whether ocean-going yachts registered under the Merchant Shipping Act should be exempt. It is the committee's recommendation that fees recovered under the provisions of this Act should be paid into a special trust fund and not into the general revenue of the State, and an amendment to this effect has been included in the committee's recommendations. Concerning the exemption of certain small craft from registration, the committee recommends an amendment upon the following lines be made to the Bill.

The first amendment, which is then spelt out in the report, is precisely the one with which the Committee is now dealing, and for the Minister to suggest that the Government is accepting this amendment only as a sop—

The Hon. Hugh Hudson: They're your words.

Mr. GOLDSWORTHY: That is what the Minister implied, and it is a direct reflection on the Select Committee.

The Hon. Hugh Hudson: Oh, sit down!

Mr. GOLDSWORTHY: I will not sit down.

The Hon. Hugh Hudson: You're talking through the top of your head.

Mr. GOLDSWORTHY: What justification has the Minister for asserting that this provision was included because he believed the legislation would fail if it was not? These amendments were carried unanimously in another place, and there were Government members on the Select Committee.

The Hon. Hugh Hudson: Come on! You know what the score is.

Mr. GOLDSWORTHY: I do not know what the score is.

The Hon. Hugh Hudson: Then you had better find out about it.

Mr. GOLDSWORTHY: I think the Minister had better give the Committee a further explanation.

Mr. Langley: You said that it was unanimous.

Mr. GOLDSWORTHY: There is no dissenting report.

The Hon. Hugh Hudson: You can't have dissenting reports.

Mr. GOLDSWORTHY: Let the Minister get up and say what he meant by those remarks, then. I am guided by the papers that are placed before members.

Mr. Duncan: Why say that it was unanimous when you know that it wasn't?

Mr. GOLDSWORTHY: I do not know that it was not unanimous. If the Minister knows it was not unanimous, he should say so. I am merely being led by the Parliamentary Paper containing the committee's report on my file. I have perused the *Hansard* report of the debate on the matter in another place and the Select Committee's report, and there is no evidence to indicate to the Minister that this Bill would fail if this amendment was not accepted. If the Minister has further information, he should give it to the Committee. If the Bill is in the interests of safety, there is much sense in what the member for Chaffey has said. It behoves the Minister, before making the sort of political comment he has made, which does not appear in any of the—

The Hon. Hugh Hudson: Grow up!

Mr. GOLDSWORTHY: The Minister may get excited and abusive, but the facts of life are—

The Hon. Hugh Hudson: Who voted for the establishment of the Select Committee in the first place? You know the politics of this matter from the word "go".

Mr. GOLDSWORTHY: The Minister is the only one who has introduced politics into this matter. We are

discussing the Select Committee's report, which I have perused, and we are dealing with amendments made by the Legislative Council, reports of the debates on which I have also perused. If the Minister makes such statements, he should substantiate them. I support the amendment.

Mr. ARNOLD: It makes no difference whether it is a 3·048 m or a 3·658 m dinghy: if one does not put an inboard motor in it or an outboard motor on it, it is not necessary for one to register the craft. We are saying that, if a 5 h.p. motor is put on a dinghy 3·048 m long, no registration fee will be payable. One can have a dinghy 3·658 m long without having to register it. However, if the same 5 h.p. motor was put on larger dinghy, a registration fee would be payable. If a 5 h.p. motor was placed on a 3·048 m dinghy, no fee would be payable. I still believe that a larger dinghy with a 5 h.p. motor will be safer than a smaller dinghy with the same sized motor on it.

The Hon. HUGH HUDSON: Honourable members ought to be aware that this relates to the fee on renewal of registration. Later amendments proposed require the establishment of a special fund to defray the administration costs of the registration proposal, and clearly a registration fee must be struck that will meet those administration costs, but do no more than that. To the extent that any class of boat is exempted, the fees for registration of other boats must be increased to cover the administration costs. The further we extend the exemption, the higher the fee we are requiring.

Mr. Chapman: You're splitting hairs.

The Hon. HUGH HUDSON: I am not. The honourable member's arguments about safety on this question are of the minor nit-picking variety.

Mr. Chapman: A few less dollars, one less public servant, and you'd be in business.

The Hon. HUGH HUDSON: That is the sort of idiotic remark that is not worth answering. Within any given costs of administration, whatever they be and however efficiently the administration can be operated, a fee must be charged to meet those costs. We have heard much about the Select Committee, but we were not a party to its deliberations, and I cannot comment in any detail on what led the committee to select this figure.

Mr. Goldsworthy: That's a little different from what you suggested earlier.

The Hon. HUGH HUDSON: The member for Kavel knows full well the lack of Government support for the establishment of a Select Committee originally. The amendment I have moved is adequate, and it involves only a minor change to what the Select Committee has suggested. If that minor change had not been suggested, the argument would not have arisen.

Mr. BECKER: Can the Minister say what the administrative costs are expected to be and what fees will be collected in connection with this amendment?

The Hon. HUGH HUDSON: I cannot give more information than has been given.

Mr. Arnold's amendment negatived.

Mr. GOLDSWORTHY: I support the Minister's amendment, as it is an exemption. It is sensible to have the figure of 3·048 m, as this is equal to 10ft. I refer to a statement by the Select Committee, as follows:

The Select Committee examined this matter closely. In many instances, particularly on the Murray River, people use boats with only small outboard motors for, say, fishing or yabbying excursions. These boats are usually transported on the roofs of cars and are owned mostly by pensioners who live near the river.

The CHAIRMAN: Order! Is the honourable member quoting from *Hansard*?

Mr. GOLDSWORTHY: Yes, Mr. Chairman.

The CHAIRMAN: He must not allude to any debate in the other place.

Mr. GOLDSWORTHY: What I am saying gives the lie to what has been suggested. They were the words of the Minister of Agriculture, who sponsored these amendments.

The CHAIRMAN: Under Standing Order 149, no honourable member may allude to a debate in the other place.

Mr. Coumbe: The Minister of Agriculture promoted it, didn't he?

Mr. GOLDSWORTHY: He did, and there is nothing in the Select Committee's report to show that he was anything but entirely pleased about the spirit of the amendment to exempt these small craft.

Motion carried.

The Hon. HUGH HUDSON moved:

In clause 35, after paragraph (*d*), to insert the following new paragraph:

(*e*) an allegation in the complaint that the engine of a motor boat referred to in the complaint is or is not capable of developing more than a certain horse-power, specified in the complaint, shall be deemed to be proved in the absence of proof to the contrary.

Mr. ARNOLD: I oppose the amendment, which is unnecessary and places the burden on the operator of small craft of proving that his motor is capable of developing no more than 5 h.p. Clause 11 provides, in subclause (4*a*) (*b*), that the engine is to be capable of no more than 5 h.p. Even if there is a slight variation from the maker's specification, the horse-power will be still about 5 h.p. Usually, small craft operators have not large financial resources, and this burden is unwarranted.

Mr. GOLDSWORTHY: I support the remarks of the member for Chaffey. This seems rather a peculiar way of putting it. Apparently the assertion will be made in the case of a complaint that the boat is capable of developing more than 5 h.p. I do not think the Government needs to tamper with the recommendation that has come from the Legislative Council. The person making the complaint should be satisfied in his own mind that the engine is capable of developing more than 5 h.p., and it should be his job to prove it. It is the old question of who should bear the onus of proof, and here it is back on the owner in marginal cases. The Government is too keen on provisions assuming guilt in the absence of proof of innocence. I do not think it will be a great burden on the complainant, if he knows anything about motors, to prove his case.

Amendment carried.

Amendment No. 10:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 10 be agreed to.

It is a consequential amendment relating to the substitution of "regulation" for "proclamation".

Motion carried.

Amendment No. 11:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 11 be agreed to.

This is purely for clarification.

Motion carried.

Amendments Nos. 12 *and* 13:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendments Nos. 12 and 13 be agreed to.

They are quite straightforward.

Motion carried.

Amendment No. 14:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 14 be agreed to.

The purpose of this amendment is to deal with the situation in which the court determines some penal action. It gives a further option in the situation, although I think probably the further option is covered by the words "suspend the licence". However, it spells out more clearly the options of the court.

Motion carried.

Amendments Nos. 15 *to* 18:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendments Nos. 15 to 18 be agreed to.

These amendments, and also amendment No. 19, all relate to circumstances designed to ensure that, if someone permits another to operate a motor boat without a licence or permit, no offence has been committed if the boat is not operated at a speed of more than 18 kilometres an hour and it occurs in circumstances where a licensed person is in charge of the boat.

Mr. Coumbe: That makes sense.

The Hon. HUGH HUDSON: Yes. This is designed to cover the situation where a boat is being moored and it is necessary for the operator not to be carrying out the duties of helmsman but to be supervising the mooring. However, there may be a problem in this regard. The Legislative Council's amendment would permit a person five years of age or under to operate a motor boat; there is no age limit at all. I believe it would be appropriate to set a limit, and I suggest we should make that limit a minimum age of 12 years. This would require a further amendment to the Legislative's Council amendment No. 19 to provide a further condition that the operator is of or above the age of 12 years.

Motion carried.

Amendment No. 19:

The Hon. HUGH HUDSON moved:

That the House of Assembly agree to the Legislative Council's amendment No. 19 with the following amendment:

In new subsection (3) to insert the following paragraph:

(*ab*) the operator is of or above the age of twelve years;

Mr. GOLDSWORTHY: I am not enthusiastic about what the Minister is doing to the Legislative Council's amendments. The onus for the safe operation of the boat lies on the licensee. A licensed person is in charge of the boat, yet the Government is trying to tie it up even further. I can imagine a situation where a 10-year-old might be required to operate a boat.

Mr. Coumbe: Taking the throttle whilst his father pulls up the anchor, for instance.

Mr. GOLDSWORTHY: Yes, where a father is teaching his young family safety on the water and the way in which to handle a boat safely. As I believe the alteration suggested by the Minister is unnecessary, I think we should accept the amendment as it came from the Legislative Council. One of the points made fairly strongly by the Tasmanian committee that reported in, I think, 1967 on safety in boating, was that youngsters, under the control of their parents, were often proficient indeed in manoeuvring craft at low speeds. Under the Legislative Council's amendment, the onus is on the licensee in charge of the boat, and I believe that is where it should stay.

Mr. BECKER: I agree with what the member for Kavel has said. When a family that is keen on fishing owns a boat, the youngsters are brought up to know how to handle boats. Boating clubs conduct lessons encouraging children of seven years and eight years of age to learn basic seamanship. What the Minister suggests will not improve the safety aspect. What if the person operating a boat needs assistance? He will not say to a 10-year-old, "You cannot help me"; he will be helped anyway. If members in another place did not include an age limit, they had a good reason for that. We would be unwise to alter their recommendation.

Mr. COUMBE: I am the patron of a large group of sea scouts which operates from the Outer Harbor and which owns a power boat. Many of these boys are under 12 years of age. Am I to take it that, if the Minister's amendment is accepted, these sea scouts, who are being trained in basic seamanship under the strict supervision of experienced instructors, will be denied the opportunity to learn to use a power boat?

The Hon. HUGH HUDSON: My amendment would mean that anyone under the age of 12 years would be debarred from operating a boat, even though a licensed person was in charge. What I propose is completely consistent with the general scheme of the Bill, to which no objection was taken in this place before, or in the Legislative Council, or by the Select Committee regarding the issuing of licences or permits. Clause 16 requires that an applicant must be 16 years or over before he can apply for a licence. Clause 21, which deals with special permits, provides:

(1) The Director may issue to a person between the age of twelve years and sixteen years a special permit under the terms of which he may, subject to such conditions as the Director thinks fit to include in the permit, operate—

(*a*) a motor boat the potential speed of which does not exceed 18 kilometres per hour;

or

(*b*) a motor boat the potential speed of which exceeds 18 kilometres per hour while accompanied by a person who is licensed under this Part.

The members for Kavel, Hanson and Torrens have previously agreed to this, as have members of another place and of the Select Committee. Honourable members now suggest that we should not insert in the Legislative Council's amendment a provision that a person without a licence or a permit is not committing an offence provided that the boat is not operated at a speed of more than 18 km/h and that the person is above the age of 12 years when, under the scheme in the Bill, a person under 12 years of age is not even allowed to apply for a special permit. At schools, we teach children under the age of 16 years the mechanics of operating a car, the general art of roadmanship, and aspects of road safety. Surely it is not suggested that, because this is done, those children should be able to drive a car. My amendment will make this provision consistent with the general scheme in the Bill; it is simply designed to tidy up the Legislative Council's amendment.

Mr. GOLDSWORTHY: The comparison between the amendment and clause 21 is not really relevant. Clause 21 provides for the issuing of permits in two specific cases. A person between the age of 12 years and 16 years can, even if he is on his own, get a special permit to drive a motor boat, the speed of which does not exceed 18 km/h. The second part of the clause provides that a person between 12 years and 18 years can drive a motor boat over 18 km/h so long as he is accompanied by a person licensed under this Bill. The amendment covers a completely different set of circumstances where the boat is not to be driven over 18 km/h and where there is a licensed driver in charge of the boat. The circumstances are different, as the Minister well knows. The Minister's amendment is

breaking completely new ground. We were happy to accept clause 21 as it stood, because it provided the issue of permits in certain circumstances.

The Hon. Hugh Hudson: Do you believe that someone under the age of 12 years should be able to apply for a permit?

Mr. GOLDSWORTHY: No.

The Hon. Hugh Hudson: Are you willing to allow someone to drive a boat in certain circumstances without a permit?

Mr. GOLDSWORTHY: Yes. The Legislative Council's amendment to clause 21 seeks to allow people under age to get a permit to operate a boat of the boat travels at under 18 km/h, if the boat is in charge of a licensed person. What about a father in charge of a boat teaching his child how to operate the boat at low speeds? It would be appropriate to teach a 10-year-old child in some circumstances, and it would be inappropriate for a 12-year-old child to command a boat in other circumstances. The onus in the amendment is on the person in charge of the boat. If the licensed operator of a boat has not this discretion, the Government is showing little confidence in him. The Tasmanian inquiry into safety in boating made strong reference to teaching young people to handle boats. The Minister has over-simplified the situation.

Motion carried.

Amendment No. 20:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 20 be agreed to.

This amendment eliminates an onus on the operator in respect of a collision or other casualty.

Mr. GOLDSWORTHY: Another change resulting from this amendment is that the operator is not required to notify the police at a police station, because the amendment provides that the reporting may be done to a member of the Police Force near the place of the collision or casualty. The Minister did not explain that change, which is desirable. The Opposition agrees to the amendment which facilitates the reporting of a collision, and therefore improves the clause.

Motion carried.

Amendment No. 21:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 21 be agreed to.

This means that there is no obligation on an operator of a boat to supply information that either might incriminate him or any other person in respect of an offence. I am not sure how worth while this amendment is.

Mr. Coumbe: It doesn't do any harm, though.

The Hon. HUGH HUDSON: If it does, the Government may have to subsequently amend the provision.

Motion carried.

Amendment No. 22:

The Hon. HUGH HUDSON moved:

That the Legislative Council's amendment No. 22 be agreed to.

Motion carried.

Amendment No. 23:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 23 be agreed to.

This amendment provides that, where a person finds a boat that has been wrecked or abandoned and takes possession thereof, he shall, as soon as practicable, report the discovery of the boat to the Director, and the Legislative Council has added the words "or a member of the Police Force".

Motion carried.

Amendment No. 24:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 24 be agreed to.

I understand that this is to be a boating fund similar to the Highways Fund. It is a special fund, and the fund so created through the collection of registration fees can be used only to administer this Act; that is all. That was always the intention; it was never said at any stage that this fund would be used to augment the revenue of the State. The Government is happy that this amendment be agreed to.

Motion carried.

Amendment No. 25:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 25 be agreed to.

This is consequential upon the substitution of regulation for proclamation.

Motion carried.

Amendment No. 26:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 26 be agreed to.

This again relates to the substitution of regulation for proclamation.

Motion carried.

Amendment No. 27:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 27 be agreed to.

This amendment provides that no differential registration fees shall be prescribed under this Act in respect of motor boats. This has been recommended by the Select Committee, and the Government is happy to agree to it.

Mr. GOLDSWORTHY: Does the Government still contemplate that the registration fee will be $5? Since the beginning of the year, the fee has tended to fluctuate a little, but the firmest proposal made by the Minister of Works was that the fee would be $5. Has inflation caught up with this proposal, or is the fee still to be $5?

The Hon. HUGH HUDSON: I cannot answer that question; I have not inquired of the Director of Marine and Harbors. If the honourable member wants me to, I shall be pleased to.

Mr. BECKER: I am disappointed that the Minister cannot say what the fee will be, because we are asked to agree now to this amendment and other amendments. Take, for example, some of those large pleasure craft upon the Patawalonga Lake; they are 40-footers, but they will be paying the same fee as a 10-footer dinghy. Even so, we still need some indication of what the fees will be. I have yet to be convinced that this fee will remain static; it will probably keep going up. It is just another penalty on boat owners in the name of boat safety. We do not know how many people will be employed, what action will be taken to police the legislation, or what safety will be offered to the boating public. The Minister asks for a blank cheque, and I do not like it.

Mr. ARNOLD: I support the amendment. We return to the original purpose of this provision, the registration of boats for identification so that we can virtually identify the operator who is offending or putting at risk other people involved in boating. I fully support a common

registration fee for all craft, because large craft operators will be paying additional tax by way of fuel tax.

Motion carried.

Amendment No. 28:

The Hon. HUGH HUDSON: I move:

That the Legislative Council's amendment No. 28 be agreed to.

This amendment requires Ministerial approval to be gained for any regulations empowering the granting of exemptions subject to such conditions as the Minister may think fit.

Motion carried.

MARGARINE ACT AMENDMENT BILL

In Committee.

(Continued from October 1. Page 1219.)

Clause 3—"Interpretation"—which Mr. Dean Brown had moved to amend as follows:

After paragraph (*a*) to strike out "and"; and to insert the following new paragraph:

and

(*c*) by inserting after the definition of "place" the following definition:

"poly-unsaturated margarine" means table margarine—

(*a*) that contains no animal fats or oils and no fat or oil produced elsewhere than in Australia and no fat or oil obtained from any product produced elsewhere than in Australia;

and

(*b*) in which the total fatty acids present contain not less than forty per centum cis-methylene interrupted poly-unsaturated fatty acids and not more than twenty per centum saturated fatty acids:

Mr. NANKIVELL: I move:

In paragraph (*a*) of the proposed definition of "poly-unsaturated margarine" to strike out all words after "oils".

It would be an unnecessary restriction on the industry if it had to use oil seeds produced only in Australia. If an industry is to be established, it must be viable and must be assured of supplies. The restriction suggested by the member for Davenport could have deleterious effects on the provisions of the Bill.

The Hon. HUGH HUDSON (Minister of Education): I appreciate the honourable member's views: one of the grounds on which the amendment moved by the member for Davenport is unacceptable to the Government is the words objected to by the member for Mallee. The Government's policy is that there should be no restriction on the production of margarine in this State and, therefore, it opposes the amendment moved by the member for Davenport and the amendment to that amendment moved by the member for Mallee.

Mr. DEAN BROWN: I cannot accept the amendment moved by the member for Mallee. The Government has announced that it will allow the production of dairy blend in this State: this will be a great impetus to the use of dairy fat in South Australia, but dairy blend cannot be produced and marketed until February 1 next year. Unfortunately, however, on the same day the Government is to abolish all quotas in respect of margarine: therefore, new dairy blend will not have an adequate chance to be established on the Australian markets.

Also, some protection must be afforded consumers. All table margarine produced within Australia at present is poly-unsaturated and therefore produced from vegetable oils, and there is sufficient demand for poly-unsaturated margarine to use the entire quota of table margarine. However, when quotas are lifted both poly-unsaturated and saturated forms of table margarine will be produced. Under the present legislation this table margarine could contain up to 90 per cent animal fat.

Mr. Coumbe: It's really lard.

Mr. DEAN BROWN: Basically, it is: it varies by only 1 per cent in its percentage of fats from cooking margarine. This is most unfortunate. If these two products are allowed to be marketed, the public will be confused: there will be a product called table margarine produced without quotas and containing up to 90 per cent animal fat, and a cooking margarine containing 90 per cent or more animal fat. Consumers may believe that all table margarines are poly-unsaturated and that, for some mystical reason, they are good for health because they do not cause heart disease. The intended move by the Government to abolish quotas will allow saturated forms of margarine to flood the market, and the public may be fooled by astute and clever advertising by experienced companies. I understand that only one company in this State, Unilever, has both a licence to produce margarine and a quota for it. My source of information for that fact was the Minister of Works. This company will have an advantage over other companies unless the Government grants other margarine manufacturers an immediate licence to produce margarine in this State. Marrickville Margarine Proprietary Limited, a smaller company than Unilever, is licensed to produce margarine but does not have a quota. Unilever has obtained a large percentage of the cooking margarine market by clever and extensive advertising. Of the total amount spent on advertising this product, this company spends 76·5 per cent, although it has only about 55 per cent of the market. A member for Parliament in Queensland has claimed that Unilever contributed a five-figure sum to Australian Labor Party campaign funds before the recent Commonwealth election. I do not know whether that claim is correct, but it has been reported in a newspaper, and it makes one wonder about the South Australian Government's policy in this field. During the previous 11 years Unilever has increased dramatically its share of the cooking margarine market by 1 500 per cent, whilst other manufacturers (mostly Australian) have increased their share by only 210 per cent. Unilever at present attracts 54·4 per cent of the market. The average price of its product is 11c a kg dearer than that of other cooking margarines, so it certainly has not captured its share of the market by undercutting the price: it has done so by an extensive advertising campaign. Indeed, that company accounts for 76·5 per cent of the funds spent on advertising cooking margarine within Australia.

Mr. Olson: That's hardly a reason for supporting multinationals.

Mr. DEAN BROWN: It is surprising that the A.L.P. is blatantly supporting a multi-national corporation, as the legislation will certainly not benefit Australian manufacturers as much as it will the multi-national corporations. I am therefore surprised that that sort of inane interjection should be made by a Government member. What was the agreement made by the various Ministers of Agriculture at the Agricultural Council? It has always been the policy (and this policy was reaffirmed last year, when Senator Wriedt chaired the meeting) that margarine quotas would not be discussed at any other Agricultural Council meeting except at the meeting to be held next February. Despite this, just before the last Agricultural Council meeting a careful lobby was carried out by the Australian Margarine Manufacturers Association. Without notice, the quota issue was raised by this State's Minister of Agriculture

(Hon. T. M. Casey) at the last Agricultural Council meeting, which was held in August or September. The Minister raised the matter, knowing full well that he was not honouring the agreement previously made. I have the word of at least one other Minister of Agriculture that this is the case. I also understand that on that occasion, when the other Ministers of Agriculture referred to the voluntary agreement that had been made that the matter was not to be debated until the February meeting, the Minister became irate and said that South Australia would now abolish quotas on table margarine.

The Hon. Hugh Hudson: Why did you mention it then?

Mr. DEAN BROWN: Because it is interesting that the word and agreement of a Minister is not worth one pinch of salt.

The Hon. Hugh Hudson: Oh, come, come!

Mr. DEAN BROWN: It is all very well for the Minister to say, "Come, come", but that is exactly what the figures show. Lifting quotas in South Australia will mean that quotas throughout Australia will be lifted because, under section 92 of the Constitution, there must be free trade between States. That will happen, unless the other States introduce legislation to restrict the sales in those States of margarine produced in South Australia. It is unfortunate that the Government has acted against the advice of Sir John Crawford, who was chairman of a committee that prepared a Green Paper for the Commonwealth Government. I understand that Sir John Crawford's committee recommended that quotas be phased out over six years, yet the South Australian Government is willing to act against that expert advice, without advancing any evidence counter to it. The Government has acted like a group of petulant housewives who, having become sick and tired of the present policy, want it changed, which is most unfortunate.

Furthermore, the Industries Assistance Commission is currently inquiring into the dairying industry. That inquiry was sponsored by the Commonwealth Labor Government and, therefore, by the colleagues of members of the Government in this State. Despite all this, the Government is willing to act against those recommendations and certainly not to wait for that report to be published. Surely, if the Government had any sense of rational, responsible duty towards the industry generally, it would wait until that report had been tabled. Only last week I asked whether the Government was waiting for the report to be tabled before continuing with the debate on this Bill. This evening I have had my answer: that it is not waiting for that report to be made. I understand that the dairying industry and the margarine manufacturers have said how they would like quotas to be abolished. The former has apparently recommended that quotas should be phased out gradually, and I also believe that some margarine manufacturers have said that quotas should not be abolished in the same way as they are to be abolished by the South Australian Government.

Mr. Simmons: Perhaps the South Australian Government has some regard for the wishes of the individual.

Mr. DEAN BROWN: Consumers want to be able to buy poly-unsaturated margarine in unlimited quantities. I have enabled them to do this under the Bill. The Government has also failed to recognise that, although quotas will not be lifted officially until February 1 next, quotas are based on financial years. This virtually means that after this legislation has been passed and proclaimed, irrespective of the reference to February 1, any manufacturer may produce unlimited quantities of table margarine. I bet the South Australian Government will not have the nerve or the intestinal fortitude to prosecute any manufacturer that produces unlimited quantities of table margarine before February 1, 1975. I should certainly be interested to hear the Minister on whether the Government would be willing to prosecute any manufacturer for such an offence. I am sure that it would not be willing to do so, as the Government would consider it to be against its policy. Therefore, I cannot understand why this date has been fixed.

This is even more reason why the date should be put back to July 1, 1975. In other words, during the current financial year quotas would be adhered to rigidly. Under the Bill, although they can effectively be lifted immediately, the dairy manufacturers cannot introduce the new product, dairy blend, until February 1 next. Therefore, margarine manufacturers are to be given the opportunity, as established companies, first, to produce unlimited quantities before dairy blend is put on the market and, secondly, to swamp out any advertising campaign for dairy blend by running a campaign to advertise margarine.

For these reasons, I have moved my amendment, which carefully protects the Australian consumer, allowing him to buy unlimited quantities of poly-unsaturated table margarine, which needs to be produced from vegetable oils and which must have a two-to-one poly-unsaturated to saturated fat ratio. I therefore urge all members to vote for the amendment. I realise that at times difficulties could be experienced in obtaining within Australia the necessary quantity of vegetable oils. Although I included that provision to help develop the Australian vegetable oil industry, for the sake of ensuring that sufficient vegetable oils were available to enable unlimited quantities of poly-unsaturated margarine to be produced, I am willing to accept the amendment moved by the member for Mallee.

I am disappointed that the Government will not accept this reasonable amendment. Eventually, I should like to achieve the sort of objective the Government wants to achieve. I believe this step needs to be taken in several stages without suddenly throwing open the floodgates and giving the dairying industry no time to adapt. I urge members to support my amendment, as amended by the amendment moved by the member for Mallee regarding the part relating to vegetable oils produced in Australia.

Mr. COUMBE: The Minister's opposition in this case may cause misunderstanding amongst the people. Certain people, on medical advice, use table margarine that is poly-unsaturated, so as to avoid a high cholesterol level. I understand that there is no definition of poly-unsaturated margarine in the principal Act and I do not think that the Packages Act covers that aspect. The Minister may have a doubt about the matter, because he represents the Minister in another place, and I suggest that, if he is man enough, he will report progress and consult his colleague.

Dr. TONKIN: Cholesterol is a major factor in the cause of arteriosclerosis, or hardening of the arteries, and that can apply to the coronary arteries. Research has shown fairly conclusively that this is a major factor in coronary heart disease. Largely through the efforts of the Heart Foundation, a tie between cholesterol deposition in vessel walls and the consumption of poly-unsaturated fat has been fairly well established.

Unfortunately, before the foundation began the campaign, people generally believed that, by eating margarine, they were avoiding the cholesterol that occurred in butter and other dairy products. As a result, in the public mind margarine has come to mean something that is cholesterol-free, but that is not so. I am sure that the Minister knows that margarine can be either saturated or poly-unsaturated. It can be made of animal fat and can have just as high a cholesterol level as butter; indeed, it can have a much higher level.

People who are advised to eat margarine because they have a propensity towards coronary heart disease or arteriosclerosis may find that, if they merely eat margarine, they may be at more risk than if they use butter. There is a strong danger, with the legislation as proposed and with the Packages Act as it is, of a severe risk of misleading the public. I think it right that poly-unsaturated margarine should be available, and it is essential that the term "poly-unsaturated" be defined so that manufacturers cannot put on the market anything made from animal fat and lead people to believe that, by buying ordinary margarine, they are safe from the risks of cholesterol level. People have every right to protect themselves, and the Government should give them every opportunity to do that by making certain that poly-unsaturated margarine is specified for what it is, without equivocation, interference or confidence trick.

Mr. NANKIVELL: I support my colleagues. I share with the member for Davenport and the member for Bragg concern that there is no definition of what we now regard as table margarine. There is a significant difference between cooking margarine and table margarine. All the campaigns to promote margarine have been based on the subject mentioned by the member for Bragg: the possibility of butterfat or other saturated fats causing coronary complications. There are medical differences of opinion as to whether or not this is so, but unless people are to be licensed to produce lard or soap (as Unilever produces) we will find people rendering down cheap cattle at the abattoir to produce fats to make margarine.

The Hon. Hugh Hudson: Is there any difficulty in getting margarine?

Mr. NANKIVELL: There is no problem at present, but there are restrictions on production in South Australia. Perhaps the Minister supports the view that Unilever is the principal manufacturer of margarine in this State. My information is that Vidale and Golden Nut are the two groups licensed to produce poly-unsaturated table margarine in South Australia and that two other manufacturers also produce margarine. I believe Unilever is one of those and that that firm manufactures cooking margarine. I hope that can be clarified. The member for Davenport has had information from the Minister, and my information came from the Minister's department, so there is some conflict.

I think we should accept the amendment, further amended by my amendment if the Committee wishes. It is essential in the public interest to define clearly what is meant by poly-unsaturated margarine so that the Packages Act also can be amended. If we define poly-unsaturated fat as meaning table margarine, the people will know what they are buying. We have a responsibility to ensure, when we pass legislation, that people understand it or that at least we, who presume to understand it, protect the public's interests. Perhaps the Minister would accept the recommendation of the member for Torrens and agree to report progress to consult with the Minister of Agriculture.

We are also inserting a definition of "dairy blend" and I support the member for Davenport in his plea that some consideration should be given to the work done by the Agriculture Department in developing this mixture, and also that some encouragement should be given to the industry to manufacture it. Unless adequate time is given for the blend to be promoted and for people to accept it, what we have done here is just humbug, and all we need do is amend the Bill to give unlimited quotas for margarine, forgetting about dairy blend and the work that has gone into it.

I support the member for Davenport in asking for a breathing space for dairy blend to be produced, packaged, and marketed so that the community understands what it is. That would protect the interests of the dairying industry. We will be short of butter as butterfat in the late autumn because South Australia does not produce sufficient butterfat for its own needs, and it is increasingly difficult to get butterfat from Victoria, the principal supplying State. To provide a better type of product to the consumer, we need a product such as dairy blend. We could give a breathing space for it to be marketed before we turn the wolves loose by giving *carte blanche* to people who, I believe, will produce mostly cooking margarine if we do not insist on a proper definition and proper labelling. The public otherwise will not realise the difference and will believe they are getting poly-unsaturated margarine. Unless we act responsibly, the public will be misled and misguided by skilful advertising of the product manufactured here under the name of margarine.

Mr. McANANEY: I fully support the lifting of quotas, but we must have a guarantee that the consumer knows what he is getting. I will not vote in favour of the lifting of quotas unless we have this protection. Many dairy farmers are quite willing to have quotas lifted, but it must be seen that the consumer is not eating mutton fat when he thinks he is using something beneficial to his health. I strongly support the amendments, which are absolutely essential in consumer protection; if the Government is honest in its consumer protection legislation it will carry it into this area.

The Hon. HUGH HUDSON: The amendments do not set out just to ensure that the consumer knows what he is getting. The most appropriate way to do that would be by amending the Packages Act if that should prove necessary. I would point out to the member for Heysen and also to the member for Mallee that it is not just a question, in the amendments that we are now debating, of ensuring that the consumer knows what he is getting. The amendment in question goes further than that. It is relevant in the arguments put forward by both the member for Davenport and the member for Mallee that the only forms of table margarine currently available are the poly-unsaturates. It is quite open for table margarine to be made from saturated fats and put on the market at present, but it is not on the market, because the demand for poly-unsaturated margarine has given that product such a margin. I assure members that, should it ever prove necessary to amend the Packages Act to ensure that consumers know precisely what they are getting because some companies are misleading them, such amendments will be introduced straight away. These amendments do not do that.

Mr. Dean Brown: You need my amendment so that poly-unsaturated margarine can be defined.

The Hon. HUGH HUDSON: If it is necessary, that can be done later. That is not the purpose of that amendment. It is rather disingenuous of the honourable member to suggest an amendment which has the purpose of restricting the extent to which quotas are lifted and then to say that there is another purpose to which we might agree, so why not accept the amendment for that other purpose. That is not the way to approach the matter. The only kind of market likely to be substantial in the table margarine area is for poly-unsaturated margarine. I assure members that, if any attempt at misleading advertising is made when quotas are lifted, the Government will ensure that such an attempt is hit on the head.

Mr. Coumbe: Why not do it now?

The Hon. HUGH HUDSON: That is not what the amendments propose. What is being proposed now is that medically dangerous margarine made from saturated fats should not have the quota lifted; the only quota lifted should be with regard to poly-unsaturated fats, even if they are medically dangerous. I do not believe the member for Davenport accepts the argument about what is medically dangerous and what is not. If we argue on the level of what is more medically dangerous, we should be arguing for quotas to be placed on all things that are medically dangerous. Perhaps we should have quotas on aspirins and many other things.

Dr. Tonkin: There are two forms of aspirin, one of which is safe and one of which is not.

The Hon. HUGH HUDSON: Certainly some forms are more dangerous than are others, according to certain medical views. I do not think this kind of argument is sustainable. I give the assurance that, if any company attempts to misrepresent a margarine product of any type, action will be taken by the Government to ensure that the company is prosecuted.

Dr. Tonkin: How will poly-unsaturated margarine be defined?

The Hon. HUGH HUDSON: The Unfair Advertising Act does not define everything about which there can be misleading advertising.

Mr. Dean Brown: Scrapings off the abattoirs floor could be used.

The Hon. HUGH HUDSON: The honourable member is using highly emotionally charged language. I have given the assurance of the Government that, if prosecutions for misleading advertising did not stand up and further amendments were necessary, they would be presented as soon as possible. If anyone advocates the breaking of the law or breaks the law, he must face the consequences. In such a situation, the member for Davenport chose not to break the law, and no doubt margarine companies might make a similar decision. Regarding the position of the Unilever Corporation, I suggest that the lifting of quotas will certainly undermine any kind of monopoly position that exists in this State, if in fact it does exist.

Mr. Dean Brown: You'd give a licence to any manufacturer who wanted to produce?

The Hon. HUGH HUDSON: I do not know that we will be able to refuse.

Mr. Dean Brown: No-one has given that undertaking publicly.

The Hon. HUGH HUDSON: The member for Davenport has pointed out that the Marrickville company already has a licence, but has no quota. If quotas were lifted, Marrickville would produce in this State, and that would upset the monopoly position of Unilever, if that is the position. Therefore, the member for Davenport should favour the lifting of quotas to ensure that Marrickville can produce here.

Mr. Dean Brown. Your argument is getting weaker all the time.

The Hon. HUGH HUDSON: That kind of remark, which is typical of the honourable member, is leading to the overall degeneration of debate in this Chamber. The competitive position will be improved by the lifting of quotas, which also will stimulate not only employment in South Australia but, in addition, revenue to the State Budget through additional pay-roll tax collections. For those reasons, this view should be supported.

Regarding the Australian Agricultural Council, it has been the practice for many years for all Ministers of Agriculture throughout Australia to hide under the cover of the council on the matter of margarine quotas, saying, "I will be raising it at the next meeting of the Australian Agricultural Council." This has been an agreement amongst Ministers to confuse the general public as regards the real situation. The game played by the Ministers of Agriculture for so long in this regard has now been ended by the South Australian Minister.

It has always been the situation that any Government in Australia could have lifted margarine quotas; that is, until the South Australian Minister made a change. Apparently, the member for Davenport has aligned himself with those interests in the community who, because of their basic opposition to any lifting of quotas whatever, have been willing to support the fiction that nothing could be done.

Mr. DEAN BROWN: In the last 20 minutes the Minister has revealed his lack of knowledge. Through his statements, he has made himself a complete and utter fool. First, he said that, having lifted the quotas, if by any remote chance (and he did not think it would happen) any margarine manufacturer produced a table margarine with animal fat in it, the Government would take legislative action to stop it.

The Hon. Hugh Hudson: I didn't say that. I said that would apply if any manufacturer misrepresented his product. If you're going to tell an untruth, make it a complete whopper so that everyone knows it.

The CHAIRMAN: Order!

The Hon. Hugh Hudson: You're a disgrace.

The CHAIRMAN: Order! Will the member for Davenport resume his seat. There has been free discussion on this subject, but I ask the member for Davenport to get back to the substance of the amendments, and not to open up the discussion.

Mr. DEAN BROWN: I was referring to the amendment, which relates to the production of poly-unsaturated margarine. For the first time in this State we have defined what is poly-unsaturated margarine. The Minister definitely implied in his speech that, if margarine manufacturers were misleading the public, he or the Government would be taking action to stop that.

The Hon. Hugh Hudson: If they produced table margarine and represented it as poly-unsaturated margarine when it was not, that would be a misrepresentation.

The CHAIRMAN: Order! I ask the honourable member for Davenport to confine his remarks to the amendments.

Mr. DEAN BROWN: I am referring to my own amendment and the amendment moved by the member for Mallee. I am replying to the points the Minister raised. He knows that under the present legislation no action can be taken against margarine manufacturers. He was simply making a glib statement that he knew could not be upheld. The history in oversea countries has shown that—

The CHAIRMAN: Order! We are discussing the proposed new definition of poly-unsaturated margarine. I ask the honourable member to confine his remarks to that matter.

Mr. DEAN BROWN: I am referring to that. In oversea countries, where there is no quota whatever, it has been found that margarine manufacturers have produced large quantities of so-called table margarine with a high animal-fat content, and that is exactly what we are trying to stop being passed on to the Australian consumer. The Minister, who has completely ignored that fact, should not defend a case with no knowledge of the subject whatever.

I now refer to important evidence in this matter. I refer to a statement by the Manager of Provincial Traders, the

statement being contained in a document delivered by hand to the Premier. I have not in any way been influenced by this statement, as I spoke to the Bill and moved my amendment before I received a copy of it. Even so, I believe this statement should be read to the House, because I suspect that even the Minister has not seen it, and it is a shame that the Premier has not taken sufficient note of it to act accordingly in respect of these amendments. The document, which comes from a table margarine manufacturer, the very sort of person who we suspect would benefit most by the Government's measures, states:

The table margarine industry has operated under quota restrictions for many years. The allocation of quotas between the competitive companies is certainly not equitable as the largest quota holder Vegetable Oils (an Australian company), has in excess of 50 per cent; the remaining three major companies have less than 20 per cent each. There is no question that substantially larger quantities of table margarine could be sold than the present total of 22 450 tonnes. It therefore follows that there is a considerable shortage of supply creating a market vacuum. A company, with production capacity, marketing ability and the financial resources to very quickly increase production and sales, could dominate the market in a very short period. Of major concern is the financial strength and the "track record" of Unilever. Evidence given before the Prices Justification Tribunal (reference: page 221 of transcript of proceedings, Sydney, March 26, 1974, by Mr. Oldmeadow) referred to the fact that expenditure on advertising by Lever and Kitchen was 50 per cent more than the company's trading profit. The same witness expressed the view that "concern for increased market share between the major firms leads to advertising as a competitive variable, enormous quantities of money being spent in this area with the consumer footing the bill".

Unilever nine years ago had a market share of a mere 15 per cent of the Australian cooking margarine market (not subject to quota control). This year their share is 54 per cent. Their advertising expenditure on cooking margarine is reasonably estimated to be at a rate in excess of $434 000 a year. All other manufacturers combined have an estimated advertising expenditure of slightly less than $132 000 per annum. The average shelf price of the Unilever product is 5c a pound more than the average price for the combined competitors' product. The present financial climate severely restricts the amount of capital available for further processing equipment. However, a multi-national, if not already geared to substantial production excess capacity, can readily have processing equipment made available from overseas without the same financial strain or the waiting time for delivery, which in some instances can be up to two years.

With an industry which has had the restriction of quotas (rightly or wrongly), to be suddenly exposed to the resources of an established multi-national is a very substantial threat to the continued viability of an Australian company operating within the industry. There is also the distinct possibility of other multi-national companies who are currently operating in Australia, entering the margarine industry as they have done overseas. It is believed that quotas should be phased out. The timing of the phasing is of vital importance. The Australian Government Green Paper *Rural Policy in Australia* comments that, although margarine quotas cannot properly be regarded as part of a sound long-term economic structure, nevertheless they are a fact of life in the Australian economy. The Green Paper comments further that the dairy industry needs time to adjust prior to the introduction of a quota-free market situation in Australia. It has also been announced that Caucus has taken a decision that table margarine quotas should be abolished on June 30, 1976.

That is a Caucus decision of the Commonwealth Australian Labor Party Government. The letter continues:

It is contended that the June 30, 1976, date is the earliest possible time for the removal of quotas, and this date may well be examined with due regard to the availability of finance and processing equipment. The alternative submitted with the strongest possible conviction is that quotas be increased progressively between 25 per cent to a maximum of 50 per cent a year. In addition, the Australian companies should receive a larger share than that allocated to the multi-national. This would achieve a higher proportion of Australian ownership of its own productive resources and the maintenance of a reasonable degree of competition in Australian industry.

That, I repeat, comes from an Australian margarine manufacturer, from a person who, we hope, would benefit most by the lifting of quotas. The Minister this evening flaunted false facts before us; he completely ignored the Australian industry, the Australian consumer, and the Australian margarine manufacturer. The legislation proposed by the Government supports the multi-national companies, and it is a shame that an A.L.P. Government of this State should be prepared to come out against the better judgment—

The CHAIRMAN: Order!

Mr. DEAN BROWN: Are you calling me to order, Mr. Chairman?

The CHAIRMAN: I am calling the honourable member to order and suggesting he does not proceed in that manner. We are dealing with the definition of poly-unsaturated margarine. I have twice drawn the honourable member's attention to this and hope that, if he has any more remarks to make, he will confine them to that matter.

Mr. DEAN BROWN: I was simply making the point that the Government, by not approving the amendment, completely ignores the decision of the A.L.P. Commonwealth Government; it ignores the consumer, the dairying industry—

The CHAIRMAN: Order! I draw the honourable member's attention to my previous ruling.

Mr. NANKIVELL: I invite the Minister to look at the definition of margarine in the Margarine Act, 1940. It reads:

"table margarine" means—

(*a*) margarine containing any fat or oil produced elsewhere than in Australia or any fat or oil obtained from any product produced elsewhere than in Australia.

Unless the Minister is prepared to amend the definition, he will not attain the objective, because he will be restricting entirely the production of margarine to imported fats and oils.

Mr. EVANS: If what the member for Mallee has said is accurate, unless the Minister denies it, I think that progress should be reported. If we are restricting the use of Australian products in the manufacture of margarine, surely that is not the intention of honourable members. Surely we would not pass such a provision if that is so, and the Minister has not refuted it. The member for Mallee has raised the point; we cannot just sit back and permit the banning of the use of Australian products. Surely that is the last thing we should be asked to support. Does the Minister say he believes that that is not the case?

Mr. GOLDSWORTHY: The further this debate goes, the more obvious it is to me that the Minister has not come to grips with this legislation or with the import of what the member for Davenport is trying to do. He is seeking a definition of poly-unsaturated margarine so that there will still be some control on the supply of margarine containing animal fat. In the press report to which the member for Davenport has referred, it is claimed that the A.L.P. was bribed by Unilever.

The CHAIRMAN: Order! I ask the honourable member to confine his remarks to the definition of margarine.

Mr. GOLDSWORTHY: I am talking about the definition of margarine. If this amendment is not accepted, there will be an uninhibited production of margarine containing animal fat, and the people most likely to interest themselves in this production are Unilever. The press report

refers to that matter. This was mentioned in the Queensland Parliament in the following terms: that the people likely to be affected by this are the two Australian companies and Unilever, the multi-national company. They are the people involved in this production of cooking margarine, and that is the sort of margarine that will still be controlled if this amendment is carried. If this statement is not carried, the floodgates will be opened for the production of unlimited quantities of margarine containing animal fat. This newspaper report contains details of a Queensland member of Parliament claiming that the A.L.P. had accepted a five-figure contribution from this multinational corporation.

The Hon. HUGH HUDSON: The identification of different products of margarine is covered by regulations under the Food and Drugs Act. Labelling of margarine is subject to strict control, and there is no likelihood of the public being misled. The Unfair Advertising Act is general in its application and does not require the use of definitions of things contained in other Acts for it to come into force. It can apply to any product whether or not that product is defined in any legislation. If manufacturers of margarine tried to deceive or mislead the public and represent something as poly-unsaturated margarine that was not—

Mr. Dean Brown: That is not what you implied before.

The Hon. HUGH HUDSON: I know what I implied, and I am not going to put up with the poisonous and vitriolic statements of the member for Davenport in telling me what I imply.

Members interjecting:

The Hon. HUGH HUDSON: The member for Davenport spits it out in a most insidious way.

Mr. Dean Brown: You're like the Minister of Transport.

The Hon. HUGH HUDSON: That is the honourable member's opinion, and it does not rate highly with me. I know what I implied. I was speaking about something that was not poly-unsaturated being represented as poly-unsaturated. People should not be misled, and if for health reasons they should not eat materials made from saturated fats, we should apply uniform policy not only for margarine but also for butter and dairy blend.

Mr. Dean Brown: The margarine manufacturers—

The Hon. HUGH HUDSON: Margarine manufacturers tend to speak from the point of view of a vested interest: such a view point does not make it the truth. If they are not South Australian producers, their interest may be different from what it would be if they were producers or potential producers. The provisions of the Unfair Advertising Act would catch any attempt by manufacturers of margarine in relation to any statement made in any advertising. The penalty for a breach of that Act is $1 000 for each offence, and that is substantial. Courts would be well aware of the everyday meaning of poly-unsaturated margarine, and any attempt to mislead the public and to represent a product as being other than what it was would be caught either under the Unfair Advertising Act or as on offence against the regulations made under the Food and Drugs Act.

Mr. Dean Brown: You have missed the point.

The Hon. HUGH HUDSON: I have not.

Mr. Dean Brown: You have confused the facts.

The Hon. HUGH HUDSON: There seems to be no point in debating the point with the honourable member; he refuses to listen. I do not think the definition matters, because when quotas are listed the definition in relation to the production of that product is not applicable.

Mr. NANKIVELL: We are referring to section 3 of the principal Act containing the definition of table margarine. The only other information available with respect to this definition is contained in the regulation under the Act passed by Executive Council on June 7, 1962. I read the definition of margarine hereby declared to be table margarine, as follows:

Any margarine which contains fat or oil (or both), other than beef fat and mutton fat, to an extent of more than ten per centum by weight of the total quantity of fat and oil in such margarine.

Unless annotations to this Act have been overlooked, it provides that margarine cannot be made from fat and oil produced in Australia.

Mr. McRae: What year is that?

Mr. NANKIVELL: It is 1940.

Mr. McRae: There's a subsequent definition in the Act.

Mr. NANKIVELL: I have two similar copies: why have they not been amended? The point of my amendment is that this restricts the source from which oils and fats can come and, if the Government is genuine in its desire to allow unrestricted production, no restriction should be placed on the source from which fats and oils can come. The local market could probably produce plenty of lard and fat, although I doubt that it could produce sufficient oil. Unless the Act is repealed, we need to have a realistic definition inserted, because it does not matter what the other Act—

The Hon. Hugh Hudson: You simply get the Governor to declare, by regulation, something to be table margarine.

Mr. NANKIVELL: I can see no reason why we must substitute overriding powers in other Acts to cover the definition of the product with which we are now dealing. The Minister is not speaking to my amendment, which would make it possible for the fats and oils to come from any source.

Mr. GOLDSWORTHY: I do not believe the Minister has come to grips with the amendment moved by the member for Davenport, the effect of which will be to control the production of table margarine that contains fat.

Mr. Dean Brown: That's right.

Mr. GOLDSWORTHY: The Minister has referred not to that aspect but to catching those involved in unfair advertising. Under the amendment, there will still be some control over the manufacturer of table margarine containing fat. One of the arguments that has been advanced is that it will open the gates to the sort of activities in which Unilever will become involved. The Minister has not commented on that or on the matter raised by the member for Davenport. That seems to be the gist of the whole argument, which the Minister has ignored. The honourable member wishes to control, and indeed gradually phase out, the quotas on table margarine that contains saturated fats. This is the sort of production in which Unilever will participate, making great inroads on the market to the detriment of Australian producers.

The Committee divided on Mr. Nankivell's amendment:

Ayes (16)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Dean Brown (teller), Chapman, Coumbe, Goldsworthy, Gunn, Mathwin, Nankivell, Rodda, Russack, Tonkin, and Venning.

Noes (20)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson (teller), Jennings, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. Eastick, Evans, McAnaney, and Wardle. Noes—Messrs. Corcoran, Keneally, King, and Wright.

Majority of 4 for the Noes.

Amendment thus negatived.

Mr. DEAN BROWN: We are lifting all quotas on poly-unsaturated margarine as defined by this definition: it must be produced from vegetable oils. Unfortunately, because the amendment moved by the member for Mallee has been defeated, those vegetable oils must be produced or grown in Australia. Furthermore, there must be a ratio of two to one. Quotas still apply to table margarine that contains any animal fat. My point is that quotas can still apply to table margarine that contains animal fat. It still can be produced, but under quotas. Therefore, we are placing some sort of restriction, for at least a time, on the production of table margarines containing saturated animal fats. The Minister has not denied that the Unilever company gave a five-figure sum of money during the recent electoral campaign—

The CHAIRMAN: Order!

The Committee divided on Mr. Dean Brown's amendment:

Ayes (16)—Messrs. Allen, Arnold, Becker, Blacker, Boundy, Dean Brown (teller), Chapman, Coumbe, Evans, Goldsworthy, Gunn, Mathwin, Rodda, Russack, Tonkin, and Venning.

Noes (20)—Messrs. Broomhill and Max Brown, Mrs. Byrne, Messrs. Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson (teller), Jennings, Langley, McKee, McRae, Olson, Payne, Simmons, Slater, Virgo, and Wells.

Pairs—Ayes—Messrs. Eastick, McAnaney, Nankivell, and Wardle. Noes—Messrs. Corcoran, Keneally, King, and Wright.

Majority of 4 for the Noes.

Amendment thus negatived.

Clause passed.

Clause 4 passed.

New clause 5—"Repeal of ss. 20, 20a, 21, 23 and 24 of principal Act."

The Hon. HUGH HUDSON: I move to insert the following new clause:

5. Sections 20, 20a, 21, 23 and 24 of the principal Act are repealed.

This clause is designed effectively to eliminate quotas. I think we have had sufficient debate to obviate the need for me to go into the matter further.

New clause inserted.

Title passed.

The Hon. HUGH HUDSON (Minister of Education) moved:

That this Bill be now read a third time.

Mr. NANKIVELL (Mallee): I suggest to the Government that this Bill, in the form in which it has passed and which we have argued over for about two hours, could have been dealt with far more easily if the Government intended to abolish margarine quotas. I respectfully suggest that it would have been a much easier and more precise way to deal with it if at the appropriate time the legislation had been repealed, instead of our having an absolute shambles like this measure.

The SPEAKER: Order! The honourable member may speak to the Bill only as it came out of Committee.

Mr. DEAN BROWN (Davenport): I support the comments by the member for Mallee. The Bill as it came out of Committee retains some stupid definitions and places tremendous restrictions on the production of margarine, as the member for Mallee has pointed out. I also consider that the Bill affects certain sectors of our industry, both the Australian margarine manufacturer and the Australian dairying industry, as well as our new dairy blend. The whole purpose of introducing this as one of three Bills is to effect the production of dairy blend in South Australia. By this amendment to the Bill as it came from the Legislative Council, the Government has effectively smashed the entire original good intention. It has smashed and destroyed the effect of the Bill, and it has destroyed any chance of dairy blend becoming an established product. The Government has destroyed its own work, carried out by its departmental officers at Northfield. The policy as exemplified by the Bill as it has come from Committee has no rationale whatever. It is a policy put forward by a Government that obviously fails to appreciate the facts of the situation and the likely consequences. It is a shame on the South Australian public that such an unintelligent Bill could come out of Committee.

Mr. Nankivell: It is a reflection on this House.

Mr. DEAN BROWN: It is a reflection on this House and on the Minister who has had to handle the Bill. It is a shame we cannot have at least some decent back-up material. The Minister was obviously lost in Committee. He should at least try to remedy the ignorance he displayed in Committee. I oppose the third reading, despite what I said earlier. I favour the abolition of margarine quotas and, although the Bill as it now stands effects abolition, I must vote against it in the way in which it is trying to achieve that aim because it is against the interests of the Australian consumer of margarine, the margarine manufacturer, and the dairying industry.

The Hon. HUGH HUDSON (Minister of Education): I do not think it is possible to let the remarks of the member for Davenport pass, but before I get on to him I point out to the member for Mallee that the Act as it stands permits the Government to determine table margarine to be anything that is required at any time. The Act has always given full flexibility to the Government of the day to define table margarine, which means "any other margarine which the Governor, by regulation, declares to be table margarine". The Act also provides that the Governor may, by regulation, declare that any margarine defined, described or otherwise specified in the regulation shall be table margarine, and so on. There is full flexibility in relation to definitional requirements, and there is already full protection for the public against misleading advertising, unfair advertising, any misrepresentation, and false packaging. The position is clear as the Bill came out of Committee. I would say to the member for Davenport—

Mr. Gunn: Give him a go!

The Hon. HUGH HUDSON: Apparently members opposite support the personal abuse the member for Davenport flings around and regard that as a significant contribution.

Mr. Gunn: You haven't answered the charges he made.

The SPEAKER: Order!

The Hon. HUGH HUDSON: That is a lie. I thought it was not necessary to answer that sort of charge. If members opposite want to get down in the gutter they can by all means get down and swill around in it with the member for Davenport.

The SPEAKER: Order!

The Hon. HUGH HUDSON: In no circumstances, however, should we have to reply to such garbage.

The SPEAKER: Order! The Minister must refer to the Bill as it came out of Committee.

Mr. Gunn: The Minister accused me—

Members interjecting:

The Hon. HUGH HUDSON: The Bill, as it comes out of Committee, provides that dairy blend can come on to the market as can any other product. If dairy blend is not good enough to be accepted by the consumers in this State, apparently it will not be so accepted.

Mr. Dean Brown: You're only showing your ignorance.

The Hon. HUGH HUDSON: More personal abuse!

Mr. Gunn: The talking paranoid!

The Hon. HUGH HUDSON: Dairy blend would be introduced in the same way as any other new product. I am not aware of new products established in Australia that require to be given some special advantage during their establishment. No doubt if the producers of dairy blend, for which the honourable member is spokesman in this House, require some special advantage before they will even contemplate production, that matter can be considered further in another place.

Mr. Mathwin: In the same way as other vested interests—

The Hon. HUGH HUDSON: I have been very careful not to talk tonight about vested interests.

The SPEAKER: Order! Vested interests are not involved in this Bill.

The Hon. HUGH HUDSON: Aren't they? The whole Bill and the whole amendment moved tonight have been on behalf of vested interests. I shall not say anything more than that.

The SPEAKER: Order! The honourable Minister is out of order.

The Hon. HUGH HUDSON: I am not going to say more. I have been very restrained in what I have said about this matter and I do not propose to go further. The honourable member can fling around charges, even though he and others tonight have argued on behalf of particular interests they represent.

Mr. Dean Brown: What about the Australian industry? Are you ashamed of that?

The Hon. HUGH HUDSON: They are all interests in which members opposite themselves have an interest.

Mr. Gunn: Talk about getting into the gutter!

Mr. Venning: He hasn't been out of it since the start.

The Hon. HUGH HUDSON: Apparently it is all right for members opposite to make unfounded charges, based on newspaper reports of what is alleged to have happened in Queensland, and to get away with it. At no stage until the most extreme provocation have I mentioned anything about the vested interests with which members of the Opposition are concerned. It is utterly wrong and disgraceful for the member for Davenport to have carried on as he has tonight. He has lowered the general standard of debate in this House.

Bill read a third time and passed.

ADJOURNMENT

At 10.38 p.m. the House adjourned until Wednesday, October 23, at 2 p.m.