LEGISLATIVE COUNCIL

Thursday, October 31, 1974

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

ASSENT TO BILLS

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

Gas Act Amendment,
Morphett Street Bridge Act Amendment,
Parliamentary Superannuation Act Amendment,
Savings Bank of South Australia Act Amendment,
Statutes Amendment (Committee Salaries).

QUESTIONS

PLANNING AND DEVELOPMENT LEGISLATION

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to directing a question to the Minister representing the Minister in charge of planning and development.

Leave granted.

The Hon. R. C. DeGARIS: As most members know from a study of the Notice Paper, there is a motion for the disallowance of regulations under the Planning and Development Act applying to Kangaroo Island. In reply to the disallowance motion, the Minister in this Chamber representing the Minister in charge of planning and development said that legislation would be introduced to amend section 41 of the Planning and Development Act. As we are approaching the Christmas break, will the Minister confer with his colleague and make sure that the promised amendments to the Planning and Development Act will be included in the business of this session?

The Hon. A. F. KNEEBONE: I will confer with my colleague and bring down a reply for the Leader as soon as possible.

LARVAE

The Hon. V. G. SPRINGETT: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. V. G. SPRINGETT: In yesterday's newspaper and again in today's newspaper there is a reference to larvae of some sort or another at present in the water at Burnside, and we are told that they are connected with some sort of mosquito but are not dangerous. Bearing in mind the varieties of mosquitoes and their capacity to carry various diseases, will the Minister ask the Acting Minister of Works to give a more detailed explanation to set people's minds at rest and emphasising that the larvae are not disease-bearing and are not harmful, if such is the case?

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

MAGILL INSTITUTION

The Hon. C. M. HILL: I seek leave to make a short statement prior to directing a question to the Minister of Health.

Leave granted.

The Hon. C. M. HILL: There have been reports of much dissatisfaction amongst staff at the Magill Homes for the Aged concerning the conditions in that institution. It was reported in the press today that the South Australian Secretary of the Australian Government Workers Association (Mr. R. F. Morley) has said that the conditions for the 200 patients there were atrocious and that telegrams concerning this matter were to be dispatched to both the Premier and the Minister. Can the Minister make any statement on this matter? Has he, in fact, received a telegram? Does he consider that the complaints are justified? If he does, what action does he propose to take to rectify the situation in the interests of the patients?

The Hon. D. H. L. BANFIELD: I have not received a telegram on this matter.

The Hon. C. R. Story: Have one of mine!

The Hon. D. H. L. BANFIELD: The Hon. Mr. Story has one, too? However, the Magill wards are not under my jurisdiction.

The Hon. C. M. HILL: Can the Minister of Health say under whose jurisdiction the Magill Homes for the Aged come?

The Hon. D. H. L. BANFIELD: They come under the jurisdiction of the Minister of Community Welfare and, to save the honourable member's having to ask any further questions about the matter, I will refer his question to my colleague.

WHEAT PAYMENTS

The Hon. B. A. CHATTERTON: Yesterday there was considerable discussion in the Council on wheat quotas and the first advance payment for wheat. Since there seems to have been a rapid movement in events in Canberra on this topic, can the Minister of Agriculture say whether there have been any subsequent developments regarding the fixing of the first advance, and can he report further on wheat quotas?

The Hon. T. M. CASEY: There have been some developments in Canberra—

The Hon. M. B. Cameron: Surprise, surprise!

The Hon. T. M. CASEY: It is incredible that a question of this nature, which affects the wheat farmers of this country and the wheat industry as a whole, is being treated as a chiack by some honourable members.

The PRESIDENT: I suggest that the Minister ignore interjections, which are out of order, and reply to the question. The honourable Minister.

The Hon. T. M. CASEY: I received a telegram this morning, sent from Canberra yesterday afternoon by Senator Wriedt, saying that he had agreed to a first advance of $1·50 a bushel, which is 40c above the original $1·10 that was in vogue when the Australian Labor Party came into power in Canberra; so there is an extra 40c on the $1·10. The suspension of quotas for the 1975-76 season was also mentioned, and I was asked whether South Australia would agree to such a suspension. I have already indicated to Senator Wriedt that we are in agreement with this in the interests of the situation regarding wheat as it exists throughout the world and as I indicated yesterday. Apparently, the situation is that there is a great shortage of wheat in the world today, and every effort will be made to build up our stocks in Australia. As I said yesterday, the only way in which we can do this is to suspend quotas. Just how long they will be suspended I cannot say; indeed, very few people would have any idea at this stage, but this is a step in the right direction. First, I agree with $1·50 as the first payment, and I have already indicated to Senator Wriedt that I agree, as far as South Australia is concerned, to the suspension of quotas for the 1975-76 season.

The Hon. G. J. GILFILLAN: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. G. J. GILFILLAN: I refer to the Minister's statement in answer to the question by the Hon. Mr. Chatterton, and my question concerns the Minister's statement to the Hon. Mr. Whyte. I asked a question yesterday about a report in the press that, with higher world wheat prices and assurances of long-term contracts, any increase in the first advance to growers could cost the Government up to an extra $30 000 000. I believe the Minister has had a chance to read this in the press since. In his reply, the Minister said that, on the one hand, it would not cost the Government any money; and, on the other hand, that, if there was a default by an oversea country in payment, it could. I point out that the money is borrowed from the Reserve Bank, as has just been mentioned, at a concessional rate (I am aware of the amount of interest it pays) and it could only be called concessional having regard to the high rates paid in some other areas. A default, in my opinion, would not affect the first payment on wheat as far as any commitment by the Government of its own funds was concerned. Can the Minister, on reflection, confirm that the first advance payment to growers does not cost the Government any money at all?

The Hon. T. M. CASEY: Yes; I will confirm that. I understood the honourable member's question, which was followed by a question from the Hon. Mr. Whyte, related to the fact that it could cost the Commonwealth Government, the Australian Government, $30 000 000 in a scheme of this nature.

The Hon. R. C. DeGaris: You were right the first time.

The Hon. T. M. CASEY: The Leader said that yesterday. The only time the Australian Government could be involved would be when the board was directed by it to sell wheat to a certain market that did not meet its financial commitments. The Government would then be held to ransom, so to speak, and would have to contribute financially in relation to that contract because it was responsible for directing the board.

The Hon. R. A. GEDDES: Last week I asked the Minister of Agriculture a question regarding this matter. The Minister has now announced that he agrees with Senator Wriedt that wheat quotas will be suspended. Will this mean that legislation will have to be introduced to give the Minister authority in this respect? Also, if a new grower who does not hold a quota permit markets wheat in his own name, will that wheat be received and paid for?

The Hon. T. M. CASEY: Yes. That is the whole basis of the suspension of quotas. It means that the quota legislation will not operate for the 1975-76 season.

The Hon. R. C. DeGaris: But you do not legislate again?

The Hon. T. M. CASEY: No, not in our case. Our wheat quota legislation is so designed (and I must compliment the Hon. Mr. Story for having drawn up this legislation) that—

The Hon. M. B. Dawkins: You said some time ago that he wasn't fit to be a Minister.

The Hon. T. M. CASEY: I do not think I have ever said that.

The Hon. M. B. Dawkins: Yes, you did. It is in *Hansard*. You said he wasn't fit to be a Minister.

The Hon. T. M. CASEY: The honourable member ought to contribute something worth while in this Chamber instead of bickering, as he normally does. Indeed, that seems to be all he is capable of doing.

The PRESIDENT: Order!

The Hon. T. M. CASEY: The quota legislation will not come into force next year. It is interesting to note (and I omitted to say this when replying to the Hon. Mr. Chatterton) that the Reserve Bank has guaranteed that it will fulfil its commitment of $1·50 for all wheat delivered in the 1975-76 season.

The Hon. R. A. Geddes: The new wheatgrower?

The Hon. T. M. CASEY: Anyone!

The Hon. R. C. DeGARIS: Following the contradictory statements that he has made to the Council regarding the transferability of wheat quotas, would the Minister of Agriculture care to read the replies he gave regarding cleared land in the Fleurieu Peninsula, to see whether he would like to amend those replies?

The Hon. T. M. CASEY: Although I do not know what the Leader is driving at, I am willing to examine the answers I gave to see whether I can clear up any matter that is bugging him. However, I do not know of anything that I have said that has been controversial.

WHEAT BOARD BORROWINGS

The Hon. A. M. WHYTE: Has the Minister of Agriculture a reply to my question of September 18 concerning the ability of the Australian Wheat Board to borrow money outside the Reserve Bank, whether the borrowings apply to the current wheat pool or are intended only for future pools and, if so, at what rate of interest?

The Hon. T. M. CASEY: The Australian Minister for Agriculture (Senator K. S. Wriedt) has said that the Wheat Industry Stabilisation Act, assented to on October 1, 1974, provides that the Wheat Board may, with the Minister's approval, borrow moneys from sources other than the Reserve Bank. The Act also provides for a continuation of the board's power to borrow from the Rural Credits Department of the Reserve Bank to pay first advances to growers and to meet its marketing expenses. The board will no doubt continue to make full use of Reserve Bank funds, particularly as they are provided at a concessional rate of interest. The new borrowing power could be used to make progress payments to growers at an accelerated rate, to expedite repayment of seasonal borrowings from the Reserve Bank, or to finance stock holdings for lengthy periods. Use of this power can be sought by the board in respect of any outstanding pools, including the current (1973-74) season's pool. In fact, the Minister recently gave his approval for the board to borrow commercially to enable the board to make an early third payment of $5 a tonne on wheat delivered to the 1973-74 pool. The terms of any borrowings, including the rate of interest, are matters to be negotiated between the board and the lender.

LAND TAX

The Hon. R. C. DeGARIS: I seek leave to make a statement before asking a question of the Chief Secretary, representing the Treasurer.

Leave granted.

The Hon. R. C. DeGARIS: Many complaints are coming across honourable members' desks regarding the rise in land tax on many properties. I have examples of land tax increasing, as a result of the new assessment, from $150 or $160 to more than $1 000 this year on properties that are carrying 1 000 to 1 400 sheep. This is a tremendous burden on the property owners. The Treasurer has acknowledged the seriousness of the anomalies now existing. Will the Chief Secretary ask the Treasurer whether he intends introducing legislation this session to relieve the heavy burden on many primary producers?

The Hon. A. F. KNEEBONE: I will convey the Leader's question to my colleague and bring down a reply as soon as it is available.

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister representing the Minister of Local Government.

Leave granted.

The Hon. C. M. HILL: I have received a letter from the Gumeracha District Council pointing out that since the time the Royal Commission into Local Government Areas was established the Minister of Local Government has stressed that local government should stand on its own feet financially and that increased rate revenue is necessary to ensure financial viability within local government. The council is concerned at the increases in land tax within its area, and it claims that the current increases will seriously curtail the ability of landowners to pay increases in council rates in the future. These extremely steep increases in land tax will therefore not only present serious financial problems to ratepayers as individuals but also adversely affect local government. Therefore, will the Minister of Local Government use his office and influence within the Government to endeavour at least to have the current increases in land tax reduced in the best interests of the Gumeracha District Council and, indeed, local government generally?

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

BEACH EROSION

The Hon. R. C. DeGARIS: Has the Minister of Agriculture a reply to my question of October 9 about beach erosion?

The Hon. T. M. CASEY: I have been informed by my colleague, the Minister of Environment and Conservation, that an investigation has been made of the stormwater drainage entering the sea at South Glenelg. In fact, all large size stormwater pipes discharging into the coast are constantly under review. While the effects of this drainage on the beach are quite troublesome, they are usually confined to the area in the vicinity of the pipe outlets. Other routes have been examined, but the alternatives are usually economically prohibitive. However, what is being done is to improve particular stormwater drainage outlets where they are creating problems on the beach, and in this regard the outlets at South Glenelg are included.

TORRENS RIVER

The Hon. C. M. HILL: Has the Minister of Agriculture a reply to my recent question about the achievements of the Torrens River committee in connection with pollution?

The Hon. T. M. CASEY: My colleague, the Acting Minister of Works, states that the reserves abutting the Torrens River which have been landscaped since 1970 are as follows:

1970-71	
City of Campbelltown ..	Primrose Avenue
City of Enfield	Moore Street
Corporation of Walkerville	Cresswell Park
City of Payneham	Church Street
City of West Torrens . . .	Michael Street
Corporation of St. Peters	Harrow Road Reserve
1971-72	
City of Enfield	Pitman Park and Beefacres Reserves
Corporation of Walkerville	Mimosa Drive
Corporation of St. Peters	Harrow Road Reserve
City of Woodville	Mountbatten, Blamey, Tedder and George Jones Reserves
City of Campbelltown ..	Riverview Drive
1972-73	
Corporation of Walkerville	Mimosa Drive Reserve and Jeffery Road Reserve
Corporation of St. Peters	Harrow Road Reserve
1973-74	
City of Campbelltown ..	Greenglade Drive
Corporation of Walkerville	Stewart Avenue
Corporation of St. Peters	Winchester Street Reserve and Harrow Road
City of Woodville	Mountbatten, Blamey, Tedder and George Jones Reserves
Corporation of Thebarton	Installation of drop-weir adjacent to Jervois Street

The work carried out at these reserves included levelling, planting of shrubs, trees and grasses; installation of water reticulation, barbecues and seats, and the general improvements to the areas. I am also informed that the Torrens River committee co-operates with the Torrens River Improvements Standing Committee and the Engineering and Water Supply Department in preventing pollution of the Torrens River generally. No specific problems have been brought to the attention of this committee by the Torrens River Improvements Standing Committee or councils over the last few years.

PUBLIC CHARITIES FUNDS ACT AMENDMENT BILL

The Hon. D. H. L. BANFIELD (Minister of Health) obtained leave and introduced a Bill for an Act to amend the Public Charities Funds Act, 1935-1965. Read a first time.

The Hon. D. H. L. BANFIELD: I move:

That this Bill be now read a second time.

It is mainly in the nature of corrective legislation to facilitate the consolidation of the principal Act and its amending Acts under the Acts Republication Act, 1967. Some of the amendments made by the Bill will bring the Act into line with policy already endorsed by Parliament in other legislation. Some are consequential on changes made subsequent to the enactment of the original Act. The Bill also empowers the commissioners to take up, subscribe for or otherwise acquire debentures or shares issued by corporations in which they already hold debentures or shares for any of the purposes authorised by the Act, where the debentures or shares so taken up, subscribed for or acquired are issued by the corporation by way of bonus or the exercise of rights or options by virtue of such holdings. This is a limited power which the commissioners have sought because of opportunities that occur from time to time by virtue of investments held by them and, as the Government considers that it is a proper power to confer on them, the opportunity has been taken to include it in this Bill rather than seek the approval of Parliament for that power in a separate Bill.

Clause 1 is formal. Clause 2 of the Bill substitutes the expression "one hundred cents in the dollar" for the expression "twenty shillings in the pound" in section 7. Clause 3 amends section 8 of the principal Act. That section deals with the proportion of fees payable to the commissioners which is to be charged against various institutions. Subsection (1) as it stands fixes that fee at one guinea a meeting with a maximum of 26 guineas. These fees and the basis on which they are to be calculated have been changed from time to time by regulations made under the Statutory Salaries and Fees Act, 1947, but those changes do not constitute amendments which are incorporable in the principal Act, and subsection (1) is therefore no longer meaningful. Where similar situations have existed in other legislation Parliament has endorsed the principle whereby, in lieu of a provision of fixing their fees by Act of Parliament, a provision is substituted providing that members of a statutory body are entitled to receive their remuneration at rates from time to time determined by the Governor and, until the Governor determines otherwise, the existing rates continue to apply. The amendment to section 8 accordingly strikes out subsection (1) and substitutes new subsections (1) and (1a) in its place to achieve that result. An amendment on these lines would also facilitate the consolidation of the Act.

Clause 4 amends section 9 to achieve the same result as clause 3. That section deals with the component of the commissioners' fees which is to be charged against income derived from town acre 86 situated in the city of Adelaide. Subsection (1) as it stands provides that, in addition to the fees to which he is entitled under section 8, the Chairman is entitled to fees at the rate of £50 and each member at the rate of £25 a year. These fees also have been changed from time to time by regulations under the Statutory Salaries and Fees Act, and this clause strikes out subsection (1) and enacts subsections (1) and (1a) in its place on the same lines as clause 3.

Clause 5 (*a*) is the provision which confers in the commissioners power to take up bonus issues and new issues of debentures or shares to which they may become entitled by virtue of existing holdings of debentures and shares held by them as such. The new provision is so worded that it would validate past acquisitions (if any) of bonus or new issues of (debentures or) shares as if the power had been conferred on and exercisable by them when those shares (if any) had been acquired. Clause 5 (*b*) is consequential on the repeal of sections 14 and 15 of the Trustee Act, 1893, and the enactment of sections 20 and 21 of the Trustee Act, 1936.

Clauses 6 and 7 are consequential on the changes of names from the Adelaide Hospital Endowment Fund to the Royal Adelaide Hospital Endowment Fund and from the Adelaide Hospital to the Royal Adelaide Hospital. This Bill does not include any amendments to section 26 altering amounts expressed in old currency to decimal currency and up-dating the references to the Adelaide Hospital Endowment Fund and the Adelaide Hospital, as that section refers to a payment made pursuant to a 1915 Act and it now remains in the Act only for its historical value. Clause 8 is consequential on the changes of names from the Parkside Mental Hospital to the Glenside Hospital and from the Northfield Mental Hospital and Enfield Receiving House to the Hillcrest Hospital and Enfield Hospital respectively. Clause 9 repeals and re-enacts the second schedule with a revised and up-to-date list of public charitable institutions.

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

APIARIES ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

It is designed to give effect to certain reciprocal arrangements agreed upon by the States and to clarify several matters relating to the keeping of bees for the production and sale of honey. Two recommendations of a meeting of State departmental representatives in this area have been adopted by the Government and require amendments of the principal Act, the Apiaries Act, 1931-1964. The recommendations were that bees kept in accordance with the corresponding law of another State and brought into this State be exempted from registration under the principal Act for a period of 90 days in any year and that, during that period, if the hives are branded in accordance with the corresponding law, they also be exempted from the branding requirements of the principal Act.

The recent introduction of the solitary bee *Megachile rotunda* (leaf cutters) from Canada requires the scope of the principal Act to be confined to honey bees and, accordingly, this Bill makes provision for a definition of "bee" to be inserted in the principal Act. In addition, the opportunity is being taken in this amending measure to schedule a disease, chalk brood, that is common to all genera of bees, although at present unknown in Australia; to bring in a three-year registration period; and to increase the penalties for offences.

Clause 1 of the Bill is formal. Clause 2 provides that the measure shall come into operation on a day to be fixed by proclamation. Clause 3 inserts in the definition section of the principal Act a definition of "bee" and of "corresponding law". As to the latter, provision is made in this clause for the corresponding law to be specified by proclamation. Clause 4 repeals section 5 of the principal Act and provides for a new section requiring registration of beekeepers. The registration is proposed to be for a three-year period, all registrations other than new registrations being dealt with at the same time. This provision includes the exemption from registration in respect of bees brought from outside the State.

Clauses 5 to 9 increase present penalties of $40 to $200. Clause 10 is consequential to clause 4 and requires that bees be kept only in frame-hives. Clause 11 substitutes a new provision, requiring the branding of hives, for the present section 13a of the principal Act and exempts hives from the branding requirements of that section while they are being kept in the State by an exempted beekeeper if they are branded under a corresponding law of another State or Territory. Clause 12 makes consequential amendments to section 19 of the principal Act which empowers the making of regulations and also increases the maximum for penalties under the regulations from $40 to $200. Clause 13 adds the disease *ascosphaera apis* (chalk brood) to the list of diseases in the schedule to the principal Act.

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

LICENSING ACT AMENDMENT BILL (HOURS)

Second reading.

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

That this Bill be now read a second time.

It makes miscellaneous amendments to the Licensing Act and it will be convenient to explain it by reference to its various clauses. Clauses 1 and 2 are formal. Clause 3 amends the trading hours for the holder of a full publican's licence. He is permitted to trade on a Monday, Tuesday, Wednesday, or Thursday between 5 o'clock in the morning and 10 o'clock in the evening. On a Friday or Saturday a publican is permitted by the amendments to trade between 5 o'clock in the morning and 12 o'clock midnight. These amendments follow upon representations from the hotel industry. It is considered that in many areas there is a definite public demand for hotel trading beyond 10 p.m. on Fridays and Saturdays. Clause 3 also makes provision for tavern licences. It is possible, of course, under section 19 of the principal Act, as it stands at present, for the court to "tailor" the conditions of a licence so that a full publican's licence becomes virtually a tavern licence. However, this power is, in practice, limited by the nature of section 19 to licensees who were enjoying trading conditions of that nature prior to the commencement of the 1967 Licensing Act. The new provision includes a much wider power under which the court may create a tavern licence out of a full publican's licence at any stage. Thus an applicant for a new full publican's licence will be able to seek the limited form of licence that he requires to operate a tavern.

Clause 3 also imposes upon the holder of a full publican's licence the obligation to keep his licensed premises open to the public for the sale of liquor for at least 11 hours on normal trading days. Clause 4 enables the holder of a wholesale storekeeper's licence to trade for a further two hours until 8 o'clock in the evening. This amendment corresponds to the amendment made by clause 6. Clause 5 deals with the removal of a retail storekeeper's licence. At present section 22 of the principal Act provides that a new retail storekeeper's licence shall not be granted unless the court is satisfied that the public demand for liquor cannot be met by other existing facilities for the supply of liquor in the relevant locality. This test is not applicable, however, to the removal of an existing retail storekeeper's licence to new premises. The new provision extends the test to the removal of a licence. However, an exception is allowed in the case of the removal of a retail storekeeper's licence to premises situated not more than 500 metres from the premises from which it is removed.

Clause 6 deals with the trading hours of the holder of a brewer's Australian ale licence. Some of the breweries have experienced difficulty in delivering liquor to carriers within the hours at present fixed by the Act. This clause therefore extends the trading hours of the holder of such a licence to 8 o'clock in the evening. Clauses 7 and 8 make corresponding amendments in relation to distillers storekeepers' licences and vignerons' licences.

Clause 9 deals with the conditions that must be attached to a club licence. At present the court has a discretion to require the holder of such a licence to purchase liquor from a retail source. The Government believes that, in the interests of a balanced industry, this kind of condition should be imposed as a matter of course unless there are good reasons for not imposing it. Clause 10 provides that an objection may be taken to the removal of a licence on the ground that the needs of the public that are being met at the present licensed premises would be unduly prejudiced by the removal of the licence. Clause 11 deals with outdoors permits. At the moment section 65a makes no provision for the grant of an outdoors permit to the holder of a wine licence. This deficiency is remedied by the Bill. Clause 12 amends the machinery provisions dealing with the grant of a permit under section 66 of the principal Act where the promoter of some entertainment desires that liquor should be available at that entertainment. At present, a duplicate of every application must be served on the Commissioner of Police. This is an unnecessary administrative burden and the section is therefore amended to provide that the Superintendent of Licensed Premises may request the Commissioner of Police to make a report on any application for a permit under section 66, and may refer any report obtained to the court.

Clause 13 increases the maximum fee payable for a club permit to $100 and raises the revenue limit at which a club must seek a licence in place of a permit to $25 000. Clause 14 deals with the sale of liquor by licensed auctioneers. At present, where liquor is sold by an auctioneer on behalf of a licensed person, the sale must take place on the premises to which the licence relates. This may, however, be unduly restrictive in the case of the holder of a vigneron's licence or a distillers storekeeper's licence. The amendments, therefore, make provision for the court to specify the premises (either licensed or not) for the sale of liquor by an auctioneer on behalf of such a licensee. Clauses 15 and 16 provide for the payment of a fee in respect of an application for the approval of a change of manager. Clauses 17 and 18 require publicans and clubs to exhibit a notice setting forth their trading hours. Clause 19 is a consequential amendment. Clause 20 provides that, subject to certain specified exceptions, the holder of a licence or a club permit must keep the licence or permit on the premises to which it relates. This new provision is designed to facilitate policing of the Act.

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

LICENSING ACT AMENDMENT BILL (FEES)

Second reading.

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

That this Bill be now read a second time.

It increases the fees for liquor licences. At present, the fee is a sum equal to 6 per cent of the gross amount paid by the licensee for liquor to be disposed of under the licence in the preceding financial year. There are exceptions to this in the case of wholesale storekeepers' licences, brewers Australian ale licences, distillers storekeepers' licences and vignerons' licences, where the fee is 6 per cent of four-fifths of the amount paid to the licensee for liquor disposed of in the previous financial year (excluding sales to licensed persons). The present Bill raises this percentage fee from 6 per cent to 8 per cent. This increase is in line with the increase recently announced in the Tasmanian Budget and with an increase recently implemented in Victoria. The revenue raised is expected to amount to $540 000 in the 1974-1975 financial year and $1 460 000 in a full year. The Government regrets the necessity of having to raise extra revenue in this manner, but the present decrease in State revenue makes it unavoidable. Clause 1 is formal. Clause 2 increases the percentage fees prescribed under section 37 of the principal Act from 6 per cent to 8 per cent.

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

STATUTE LAW REVISION BILL

Second reading.

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

That this Bill be now read a second time.

This is another Bill which, if approved by Parliament, will facilitate and accelerate the programme undertaken by the Government for the consolidation and reprinting of the public general Acts of South Australia under the Acts Republication Act, 1967-1972. The Bill makes consequential and minor amendments to, and corrects errors and removes inconsistencies and anomalies in, a number of Acts, and repeals other Acts that are absolete. The Acts listed in the first schedule for repeal are now obsolete and no longer in operation, and no person would be prejudiced by their repeal.

So far as the Acts listed for amendment in the second schedule are concerned, all possible steps and all precautions have been taken to ensure that the amendments do not change any policy or principle that has already been established by Parliament; and, in some cases, the amendments are consequential on policies and principles that have been in fact endorsed by Parliament. In the case of conversions of currency and measurements, exact equivalents have been adopted except where such equivalents are inappropriate, impracticable or administratively inconvenient, in which case the most appropriate or the nearest and most practical or the most convenient conversions have been adopted.

Clause 1 is formal. Clause 2 (1) repeals the Acts set out in the first schedule. The Crown Debtors Relief Act, 1934, has long been obsolete and serves no useful purpose by remaining on the Statute Book.

The Liquid Fuel Act, 1941, has never been brought into operation by proclamation. Its object was to encourage and ensure a local market during the Second World War years and for a reasonable period thereafter for certain motor fuels other than petrol. The Act has never been used or required since it was passed in 1941; nor have regulations been made under it, and it has been a dead letter for 33 years.

The Liquor Licences (Acquired Properties) Act, 1948, is virtually obsolete. It may be said to apply only to three dormant licences, which were then known as publicans' licences under the Licensing Act, 1932, which was repealed by the Licensing Act, 1967. The premises to which the licences applied were acquired by the South Australian Harbors Board for wharf expansion and are now owned by the Minister of Marine, who is not interested in the licences. Moreover, neither the classes of licence provided for by the Licensing Act, 1932, and by the Licensing Act, 1967, nor the court procedures prescribed by those Acts are the same; nor are the procedures provided for by the later Act adaptable to the circumstances dealt with by the older Act. This Act is, therefore, also a dead letter.

The Metropolitan Transport Advisory Council Act, 1954, and its amendments are now obsolete as the Metropolitan Transport Advisory Council, which was set up by the Act, ceased to exist by virtue of section 5 (1) of the Act, as amended, and the Act now no longer serves any purpose by remaining on the Statute Book. The Act and its amendments are accordingly repealed as a measure of Statute law revision.

The Motor Vehicles Registration Fees (Refunds) Act, 1955, empowered the Treasurer to refund the registration fees paid in respect of the registration of interstate motor vehicles when the registration took effect after January 31, 1955, but not later than September 15, 1955. No action remains to be taken under the Act and it is no longer operative.

The Referendum (State Lotteries) Act, 1965, is no longer in operation. It was enacted for the purpose of enabling a referendum to be held on the question of conducting State lotteries, and all action in connection with the referendum and the Act has been taken.

Clause 2 (2) deals with the case where an Act expressed to be repealed by this Bill is repealed by some other Act before this Bill becomes law. This is an eventuality that is possible, and this provision enacts that, in such a case, the enactment by this Bill that purports to repeal that Act has no effect. Clause 3 (1) provides that the Acts listed in the first column of the second schedule are amended in the manner indicated in the second column of that schedule and, as so amended, may be cited by their new citations as specified, in appropriate cases, in the third column of that schedule.

Clause 3 (2) deals with the case where an Act expressed to be amended by this Bill is (before this Bill becomes law) repealed by some other Act or amended by some other Act in such a way as to render the amendment as expressed by this Bill ineffective. This is another eventuality that could well occur. In such a case, the clause provides that the Bill will have effect as if that amendment had never been included in it. Clause 3 (3) deals with the case where an Act amended by this Bill is repealed by some other Act after this Bill becomes law but the repeal does not extend to the amendment made by this Bill. In such a case, the clause provides for the repeal of that amendment.

I have already dealt with the Acts listed in the first schedule for repeal. I shall now briefly explain the proposed amendments to the Acts listed in the second schedule.

Act No. 30 of 1872 (as amended by the Statute Law Revision Act, 1935): This amendment inserts a section in the Act giving the Act a short title by which it can be cited.

Age of Majority (Reduction) Act, 1970-1973: This amendment is consequential on the repeal of the Moneylenders Act by the Consumer Credit Act, 1972.

Apprentices Act, 1950-1971: This amendment is consequential on the enactment of the Superannuation Act, 1974.

The Benefit Associations Act, 1958, contains references to certain State Acts that have been repealed and superseded by other Acts, and to certain Commonwealth Acts that could be updated. The first amendment to section 3 (1) amends the reference to the Friendly Societies Act, 1919-1956, by giving that Act a continuing short title. The second and third amendments add to the references to the Commonwealth Acts entitled the National Health Act and the Life Insurance Act the passage "or any corresponding subsequent enactment". The fourth amendment is consequential on the enactment of the Industrial Conciliation and Arbitration Act, 1972, and the repeal of the Industrial Code, 1920-1956. The next amendment is consequential on the repeal of the Road Traffic Act, 1934-1957, and the enactment of the Motor Vehicles Act, 1959. The amendments to section 5 add to the references to the Commonwealth Act entitled the National Health Act, 1953-1957, and the Insurance Act, 1932-1937, the passage "or any corresponding subsequent enactment". The amendments to sections 15 (*c*) and 16 make conversions to decimal currency of references to the old currency.

Crown Lands Act Amendment Act, 1974: This amendment repeals section 44 of the 1974 amending Act because it purports to enact an amendment to section 289 of the Crown Lands Act, 1929-1973, which was redundant, the same amendment having already been made by the second schedule of the Statute Law Revision Act, 1974.

Inflammable Liquids Act, 1961: The amendment to section 3 extends the meaning of "Government Analyst" to include any assistant to the Government Analyst while exercising his powers pursuant to section 19 and any other person acting on behalf of, and with the written authority of, the Government Analyst. The amendment to section 18 (1) up-dates the reference to the Chief Inspector. The amendment to section 31 (3) is a conversion to decimal currency. The amendments to sections 32 (1), 32 (2) and 34 (1) substitute for references to the South Australian Harbors Board (which is no longer in existence) references to the Minister of Marine, and make conversions to decimal currency. The amendments to sections 34 (2) and 34 (3) also substitute for references to the South Australian Harbors Board references to the Minister of Marine.

Landlord and Tenant Act, 1936: Section 18 (1) provides that every person distraining for rent shall deliver one copy of the warrant under which the distress is levied, and a copy of the inventory mentioned in section 17, to every person claiming an interest in the distrained goods, on payment of a charge at the rate of 3d. for each folio for such copy. The equivalent of 3d. under the Decimal Currency Act, 1965, is 2½c, but the charge for each folio or page for obtaining copies of documents as prescribed by rules under the Local and District Criminal Courts Act is much more than 2½c. For the sake of consistency, the amendment to section 18 (1) provides that the charge shall be "at such rate or basis as may be prescribed from time to time by rules of court made under the Local and District Criminal Courts Act, 1926-1969, as amended". The amendment to section 18 (2) makes a conversion to decimal currency.

Section 35 provides that, where any distress is made under Part II of the Act, the charges in schedules G and H of the Act, and no others, shall be made in respect thereof. Schedule G prescribes solicitors' charges, and schedule H prescribes certain costs of distress. These schedules, which have not been altered since they were enacted in 1936, are not consistent with charges and costs approved by courts in comparable circumstances. The section is accordingly repealed and re-enacted to provide for such charges and costs as are appropriate to be as prescribed by the rules of court under the Local and District Criminal Courts Act, 1926-1969, as amended. Consequentially, schedules G and H will also be repealed. The amendments to sections 45 (1) and 45 (2) and schedules A, B, C and F make appropriate conversions to decimal currency. The last amendment repeals schedules G and H in consequence of the enactment of new section 35.

Margarine Act Amendment Act, 1956: Section 3 (2) of this Act referred to amendments made to section 20 of the principal Act, which was repealed by section 3 of the Margarine Act Amendment Act, 1973. That subsection, which was only a transitional provision, is no longer relevant. Section 4, which also was a transitional provision and which related to notices regarding the maximum quantity of table margarine a person could manufacture in 1957, is also no longer relevant.

Metropolitan Area (Woodville, Henley and Grange) Drainage Act, 1964-1972: The amendments to sections 2, 4 (2) and 8 (2) merely alter references therein to the Town of Henley and Grange to the City of Henley and Grange; the other amendments are conversions to decimal currency.

Metropolitan Drainage Act, 1935: The amendments to section 3 strike out the definition of "Commissioner" as the Commissioner of Public Works and insert in its place a definition of "Minister" as the Minister of Works or Acting Minister of Works. Section 4, which attracts the provisions of the Compulsory Acquisition of Land Act, 1925, is repealed, as that Act has been repealed and superseded by the Land Acquisition Act, 1969, the provisions of which are made applicable to the acquisition of land for the purposes of the principal Act by virtue of the amendment to section 5. The amendment to section 6 substitutes "Minister" for "Commissioner". The first amendment to section 7 (2) updates a percentage referred to in the old currency, and the second amendment strikes out the reference to "municipal and district" councils referred to in Part I of the first schedule, the district councils originally mentioned in that schedule having since become municipal councils, the distinction between the two being no longer relevant.

The amendments to section 7 (3) are precisely the same as the amendments to section 7 (2). The amendments to sections 8 (2) and 8 (3) are conversions to decimal currency and consequential amendments. The amendments to sections 8 (5), 9, 10 (2), 10 (3), 11 (2), 11 (3), 12, 13, 14 (1) and the first amendment to section 14 (2) are consequential on the earlier amendments referred to. The second amendment to section 14 (2) equates a disputed claim under that section to a disputed claim under section 23 of the Land Acquisition Act, 1969. The other amendments to the Act are consequential, or make exact conversions to decimal currency or up-date references to district councils which are now municipal councils.

Metropolitan Milk Supply Act, 1946-1971: The amendment to section 3 (1) strikes out the definition of "living wage", which is at present tied to the Industrial Code, 1920, which was repealed by the Industrial Code, 1967, the relevant provisions of which have now been replaced by corresponding provisions of the Industrial Conciliation and Arbitration Act, 1972. The amendment enacts a new definition of "living wage" as the living wage as defined in section 6 of the Industrial Conciliation and Arbitration Act, 1972. The amendment to section 6 (1) substitutes a reference to the Public Service Board for the reference to the Public Service Commissioner. The amendment to section 9 (2) substitutes "one hundred cents in the dollar" for the expression "twenty shillings in the pound". The amendments to section 14 (1) and section 14 (2) up-date the references to the Superannuation Act, 1926-1946. The amendment to section 16 up-dates the reference to the Public Service Act, 1936-1946, which was repealed by the Public Service Act, 1967. The amendment to section 32 (5) corrects an erroneous citation of the Food and Drugs Act, 1908.

Noxious Insects Act, 1934-1955: The amendment to section 11 supplies a drafting omission.

Opticians Act, 1920-1971: The first amendment makes a consequential amendment to the heading of Part III that had been overlooked in the 1969 amending Act. The amendment to section 27 (3) makes a conversion to decimal currency. The amendments to section 30 (1) are consequential on the repeal of the Registration of Business Names Act, 1928, and the enactment of the Business Names Act, 1963.

Petroleum (Submerged Lands) Act, 1967-1969: These amendments make grammatical corrections to section 11 (2) and section 88 (1).

Phylloxera Act, 1936-1969: The amendment to section 37 (2) makes a conversion to decimal currency, and the amendment to section 38a supplies a drafting omission. The amendments to sections 48, 49 (2), 50 and 52 make conversions to decimal currency. The amendments to the second schedule change the reference to the district council district of Tea Tree Gully to a reference to the municipality of Tea Tree Gully, and the reference to the district council district of Port Elliot to a reference to the district council district of Port Elliot and Goolwa. These changes are in accordance with the changes that have taken place in the status and names of those two local authorities respectively.

Primary Producers' Debts Act, 1935-1941 (as amended by Primary Producers Assistance Act, 1943): The amendments to section 26 (*a*) convert the references to "pound" and "penny" to "dollar" and "cent" respectively. Although these are not conversions to exact equivalents in decimal currency, they are the most logical and convenient conversions in the circumstances. The amendments to section 26 (*b*) convert the proportion of five shillings in the pound to twenty-five cents in the dollar; and the conversions of the passage "amount in the pound" to "amount in the dollar" and the passage "five shillings" lastly occurring in paragraph (*b*) to "twenty-five cents" are consequential on and consistent with the earlier amendments. The amendments to section 26 (*c*) and section 26 (*d*) are all consequential on and consistent with the amendments referred to earlier. These amendments are considered essential for consolidating the Act and do not include amendments which involve questions of interpretation or which could be avoided with the aid of footnotes or other editorial annotation.

Road Traffic Act, 1961-1974: The amendments to section 5 of the Act up-date the definitions of "area" and "council" by omitting therefrom the specific references to the "City of Whyalla as defined by the City of Whyalla Commission Act, 1944-1964," and to the "City of Whyalla Commission established under the City of Whyalla Commission Act, 1944-1964". The last amendment to section 5 cleans up the superfluous "or" that follows the definition of "stop-line". The amendment to section 86 (1) is a grammatical one. The amendment to section 97 (2) also removes a superfluous "or", and the amendment to section 144 (1) removes a superfluous "the". The amendments to section 169 (1) clarify the provisions of the section. The amendment to section 174 redefines "industrial award", without specific reference to any Act. Previously, the definition referred specifically to "the Industrial Court or any industrial board constituted by or under the Industrial Code, 1920-1958". That code was replaced by the Industrial Code, 1967, which in turn has been partially replaced by the Industrial Conciliation and Arbitration Act, 1972.

Veterinary Districts Act, 1940: The amendment to section 19 (1) converts the expression "twenty shillings in the pound" to "one hundred cents in the dollar". The amendment to section 53 (5) and the first amendment to section 58 alter the minimum age of voting at elections under the Act from 21 years to 18 years. The other amendment to section 58 and the amendments to sections 68, 69 and 70 convert references to the old currency to their exact equivalents in the present currency. The amendment to section 76 converts the reference to "five pounds per centum" to "five per centum". The other amendments convert references expressed in the old currency to their exact equivalents in the present currency.

White Phosphorus Matches Prohibition Act, 1915-1934: The amendment to section 4 supplies a drafting omission by giving a subsection designation to the first subsection of section 4. The amendments to section 4 (2) double the penalties which had been fixed in 1915. The first amendment to section 5 changes the reference to the Industrial Code, 1920, to a reference to the Industrial Conciliation and Arbitration Act, 1972, as amended. The other amendment to section 5 and the amendment to section 6 double the penalties which had been fixed in 1915. The amendment to section 9 (1) increases the witness fee that had been fixed in 1915 as one guinea to $10.

The Hon. F. J. POTTER secured the adjournment of the debate.

HIGHWAYS ACT AMENDMENT BILL

Second reading.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That this Bill be now read a second time.

It gives effect to an undertaking by the Government that the contribution for road safety purposes previously based on 50c for each driver's licence will be increased to $1 for each licence following the increase in drivers' licence fees. This increase is effected by clause 3, and is expressed to come into operation on October 1, 1974, to coincide with the increase in fees.

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

STAMP DUTIES ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

The principal purpose of this Bill, which amends the principal Act, the Stamp Duties Act, 1923, as amended, is to increase certain stamp duties payable under that Act. In addition, some minor and consequential amendments are made to the principal Act. Honourable members will recall that in the course of observations on the Revenue Budget at the end of August it was forecast that increases in certain of the Government's taxing areas and service charges would be required if the deficit on Revenue Account was to be held at $12 000 000 for the current financial year.

Honourable members may also be aware that, since the submission of that Budget, three matters of quite considerable significance have occurred. First, the additional special grant that we expected to receive from the Australian Government, following discussions with the Prime Minister, was not in fact forthcoming. Secondly, as a result of a reassessment made by the Australian Treasury of prospective movements of average wages, it is expected that our Budget will be impacted by a further $4 000 000, being the short-fall between the cost to the Budget of meeting an expected increase in the level of average wages and the receipts from additional grants and additional pay-roll tax. Thirdly, there is a down-turn in the number of conveyances submitted for stamping, a down-turn that became apparent in August. As a result of these and other factors, even after we legislate to raise additional revenue the prospective revenue deficit is likely to be much greater than the $12 000 000 originally forecast.

The proposals contained in this Bill presage an additional revenue return of $4 100 000 in 1974-75 and $6 100 000 in a full year. Whilst the Revenue Budget forecast $1 000 000 less from these taxes during each of these periods, I would stress that, at the time the Budget was prepared, insufficient detailed information was available to assess accurately the return arising from the expanded value categories proposed for motor vehicle registrations and conveyances.

I assure honourable members that this revised assessment has been the subject of studies to establish a reasonable base on which to determine likely revenue returns. However, I am confident that honourable members will appreciate that there are problems involved in such studies and it is very difficult to be precise in areas over which little or no control can be exercised. One has only to consider the conveyancing area, in which this State, in common with all other States, has recently experienced a marked down-turn in revenue return, to realise that any estimate of business activity in this area is, for the remainder of the financial year, at least, a matter of conjecture.

It would be fair to say that, against a background of uncertainty, prudent Treasury practice requires one to take a conservative rather than an optimistic view. However, in the case of conveyances the tax base that has been adopted is above that which would be built up by taking the level of activity for the months of August and

September. In constructing this base, it is assumed that, with the increase of funds to ease bank liquidity generally and with action taken to permit greater lending by savings banks and with the release of additional housing agreement moneys in this area, there will be a build-up from the present level of volume and value of instruments submitted for stamping. Notwithstanding that, in this regard, I believe an optimistic rather than a conservative view has been taken. However, the Government would be more than pleased if in the event it turned out that its estimates had in fact been conservative, since the effect of this could reduce the need to defer capital works in order to hold Loan funds to finance revenue deficits. For the information of honourable members, I set out in tabular form the additional revenue that should be generated following the passage of this Bill:

	1974-75 $'000	Full Year $'000
Stamp duty on:		
Cheques	550	1 000
Insurance policies	1 400	1 400
Motor vehicles, including third party insurance	1 100	1 900
Conveyances	950	1 600
Mortgage discharges	150	250
	$4 150	$6 150

In my discussions on the clauses of the Bill I will indicate precisely how the rates of duty will be varied in each of the first four cases mentioned above. The fifth case (that is, mortgage discharges) is a new duty; it is at a flat rate of $4 and follows a practice of levying such an impost in Victoria, Western Australia and Tasmania.

Clause 1 is formal. Clause 2 provides, in effect, that increases in various stamp duties presaged in this measure may take effect at different times. It is otherwise a normal commencement clause. Clause 3 is intended to minimise the inconvenience to the banking public arising from the increase in stamp duties on cheques. As members will be aware, the vast majority of cheques are, in a manner of speaking, "pre-stamped", that is, the stamp duty is denoted before they are drawn. The effect of this clause is to allow such cheques (stamped at the lower rate of duty) that have been issued to customers before the duty was raised to be used for a reasonable time notwithstanding that the new higher rate has not been paid on them.

Clause 4 amends section 48 of the principal Act, and it is intended to avoid some inconvenience to the public by permitting adhesive stamps to be placed on cheques and certain other instruments where for some reason the cheques or instruments are found to be "understamped". Previously this could be done only on cheques or instruments stamped to 5c or less, and the amendment proposes that this limit shall be extended to 8c, this being the new rate of duty proposed on cheques. Clause 5 amends section 48a of the principal Act and merely gives statutory effect to a useful practical exception in that supplies of apparently "understamped" cheque forms may continue to be used without additional stamping provided the bank involved has made proper arrangements for the payment of the additional duty. Clause 6 increases the stamp duty on "annual licences" required to be taken out by insurance companies from (*a*) in the case of life insurance, $1 for each $100 of premium income to $1·50 for each $100 of premium income; and (*b*) in the case of general insurance (that is, all insurance excluding life and motor vehicle third party insurance), from $5 for each $100 of premium income to $6 for each $100 of premium income. Clause 7 increases the stamp duty component payable in respect of an application to register or transfer the registration of a motor vehicle. In the case of vehicles having a value in excess of $2 000, the marginal rate will be increased from $2·50 to $3 for each $100 for the first additional $1 000 of value, and then to $4 for each $100 for any value over $3 000. In the case of commercial vehicles, the marginal rate for vehicles having a value in excess of $2 000 will be increased from $2 for each $100 to $3 for each $100.

Further, the minimum stamp duty has been increased from $4 to $5, but the flat stamp duty rate for transfers pursuant to a will or intestacy has been held at $4. The stamp duty component payable in respect of third party policies of insurance will also be increased, by this clause, from $2 to $3. Clause 8 increases the stamp duty on cheques from 6c to 8c and, in this regard, I draw honourable members' attention to clause 3 of this measure. Clause 9 increases the stamp duty on conveyances of real property where the value of the property is over $18 000. Under this figure the impost is unchanged. In other cases, the marginal rates are increased in the following steps: (*a*) $18 000 to $50 000—$3 for each $100; (*b*) $50 000 to $100 000—$3·50 for each $100; and (*c*) over $100 000—$4·00 for each $100. Clause 10 proposes increases, of the order described in relation to clause 9, in relation to voluntary disposition of propery *inter vivos*. Clause 11, which it is suggested is self-explanatory, imposes a stamp duty and instruments of discharge or partial discharge of mortgages or other charges on land or an interest in land.

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

SOUTH AUSTRALIAN MUSEUM BILL

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

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

That this Bill be now read a second time.

It is identical with a previous Bill relating to the South Australian Museum which passed the House of Assembly in November, 1973. Unfortunately, the Legislative Council made amendments to the Bill that were unacceptable to the Government, and the Bill lapsed. I need not reiterate the general introduction to the Bill that was previously given but, for the convenience of honourable members, I will reproduce the explanation of the clauses. Clauses 1, 2 and 3 are formal. Clause 4 repeals the present Museum Act. Clause 5 contains a number of definitions necessary for the purposes of the new Act.

Clause 6 continues the Museum Board in existence. The board is a body corporate and has full power to enter into contractual rights and obligations incidental to the administration of the museum. Clause 7 deals with the constitution of the board. The board consists at present of five members. In future, the Director of Environment and Conservation will be an *ex officio* member of the board. Clause 8 deals with the terms and conditions on which members of the board hold office. Clause 9 validates acts or proceedings of the board during vacancies in its membership. Clause 10 provides for the appointment of a Chairman to the board. The Chairman is to hold office for a four-year term.

Clause 11 deals with the procedure of the board. Four members of the board constitute a quorum. Clause 12 provides that the Director of the museum shall attend at every meeting of the board for the purposes of giving detailed advice to the board on the day-to-day running of the museum and other matters within his knowledge and experience. Clause 13 sets out the functions of the board. The board is to undertake the care and management of the museum and of all lands and premises vested in or placed under the control of the board. The board is empowered to carry out or promote research into matters of scientific or historical interest in this State. The board is empowered to accumulate and care for objects and specimens of scientific or historical interest and to accumulate and classify data in respect of any such matters. The board is empowered to disseminate information of scientific or historical interest and to perform other functions of scientific, educational or historical significance that may be assigned to the board by the Minister. The board is empowered to purchase or hire objects of scientific or historical interest, to sell, exchange or dispose of any such objects and to make available for the purpose of scientific or historical research any portion of the State collection. Clause 14 provides for the appointment of a Director of the museum. The Director and other officers of the museum shall hold office subject to the Public Service Act.

Clause 15 provides for the board to make a report on the administration of the museum in each year. A copy of the report is to be laid before each House of Parliament. Clause 16 provides for the board to keep proper accounts of its financial dealings. The Auditor-General is to audit the accounts of the board at least once each year. Clause 17 provides that any person who, without the authority of the board, damages, mutilates, destroys or removes from the possession of the board any object from the State collection or any other property of the board is guilty of an offence. Clause 18 provides for proceedings for an offence against the new Act to be disposed of summarily. Clause 19 provides that the moneys required for the purposes of the new Act shall be paid out of moneys provided by Parliament for those purposes. Clause 20 empowers the Governor to make regulations in relation to the new Act.

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

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

PRIVACY BILL

Adjourned debate on second reading.

(Continued from October 29. Page 1713.)

The Hon. J. C. BURDETT (Southern): So far, British courts have generally not expressly recognised a right of privacy as such, and neither have most British Legislatures. One reason for this is that our courts and Legislatures have recognised, although again not expressly, the competing rights of free speech and a free press. However, our common law and Statute law do provide many protections for the right of privacy. To quote a few examples, the law of defamation is probably the branch of the common law that comes closest to protecting the right of privacy. The law of defamation actually provides remedies in the case of certain injuries to reputation. Truth is a complete defence to a civil action for defamation, although not to a charge of criminal libel. The law of trespass offers considerable protection against infringement of privacy in cases of the use of listening devices, taking photographs, and other breaches of privacy after entry has been illegally effected.

The Listening Devices Act, 1972, referred to in the Minister's explanation, is an example of further protection provided by legislation and an example, I believe, of the kind of legislation which ought to be used in preventing violations of privacy. The common law has developed some remedies in the case of unauthorised use of a person's photograph, name, or life history, and this protection could readily be extended by legislation, or possibly even by the courts, without introducing such broad legislation as the present Bill. The law of nuisance affords considerable protection to the right of privacy. A complete and formidable list of existing protections is set out in the Younger report.

I must say that I have sufficient confidence in the genius of the common law to believe that common law protections will be further developed by the courts. I am not satisfied that it is either necessary or desirable to purport to create by Statute a general right of privacy and to create a tort for the infringement thereof.

We have many rights: the right to freedom of speech, freedom of thought, freedom to choose our own way of life, and so on. They are not created by Statute. I believe that we have a right of privacy, but I do not believe that it is desirable to provide for it by one compendious Statute such as this. The Younger report recommended that a general tort of violation of privacy be not created. The majority report was a report of 14 of the members, with two members giving dissenting reports. The Attorney-General, on television, referred to the "powerful dissenting reports"; I do not know whether they were "powerful" because they agreed with his views, but it must be said that they were very much in the minority.

Jane Swanton, in her article referred to by the Hon. Mr. DeGaris, pointed out that the great defect with the Younger committee was that it went out of existence once its report had been delivered. What is needed is a continuing statutory committee or standing committee of Parliament to continue to examine cases of breaches of privacy, because the examples will be infinitely varied and will change from time to time. It is, of course, the complication and sophistication of our society that has made the protection of privacy important. Such a committee's main function should be to recommend legislation in particular areas. The Morison report, in New South Wales, as has been stated, also advised against the creation of a general tort of infringement of privacy. I have the greatest respect for the Law Reform Committee of South Australia. In its report to the Attorney-General it stated:

> Your predecessor referred to us the question of whether the privacy of the individual ought to be protected by Statute to a greater extent than it is now in South Australia. We think it should, and the report which follows of necessity falls into two parts: first, the creation of a nominate tort relating to the loss of or violation to a person's privacy, and, secondly, what is divisible into partly private law and partly public law, namely, the use of surveillance techniques, computers, data banks, and similar electronic devices of the present day.

Unfortunately, the committee does not give any reason for having come to that conclusion. It is interesting to note that it considers two things are necessary: first, the creation of a nominate tort of violation of privacy; secondly, particular legislation for particular cases.

The Minister's explanation also contemplates a similar approach. Would it not be better to proceed first with the last-mentioned approach? I suggest that the first step should be, on the advice of a committee such as I have mentioned, to legislate in particular areas. Then it could be seen whether it was necessary to create a general tort.

The Law Reform Committee report sets out, as part of "a much larger mass of materials read and studied by the committee", 15 documents used in preparing the report. On this subject there is a great mass of written material, reports, articles, judgments, text books, Bills, and so on. They most certainly do not all point in the same direction, or even tend to do so.

Between the Younger report and the Morison report, on the one hand, which advise against the creation of a nominate tort of violation of privacy, and the South Australian Law Reform Committee report, which advises in its favour, there is almost every shade of opinion. Many writers do not come to a specific conclusion at all. It is a case of *quot homines tot sententiae*: so many men, so many different opinions. Certainly, the documents on this subject do not provide a sound basis on which to ask this Council to pass a new and radical law setting up a new right of action where we can have no real idea of how, in particular cases, it is going to be applied by the courts. We cannot even have much idea of what the general trend of decisions is likely to be, or what pattern is likely to be devolped.

In important matters of policy such as this, matters involving a radical change to the Statute law, the setting up of a new tort by a Bill couched in the most general terms, this Council should pass a Bill only where it is satisfied that the Bill will operate in the public interest. Where the Government has a clear mandate, or where the measure before the Council is a routine matter of implementing Government policy, no doubt members have often voted for Bills for which they have had little enthusiasm. However, in a case such as this, where the Government has no mandate, and where a new and important kind of legislation is involved, I suggest that we should not vote for the measure unless we are satisfied that we know what it is doing and that it will be, in the terms of the Parliamentary prayer, for the true welfare of the people of this State.

The Hon. R. C. DeGaris: It is very difficult to get a mandate for a Bill such as this, because so few would understand it.

The Hon. J. C. BURDETT: That is true, but the Government did not ask for it. The point is not so much that it has not got a mandate. It is quite entitled to bring in a Bill for which it has no mandate, but the point I make is that we in this Council, as there is no mandate, are quite entitled to apply our own minds to it. If the Government had a mandate we might say, "It has a mandate—"

The Hon. D. H. L. Banfield: Like that.

The Hon. J. C. BURDETT: Certainly, in many cases, I have voted for measures for which I have not had the slightest enthusiasm, because I have been satisfied that the Government has a mandate. Here, because the Government has no mandate, it is up to every member to say whether or not he is satisfied that this Bill is for the true welfare of the people of this State.

The Hon. D. H. L. Banfield: But then you argue that there is no mandate and that the Government has not got a mandate for a specific Bill, so you suggest there should be a referendum.

The Hon. J. C. BURDETT: I am not suggesting that. I am saying that, where there is a mandate, in most cases (but not in all) I will vote for the Bill. Where there is not, I say it is up to every member in this Council, as a House of Review, to consider whether or not he is satisfied that the Bill is for the true welfare of the people of this State.

The Hon. D. H. L. Banfield: But then you argue that the mandate was given for something else, and not for this Bill.

The Hon. J. C. BURDETT: No; I am not arguing that at all.

The Hon. R. C. DeGaris: Honourable members opposite do that.

The Hon. J. C. BURDETT: I don't care about honourable members opposite but I say that this Council, as a House of Review and one of the Houses of Parliament, should have a function, and a very important function. There are two main functions. One is to amend, where suitable, legislation introduced by the Government; and the other, where there is no mandate but where there is some novel legislation such as this, is for each honourable member to apply his mind to whether or not he is satisfied that the legislation is for the welfare of the people of this State. We say that in the Parliamentary prayer each day. If we do not mean it, it should not be said.

I am convinced that this Bill is not the correct approach. I suggest that, if any honourable members at the end of this debate find that they cannot make up their minds, they should decline to pass a law when they are not satisfied it is a good law. I am sure that not only the Hon. Mr. DeGaris but all other honourable members of this Council are far from being nervous nellies; if we are not satisfied on the merits of the legislation, our proper course is not to pass the measure.

It is clearly the intention of this Bill to create a broadly defined tort by Statute and allow the detailed application to be worked out by the courts. In other words, it is the intention of the promulgators of the Bill to allow the common law system to operate on the new tort created—to feed the new tort, as it were, into the pipeline of the common law. One difficulty is that we cannot have much idea how it will come out of the pipeline. Certainly, there will be grave difficulties in the meantime. If a lawyer was asked to advise a client, be it a newspaper or a private individual, whether a particular act contemplated constituted an infringement of privacy under the Bill, he could have little confidence in the correctness of his advice when all he would have to go on would be the broad general words in this short Bill.

The Hon. M. B. Cameron: How long would that extend for?

The Hon. J. C. BURDETT: I should hate to estimate—perhaps 100 years in some areas. I think all honourable members of this Council will realise what difficulties a lawyer would have in saying whether or not a particular piece of conduct constituted an infringement of a right of privacy when all he would have to guide him would be the words of this Bill. It will be years before there is a sufficient body of case law to guide a practitioner in giving reliable legal advice. The case law will necessarily come in a hit or miss fashion; some aspects of it will be relatively rapidly developed (perhaps in a mere 10 years or so) while others, where there is relatively little litigation, will take much longer.

In the meantime, persons whose business it is to report on people in some way or another—in the press, on radio, on television, in industry, commerce or elsewhere—would be in a state of complete and utter confusion and would hesitate to carry out their duties for fear they might be committing a tort.

The Hon. R. C. DeGaris: I wonder whether this would apply to a person giving a reference.

The Hon. J. C. BURDETT: Exactly; in all sorts of fields this would occur. A reference is usually tendered privately, so it may be said there is not sufficient public interest in the matter. I am convinced that, for some time at least, the task of a news editor would be hell, and that of his lawyer no better. I am aware, of course, that this Bill by no means applies only to the media, but the media will be among the groups most affected.

The Hon. M. B. Cameron: Immediately affected.

The Hon. J. C. BURDETT: Yes. The situation of other members of a community, who may be on either the giving or receiving end of this legislation, will be no better than that of the media. There will be just as much confusion in their case also when they seek advice.

It may be said that the terms used to define the new tort are no more vague than the terms used to define the common law tort of defamation, the tort that is probably the nearest to the proposed new tort of breach of privacy. In the first place, I would mention that the tort of defamation has come under criticism recently in legal and academic circles and from the press. The law of defamation has evolved slowly since the early part of the sixteenth century. Admittedly, this present tort of infringement of privacy, with a statutory definition to begin with, should get off to a much more rapid start, but I am sure there will be much confusion for some time. The author Fleming in *The Law of Torts* (fourth edition) at page 526 says:

The right of privacy has not so far, at least under that name, received explicit recognition by British courts. For one thing, the traditional technique in tort law has been to formulate liability in terms of reprehensible conduct rather than of specified interests entitled to protection against harmful invasion.

I agree with that statement and I would have thought, therefore, that, if it was desirable to create a tort of infringement of privacy (and I believe it is not), it would be better to state simply the kinds of conduct that would constitute the tort rather than define a right and provide a remedy for infringement. As is set out in Fleming's book at page 527, the proposed tort has been defined as follows:

The unwarranted appropriation or exploitation of one's personality, the publicising of one's private affairs with which the public has no legitimate concern, or the wrongful intrusion into one's private activities, in such a manner as to outrage or cause mental suffering, shame or humiliation to a person of ordinary sensibilities.

I think it could have been better to specify, even if broadly, the acts that would constitute the tort rather than to define a right. As I have said, this has been the traditional pattern of the common law. However, I am altogether opposed to the creation of a general tort. The United Nations declaration has been referred to. This recommended the protection of the right of privacy by legislation "or other means". I favour the setting up of a committee as part of the "other means" and the bringing in of legislation in particular fields on the advice of the committee. Largely, this Bill deliberately leaves law-making to the courts. This is opposed to the fundamental principle that there should be a separation between the legislative, the judicial and the executive functions of Government, a fundamental principle to which I have several times referred in this Council.

It may be said that most European countries provide by law a general remedy for infringement of privacy. There is a complete difference in approach to the law between the common law countries and those countries (including most European countries) whose legal systems are based on the Roman law. I believe that our system is better but, quite apart from that, the fundamental approach of the two systems is so different that the provision of general remedies for infringement of privacy in the setting of the Roman law is hardly any argument for its provision in a common law country.

I think this Bill takes a wrong approach and is, therefore, not capable of amendment. Because it takes a wrong approach, I do not think it is a case where we should properly give it a go and see what happens. I am not afraid to take bold or radical steps where I think they are right and necessary. I admire the Attorney-General for his courage in introducing the Bill. However, I do not think it is the right approach, and I oppose the second reading.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

MARGARINE ACT AMENDMENT BILL

Consideration in Committee of the House of Assembly's amendment No. 2.

(Continued from October 29. Page 1715.)

The Hon. T. M. CASEY (Minister of Agriculture): I listened attentively to the Hon. Mr. Story when he was referring to the amendments moved in another place. Although honourable members disagreed with the first amendment, I asked the Committee to agree to the House of Assembly's second amendment. Unfortunately, however, the Hon. Mr. Story did not see fit to do so. The whole matter is tied up in this clause, which covers the complete ambit of what the repeal of these provisions really means. I was interested to hear the Hon. Mr. Story say the following, towards the end of his contribution to the debate:

People in Australia are entitled to get as much table margarine as they want to buy.

I am not taking that out of context. That is a deliberate statement. But how does one get as much table margarine as one wants to buy if that product is under a quota system and its supply is restricted?

The Hon. J. C. Burdett: He didn't say "tomorrow" or "in May".

The Hon. T. M. CASEY: The Hon. Mr. Story is in the Chamber, so the Hon. Mr. Burdett should let him speak for himself. I think he is capable of doing that. I should like now to examine the situation regarding the margarine industry in this State. For the benefit of honourable members, and particularly of the Hon. Mr. Burdett (who probably does not know this), margarine quotas were initiated in this country in 1940, which is 34 years ago.

Australia is the only country in the world that has a quota on margarine. Even in a country like New Zealand, which probably relies on dairy products as one of its natural resources (indeed, it is about the only natural resource it has got), the dairy industry did not see fit to oppose the introduction of margarine. Therefore, margarine is selling without quotas in New Zealand, as it is in America, Great Britain, Denmark and other Scandinavian countries. If honourable members can tell me of another country in the world that has margarine quotas, I shall be surprised. However, here in Australia we have had margarine quotas for 34 years and some honourable members still say, "Let us have them for another 10 years and see where the dairy industry is going."

The Hon. A. F. Kneebone: Now isn't the time!

The Hon. T. M. CASEY: That is so. They always think that we should wait. Margarine quotas will not affect the dairy industry. They have never done so, and, indeed, spokesmen for the dairy industry will generally say that they want quotas. That industry has been made the scapegoat ever since its inception. In 1940, quotas on table margarine were introduced by all State Governments to protect the butter industry from competition from table margarine, a substance in the semblance of butter, or resembling butter.

Cooking margarine was required by law to contain not less than 90 per cent of beef and/or mutton fat in the fats and oils from which the product was manufactured. Cooking margarine was not limited by quota as it was not thought to be a threat to table butter markets (and that is where they made the biggest mistake of all) nor, more especially, to table margarine. It was not, at that time, thought to be technically possible to make a product, the quality of which could compare with butter or table margarine.

In two States (Queensland and South Australia), table margarines made from Australian raw materials were not limited by quota. This sensible and equitable proviso was finally eliminated by Liberal and Country Party State Governments. In 1955, the New South Wales Labor Government, in response to public demand, increased margarine quotas to 9 144 tonnes and, in the allocation, allotted equal shares (of about 2 201 t) to the three largest manufacturers in New South Wales: Vegetable Oils Proprietary Limited, Meadow-Lea Proprietary Limited and Marrickville Margarine Proprietary Limited.

However, acting contrary to a gentleman's agreement, the parent company of Vegetable Oils Proprietary Limited put into operation its long-term plan to achieve complete dominance, if not a monopoly, of the margarine industry—and in that objective they have had the active (if sometimes unwitting) collaboration of Liberal and Country Party Governments in several States, co-ordinated and controlled through the Australian Agricultural Council and its members, and the Ministers of Primary Industry and Agriculture of the Commonwealth and State Governments. The first step was for Allied Mills Limited to acquire the majority of table margarine quotas by an active programme of acquisition, by purchase and take-over, of a number of small manufacturers, until it finally achieved a stranglehold on production quotas—53·5 per cent of the total.

That was the first step: the margarine companies and not the poor, unfortunate dairy industry, became the dominant force as the spokesmen for the industry in relation to the maintenance of quotas in this country. Quotas were imposed initially in all good faith to protect the dairy industry and, when they did not have that effect, the margarine companies decided to fight to obtain a monopoly under the quota system. That is the biggest problem today.

In 1967, technical improvements were made by Marrickville Margarine Pty. Ltd. to cooking margarine, by way of fractionation, to remove some of the harder fats; these improvements vastly improved public acceptance of cooking margarine as a foodstuff. That was the first breakthrough in connection with cooking margarine. It became much softer, more spreadable, and therefore more generally useful to the housewife in a wider range of household applications.

Here was a product which, while conforming to the existing definition of cooking margarine in the legislation, was a very definite challenge to table margarine in the market place. It had all of the nutritional qualities of either butter or table margarine, was soft, spreadable, and available at a much cheaper price than table margarine. This was important to lower income groups, who found at last a spreadable margarine of equal nutritional value to butter and table margarine. Many housewives did the obvious: they began to use it for so-called table purposes as well as in cooking. It began to be used by consumers as a spread, and found ready and rapidly growing acceptance by housewives.

I am sure that honourable members realise that many households use cooking margarine in preference to butter. Cooking margarine is properly labelled, and people buy it because it is cheaper than butter. This has been the problem confronting the dairying industry. It has been the cooking spreads, not table margarine, that have damaged the dairying industry. Later, I will show what damage is being done to rural industries.

At that time the Allied Mills consortium did not have a cooking margarine because it did not have the process developed by Marrickville. In 1968 a little bit of pressure was applied from Victoria, and legislation was introduced restricting the colouring and the taste additives for cooking margarine, so that it would not be attractive to the general public. All States were asked to conform to this move, but only Tasmania agreed to do so; South Australia would not have a bar of it.

The Hon. C. R. Story: What did Tasmania do?

The Hon. T. M. CASEY: It agreed with the legislation. The move was not successful because palm oil was then used; it is a natural product and has natural colouring. So, they tried to do something about palm oil, but they were not very successful. Then, there were rumours that tallow used by margarine manufacturers was produced from dead and diseased animals.

The Australian Margarine Manufacturers Association has demonstrated that the refined, fractionated beef fat used in cooking margarine is completely sterile when used in manufacture; the very small bacterial count in cooking margarine comes from the skim milk used in ripening, not from the fat. The bacterial count compares more than favourably with butter, of which an official report claims 20 per cent cannot meet the minimum standards for bacterial contamination recommended by the National Health and Medical Research Council, and which contains pathogenic bacteria to a marked degree. As a result, the bacterial standards for factory butter have never been adopted in State food and drug regulations.

Honourable members should know the history of margarine in Australia, and they should know why quotas were imposed. It is high time that we looked at this matter sensibly and realised that we will not get anywhere unless someone makes a move. The big margarine companies are determined to maintain their own productivity and protection under the present set-up. The Hon. Mr. Story said that, prior to the last meeting of the Agricultural Council, I said that I would move that margarine quotas be lifted by 50 per cent. I said that sincerely.

The Hon. C. R. Story: I did not mention 50 per cent at any stage.

The Hon. T. M. CASEY: All right; we will leave it at that. I indicated that to margarine people who saw me in my office. The Hon. Mr. Story says that people in Australia are entitled to get as much table margarine as they want to buy. I agree with the honourable member. When I was at the Agricultural Council meeting earlier this year, the margarine item was on the agenda. The New South Wales Minister moved that the item be not discussed, and he was supported by the Queensland Minister and the Victorian Minister. The Chairman was going to move on to the next item when I objected and said that I had come prepared to discuss all items on the agenda. I asked why the item was not being discussed. To me, it was a complete and utter fiasco. Here was an arrangement, made by someone outside with the Ministers from New South Wales, Queensland and Victoria, not to discuss margarine at the Agricultural Council meeting earlier this year.

The Hon. D. H. L. Banfield: What did they have to hide?

The Hon. T. M. CASEY: A good point. The Ministers then debated whether we should discuss the item for about an hour. The Chairman, Senator Wriedt, asked these gentlemen whether they would discuss it for half an hour. One Minister said, "If I get going, it will take me 1½ hours to discuss it."

The Hon. R. C. DeGaris: Did Senator Wriedt agree with your approach?

The Hon. T. M. CASEY: Yes. I am glad that the Leader interjected. I will indicate the support I got for the lifting of margarine quotas. Yesterday I received a strongly worded telegram from the Chairman of the Australian Oilseeds Federation, the body representing all State organisations; the telegram supported my move to lift margarine quotas.

The Hon. R. C. DeGaris: Whom else does it represent?

The Hon. T. M. CASEY: The Leader ought to know, because I think he received a letter. The following is the list of members: Growers organisations; United Farmers and Graziers of South Australia; Queensland Graingrowers Association; United Farmers and Wool Growers Association of New South Wales; Federated Farmers Union; Australian Wheatgrowers Federation; the Namoy Cotton Growers Co-operative; United Oilseed Growers Association; the Queensland Cotton Marketing Board; the Oilseed Marketing Board of New South Wales; and Queensland Peanut Marketing Board. That gives a pretty good idea of the members of that organisation.

The Hon. R. C. DeGaris: Who is the Chairman of that federation?

The Hon. T. M. CASEY: The Leader knows the gentleman, because he received a letter from him yesterday. The Leader should not be so facetious. He knows of the information conveyed to him and other members, and I believe he received a telegram in support of the lifting of margarine quotas. This morning I received a telephone call from the United Farmers and Graziers reassuring me that its official policy was to support the lifting of margarine quotas, provided margarine was correctly labelled. I agree with that. No-one is disputing it. The General Secretary of the South Australian Dairymen's Association (Mr. David Higbed) also gave me his assurance that he wanted the margarine quotas lifted. I believe his views are well known to honourable members opposite.

The Hon. D. H. L. Banfield: He is their representative.

The Hon. T. M. CASEY: If that is not enough, I point out that the Australian Minister for Agriculture (Senator Wriedt) rang me only a few hours ago, and he also supports the move I am making. He told me that he could see no reason, now or in the near future, to make him change his mind. I know of the views expressed by a certain member in another place when the Bill was dealt with there. I think he is trying to get into the shadow Ministry. He is making a bold bid, but I do not think he is making a good fist of it. I believe he was the official tasting officer of dairy spread at the Northfield research centre, but that was the only role he played. He referred to an investigation into the dairy industry by Sir John Crawford. Senator Wriedt indicated that the South Australian action to lift margarine quotas should not be delayed as a result of this report, and I thoroughly agree with him. How many reports have we had into the dairying industry? Do honourable members opposite know that in 1964 a Commonwealth committee was established especially to investigate the problems of the dairying industry, and in 1964 that committee recommended that margarine quotas be lifted?

The Hon. M. B. Dawkins: You're not doing any better than you did yesterday.

The Hon. T. M. CASEY: I often hear interjections by the Hon. Mr. Dawkins. I should have thought he would be a good spokesman for the agricultural industry. I believe he has an even higher billing than the Hon. Mr. Story in his Party's preselection list, yet the Hon. Mr. Story seems to be doing all the work. The only thing we get out of the Hon. Mr. Dawkins is an interjection that is not worth worrying about. I do not know who got him up on the list, but I think it is all wrong. It does not make sense. What is the situation today? I have told honourable members what went on at the last Agricultural Council meeting, and I will now go further and finish off what I was telling the Leader. As a result of the delaying tactics of the other Ministers at the Agricultural Council meeting, I was left with no alternative, as the council would not discuss the margarine quota item listed on the agenda. That discussion was important because a paper was to be dealt with containing recommendations from the National Health and Medical Research Council on labelling. It is the responsibility of the Minister of Health to administer labelling of margarine under the Food and Drugs Act: it is not up to Ministers of Agriculture. Yet we have had the stupid situation in Victoria where, when they were trying to cut out cooking margarine, it was necessary that cooking margarine packages be printed on four sides, and such packages can be seen in shops today. The label must be printed on the top, the bottom, and either the two ends or the two sides. It is not sensible to have such labelling on four sides of a container. This was just another obstacle placed in the path of cooking margarine manufacturers, and it increased the price to the local consumer. It is the local consumer who eventually pays, anyway; the little man, the man about whom the Hon. Mr. Hill is always worried, the family man. The Hon. Mr. Hill gets that little punchline in every now and then. I am being sensible about this. The Hon. Mr. Cameron laughs. If he agrees that a package should be labelled on four sides, I would like to hear why it is.

The Hon. J. C. Burdett: It has a brand on four sides.

The Hon. T. M. CASEY: Yes, but it must have a label on four sides. I was left with no alternative, because the council would not even discuss it, but to say, "If that is your attitude, then South Australia, as has been our policy, will lift table margarine quotas." This set the cat among the pigeons. We first started with table margarine quotas in 1940, and at last something sensible is being done. What was the position last year, just before there was to be an increase in table margarine quotas? What were the quotas throughout Australia? Who was holding them? Unilever is the big multi-national company about which everyone is so scared. We were told that if we lifted margarine quotas that company would take over everything, that it would wipe the floor. I wonder how many multinational companies operate in Australia today in other fields. Multi-nationals operate in the wine industry. Have they taken over the whole wine industry? Will they take over the dairy industry? I suppose they are in the dairy industry in Australia. Unilever has quotas in New South Wales, South Australia and Western Australia. If honourable members want me to give figures in respect of their quotas, I will provide them.

The Hon. J. C. Burdett: Yes.

The Hon. T. M. CASEY: In New South Wales, Unilever has a quota of 1 317 tonnes, and in South Australia it has 711 tonnes. In Western Australia the company has 535 tonnes. The Marrickville company has a quota in Queensland of 1 048 tonnes, and in New South Wales 3 034 tonnes.

The Hon. C. R. Story: What about the A.C.T.? Marrickville has the total there.

The Hon. T. M. CASEY: I think the quota in the A.C.T. is 304 tonnes. The quota held by Allied Mills is 1 983 tonnes in Queensland, 5 571 tonnes in New South Wales, 3 038 tonnes in Victoria, 610 tonnes in Tasmania and 887 tonnes in Western Australia. A nice piece of the cake! Provincial Traders in Queensland has 2 301 tonnes, and 1 051 tonnes in New South Wales. Nuttelex, a little company in Victoria, has 417 tonnes. It is a very small company. Overall, Unilever has 2 563 tonnes, Marrickville 4 082 tonnes, Vegetable Oils 12 088 tonnes, Provincial Traders 3 352 tonnes, with Nuttelex bringing up the rear. What happened last year at Agricultural Council when quotas were to be increased? Immediately quotas were talked about (and there was general agreement that they would be increased) the Ministers from New South Wales and Queensland said they did not want quotas in their States. If the quotas had been increased overall by 38 per cent (as they were eventually), and if New South Wales and Queensland did not want quotas because they produced sufficient for their own needs, this would have eliminated Provincial Traders from getting any increased quota. The same situation would have applied with Marrickville. It would have gone to Allied Mills, to a lesser extent to Unilever, and a little to Nuttelex.

This was the proposition at Agricultural Council last year, and I rejected it completely. I held out until the next day, when I said that the only time I would go along with increased quotas would be when every manufacturer got a corresponding increase. That was how it was done eventually. Those are the figures operating today. There was a move by New South Wales and Queensland to disfranchise their own people by preventing increased quotas, because they wanted to give the quotas to another firm. That has been the problem with margarine quotas. It has nothing to do with the dairying industry; it is a fight between the margarine companies to grab the monopoly of quotas in this country. That is what I object to. The only way to get rid of quotas would be to have everyone on an equal footing.

I spoke to the margarine company managers, who came here to see me. I said that if they were genuine and wanted increased quotas of, say, 50 per cent, then everyone should have an equitable share, not of the 50 per cent but of the market. I said, "If you are scared of multi-nationals, let us have Unilever out, but let us bring the Australian companies up so that they have more equity in the market." The big boys, who have the bulk of the manufacture today, would not have a bar of that. They said it was a very good idea, and I asked them to go back to their own States and talk with the other companies. They would not do it. Let us be quite dinkum about this.

The Hon. R. C. DeGaris: Ha, ha!

The Hon. T. M. CASEY: What a jocular sort of laugh from the Leader of the Opposition. That proposition was discussed in my office with representatives of the margarine companies. I thought it was quite fair, but of course it did not take place.

The Hon. C. M. Hill: It must have been fair; it was your own proposition!

The Hon. T. M. CASEY: I did not expect them to agree. I asked them to talk about it and to resolve their differences if they had any, but they would not talk. I do not know what honourable members can see that is so damaging about that. Let us look now at the situation regarding Mr. Cope, who wrote to individual members. He is Chairman of the Australian Oilseed Federation, and he gave an oration at the fifth annual general meeting of the oilseed section of the Victorian Farmers Union.

The Hon. M. B. Cameron: Who organised that?

The Hon. T. M. CASEY: Mr. Cope. I have had this document in my possession for a long time, because it was sent to me immediately after he made his oration. It did not come to me only yesterday. I was interested to hear what he had to say about the oilseed industry, because it concerns me, as it should concern members opposite and our budding friend from the bush behind me on the right. We hear much about diversification in primary production, and I believe farmers should be in a position to diversify. Today, the beef industry is in trouble. The South Australian beef industry is contained to a great extent in the South-East, where there is good rainfall, an area ideally suited for the growing of oilseed. Mr. Cope had this to say:

> Our country is the last major grain producer which does not have a large oilseed output. Russia, United States of America, Canada, etc., all produce substantial oilseed crops. Do you realise oilseed and oilseed products are a much larger item in world trade than, say, wheat or meat?

They are, too; oilseed is the largest commodity traded in the world today on the primary producing side. Mr. Cope continued:

> We are out of step with the rest of the world and I suggest must eventually follow the same trend as these other countries. However, we do have one big disadvantage in Australia and that is the wheat stabilisation scheme which distorts the pattern of rural economics.

That is his opinion. He continued:

> I must point out that I am in favour of stabilisation—but for all crops, not one. To stabilise only one crop out of those alternative crops which can be grown on the same acre of land must lead to distortion in the pattern of farming. Let's hope that the Green Paper recommendations on tariff compensation and stabilisation will result in moves to cover all crops equally. We need in Australia an average annual harvest of about 1 000 000 tons; say a fivefold increase over present figures. With this sort of tonnage we could aim to cover domestic requirements and also export seed in flush years.
>
> What other primary product is there where we can increase yield nearly four times and still sell it all on the home market? This is one of the guarantees of future security which the oilseed grower has. Another guarantee is the increasing consumption of oilseed products in Australia, particularly of cooking oils, stockfeed, and in the future for meat extenders and meat substitutes. Perhaps the one problem area is in margarines where oilseed growers are being denied access to a potential market of value.
>
> For those of you who are not clear on the situation, let me explain that there are three types of margarine made in Australia: first, a margarine where you can use any raw material; this margarine is the only one into which large quantities of vegetable oil can be used—and is controlled by quotas with maximum production at currently 22 800 or so tons per annum. The next product is a tallow-based margarine where up to 10 per cent of vegetable oil can be used and the final product is industrial margarine where up to 25 per cent of vegetable oil can be used. These last two products can be produced in any quantity without restrictions. Thus, the situation is that margarine tonnage quotas do nothing to safeguard the dairy farmer—after all any amount of tallow based margarine can be produced—but harm vegetable oilseed farmers. What an idiotic situation we have got ourselves into! Margarine manufacturers are being forced to produce the cheapest possible margarine, which in turn forces butter producers to charge less for butter and vegetable oilseed producers have a ceiling placed on the quantity used of their product.

Most of the table margarine produced under quota is polyunsaturated, because there is such a big demand for it. The Australian Medical Association has been screaming out for years that there is not enough of it. I believe its present production is just about satisfying current needs, but no-one really knows. I have had complaints from people who have telephoned me and said, "Mr. Minister, I cannot get a certain brand of poly-unsaturated margarine." I have replied, "Can't you get another one?" and I have been told, "I do not want another brand; I want my brand." So we get back to the situation, as the Hon. Mr. Story has said, that people in Australia are entitled to get as much table margarine as they want, and I say they should get margarine of their own choice. Because under the table margarine quota system most of the table margarine that is manufactured is poly-unsaturated, there is no room left to manufacture any other margarine under that quota.

Perhaps the manufacturers want to make a margarine of 50 per cent tallow and 50 per cent oil, or 60 per cent tallow and 40 per cent oil, or 70 per cent and 30 per cent, but they have not a quota under which to do it, because the quota is being used up in the manufacture of poly-unsaturated margarine. That is what this gentleman, whose comments I am reading, is saying, and this is what the margarine manufacturers are saying. He continues:

> Nobody seems to benefit out of this situation so why not remove the restrictions now? This is why we see more and more organisations such as yours and the Queensland Grain-growers Association now asking for a change. The absurd part about this is that probably the worst sufferers are the dairy farmers.

That is what I said originally. Mr. Cope continues:

> Margarine can be produced in any quantity as long as it is made from the cheapest raw materials.

That is where we return to cooking margarine. He continues:

> In the United States, where butter sells for $1 a lb. and margarine for, say, 35c to 40c, over a third of the population still buys butter.

I experienced this when I was in the United States, because I took special note of the price of butter and the price of margarine. They do not have quotas over there.

The Hon. R. A. Geddes: Did you say that margarine was 30c a lb.?

The Hon. T. M. CASEY: No; margarine is in between 30c and 40c a lb. but over one-third of the population of the United States still buys butter, even though margarine is much cheaper.

The Hon. R. A. Geddes: Is the margarine over there poly-unsaturated?

The Hon. T. M. CASEY: The customer can choose from at least a dozen types of margarine. Mr. Cope continues:

> Wouldn't dairy farmers be better off supporting oilseed farmers in removing these restrictions and then both of us go along together to the Industries Assistance Commission for an increase in the price of butter?

It seems to me that everyone is saying that one industry is fighting against another industry, on the primary production side, but that is not so. It is the margarine companies that are fighting today to hold on to their quotas for as long as possible in their own interests, and they do not care about anyone else; they will use everyone else to try to maintain their existence in the industry, and that is bad. I do not know how honourable members opposite can support them, even on the basis of private enterprise or freedom of choice—you name it. Compare the margarine situation with the situation of the Meat Board. This has been discussed at Agricultural Council meetings. The Hon. Mr. Story asks, "What are you going to do about the substitutes for meat?" In other parts of the world people are making meat out of soya beans. That product looks and tastes like meat. It is in competition with our red meat—beef, mutton, and lamb. That product can be made from soya beans today, and one cannot tell the difference between it and real meat. We say to the meat industry, "If this product is labelled according to what it contains, it can be sold on the market." I have agreed with that. I ask honourable members to take exactly the same attitude towards margarine.

I think I have put the case from the time when margarine was first introduced into this country in 1940; it is now 1974. For all that time there has been this enormous protection for the dairying industry. I have shown clearly today the support that the primary industries of this country have for the abolition of quotas. Members of the dairying industry in South Australia have shown their support, and we have support from the Commonwealth Minister for Agriculture (Senator Wriedt). It is utterly ridiculous to take sides on the margarine companies' point of view, as members opposite are doing, because there is no question in my mind: I know the score as well as honourable members opposite do and I know where the pressure is coming from to retain quotas so that those people can maintain their own monopolistic attitude in the margarine industry.

I do not think that is right. It is all very well to axe the multi-national companies; I have no sympathy with them, but that is a different matter altogether. They can be dealt with elsewhere. That should not be our role in this matter. As I asked the Agricultural Council, why should agriculturists be worried about labelling? That is a matter for the National Health and Medical Research Council under the Food and Drugs Act. Why should we be laying that down as agriculturists? Let us leave the labelling to other people, in order to maintain a good standard of health in the community; that is their role.

The Hon. J. C. Burdett: But margarine does compete with butter, doesn't it?

The Hon. T. M. CASEY: Yes; any spread does, even plain dripping. The sales of butter have been falling to such an extent that it has been said by a butter company's chief economist that within 15 years people will not be eating butter at all, judging by the present rate of butter's popularity. On the other hand, skimmed milk powder (casein), which is a big part of the dairying industry, is making tremendous strides on the oversea market today.

We in South Australia have to import more than 50 per cent of our butter from Victoria; and New South Wales, too, has to import 50 per cent of its butter from Victoria. We are not relying on our own dairying industry: we have to import butter. I recall on one occasion saying to a Minister of Agriculture from another State, after returning from New Zealand, "If you do not send some decent butter to South Australia, I will get some from New Zealand more cheaply." Of course, that was a bit of horseplay, anyway. In every other country there is no restriction on margarine. In places like New Zealand, which relies tremendously on its dairying industry, there is no restriction on margarine. The United Kingdom has been manufacturing it for years and, in the Scandinavian countries (especially in Denmark, which is one of the richest dairying countries in the world), margarine has been manufactured for years. What is the difference? I admit that, in 1940, when margarine first came on the market, the imposition of quotas was justified in order to protect the dairying industry, and this was done. However, pressure is now coming from the margarine companies. Is the Opposition protecting the margarine companies or the dairying industry? Will members opposite reject these amendments because of the dairying industry? I am not sure what the Hon. Mr. Story will do. Previously he was worried about oilseed growers, and now he is worried about multi-national companies.

The Hon. R. C. DeGaris: You can't have it both ways.

The Hon. T. M. CASEY: The honourable member has said that, and I will be interested to hear what he has to say on the subject. I ask honourable members not to treat the matter lightly. A decision in this case is long overdue. I do not believe that what is proposed will harm the dairying industry one iota, and it will be in the interests of the consuming public.

The Hon. C. R. STORY: I am sure that, historically, what the Minister has said is fairly factual. I believe that material he used would have been provided by his working party and the standing committee and that he would have used it at an Agricultural Council meeting had he had the chance. However, the Minister then strayed a bit, getting down to personalities; this was a pity. His case slipped further when he quoted what Mr. Cope had said as though it were a Bible. He then tried to find what motive the Opposition had for doing what it is doing. I assure the Minister and all other people in South Australia that the Opposition is actuated by worthy motives only; it receives no political kudos or monetary gain for what it is doing. We hear slight innuendoes about our motives. Until I made a speech in this Chamber indicating what our attitude to this matter would be, there had been no pressure on us at all. Since then, there has been a little correspondence. Yesterday, I received so many telegrams that I thought it was my birthday. However, they were unsolicited testimonials that were neither effective nor worthy.

The Hon. R. C. DeGaris: Were some prompted?

The Hon. C. R. STORY: I think so, because some of them were pre-paid telegrams. I was able to return greetings in those cases.

The Hon. T. M. Casey: Did you take the opportunity?

The Hon. C. R. STORY: Yes, and it saved the State some money, because otherwise I would have had to telephone them.

The Hon. T. M. Casey: What reply did you give?

The Hon. C. R. STORY: As profanity is not allowed in *Hansard*, I will not be able to tell the Minister. Another suggestion is that the Opposition is being leaned on by a certain committee which is sitting in Canberra at present under the Chairmanship of Sir John Crawford and which is inquiring into dairy produce aspects in relation to the Industries Assistance Corporation.

The Hon. T. M. Casey: That was referred to in another place; I think I said that.

The Hon. C. R. STORY: It may have been; I am not accusing the Minister of saying this. These sorts of things have been suggested as the Opposition's motives. I suppose it is hard for people to believe that there is no such motive and that we are acting honestly in what we believe are the best interests of our constituents and the people of the State. That is precisely the role of the Opposition in this Chamber.

The Hon. T. M. Casey: Are you referring to the majority of the people?

The Hon. C. R. STORY: I am talking about the people in this State; I have a broad vision. As one of his main planks, the Minister used the opinions of Mr. Ron Cope, who is presently the Chairman of the Australian Oilseeds Federation, Box 145, General Post Office, Sydney. I have had handed to me an undated letter from him, although it is addressed to "Mr. D. C. Brown, M.L.A., Parliament House, Adelaide." I got this letter by some strange means. Although the name of Mr. Cope appears at the bottom, it is not signed.

The Hon. T. M. Casey: Who is Mr. D. C. Brown?

The Hon. C. R. STORY: He is Mr. Dean Brown, a member of the other place, who acted prominently in relation to this matter and was severely berated for his trouble by a certain Minister. In this letter, Mr. Cope states:

> During a recent visit to Adelaide, I was informed that certain amendments have been proposed by yourself to the legislation now proceeding through the South Australian Parliament in respect of removing margarine restrictions. Particularly, I refer to the suggestion that removal be limited to poly-unsaturated margarine only. Our association which represents oilseeds from growers through to manufacturers and can be fairly said therefore to represent all points of view in the industry, feels that such an amendment would be very harmful to the local farmers, many of whom produce oilseeds which are not poly-unsaturated.
>
> I refer particularly to soya bean, cotton seed, peanuts and rape seed, none of which produce a poly-unsaturated margarine. The effect of such an amendment would be to exclude many growers from participating in this chance to improve their incomes at a time when farmers need every opportunity of increasing their incomes to offset rising inflation. To my surprise while in Adelaide I was told by senior departmental officers that they had been misinformed that soya bean oil was poly-unsaturated and I had to explain that this was not so. I therefore felt it important to write to you explaining this situation in anticipation that with this information you will find your way clear to withdraw your suggested amendment. If there is any further information you require please let me know.

At 3.5 p.m. today I received the following telephone communication from Mr. Cope, of Sydney:

> Would you please defer moving amendments re oilseed until they have a chance to talk to you? The farmers who produce rape seed soya beans and cotton seed and peanuts will not be able to benefit under these amendments.

I wondered about Mr. Cope. I had seen him written up in the *Farmer and Grazier* as a person who had recently taken over as Chairman of the Australian Oil Seeds Federation. I thought that a little research was in order, wanting to explain to him, as I did, that I was not moving amendments to the Bill and that I did not agree with most of the contents of his letter. I found out from my research that Mr. Cope is a technical officer with British Tobacco, which is one of the largest multi-national companies in Australia and which has expressed some interest in the margarine industry. Mr. Cope is at present employed by Amatil (which is the new name for British Tobacco), of Sydney.

The Hon. T. M. Casey: What are you trying to say?

The Hon. C. R. STORY: I am trying to ask how a man who is an employee of a large multi-national company and who—

The Hon. T. M. Casey: They are not in the margarine business.

The Hon. C. R. STORY: That is so. They are in the oilseed business and, along with one or two others, want to get into the margarine business. However, I will develop my argument on that aspect later. Mr. Cope is not an oilseed grower from New South Wales: he is a paid lobbyist for British Tobacco.

The Hon. T. M. Casey: Now we are getting somewhere: he is a paid lobbyist. However, he is still Chairman—

The Hon. C. R. STORY: Yes, but he is paid by British Tobacco.

The Hon. T. M. Casey: As a professional lobbyist?

The Hon. C. R. STORY: He is paid, and he is writing to me under the guise of a person who is looking after the interests of seed growers in Australia.

The Hon. T. M. Casey: I'll go along with that.

The Hon. C. R. STORY: I am not terribly sure that we are on safe ground in assuming that. I refer now to Mr. Ben Dawson, the Administrative Director of the

Margarine Manufacturers Association, which comprises three groups, one of which has recently given evidence before Sir John Crawford.

The Hon. T. M. Casey: Which company is that?

The Hon. C. R. STORY: It is a Queensland company.

The Hon. T. M. Casey: Provincial Traders?

The Hon. C. R. STORY: That is so. That company dissociated itself from the attitude taken by the Margarine Manufacturers Association. I have heard nothing at all from Marrickville, and the other company is Unilever. Over the years, Mr. Dawson has been a strong, forceful and good advocate for the margarine industry as far as Unilever is concerned.

The Hon. T. M. Casey: Just Unilever?

The Hon. C. R. STORY: Unilever is the predominant member of the group.

The Hon. T. M. Casey: It hasn't got the biggest quota.

The Hon. C. R. STORY: But it has the largest volume of margarine sales. The Minister is talking about quotas.

The Hon. T. M. Casey: We are talking about quotas, not cooking margarine.

The Hon. C. R. STORY: The Minister has had unlimited licence in this debate and has gone well into the matter of cooking margarine *versus* table margarine. In the field, Unilever has been free to exploit. It has lifted its tonnage on tallow-type margarines from 9 per cent to just on 60 per cent of the Australian market.

The Hon. T. M. Casey: You know that the poultry industry has grabbed a fair share of the meat market!

The Hon. C. R. STORY: I will deal with that aspect when Parliament resumes after the recess. However, I should like to stick to the margarine subject at present. What did the Minister mean when he said we were inhibited regarding the amount of table margarine we were permitted to produce in South Australia? We are way behind the eight ball. As Minister of Agriculture, it was not my burning desire to get South Australia into the top bracket as a margarine-manufacturing State. I thought we had a responsibility to what was then a reasonably viable dairying industry, which always had to face the challenge of margarine as well as that of oversea markets, with a waning star in relation to Commonwealth preferences. Our export market was diminishing, so I did not strive to obtain a larger quota at that time. When one looks at the per capita use of margarine throughout Australia, one finds that South Australia's consumption is very low. The figure for other States is much higher.

The Minister said that we are not getting enough table margarine. South Australia's quota is 712 tonnes, or ·6 kg for each person; Victoria's quota is 3 454 t, or ·92 kg a head; New South Wales figures are 10 973 t and 2·39 kg; Queensland's quota is 5 333 t or 2·92 kg a person; Tasmania's quota is 610 t or 1·53 kg a person; Western Australia's quota is 1 423 t or 1·38 kg a person; and the Australian Capital Territory has a quota of 305 t or 2·12 kg for each person. That is a total of 22 452 tonnes of table margarine. This matter was seriously considered in 1972 by the Agricultural Council, which agreed to an increase in quotas. South Australia's Act was amended in 1973 and our new quota operated from January 1974. Other States did the same thing: Queensland lifted its quota by 24 per cent; New South Wales lifted it by 20 per cent; the A.C.T. lifted it by 300 per cent; Victoria lifted it by 90 per cent; South Australia lifted it by 35 per cent; and Western Australia lifted it by 75 per cent.

The Hon. T. M. Casey: How many manufacturers have we in South Australia?

The Hon. C. R. STORY: We have one manufacturer of table margarine.

The Hon. T. M. Casey: If we had two, what would our percentage be?

The Hon. C. R. STORY: I do not know what the Minister is driving at: this was not related in any way to the number of manufacturers.

The Hon. T. M. Casey: Yes it was.

The Hon. C. R. STORY: No, it was not. At the time the Minister considered that he was not as friendly with multi-national companies as he seems to be now, and he said that he would not give a large quota to a multinational company that has the only franchise in this State.

The Hon. T. M. Casey: That's not right.

The Hon. C. R. STORY: Nothing in the Act could inhibit the Minister from issuing another licence.

The Hon. T. M. Casey: I'll shoot you down in flames: you are talking a lot of nonsense.

The Hon. C. R. STORY: I am not. Under the Act the Minister can at any time issue further licences. He could have done as Queensland did and open additional quotas to any company.

The Hon. T. M. Casey: How long ago was that?

The Hon. C. R. STORY: When I was Minister, and that is not long ago.

The Hon. T. M. Casey: Why didn't you do it?

The Hon. C. R. STORY: I did not want to do it, because I thought I was protecting the dairy industry.

The Hon. T. M. Casey: That shows that quotas are a complete shemozzle.

The Hon. C. R. STORY: I know what will happen if you pull the plug out. If the Minister wished, he could have taken the full quota that the Agricultural Council was willing to allow at that time.

The Hon. T. M. Casey: I did take it.

The Hon. C. R. STORY: No, the Minister did not take what he could get: he took what he thought was a fair thing.

The Hon. C. M. Hill: Perhaps the Minister could make some notes, and reply to the debate!

The Hon. T. M. Casey: I don't need to take notes.

The Hon. C. R. STORY: The Minister did not want to give one multi-national company the whole quota.

The Hon. T. M. Casey: Cut it out!

The Hon. C. R. STORY: One other large manufacturer had quotas in other States, and the Minister did not want it any bigger. In the process South Australia was kept to the 712 tonnes that we have today. Comparing that to the 610 tonnes for Tasmania and the 305 tonnes for the A.C.T., we are a bit out of line. The Minister cannot say that he did not have the chance, because the A.C.T. took up the 305 tonnes at that time.

The Hon. T. M. Casey: At what time? When did the A.C.T. come into production?

The Hon. C. R. STORY: The Minister will not draw me on that.

The Hon. T. M. Casey: You are not sure: you are making statements and don't know what you're talking about.

The Hon. C. R. STORY: Yes I do. In the A.C.T. no laws deal with the policing of the quota and, consequently, instead of 305 tonnes that Marrickville has as a quota, no-one is interested in how much is produced in that factory. I believe that the factory is capable of producing more than 3 000 tonnes if necessary. What will happen if we abandon quotas? The Minister seems to think that we will become the largest margarine manufacturing State of the Commonwealth.

The Hon. T. M. Casey: You said that: I didn't say it.

The Hon. C. R. STORY: When I saw the Minister in a television interview, he looked like a cat that had been at the cream. He was exceedingly happy with the young lady who buttered him up when he came back from the airport.

The Hon. T. M. Casey: With butter or margarine?

The Hon. C. R. STORY: The Minister was speaking about margarine and said, "It is a good thing; I have grasped the nettle and we will get rid of quotas in South Australia." With a bit more encouragement he went on to say, "This will give us the chance to produce, and let them all come here and manufacture."

The Hon. T. M. Casey: That's a load of rubbish: don't tell lies. I challenge you on that. I resent that, and you know it is wrong, because you can't quote it verbatim. Don't be so silly.

The Hon. C. R. STORY: The Minister is pulling a long bow. Obviously, I cannot bring a picture to show the Minister and, when he is in this mood one has to bring the picture because he will not believe anything. This is one of his problems with his portfolio, and one reason why we are debating this issue now. The Minister got himself into one of those situations at the Agricultural Council and was so involved that he could not withdraw. Having got into that position, he said, "I'll take my marbles home."

The Hon. T. M. Casey: Were you there?

The Hon. C. R. STORY: No, but I know what the Minister would do, because I get a bit savage myself in such a situation. Many others saw the Minister's interview on television, and I will leave it to their judgment that what I have said is what happened, and I believe it is true. If we remove margarine quotas, it will mean that margarine will be manufactured in the larger areas of Sydney and the A.C.T., which have other advantages. Without expanding the present large Unilever plant, the company could manufacture South Australia's quota of table margarine without the need to employ any more people, and could send that margarine to this State. There is nothing to make them manufacture margarine in South Australia, and there will be no attractions for them to come here.

The Hon. T. M. Casey: They are already manufacturing here.

The Hon. C. R. STORY: It would not worry them whether the South Australian quota was manufactured here or in Sydney.

The Hon. T. M. Casey: What if some other firm came here?

The Hon. C. R. STORY: Why would any firm want to come here?

The Hon. T. M. Casey: Do you say no-one else would come here?

The Hon. R. C. DeGaris: It would not have a hope if it did; it would be annihilated.

The Hon. T. M. Casey: I can disprove that.

The Hon. C. R. STORY: The Minister has given details of those supporting him—his fan mail. It is strange for two Commonwealth Ministers to do a complete about-turn from the time when Senator Wriedt and Dr. Everingham made their joint statement which I had included in *Hansard* earlier in the debate, and which the Minister can read.

The Hon. T. M. Casey: I know that they made statements. I don't have to read *Hansard*.

The Hon. C. R. STORY: They said that we should not remove quotas at least until June, 1976. Yet Senator Wriedt has written a congratulatory letter to the Minister according to him, saying that it is a good thing, and that the Minister should go ahead. I thought that Senator Wriedt was seized with the situation of the dairying industry; that is why he asked a fairly high-powered gentleman, Sir John Crawford, to chair an inquiry. Senator Wriedt is acting as irresponsibly as is our Minister of Agriculture if he says there is nothing wrong with the dairying industry. If that is the case, why is Senator Wriedt wasting the taxpayers' money in setting up a commission to inquire into the dairying industry? Who else but Senator Wriedt appointed Sir John Crawford to inquire into the dairying industry?

The Hon. T. M. Casey: Do you think that Sir John Crawford will inquire only into margarine quotas? There are many problems in the dairying industry, and margarine is not one.

The Hon. C. R. STORY: The Minister would not make silly statements like that if he took time to read the Green Paper and the report and evidence of the dairy federation. If he read that information, he would see the effect of removing quotas in this hasty manner. It is no use saying that removing quotas will not have any effect on the dairying industry. Why would Senator Wriedt ask Sir John Crawford to inquire into the dairying industry, paying particular attention to the effect of margarine and the lifting of quotas? The Minister's action in removing quotas while that inquiry is going on is precipitate. Senator Wriedt said that the Commonwealth Labor Caucus would not lift quotas until Sir John Crawford had made his report. Yet our Minister has said that margarine quotas have nothing to do with the dairying industry! The taxpayers have given millions of dollars to the dairying industry over the years. Margarine quotas have been imposed for many years.

The Hon. T. M. Casey: Since 1940.

The Hon. C. R. STORY: And once again the industry has got itself a wheelchair when all it has wanted has been a walking cane. The dairying industry must be sure that it will not be forced again into a position where it is regarded as a hand-out industry. I believe that quotas should be removed in a proper and regulated manner.

The Hon. C. M. Hill: In a uniform manner.

The Hon. C. R. STORY: Yes. I believe that people ought to have as much poly-unsaturated table margarine as they want to have. I have discredited the amount of emphasis that the Minister put upon the plea of Mr. Cope. I have also discredited the contention that Senator Wriedt should now support the Minister's action. The Dairy Produce Board and the dairying industry have stated, in evidence to Sir John Crawford's inquiry, that they see real dangers in removing quotas immediately. If the Minister wants me to do so, I will recite all the details for him or incorporate them in *Hansard;* I want to make sure that he knows about them. Provincial Traders, a Queensland-based margarine company, had great difficulty in seeing the Premier of this State to put a case as to why quotas should not be removed. Eventually the company representatives saw the Premier, but it took some wangling. I have a copy of the company's submission and also a copy of the submission made by Allied Mills to Sir John Crawford's committee. I also have an opinion from Mr. Higbed, the Secretary of the South Australian Dairymen's Association. He believes that dairy blend should be given a go; I believe that, too.

The Hon. T. M. Casey: You are saying that Mr. Higbed does not approve lifting quotas?

The Hon. C. R. STORY: He is neutral. He does not support lifting quotas, but he is not opposing it all that much.

The Hon. T. M. Casey: What did he tell you?

The Hon. C. R. STORY: He thinks that dairy blend ought to be given a go. He does not have any great feelings either way. The Minister led the Council to believe that he had the support of the dairying industry for removing quotas. I have nothing from Mr. Higbed telling me I should not oppose this legislation; on the contrary, I have something to indicate that I should and that I am not doing anything wrong.

The Hon. T. M. Casey: You are not suggesting that what I said today was incorrect?

The Hon. C. R. STORY: I am suggesting that the Minister put too much emphasis on what people are told.

The Hon. R. C. DeGaris: Mr. Higbed may be worried about dealing with the Minister's possible threat.

The Hon. T. M. Casey: What is the Minister's possible threat? I should like to hear that.

The Hon. C. R. STORY: I hope the Minister will not be put to the test on that issue. I have had instructions on the attitude of United Farmers and Graziers of South Australia Incorporated. That organisation is trying to look after my interests. I have informed it that I will take full responsibility for what I do.

The Hon. T. M. Casey: What did they tell you?

The Hon. C. R. STORY: I do not want to embarrass the Minister. It would not be fair. It may not happen.

The Hon. D. H. L. Banfield: Let your head go!

The Hon. C. R. STORY: You asked for it! I try to spare the Minister as much as I can in not being nasty, because of the consequences. This is the note of a telephone conversation taken by my secretary, Mrs. Kelly. It states:

Margarine issue—

This is from the Secretary of U.F. & G.—

He would advise under the circumstances that, as the Minister is prepared to alter the date, possibly it would be as well to go along with him. The position is that the Minister is threatening not to allow the new blend butter-margarine to be released, in view of the alteration to the three Acts that has to be made. He does not think the issue is big enough to toss the thing out. As the date is to be altered he thinks this would be satisfactory.

That is Mr. Andrews, the Secretary. I am sorry I have had to put that in. It does not give the Minister much room for manoeuvre.

The Hon. T. M. Casey: I think it does, because I have never spoken to Mr. Andrews about margarine quotas.

The Hon. C. R. STORY: This was absolutely unsolicited.

The Hon. T. M. Casey: I think you have been spreading rumours again.

The Hon. C. R. STORY: I ask for a retraction of that remark, Mr. Chairman. The Minister has said that I have been spreading rumours again.

The Hon. D. H. L. Banfield: He said he thought you were.

The CHAIRMAN: The Hon. Mr. Story has taken exception to the remarks of the Minister.

The Hon. T. M. CASEY: I said, "I think the honourable member is spreading rumours again", and I cannot see anything wrong with that. Worse things than that have been said about me.

The Hon. C. R. STORY: I take exception to it.

The CHAIRMAN: The honourable member has taken exception. Will the Minister withdraw the imputation?

The Hon. T. M. CASEY: As an officer and a gentleman, I shall do just that.

The Hon. C. R. STORY: I appreciate what the Minister has done. I do not want this debate to be lowered to the point where people who read it might think there was some substance in what the Minister has said. I am not in the habit of spreading rumours. I say again that I have been pushed a bit to read out what came to me. I had not contacted U.F. & G. for three weeks. I did not contact Mr. Higbed, either, but it is a coincidence that today, just before the Bill came on, I got a ring from both people. Nor did I contact Mr. Cope of the oilseed growers, but I got a message from him. It would appear that someone is stirring the possum. We should get the position straight.

I went to some trouble to write to people in South Australia connected with the industry, setting out what I believed to be the situation. Mr. Higbed called on me a week or two ago and the Secretary of U.F. & G. has written me a note.

The Hon. T. M. Casey: Is this as a result of the letter you wrote?

The Hon. C. R. STORY: Yes, as a result of that. I had a communication from the Dairy Produce Board, which acted for the dairy section of Southern Farmers and also, I think, for Amscol. However, I did not have much more. We have a nucleus seed industry in South Australia, just getting off the ground. The industry is composed of safflower, sunflower, linseed and rape seed. Safflower and sunflower, yes; poly-unsaturated, yes; rape, saturated. It also has a uric acid content, which is not good in relation to cholesterol and kidney complaints, and a folic acid content, which is detrimental to health.

The authorities in Canada are so seized with the importance of the situation that the equivalent in that country of our Institute of Medical and Veterinary Science has specified a percentage (11 per cent, I think) of folic acid in any component for human consumption. The Australian authorities have recently suggested 1½ per cent. As rape seed has more than 30 per cent uric and folic acid content, much work remains to be done in getting this seed crop as a poly-unsaturated commodity for use in margarine. Time and research are needed to establish the seed industry in South Australia. The Government has a large sum of money involved in the project at Brukunga. Two of our leading companies have a large sum involved, and the project should be given a go. Secondly, we have dairy spread, the Minister's baby. He came here, having conceived it, and he delivered it. We were proud to go along and help him, but we did not think the Minister would—

The Hon. T. M. Casey: You don't believe in Government policy. You just use the numbers—is that right?

The Hon. C. R. STORY: No. I am saying what will happen if we allow the lifting of table margarine quotas. That is because Unilever has the whole quota in South Australia. Other companies will not let Unilever have what must be about half the total quantity of margarine used in the State. They will try to get their share of the market. Anyone who does not know what margarine companies can do in advertising will find out. I went through it when I was Minister, and I know how they can wheel and deal in every possible way.

It is impossible for the new butter spread to be thrown on the market in those circumstances. That product needs 12 months nurturing to give it and the butter industry the opportunity to get off the ground. In the interests of the taxpayer, we should not lift quotas in one fell swoop. To do that could prejudice any report by the Crawford committee to the Commonwealth Government and give a false picture of the future of the dairy industry after June, 1976.

The Hon. D. H. L. Banfield: Tell us what you meant when you said the people of Australia were entitled to get as much margarine as they required.

The Hon. C. R. STORY: I repeat that people are entitled to as much poly-unsaturated table margarine as they like.

The Hon. T. M. Casey: You are changing it now.

The Hon. C. R. STORY: All except about 500 tonnes of the table margarine produced in Australia is poly-unsaturated.

The Hon. T. M. Casey: I know that. You took that from what I told you. You probably didn't know until then. Look at the *Hansard* report of what you said. The Minister of Health asked you why you changed.

The Hon. C. R. STORY: If that is what *Hansard* reports me as stating, I must have said it. I do not shilly-shally. If I did not check my proof properly and if that is there, I stand by it.

The Hon. D. H. L. Banfield: Tell us what you meant.

The Hon. C. R. STORY: What I meant was that the people of Australia were entitled to as much table margarine as they wanted to buy. I qualify that by saying that, in my opinion, table margarine, except for a very small amount, is poly-unsaturated, good medically, and available for people at the right price.

The Hon. T. M. Casey: Is table margarine, apart from poly-unsaturated, good for people?

The Hon. C. R. STORY: No.

The Hon. T. M. Casey: Is it detrimental to their health?

The Hon. C. R. STORY: I do not know that it is detrimental to their health.

The Hon. T. M. Casey: Why isn't it good for them?

The Hon. C. R. STORY: The medical profession in this country has done much research on it and the margarine people have assisted materially in providing funds to the Heart Foundation, and the medical profession has made various findings. Research shows that a large percentage of the population would be in better health if they changed their dietary habits and ate poly-unsaturated margarine and fried their eggs and fish in poly-unsaturated oils. That applies to people with a cholesterol problem or people who may be threatened by one. It does not mean that everyone must eat poly-unsaturated margarine and fry his food in poly-unsaturated oils, because everyone may not have a problem. Therefore, there is no reason to disturb the quota on table margarine, which is spreadable in every way.

The Hon. T. M. Casey: What do you mean by saying there is no reason to disturb it?

The Hon. C. R. STORY: Well, to leave it without a quota.

The Hon. T. M. Casey: Why? What if some people would like to have it? They can have cooking margarine now. It has less than 10 per cent oil. Wouldn't it be nice to have a product with 50 per cent oil and 50 per cent fats?

The Hon. C. R. STORY: I will get back to my argument. The fourth point I make is that the margarine legislation in this State is not presentable enough for the provisions to be repealed; the State would be thrown wide open to unquota-ed table margarine. I will explain that further. First, the present definition of margarine is hopelessly out of date; it dates back to 1940, when that definition was inserted primarily to deal with the use of cheap coconut oil and coconuts. It came in against the dairy industry from cheap labour countries, and Labor's great cry was that it was the black scourge. So the definition of margarine is out of date. What we have is a few lines in a regulation, and that is not enough. We have no definition of poly-unsaturated margarine in our legislation, and no proper provision for labelling. If we left this wide open, the people could be eating anything from axle grease upwards, because the margarine legislation would not prohibit it.

I said to the Minister the other day, and I stand by it, that he has not got his legislation in order; secondly, that if he gets his legislation in order, allows butter spread to get off the ground and the seed industry to get its feet on the ground, and then introduces a new Bill in an appropriate form and increases the quota for South Australia to the same percentage per capita as other people throughout the Commonwealth are entitled to, then I believe his whole purpose will be served; the rest of Australia will not be incommoded and, most importantly, the South Australian Minister will regain some credibility in the eyes of the other Ministers of Agriculture, because taking unilateral action in this matter will deliver a body blow to the Agricultural Council that could be responsible for its early demise.

Progress reported; Committee to sit again.

FOOTBALL PARK (RATES AND TAXES EXEMPTION) BILL

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

ADJOURNMENT

The Hon. A. F. KNEEBONE (Chief Secretary) moved:

That the Council at its rising adjourn until Tuesday, November 12, at 2.15 p.m.

Motion carried.

At 5.45 p.m. the Council adjourned until Tuesday, November 12, at 2.15 p.m.