LEGISLATIVE COUNCIL

Wednesday, October 8, 1975

The PRESIDENT (Hon. F. J. Potter) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS

GLENSIDE HOSPITAL

The Hon. C. M. HILL: Can the Minister of Health say whether the Glenside Hospital redevelopment programme, stage 2, which I understand involves three wards and expenditure amounting to about $6 000 000, has commenced? If it has not commenced, what is the commencement date and what are the reasons, if any, for any delay?

The Hon. D. H. L. BANFIELD: I know of no reason for delay. I do not think it is very long since the Public Works Committee brought down its report in relation to a go-ahead for the project, which has not yet started. If we get the Public Works Committee's report one day, we cannot start pouring the concrete the next day. Evidently the nurses at Glenside Hospital have contacted the honourable member, so I will tell him what I told the nurses: the project has a high priority, and it will proceed as soon as possible.

The Hon. C. M. HILL: Could the Minister tell me the approximate date on which work on the Glenside Hospital redevelopment, stage 2, will commence; if he cannot tell me immediately, would he be good enough to confer with his departmental officers and bring down a reply in due course?

The Hon. D. H. L. BANFIELD: The answer to the first question is "No"; the answer to the second question is "Yes".

BEEF

The Hon. J. R. CORNWALL: An article in this morning's press says that the Industries Assistance Commission has released its report on assistance to the Australian beef industry. Has the Minister of Agriculture seen the report and, if he has, can he say how the recommendations compare with those made by the South Australian Government to the commission? If the Australian Government accepts the report, does the Minister believe that it will be to the benefit of beef producers?

The Hon. B. A. CHATTERTON: I have not seen the report, but I read with great interest the article in this morning's press. I certainly reacted favourably to what was suggested in the article. Many of the Industries Assistance Commission's suggestions were similar to recommendations put forward by the South Australian Agriculture Department. I think the commission has recognised that the problems of the beef industry are temporary, and that it is therefore necessary to provide some scheme that will carry the industry through until market conditions recover. I was pleased to see that the commission did not recommend a subsidy, which I believe would create a permanent distortion of the industry and would not be of long-term benefit. The commission suggested a suspension of the 1·6c a kilo inspection levy; this suggestion was put forward by the South Australian Agriculture Department. Also, the commission suggested an increase in the amount of long-term, low-interest money for the industry. The South Australian Government has contributed $1 500 000 towards this scheme, and it is good to see that the I.A.C. is in favour of extending it. The other point mentioned in the press and another recommendation in the report was the suggestion that beef producers should be eligible for unemployment relief. It has long been a belief of mine that primary producers should be eligible for unemployment relief and social welfare benefits if they do not receive any income. However, many problems are associated with this in terms of the capital and assets generally that a farmer might have. I am glad to see that the I.A.C. has recommended action in this area, and I shall be interested indeed to see the details of the recommendations as to how the commission thinks such a scheme should be carried out.

EMERGENCY FIRE SERVICES

The Hon. R. A. GEDDES: I wish to direct a question to the Minister of Agriculture, and seek leave to make a short explanation before doing so.

Leave granted.

The Hon. R. A. GEDDES: The Australian Post Office telephone service, with the recently announced increases in rentals and charges across the board, is creating a serious problem for Emergency Fire Service headquarters in the general rural scene. Certain fire-fighting groups are discussing the possibility of reducing the number of telephones they have available, and that number is meagre enough in times of fire with automatic telephone exchanges. Is the Minister familiar with the problem? Can he say whether there is any possibility of taking up the matter with the Commonwealth Government to see whether subsidies (which were granted but which since have been taken off) could be reintroduced for this emergency service, or could the State give some monetary assistance in this regard so that communication, so necessary in time of fire emergency, will be as efficient as possible?

The Hon. B. A. CHATTERON: I was not aware of this problem. The E.F.S. has not contacted me, but I realise the great difficulty that could arise if the E.F.S., due to lack of funds, had to cut down the number of telephones. I am most grateful that the honourable member has drawn this matter to my attention, and I shall look into it to see whether the Australian Government is willing to alter its policy in this direction or whether any alternative source of funds could be found to make good the extra costs involved.

SUPERANNUATION

The Hon. J. C. BURDETT: Has the Minister of Lands a reply to the question I recently directed to the Minister of Transport regarding superannuation?

The Hon. T. M. CASEY: My colleague states:

A document known as *The Principles Governing the Transfer of the Non-Metropolitan South Australian Railway System to the Australian Government* was prepared and agreed to by the Prime Minister and the Premier. These principles provide under clause 10 ". . . that no employee shall suffer loss of pay or be otherwise disadvantaged by the transfer". It will be appreciated that there are many matters of detail which are necessary to give practical effect to the transfer and which have not been resolved. The Railways (Transfer Agreement) Bill, 1975, recognises this and provides for an interim period which will be utilised to complete all transitional arrangements which will be required, and this includes superannuation entitlements.

At this stage, because it is a very complex matter, the question of superannuation for South Australian Railway employees transferring to the Australian National Railways has not been determined in detail. The interim period referred to above will be used for this purpose and other matters of detail that need to be resolved. However, the honourable member can be assured that the current benefits enjoyed by South Australian Railway employees transferring to the Australian National Railways will be safeguarded by appropriate legislation, which may involve amendments not only to the South Australian Superannuation Act but also to the Australian Superannuation Act.

BANK CARDS

The Hon. ANNE LEVY: I seek leave to make a short statement before directing a question to the Minister of Health, representing the Treasurer.

Leave granted.

The Hon. ANNE LEVY: I draw attention to a letter published in yesterday's *News*, in which a lady wrote about the offer of bank cards by the South Australian Savings Bank. She states that she and her husband have a joint account with this bank. (Incidentally, her own salary cheques are paid into this joint bank account.) Nevertheless, the bank wrote offering a bank card to her husband only; it did not offer a bank card to her. Furthermore, her husband was advised that he could nominate other people who could operate on his account, although it was a joint account. The letter finishes with this comment:

Obviously, this bank classes women as inferiors who may only have bank cards to operate on their own bank accounts if their husbands give permission.

Will the Treasurer speak to the trustees of the Savings Bank about this matter, perhaps pointing out to them that such practices will become illegal once the Sex Discrimination Bill becomes law and suggesting the board modify these discriminatory practices immediately?

The Hon. D. H. L. BANFIELD: I will take up the matter with the Treasurer.

HILLS TUNNEL

The Hon. R. A. GEDDES: I seek leave to make a short statement before directing a question to the Minister representing the Minister of Transport.

Leave granted.

The Hon. R. A. GEDDES: In 1965, the then Leader of the Opposition in another place (the late Frank Walsh) made a statement in the hope that a railway tunnel would be constructed through the Mount Lofty Range from near Mitcham to come out near Balhannah, to produce a more efficient railway service through the Hills to the Eastern States. Recently, I have noticed in a report from the Minister in charge of railways that officers of his department have been looking at alternative schemes for upgrading the existing tracks through the Adelaide Hills instead of building this long tunnel. Such a scheme would eliminate bad curves and reduce the gradients. One point mentioned in the report by the Chief Engineer in the Railways Department was the suggestion that, if the railway line was electrified, enormous savings in the use of fuel would be achieved.

The Hon. N. K. Foster: The Liberal Party talked a lot about electric trams in Adelaide, when in office.

The Hon. R. A. GEDDES: Diesel engines, because of the gradients, use much fuel. Would it be economic, in the foreseeable future, for this railway system to be electrified for the purpose of achieving greater economy and efficiency?

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

FISHING VESSEL

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply to a question about a fishing vessel that I asked on September 16?

The Hon. B. A. CHATTERTON: I am concerned at inaccurate and emotional statements by the press which implied that officers of the Fisheries Department illegally boarded a fishing vessel and damaged its equipment. Reports by departmental officers involved in this incident indicate clearly that these officers acted entirely within their power under the Fisheries Act and that they identified themselves as authorised inspectors under the Act. The senior officer in the party produced to the captain of the vessel both his State and Australian fishing inspector's identity card. Trawl nets were rigged and prawns found on board, and I repeat that, when illegal fishing is suspected, fisheries officers have authority to direct a boat to port. In the case in question, I am informed that after some deliberation the senior inspector attempted to take the helm and stop the vessel, but the wheel was wrenched violently from his hands, and bruising to the inspector's abdomen resulted. I am therefore satisfied that, if damage occurred to the automatic pilot of the vessel, it could not be attributed to the departmental inspectors.

MOTION FOR ADJOURNMENT: TRAVEL SOCIETY

The PRESIDENT: The Hon. Mr. Burdett has informed me in writing that he wishes to discuss, as a matter of urgency, the need for an investigation by the Attorney-General of the affairs of Co-operative Travel Society Limited. In accordance with Standing Orders, it will be necessary for three members to rise in their places as proof of the urgency of the matter.

Several honourable members having risen:

The Hon. J. C. BURDETT: I move:

That the Council at its rising do adjourn until 1.45 p.m. tomorrow,

for the purpose of discussing a matter of urgency, namely, the investigation of the affairs of Co-operative Travel Society Limited in the interests of the members of that society. I emphasise that many of the society's members are working people and people of modest means, who are entitled to look to the Government for protection and assistance. It is important that I set out in detail the steps that I have taken in this matter. On August 7 last (and this matter has gone on so long that it is probably necessary for me to make it clear that it was August this year and not August last year or the year before), I asked a question in the Council. I think it will make an adequate basis for this matter if I read the question I then asked on August 7 (page 83 of *Hansard*). It is as follows:

I have been approached on behalf of a constituent regarding an investment made in 1971 in the Co-operative Travel Society Limited, whose registered office in South Australia is at Forrest Avenue, Valley View. The constituent and her son agreed to subscribe for 1 000 shares which, including premium, amounted to a subscription of $1 150, and also paid a membership subscription to the Australian Investors Social Progress League Incorporated of $60, making total payments of $910 to date, the balance outstanding as at February 20, 1975, being $300.

The Hon. R. A. Geddes: Is that $300 to the Australian Investment Company?

The Hon. J. C. BURDETT: To Co-operative Travel Society Limited. That is the organisation to which the balance of $300, as at February 20, 1975, was outstanding. I continued:

They have produced a number of circulars over the signature of W. Gunnarsson-Wiener, which are all couched in the most extravagant and sensational terms and deal with allegations and counter-allegations concerning attempts made to remove Mr. Gunnarsson-Wiener and his wife from the board of directors. Correspondence also discloses that there has been a recent change, without explanation, of the company's bankers. The constituent is naturally concerned for the moneys which have been invested and is perplexed and worried about what should be done regarding the

outstanding balance of $300. I am informed that the Co-operative Travel Society Limited is incorporated in South Australia under the Industrial and Provident Societies Act, and that it is believed that more than $1 000 000 has been raised in South Australia by the society for an alleged holiday tourist investment in Tasmania. From documents in my possession it seems doubtful whether or not the members of this South Australian society have any rights at all in the Tasmanian project. I am also informed that there are other associated societies incorporated here in South Australia. I suggest that the activities of this society and of some of the members of its board of management call for urgent investigation as a matter of general public interest, apart from the need to see what can be done for the constituent I have mentioned. Will the Attorney-General investigate this matter?

On September 9 (page 568 of *Hansard*), I said:

On August 7 last I directed a question to the Attorney-General expressing the concern of some members of Co-operative Travel Society Limited about the affairs of that society. I asked the Attorney whether he would investigate the matter. Some time has passed and I have not yet received a reply.

The Hon. D. H. L. Banfield: But you have been given certain information, haven't you?

The Hon. J. C. BURDETT: I am coming to that. At the moment, I am just referring to *Hansard*. Is that all right?

The Hon. D. H. L. Banfield: Very well.

The Hon. J. C. BURDETT: On September 9, I continued as follows:

I have written two letters to the Attorney, the first enclosing a copy of a letter from a former director of the society, which set out some useful information, and the second informing the Attorney that I had a considerable file of documents which I was prepared to make available to him, or any of his officers, on request. On August 27, I received a reply from the Attorney saying that the matter was being inquired into but, in the meantime, several approaches have been made to me by members of the society indicating their concern and providing further evidence that an investigation is needed. So that I can satisfy my constituents, I require an immediate answer to the question. Will the Minister of Health endeavour to provide this answer?

Subsequently, at the request of the Registrar of Companies, I made my file available to him. Later, when I became perturbed that I still had not received a reply, I spoke to the Minister of Health and told him that, if I did not get a reply, I would have to move an urgency motion. The Minister courteously (and he is always courteous) told me—

The Hon. D. H. L. Banfield: Thank you.

The Hon. J. C. BURDETT: I mean that. Subsequently, the Minister told me that the Attorney-General did not want to give an answer in the House but that I was at liberty to peruse the docket. I made the necessary arrangements, and perused what turned out to be an extremely informative docket on this organisation. The Registrar of Companies had reported to the Attorney-General that he understood a petition to wind up the organisation was about to be presented. Whether that has happened yet, I do not know. However, I know that members of the association have been concerned that they are being pressed for payment of the sum outstanding. I do not think the question whether or not a petition to wind up this society is about to be presented is a complete answer, in any case. I think I should get an answer to my question.

The docket included departmental memoranda to previous Attorneys-General, and I consider that these should be treated confidentially. In subsequent correspondence with the Attorney-General, I undertook not to disclose the contents of the docket in this Council or publicly. Of course, I intend to abide by that undertaking. I intend to read parts of the subsequent letters, and I trust that honourable members will understand that the parts of the letters that I omit are the parts that refer to confidential parts of the docket. If any honourable members doubt my motives in not reading them in full, they can ask me to table the letters. I remember that in the last Parliament some lively debates occurred in relation to tabling letters, which it was said had never been written.

The Hon. D. H. L. Banfield: It was proved.

The Hon. J. C. BURDETT: No; it was not. I subsequently wrote the following letter on September 19, 1975, to the Attorney-General:

Mr. Banfield recently informed me that you did not wish to give a reply in the House but that I was at liberty to peruse the dockets. Thank you for your courtesy.

I note in the docket that the Registrar of Companies recommends that an investigation under Part VIA of the Companies Act be not undertaken, apparently mainly on the ground that no criminal offence was committed.

However, I note the memorandum from the Crown Solicitor in June, 1973, when he said that in his opinion an investigation ought to be undertaken to inquire into the protection of the investment of members. He then pointed out that there was at that time no power to investigate, and recommended that section 383 of the Companies Act be amended to make Part VIA apply to societies registered under the provisions of the Industrial and Provident Societies Act. This legislative change was made late in 1973.

In my opinion the advice given by the Crown Solicitor in 1973 is still valid and now that the necessary power has been provided I find it extraordinary that it has not been acted on. I cannot agree with the Registrar of Companies. I cannot see that the fact that there is, so far, nothing to justify a criminal prosecution has anything to do with it. I should have thought that the extraordinary conduct of the two principal directors referred to in the report gives every reason to direct an investigation. I find it difficult to conceive much better grounds for an investigation. Many constituents are being pressed to pay the amounts alleged to be due. It is all very well to say that it is not the duty of the Registrar to advise investors as to whether to pay or not. But I do think that it is his duty, when the power is there and circumstances warrant it, to make an investigation in order to obtain the facts on which the members of the society can make a proper assessment. Members of the society are now being pressed for payment and the matter is urgent.

As demonstrated in the documents which I made available to the Registrar, legal steps so far have been ineffective and despite the proposed petition to wind up and the powers which could be exercised in a winding up I suggest the Part VIA was enacted for some reason, particularly where legal proceedings were unlikely to be effective, and I suggest that this is such a case.

Your Government has been most assiduous in amending the law to give various powers to protect consumers, some of which amendments to the law I consider to have been unnecessary or to have gone too far. The members of this society are, many of them, ordinary working people who cannot help themselves (except apparently by coming to a Liberal member of Parliament) and are in the same category as consumers. I find it astonishing that your Government which boasts such a lot about helping such people will not use powers which it already has to investigate this matter for the members of the society.

I will of course treat everything which I have seen in the docket as being confidential and will not refer to it in the Council or in public. I again thank you for your co-operation in this regard. I do, however: (*a*) urge an investigation; and (*b*) demand an answer in the Council on the next sitting day. I can see no reason why the answer cannot be so given.

Yours sincerely,
J. C. BURDETT

I received the following letter from the Secretary to the Attorney-General:

The Attorney-General has asked me to acknowledge your letter of September 19 requesting that an inspector be appointed to give this matter consideration.

On September 30, I received the following letter from the Secretary to the Attorney-General:

The Attorney-General has asked me to acknowledge receipt of your letter of the 19th instant and to forward herewith copy of reply received from the Registrar of Companies.

As the following was enclosed with the letter, I feel at liberty to read it:

It appears from comments contained in Mr. Burdett's letter of September 19, that he is under the impression that I have the power to institute an investigation into the affairs of a company under Part VIA of the Companies Act. Such is not the case; that power is vested in the Governor by section 170 of the Act.

In earlier reports I stated that I had discussed the matter with the then Minister, who finally decided that he was not satisfied that there were sufficient grounds upon which he could recommend that an inspector be appointed by the Governor under Part VIA. The appointment of an inspector would not, of itself, bring an end to the unsatisfactory state of affairs which is the cause of members' complaints. If an inspector is appointed, he may well discover that some or all of the directors have been guilty of misconduct, but such a finding would not disqualify the offending directors from holding office. The members of the society have, themselves, already achieved that result by passing a resolution removing Mr. and Mrs. Gunnarsson-Wiener from office, and in view of the fact that those directors have refused to accept the decision of the members, it seems to me that the obvious course would be to seek a court injunction restraining the deposed directors from continuing to act in the management of the affairs of the society. The board of directors, as freshly constituted, would then be in a position to conduct its own inquiry into the past conduct of the former directors, and if necessary, to take the appropriate action, whether by way of commencing a civil action or by reporting to the Crown any evidence of criminal conduct. However, for reasons that are not clear to me, solicitors acting for a group of members have advised those members that a better course would be to petition the Supreme Court for an order that the society be wound up. The petition has been prepared and is now in the hands of the petitioning members for their approval prior to being presented to the court early in October.

I share the concern held by Mr. Burdett for the members of the society, but unlike other cases where a Part VIA investigation has been instituted, those members have a remedy available to them and have taken steps to obtain that remedy. A special investigation would not achieve more than that; it would not absolve the members from paying the instalments on their shares, and in any event, the investigation would be a lengthy one and the inspector's report would be unlikely to be available for many months.

I would have thought that, in view of the pending petition for a winding-up order, the obvious course is to await the outcome of that petition. If the petition fails, the desirability of alternative action could then be reviewed.

Mr. Burdett has stated that legal steps taken by members have been ineffective. The only legal step of which I am aware was the passing of the resolution removing Mr. and Mrs. Gunnarsson-Wiener from office. In view of the refusal of those directors to abide by that decision, court action in one form or another is now necessary. That necessity would not disappear if a special investigation were undertaken.

Following receipt of that letter, I wrote the following letter to the Attorney-General on October 1:

Thank you for your letters of 24th and 30th September. We seem to be getting nowhere fast (or perhaps rather slowly). For some reason you do not seem to be prepared to enable the honourable the Minister of Health to give a reply in the Council.

I refer to the memorandum from the Registrar of Companies. I was quite aware that an investigation under Part VIA of the Companies Act must be initiated by the Governor and surely it is obvious that right from the outset I have been asking you to advise His Excellency to do just this. The Registrar has chosen to ignore—certain facts.

The Companies Act had been amended to enable an investigation to be carried out in regard to societies such as those incorporated under the Industrial Provident Societies Act. The letter proceeds:

No legal proceedings so far have been effective. Why was the Part VIA procedure extended to this kind of society by amendment if it was not intended that the power ever be used even in regard to the society which prompted the amendment? Come, come, Mr. Attorney. Please give an answer, and in Parliament, and immediately. Will you order an investigation or won't you?

The basic additional matters are these: the principal directors are still Mr. and Mrs. Gunnarsson-Wiener. They have been lawfully removed from office by the appropriate resolution of members, but they have refused to relinquish office; they still hold the reins. Groups of members sought legal representation, but the efforts of the solicitors were not in the event successful. Surely this is a case where the Government should step in. In the middle of this year, the first action was, as I have related in the letters, that the bankers were changed without explanation. Secondly, in the middle of the year, the bank account of the society, which had stood at $17 000, was reduced by one withdrawal to a matter of a few hundred dollars; over $17 000 was withdrawn without explanation. Land transactions that have taken place dealing with the assets of the society have been unexplained.

The Hon. R. A. Geddes: Land transactions in South Australia or in Tasmania?

The Hon. J. C. BURDETT: In Tasmania, where the assets were. I do not wish to say more about the land transactions, but they are highly suspicious, to say the least. One of the most worrying things is the call on members to pay the balances due by them in accordance with the rules of the society. A number of constituents have come to me recently. They have read the publicity accompanying the first question I asked, and they have been in touch with me since then. Their worry is, "What do I do? Do I pay the call or not?" The rules of the society provide that, if the call is not paid (and members are receiving threatening letters about this) then their shares may be forfeited; if they are forfeited the members may be sued for the calls, and that will end their obligation.

The worry numerous people have been expressing to me recently is as to what they should do. They do not know whether they should pay the call, in which case they will preserve the investment, if it is worth anything, or whether they should sacrifice what they have already paid. As honourable members will have heard from the question I asked in the first place, some people have paid substantial amounts. Should they sacrifice what they have got and allow themselves to be sued (and the threat is there to sue them) for the balance, be quit of the liability, and just kiss good-bye amounts in many cases of hundreds or thousands of dollars paid by ordinary working people for their investment? I am not in a position to advise them, because I do not know. I have no way of knowing at the moment what they should do in their own interests.

The investment may be worth something, and perhaps they would be better off to pay the call and have the investment, or it may be that they will eventually get nothing, that the investment will be worth nothing, and that they would have been better off to sacrifice what they had already paid, to pay up the call now due, and be quit of it, not paying anything more. This was the matter I took up with the Attorney and with the Registrar of Companies. Although the Registrar of Companies said in one memorandum that it was not his duty to advise investors about their investment, and while I accept that, surely it is his duty, where the power is there for the Government, to see that the investors are presented with the facts on which they can make their own assessment.

At present, because of the action of Mr. and Mrs. Gunnarsson-Wiener, because no proper reports are presented, and because these two people would not retire from office when lawfully removed from office, there is no way in which the members of the society or their advisers can have any knowledge of the position of the organisation.

It will have been noticed from the report that the Registrar of Companies refers to criminal offences. I am not concerned with criminal offences but with the ordinary modest people who have invested, in some instances, substantial parts of their savings in this society. I am concerned that they should have an opportunity to assess the situation, not being told by someone else what they should do, whether they should pay the amount for which they are being pressed, or whether they should not pay and have their shares forfeited, making themselves liable to be sued for the current amount of the calls, and for that to be the end of their obligation. I suggest that, at the least, it is the Government's duty in the circumstances to see that these people have this knowledge, that there be an investigation, and that they have the knowledge and a proper and reliable report on which they can base their future actions.

Many of the members of the society are people of modest means. They have grouped together and they have been to solicitors, attempting to take legal action, but the probable cost seems too great in comparison with the probable results. This was a case where the profession, unfortunately, was not able to give the proper remedy at a reasonable price to the people seeking that remedy. This is a case where the legal profession is unable to help, where the ordinary processes of the law do not help. It is a case where the Government should do something about the matter. I note that, in mid-1973, some members of the society went to the Government and made complaints similar to those made to me, and that an inquiry was then made. I note that, late in 1973, after these complaints were made, the Companies Act was amended. Previously, there had been no power for the Government to order an investigation into a society incorporated under the Industrial and Provident Societies Act. I say only this: complaints were made in mid-1973, and in late 1973 the Companies Act was amended to provide that the powers of investigation contained in Part VIA of the Act could be exercised in relation to societies incorporated under the Industrial and Provident Societies Act.

It may well be concluded that it was because of this society that that amendment was made. Be that as it may, the power is now there; it was not there previously. There is power to order an investigation. While I appreciate the points made by the Registrar of Companies as to the time and expense involved in such an investigation, what else can we do? Should we just throw up our hands and say there is nothing we can do? When we find an organisation such as this, where there is every appearance that hundreds or thousands of ordinary people have their investments in jeopardy, where those people do not know what to do about the pressing demands being made on them, should we just throw up our hands and say that we will do nothing? Or could the Government use the power that it has?

I am particularly perturbed about this, because the present Government has made such a big issue about consumer protection; it has claimed to be the first off the cab rank and that South Australia is a consumer's paradise. These small investors are in the same category as consumers. The Government has passed many Bills to give itself new powers to protect the consumer, and I just cannot understand why it repeatedly bedevils Parliament with Bills to give new powers to ensure the protection of the consumers when it will not use the powers it has. This is a case where many small people, and probably larger ones as well, are involved.

The Hon. R. A. Geddes: How many altogether?

The Hon. J. C. BURDETT: I do not know, but the total amount of money involved was $1 000 000. It was represented to me as being in excess of $1 000 000. I just cannot understand why this Government is always seeking more powers to protect people when it will not use the powers it has to protect people such as these. Even though it may be too late and they may have lost their investments, surely they are entitled to know whether or not they should pay the balance of the calls due; at least they are entitled to have the facts presented to them to enable them to make this assessment. They are entitled not to be left in the doubt in which they are now. I know about these doubts, because I am constantly being telephoned and receiving letters, and people are constantly calling on me saying, "We read what was said in the paper or saw it on television. What can you do about it?"

The Hon. R. A. Geddes: How much longer have they got before they pay these calls?

The Hon. J. C. BURDETT: They have been threatened already with legal action. I am sure we shall get a reply from the Attorney-General which will enable me to assess whether or not they should pay. For these reasons, I say this matter is most urgent and there is a pressing need for investigations and a report. I say also, as I have said all along, that the answer should be given in Parliament.

The Hon. R. A. GEDDES: I am sure the Council is grateful to the Hon. Mr. Burdett for bringing to its attention the problem of this Co-operative Travel Society Limited, which blatantly appears to be acting in a manner completely contrary to the meaning and interpretation of the Companies Act. We have heard the story, as it has unfolded this afternoon, of directors being voted out of office by the participating shareholders in the company and those directors failing to observe the vote; and of the fact that a group of the shareholders applied to go to the Supreme Court over this action and nothing has happened. All this makes it a complex problem, to which surely the Government is the authority in the State to give the answer, to create an investigation to clear the company, if it can be cleared, or to condemn the company if it cannot; and, in so doing, therefore, to provide the relief to the shareholders who have invested their money in the company from the worry and all the other problems connected with the matter.

As the Hon. Mr. Burdett has pointed out, this Government has established the reputation over some years now of introducing legislation to give consumer protection, so that the consumer would not be unfairly treated. Many new Acts or amendments to existing Acts have been made through the years, including legislation dealing with hire-purchase, consumer protection, door-to-door salesmen, secondhand car sales, builders' licensing, the Companies Act, and a whole host of other matters, with which honourable members are familiar; it has been the responsibility of the Government in its desire to protect the consumer. The simple definition of "consumer" in the Australian Labor Party's platform is the housewife, the wage-earner, the schoolchild, the 18-year-old leaving school and so easily being tricked into putting money into things he cannot

afford. In the words of the Hon. Mr. Burdett, the Government prides itself on being "first off the cab rank" in much of this consumer legislation; it has tried to be a help to those people it thinks should be helped—innocent, decent people that it believes should not be taken for a ride by the so-called ruthlessness of big business.

The fact that much of this protective legislation has made the cost of consumer services to everyone far higher is of little concern to the Government, and it does not concern this debate. Following the Hon. Mr. Burdett's being approached by a family that invested its money (some $1 100) in this Co-operative Travel Society Limited, a firm claiming to be establishing a holiday tourist resort in Tasmania, the Hon. Mr. Burdett, on August 7 (55 days ago), asked a question in this Council of the Chief Secretary, and, in spite of this exchange of correspondence, with which the Council is now familiar from the previous speech, no answer has been given to the Council and no satisfactory explanation has been given to honourable members why an investigation into the proper conduct of this company cannot be undertaken.

Again, the need is there to protect the consumer—an innocent family that has invested its savings in that company, believing that by so doing it would get some rewards by dividends or by some other financial gains as a result of putting its savings into something it believed was sound. Here is evidence of ruthlessess and of a snide business company making exaggerated claims to entice a family to invest in a doubtful venture, against which type of investment the Government claims it is the champion in providing protection. But there has been a great silence and a great deception from the over-worked Attorney-General about what is going on or what his intentions are. So who is being protected now? The innocent consumer is not. The Co-operative Travel Society Limited, with its shady directors who raised over $1 000 000 from the housewife's purse and the worker's pay packet, is being protected. Certainly, for the past 55 days, since the question was first asked by the Hon. Mr. Burdett, no action has been taken. Why? There can be only one explanation—the department concerned, the Attorney-General's Department, or the Registrar of Companies is fiddling while the investing public's money burns. Is this procrastination, or is it ineptitude, or is there something to hide in the exchange of views between these two departments? Why is it that shady companies with shady directors can get away with $1 000 000 of South Australians' money and no action is taken by the Government, which claims to abhor this sort of behaviour? So, I ask the Chief Secretary to treat this urgency motion moved by the Hon. Mr. Burdett as a request to the Premier, as Attorney-General, to see whether a reasonable and fair answer cannot be given for the benefit of those people who may be losing their money, for the benefit of the other shareholders who have taken an interest in the company, and for the benefit of those who uphold the principles of consumer protection on which this Government carries its flag.

The Hon. R. C. DeGARIS (Leader of the Opposition): One can always listen to the Hon. Mr. Burdett with a good deal of ease. He does research and presents his material well. In this urgency motion this afternoon the honourable gentleman has brought to the attention of the Council the activities of the Co-operative Travel Society Limited. He pointed out that involved in this society are many people who have made investments with that society. Some of the investments are small, while most of them are moderate. The reason for the motion is to bring before the Council the persistence of the Hon. Mr. Burdett regarding this matter. As he explained on August 7, when the matter was first raised, people involved with this society are approaching him concerned that they have had demands on them for further contributions. They have been threatend with legal action, and they are uncertain as to what they should do. Following the first question on August 7, a second question was asked in September, and the position of these people has not been alleviated in any way by any statement from the Government.

I understand the Hon. Mr. Burdett's concern for these people. I know that one person of whom he has spoken has already subscribed about $1 600. This person is a working person, and there is a demand current, and a legal action threatened, for a further $300. We know that the Co-operative Travel Society has recently changed its bankers; we know new investments have been made; we know queries have been raised as far back as 1973 in relation to the operations of this society; and we know that the Companies Act was amended to enable inquiries to be made in relation to the policies of societies under the Industrial and Provident Societies Act. We know these things have happened, yet nothing has eventuated from the requests and questions directed to the Government by the Hon. Mr. Burdett.

We also know that the society has, over some years, raised from the public over $1 000 000 in small and moderate investments, and I believe that it is necessary at least to let these people know what can be done and whether or not they are required under the law to meet this new commitment. I have much pleasure in supporting the views of the Hon. Mr. Burdett. I hope that the Government will take note of what has been said and that there will be some alleviation, or some inquiry, into the activities of this society.

The Hon. C. M. HILL: I wholeheartedly support the matters raised by the Hon. Mr. Burdett.

The PRESIDENT: Order! The time has expired. The Hon. Mr. Burdett.

The Hon. J. C. BURDETT: I ask leave to withdraw my motion.

Leave granted; motion withdrawn.

The PRESIDENT: Call on the business of the day.

DAIRYING INDUSTRY

Adjourned debate on motion of the Hon. R. C. DeGaris:

That a Select Committee of this Council be appointed to inquire into and report upon the effect on the dairy, margarine and other allied industries in South Australia of the amendments made to the Margarine Act, 1939-1973 by the Margarine Act Amendment Act No. 114 of 1974, which was assented to on December 5, 1974.

(Continued from October 1. Page 977.)

The Hon. B. A. CHATTERTON (Minister of Agriculture): I oppose the motion. I was somewhat disappointed last week when it was moved by the Leader, who I considered did not give sufficient reasons why this Select Committee should be established. The whole question of the abolition of margarine quotas was thoroughly debated in this Council about 12 months ago. The Hon. Mr. Story, who was at the time shadow Minister of Agriculture, contributed to that debate and was present at the conference that took place subsequently. I believed at that time that all the issues were thoroughly canvassed, the positions of all the people concerned in the dairying industry, as well as consumers and everyone else's attitude to this move being thoroughly covered in that debate. So, any motion to establish a Select Committee should,

I think, be accompanied by evidence of what has changed in that situation—why there should now be a Select Committee and what new situation has arisen since the previous debate to justify such a committee being established.

I do not think that the Hon. Mr. DeGaris has produced that evidence or shown that a completely new situation should now be examined by a Select Committee. The only thing that could conceivably have altered is the attitude of certain interests in the margarine industry. I do not know whether the people concerned have been to see the Hon. Mr. DeGaris; they have certainly been to see me. I think we have a rather extraordinary situation where, at the time that the amending Bill was passed it was perhaps the dairying industry, especially in Victoria, that was most concerned, whereas I think that the margarine industry is now most concerned.

Smaller to medium-size margarine companies have a share of the table margarine quota, and these companies are now concerned that they will have to face competition from other margarine manufacturers. Many of these people have been to see me, submitting that they will be in an open-market situation, competing with Unilever which, of course, is a multi-national company. I can sympathise with these companies, but I do not see that a system of margarine quotas is a particularly good instrument for stopping the actions of multi-national companies. I think problems involving those actions extend to many other areas of the economy, and margarine quotas do not seem to me to be relevant to those problems.

I think the compromise that was reached in the conference that took place last year, when this Bill was passed, was a reasonable compromise. I think the industry has had time to deal with the situation, the time scale having been laid down in the amending Act whereby quotas in South Australia would be phased out. In each quarter there was to be an increase in quotas until January 1, 1976, when they would be abolished altogether. I think that time table was a very good one, and one that gave the industry time to adjust, although I think that many people in the industry ignored that. However, they were given every possible opportunity, and I do not see why the situation should be changed now.

Reference has also been made in the debate to the Industries Assistance Commission, which is inquiring into the dairying industry. If one examines carefully the terms of reference of that inquiry, one will see that it is not the general inquiry that some people seem to imagine it is: its terms of reference are such that the inquiry is examining the matter of assistance levels for the industry. If the inquiry adheres closely to those terms of reference, its report could be short indeed. Its terms of reference will not enable the inquiry to produce a blueprint for the dairying industry that some people seem to imagine it will.

Finally, I think the whole purpose of establishing a Select Committee is dubious when it can report to the Council only. There is no Bill before us on which it can report, so that the whole ambit of the proposed Select Committee would be limited indeed, as well as misleading to the people in the industry, who often do not understand Parliamentary procedure. Certainly, they have not exhibited to me such an understanding when they have had discussions with me: they have thought that the quotas would be abolished by regulation or proclamation. However, that is not so: it is laid down in the Act. If a Select Committee was appointed, it would mislead the industries concerned, which would spend much time and effort sending their executive managers to appear before the committee; it would have no Bill on which to report and nothing concrete on which to work. For those reasons, I oppose the motion.

The Hon. M. B. CAMERON: As yet, I have not been convinced of the need for a Select Committee. Indeed, it seems to me that the Minister has advanced some persuasive arguments against the appointment of such a committee, particularly when one realises that this whole matter has been the subject of lengthy debate in this Council and that it was, of course, the subject of a Bill that was debated in the Council at great length, as I recall, over some time. In fact, I cannot think of any argument that was not put forcibly by the Hon. Mr. Story, who was the shadow Minister previously. He certainly took every point to its final conclusion.

The time to appoint a Select Committee would have been at the stage when the Bill was before the Council previously and, as the Minister has said, unless a Bill is before the Council, I fail to see how any report made by a Select Committee will have any effect on the procedure of the legislation. A time table has been set and, unless the Minister has a change of heart on the matter, margarine quotas will be lifted. Frankly, I support the lifting of quotas, as I think that they are no longer necessary. I do not know of anyone who cannot buy margarine at present. This subject has been canvassed thoroughly, and I do not see how we will achieve anything now by appointing a Select Committee.

I am surprised to find that some members of my group have been approached by the Margarine Manufacturers Association, which has requested that this legislation not be brought into force. This is an incredible about-face, as I am sure that all honourable members were canvassed previously by manufacturers asking to have the quotas lifted. This went on for some time, and every publicity trick in the book was used to get our quotas lifted. If manufacturers now want to change their minds, I am slightly startled by their ability to do so. Frankly, I would not agree to this course of action. I will listen with interest to the remainder of the debate, if there is to be any. Certainly, my present attitude is that the appointment of a Select Committee will achieve no purpose and that, in fact, it is a little late to take this action, anyway.

The Hon. J. C. BURDETT: It seems that previous honourable members who have spoken in the debate today have forgotten that all that is being sought is the appointment of a Select Committee to inquire into the effects that the legislation will have on the dairying and margarine industries in South Australia. That is all. I should have thought that, if the other honourable members who have spoken today had recalled what the Hon. Mr. DeGaris said when he moved the motion, they would see that there were adequate reasons for inquiring into these effects. That is all that is being asked for.

The Hon. T. M. Casey: What are the reasons? Did he give any?

The Hon. J. C. BURDETT: He did.

The Hon. T. M. Casey: Well, what were they?

The Hon. J. C. BURDETT: The honourable Minister can read *Hansard*.

The Hon. T. M. Casey: I have, and I couldn't find any.

The Hon. J. C. BURDETT: The reasons are there. Briefly—

The Hon. T. M. Casey: I'll say they were brief: I couldn't even find them.

The Hon. J. C. BURDETT: I will briefly recapitulate, if the Minister cannot find them. I suggest this happened because the honourable Minister could not read the numbers.

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

The Hon. J. C. BURDETT: The reasons are in *Hansard*, and they were stated clearly. One reason, which I should have thought would be compelling to the people of South Australia, was that, if the Act came into force in this State on January 1, and similar legislation did not come into force in the other States—

The Hon. T. M. Casey: Now we're different. You were talking about South Australia originally, but now you are talking about the whole of the Commonwealth.

The Hon. J. C. BURDETT: It is necessary to do so. As the Minister's colleagues are so fond of saying, we are part of one country.

The Hon. T. M. Casey: Let's keep on the track.

The Hon. J. C. BURDETT: I am keeping on the track.

The Hon. R. C. DeGaris: I wonder what they're concerned about.

The Hon. T. M. Casey: No-one is concerned.

The Hon. J. C. BURDETT: It could have happened (and we have hoped that it would happen) that during the past 12 months uniform laws would be passed in the other States. I understand that it was always intended (and it was obviously sensible) that when margarine quotas were finally phased out it should happen all over Australia at about the same time. Although it is true that about 12 months has elapsed since the Bill passed, surely the Hon. Mr. Story and everyone else at that time had every reason to believe that the Government was acting in the belief that the other States would phase out quotas at about the same time.

The Hon. T. M. Casey: You've got to be joking.

The Hon. J. C. BURDETT: I am not joking.

The Hon. T. M. Casey: I say you are. You wouldn't know. You wouldn't have a clue!

The Hon. J. C. BURDETT: Apparently, the Minister does not know. He made a mistake.

The Hon. T. M. Casey: I do know. I was there when the decision was made.

The Hon. J. E. Dunford: You can't trust the Liberal Premiers in the other States!

The Hon. J. C. BURDETT: Surely, with a commodity such as this and also with butter, which can be so readily transported from State to State, where there are competing commodities, and where there has until now been a quota on one of the competing commodities, namely, margarine—

The Hon. T. M. Casey: Table margarine?

The Hon. J. C. BURDETT: Yes. Surely, when those quotas are to be removed, it is necessary that they be removed in all places at the same time.

The Hon. T. M. Casey: What's the necessity?

The Hon. J. C. BURDETT: If the Minister reads what the Hon. Mr. DeGaris has said, he will see good reasons.

The Hon. T. M. Casey: He didn't give any reasons.

The Hon. J. C. BURDETT: Yes, he did.

The Hon. T. M. Casey: It took him a long time to say very little.

The Hon. J. C. BURDETT: I predict that—

The Hon. T. M. Casey: Have you got a crystal ball there?

The Hon. J. C. BURDETT: Surely I am entitled to speak. I am not like a certain former member of another place: I do not claim to have a crystal ball. I am entitled to make predictions, and I predict that South Australia will be flooded with Victorian butter. It will happen to a much greater extent if margarine quotas suddenly come to an end. The people who will suffer will be the relatively small producers of table margarine. Of course, the housewife must be considered. I believe in consumer protection, but I believe in the protection of all sections of society.

The Hon. J. E. Dunford: With you, private enterprise comes first.

The Hon. J. C. BURDETT: No. The whole community comes first. The Government exists only to serve the consumer and the producer. The people who will suffer will be the South Australian dairymen, the South Australian producers of table margarine, and the South Australian farmers who grow sunflower and safflower. Contrary to what the Minister of Agriculture suggested, the Hon. Mr. DeGaris was asking only for a Select Committee. No-one is saying that margarine quotas should be continued indefinitely. We know that they must be phased out. This is accepted by the dairying industry, the South Australian margarine manufacturers, and the section of the United Farmers and Graziers that produces sunflower oil and safflower oil, but they complain that there could be an adverse effect on these three industries if the quotas come to a dead end on January 1, 1976, and if the quotas do not come to a dead end in the other States.

It seems to have been forgotten that all we seek is a Select Committee to ascertain what will be the effects on the industries if the quotas come to an end on January 1, 1976. It has been said that there is no Bill before the Council, but honourable members know that many Select Committees have been set up on issues that have not been directly connected with a Bill before the Council. Sometimes, Select Committees have dealt with general matters, such as capital taxation and Aboriginal affairs. We are simply seeking a Select Committee, which would not be very costly and would not take very long to investigate this matter, to enable people to give evidence if they consider that they may be unjustly prejudiced. This is not an amendment to a Bill. We are not seeking that the quotas go beyond January 1, 1976. We are simply saying, "Please let the people who are complaining air their grievances." For those reasons, I strongly support the motion.

The Hon. T. M. CASEY (Minister of Lands): I had not intended buying into this debate but, after listening to the Hon. Mr. Burdett, I suggest that he stick to law, rather than argiculture, because he does not know what he is talking about. This whole question of table margarine quotas has been discussed at Agricultural Council meetings for the last four years. Further, it has been bandied around in this Council for at least two years. In connection with the legislation passed last year by this Council, I think the Labor Party went along with what was suggested by the Opposition. So, there was nothing sinister about the whole measure.

The Hon. R. C. DeGaris: Who suggested that there was?

The Hon. T. M. CASEY: As long as 10 years ago a Select Committee into the dairying industry was set up. There is a copy of the report in the Agriculture Department and another copy, I think, in the Parliamentary Library. The report said that table margarine quotas should be

lifted. We will never get uniformity between the States on the lifting of table margarine quotas as long as we have big business pressures in the other States dealing with Liberal Governments; that is where the crunch comes.

I have had personal experience in connection with the lifting of margarine quotas up to a certain level. The biggest margarine company is Allied Mills, which controls nearly 60 per cent of the whole of the table margarine quotas throughout Australia; its factories are situated in Queensland, New South Wales, Victoria, Tasmania and Western Australia. It does not have a factory that had a margarine quota in South Australia, but I gave it a quota last year, when the quotas were going to be increased. Originally, the company could not get an increase in the quota because it did not have a quota in the first place.

The other two big manufacturers are Marrickville and Provincial Traders, which operate in New South Wales and Queensland. Another small company, Golden Nut, operates in Victoria. Also, of course, there is Unilever, a multinational company, but it does not have a quota in every State. The original firm with quotas in South Australia was Unilever, which had two factories here with similar quotas. When we got an increase of a sizeable amount comparable with our population in relation to that of other States, I was able to give quotas to other companies in South Australia. That was the only way in which it could be done. The dairying industry in South Australia does not produce sufficient butter for local consumption. We have been importing Victorian butter for years, but I do not think the Hon. Mr. Burdett knows that.

The Hon. J. C. Burdett: That is not the point.

The Hon. T. M. CASEY: To infer that we will be swamped by Victorian butter is so much hogwash, because that is where we are getting almost all our butter today.

The Hon. J. C. Burdett: How ridiculous!

The Hon. T. M. CASEY: If the honourable member does not know and will not be told, how do I get through to him?

The Hon. J. C. Burdett: What is the percentage?

The Hon. T. M. CASEY: We come now to the point of view of the oil industry. That industry came out last year (and so did United Farmers and Graziers of South Australia Incorporated) completely on the side of the fact that it would be much better and more profitable for the oil industry if margarine quotas were lifted. They were quite specific, yet the Hon. Mr. Burdett has said the oil industry would be adversely affected.

The Hon. J. C. Burdett: That is what they say now. Ask them.

The Hon. T. M. CASEY: Come on; let us be sensible. Table margarine, for the benefit of the honourable member who does not seem to know, consists of more than 90 per cent vegetable oil. Cooking margarine consists of more than 90 per cent animal fats; that is the difference. The more table margarine we consume, the better it is for the oil industry. It is as simple as that, and to imply that the oil industry will be adversely affected by the lifting of table margarine quotas is ridiculous. This matter has been canvassed for years. For the first time, South Australian people have been able to go to supermarkets and buy the brand of table margarine they want. They could not do that previously, and this is where we come back to looking after the people. Surely we should be doing that, and seeing that, if they want to buy something and it is readily available, they should be able to buy it. It was not readily available previously because, under the quota system, there was not enough to go around. The medical profession came out on the side of table margarine.

The Hon. N. K. Foster: One of the few times they were right.

The Hon. T. M. CASEY: This was canvassed over the past two years. I defy any honourable member to say that, if his doctor, as his medical adviser, told him to eat table margarine rather than butter, he would not eat table margarine. I am fully convinced about this. To my knowledge, the matter has been canvassed at Agricultural Council over the past five years, but uniformity will never be reached at Agricultural Council because the big businesses in the other States will not allow the Ministers of Agriculture in those States to agree. It is the pressure of big business, and the sooner we break this thing, as we will do under this legislation which was agreed to in this Chamber last year, the better it will be for everyone. I will not support the motion.

The Hon. R. C. DeGARIS (Leader of the Opposition): I am extremely disappointed in the attitude of the Government and of the Liberal Movement. I understood (and I do not say this nastily) when I moved the motion—

The Hon. N. K. Foster: Be pleasant, for goodness sake.

The Hon. R. C. DeGARIS: I am never otherwise. I was of the opinion that a Select Committee would be acceptable, but it does appear that there has been a change of mind on the part of the Government. It appears that the Liberal Movement has joined forces with the Government to prevent the setting up of a Select Committee to inquire into these matters. I did not speak at length in moving the motion for that very reason, because this Council knows, the Government knows, and honourable members know that there have been changes that could seriously affect the situation in South Australia. I should like to mention once again the reasons I gave for seeking the setting up of a Select Committee. As the Hon. John Burdett pointed out, it is only to allow evidence to be taken, and to give an avenue for people to put to Parliament their viewpoint on this issue. I gave the reasons. The Industries Assistance Commission is presently investigating matters relating to the dairying and margarine industries, and is expected to bring down a report on the matter this month. We know from information coming through that there is a strong possibility that the I.A.C. may make a recommendation somewhat different from the outlook in South Australia and the legislation on our Statute Book. I also said that, since the passage of the South Australian Bill, other industries, including those associated with dairy production and the manufacture of margarine, have expressed concern at the unilateral action intended to be taken in South Australia. I went on to say:

> For this reason, I believe an avenue should be provided to enable various opinions to be expressed. A Select Committee could assess the facts and information put before it and report its findings to the Council. In these circumstances, the appointment of a Select Committee seems to be the most effective and efficient means of allowing for this expression of opinion and to enable the facts to be assessed and reported on to the Council.

I believe the request for a Select Committee is a reasonable one, because dramatic changes have taken place in the industry in Australia since the Bill was passed. I should like to read from a submission made to the South Australian Minister of Agriculture regarding the delay in the abolition of margarine quotas. The submission was made on behalf of the Australian Dairy Industry Council and its constituent organisations: the Australian Dairy Corporation, the Australian Dairy Farmers Federation and the

Commonwealth Dairy Produce Equalisation Committee. I commend this document to any honourable member who cares to read it. It states:

For years the Australian dairy industry has been threatened with the prospect of removal of table margarine manufacturing quotas in Australia. It now appears that this position has effectively been achieved by your Government's decision to abolish quotas in South Australia from January 1, 1976. Although there has been a decision to abolish quotas in the Australian Capital Territory six months later, section 92 of the Commonwealth Constitution will operate to render all other State and Territory quotas ineffective after January 1, 1976. For a number of reasons, the Australian dairy industry is ill prepared to adjust to, and cope with this prospect becoming a reality within six months.

It is highly probable that the removal of manufacturing quotas in South Australia will precipitate a chain of events that will lead to an abandonment of the industry's "equalisation" structure and the creation of a cut-throat price competitive situation for dairy products in Australia. The South Australian dairy industry would suffer greatly should this eventuate. The following are factors affecting the dairy industry's ability to adjust to removal of table margarine manufacturing quotas:

(i) Current dairy industry marketing instability.
(ii) High stock levels of dairy products.
(iii) Uncertain export prospects for 1975-76.
(iv) Rapidly falling vegetable oil prices.
(v) Removal of Government bounty payments.
(vi) Restructuring of the dairy export authority.
(vii) Reduced industry promotion.
(viii) Delay in "Dairy Blend" production.
(ix) Industries Assistance Commission inquiry.
(x) Industry restructuring.
(xi) South Australian margarine legislation.

At the outset I wish to stress the point that the quotas have protected Australian margarine manufacturers in additon to the Australian dairy industry, but in this submission I intend to concentrate on the results the abolition of table margarine quotas will have on the Australian dairy industry.

There can be no doubt that the South Australian legislation will have an effect upon the dairying industry in this State and those industries associated with it. I know that some people, particularly those engaged in cheese manufacturing in South Australia, had no opposition to the Bill when it passed through Parliament but they have approached me and said that, because of changed conditions, the threat to the cheese industry of South Australia is grave, in the light of this legislation. If those changed conditions are there, why should not a Select Committee from this Chamber examine this matter and report to the Council? It would not be a committee that would take the Government to task. It would not do anything but give these people who have a case (as I believe they have) the opportunity to present their views to the Select Committee, which can report to the Council.

In this document, on page 10, I will quote the conclusions and recommendations. The Hon. Mr. Casey, an ex-Minister of Agriculture, said that table margarine was 90 per cent vegetable oil. He said that in this Council, and every honourable member heard him say it. The document states:

The fact that a South Australian margarine manufacturer can legally label his product "table" if its fat content contains only 10 per cent vegetable oil and the balance tallow—

not 90 per cent, as the Hon. Mr. Casey has just stated—will under section 92 of the Australian Constitution place him at great advantage compared to manufacturers in other States who have to conform to higher standards. For example, in Victoria table margarine must be made exclusively from vegetable oils, which are more expensive than tallow. However, despite any short-term moves to increase margarine manufacture in South Australia, this State would not maintain a margarine industry after quotas had been abandoned by other States. The South Australian margarine industry would be involved in importing the majority of its raw materials and exporting the finished products to the larger population centres. The South Australian cost disadvantage would be significant and it is almost certain that margarine manufacture would again become centred on the larger consuming States. Thus little benefit would be gained by South Australia, even in the short term.

Conclusion: The effects of the factors mentioned must inevitably be reflected in the political scene. According to the Australian Bureau of Statistics, there were 347 milk product establishments operating in Australia at June 30, 1973, employing 21 282 persons and paying $98 800 000 a year in salaries and wages. As at March 31, 1972 (latest published information); there were 51 021 rural holdings with milk cattle, of which 5 547 were located in South Australia. The action of the South Australian Government in removing quotas on the manufacture of table margarine as at December 31, 1975, will prove disastrous to the dairy industry. Pressures within the butter industry will significantly affect the cheese and market milk sectors of the industry, particularly in South Australia, which is geographically close to Victorian production areas. The year 1975-76 is one in which major policy decisions must be taken by the industry. Consideration of many of these will be disrupted by increased competition with margarine.

Recommendation: It is suggested that changed circumstances would justify the South Australian Government delaying the termination of manufacturing quotas on table margarine at least until June 30, 1976. This would then coincide with the stated intention of the Australian Government in relation to the Australian Capital Territory. It is recommended that this action be taken so as to minimise dislocation to the dairy industry during the 1975-76 season.

They are the reasons of which this Council should take some cognisance of. There are further changed circumstances that must be drawn to the attention of this Council—in relation to the skim milk market. We know that this market for export has collapsed and that in Victoria there will be, or there is now, a large number of dairy organisations with no market. Just as table margarine in this State can be manufauctured with 10 per cent vegetable oil and 90 per cent tallow and can be used, the position under section 92 is exactly the same: we shall have a flood of dairy products from Victoria to this State, which will seriously disrupt all our dairying industry. I am arguing only the fact that I believe this legislation will have a tremendous effect, in present circumstances, on the State of South Australia. It could eventuate that we could lose the equalisation; it could come to that. It could come to excessive price cutting, with all the ramifications of that occurring in the industry.

All I ask is that the Council provide us with a Select Committee so that the people involved (the cheese manufacturers, who previously were not involved, and the whole milk industry in South Australia, which will be involved if this happens in January, 1976) can air their views. All I am asking, reasonably, is that this Council establish a Select Committee to allow that to be the avenue for these people who are most concerned with the present position so that they can give evidence and Parliament can hear what they have to say. I hope that, even at this late stage of my appeal to the Council, it will accept my proposition to set up a Select Committee to allow that avenue for the collection of evidence to be set up and report to the Council.

The Council divided on the motion:

Ayes (7)—The Hons. J. C. Burdett, Jessie Cooper, R. C. DeGaris (teller), R. A. Geddes, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (12)—The Hons. D. H. L. Banfield, F. T. Blevins, M. B. Cameron, J. A. Carnie, T. M. Casey, B. A. Chatterton (teller), J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Majority of 5 for the Noes.

Motion thus negatived.

POLICE OFFENCES ACT AMENDMENT BILL

Second reading.

The Hon. J. A. CARNIE: I move:

That this Bill be now read a second time.

This Bill is not in the same form in which it was presented by the Parliamentary Leader of the Liberal Movement in another place. The Bill was amended by that place in a manner acceptable to the Leader of the L.M. and it is the amended Bill which I now introduce to this Chamber.

I present this Bill for two reasons. Honourable members will well remember the public interest which was aroused last year when the Government announced that mixed nude bathing would in future be allowed at Maslin Beach. The interest aroused was both for and against the proposal and raged for some weeks and then died. It is interesting to note that, more recently, when it was announced that a section of the beach at Lake Bonney in the Riverland could be used for nude bathing, no controversy eventuated. This seems to prove that the public as a whole were not very interested. My own belief is that, if people want to swim and sunbathe in the nude, provided they do not offend others, then they should be allowed to do so. I cannot see that others should be offended provided adequate notices are placed warning people that nude bathing is allowed in a certain area. Those likely to be offended need not go to such areas.

My first reason for introducing this Bill is that I believe that the Government was entirely wrong in the manner in which it declared that nude bathing was allowable. I do not believe that such a decison should be made by the Executive. It is a subject concerning the social and moral beliefs of the community, and as such should be decided in the forum of the community—that is here in Parliament. If any member holds strong views on this matter, he will now have an opportunity to express those views.

The Hon. R. C. DeGaris: You just denied one.

The Hon. D. H. L. Banfield: You are entitled to have a vote in this place. That's what it is all about. It's a numbers game. You had it for years.

The Hon. J. A. CARNIE: The second, and probably more important reason for introducing this Bill, is the belief among a large section of the legal profession that the Government's action did not make legal what was illegal before. This view has been supported by Mr. James Crawford, a lecturer in law at the University of Adelaide. Because it is in entire agreement with the point of view which promoted the introduction of this Bill I should like to quote from a broadcast which Mr. Crawford made on the subject. He said:

Some weeks ago the State Government announced that nude bathing would henceforth be allowed on part of Maslin Beach, and, as everyone knows, there has been quite a lot of nude bathing, and a lot more nude watching, since then. But is nude bathing really legal? Mr. Millhouse thinks that it isn't: Mr. Dunstan thinks that it is. Until now, prosecutions for nakedness in public have been brought under section 23 of the Police Offences Act, which reads, in part:

"Any person who behaves in an indecent manner in a public place . . . shall be guilty of an offence. Penalty: one hundred dollars or three months imprisonment."

The Government has not changed section 23, and Maslin Beach is still a public place. So why is something that recently illegal now legal? Mr. Dunstan has this to say:

Nudity is not indecent in law. There is a law against indecent behaviour and indecent exposure, but what is indecent depends on the standards of the community. Now, this means one of two things. The first possibility is that the judges who have been deciding that nudity was indecent in law have been wrong. But, if they are wrong then nudity is legal everywhere, not just at Maslin. Keep your clothes on—nudity is as legal as ever it was, in the absence of a judicial decision to the contrary. The second possibility is that the standards of the community make an exception for the south end of Maslin Beach. But what's so special about Maslin Beach? The point I'm making is that Governments can't just change the law simply by saying it's been changed. Chief Justice Coke pointed this out to James the First in 1610 when he said:

"The King by his proclamation cannot create any offence which was not an offence before, for then he may alter the law of the land by his proclamation in a high point . . ."

And our own Chief Justice, Dr. Bray, said the same thing in a recent case under a different section of the Police Offences Act:

"No Minister of the Crown or Government official can dispense with the provisions of a penal law without statutory warrant . . ."

Now Mr. Dunstan appears to be changing the law in a high point, or, in modern language, dispensing with the provisions of a penal law without statutory warrant. And in reply the Premier merely says that the offence depends on the standards of the community. This is true—the test for indecency is indecency according to the "sexual modesty of the average contemporary citizen", to quote Dr. Bray again. This decision is one for the judge or magistrate, and the standard is a general one. We don't have one standard for Kensington and another for Croydon. According to the law you must be clothed (however inadequately) in all areas—or, to put it another way, you've got to be adequately clothed in the important areas. Mr. Dunstan is not a judge or magistrate, and it's not his function to dictate community standards to judges and magistrates.

Well, what is the Maslin Beach residents' association to do about this? Mr. Millhouse suggests a private prosecution, but I think that could be difficult. Imagine asking one of the sunbathers—or should I say the no-bathers—to give his or her name and address and to pose for photographic evidence. One would invite a riot. Even if a private prosecution succeeded, probably no penalty would be imposed, and the prosecutor would be left to pay his costs. The proper answer is an order for *mandamus* against the Attorney-General to enforce the law. That worked in Blackburn's case in England in 1968, and I think it would work here. Personally, I'm in favour of nude bathing under controlled conditions—but if it's going to be done it should be done legally, and with proper safeguards. As it is, Mr. Dunstan's word isn't law—not, at least, unless he uses Parliament as his megaphone.

That sums up completely the second argument in favour of the Bill. At the moment there is at least grave doubt about the legality of nude bathing at Maslin Beach or anywhere where the Government may proclaim areas, and that situation should be corrected. Those are the reasons for introducing this Bill, which is simple and short. It provides a new section 23a in the Police Offences Act declaring that an act of being in an unclad state in an area reserved for such a purpose shall not be an offence. I believe that this clause will overcome any doubts that may exist as to the legality of the present situation. I commend the Bill to the Council.

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

STATUTES AMENDMENT (GIFT DUTY AND STAMP DUTIES) BILL

Adjourned debate on second reading.

(Continued from October 7. Page 1072.)

The Hon. C. M. HILL: This Bill is intended to amend the law to give effect to an election promise made by the Labor Party before the July 12 election. Honourable members will recall that that promise dealt with a remission of succession duty and gift duty in the event of a matrimonial home changing hands and the interest of a person in the matrimonial home being transferred to the spouse.

I do not oppose the Bill, although I raise two matters in my review of it. The first deals with the retrospectivity provided for in the Bill. Honourable members will see

from clause 2 of the Bill that it will come into operation as from July 14, which is the Monday after the election that was held on Saturday, July 12. I have raised this matter previously in the Council, and I have never really been satisfied with the replies that I have been given: that people were able, as from July 14, to apply for stamp duty remission in the circumstances outlined in the Bill. They were given that favour.

In my view, the Government was, in effect, acting outside the law at that time. In any case, the Government could never have been certain that it would be able to pass legislation to give effect to that promise. If it had been acting properly, the Government would have caused people to wait until the Bill passed through Parliament before giving to the people to whom I have referred the privilege of such remissions. I believe that the Government acted improperly in proceeding in this manner.

The stamp duties office was being reimbursed by the Treasury under a line within the Appropriation Bill passed by Parliament, which line was never contemplated for that purpose. I think the Government should be criticised for acting in that dictatorial and wrong manner. I believe that, if a precedent of this kind arises in future, the Government of the day, no matter which Government it may be, should wait until its actions are lawful before it puts in train a measure of this kind.

The second matter I raise relates to a point which was made properly yesterday by the Hon. Mr. Burdett and which has given rise to some concern in the community as a result of this Bill. I should like the Minister in charge of the Bill to reply to the queries that I raise under this heading. This matter concerns whether or not, in some circumstances, a person who makes a transfer of interest to a spouse to gain the benefits contemplated in the Bill will ultimately gain the full benefits, because there is grave doubt whether the estate of such a person will, in effect, include the interest that is transferred to the spouse. Perhaps I could explain my point by giving an example.

If, as a result of this Bill, a husband transferred the matrimonial home into his own name and that of his wife, he would do so expecting all the benefits that the Government had publicised would come to him under the legislation. He would be gaining the benefits of the gift and stamp duty remissions as contemplated in the Bill.

However, because the person involved still remained living in the house, the stamp duties office might well hold that, in the event of his death, that man had an interest in the whole property and that, therefore, because he had an interest as an occupant of the property, the amount of the succession would be the total value, and not half the value, of the property, as people are expecting will be the case.

If that is the situation, and the stamp duties office assesses the succession on the whole property after the transfer has been made to the spouse, when the transferor remains in occupation of the property after transfer, the benefits that people are expecting to get as a result of this machinery will be nowhere near as attractive as they think they will be.

The Hon. D. H. L. Banfield: What's your view regarding why they would be getting only half?

The Hon. C. M. HILL: Because the person involved would have only half interest in the title, although he was enjoying the full interest and benefits of occupation of the whole property.

The Hon. D. H. L. Banfield: So you wonder whether that gives him the full value?

The Hon. J. C. Burdett: Under section 8 (1) (*o*).

The Hon. C. M. HILL: As the Hon. Mr. Burdett has said, this arises under section 8 (1) (*o*) of the Succession Duties Act. Regarding comparable transfers of half interests in farm properties, it has been held that, where the deceased has enjoyed benefits derived from the property as a whole, although the deceased has only a half share in the title of the farm, because of such enjoyment of benefits, his interest for succession duty purposes has been assessed on total value, and not half value, of the property.

If one related those precedents to the situation in relation to matrimonial homes, for example, in metropolitan Adelaide, it would be wrong if people, acting in good faith on the advice of the Government of the day and as a result of this Bill, made transfers into their own name and that of their spouse, only to find later that the estate of the deceased person was assessed to include the total value, and not half the value, of the property.

I should like the Minister to inform me of the Government's view on this important point. It ought to be cleared up at this stage, as the public wants to know how it stands. I for one (and I know this applies to other honourable members, the Hon. Mr. Burdett having raised it yesterday) am being asked about it by my constituents. This matter ought to be cleared up, as it makes a great difference to the benefits that may be derived from the Bill. Also, it could be claimed afterwards that misrepresentation by the Government occurred if people got caught up in the manner to which I have referred.

The matter ought therefore to be examined carefully, and I ask the Government to reply on that matter before the Bill finally passes. Apart from those two matters, the Bill fulfils the general terms of the election promise that was made, and I therefore support it.

The Hon. R. C. DeGARIS (Leader of the Opposition): It is rather funny when one goes back in history and sees the emotional statements made to South Australians in 1970 and 1971 in relation to succession duties. At that time the Treasurer said, "I will close the loopholes in the Succession Duties Act used by wealthy people." What was one of the loopholes? It was the provision in the Act dealing with joint tenancy. The Bill was defeated twice, I think, in this Council, but finally the Government removed the joint tenancy benefit from the Act. Almost a couple of hours before the last election the Treasurer promised the people that he would reinstate a joint tenancy provision. To me, it is rather humourous that this Bill should be before the Council, because for years and years the Treasurer fought to remove the benefit, yet now he is trying to offer a bait to get people to put their houses back in joint tenancy. The bait will not work; there will be practically no transfers to joint tenancy under this provision, because there is really no benefit. If we asked lawyers whether they would advise their clients to use this provision to place houses in joint tenancy, they would say "No". So, this is a matter of window dressing: that is all it is.

People can transfer a house to joint tenancy only if it is on up to ·5 ha of land. This may be all right for a city person, but many blocks in the country and in the Adelaide Hills are 1 ha or 1·5 ha, and owners of such blocks will be denied the opportunity to benefit, if there is any benefit in the provision, which I doubt. A person living on a 40 ha farm would have to subdivide an area of ·5 ha to make the transfer, and we must take into account the cost involved in doing this. This Bill will be of absolutely no benefit; it tries to backtrack on the loopholes that the Treasurer supposedly took out of the legislation in 1971. I do not think the Bill does any harm, but it will not do any good. I support it.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Short titles."

The Hon. C. M. HILL: Has the Minister of Health, as Minister in charge of the Bill, a reply to the query I raised during the second reading debate?

The Hon. D. H. L. BANFIELD (Minister of Health): Yes. The question raised by the honourable member was: if a husband transferred a property into joint names and the husband then died, what would be the disadvantage, as far as succession duties were concerned, because the husband had continued to occupy the premises, a half interest of which he had transferred to his wife? The Government has looked at this matter and gives an undertaking that, if there is any doubt about it (and it thinks there is a possibility), it will clean this matter up in the succession duties legislation that will be before the Council some time this session, and then there will be no doubt that it will be only the husband's part of the estate, his half share of the house, that will be taken into consideration for succession duties.

Clause passed.

Clause 7 and title passed.

Bill reported without amendment; Committee's report adopted.

PRE-MIXED CONCRETE CARTERS BILL

Adjourned debate on second reading.

(Continued from October 7. Page 1073.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This Bill was introduced because of a dispute in the pre-mixed concrete industry about 12 months ago, following which some agreement was reached between the parties and the Minister at that time for a licensing system. It always appears strange to me that, whenever a dispute occurs, one of the answers always given seems to be related to another bout of bureaucratic control. This appears to be the only way that people think they can solve problems. If we accept the view that these controls are necessary, where do we draw the line? In some circumstances a licensing system probably should be adopted. Under existing legislation, there are many areas where licensing operates, and in some instances there is a reason for such licensing. A very good exercise that all members could do would be to look at our Statutes to see where we could dispense with the need for licensing. While a case may have existed some years ago for a licensing system in some areas, that reason may no longer exist.

The Hon. N. K. Foster: Give us half a dozen examples off the cuff.

The Hon. R. C. DeGARIS: I will not.

The Hon. N. K. Foster: You have not got any; that is why.

The Hon. R. C. DeGARIS: Occasionally a licensing system creates a capital asset. Licences themselves can become extremely valuable assets; for example, hotel licences, taxi plates, and prawn licences. It has always offended my sense of justice that a licence to provide a public service can suddenly become an asset sometimes worth a large sum.

The Hon. N. K. Foster: Do you mean licensing of trades?

The Hon. R. C. DeGARIS: For the honourable member's benefit, I repeat that it would be worthwhile for honourable members to go through our Statutes to look at our whole licensing system and see whether it is at present serving any useful purpose for the community; if it is not, it should be dispensed with. About 12 months has elapsed since the dispute in the pre-mixed concrete industry, and at present, as far as I know, there is no difficulty in the industry. So, it is difficult to see that this Bill is necessary. If the second reading of this Bill is carried, it will be necessary for many amendments to be made to put the Bill into reasonable shape.

The Hon. J. A. CARNIE: I oppose this legislation. I am against the whole principle of the Bill. To me, it is a case of further bureaucratic control purely for the sake of bureaucracy. Our whole lives are in danger of being controlled in every way by boards, committees, and regulations, most of which are entirely unnecessary, as is this Bill. What does it hope to achieve? It will not solve any problem there may be in the industry. Since the industrial unrest of about 18 months ago there do not seem to have been any problems of any magnitude. My main opposition to the Bill, apart from the fact that I do not like total Government control, is that control of the nature planned in this Bill will destroy any incentive for a company to become more efficient or to expand, because it will not be able to expand. If this Bill passes, the concrete-carting industry will become a closed shop. I know that members opposite want this to happen in most industries, but that is what will happen with the passage of this Bill. All competition will be removed.

Take the position of two companies, one licensed to have 10 trucks, and the other to have 15: no matter how efficient the first company may be, and no matter how many tenders it wants, it cannot expand. Indeed, there will be many cases where it cannot even lodge a tender, because it will know it does not have the number of trucks necessary to fulfil the contract. However, the second company, which under this licence is allowed 15 trucks, could always be the successful tenderer. All this system will do is create unfair competition. Because the licence is tied not only to the driver but to the company, there is total control by a Government board which will decide whether any expansion can take place in the industry and what direction it will take. It is a most unsatisfactory situation, and we must not create a position where there is no chance of efficiency and good management being reflected in company returns.

Certainly, owner-drivers need protection. They have a large capital outlay, and they have bought trucks because they want to succeed and be part of the private enterprise system. They should have the right to succeed by using their initiative and their ability. But this protection should be achieved by negotiation with the company, and not by the setting up of a board to lay down conditions. The Bill means the setting up of yet another Government department with officers, inspectors, and motor vehicles, which is totally unnecessary.

The Hon. N. K. Foster: Who wrote that for you?

The Hon. J. A. CARNIE: While I do not normally reply to interjections, I shall reply to that one: I write all my own speeches, always. If the Transport Workers Union and the Minister can keep their noses out of it, the industry will be able to work out its own problems. On that basis, and because, unlike some members on both sides of this Chamber, I believe that both employer and employees are responsible people, I oppose the Bill.

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

BEVERAGE CONTAINER BILL

Adjourned debate on second reading.

(Continued from October 7. Page 1087.)

The Hon. M. B. CAMERON: I support the Bill. Over a long period, public statements have been made on this

matter by various people, including the Minister who presented the Bill. It has been made plain in most of those statements that the Bill is aimed primarily at the litter problem in this State, especially as it affects the can industry. To clean up cans as litter can be done in one of several ways. The first would be to discontinue the can as a container for beverages; secondly, to discontinue the discarding of it by people who use it as a container; and, finally, to get the can picked up after it has been discarded.

It appears to me that it is the eventual intention of this legislation to achieve the banning of cans (in a round-about way) as beverage containers. If that is the purpose of the legislation, as I believe it is, it would have been more honest of the Minister and the Government to introduce a Bill to do just that, to ban the can as a beverage container. I would think more of the Government and of the Minister, and of his general purpose in the conservation of resources, which is the reason given for this, if a Bill had been introduced to achieve that purpose in a more direct way.

The Hon. N. K. Foster: That is an assumption on your part.

The Hon. M. B. CAMERON: It is not an assumption. If it is intended to control the discarding of cans as litter or to achieve the picking up of cans, there are several ways of going about that. The first, of course, is education. In the future I do not think we will see the same disregard for the environment as we see from the present generation. I know that there is a growing awareness among young people of the problem of litter in the community, and I am certain we are seeing a gradual growth of that awareness both through the excellent work of the Education Department and through the information appearing in the media on litter. There is a growing feeling amongst young people against the sort of disregard for the environment that has occurred in past generations.

The Hon. Anne Levy: Education on smoking hasn't had much effect on young people, has it?

The Hon. M. B. CAMERON: That is a matter of opinion. The second method that could be used to achieve the non-discarding of litter is by a fine system applied to people scattering litter of any kind, or especially cans or bottles, if the aim is to control the discarding of specific items. Another system is by the placing of a deposit on various containers to make them of some value so that people will be motivated by the money factor either to not discard them in the first place or to pick them up. As I understand it, that is the purpose of the legislation.

However, it appears from public statements that it is intended in this legislation and through regulations to get rid of cans by the use of discriminatory deposits. I do not find that a very acceptable method. I do not believe the Government should have the right to use this legislation to achieve a purpose, concerning which there is no statement of any kind by the Minister, so far as I have been able to find. I believe it is proper in this Chamber to amend the legislation to require an equal deposit on all containers affected by it. I suggest that we do not need to provide for a deposit of 10c, and that in fact a lower deposit would achieve what the Government is setting out to achieve. I suggest 2c, as I have said previously. I believe that will be sufficient to achieve the aim of getting these containers off the roads and beaches and away from the areas where they are normally discarded, also giving some motivation for people to stop to pick them up. It would not interfere with the present system of the collection or return of beer bottles through the marine enterprise depots and through voluntary organisations, because it is not placing sufficient value on them for people to put them in the backyard and keep them there, as happens with soft drink bottles. I have heard of people saying, "We have a tremendous amount of bottles with virtually no deposit on them." Soft drink bottles are kept in the backyard. People collect them in the backyard, where they accumulate; they do not throw them away.

The Hon. C. M. Hill: Sometimes they put them out with their garbage.

The Hon. M. B. CAMERON: Yes, but not so much as with beer bottles. Let us look at what the situation will be if we achieve what the Government wants—getting rid of cans altogether as a form of beverage container. If we achieve that, we will change the whole system back to bottles. Even if it is only 2c on beer bottles, the problem will increase enormously and, if anyone thinks it is satisfactory at the moment, I invite honourable members to come with me on a country road or to any beach and look at the results of the present system. Beer bottles are there in their hundreds; there is broken glass on almost every beach, and no honourable member can deny that that is the case. So, we shall get rid of cans to create an even greater problem that will not be approved of in the community—an increase in the number of bottles discarded.

Bottles are an almost indestructible form of litter. Most cans will eventually disintegrate, but not bottles. Recently, I looked at a hotel that was built in 1875 in the South-East and there were still the remains of bottles in good condition, ready to gash the feet of people. The condition of the glass was as good as it was when the bottles were dropped 100 years ago. If the Government administers this legislation improperly (as I believe it will) and uses a discriminatory deposit system to get rid of cans, I cannot support the Bill. If, however, the Government supports an amendment to bring in an equal deposit on all containers, I will support the Bill. I indicate also I shall be moving amendments for on-the-spot fines for the littering of drink containers. I ask the Government seriously to consider its motivation in introducing this Bill. If it wants to ban the can, it should withdraw this legislation and do it properly, not through the back door, as it is doing through this Bill.

The Hon. N. K. Foster: Would you support a Bill to ban the can?

The Hon. M. B. CAMERON: You introduce the legislation and I will give you my opinion then.

The Hon. N. K. Foster: Would you support it?

The Hon. M. B. CAMERON: Of course not, because inevitably we would have the same problem as I have already indicated, that we would have to change over to bottles, and I would not approve of that. However, if the Government introduces a Bill of that sort, it will be completely honest in its motivation. I support the second reading but my support at a later stage will be motivated, to a large extent, by the Government's attitude to amendments to be moved in the Committee stage.

The Hon. J. R. CORNWALL: A torrent of words has already been spoken, and I do not intend to add significantly to the verbiage. However, I shall comment briefly on part of the remarkable contribution of the Leader of the Opposition in this Chamber last night. We are often told by his colleagues what a great debater he is, what a brilliant mind he has, and how much he is to be feared

when he rises to his feet in this Chamber. Perhaps his contribution last night was not up to his normal standard. My impression was that he was speaking from notes that might well have been compiled by Hans Christian Andersen. He predicted all sort of dire consequences as a result of this Bill. Indeed, he compared it to an atomic bomb that hovered over the population. He said its effect on the community would be cataclysmic.

Let us put this in its proper perspective. Any effect on employment would be marginal; in fact, there is considerable evidence that there could be a small net gain. Then the Hon. Mr. DeGaris (he is not present at the moment but I am obliged to mention this) went on to talk about the great can fraud—counterfeit cans! Of course, that is ridiculous. Let us look at the facts. The cost of a manufactured can is 6c. Then, apparently, we use some international art forger imported at great expense to touch the cans up to make them look moderately "pre-owned", transport them 500 miles in the dead of night, avoiding traffic inspectors and the fraud squad along the way, and eventually collect the 10c bounty. The whole idea is preposterous.

Then, having spoken at great length, the Hon. Mr. DeGaris lifted the lid off Pandora's box, and out came the remarkable idea of a voluntary tax imposed by the beverage container industry on itself, which in practice means the consumer. It is unenforceable in law, on the Hon. Mr. DeGaris's own admission, and certainly on legal opinion; it does not cover any other parts of the packaging industry, but it is the answer of the great mind to the great problem.

We should look seriously at what the Bill sets out to do. In doing so, I have to mention some of the points raised by the Hon. Mr. Cameron. The Bill has two main aims. The first aim, obviously, is the reduction of litter and visual pollution; the second is the conservation of resources, which the Hon. Mr. Cameron did not touch on to any extent. The first aim is the more obvious and immediately commends itself to me and, I believe, to all sensible South Australians. It is so obvious and so attractive to any conservationist that it needs little discussion. Regarding conservation of resources, it is interesting to look at the Oregon experience.

The Hon. M. B. Cameron: Are you going on another world trip?

The Hon. J. R. CORNWALL: No. Briefly, going on a slightly different tack, I point out that the object was to reduce the beverage container component of litter in a State renowned for its scenic beauty and attracting many tourists. It was only after the legislation was passed that the results on resources and energy conservation were raised. The Hon. Mr. Cameron overlooked that point. The issue of resource use has since been examined and researched by many authorities. A reference source of particular value and relevance, to which the Leader of the Opposition referred last night, is the Report of the House of Representatives Standing Committee on Environment and Conservation regarding deposits on beverage containers, published in December, 1974, and previously quoted by the Hon. Mr. DeGaris. It is interesting to note the committee's comments on glass beverage containers; it states:

> The manufacture of returnable glass bottles in preference to non-returnable bottles and the use of returnable bottles as cullet in glass production and in other manufacturing processes at the end of their effective life would be an economic and environmentally acceptable use of resources and energy.

In deference to the Hon. Mr. Cameron, I say there has always been some problem with broken bottles, and I acknowledge this. Until the advent of the non-returnable bottle, however, it had always been traditional for beer bottles to be returned through garbage collection, charitable organisations in bottle drives, or marine dealers, and 90 per cent of standard beer bottles are still returned in this way for re-use or recycling. This is significantly higher than the deposit-bearing soft drink bottles. In view of this, there seems to be little point in interfering with the *status quo*.

The Hon. M. B. Cameron: You're satisfied?

The Hon. J. R. CORNWALL: I do not think it is an ideal situation, but I ask all honourable members to contrast the situation regarding bottles with that which exists regarding steel and aluminium cans. Fewer than 3 per cent are returned for recycling. A further point must be made regarding resource cost, which is another matter to which the Hon. Mr. Cameron did not refer.

The Hon. M. B. Cameron: Yes, I did.

The Hon. J. R. CORNWALL: Beverages in non-returnable containers cost about 2½c more a unit than beverages in returnable containers.

The Hon. M. B. Cameron: This is the key to the Bill.

The Hon. J. R. CORNWALL: It has been claimed that the introduction of this Bill will seriously affect beer and soft-drink manufacturers in South Australia. However, as the consumption of alcoholic and non-alcoholic beverages will almost certainly remain unchanged (and I can speak as a consumer of some experience; I am sure the Hon. Mr. Cameron would agree with this), I can see no valid evidence to support such a contention. I cannot see that it will directly affect breweries and soft drink manufacturers. The industry is concerned solely with interference to its plan ultimately to go to an all-can situation, which, of course, is a much more convenient method of packaging. Opponents of the Bill also point out that under section 92 all sorts of fiddling will be possible with cans manufactured and filled in other States. I have already referred to this. This argument is specious and is adequately covered by the Bill.

Only three significant points remain to be discussed at this stage, and they are all peripheral to the Bill. The first is resource recovery through municipal solid waste. All sorts of submissions have been made on this. At present, this is not practical in South Australia. Our technology is not sufficiently advanced, and operational costs are exceedingly high. The second matter is education. I certainly agree with the Hon. Mr. Cameron in this respect. In fact, my small daughter spent this morning with a party of schoolchildren on the beach collecting litter. She is only six years of age, and that is an excellent age at which to start. Public awareness and education are terribly important, although oversea and local experience has shown that they have never worked alone.

The third aspect is on-the-spot fines. Theoretically, they have much to commend them. In practice, they work well in small densely-populated areas such as Singapore. However, local government experience in Australia suggests that the value of on-the-spot fines may be limited. Admittedly, the ultimate fate of the can, as a result of this Bill, is an unknown factor. The Oregon experience shows that, despite a dramatic fall in sales on cans initially—

The Hon. M. B. Cameron: To what level?

The Hon. J. R. CORNWALL: One per cent—they stayed in the market and are now increasing their reduced share of it. On the other hand, it may well be that the

beverage can will virtually disappear from the market. Personally (and I stress that I am speaking personally), I would not regret the passing of the can. Its introduction to this country was a serious mistake and a notable contribution to the throw-away ethic that we seek to correct. I support the Bill.

The Hon. JESSIE COOPER: I rise to oppose the Bill and, in doing so, ask these questions: is the Government sincere in its intention; is it the Government's intention really to produce a cleaner, sweeter environment (if so, this Bill will not achieve that object); or is the Bill designed to make it economically impossible to use cans as beverage containers? Possibly, this is so, as the Hon. Mr. Cameron has said. Why not honestly say so?

It has been evident for a long time that there are many advantages in distributing beverages and other liquids in light-weight metal cans. They are non-fragile; they are completely sealed for the hygienic preservation of their contents; they have considerably reduced the weight of packing materials for liquids that must be carried on our transport systems; and they are easily brought to their correct temperature for consumption. However, it seems that all of these advantages are to be negated.

Why? Because a few bureaucrats want to revert to a container system that was popular last century, and are determined not to introduce anything in the nature of a penalty imposable on the untidy people who are today littering and degrading our environment.

Yesterday, honourable members heard the Jordan report quoted and misquoted. I now refer to a portion of the speech I made in March, 1974, when I said that the Jordan committee's recommendations for the reduction of litter and rubbish, which had been quoted elsewhere, were briefly, and in order of preference, the education of the public, fines and penalties for discarding rubbish in public places, and deposit arrangements on containers. I continued:

Why is this Government going out of its way to reverse the preference of the committee's recommendations? The Labor Party's antipathy to industry is possibly the reason for this backward thinking.

I believe that the Government's whole attitude to this matter is wrong. The Commonwealth Standing Committee on Environment and Conservation refused to accept this approach. In fact, the Chairman of the House of Representatives Standing Committee on Environment and Conservation, Dr. Jenkins, has said:

The committee recognises that a study of the problems associated with disposal of beverage containers in isolation from packaging and solid waste generally is unsatisfactory. Most countries of the world have refused to accept this approach. All well-controlled checks of roadside and picnic areas, and metropolitan rubbish and litter areas, have shown that only a small percentage of the bulk is beverage cans.

The only approach that has been successful in cleaning up litter has been to impose heavy penalties for the discarding of waste in public places. We have not tried this in South Australia, except to the degree that councils have power to prosecute for the dumping of rubbish in their areas. However, whoever heard of a country district council prosecuting its own electors for dumping rubbish up some by-road? If it were made a State offence, subject to a summary fine for discarding luncheon wraps, cigarette packets, plastic or plastic-covered cartons, cans, or any other rubbish, the education of the people in tidiness would be effected quickly and thoroughly. Last week the Lord Mayor of Adelaide spoke out loudly and clearly on this point. He said:

We won't begin to tackle this problem until we hit people in their hip pocket. And follow-up school education is important, because conscientious children can stop adults from littering. I personally believe bottles and cans are only part of the problem. We will not achieve a city as clean as Perth or Singapore until we start hurting people by threatening them with on-the-spot tickets to expiate fines for littering.

Every honourable member knows that the Lord Mayor's contention is true: people make litter, and only by penalising them will they become aware of their own untidiness, dirtiness, and general carelessness. Only a few days ago, on the beach at low tide at Port Germein, I watched a man and a woman in a red utility throw out on the sand luncheon papers, plastic cartons, one cigarette packet, and sundry bits of their lunch, and then drive off leaving a pile of mess for the tide to carry out to pollute the sea or adjoining beaches.

The proposed legislation has been bandied about for two years or more, always taking the same form; namely, virtually unlimited powers for some minor Government department, without any explanation being given to Parliament as to how it is to work in practice, how much it is going to cost, what the deposits are going to be, what items are to be included, or what size areas of responsibility are to be forced upon the traders and without any limitations on the harassment of individual traders.

This Bill does not define the amount of deposit charges, nor the amount of expense the traders may be forced to accept under the deposit system, nor the limits to the arbitary directive powers of the Minister regarding the establishment of the depots—all matters which are financially important to the success or otherwise of the system. It must be clear to honourable members that the deposits charged will not be the only increase in the price of a can of beverage. It must be clear that the method of collection envisaged in the Bill will cause an additional charge for the drink to cover the heavy overhead expenses of the manning and establishment of collection yards and the interest on the money involved in their purchase.

Generally, this Bill envisages a great addition to the cost of drink in cans, but I suppose it is quite normal for this Government to pretend to help the working man, but in fact to proceed to grab money at every opportunity. The family man with three or four children is going to pay most of the extra cost of this clumsy operation. Still, that is quite in keeping with other philosophies of the Labor Government, such as the recent Federal Budget's pretence at decreasing the income tax of the low-income earner and at the same time the decision to take back from him something over $200 000 000 a year by way of extra excise duty on his beer.

Let me mention another aspect of this planning to improve our environment! In most countries of the world we find that enlightened Governments have organised advisory committees for the improvement of social conditions, such committees being composed of representatives from a range of interested parties. For example, in most European countries, there are environment advisory committees or councils which contain representatives of the chemical manufacturing industry, the fabricating industry, local government bodies, and Government representatives, who pool their joint knowledge with goodwill and effectively resolve ways in which Government control might improve the people's life style. But not in South Australia!

Here, everything is done by some one-man's brain trust who adopts an attitude and refuses to participate in any effective consultation with other interested groups. We had

over the weekend another instance of this attitude reported in the press. Apparently the quality of life in Spencer Gulf cities is to be examined by a specialist Government-appointed committee with—guess what? No representation of anybody who lives or works around the Spencer Gulf area—just another example of the same dictatorial attitude by the same Minister and the same department.

We hear a great deal about Alberta and Oregon. What honourable members have been told is that those States are specialist areas that have some things in common: they are all mountainous States which are covered with snow in the winter and swamped by American tourists in summer. Those States depend on primary industry and tourism and have practically no secondary manufacturing industries. Those States introduced rather harsh laws on beverage containers because they hated the tourists littering their vast national park and forest playground areas. The damage resulting from their litter laws affected neighbouring manufacturing States. In the case of Oregon, the import of canned beverages from adjacent manufacturing towns virtually ceased.

The point will not be lost on honourable members that this Bill could cause our own South Australian workmen to suffer, not those in other States.

I object to this Bill on the ground, amongst others, that it is attacking only about 10 per cent of the litter problem. I suspect that it is a monstrous, cumbersome, ill-defined, and probably unworkable system conceived by the Minister and his advisers, whoever they are, and that it affects the cheapest range of drinks on the market, thereby increasing costs to the portion of the community that can least afford those costs.

I think that honourable members on the Government side of the Council ought to study South Australia's economic history. They would then discover that South Australia's wealth, when we used to have a lot of wealth in this State, came from primary industry and our manufacturing industry. They should then rethink their attitude to the manufacturing industry and realise that it produces the standard of living which they and the rest of the people in this State enjoy. The attitude which we have heard expressed so often recently is that anything to do with industry should be smashed and that anything that is an impediment to the economic functioning of industry is desirable.

I believe that the animosity to business and commerce generally expressed by honourable members of the Government Party should be reconsidered by the intelligent members of that same Party. In legislation, there is no merit in being first with the worst. I would strongly request the Government to shelve this clumsy Bill and to call together an advisory council composed of representatives from the Government and other interested parties charged with the duty of devising a worthwhile scheme for cleaning up the South Australian countryside.

The Hon. N. K. FOSTER: Far be it for me to be unduly critical of the speaker who immediately preceded me. However, I would consider that I was indulging in the utmost hypocrisy if I were in the same position as the honourable member and if I did not say to myself that, because of the interests of my family, I would not enter this debate. Clearly, the remarks of the honourable member would be open to question. I had hoped that reference would have been made in greater detail to the half-baked proposal put before us last night by the Leader of the Opposition, the Hon. Mr. DeGaris. However, I shall deal with that in more detail later.

No doubt it is more profitable for the honourable member who preceded me in this debate to deal in cans and to have no regard for the consequences. It is true, no doubt, as she says, that cans are more easily transportable. She puts a greater priority on the transport of a commodity from which her company derives profit than on the detriment to the ecology of the country in the ultimate sense. In addition, she weighs, of course, whether or not the type of container most favoured by her company will more readily meet the requirements of the palates of the people who partake of her company's products when she refers to the capabilities of the can as being more readily refrigerated to the desired temperature at which that beverage is consumed. She puts that at a higher priority than the menace of the can and all it means.

I understand from a recent press report (and I would appreciate correction if I am wrong) that the honourable member's company has an interest in the production of red wines. Would she suggest that those wines should go into cans? Of course she would not. Wines are often stored in metal containers, but most certainly not in the cans dealt with in this legislation. I must mention the allegation by Opposition members that, as a Government and as Government members, everything possible is done by the leaders of the Labor Party, both State and Federal, to murder and pillage and plunder big business. Honourable members may have from my office a record of the sums of money made available by way of direct grants and loans to secondary industries in South Australia. These loans and grants have been made in some cases to people who are managing directors and who are on boards of companies in and adjacent to Adelaide.

If one wished to express what they were in terms of wealth, one would refer to them as millionaires or perhaps as multi-millionaires, since the advent of decimal currency. They have been assisted in every way, shape or form. If honourable members were to go out to the North Road they would see companies there expanding more than any other companies on what used to be called the Gawler Road. They are expanding at a greater rate.

The Hon. J. A. Carnie: What has this got to do with cans?

The Hon. N. K. FOSTER: I am replying to a remark made by a previous speaker, and if the honourable member had had his head out of the paper and had listened to the good woman when she spoke he would know what I mean. I am getting rid of the accusation that we on this side, as members of the Government, do anything to damn industry. Under the Prices Justification Tribunal, set up by the Labor Government, the Broken Hill Proprietary Company Limited has had more increases in the price of steel, the raw material used in cans, than ever it was game to ask for in its own right. I will not qualify that any further. My personal opinion would be that, if I had been sitting on that tribunal, I would have needed to satisfy myself of the justification of the claim. Although that may be to some extent irrelevant to the Bill, I think it is my right to answer some of these stupid remarks before I comment on the Bill.

I turn now to some of the matters raised last night by the Hon. Ren DeGaris. He is a myth, this fellow. He comes into this place with his constitutional legal points, and he had the hide to stand here last night grandstanding in front of people from the House of Commons. He did not have the decency or the good sense in the course of his remarks to pay due regard to the presence of people representing a Chamber in the United Kingdom that has

done more in a legislative sense in relation to the ecology and the cleansing of the rivers and of the air in the United Kingdom than has been done in any comparable country. I have not seen in *Hansard* today that the Leader of the Opposition, who wanted to address himself to this Chamber last night, in their presence even acknowledged that he was speaking on a measure that had in some way to do with the ecology.

He talked last night about the matter of tax. The man is mad, with all due respect. He said last night, dealing with the tax aspect, that the Prime Minister (so he thinks) would acquiesce in the decision of a committee of the current Constitution Convention that certain powers should be ceded by the States to the Comonwealth on this matter. Hell! How hypocritical or how stupid can you get! The very conference that preceded this debate and his remarks in this Chamber was boycotted (or a total ban was imposed on it) by Queensland, New South Wales, Victoria, and Western Australia.

The only Liberals present were from this State, except for the last day when someone from the Liberal Party in Victoria crawled from the woodwork or from beneath the kerb in the street and came to the convention. Competition exists on that side of the House in one-up-manship. Fraser of the Federal Liberal Party got them to indulge in that practice during the course of the Constitution Convention in Melbourne a short time ago. How could the Hon. Mr. DeGaris stand in this Chamber and say that he could achieve that sort of an understanding for the purpose of a referendum before the people of this country when he knows damn well that most referendums are defeated? He knows damn well that what he said last night did not come from a policy statement of his Leader or from the committees or from the shadow Cabinet of the Opposition. His own colleagues sitting on that side of the Chamber were not aware of his plan, his plot, or his proposal, call it what you like. The Hon. Mr. Hill is sitting there with a glum look, confirming what is in my mind: he knew nothing about it until the Hon. Mr. DeGaris mentioned it last night.

Has the honourable member forgotten that the Bank of New South Wales set itself up in this city in relation to a referendum in the latter months of the year before last (or was it last year?) to squander $50 000 a day to tell people about the Canberra octopus in relation to the referendum and did untold damage, because the referendum was defeated? Let us go back a few weeks or a few months. They do not want to support indexation, and all sorts of other things. Maybe I have gone a little wide of the mark in discussing this Bill. I am being honest with members on the other side. Let me deal now with the forerunner to this debate. One must stray from the Bill for fear of being accused of repetition, which has resulted because this Bill has been debated in the other place a few days ago, and in this Chamber when the matter was previously before it. In the *News* of September 17—

The Hon. M. B. Cameron: But—

The Hon. N. K. FOSTER: You have started again. You have got an interest in Coca-Cola, haven't you? One of your principal candidates in the recent election has a managerial position with Coca-Cola. Am I right?

The Hon. M. B. Cameron: That is a very unfair remark.

The Hon. N. K. FOSTER: Perhaps the Hon. Mr. DeGaris would answer that on behalf of the Liberal Movement. Did the Liberal Movement not have a candidate?

The Hon. M. B. Cameron: I will not answer that.

The Hon. N. K. FOSTER: Of course you will not answer. Members opposite forget these things. They put things in print in an election campaign that someone may chance to remember—and that is not the only thing, either, because I will deal with the Liberal Party in a moment. We were told in the *News* of September 17 that Coca-Cola Bottlers would close its Port Pirie plant. Suddenly, the company says, "Well, we will not tell you what our business ramifications are, or where they lead to." It will not tell people how much interest John Martin's has in Coca-Cola Bottlers. The fact is that these people attempted to blackmail, because they said, "We will sack people in Port Pirie."

The Hon. F. T. Blevins: They didn't give a damn.

The Hon. N. K. FOSTER: They didn't give a damn about that fact. These people are there all the time; they will not go away.

The Hon. J. E. Dunford: You may get a trip to America.

The Hon. N. K. FOSTER: I would rather go to Bali.

The Hon. C. M. Hill: Have you had your vaccinations yet?

The Hon. N. K. FOSTER: No. They say they are not necessary now.

The Hon. C. M. Hill: They want some wild boys in Timor.

The Hon. N. K. FOSTER: As I say, Coca-Cola do not give a damn about the livelihood of people when they swallow up companies all around the world. This company was not allowed into Greece, because it would have been a danger to the local beverage and food industries. In fact, it would not be a bad idea if it was not operating here—the fruit industry would be better off. Automation, mechanisation, and things like that (we can all name them) displace business people and workers, and then suddenly these people find an interest in the rights of workers!

At the last debate, there was a man, Mr. Honeysett, who was an executive director of the Packaging Industry Environment Council and we saw the huge one-page advertisement, for the public to be informed about what this Bill would do and which costs would increase. He decided to run a more subtle campaign on this occasion because he wrote to a Mr. Stephen Marlow, who is employed by a public relations firm in South Australia. That public relations firm is owned by a man called Ron Berryman, who was a Liberal Party candidate at the last State election for the seat of Unley.

The Hon. C. M. Hill: And a very good one, too.

The Hon. N. K. FOSTER: I wonder whether he was the same man. I was going to apologise if I was misinformed.

The Hon. C. M. Hill: We are proud of him.

The Hon. D. H. L. Banfield: He was a candidate for Unley, but he was a born loser in that district.

The Hon. N. K. FOSTER: At any rate, he was a candidate for the Liberal Party.

Members interjecting:

The PRESIDENT: Order! The honourable member will return to the subject matter under debate.

The Hon. N. K. FOSTER: The subject matter of the Bill was something that Mr. Honeysett had a direct interest in. Is it not my right to mention the fact here today that this fellow, Brigadier Honeysett, is an executive director of the Packaging Industry Environmental Council? Let me get to a conclusion about this man, who was a go-between

Berryman and Company, a man who suggested that Honeysett go over to meet the Executive of the Australian Labor Party and coerce it into advising people within the Party that they should not proceed with this Bill. He adopted a more subtle approach than was evident on previous occasions on the matters before the Council.

The Hon. C. M. Hill: For which district was he a candidate?

The Hon. N. K. FOSTER: I do not know, but he was working with the Liberals, not with the Liberal Movement.

The PRESIDENT: Order! The Hon. Mr. Hill is distracting the speaker again. Will the honourable member return to the Bill?

The Hon. N. K. FOSTER: We have here a situation where people on the other side say they will support this Bill, and on the media the other night almost boastfully said they would introduce something in the Bill that would render it unworkable. I do not know whether this is because of the position that the Opposition finds itself in and the divisions so evident within its ranks.

The Hon. C. M. Hill: What is that?

The Hon. N. K. FOSTER: The question of one-up-manship, who would get the most credit for the Liberal Party in this Chamber. They have all their literature printed for them. I hope I shall not get pulled up by the Chair. The Hon. Mr. Cameron asked, "What is the difference between a new can and a bottle 100 years old?" The answer is that one is returnable and reusable and the other is clearly not. That is the difference, and that means that we cannot treat them together on the basis of putting a deposit of 2c on a can and 2c on a bottle. A bottle 100 years old may have been used 50 times. The fact that it is a reusable container means it is one that lends itself to be discarded and thrown away. It could be dealt with by on-the-spot fines.

The Hon. M. B. Cameron: The deposit will not work. That is what you say?

The Hon. N. K. FOSTER: I am not saying that the deposit will not work. I am saying that they cannot be treated together.

The Hon. M. B. Cameron: Why not?

The Hon. N. K. FOSTER: Because there would be confusion about the containers. There would not be a clear difference between a reusable container and one that was not reusable. That is what it is all about. If the honourable member cannot see the difference, I am not surprised, because he is committed to supporting provisions in this Council designed to defeat the intent of the Bill.

The Hon. M. B. Cameron: What is the intent of the Bill?

The Hon. N. K. FOSTER: You got up in the Council Chamber and said you supported the Bill.

The Hon. M. B. Cameron: Yes, I do.

The Hon. N. K. FOSTER: And you sat down saying that you would introduce an amendment in Committee that would completely wreck the Bill. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

[*Sitting suspended from* 5.30 *to* 7.45 *p.m.*]

The Hon. N. K. FOSTER: I hope I will not speak for too long in the debate but, if some honourable members think that I will be too long, they can move to have my speech incorporated in *Hansard* without my reading it; perhaps that will suffice. The Hon. Mr. DeGaris turned in one of his less creditable performances last evening in this debate. Of course, he was under pressure. The honourable member adopted the odd tactic of saying that, although this was an impossible Bill, he would support it. I hesitate to suggest that his attitude might have a little to do with the under-cutting of the Hon. Mr. Cameron, who, incidentally, has not come out of this whole episode very well. I am sure that the membership of the Liberal Movement will look critically at his manoeuvring. Mr. Delroy, the convenor of the Liberal Movement's policy conservation group, has not been consulted by that Party, despite his holding that position in the interests of conservation. For and on behalf of the Liberal Movement, that gentleman deals with the sort of matters that we are discussing at present. However, he has no say in the Liberal Movement's policy in this regard.

The Hon. M. B. Cameron: He was a candidate.

The Hon. N. K. FOSTER: That is so, although I forget which seat he contested. I refer briefly to some of the main points made by the Hon. Mr. DeGaris, some of which were incredible. I think he was grasping at straws. Whether those straws were handed to him by a grateful packaging industry or whether they came straight from his own resourceful mind, I will leave for others to decide. One of the incredible things was the scenario about sharp dealers taking truck-loads of Victorian cans and flogging them off at our collection centres. He said this in entire ignorance of the form that the regulations will take to ensure the adequate stamping of South Australian cans to denote that they are carrying a deposit. He is assuming, as always, the worst in human nature. Unfortunately, it is a Liberal trait to display that characteristic. That is the way in which conservative politicians in Opposition traditionally operate.

Another point made by the Hon. Mr. DeGaris, in flat contradiction to the explanation given by the Hon. Anne Levy, who documented her case, was that there would be no collection centres. The Hon. Anne Levy stated flatly that in Alberta, for example, collection centres were alive and well. The Hon. Mr. DeGaris responded with a quotation from an impressive volume, the credentials of which he did not give the Council, about Oregon. The Hon. Anne Levy, however, referred to Alberta. The world of deposits does not start and stop at Oregon. The Hon. Anne Levy put the example of Alberta before the Council, and all the dodging around about Oregon and what some unnamed document says will not answer the points she made.

The Hon. Mr. DeGaris and his wellknown former colleague, the Hon. Martin Cameron, enthusiastically agreed that the Bill would effectively ban the can. This point founders absolutely on experiences in North America cited by the Hon. Anne Levy. British Columbia, a shining early example of deposits, with a remarkably clean environment, still has 30 per cent of the drink market catered for by cans.

The Hon. Anne Levy said that if cans disappeared it would be either because the customers had worked out their economics and decided to buy the cheapest containers or because, to spite the Government, can makers had decided to stop making cans. However, I cannot believe that can making will stop. If it did, the vacuum would quickly see some other can maker move in. This would be one of those inevitable consequences of free enterprise, although I must say that the world-wide tentacles of the Coca-Cola company are not so much an example of free

enterprise as they are an example of enterprise that constricts the free operation of all possible rivals. How many local independent soft drink bottlers have already been swallowed up? I have previously dealt with that matter, as honourable members opposite will recall. Also, why was there no protest from honourable members as a result of jobs lost? As far as I am concerned, in this field the bigger one gets, the nastier one gets. However, the Leader of the Opposition suggested that the Government does not really want this Bill. Considering that it does not want the Bill, the Government is going about the matter in a most curious way, making it an election policy pledge, staking its reputation on the deposit system, speaking for it, putting it forward early in this session (having introduced it in another place last session), going over it again in another place, and putting forward hypocritical arguments to honourable members in this place to have a Select Committee of inquiry, about which the Leader of the Opposition last night refused to say one word, other than coming up with this gem. I recall, for the benefit of honourable members, the Leader's very words. He said that it could not be the subject of a report in this Council irrespective (and these were not his exact words) of what it cost the taxpayers of the State, because there was an even division regarding it.

Why does not the Leader have the courage of his convictions? I ask, in his absence, why he did not bring down a minority report in the Council. Where is the democratic outlook to which he so often refers? Where are his democratic principles when the Leader says, in effect, that the taxpayers can expect, through the system operating in this Council, to have their money spent on a form of inquiry that has the right to gather evidence but whose report, because it was not necessarily conclusive in one way or another, is denied to the Council and possibly to the public? The Leader cast aspersions on the honesty of Government members and said that he would not reveal the contents of the Select Committee report, because he would protect the integrity of Government members of the committee. Does he think we arrived at Adelaide Airport in the last jet? Perhaps he has an axe to grind on behalf of the people in the canning industry whom he represents. Last Friday he spoke to some employees in the Port Adelaide region in the amenities room, a facility that 99 times out of 100 has been denied members on this side during election campaigns.

The Hon. D. H. Laidlaw: You are 10 years out of date.

The Hon. N. K. FOSTER: I have spoken at your establishment. You must represent the 1 per cent.

The Hon. D. H. Laidlaw: You don't represent the good unions.

The Hon. N. K. FOSTER: Being licensed as an industrial worker has been referred to as an asset. However, one could be licensed under legislation and, as a result, lose his job: for example, in the stevedoring industry. Despite what the Leader has said, the Government wants this Bill. Local government has been shouting for it. Rev. Neil Adcock called for it only this morning; people with a feeling for our countryside and style of life require it, and it should not be denied by a minority sitting on the other side of the Council. The Hon. Mr. DeGaris has spoken with confidence about a mythical referendum which is sure to be passed and which will allow the tax idea, being floated by industry, to be implemented. Last evening someone with a direct interest in the canning industry did not comment on the matter. On the slight evidence that the Hon. Mr. DeGaris presents, he believes that a referendum is sure of success, but I would be very suspicious of the Leader's assurance. I cannot accept that any tax strikes at the heart of the problem. The offer of a voluntary tax has come to the Government not from industry but from the Hon. Mr. DeGaris. It has not resulted from a policy change on behalf of the Opposition Party or, as it loves to call itself (a phrase borrowed from the Eastern States) the non-socialist Party.

The Hon. C. M. Hill: Hear, hear!

The Hon. N. K. FOSTER: A rip-off merchant if ever there was one! There ought to be a change in the land system in this State. We have long known that the honourable member is a spokesman for industry and capital. I would like to deal with some of the references made in the House of Assembly. The problem of the can is only 10 per cent of the problem, according to some honourable members. What does this mean? I agree that there are more items in litter than cans and one-trip bottles. The figure of 10 per cent is a suspect statistic. Has it come from various carefully arranged litter counts where items of litter are counted piece by piece, and percentages are then drawn up? On this basis, a cigarette butt can be equated with a discarded can or, indeed, a match can be counted, too. Litter counts of this kind ignore the durability of the can. Arguments about the can's contribution to litter are largely unimportant. I do not accept the 10 per cent figure.

High school students at Murray Bridge set out to test this figure and came up with a figure of 57 per cent along the highway to Adelaide past Monarto South. I would suspect that the correct overall contribution is somewhere between those figures, but that argument draws us away from the central issues. This Bill is not solely concerned with litter. It is concerned with the way society is going. This is far more important than many people realise, because it challenges the heart of wasteful capitalism. Not all capitalism is wasteful, but people who are looking for newer and ever more wasteful and costly ways of prettying up society are in the sights of this legislative weapon. I now refer to the Leader's omission. He ought to have said last evening, when this Chamber was being visited by members of the House of Commons, that some of the people he represents should take the consequences for their misdirected enterprise. Honourable members are willing to stand in this Chamber and advocate one course of action in regard to this Bill while they talk about a different form of control in other areas. Earlier today some honourable members spoke about margarine, and there was a brief discussion about an industrial matter involving the concrete and quarrying industries. So, honourable members change their attitude in accordance with who calls the tune.

The Hon. M. B. Cameron: Are you including all honourable members?

The Hon. N. K. FOSTER: If the honourable member is not with us, he is agin us. He said this afternoon that he supported the Bill but, in finality, he said that he would move an amendment that would defeat its purpose. People must take the consequences for their extravagant enterprise. This Bill does not take the easy way; it tackles the problem of the can at its source. The deposit system places the cost of removing waste materials on the shoulders of the producer, rather than on the community at large; that is why there has been frenzied activity around the Council by representatives of large companies and people with loyalties elsewhere, like the Coca-Cola company.

We should not become victims of ruthless Coca-Cola politics. Too many small drink firms have already fallen foul of these people, suffering a reduction in local autonomy and freedom of choice. I dealt earlier with the restrictions that they place on our local products. Soon, the soft drink industry will be like the brewing industry—in the hands of one, two or three large firms. Then, the "Woodies" screw-top bottle, which has been sold for 80 or 90 years, will be a likely casualty. So, let us not hear any more about cans being only 10 per cent of the problem. They are only part of the community litter, but a most important part—the place where we can still reverse undesirable trends in packaging. A courageous attack on this matter may give other environmental authorities heart to follow suit.

We cannot sit back and let the smooth talk of the packaging industry's public relations people dull our sense of rebellion. They talk of consumer demand and of meeting the people's convenience, as if these things occur naturally, without promotion and heavy spending by them all, promoting a new and largely unnecessary product. Do we not recall the Broken Hill Proprietary Company Limited's almost multi-million dollar programme on cans? Do we not recall the bloke knocking off the grog from the director's cabinet and falling out of the lift, and that sort of advertising popularising the can? Have we forgotten the millions the Samuel Taylor company spent on pushing pressure-pack cans? Of course not, not unless we have memories of convenience.

The can in many ways can be a real convenience. It is extremely handy for a bush picnic, easy to chill. Let us put on the other side of the balance the social consequences of 100 000 000 beverage cans going out into the community and countryside every year in this State and only a fraction coming back as domestic waste. That is quite a figure. When people sit here complacently kicking this legislation, one would think they were dealing with a couple of cans the kids might leave as they were waiting to catch a bus to the northern suburbs.

Let us assess the growing strain on our solid waste disposal system. Are we to ignore this, while embracing convenience as the supreme good? We are not banning the can: we are bringing it under control. We are making the can-maker take the responsibility for return. We are building in a financial incentive to get the can back under control. What happens to the can when the can-men get it back, I am not sure. Aluminium cans can be fairly easily recycled, so I suppose they are all right. We will save some energy and resources there. Steel cans will not, I understand, be recycled on any realistic scale.

Steel companies have promoted, in defensive self-interest, a plan to get cans back for recycling. But all the evidence suggests that so far there is no money in it, and considerable technical headaches. However, the steel can people say they want cans back, so they will get them back. I hope they do not actually end up choking our shrinking waste dumps.

The second charge is that the Bill will create unemployment. This charge is a real bottler, if I may use that description. It shows that the people who make the cans, who manufacture various dentally-destructive aerated waters, and those who make and sell the beer, are being advised by real professionals. I can see them deep in conference when this Bill was being discussed, wondering how to embarrass the Government and suborn the Opposition: how can we make the Government sweat? Back would come the cynical answer from the P.R. men and the advertising executives and psychologists, and all the rest of that soft-sell crew: hit them on the industrial front; panic the workers; play on unemployment.

So the Gadsden plant would close, reiterating an announcement already made twice in the previous two years, and workers would be shed at Thebarton and Port Pirie; no matter if Port Pirie was in doubt anyway; no matter if the Bill would result in more work with the handling of returnables and their cleaning and re-despatching, as well as the staffing of collection centres. You see, private industry is not accountable for what it says. One cannot put it on the spot with Parliamentary questions. It can conjure up unemployment from very thin material indeed. All the evidence from the American States and Canadian Provinces where similar deposit systems have been brought into force suggests there will be not less work, but more. It will take time for industry to adjust, certainly. Industry has already had several years notice of the Government's intention and of community feeling, and it has apparently tried to brazen and buy its way out. That is not good enough.

It is to the credit of the Leader of the Opposition, who, quite rightly, accepts that the Government has a mandate on this matter, that it appears their efforts have been wasted. But they are more than two years behind; or, in fact, are they? I do get the feeling that, quietly, they may already be adapting their sales pitch. I have noticed a new accent on their retail adverising. That lovely word "returnable" is very much in evidence. We could find a very smooth transition as plan B goes into action. We could find that Gadsden's start spending a lot more time and energy and raw material on the more socially valuable task of canning jams, fish and essential food items, items that are eaten in the home, where the can container is disposed of through normal garbage removal, where the problem is more or less under control.

We could find that the scare talk of 100, 200 or 300 jobs lost was so much of a P.R. smokescreen. Anyway, the Government is allowing the industry even more time to make its necessary arrangements, to mid-1977 in fact. We are being extremely accommodating. I do hope that industry does not try to take advantage of its breathing space to try any dirty tricks. I hope it accepts the inevitable and buckles down to coping with the changed circumstances. It is largely up to industry as to how far and how fast the emphasis changes to the returnable, how much hold the can retains on the drink market. If the can is banned, industry will have banned it.

The third point is that we can rely on education to deal with litter. We do need continuing community education against litter. We do need the schools to help in this. However, none of the evidence suggests that lecturing people to be good ever makes everyone good. This matter has been examined by many well-intentioned people. I have deliberately not loaded up my speech with wads of quotations from remote American professors from dubious institutions, the sort of people who appear in so many of the packaging industry's apologetic publications, but there is a case here for one apt reference. This comes from a can pressure group—the British Tin Box Manufacturers Federation, from the federation's booklet entitled *Metal Containers in the Environment*. On page 60 of this booklet, on the subject of slogans, the following appears:

It is by no means certain that the display of anti-litter slogans on packaging would have any really significant

effect unless implemented on a national basis, backed by a publicity campaign. Most beverage containers have for many years carried on their labels, or embossed on their ends, exhortations to the consumer not to discard the can as litter. These messages are, however, mere tokens and probably very few consumers are even aware of their existence. Whether this approach can ever be effective is questionable, but it appears quite certain that it can never be so unless the slogan is meaningful and is given an eye-catching prominence that may not be entirely in keeping with the packers' conventional ideas of the functions of a label.

I know of the work of Kesab. I know, too, of Kesab's unfortunately divided loyalties. I know that its activities have taken on a new urgency since this Government spoke of deposits. If we have done nothing else, we have surely galvanised industry into these peripheral measures to appear to be doing something with the waste products of the packaging industry. Education is an answer much promoted by industry. It means that it can be free to exercise its enterprise while other people clean up later. Why not tackle the problem at its source? That makes much more sense.

People like Kesab betray their true motivation by slogans used in their public propaganda, such as, "Litter is a people problem." It is never, you notice, a problem caused by industry. They are just meeting consumer demand. It is not really very subtle. I could go on and talk about the other, much boosted Kesab commandments, such as enforcement, equipment and example. All avoid the core of the problem. The Government has already taken action on equipment and it is up to local government to do more on this front. Anybody who has done much country travelling by road has seen the remarkable job done by our Highways Department in providing hundreds of solid, practical litter bins. We may need even more. I will be asking the department what plans it has.

South Australia will become littered with broken glass: I will take this as my last objection. It is the one which seems to trouble the Hon. Martin Cameron most. It is worth going into some detail to meet this objection. I know it was kicked around in the Lower House with numerous Opposition back-benchers making the same old funny remark (which was not funny when repeated for the sixth or seventh time), about "the Great Australian daisy". There has been broken glass; there will continue to be broken glass. The introduction of the can probably did reduce the amount of glass sprayed about our roadsides. It is difficult to say that a deposit on cans will do very much to change the present position.

A convincing argument could very easily be made out that the deposit system will result in increasing broken glass. What the people who are most disturbed about this possibility, which I believe has been deliberately exaggerated, suggest as a counter is the extension of the proposed deposit to returnable beer bottles. Have people who talk about beer bottles being part of this throw-away container return system, instead of being dealt with by a pretty efficient marine dealer network, thought the matter right through? They assume, first and not necessarily correctly, that the can will disappear. I think I have shown that this is not inevitable. If people want to throw away 10c, they can do so. Others will pick it up later. If the can does disappear (which I do not accept), the people are quite right in assuming that a new emphasis will fall on our standard 26oz (about 0·7 *l*) bottle, our returnable, re-usable, resource-conserving bottle.

This bottle at present carries no deposit but it bears a value. It is worth something to its owner when the marine dealer calls. There is already a slight financial incentive not to throw it away. There is already a well-oiled retrieval system. Put a 10c deposit on this container, and what happens?

The Hon. M. B. Cameron: I did not say "put a 10c deposit on".

The Hon. N. K. FOSTER: It becomes less attractive to throw it out of speeding cars and on to roadsides. It goes, with the previously non-returnable containers of beverages, into the collection centre system. In the home, where most of the beer and soft drink is consumed, the beer bottle would no longer be stacked in ever-expanding rows, awaiting the regular call of the bottle-oh. It would have to be carted, presumably by the owner, to the collection centre, where people are already taking their cans. Would there not be, in this colossal series of transfer operations (not undertaken by experienced marine dealers), from backyard to collection centre, the very real danger of breakage? Back, in other words, to broken glass.

I wonder, too, whether the deposit would be sufficient deterrent to that anti-social core who will use bottles as missiles? It is different with cans. If it does not act to stop people discarding used cans, others can still retrieve the cans. That is not so with the bottle; if broken, it cannot be retrieved. I share the Hon. Mr. Cameron's real, or simulated, concern about broken glass. I do not consider that this legislation is the right vehicle to deal with it. Finally, the Lower House has been subjected to some incredible attacks on the deposit system, many of the charges just too silly to warrant serious rebuttal—charges, if I could instance them, like those from the member for Glenelg, who called it a "blind Bill". He must have been reading something about "blind Freddie". He complained that much of the operating detail of the system was not contained in the Bill—it would come later in the regulations. He complained, too, that no-one knew what the deposit would be.

All I can say to that simple-minded interpretation of the necessary form of this Bill is that the member for Glenelg must be the only person in South Australia who does not know that the Government is committed to a 10c deposit. Should all the missing details be enshrined in the Act, we would have to bring it back to Parliament for amendment any time we wanted to adjust the running of the deposit system. That is why so much must go into the regulations; that is the way much public business is and has to be done.

One other charge has come, both from the less scrupulous members of the Opposition and from the more politically biased operatives in the brewing industry. It is an essentially mindless charge. It is not one I expect to hear in this Chamber. I will, however, refer to it as it has often been left unanswered. This final charge I would like to deal with is that the Government, or the Minister, has been forced to put forward this legislation by political masters in the Trades Hall. I dealt with that earlier this afternoon. The fine print of this preposterous accusation appears to lie in the proceedings of the 1973 State Convention of the Australian Labor Party. It is said that the Minister received his instructions from that convention. It is implied that he was unwilling to act, or that the Government had to be prodded to act. This is totally untrue. There had been motions from all kinds of organisations calling for control of the can before June, 1973. Calls had come from Liberal members of Parliament like the members for Hanson, Glenelg, Light and Frome.

The 1973 convention had several motions on non-returnable drink containers. It was not, let it be stressed, the first time that the membership of the Australian Labor Party had shown its concern for the problem. The A.L.P. is the only national Party in the whole Commonwealth, in the true sense. Let it be said that the membership of the A.L.P. is most concerned with this problem. Only a little digging around reveals that, for example, the Norwood sub-branch had drawn attention to it in 1971. At that stage the inroads of the throw-away can were only beginning to be felt here. In 1973 there was widespread interest by sub-branches of the Party and affiliated unions in matters of vital environmental concern. The leading, or key, motion on non-returnable containers came from the Adelaide sub-branch. It called for a ban on the use of non-returnable containers. The motion was passed, and there was no secrecy about it. The Tea Tree Gully district assembly asked for an investigation into a recycling tax. It was at this convention that the Minister announced his plan and the Government's agreement to legislate for the deposit system.

The Government had been thinking about solutions, as had the Local Government Association and other civic bodies, and had decided that, among many ways to bring the can and the stubby under social control, the best was by deposit. The Minister was not "taking orders". He was, as anyone present would know, giving a lead. Subsequent conventions voted their approval for his method of attack. It will be to the everlasting credit of this Council if it does likewise.

The Hon. C. M. HILL: I oppose the Bill in its present form and accordingly intend to vote against the second reading. I will give full consideration when amendments are moved in Committee but I must say that the amendments that have been mooted so far in this debate are not very attractive to me.

The Hon. J. E. Dunford: And not very attractive to Coca-Cola Bottlers.

The Hon. C. M. HILL: The reason for my view is that I believe it is ineffective legislation, in that it does not really tackle the problem of litter; nor am I satisfied that the whole matter of the need to conserve natural resources and energy has been researched and is coped with to any extent in this Bill. I am, too, most concerned about unemployment. I have listened with interest to honourable members opposite on that, because naturally I expect them, as they hold themselves out to be the champions of the working people in this State, to raise the matter of unemployment; but I have heard only one honourable member say that some adjustments may be necessary, and many of the speakers from the Government side have simply said that the announcement of the danger of unemployment is mostly set up by the companies employing the people involved.

I look upon the prospect of this measure causing unemployment as serious. We all read with dismay earlier in the week that Australian unemployment had reached a post-war record of 303 715 unemployed throughout Australia. In this State there were in this period 21 204 persons unemployed. Announcements have been made by industry in regard to this measure—people like Coca-Cola Bottlers in Port Pirie stating that they may have to retrench about 50 employees. J. Gadsden Proprietary Limited said, through the press, that about 70 employees might have to be retrenched at Albert Park. Mr. K. A. Dickson, representing the Australian Council of Soft Drink Manufacturers, told the Select Committee that, in his view, about 250 people could be involved in this problem in South Australia if the Bill became law.

Many other firms have indicated the problems they will experience in this area if the Bill passes. This includes the breweries of this State, the South Australian Egg Board, which apparently purchases metal products from Gadsdens, Anchor Food Products, and South Australian Fishermen's Co-operative, which, I understand, purchases about 12 000 000 cans a year from the Gadsden organisation in South Australia. That means it will have to go to other States and, if these forecasts that have been publicised come to pass, employment will certainly increase in other States.

The Hon. J. R. Cornwall: What would be the net effect on employment in South Australia?

The Hon. C. M. HILL: The members of the Select Committee researched this matter as deeply as they could, and it seemed that many of the skilled employees whom it was feared would be retrenched would not be able to fit into the glass manufacturing industry.

The Hon. J. R. Cornwall: How many skilled employees?

The Hon. C. M. HILL: I have not the exact figures, but it is not as simple an exercise as some people seem to think, as employees cannot leave a factory manufacturing cans and start as skilled workers the next day in an establishment that has suddenly increased production of glass items.

The Hon. J. R. Cornwall: But you still haven't answered my question regarding the net effect on employment. There will be a net gain.

The Hon. C. M. HILL: I do not accept that. In the Select Committee's deliberations—

The Hon. B. A. Chatterton: In the Select Committee they would not answer that.

The Hon. C. M. HILL: The point was made before the Select Committee that workers with identical skills could not be taken off the line producing cans and suddenly be readjusted—

The Hon. J. E. Dunford: Why?

The Hon. C. M. HILL: Because it is a different type of work.

The Hon. J. E. Dunford: It is unskilled work.

The Hon. C. M. HILL: In many cases, the employees who were to be retrenched in this industry were skilled.

The Hon. J. E. Dunford: And you say they can't go into bottle manufacturing?

The Hon. C. M. HILL: No, not without being retrained. I refer, for instance, to the point I was making before the interjection regarding South Australian Fishermen's Co-operative. If it has to buy 12 000 000 cans from other States, production in this State will obviously decrease, it having ceased here. This apparent slight readjustment of labour with which we will have to cope will mean that these people will have to leave South Australia and get jobs in other States. Is that the kind of progress that the Labor Party wants to see in relation to this State's work force?

The Hon. T. M. Casey: But you are saying that these plants will close down. Do you think a plant will close down if it is making millions of cans for South Australia?

The Hon. C. M. HILL: The Minister cannot prove that such a plant will continue producing millions of cans in the future.

The Hon. F. T. Blevins: Has any firm said that it will close down and stop producing cans?

The Hon. C. M. HILL: I believe Gadsdens has.

The Hon. F. T. Blevins: Has any firm stated categorically that it will do this?

The Hon. C. M. HILL: They have certainly stated that it is a grave fear.

The Hon. F. T. Blevins: That's not the same thing.

The Hon. C. M. HILL: I do not look upon these forecasts in the same way that Government members look upon them. Those members seem to regard these forecasts as propaganda and a means of exerting pressure. I do not accept that, believing as I do that, generally speaking, employers are honourable people.

That will not be accepted by Government members, and I doubt whether we could ever get on common ground in this respect. I am willing to say that these forecasts are given in all sincerity and, accepting them in all sincerity, I am concerned for the people who are going to be put out of work. I do not believe Government members are concerned for these people, which worries me considerably.

The Hon. Anne Levy: The Oregon facts are not forecasts: they are facts, and employment increased in Oregon. That is not a forecast but a fact.

The Hon. C. M. HILL: The whole question of Oregon is one to which I did not intend to refer. The raising of that matter is like the statistician who can bring figures out of a hat to suit his cause.

The Hon. T. M. Casey: Well, what are you doing?

The Hon. C. M. HILL: I am not bringing things out of the hat; I am taking them from the press.

The Hon. T. M. Casey: Come on!

The Hon. C. M. HILL: Here we go again: this type of interjection simply substantiates the point I am making. Government members are supposed to have the welfare of the workers at heart. Yet, they simply think that all these announcements by industry are false. However, I cannot accept that. I fear that, if they are true, the people involved will be faced with many problems. According to one honourable member, a slight readjustment will be necessary. Some go so far as to say that, if this happens in a minor way, it will be unfortunate but, all the same, it is a fact of life.

My word, the Labor Party has changed its philosophy over the years in relation to the problems faced by workers. Members opposite ought to be bending over backwards to examine whether every piece of legislation that comes through this Council will cause a loss of employment. I am sick and tired of this. We had it a year or two ago in relation to other legislation. Certain people have had their remuneration cut in halves by this Government, which was led by the nose, incidentally, by by the then Attorney-General in the same manner in which he introduced legislation to amend the Land and Business Agents Act. Once that amending Bill became law, people who were carrying on with their work, acting honourably—

The Hon. Anne Levy: What has that got to do with this Bill?

The Hon. C. M. HILL: I raise this point simply because it was the old principle of the Labor Party that no legislation would be agreed to if it meant retrenchments and unemployment. However, that principle has gone by the board. Government members, who are supposed to represent these people, have changed their views. Apparently, life is getting a bit easy. I suggest that this Bill will cause unemployment, and that it ought to be a point of major consideration by Government members in this Council at least.

The Hon. F. T. Blevins: You made the categorical statement that it meant unemployment. Even the can people have not said that.

The Hon. C. M. HILL: Is the honourable member of the view that it will not cause unemployment?

The Hon. F. T. Blevins: I am absolutely convinced of that.

The Hon. Anne Levy: In Oregon, it resulted in increased employment. They tried it there.

The Hon. C. M. HILL: Initially, the problem there started because of the ring-pull can being banned. That was the basis of the initial problem in Oregon and, in my view, no-one can talk with exact reliability about Oregon. Everyone has a different story regarding what he believes happened in Oregon. We have sent representatives there, and they have returned with different stories.

The Hon. C. J. Sumner: Which ones?

The Hon. C. M. HILL: Never mind. I respect the Hon. Miss Levy's use of Oregon as a basis for her argument, although I do not place much credence on it myself. I return to the point that South Australian workers will lose their jobs.

The Hon. J. E. Dunford: You don't worry about the workers.

The Hon. C. M. HILL: That is what the honourable member thinks. It is all right getting on the soap box and saying that, with the mob behind.

The Hon. J. E. Dunford: You are a hoaxer, a con man; that is why you are a success at real estate.

The Hon. C. M. HILL: The Hon. Mr. Foster has raised some laughs this evening, but that one beats the lot.

The Hon. J. E. Dunford: The Government is concerned about the workers.

The Hon. C. M. HILL: If the honourable member is genuinely concerned with workers, I hope he researches this Bill very carefully and satisfies himself that no workers will lose their jobs as a result of it. If this Bill goes through and if there is unemployment as a consequence, I will be reminding the honourable member of his statement. There are grounds for saying that unemployment will result from this Bill; this aspect influences my view of the Bill.

The Hon. J. E. Dunford: The real reason is that you are supporting vested interests and private enterprise.

The Hon. C. M. HILL: I assure the honourable member that that is not true. This Bill endeavours to cover only a very small percentage of the litter problem. If the Government really wants to tackle the litter problem, this Bill represents a very poor endeavour to achieve the aim. I refer now to the idea of regional solid waste recovery systems. I do not accept that we cannot come to grips with the total litter problem. In Sydney a plant has been installed to cope with the problem. The Select Committee of this Council had interesting evidence that the time was near in connection with the design and use of plant for regional solid waste recovery systems; such plant would be further used in separation procedures. If the Government is as progressive as it claims it is, it ought to come to grips with litter in that way.

The Hon. J. R. Cornwall: Financially, that is not on.

The Hon. C. M. HILL: What price the environment? The Government certainly does not put a high price on it, because it is not paying 1c toward the cost of collection depots.

The Hon. F. T. Blevins: The Government does not create the litter.

The Hon. C. M. HILL: Government members are keen on the environment as long as someone else pays.

The Hon. Anne Levy: The polluter, not the Government, pays.

The Hon. C. M. HILL: The Government must involve itself in environmental problems and in regional solid waste recovery systems. I agree that such systems cannot be afforded without Government involvement.

The Hon. J. R. Cornwall: Can't you give us any figures?

The Hon. C. M. HILL: The honourable member can read all the evidence and statistics supplied to the Select Committee. It is no good the Government introducing a litter Bill if it does not really tackle the litter problem. Another aspect is whether local government should be involved, too.

The Hon. T. M. Casey: Local government is a staunch supporter of this measure.

The Hon. C. M. HILL: I wonder whether the Minister can back up that statement. Education is not the total answer, but much more must be done in the education field if the total problem is to be fought. I commend the Hon. Mrs. Cooper for her statement that fines must be increased. In his evidence to the Select Committee, Professor Jordan said that the on-the-spot fine for littering should be between $100 and $200—about a man's weekly wage. When Professor Jordan was questioned as to whether this was unreasonable and about the policing of on-the-spot fines, he replied that there would need to be only a few fines, because immediately the public would know the seriousness of the offence and, therefore, would not continue to litter. So, the community would not need to have a large enforcement agency.

The Hon. F. T. Blevins: The fine is up to $200 in Whyalla.

The Hon. C. M. HILL: Then, Whyalla is doing very well.

The Hon. F. T. Blevins: No. It is filthy.

The Hon. C. M. HILL: How many fines have been imposed?

The Hon. F. T. Blevins: I haven't any idea.

The Hon. C. M. HILL: Perhaps that is the answer. It is no good having a $200 fine if it is not imposed. Once the public knows that a fine is being imposed, there will be an immediate change in the whole scene. That is the general point I make, referring to Professor Jordan's evidence along these lines. I tie it in with the point made this afternoon on this matter. I think a considerable increase in fines would go a long way in tackling the litter problem. Then there is the organisation known as Kesab. I have listened to members opposite who have almost sneered at Kesab in this debate simply because it receives most of its money from big business.

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

The Hon. F. T. Blevins: No-one sneered.

The Hon. C. M. HILL: If the gentlemen opposite are wholeheartedly in support of Kesab, and I would like that confirmed—

The Hon. T. M. Casey: We support Kesab and we always have. We have praised it for its work. It is wrong for you to say we sneer at these people.

The Hon. C. M. HILL: Why did the Hon. Mr. Foster say that their money in the main came from big business?

The Hon. F. T. Blevins: That does not matter. That is not sneering.

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

The Hon. D. H. L. Banfield: Every time we state a fact you reckon someone is sneering.

The Hon. C. M. HILL: In that case, I am prepared to withdraw. We are all in favour of Kesab?

The Hon. F. T. Blevins: Very much so.

The Hon. T. M. Casey: We support Kesab, of course.

The Hon. C. M. HILL: Kesab is an organisation which should be expanded, and if the Government is going to overcome the litter problem, instead of tackling 20 per cent of it, Kesab must be brought into a more active role. I believe it could play a very effective part in the problem of overcoming litter. One of the reasons why I will not vote for this measure at the second reading is that the problem both sides of this Council are endeavouring to overcome is being tackled only on the fringes of this Bill. The Government should introduce legislation showing its good faith in really wanting to overcome the litter problem instead of simply tackling it in the manner of this Bill.

The other heading which concerns me and all those who seriously worry about the environment is the general area of resources and energy requirements, the need to recycle, and the need to conserve the natural resources of this State. I would like to hear what research this Government has done into this question as it applies to the evidence to the Select Committee on the general subject of the use of resources and of our energy requirements. I quote from Professor Jordan's evidence. He was asked this question:

Some witnesses concerned with the problem of the use of resources have suggested a ban on the production of cans or the use of cans?

The professor replied:

By what will the can be replaced? Glass is as important a resource as the can. Indeed, there is probably more iron and aluminium ore in Australia than there is suitable sand for glass making. Further, most of the iron and aluminium is in the middle of the desert, making it less destructive to the environment in extraction. Increased production in glass could involve all our beach sand. Certainly, if the Simpson Desert were full of glass-making sand it would be different, but the sand required for that process is normally found close to the sea.

Then the question was immediately asked:

What about energy requirements?

The professor's answer was as follows:

This requires careful economic and resource stocktaking. Although this is being done it varies from State to State. The number of cans we will salvage in South Australia may not be sufficient to make a recycling plant here a viable proposition, and it may require a population of 2 000 000 or 3 000 000. Tin cans are currently taken to Sydney for processing. The transport requires the burning of much fossil fuel. Is all this worth doing? The answer is not clear, because no-one has done such stocktaking resource-wise.

When we hear such an authority talking like that, and when the Government introduces a measure such as this, I think we realise that a great deal more serious stocktaking must be done in South Australia so that we can plan the best course to take.

The Hon. C. J. Sumner: What do we do in the meantime?

The Hon. C. M. HILL: That is a good question. We can tackle the question of litter in a manner something along the lines I have just described, and while that is going on we should do a great deal of research, because that reply of Professor Jordan highlights that conservation has not been researched. There is no proof that energy will be

conserved if this Bill becomes law. The damage in balance on switching to glass might be greater to our natural resources than exists at the moment. That is my general concern regarding that area. Once it is researched, I think Parliament should look again at further legislation.

It is a great pity that Ministers of the Environment throughout Australia, in conjunction with the Australian Minister for the Environment, have not been able to come to grips with a better solution to this problem with industry than has occurred. It seems to me that one State going into this problem alone will give rise to many problems in the whole area. I do not know what progress is being made. When this Bill was before us on another occasion, we learnt that the Ministers were conferring with industry at one of their regular meetings. I know it was hoped by industry representatives at the time (because they reported this to the Select Committee) that some solutions would be found and a national approach to the problem was thought to be within reach. Apparently nothing has come of that, and I regret that that is the case.

Another reason why I do not support the second reading is that I am greatly concerned about collection depots as contemplated in the Bill. They are to be established by industry and the number is uncertain, as is their location within metropolitan Adelaide. No-one knows how far people will travel to take empty cans to such depots or what will be the result if people arrive there, expecting the depots to be like marine stores or rubbish tips, to find the depots closed. Will the cans then be dumped and people not worry about the deposit? Will depots become accepted as being in the nature of rubbish tips, and every morning will it be seen that people have dumped rubbish at the gateway of these depots? In what zoned areas of local government will the depots be permitted? All these questions, in my view, remain unanswered. Then there is the question of health. Referring again to Professor Jordan's evidence, I remind honourable members opposite that he supported the particular Bill. Speaking of depots, he said:

> Also, many depots will become health hazards, because a pile of cans containing sugared products will be a wonderful breeding ground for flies and hosing will not solve the problem. I do not know how it will be overcome.

With all these doubts existing about collection depots, is it prudent for Parliament simply to pass legislation and to hope for the best in regard to this almost key facet of the whole system, because, if the receiving depot arrangement, as envisaged in this Bill, does not work, where do we go from there? What sort of a mess will it all be in?

A much clearer picture and more definite guidelines should be in a Bill of this kind, laying down the kind of depot needed, the methods of receiving cans, and the manner in which such depots must be manned. The health aspect should be given a particular guideline, and local government, which the Hon. Mr. Casey said a moment ago approved this legislation, would, I am sure, be upset if it suddenly found that industry was looking around to set up depots, as it could if this Bill was passed in its present form.

These depots would cost a lot of money and, if put in central situations, would be on valuable land. If they were not in central situations, there would not be a circle of residents to deliver their cans to those depots. In central positions, the sites would be valuable and adapting them for this purpose would be expensive. However, it is not actually the money that worries me so much as the health and environmental aspects of such depots in the community; and the general establishment of them should be known in detail.

Lastly, I refer to an apparent endeavour to bring beer bottles within this legislation. A deposit of 2c has been mooted. It is completely against my philosophy to bring under Government control any form of commerce or industry that is taking care of itself, without any Government expense, and working efficiently and well. As I understand it, that is the position in the matter of the return of beer bottles.

The Hon. T. M. Casey: We agree.

The Hon. C. M. HILL: The Minister says he agrees with it. I am pleased about that. As I understand it, the breweries have a company, and the company works in conjunction with marine store dealers. Many beer bottles are recycled through those channels and there are not many beer bottles (of course, there are some) that are not. I think the system is working well at present. I see no merit in enforcing control on an industry working in that way.

It has not needed the principle of a deposit of, say, 10c to bring about this situation. I propose to vote against the second reading and am prepared to consider any amendments moved, but so far no suggestions made have interested me very much. In my view, at some stage I believe legislation should come through Parliament tackling the litter problem in total—not 10 per cent of it. If we are fair dinkum about litter, let us examine the best possible legislation to deal with it; let us not just nibble at the edge when tackling the total problem.

My second point is that I urge the Government fully to research the area of resource recovery and energy requirements, and the pressing problem of solid waste recovery, involving a proper separation process.

That is a major matter. It involves much money but, if we wish to start leading Australia, that is the kind of research we should be undertaking. If this matter is fully researched, I will give every possible consideration to the action taken by this Government involving it, as a Government, and/or semi-government instrumentalities so that we can maintain the kind of environment we want and conserve resources and energy to the optimum in this State.

The Hon. A. M. WHYTE: I rise to make some contribution to the debate, which is important for country people because the can, which is the most spoken of ingredient of this Bill, is probably the best type of packaging ever introduced into Australia. In this type of legislation, it is necessary to have some firm objectives that we hope to achieve. Its main object is to reduce litter, but the Bill does not really do much about that. I am asking how this Bill can attain its objectives. Who will gain and who will lose? These are matters that should be studied in any legislation.

Let us take these objectives in order. The first is, of course, the intention to minimise the problem of litter. This Bill does nothing to ease the present litter problem. Surely everyone in the world gives lip service to preventing pollution by litter. To put an imposition on the can, which is obviously the best type of packaging we have evolved, means we have to find some other type of packaging. It does not prevent litter in any way. So, if the can is banned, manufacturers will be induced to manufacture another product that could be even less acceptable than the can.

I should like now to deal with the trials that have been run in Alberta and Oregon. I am not the least

bit interested in what other countries have done. Some have made a real mess of their politics and, in some cases, their economies. Australia should be able to learn from some of the mistakes that those countries have made instead of honourable members quoting out of context certain reports that have been written about them. If the can is taken away and we use, say, cardboard containers, litter will in no way be reduced.

Much has been said about the necessity to make this Bill work and about the establishment of collection points. However, the litter problem does not apply so much to the city, where collection points could be established and worked economically. I believe that each collection centre will cost at least $26 000 and that the overall cost could well be more than $500 000. It is impractical to establish a collection point in the country areas, and the point made by the Minister of Lands about country people and local government being in favour of the Bill is false. If the Hon. Mr. Foster wants to give an oration, I shall be pleased to seek leave to continue my remarks while he does so.

The PRESIDENT: Order! There is too much audible conversation. Cetain members have loud voices.

The Hon. A. M. WHYTE: Collection points could not be established economically outside the metropolitan area. Much has been said about hygiene and how these centres should be hosed, but even this would not solve the problem. Where the collection points would be most needed, there would be no facilities with which to hose them. The litter problem relates not so much to the metropolitan area as it does to the country. However, I believe that metropolitan people contribute to this problem. Certainly, collection points would need to be established in the country.

If a deposit is placed on soft drink containers, many people from the metropolitan area who take cartons of soft drinks with them when they go to the country on their holidays (because they can obtain the product much more cheaply in the city) cause problems in the country. A retailer in the country who did not sell soft drinks to holiday-makers should not be expected to accept and pay for these empty containers.

The can industry has made some alarming statements about how the Bill will affect its business. I am not referring solely to beverage containers, as the viability of the businesses conducted by these people relies on through-put. If the beverage container is taken away from the industry, through-put will be reduced, as will be the industry's economic ability to carry on. Therefore, industry will increase the price of the cans used, and cans are used in practically all food trades. If part of a manufacturer's viable business is taken away, he will have to pass on the cost to the consumer. In this respect, representatives of J. Gadsden Proprietary Limited, one of the main manufacturers, said:

In view of this, it is only natural that our company will be forced into immediately closing our Adelaide manufacturing establishment, which was established in 1973 in good faith and in response to a genuine demand for beer and beverage cans.

If Gadsden leaves South Australia, many people will be unemployed. Apparently, the Government is not concerned about these people. However, I am concerned about them. Also, if an enterprise such as Gadsden leaves this State, all other users of cans, no matter in which industry they are engaged, will have to pay more for this product. They will have to import containers from other States, although Gadsden will not lose much because that firm will be able to establish itself in other States and still supply cans.

The Hon. B. A. Chatterton: But Gadsden sends cans to other States now.

The Hon. A. M. WHYTE: That is good business.

The Hon. B. A. Chatterton: Do you think that is economic?

The Hon. A. M. WHYTE: It is not for the people in other States who must import this State's cans. However, it will be less economic for South Australian people to import Gadsden cans from New South Wales or Victoria.

The Hon. B. A. Chatterton: Gadsden can compete in Victoria and supply cans there in competition with Victorian manufacturers. The argument that the cost of transporting cans from one State to another will be so great is a mythical one that does not apply.

The Hon. A. M. WHYTE: The Minister has obviously not done much research on this matter, because cans manufactured here are made available to South Australian users more cheaply than they are to users in other States.

The Hon. N. K. Foster: Not necessarily.

The Hon. A. M. WHYTE: The raw material is available in South Australia, and we should thank our lucky stars that we have the facilities and resources on which we ought to be able to capitalise and not drive manufacturers out of the State. So much has been said about the Bill that I do not intend to speak at length on it. However, I believe we ought to tackle the complete litter problem and not just 10 per cent of it. That percentage of litter is traceable to cans merely because they are the most popular means of packaging. If cans are taken right off the market (and I believe the Bill will have that effect), we will see cardboard or other means of packaging taking over that 10 per cent of the litter problem. There is nothing in the Bill about controlling litter, which is what it is supposed to be about. If one drives through the country as I do (and it would not hurt some members opposite to do this), one sees—

The Hon. J. R. Cornwall: They've done it for years!

The Hon. A. M. WHYTE: —parking areas with litter bins that are invariably overflowing. There are not nearly sufficient facilities for a community-spirited person. This is where some money ought to be channelled. I would not mind industry having to pay for such facilities, and I do not think industry would mind contributing, either. Evidently recycling is uneconomic, but perhaps it would be possible to design a machine that would sweep 60 per cent to 70 per cent of the litter from the roadside into a furrow and cover it.

I will support any legislation that really deals with the litter problem, which is of concern to all people in South Australia. We are concerned about a clean-up campaign in South Australia, and also a campaign that will ensure that we do not again become littered up. In connection with clause 10, let us suppose that there are collection depots in the metropolitan area. Does that mean that a retailer would have to question a purchaser of two or three cartons of soft drink as to where he was planning to travel with the containers? What would be the retailer's penalty if he sold containers to someone who was going to an area where there was no collection depot? The whole concept of the Bill is a lot of rubbish—the very subject of the Bill. I oppose it.

The Hon. C. J. SUMNER: In my maiden speech in this Council I referred to the problem dealt with by this Bill. I said:

I pose the question whether our commitment to an economy based on materialistic progress, which needs planned waste for its survival, will meet the needs of

the future. Capitalism is based on the assumption that there will always be resources to exploit and wealth to be made from them. Although I do not know the answer, I raise the question whether the earth's resources are infinite . . . I wonder whether, as the world citizens, we are not lemming-like, marching into the sea, powerless to extricate ourselves from the cycle created by an economy based on consumer waste. A measure that this Council will be asked to consider poses the problem in microcosm. This is the legislation relating to returnable containers. I believe it is anti-social to allow materials to be wasted and yet, if recycling is proposed, industry complains of its loss of profits, employment is affected, and the measure may not be accepted by the community.

That is precisely the situation we have with this Bill. I have strong suspicions that, unless we take action toward reducing our total dependence on the wasteful consumer economy, there may be disastrous consequences. That is the issue that I see raised by this Bill. It poses the question directly and requires an answer. We must see the Bill in a global context, in the context of the increase in the world's population, the disparity of wealth between groups of people in the world, and the distribution of the earth's resources. Can the world achieve the standard of living now enjoyed by a few of its citizens if those continue to waste the world's resources at the current rate?

The Hon. R. C. DeGaris: Do you think the can should be banned?

The Hon. C. J. SUMNER: I think a good case could be made out for banning the can. However, the Bill does not ban the can, because that is not practicably possible within the legislative powers of the State.

The Hon. R. C. DeGaris: Why not?

The Hon. C. J. SUMNER: There may be problems with section 92. Whether this Bill will effectively eliminate the can cannot be answered with confidence. Legislation in Oregon had significant effects, but in other North American States the effect was less dramatic.

The Hon. J. C. Burdett: Won't this Bill have the same problems with section 92 as would legislation banning the can?

The Hon. C. J. SUMNER: I am not in a position to answer that question off-hand, but I would think there could be constitutional problems with legislation directly banning the can. Is the Leader in favour of banning the can?

The Hon. R. C. DeGaris: No.

The Hon. C. J. SUMNER: I have strong doubts as to whether the can ought to continue to have a substantial place in the beverage container industry. I have expressed those doubts openly.

The problem I posed was set out in the House of Representatives Select Committee's report on deposits on beverage containers. Paragraph 17 under the heading "The nature of the problem" states:

The impetus for the committee's inquiry stems from the widely held belief that population growth combined with accelerating exploitation of exhaustible resources is leading to perceptible deterioration of the quality of the natural environment.

Paragraphs 50, 51, and 52 state:

50. The issues largely polarise into two conflicting attitudes.

51. One attitude is that the rights of consumers are paramount, that the nation's resources are unlimited and that a manufacturer's responsibility for his product ends at the point of sale.

52. The other extreme is the view that resources are finite, should not be needlessly wasted and that manufacturers have a responsibility for their products. A financial inducement is seen as the most realistic way to both avoid littering of beverage containers and ensure that even if littered, they will not remain as litter because of their salvage value.

That is the issue that I posed at the commencement of my speech, and it is supported by the committee.

The Hon. R. C. DeGaris: Did you read the recommendations at the back?

The Hon. C. J. SUMNER: Yes. I was helpful to the Leader last night and I am glad he is helping me tonight. I shall refer to the recommendations. They do not, I believe, support the position the Leader was putting last night with quite the same force as he assumed they did. Recommendations 308 and 309 state:

308. The committee concludes that imposition of a substantial tax on beverage containers not carrying a deposit would have the effect of discouraging their use by increasing the cost differential between the contents of containers not carrying a deposit and those carrying a deposit.

309. Manufacturers of all non-deposit-bearing beverage containers could be expected to react by imposing a deposit on such containers and littering of them would be discouraged by the monetary motive for their return. In addition, there would be an incentive for others to collect discarded deposit-bearing containers.

So it is not true to say the committee came out with an absolute recommendation in favour of a tax instead of a deposit system. It said that if a tax was introduced that would probably lead to a deposit system. The Hon. Mr. DeGaris admitted last night that it was impossible to impose a tax with our State law existing at the moment. This legislation takes the second part of the report and attempts to put it into effect.

The Hon. R. C. DeGaris: It goes on to say very clearly (and I think that should be read) that no deposit system should be more than the value of the article.

The Hon. C. J. SUMNER: I agree that it does say there are problems with a deposit in those circumstances, but as we are faced with a lack of legislative power we must find the best alternative.

The Hon. R. C. DeGaris: I am glad you said "the best alternative". That is very important to my argument.

The Hon. C. J. SUMNER: A tax is certainly impossible at the moment. I shall deal with that later. Recommendation 311 states:

A tax system combined with deposits for beverage containers used for beer and soft drinks would have the following results:

(*a*) considerably reduce the beverage container component of litter;
(*b*) achieve substantial savings in the use of resources currently employed in the manufacture of non-returnable beverage containers;
(*c*) contribute to a significant extent to the reduction of the total volume of solid waste;
(*d*) reduce the costs of litter collection;
(*e*) produce a monetary incentive for the collection of littered deposit-bearing beverage containers;
(*f*) provide funds for the collection of littered containers;

It seems that the very firm recommendations in this report go a considerable way to answering the questions posed by some members opposite about the Bill's attacking the litter problem and its effect on resources. I do not think there is any doubt that the committee was strongly of the opinion that it would have a substantial effect on the litter problem. Some sort of control (a deposit system or a tax system, although the deposit system is the only one we can realistically talk about) will have a positive effect on the litter problem and will conserve resources. We have an enormous amount of scientific and economic literature on the use of the world's resources. On the one hand, we have the doomsday end of the ecology group, represented by such people as Dr. Ehrlich, who believe that world catastrophe because of this problem could eventuate in the near future. At the other end of the scale, we have

people who say that there is no problem with resources and that economic growth can continue unfettered. As layman politicians, we must read this scientific and economic literature, and we must make up our minds where we stand. My reading and my commonsense instincts lead me to conclude that the environmentalists have at least made out a prima facie case and that we must proceed with caution. That conclusion is supported by the report of the House of Representatives Committee. Paragraph 147 states:

The extent of reserves of the world's natural resources is the subject of considerable discussion and doubt and the implication of finite reserves (and their management) are particularly contentious. The committee recognises the need for the greatest possible rationalisation of the use of raw materials and believes that those responsible for resource management cannot ignore the long-term implications of resource wastage.

Paragraph 144 states:

A deposit or tax system could produce changes in consumer purchasing patterns affecting the consumption of resources in the forms of raw materials and fuel or energy sources. The desirable aim of resource usage policy, whether for beverage containers or other products, is to use those raw materials which are most abundant, which impose minimum demands on energy resources and those which are most suitable for re-use or recycling.

After my reading and consideration of the literature, I have come down in favour of the view that we should be careful about the use of the earth's resources. I believe that in future there could be tremendous problems with the earth's resources, both material and energy, and that we should take a stand in this State in trying to bring a halt to the complete waste of those resources exemplified by industries such as the throw-away beverage container industry. I believe many members opposite and many members of the Liberal Party in the other place have not come to grips with the central problem. They have tended to occupy themselves almost exclusively with the problem of litter, and I urge the conservationists in our community to read in *Hansard* the contributions of the members concerned. I think it will be found that, almost without exception, little mention is made of this important issue and that the general concentration is on the litter problem. While I believe that is important, I do not believe it is the fundamental issue. We must look at this legislation from those two points of view: resource use and litter.

How does the legislation measure up? The groups interested in conservation and the environment support it, and I think that should be taken into account by honourable members opposite. There are examples in the world where the legislation is working. However, I refer to one commentary on the Oregon legislation, in answer to a question that this Bill does not tackle the litter problem. This is an article by Derek Peat in *Current Affairs Bulletin* of October, 1974, entitled "Telling it to the dead marines". It states:

A survey conducted by the State of Oregon before the Bill became law indicated that beverage containers formed approximately 62 per cent of the volume of roadside litter. Six months after the law the percentage had fallen to 2 per cent.

If that is not tackling the problem, I do not know what is. Also, the House of Representatives report in its conclusions about litter, states:

The beverage container component of litter is the issue which has created the greatest public concern and comment. The scale of the problem can be illustrated by the fact that, of the 3 491 000 000 beverage containers (bottles and cans) filled in 1972-73, it is estimated that 2·6 per cent, or some 91 100 000 items, were littered.

So there is the problem of litter from these sorts of objects. This legislation will, if not solve the litter problem completely, at least make a substantial contribution to its solution.

On the matter of how this legislation measures up when talking of resources, I think it will reduce the share of the market that the can now has and there will be an increase in the returnable bottle, which is more environmentally acceptable than is the can. I do not know what the overall result of the legislation will be about cans. I hope they will retain a certain proportion of the market and that the convenience of those people wishing to use them will not be affected.

The Hon. R. C. DeGaris: Do you think the Alberta legislation is good?

The Hon. C. J. SUMNER: I do not think that any legislation in the North American States can be spoken of as ideal. In this field we cannot have ideal legislation. because we are talking of a field that is subject to experimentation. There are many doubts about resource use and energy conservation, but we must make a stand somewhere. This North American legislation has worked reasonably well in reducing litter (there seems to be no doubt about that) and has gained community acceptance. Similar legislation here will gain community acceptance, will do something towards reducing litter (although not completely remove it) and will provide a more desirable form of container from the point of view of resources.

The Hon. R. C. DeGaris: Do you agree with the Alberta legislation; have you looked at it?

The Hon. C. J. SUMNER: I have read something about it; I cannot say I have read the Act, but what particular point are you referring to?

The Hon. R. C. DeGaris: It has made a significant contribution in Alberta to the reduction of litter?

The Hon. C. J. SUMNER: I believe so.

The Hon. R. C. DeGaris: I think that is right.

The Hon. C. J. SUMNER: I think so.

The Hon. R. C. DeGaris: Alberta's legislation has been the most acceptable.

The Hon. C. J. SUMNER: Maybe. I understand, from what I have read, that there has been a substantial effect on litter in both Oregon and the other States where this legislation has been introduced.

The Hon. R. C. DeGaris: The Hon. Anne Levy mentioned Alberta.

The Hon. C. J. SUMNER: You agree there has been a substantial effect on the reduction of the litter problem since the introduction of this legislation?

The Hon. R. C. DeGaris: In Alberta?

The Hon. C. J. SUMNER: Yes.

The Hon. R. C. DeGaris: All I can say is that Washington is a better example, where there is a tax.

The Hon. C. J. SUMNER: I will deal with the tax problem. It runs against the proposition to make the polluter pay. The deposit system means that the polluter pays. If he throws out his bottle or can and there is a deposit on it, he has lost the 10c and someone else has picked it up. Therefore, he is literally paying for his litter. That is the philosophic difference between the deposit system and a tax. I should have thought that honourable members opposite would be more enamoured of the scheme that provided for initiative, which the deposit scheme does, rather than the tax scheme. The tax system penalises those people who are careful about their litter.

Again, I refer to the House of Representatives' report, paragraph 145:

A non-returnable, non-recyclable container is wasteful in terms of the raw materials and the energy expended in its production.

Then there follow certain figures that have been mentioned in this debate and have been quoted. Paragraph 146 states:

The table shows that the returnable glass container is preferable to other containers currently in use in energy and resource usage terms.

This legislation will reduce the share that cans have in the market and will increase the use of returnable bottles. Honourable members opposite have been somewhat concerned about the effect of this legislation on employment in this State. I assure them that I, too, am concerned about it; I do not wish to knock South Australian industry. We do not want to see people put out of work, particularly at present. However, if we concede that there is an anti-social activity, if we agree there is a problem about resources, we should do what we can to remove it.

To say that the effects on employment should be paramount seems to be putting the cart before the horse. If an act is anti-social, the community must make adjustments to remove that anti-social activity, even though it may have an effect on employment. For instance, the armaments industry keeps many people in work, as it did during the Vietnam war, but we do not want to continue the Vietnam war just because it kept many United States people in work.

Then there is a matter that the Minister of Agriculture and I have been discussing recently—fishing in our waters. We could increase employment in the fishing industry by declaring an open slather on fishing grounds, but that would be anti-social in terms of our future needs. If too many fishermen are operating in a certain area and it becomes clear to the authorities that, if those fishermen are permitted to continue using that area, it will be fished out, the authorities should take action to solve the problem.

The Hon. A. M. Whyte: Does that mean you think we have too many can-making firms in South Australia?

The Hon. C. J. SUMNER: I think the basic issue regarding this Bill is resource use and the wastage of resources, and whether we can continue to rely on an economy that is based on consumer waste. That is the problem, and the can is one of the prime examples of it.

The Hon. J. C. Burdett: So you want to ban the can?

The Hon. C. J. SUMNER: That is not so. One answer to this problem is this Bill, which I believe goes a substantial way towards solving it.

The Hon. R. C. DeGaris: The only way you can solve that problem is to get the can off the market.

The Hon. C. J. SUMNER: If that has an effect on employment, that is something I regret. However, if we have an anti-social activity, we must get rid of it. I refer, for instance, to the fishing industry.

The Hon. C. M. Hill: You don't talk like this at election time.

The Hon. C. J. SUMNER: Can the Hon. Mr. Hill think of a better example? Clearly, over-fishing of a fishing ground is anti-social. If action is taken to prevent an area from being fished out, and unemployment results, that is being done for a socially useful purpose. The same sort of thing applies to this Bill. We have a problem, and we must do something about it. This Bill does something about it. True, it may have an effect on employment and, if it does, that is regrettable. However, it is something that must be done. I do not believe the Bill will have a disastrous effect on the overall employment situation, as has been suggested in the Council many times during the debate. Experience from the North American States shows that, overall, employment has been improved by the legislation.

The Hon. D. H. Laidlaw: You still don't want people having to leave their jobs, even if they can get another job.

The Hon. C. J. SUMNER: I agree.

The Hon. C. M. Hill: You say at election time that the people come first.

The Hon. C. J. SUMNER: Quite so. I also say that the people in the world community come first and that, if we continue wastefully using our resources, the world's resources will eventually be completely lopsided. Environmentalists have made out a good case for caution in this area.

The Hon. C. M. Hill: The point is that these adjustments that you say are necessary can be brought about by retrenchments.

The Hon. C. J. SUMNER: I would like to know how. This issue is sufficiently important to warrant reasonably drastic action being taken. I do not think the predictions that have been made regarding employment will be as drastic as some Opposition members seem to think they will be. The small adjustment that may need to be made in this area will be well justified by the intent of the Bill. I could direct a question to the Hon. Mr. Laidlaw regarding reductions in tariffs or anything else that results in the relocation of people. Does he believe that inefficient industries should be propped up?

The Hon. A. M. Whyte: Who said the can industry was inefficient?

The Hon. C. J. SUMNER: We will, if we adopt the attitude that inefficient industries should not be propped up by subsidies or high tariffs, create a dislocation in the employment of certain people. Yet the honourable member says that that is justifiable because of the greater benefit that the community will derive from it. That is exactly what I am saying regarding this Bill, if an employment problem is created. It seems that one will be created, but I submit that it will be created only in terms of relocating employment within the State. In many cases, the movement of labour is necessary for wider social aims. Such movement of labour should be assisted by retraining schemes and the like.

Some of the arguments against the legislation have already been canvassed. One that particularly struck me last night was the idea, advanced by the Leader of the Opposition, regarding counterfeit cans crossing the border by the truck load, after being manufactured in Melbourne. I would have thought that the law enforcement authorities in this State would have been able to do something about that, particularly when we consider the bulk of cans that would be necessary to have any impact. I thought that that was carrying the argument a little too far.

The Hon. R. A. Geddes: How could the authorities take action?

The Hon. C. J. SUMNER: How do they combat counterfeit money? Surely there is a way of making a unique stamp.

The Hon. R. A. Geddes: The industry told the Select Committee that a rubber stamp would be put on the can.

The Hon. C. J. SUMNER: We would have to ensure that the stamp was unique. The Leader of the Opposition raised the question of a tax, and he was extremely optimistic. about the chance of a constitutional change to enable a

tax to be imposed. However, I am not as optimistic as he is. This Bill is the best possible alternative, and it accords with the general philosophical principle that the polluter should pay.

The Leader engaged in a little bit of backwoods political abuse last evening; no doubt he was trying to get some political mileage out of the fact that the Labor Party has a Caucus system. He said that some Labor Party members were opposed to the Bill, but he did not name them, and I do not know of any such members. When I said that some Liberals supported the Bill, the Leader became confused. In fact, he thought the Liberals voted for the Bill in the Lower House. A newspaper report, headed "M.P. wants steel cans to be banned", says:

An M.P. wants the State Government to prohibit steel food and soft drink cans being used in South Australia.

Who was the M.P.? It was Mr. Allen, the Liberal Party member for Frome. The article also said that the then Opposition Leader, Dr. Bruce Eastick, also supported the proposal, and Mr. Becker, the member for Hanson, advocated a 5c deposit.

The Hon. D. H. L. Banfield: And they were ordered to vote against the Bill when the whips cracked.

The Hon. C. J. SUMNER: Although they expressed support for it earlier, they voted strictly on Party lines in the Lower House.

The Hon. D. H. L. Banfield: Shame on them! Fancy being dictated to by their Party!

The Hon. C. J. SUMNER: I believe that our system has considerable merit. Our Party members are bound by our policy. Even if some people in our Party had doubts about the policy, a decision was democratically arrived at. The policy was put to the people during an election campaign, and it was voted for by all Labor Party members in the Lower House. So, I ask conservation groups to look at our record in that respect. I think they will find that there are considerable merits in my Party's system. I support the Bill.

The Hon. T. M. CASEY (Minister of Lands): I thank honourable members for their contributions to the debate. Of course, this is the second bite at the cherry. I cannot let the Hon. Mr. Hill get away with his statements on unemployment. He quoted no figures and he used political arguments.

The Hon. C. M. Hill: What do you mean?

The Hon. T. M. CASEY: The honourable member did not back up his argument with concrete evidence about the alleged effect of this Bill on unemployment. You, Mr. President, have seen what has happened in Oregon since legislation was implemented there. When I visited Oregon, all the people to whom I spoke were proud of the fact that they had cleaned up a tremendous amount of litter as the result of the introduction of their legislation.

It is no good saying this should not be done on a piecemeal basis but that it should be on an overall basis, as the Hon. Mr. Hill said. That would probably take five or six years to come into effect with all the Select Committees and the information that would have to be gathered. We are trying to overcome a problem that has been increasing since the advent of cans in South Australia. I hope that the conservationists will get their way on this occasion because they have backed this legislation to the hilt. Some speeches made during the second reading debate have been not quite to the point about what the conservationists have said. The Hon. Mr. Hill claimed that there will be mass unemployment—

The Hon. C. M. Hill: I did not say mass unemployment. Come on, be fair.

The Hon. T. M. CASEY:—and that Government members should be interested in preserving jobs rather than not caring about them. I have looked at an article written in Illinois, in the United States of America, where Professor Hugh Folk, a quite eminent gentleman in that part of the world, studied the effects of the conversion of the beverage container system to returnables and found a net increase in that State of 6 500 jobs. The Hon. Mr. Hill gave no facts to back his claim, and he has made no study of this, nor did he refer to anyone who had made a study of it. No study has been made here, and I do not think it could be made until the legislation was passed. In Illinois, where this legislation has been in effect, studies have been made on its impact on employment. When honourable members opposite talk about things affecting people and their jobs, they should back those claims with factual statements. That has not been done on this occasion. I defy the Hon. Mr. Hill to prove to me—

The Hon. C. M. Hill: I quoted from the press.

The Hon. T. M. CASEY: Never mind about the press. If the Hon. Mr. Hill can give me an undertaking that a person has carried out a detailed study of the effect this legislation will have on employment in South Australia, I shall be delighted to get it. It is not possible to make an assessment. I am quoting from findings in Illinois and speaking from experience of what I saw and what I was told in Oregon, a beautiful State made more beautiful because it has no litter. We hear members saying that country people will be disadvantaged by not having cans. As a country person, I do not think I suffered to any extent before we had cans. They are handy, but for years we had only bottles and we weathered the storm. That is not an argument.

There have been so many bites of the cherry in this and in another place that I sincerely hope people opposite will realise that it is purely and simply a conservation measure. In Illinois it has been assessed that, since the introduction of this legislation, the population has been saved about $71 000 000. Nothing has been said during the course of this debate about what this would mean in cash to the people of a State, but those figures are derived from studies made in the U.S.A., where such legislation has been brought in.

On the previous occasion when this Bill was before us, I said that the Local Government Association of South Australia favoured it. As a former Minister of Local Government, the Hon. Mr. Hill is always quoting local government, saying he is in favour of getting behind local government, and that he appreciates its contribution to the State. That association and many councillors support this legislation wholeheartedly. I have letters on file from the association and from individual councillors, and the honourable member may see them if he wishes. I have letters also from conservationists, many of whom are supporters of the honourable member's Party. This staggers me. Whom do these people speak for? Do they speak for the people outside or for big business? A great deal of lobbying has been going on in this place during the past few weeks. To me, that is absolutely wrong. When big business comes to lobbying members of Parliament, elected by the people of this State, not by individuals—

The Hon. M. B. Cameron: I have been lobbied by the unions.

The Hon. F. T. Blevins: For—

Members interjecting:

The PRESIDENT: Order! The honourable Minister.

The Hon. T. M. CASEY: We all know that there are times when members of Parliament are lobbied, and that is part of the political game. Professional lobbyists are the order of the day in the United States. I believe that the Australian Meat Board considered engaging a professional lobbyist in Washington to help solve some of the problems regarding beef quotas. It is not so unusual. However, in a case such as this (with a conservation measure supported by the bulk of the people outside, the small people, the workingclass people that the Hon. Mr. Hill spoke about, who are trying to clean up this lovely city and country of ours), when members are lobbied by big business, that, to me, does not fit the bill.

That is what I am complaining about. Although it is a fact of life, I do not like it. I thank honourable members, and I sincerely hope they will give their support to the Bill, which is absolutely essential if we are to do something about overcoming littering in this State.

The Council divided on the second reading:

Ayes (13)—The Hons. D. H. L. Banfield, F. T. Blevins, J. C. Burdett, M. B. Cameron, J. A. Carnie, T. M. Casey (teller), B. A. Chatterton. J. R. Cornwall, R. C. DeGaris, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Noes (5)—The Hons. Jessie Cooper (teller), R. A. Geddes, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Pair—Aye—Hon. C. W. Creedon. No—Hon. M. B. Dawkins.

Majority of 8 for the Ayes.

Second reading thus carried.

The Hon. M. B. CAMERON moved:

That Standing Orders be so far suspended as to enable him to move for an instruction without notice.

Motion carried.

The Hon. M. B. CAMERON moved:

That it be an instruction to the Committee of the whole that it have power to consider new clauses providing for a prohibition on the littering of containers.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

SAILORS AND SOLDIERS MEMORIAL HALL ACT AMENDMENT BILL

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

ADJOURNMENT

At 10.27 the Council adjourned until Thursday, October 9, at 2.15 p.m.