

LEGISLATIVE COUNCIL

Tuesday, November 2, 1976

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

ASSENT TO BILLS

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

District Council of Lacedupe (Vesting of Land),
Fire and Accident Underwriters' Association of South Australia (Change of Name),
Fruit and Plant Protection Act Amendment,
Gold Buyers Act Repeal,
Housing Advances,
Industrial Commission Jurisdiction (Temporary Provisions) Act Amendment,
Inflammable Liquids Act Amendment,
Land Tax Act Amendment,
Levi Park Act Amendment,
Libraries and Institutes Act Amendment,
Libraries (Subsidies) Act Amendment,
Police Offences Act Amendment,
Road Traffic Act Amendment (No. 2),
Statutes Amendment (Gift Duty and Stamp Duties),
War Funds Regulation Act Repeal.

QUESTIONS

TROJAN AND OWEN

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question about Trojan Owen and Associates?

The Hon. D. H. L. BANFIELD: The firm Trojan Owen and Associates is currently working with the Transport Department on the following projects:

- (a) North-East Area Public Transport Review—establishment of the communications programme; and
- (b) matters related to the Transport Planning Procedure Committee. The South Australian Housing Trust in 1974 obtained a report from this firm on certain aspects of housing for the aged.

HOLIDAY PROGRAMMES

The Hon. J. R. CORNWALL: I seek leave to make a short statement before asking a question of the Minister of Tourism, Recreation and Sport.

Leave granted.

The Hon. J. R. CORNWALL: It came to my notice only this morning that the school holidays will soon be upon us; indeed, I believe that examinations are about to start. Many parents will be faced with keeping the family immune from boredom for a period of many weeks. Has the Minister in mind any programmes for the holiday period and, if so, what steps will the department take to make them public?

The Hon. T. M. CASEY: The department plans to develop a comprehensive list summarising all known holiday camps or other programmes to be run during December and January for schoolchildren or families. As well as providing resource material to answer public inquiries, it is planned to publicise the summary as widely as possible, including press, television and radio and a duplicated

summary for public distribution. Approximately 150 organisations are presently being approached by circular letter seeking details of camps or other activities they may be planning.

Later:

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

Leave granted.

The Hon. C. M. HILL: Regarding the question asked earlier concerning arrangements to provide camping opportunities for children and others throughout the State during school holiday periods, I bring to the Minister's notice the possibility of school buildings and school facilities generally, which in many ways are a wasted resource during the Christmas holiday period, being used to provide a holiday for some children who, because of the financial position of their parents, otherwise cannot enjoy those periods. I always have believed that arrangements could be made by which children from northern areas, for example, might come to the seaside. I have believed, too, that children from the city might have a holiday in a country area and children from a country area might come to metropolitan Adelaide at Christmas time. Despite the problems that there may seem to be, it may be possible for children to be accommodated in school assembly halls and buildings generally at Christmas time. Has the Minister already looked into this possibility? Has there been any investigation into such a proposal to help many South Australian children enjoy holidays which, I am sure the Minister agrees, they deserve? If the Minister has not already investigated this matter, will he take it up to see whether it can be researched and whether some results can be achieved?

The Hon. T. M. CASEY: I am willing to look at the proposal advanced by the honourable member. However, I would go a little further than what he suggested because it would be good for metropolitan children to go to the country rather than just bringing country children to the metropolitan area.

The Hon. C. M. Hill: Yes.

The Hon. T. M. CASEY: This way children from both areas can learn much.

CRAFT AUTHORITY

The Hon. C. M. HILL: Has the Chief Secretary a reply to a question I asked recently about the Craft Authority in this State?

The Hon. D. H. L. BANFIELD: The Government believes there is room for improvement in the performance of the South Australian Craft Authority. At present, the Chairman of the South Australian Craft Authority (Dr. Earle Hackett) and a board member (Mrs. Karen Lemercier) are overseas obtaining information on the latest trends in crafts and markets suitable for the South Australian Craft Authority. It is hoped that they will be able to recommend and institute improvements on their return. The report of the authority will be laid on the table as requested.

TOURISM

The Hon. R. A. GEDDES: I seek leave to make a short statement before directing a question to the Minister of Tourism, Recreation and Sport.

Leave granted.

The Hon. R. A. GEDDES: I notice in quite a number of Australian national magazines that the Western Australian Tourist Bureau is having a wide-scale, interesting and possibly very expensive advertising programme sponsoring Western Australia and all its attributes. Is the Minister aware of this publicity programme that Western Australia is conducting? Does he know how much money it has allocated to this programme, and does the Minister intend that, in due course, South Australia will advertise similarly the merits of this State for tourism?

The Hon. T. M. CASEY: I am well aware of the publicity that Western Australia is embarking on in publicising tourism in that State. The new Director of Tourism in Western Australia comes from the honourable member's district, and has shown much initiative since he has been in that position.

The Hon. R. A. Geddes: Typically northern!

The Hon. T. M. CASEY: Tourism is important for Western Australia, because the people there rely on people in the Eastern States for their patronage. We are not so much concerned with the publicity that Western Australia is embarking on, because people from the Eastern States must travel through South Australia to get to Western Australia; and we are certainly publicising in the Eastern States the tourist attractions they can see in South Australia when they are *en route* to Western Australia. We have also taken this opportunity to publicise South Australia in Western Australia for people who are travelling from Western Australia through to the Eastern States, but I think any publicity that Western Australia is embarking on can only help South Australia in the long term, because people from the Eastern States will certainly have to travel through South Australia to get to Western Australia.

The Hon. R. A. Geddes: Unless they go by train or air.

The Hon. T. M. CASEY: That is true. Most of them, now that the Eyre Highway has been sealed, will be travelling by car, perhaps with a caravan, so we are making sure that we get our full share of the patronage of these people, whether they stay in South Australia *en route* to Western Australia or on the return journey to the Eastern States.

ACADEMICALLY ABLE

The Hon. C. J. SUMNER: I understand that the Minister of Agriculture, representing the Minister of Education, has a reply to a question I asked on October 6 about academically able children.

The Hon. B. A. CHATTERTON: The Minister of Education informs me that his department has consistently maintained a policy of establishing schools which mirror the society in which they are set. Exceptions have been made for severely handicapped children, whose needs are such that they could not be met in the normal school environment, both physically and academically. So far as the academically gifted are concerned, it is considered that their academic needs can be met in the normal school environment and that it is highly desirable for their social development that they remain with all their peer group. However, particular abilities are recognised, as is evident from the establishment of schools with special emphasis on music at Marryatville and Brighton, and next year the Adelaide High School will give special emphasis to the teaching of languages. The notion of "giftedness" is of course different from that of academic ability.

COUNCIL AMALGAMATIONS

The Hon. M. B. DAWKINS: On October 7, I asked the Minister of Lands to obtain from his colleague in another place a reply to my question regarding further amalgamations of councils, and I ask the Minister whether he now has a reply.

The Hon. T. M. CASEY: The following amalgamations have been completed since the hearings of the Royal Commission on Local Government Boundaries:

1. The District Council of Millicent with the District Council of Tantanoola to form the District Council of Millicent.

2. The Corporation of Victor Harbor with the District Council of Encounter Bay to form the District Council of Victor Harbor.

3. The Corporation of Strathalbyn with the District Council of Strathalbyn to form the District Council of Strathalbyn.

4. The District Council of Marne with the District Council of Sedan to form the District Council of Ridley.

The following councils have reached agreement and their joint proposal has been advertised to enable a poll to be requested by ratepayers:

The District Council of Freeling and the District Council of Mudla Wirra to form the District Council of Light.

The undermentioned councils have agreed in principle to amalgamate, subject to the final conditions being satisfactory and, of course, subject to any poll which may be demanded:

1. The Corporation of Murray Bridge and the District Council of Mobilong.

2. The Corporation of Kadina with the District Council of Kadina.

My colleague is unaware of any further proposals to amalgamate at this stage.

LIQUID PETROLEUM GAS

The Hon. D. H. LAIDLAW: Has the Minister of Lands a reply from the Minister of Mines and Energy to my question of October 5, 1976, concerning the use of liquefied petroleum gas in Government vehicles?

The Hon. T. M. CASEY: In 1973 the Highways Department conducted a controlled field pilot study on the use of liquefied petroleum gas in motor vehicles in order to assess the economic and anti-pollution prospects of this fuel. Ten vehicles, including cars, vans and trucks, were converted to both pure gas and petrol/gas (dual fuel) operation. Conversion and maintenance costs, fuel consumption, exhaust emissions and crankcase oil contaminants were investigated, recorded and analysed. Light vehicles are replaced at 34 000 kilometres (25 000 miles) or two years, whichever occurs first, to achieve maximum ownership and operating economy. The 1973 study showed that it was uneconomical to convert departmental light vehicles to l.p.g. operation for a service life of 34 000 kilometres. The only advantage of using l.p.g. was that a lower level of pollution was achieved.

Trucks are not replaced at the same short intervals as for light vehicles, though they are usually sold before major engine repairs are necessary. The study indicated that conversion of departmental petrol driven trucks to l.p.g. was an economical proposition and would also give a lower level of pollution. However, these advantages were outweighed by practical difficulties in obtaining fuel as

further outlined below. The current limited number and geographical location of l.p.g. fuel points fall well short of that required for the operation of a large fleet of vehicles on a State-wide basis. Increases in the cost of the two fuels since the 1973 study have not altered its findings.

POWER STATIONS

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply from the Minister of Mines and Energy to the question I asked on October 20, 1976, regarding future coal supplies for Electricity Trust power stations?

The Hon. B. A. CHATTERTON: Coals from the Lake Phillipson and Balaklava fields are of different qualities, and tests so far carried out indicate considerable combustion problems with each. If they can be used as power station fuel, special boiler designs will be required in each case. Neither coal is suitable for use in existing Electricity Trust power stations. The questions of how development of the fields might be financed has not been considered at this stage while the suitability of the coal as fuel is still being investigated.

GOVERNOR'S SECRETARY

The Hon. J. A. CARNIE: I seek leave to make a brief explanation before directing a question to the Chief Secretary.

Leave granted.

The Hon. J. A. CARNIE: On October 20, 1976, I asked the Chief Secretary whether Mr. John White, who will become Secretary to the new Governor, will be attached to the Premier's Department, and not to the State Governor's Establishment, and the Chief Secretary replied, in part:

I assume that Mr. John White, who is a public servant, will be attached to the Premier's Department, although he will be acting as Secretary to the new Governor; that is an assumption, and I will refer the matter to the Premier in order to confirm that.

Has the Chief Secretary referred this matter to the Premier and, if he has, has he anything further to add?

The Hon. D. H. L. BANFIELD: The matter has been referred to the Premier and I have nothing further to add at this stage.

GOVERNMENT CARS

The Hon. M. B. DAWKINS: On October 13, I asked the Minister of Lands a further question concerning Government cars and whether the Government would be able to use a higher percentage of South Australian made cars. I understand he has a reply to that question.

The Hon. T. M. CASEY: When new cars are purchased for the Ministerial fleet, the types of cars available at the time are examined to see what best meets the needs required. At present Ford L.T.D.'s are considered to be the most suitable.

VEGETABLE OILS

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

Leave granted.

The Hon. C. J. SUMNER: In a recent edition of the *Advertiser* under the heading "Dangers in some vegetable oils" it was reported that a Federal Government survey

had shown that some people were at risk from certain edible oils packed in poly-vinyl-chloride containers. The report said that more than 9 per cent of the oils tested were so contaminated. The Federal Ministers responsible, the Minister for Health (Mr. Hunt) and the Minister for Science (Mr. Webster), said that results of the survey would be forwarded to the States so that they could consider them. In addition, the Australian Federation of Consumer Organisations said that manufacturers should withdraw all contaminated products from sale immediately. Can the Minister say whether he has received information from the Federal Government on this matter and, if so, what action has been taken to ensure that the public is protected from this contamination?

The Hon. D. H. L. BANFIELD: I will get a reply for the honourable member.

ELECTRIC CARS

The Hon. R. A. GEDDES: On August 11, I asked the Minister of Lands a question concerning electric motor cars. I understand he has a reply to that question.

The Hon. T. M. CASEY: Funds allocated to the Flinders University electric car project end in December of this year. Discussions have been held between officers of the Department of Transport and the Flinders team and it is estimated that \$25 000 will be required to complete the vehicle test programme. The Government will provide a two-for-one matching grant for money raised in support of the project. This means that the Government is prepared to provide matching grants to a total of \$16 667. On the matter of regenerative braking, some explanation is required. Where the traction motors of an electric vehicle are used to retard the vehicle instead of consuming power, they can operate as generators and feed power back into either the batteries or the vehicle supply system. This concept has been extensively used on electric vehicles, trains and trams for many years. The concept itself is not new.

The system of regenerative braking used on the Flinders electric vehicle is based on a combination of tried and proven components combined in a novel way. It was not realised at the time that a new combination of proven components can be patented, and consequently no patent was applied for. To the knowledge of the Flinders University design team, this system has not been copied in the United Kingdom. No financial remuneration has been obtained from any U.K. firm. A patent has been taken out for the power control system used to control the current supplied to the motor. Several overseas firms have shown interest.

STATUTES CONSOLIDATION

The Hon. J. C. BURDETT: Has the Chief Secretary a reply to my recent question about the consolidation of the Statutes?

The Hon. D. H. L. BANFIELD: The work on consolidating the Statutes is progressing as follows:

- (a) It is anticipated that the material for the first volume of the edition of South Australian Statutes, 1837-1975, comprising the topics from "Abattoirs" to "Bulk Handling of Grain" will be delivered to the Government Printer for binding and publication within a week.
- (b) Preparation of the text and editorial matter for the second volume has been completed. Before printing and publication can be carried out,

preparation of maps and other art work by the Government Printer has to be completed, followed by checking and ancillary work by the Statute Revision Section. It is hoped that this volume will be available for printing before the end of the year.

- (c) In addition, work is proceeding on the preparation of material for the third and other volumes and, at the same time, on corrective legislation for future reprints as and when they become necessary.

It must be emphasised that the work involved in this consolidation is long and painstaking, and that it will be some time before a complete set of volumes is available.

PUBLIC HOLIDAYS

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question about public holidays?

The Hon. D. H. L. BANFIELD: The Government has considered the aspect of holding a public holiday on Boxing Day instead of Proclamation Day, but has found it inappropriate at this time to alter the current arrangements. The question relating to country centres having alternative public holidays has been raised on other occasions, but it has been decided that it is a considerable advantage in having a uniformity of holidays within South Australia.

DEFECTIVE PREMISES BILL

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

NARCOTIC AND PSYCHOTROPIC DRUGS ACT AMENDMENT BILL

The Hon. D. H. L. BANFIELD (Minister of Health) obtained leave and introduced a Bill for an Act to amend the Narcotic and Psychotropic Drugs Act, 1974. Read a first time.

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

That this Bill be now read a second time.

Last month in Melbourne a conference of Ministers of the various States responsible for health and police administration met to consider recommendations of the National Standing Control Committee on Drugs of Dependence. The national committee put forward a proposal for an increase of penalty for drug trafficking to \$100 000 or 25 years imprisonment, or both. Drug trafficking is a highly profitable enterprise; it is not unusual for drugs with an illegal market value of \$500 000 to be seized. The increased penalties are designed to accord more closely with the kind of profit that can be made by a drug trafficker. However, it is proposed that the penalty for trafficking in Indian hemp should remain at its present level; that is to say, \$4 000 or 10 years imprisonment, or both. Under the terms of the Bill, this lesser penalty may also be applied, by regulation, to offences involving other drugs that are not as destructive as the hard drugs such as heroin. In consequence of the proposed increase of penalties for trafficking, it is intended to increase, by regulation, the prescribed quantities of drugs that constitute

prima facie evidence of trafficking. The national committee felt that the present levels were rather too low.

The Bill also expands the powers of police and other authorised persons to seize and carry away money and other objects that appear to be connected with drug offences. The power of the court to order confiscation and forfeiture of such property is expanded in prescribed cases to cover forfeiture of motor vehicles and premises.

Clauses 1 and 2 are formal. Clause 3 strikes out the present definition of "Indian hemp" and inserts two new definitions in its place. "Indian hemp" is defined as the plant or any part of the plant of the genus *Cannabis* (except fibrous material containing no resin). "Hashish" is defined as any resinous or other extract, derivative or concentrate obtained from Indian hemp (whether crude, adulterated or refined). The purpose of the new definitions is to distinguish between Indian hemp in its unprocessed form, and the much more harmful and dangerous concentrates obtained from the plant which are known as hashish or hash oil. The definition refers to crude and refined extracts so as to make it clear that crudely prepared resin which may contain some plant material falls within the definition of hashish.

Clause 4 is a consequential amendment. Clause 5 establishes the new penalties for drug trafficking. Where the drug or plant involved in the commission of an offence is Indian hemp, or any other prescribed drug or plant, the penalty remains at a maximum of \$4 000, or imprisonment for 10 years. In other cases, the penalty is raised to a maximum of \$100 000 or imprisonment for 25 years, or both. A number of other amendments of a drafting nature are made to this section. Clause 6 expands the regulation-making power to accord more closely with regulations that have in fact been made. Regulations under this power are used to authorise medical practitioners, veterinary surgeons, research scientists and other professional people to administer and use drugs to which the Act applies.

Clause 7 expands the powers of police and authorised officers where it is suspected that an offence against the Act is being committed. The new provision enables a police officer or an authorised officer to carry away any money or thing that he suspects on reasonable grounds to be liable to forfeiture in proceedings for an offence against this Act. Clause 8 expands the powers of confiscation and forfeiture exercisable by a court in proceedings for an offence against the Act. The new provision empowers the court, where the offence involves a drug of a prescribed kind, to forfeit to the Crown any premises or vehicle which are the property of the convicted person and were used by him in connection with the commission of the offence.

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

POLICE OFFENCES ACT AMENDMENT BILL (NO. 2)

The Hon. D. H. L. BANFIELD (Minister of Health) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1976. Read a first time.

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

That this Bill be now read a second time.

This short Bill is designed to overcome a possible weakness in the Police Offences Act. The Act at present provides that it is an offence for a person to have in his possession property that is reasonably suspected of having been stolen or unlawfully obtained. A number of cases decided in

New South Wales on the basis of a similar provision suggest that money or other property obtained, for example, by a drug trafficker in pursuance of illegal drug trafficking would not come within the terms of this section. This restrictive interpretation, which has been accorded the phrase "unlawfully obtained", may cause considerable problems in dealing adequately with drug offences. It is sometimes possible to prove that moneys or other property are the proceeds of a drug offence but difficult or impossible to establish the commission of the offence itself. The purpose of the amendment is to make clear that the offence applies to property obtained by any unlawful means whatsoever. Clause 1 is formal. Clause 2 amends section 41 of the principal Act so that it will apply to property reasonably suspected of having been obtained by any unlawful means whatsoever.

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

PRICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 21. Page 1727.)

The Hon. J. C. BURDETT: I support the second reading of this Bill. I understand that, when it was first presented in another place, it was simply an annual renewal of the Prices Act, which we have had since 1948; but it was amended by the Government in that place and the only substantive parts of this Bill, apart from renewal, were those included in the amendments. It seemed that the provisions, apart from the renewal provisions, were somewhat of an afterthought.

Turning to the Bill and to this afterthought introduced at a late stage, we come first of all to clause 2, which seeks to amend section 3 of the principal Act, and the first part of that clause to which I wish to refer is paragraph (b), which seeks to strike out from subsection (1) the definition of "service", inserting in lieu thereof the following definition:

"Services" includes rights and privileges of any kind.

The original definition, which may have been somewhat *ad hoc* and old-fashioned, reads:

"Service" means the supply for reward of water, electricity, gas, transport, or other rights, privileges or services (not being services rendered by a servant to a master) by any person (including the Crown and any statutory authority) engaged in an industrial, commercial, business, profit-making or remunerative undertaking, or enterprise.

Under the new definition, "rights and privileges of any kind" would include the right and privilege of walking across the road, which is a right or privilege. I concede that, because at the moment no monetary advantage or no sort of price is attached to that, it could not come within the ambit of the Bill; but, if it was, it could come within the ambit of the Bill. Secondly, this clause is far too wide—"rights and privileges of any kind". Let us look at this situation. If anyone belonged to a social or working man's club, for the membership of which he paid a subscription, according to this Bill he would receive rights and privileges at the bar, in the playing and cafeteria areas, in the dining-room, or whatever the club had to offer. Because a member pays something for membership, he comes within the ambit of the Bill. It could well be argued (in fact, I think it could be argued with no fear of contradiction) that he would come within the ambit of the Bill and that the subscription he paid could be scrutinised by the Commissioner. I do not suppose for a

minute that it would be likely, that any Minister would want to control these services, but we are looking at the Bill to see that it is correct and proper. To me, it is far too wide to say that "services" include rights and privileges of any kind.

It was said in the second reading explanation that the purpose of this clause was to clarify the position. It certainly clarifies the position in that it makes it as clear as mud, because the thing is so wide, with any kind of rights or privileges being brought within the ambit of the Bill if any money is paid. I propose in Committee to move an amendment to delete this provision and to bring the Bill back to the present definition, which I have already read and shall not repeat. It may be *ad hoc* or in too much detail, but in particular it has not been suggested to me and it is not suggested in the second reading explanation that there is anything wrong with the present definition. I have not been able to find from any source that the present definition has caused any trouble. There has been no area in which there has been any problem caused by the present definition; there has been no problem of any kind. It has been suggested that the definition is archaic and needs updating, but no-one has been able to suggest any situation in which the present definition is defective, or where it has caused any problem. I believe that the present definition is quite adequate, and no reason has been shown why it should be changed.

The second part of the Bill to which I propose to speak is clause 2 (c). The South Australian Commissioner for Prices and Consumer Affairs will become the Commissioner for Consumer Affairs. I entirely agree with that. It seems to me the term used for the Commissioner has long been inappropriate, because we are dealing with consumer affairs, not only prices. The major subject with which we are dealing is consumer affairs. Clause 2 (a) provides:

Section 3 of the principal Act is amended—

(a) by inserting in the definition of "consumer" in subsection (1) after the passage "or leasing;" the passage "or otherwise than for the purposes or in the course of trading or carrying on business";

It was explained that this was being done because it was not practicable or desirable to include business people in the definition of "consumer". I agree that this is a problem area. It was suggested that the department was intended to help the ultimate consumer, the individual who bought something for final consumption, and was not intended to help the business man. This has something to commend it. The business man can handle things himself.

Before this part of the Act was brought into effect, anyone who had any complaint about price or about the product simply had to go to the courts, and in modern times, for the small man, the ultimate consumer who is at a disadvantage, this is not practical. He has no money to fight the big business man with whom he is dealing. He cannot take the matter to court effectively. If it is a matter of \$30, \$50, or \$100, which might mean much to him, there is no basis on which he can take the matter to court, so the old court adversary procedure was not relevant.

The amendment being made seeks to preclude the business man from access to the Prices and Consumer Affairs Branch. I must agree that this is the only way in which to approach the matter, but it presents problems. The branch has given to the ultimate consumer something that he has not had before. He has not had to go to court as he had to do previously. He has been able to go to the branch and get practical and real help against

the producer, against whom he has not the funds or means to fight. To give a practical example, it would not be realistic for, say, Broken Hill Proprietary Company Limited, if it had been done an injustice by someone who had delivered goods to the company, to go to the branch. That would be stupid.

It would be unrealistic to expect that, at public expense, all classes of business could use the excellent services of the branch. Those services are meant for the small man, the disadvantaged man, who has not the funds to take action himself. However, I am somewhat concerned about the small business man in this situation. I support the amendment being made, but I am concerned that the small business man cannot have access to the branch. Perhaps the best way to bring this matter forward is by giving an example. A constituent who is a fisherman came to me recently. He needed to have a coach bolt manufactured for him, and he had this manufactured. He received an account for about \$45.

The Hon. J. E. Dunford: That is private enterprise!

The Hon. J. C. BURDETT: Yes, it was. He went to the branch, which checked for him and told him that it considered that the fair price of the labour and materials in the coach bolt was about \$15 at the most but that the branch would not help him, because he was a business man and was not the ultimate consumer. The Bill seeks to give effect to that. For example, it has been the practice, quite properly I think, for some time merely to help the final consumer and not to help the business man, whether small or large. If the business man who had gone to the branch had owned a boat for pleasure, he could well have been in a much stronger position. It is likely that as a consumer, rather than as a fisherman, the branch would have helped him with his complaint about the coach bolt. Merely because the fisherman was in business, he received no help. If someone had a pleasure boat worth, perhaps, \$20 000 or \$30 000 and had a coach bolt manufactured in this way, he could have got the help that the fisherman did not get. This situation is of concern.

I have noticed in a Federal report concerning the Federal Trade Practices Act that the suggestion has been made that the definition of "consumer" be widened to include any person who is a purchaser in any transaction, where the individual transaction is for a consideration of not more than \$15 000. I do not suggest that we should adopt that in South Australia. The Act was meant to help the person who could not help himself, the person who was the final consumer, and it would be quite impracticable and impossible financially to open the resources of the branch to large industries such as B.H.P., and so on. This matter is in a difficult area.

I have thought about ways to rectify the position, such as that we could include any private individual, other than a company or body corporate, but that would not be practical, either, because some family companies are small and weak and are unable to exercise their rights against the person from whom they are acquiring goods. On the other hand, many producers are large partnerships, so that would not operate successfully, either. I merely raise the point that, whilst I agree with the amendment because it simply gives effect to what the branch has been doing for some time (namely, helping the private consumer, not the small business man), I suggest that the small business man can be in exactly the same plight as are most consumers: he can find himself in a situation where it is not a practical remedy for him to go to court and where he is oppressed by a supplier or a large business man with whom he is dealing. I hope this problem will be kept under review. I am pleased to note that an

attempt is being made in South Australia to establish a voluntary consumer organisation. I hope that that attempt will be successful and that this organisation will be able to help this class of consumer, that is, the small business man who does not have reasonable access to the courts but who has exactly the same problem as have many private consumers.

Clause 5 applies to wine grapes. Its first main function is that it prevents certain means of contracting out of the Act as applies at present—dodging the Act. Secondly, the clause deals with the terms and conditions of payment for wine grapes. This provision gives me some concern because, so far as I am aware, this will be the first time ever in South Australia that a Minister has been given power to fix the terms of payment between private bodies. I am not aware of any other instance where two private enterprise organisations dealing with one another are subject to the Minister's power to fix the terms of payment.

This is something new, and I hope it will not be the thin end of any sort of wedge. I hope that it will not become a general practice that, where private organisations are dealing with one another, in this case the grower and the winemaker, the Minister can fix the terms of payment. I am told that it is necessary in this case, but I believe it is necessary only because of the unfortunate example involving a few winemakers.

The Hon. C. J. Sumner: Do you know who they are?

The Hon. J. C. BURDETT: I do not wish to name them.

The Hon. C. J. Sumner: I am not aware of them.

The Hon. J. C. BURDETT: The honourable member can name them if he wishes. Only one or two winemakers have made this provision necessary. Generally, winemakers have paid their bills within the growing season or within a lesser period, but one or two winemakers have not done that and, for this reason, this provision seems justified.

The Hon. C. J. Sumner: Isn't one big winemaker involved?

The Hon. J. C. BURDETT: Yes. Although I am willing to go along with this provision, I intend to introduce an amendment to see that the action of the Minister is not discriminatory, and I hope that I get support from the Government in this matter. The Government has been strong about discrimination, whether it be sexual or racial discrimination, and I hope it will not discriminate between winemakers.

As the Bill stands, the Minister could proclaim one period for one winemaker and another period for another winemaker, but this would be grossly unjust and improper. It could be said that the Bill, as it stands, is more flexible, in that there could be some disadvantaged winemakers in respect of whom there could be justification for extending terms and making them more lenient. However, it would be improper for the Minister to say that winemaker A should pay within one month and winemaker B should pay within 12 months, and I intend to see that this cannot be done.

I cannot see any justification for that kind of discrimination at all. As I have said, there may be a case to say that, if someone was in financial difficulty, the period should be extended but, if that is to be done (and setting down terms for payment in an industry has never been done before), the terms have to be universal. There cannot be any reason to discriminate between one winemaker and another. For these reasons, I support the second reading, but I intend to move some amendments in the Committee stage.

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

URBAN LAND (PRICE CONTROL) ACT
AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 21. Page 1730.)

The Hon. C. M. HILL: I support the second reading of the Bill because I have no objection to control of the price of urban land being continued until December 31, 1978, as is provided in the Bill. That is the Bill's main function, but there are two other matters provided for in clauses 2 and 3, and I want to comment upon them, because the Government is going a little too far in its legislation of this kind. Clause 2, deals with the power of investigations and inquiry, and new paragraph 27 (1) (a), dealing with the powers of the Commissioner after an application has been made for fixing the sale price of land, provides:

require any person to produce for inspection any document in his possession or power that relates to any dealing with land;

I have no objection to the Commissioner requiring an applicant to produce documents related to the land which is the basis of the application for price fixation but, whether or not it is fair to give the Commissioner the right to ask for information concerning any dealings in regard to almost any land is questionable. As I read this provision, it means (and I would like the Minister in his reply to comment on this aspect), that the Commissioner could ask the applicant how much he paid for his home or the price he sold his home for, say, 10 years ago, because that would be defined as land.

I do not believe that the transaction of a man's private home that might have transpired 10 years ago has any bearing whatever on an applicant seeking the Commissioner's view about what price may be charged for land purchased for resale. The scope of that clause is far too wide. It should be looked at more closely and the Committee stage is the appropriate time when that should be done and this clause discussed more fully before the Bill finally passes through this Council.

The other matter I refer to is the extension of the period that clause 3 grants during which proceedings may be commenced after the time that an offence is committed. I understand that the time is now six months and this Bill extends that time to a period of two years. As I recall, the Minister, when he introduced the Bill, said that it had been possible for some people to withhold the lodging of documents at the Lands Titles Office beyond the six-monthly period, in effect, which meant that the authorities were unable to obtain the necessary evidence to instigate proceedings. I am not in any way supporting any proposal to prevent the instigation of proceedings, but I wonder, in the cause of justice, how far or what period it is reasonable to allow as an extension of the existing six-monthly period.

When the Minister suggests two years in the Bill, it would seem to me that that is a considerable extension, and I really think it is too long a period in this instance. I would think that, if the Government has had problems with this existing arrangement of six months, an extension to 12 months ought to be fair and reasonable. They are the only two points in the Bill which concern me, and I hope that the debate can be developed upon those two points. I repeat that the extension of the period for this control is something which I do not oppose, and so that this matter can be dealt with further in the Committee stage I support the second reading.

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

SOUTH AUSTRALIAN HEALTH COMMISSION BILL

Adjourned debate on second reading.

(Continued from October 21. Page 1739.)

The Hon. J. E. DUNFORD: I do not know a great deal about local government, but since hearing the contribution of the Hon. Mr. Burdett, who has an amendment to this Bill, and hearing my colleagues on this side of the Chamber, I am impressed with the seriousness of the situation, and I want to support the Bill. Like most members of Parliament, I have received communications, and I have one here that I want to read from the Port Augusta council. It states:

City of Port Augusta objects strongly against hospital levy provisions in Health Commission legislation. Howard, Mayor.

I do not disagree that the various councils have the right to approach members of Parliament. However, I do not believe that councils throughout South Australia are properly constituted. In fact, I do not believe that they should decide what happens in a community unless they are properly constituted. A Bill will be introduced providing complete franchise for everyone living in a council area, and if that Bill is passed by both Houses I shall have to take serious cognizance of this matter. Until such time, however, I think this Bill ought to be supported by this Chamber. The Hon. Mr. Burdett suggested that people on this side of the Chamber did not agree with voluntary organisations. I object very strongly to that suggestion; in fact I do support voluntary organisations.

The most important people who will be affected by this Bill will be the hospital boards all over the State, and all these people are voluntary workers. I have not received one telegram or communication from anyone on a hospital board in South Australia who said that the 3 per cent levy was not needed in connection with capital works grants. It seems to me that the Opposition, in foreshadowing an amendment, is not really representing the true facts of the situation. It was interesting to note that the Hon. Mr. Burdett had to be the main speaker. The Hon. Mr. DeGaris talked about compulsory contributions. After all, the people who contribute 3 per cent of ratepayers' money are the people who can most afford it. Many people in the various council areas have no money in the way of rates at all and are happy to see all those who have the money pay the 3 per cent levy.

Let us look at the voluntary worker situation. When I raised an objection on the last day of sitting, we were discussing the fire at the winery which was fought by voluntary firefighters. Damage amounting to \$5 000 000 resulted from that fire, but if those people had been trained firemen the damage might have been only \$1 000 000. They were putting water on the fire instead of using foam. In another instance, \$1 500 000 worth of damage resulted from a fire at Whyalla. In fact, two of the biggest fires in South Australia have been fought by voluntary labour.

The Hon. J. C. Burdett: Are you talking about the Health Commission Bill?

The Hon. J. E. DUNFORD: Of course I am. I am replying to the honourable member's statement that I did not believe in voluntary workers. Voluntary labour must be controlled and must be well directed. I agree with the Hon. Mr. Whyte when he said that the Hon. Bert Shard had stated that the best hospital system in the world operated in South Australia. There is no disagreement on this side of the Chamber about that, but I believe that if the foreshadowed amendment is carried and the 3 per

cent levy is taken away the system will become worse. The Chief Secretary has informed me (and I suppose there is no harder worker in Parliament than the Chief Secretary, as far as health matters in this State are concerned) that the scheme can attract a two-for-one subsidy when spent on capital works.

This is of interest to everybody in South Australia. Not one metropolitan council that I can recall has contacted me objecting to the Bill. I believe that the Adelaide City Council's share of the levy amounts to \$100 000, and the Gawler council's share is \$11 000. These amounts certainly assist the respective hospital boards, which are voluntary organisations, carrying out the health care of the people concerned.

The Hon. J. C. Burdett: Have any hospital boards spoken to you?

The Hon. J. E. DUNFORD: Not one hospital board has spoken to me, and I am glad that the Hon. Mr. Burdett has mentioned this. If the hospital boards, which are voluntary organisations, had approached me I would give serious consideration to continuing my support for this Bill. Once again, I make clear that local government today in South Australia is not properly representative: it does not represent the views of the people. If a worker, for instance, was elected to a council that met in the afternoon, he would have to take a half a day off from work. They are not honest in their approach to members of Parliament.

The Hon. J. C. Burdett: Who is not honest?

The Hon. J. E. DUNFORD: The honourable member is not honest in his approach.

The Hon. J. C. Burdett: Are you saying that local government is not honest in its approach?

The Hon. J. E. DUNFORD: Of course.

The Hon. J. C. Burdett: You are!

The Hon. J. E. DUNFORD: Of course. I have told the Secretary of the Local Government Association the same thing, because local government is not truly representative of the people of South Australia.

The Hon. J. C. Burdett: So, local government is not honest in its approach?

The Hon. J. E. DUNFORD: Of course. It may be honest when it is properly elected. If it is not properly elected, it is not properly representative of people in the community. Local government is not honest if it represents only the capitalist class, which members opposite represent. It was reported in the press that a councillor said he would resign because the Minister of Labour and Industry supported preference for unionists; that shows how political councillors are. I support the Bill because it is in the best interests of all people of South Australia.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members for the attention which they have given to this Bill. Having explained the Bill in some detail when I introduced it into this Council recently, I do not intend to speak at great length at this stage, although I will touch on some points of concern. The history of investigations into the establishment of a body to administer hospital and health services, as some honourable members have pointed out, can be traced back some 30 years to a Committee of Inquiry for Consolidating the Health Services of the State, appointed by the House of Assembly, to study the advisability of merging health services into one department, responsible to the Minister of Health. That committee, amongst its recommendations, came down in favour of the appointment of a five-member commission

to administer the various health and hospital services. Then, some years later, the Bright committee recommended the establishment of a statutory health authority. Following a further period of research, this Government introduced legislation last year to establish a Health Commission. The Bill was, in turn, subjected to close examination by a Select Committee, which was satisfied from the evidence placed before it that "almost without exception, there was support for the concept of a Health Commission, and the integration and co-ordination of health services". Accordingly, it was satisfied that it was desirable that a Health Commission be established.

I therefore believe that the Government stands vindicated in its desire to establish a Health Commission. As I mentioned in my second reading explanation, the establishment of a commission and other provisions in the Bill are designed to facilitate productive and co-operative relationships between the commission and other elements of the health system, and to overcome the problems stemming from the fragmentation of the health services generally. The commission will work for the rationalisation and co-ordination of health activities and the provision of comprehensive health services related to the health problems, needs and wishes of the people. The establishment of a commission will lead to better health services and better health for the people of South Australia. Honourable members opposite have raised a number of points relating to specific provisions of the Bill. I intend to comment on most of them, and probably the best way to do so is to take them in the order in which the clauses appear in the Bill.

A number of honourable members have expressed doubts about representation and involvement of local government, voluntary organisations, and the community generally. Taking local government first, let me say that at no time has there been any suggestion that local government would not continue to be involved in the delivery of health services.

The Hon. J. C. Burdett: Then, why doesn't the Bill provide that local government shall be represented?

The Hon. D. H. L. BANFIELD: Local government is already in this field. An undertaking has already been given that local government will continue to be involved in the distribution of health services.

The Hon. J. C. Burdett: Who gave the undertaking?

The Hon. D. H. L. BANFIELD: You could not get a more respectable person than myself!

The Hon. J. C. Burdett: It is not in the Bill.

The Hon. D. H. L. BANFIELD: The honourable member knows very well that local government is involved.

The Hon. J. C. Burdett: The Bill does not say that local government shall be involved.

The Hon. D. H. L. BANFIELD: Under other Acts, local government is already involved in the distribution of health services. No attempt is made under this Bill to interfere with any of the powers or responsibilities of local government in health matters. These continue to be provided for in the Health Act, the Food and Drugs Act and related Acts directly affecting health. None of these is touched, affected or prejudiced by the Bill: all of them remain in force. So, local government is involved, irrespective of whether it is mentioned in the Bill, because it is already mentioned in other measures. Indeed, there are specific provisions in the Bill to provide for continued participation by local government authorities in the provision of health care.

With respect to voluntary organisations, reference is also made throughout the Bill to their continued participation in the provision of health care. One of the stated functions of the commission in clause 16 is "to promote and encourage voluntary participation in the provision of health services". In addition, section 18 provides for the establishment of an advisory committee on the specific matter of voluntary participation of the community in the provision of health care. Indeed, the Government recognises the valuable contribution made by voluntary organisations and community groups, which must be retained and encouraged by every means possible. There are specific provisions in the Bill to provide for continued participation by local government authorities in the provision of health care.

If anyone has attempted to white-ant the valuable assistance given by voluntary groups, it has been members opposite during the introduction of Medibank. I had to travel around the country telling groups like ladies auxiliaries that their services were still needed. My work was necessary because of rumours, started by members opposite, that ladies auxiliaries would no longer be required. Contrary to what honourable members opposite were trying to put into my colleagues' mouths, we believe in voluntary organisations. At no time did Government members say that they did not favour voluntary organisations.

For the benefit of honourable members opposite, I can give some further examples of the way in which the involvement and representation of local government, voluntary organisations and the community are envisaged. First, there will be a continuation of local government contributions at the rate of 3 per cent to ensure representation and involvement. I will refer to this matter again later. Secondly, there will be resultant incentives to voluntary organisations to supplement such contributions. Thirdly, there will be future local government representation on the boards of management of metropolitan incorporated hospitals, and community involvement in future regional organisations. In summary, then, I believe that the doubts expressed by various honourable members in relation to the question of adequate representation and involvement of local government, voluntary organisations and the community generally are very much unfounded. Throughout, we have said that we want the involvement of these people to continue.

Various honourable members, such as the Hon. Mr. DeGaris, the Hon. Mr. Carnie, and the Hon. Mr. Burdett, have raised the question of whether or not a commission is preferable to a continuation of departmental status. The main reasons for the introduction of a commission structure are: first, to give greater autonomy and direct local participation in the management of existing Government hospitals, both metropolitan and country; secondly, to co-ordinate and consolidate the hospital services of the State under the same conditions without loss of independence or self-determination, which could occur if all recognised hospitals in the State were to be incorporated within a Public Service/departmental-type structure (it is believed that all "subsidised" hospitals would be unwilling to accept a Public Service form of authority and control); thirdly, to facilitate the transfer of staff between one hospital or health centre and another or even between hospitals and health centres and the commission; and, fourthly, to give effect to the recommendations of the Bright committee, which indicated that health services were of sufficient importance and size to warrant a separate authority. Suggestions have also been made that the commission should cover a wider field to include welfare activities.

However, the Bright committee, after the taking of much evidence and much deliberation, specifically recommended against the inclusion of welfare.

The Hon. R. C. DeGaris: Did it recommend this Bill *in toto*?

The Hon. D. H. L. BANFIELD: Of course it did not, but the whole principle of the Bright report has been incorporated in this Bill.

The Hon. J. C. Burdett: Nonsense!

The Hon. D. H. L. BANFIELD: It is not; the honourable member knows it is not nonsense. Such inclusion was also considered by New South Wales and Victoria, but welfare was excluded from both those States when they set up their commissions. In the United Kingdom (Department of Health and Social Security), the amalgamation has not been successful. It is difficult enough a task co-ordinating health services and hospitals to everyone's satisfaction (as shown by the different approaches by members of the Council to this very Bill) without the additional complications of welfare. Just imagine what the position would be if we had included welfare!

No difficulties are seen with relationships between a commission and allied departments such as the Education and Community Welfare Departments as a result of the proposed commission structure. Clause 8 (constitution of the commission) attracted a good deal of comment, in relation to the need for eight commissioners, the desirability of both full-time and part-time members, and the method of appointing the commissioners. While it would be extremely difficult, if not impossible, to ensure that all sectional interests had direct representation in the determination of health policies and practices, for which full-time professionals are required, there is the need for their views to be "tempered" by consultation and advice by part-time community orientated members to avoid the development of an isolated "ivory tower" approach. I may add, at this point, that I am not attracted to the idea of having certain groups nominating members. Indeed, the Bright report specifically recommended against sectional interest representation, as did the Select Committee. On the Select Committee, as we all know, all sides of the House of Assembly were represented.

It is essential that the involvement in policy decision making by part-time representatives be a direct one for which they have a responsibility. The advice of advisory councils does not provide for such direct involvement and can also be too readily ignored. It is considered that the appointment of five part-time Commissioners would give a wider spectrum of viewpoints and it is important that the three full-time professionals could not become so complacent that they could consider themselves always to be in a position to outweigh the opinions expressed by representatives of the outside community.

There appears to be some disagreement in the views expressed by the Hon. Mr. Dawkins and the Hon. Mr. Burdett on clause 15. They cannot agree even on this clause. It is believed that the Bill provides for the commission to exercise considerable autonomy of approach in relation to health matters, but this can always be curbed by the Minister at any time if the Minister is concerned by the action taken. We do not want too tight a rein but we want a rein that can be tightened if the thing gets out of hand. The fact remains, however, that the Commissioner is under Ministerial control. The Bright report recommended this, and the Government accepts it. (I am pleased to note that I have the support of the Hon. Mr. DeGaris in this regard.)

The Hon. Mr. DeGaris, the Hon. Mr. Burdett, and the Hon. Mr. Cameron questioned clause 17. Delegation by the commission has been queried. This appears to have arisen at least partly from a misunderstanding of the commission's role: The commission is to be a policy and financial resource body. There is no intention that it should directly administer individual units such as hospitals and health centres. Internal delegation is made possible by clause 17, which would also enable powers to be delegated to future regional authorities as outlined in clause 3 (d).

A greater number of advisory committees, with expanded areas of interest, is possible under clause 18. However, this should not be a basis for a reduction in the number of part-time members of the commission, as suggested by the Hon. Mr. Dawkins. The Hon. Mr. Dawkins also referred to clause 26. This clause provides the authority to enable a change to be made to the name of a hospital or health centre. Such power would be exercised at the request of such hospital or health centre (and there would be no objection to the addition of words to indicate that such change is to be made "at the request of").

The Hon. Mr. Dawkins also spoke on clause 38(1). The recognised hospitals covered by this subclause are subject to the Medibank hospital agreement between the Commonwealth and the State. The agreement provides for specific levels of hospital charges to be made by all recognised hospitals.

Clauses 39 to 42 were canvassed by the Hons. Mr. Hill, Mr. DeGaris, Mr. Carnie, Mr. Whyte, Mr. Dawkins, Mr. Burdett, and Mr. Cameron. On the question of local government contributions for hospital purposes, the comments of some honourable members would indicate some misunderstanding. The Medibank hospital agreement covers expenditure up to \$50 000 an item for plant, equipment, renovations, etc., so that the future need is for capital funds for land, buildings, and other major works. While some hospitals have capital funds available, others do not, and there is a need for funds to be accumulated over a period. The contributions do not go to a fund; they are payable to the commission (department) and thence to each hospital exactly as listed in the contribution notice. Rather than controlling hospitals, the availability of capital funds under the control of the board of management gives individual hospitals the ability to seek Government assistance with expansion plans of their own volition.

Of course, in the future, this will be the main source of income, as far as non-government, recognised hospitals are concerned, to build up a capital account. This again will involve voluntary organisations, which will be able to work with their hospitals; they want their hospitals. It is the mainstay of people who live and work in the country areas to know that they have a hospital to which they can go, if necessary.

There are three reasons why we want local government to be involved in this. Local government comes down on the side of this legislation because it wants improvements to its hospitals; it wants to make contributions to its hospitals; and it wants to subsidise contributions so that it can secure additions to the hospitals. Local government is vitally involved in this regard. It is the main area from which hospitals in future will be able to get funds for capital expenditure.

The Hon. M. B. Dawkins: How do hospitals in other States fare; they do not have contributions of this kind.

The Hon. D. H. L. BANFIELD: That may be so, but they have funds available to them that we have not got. It is obvious we must have something to extend hospital building; it must come from somewhere. Nearly 50 years

ago the Party represented by members opposite decided that councils should pay a contribution, a levy, towards the hospitals. How were hospitals in other States being financed then? How have they been financed in this State?

The Hon. J. C. Burdett: Have not times changed from 50 years ago?

The Hon. D. H. L. BANFIELD: Of course they have, because the hospitals in the country require help. In the past, they were—

The Hon. J. C. Burdett: What about Medibank?

The Hon. D. H. L. BANFIELD:—able to finish up with funds on hand; but from now on they cannot do that, and the only way is through a levy from local government and through the efforts of voluntary organisations, which, I repeat, this Government encourages. To suggest that local government is not getting a fair go in regard to representation on the board is not right. I point out that there are 55 non-government, recognised hospitals that have council-nominated representatives on the board; in fact, I think we have 56 recognised hospitals. This does not include Elliston, where the hospital board and the council are the same, but it does include Minlaton, where the board consists of full council representatives from Yorketown and Warooka.

There are 68 recognised hospitals. Seven are outside local government boundaries and therefore there is no rating and there are no local government representatives. It is fair to say that the majority of local government bodies that make contributions to country hospitals have representation on the board of management, and we want this to continue.

The Hon. Mr. DeGaris has spoken about local government contributions to the Keith hospital, and he referred to the contribution by the Coonalpyn Downs council. That contribution was distributed to the recognised hospitals providing a service to residents of the area. It was spread around. The Keith hospital was not a recognised hospital, and there is no hospital in the Coonalpyn Downs area. That is why the contribution had to be spread.

In regard to Tatiara, the Tatiara council area has two hospitals, one being at Bordertown, which is a recognised hospital, and the other at Keith, which is a private hospital. Far from penalising the Keith hospital, arrangements were made that the rates paid by the Tatiara council for hospital purposes would be spread proportionately between the two hospitals concerned.

No compulsory levy for the Keith hospital could be made, because of the private nature of that hospital, but it was agreed that a voluntary contribution could be made by the council to the Keith hospital at the same level as would have applied if that hospital was classified as a recognised hospital. This voluntary contribution was included within the total 3 per cent payment made by the council. In other words, the 3 per cent might have been \$20 000 or \$25 000, and the amount paid to the Keith hospital from the Tatiara council was deducted from the amount that would have been included in the 3 per cent. The compulsory levy was less than 3 per cent, but an amount equivalent to 3 per cent was paid to the Keith hospital.

I have mentioned previously that committees of inquiry into aspects of health services can be traced back to 1946. This Government does not intend to wait until 2046 to implement the machinery to rationalise and co-ordinate health services. In fact, with the co-operation of honourable members opposite, I hope that this Bill will have passed both Houses by the first anniversary of its introduction.

The Bill has not been rushed through the Parliament at any stage. It has been open for discussion since it was first introduced in the other place, which was on November 12 or November 13 last year. Then the Parliament adjourned and a Select Committee to which the other House had referred the Bill examined the matter thoroughly. That committee comprised representatives of all Parties in the other place and it has recommended that the Bill be supported. I ask honourable members to support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Objects of this Act."

The Hon. R. C. DeGARIS (Leader of the Opposition): I ask the Minister of Health whether he will seek to have progress reported at this stage. Several amendments are proposed, and probably the Minister is as confused as I am about the Bill.

The Hon. D. H. L. Banfield: There is no confusion as far as I am concerned.

The Hon. R. C. DeGARIS: It may help if progress is reported. We give the Minister an undertaking that we will proceed with the Bill as soon as possible.

The Hon. D. H. L. BANFIELD (Minister of Health): Could we get some idea of when the amendments might be available? The session is drawing to a close, and much work is coming on. The Bill has been before the public for more than 12 months, although it has not been in this place for that period. Can the Leader indicate when he expects to be able to proceed with the Bill? Arrangements must be made regarding Orders of the Day.

The Hon. R. C. DeGARIS: I can give the Minister an assurance that we will deal with the matter with our usual expedition. I hope to have amendments ready by tomorrow.

The Hon. D. H. L. BANFIELD: That is an undertaking given by the Leader, and I accept it. He has not let me down in most things, and I am sure he will not let me down in this regard. I ask that progress be reported.

Progress reported; Committee to sit again.

METROPOLITAN ADELAIDE ROAD WIDENING PLAN ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 21. Page 1728.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the second reading, although I should like to comment on some matters. The history of the principal Act has been well outlined by the Hon. Mr. Hill, but one part of the Bill causes us concern. That is clause 4, which amends section 4 of the Act and which provides:

Section 4 of the principal Act is amended by striking out subsection 10 (1) and inserting in lieu thereof the following subsection:

(1) This Act shall apply to all land shown on the plan as possibly required for road widening and all land within six metres of the boundary of that land.

That provision gave many honourable members much concern when they first read it. I understand that the idea of the principal Act is to ensure that, where land may be required for road widening and where a plan has been drawn and is in the hands of the local government bodies, in respect of the boundary of the land and within

6 metres from it, permission of the Highways Department is required before any work proceeds on the land. If building work has proceeded when the road widening occurs, no compensation can be paid for encroachment within 6 m of the building.

The Hon. Mr. Hill referred to many classes of property to which the principal Act applied, and the Highways Department, as well as members of this Council, would have sympathy for individuals who were in some way adversely affected by this legislation. Regarding the sale of a property, it can well be that the value of the property declines because road widening on the property may be required in future.

The question is complex and I do not think that we can do anything about it in relation to this Bill. However, regarding clause 4, it seems that, in relation to road widening, the Act applies to all land shown on the plan as possibly required for road widening, and then the clause states:

... all land within six metres of the boundary of that land.

On first reading, that provision seems to deal with the compulsory sale of the land within six metres of the boundary, but that is not the case. This provision deals only with building on that land. Originally, I was inclined to consider amendments to this provision but, with the undertaking of the Minister that my interpretation is correct, that the provision seeks only to control building on land that is not necessarily required for road widening purposes, I am willing to accept the Bill as it stands.

I would like the Minister's assurance again that my interpretation is correct, because on first reading the provision my understanding of its meaning differed from what I now understand it to provide. We have an attempt by the Highways Department to overcome the problem it has faced over a period. The department draws lines in a general way, and many of the lines drawn for road widening do not encompass land that will be required for road widening, and an amendment could be moved to overcome this problem. The Bill is satisfactory, although on first reading it, some honourable members could be concerned about what it really does. I support the second reading.

The Hon. M. B. CAMERON: I support the second reading of the Bill, but in doing so I wish to refer to a subject that seems to come to the public's attention from time to time, but it has not got off the ground in the metropolitan area. I refer to bicycle tracks. About the only times we hear of such tracks is when the Minister of Transport decides that he has not enough publicity and we see a burst of publicity featuring the Minister riding a bicycle.

The Hon. B. A. Chatterton: That's not true.

The Hon. M. B. CAMERON: Yes, it is, and I must say that the sight of the Minister on a bicycle turns me off cycling for life. However, I do not want to reflect on the Minister in any way, except that he looks a rank amateur on a bicycle. What planning for bicycle tracks has been incorporated in road widening plans in Adelaide? Some honourable members will recall the bicycle track on the side of Anzac Highway.

The Hon. C. J. Sumner: On both sides of that highway.

The Hon. M. B. CAMERON: Yes. I used them myself, and the tracks meant that cyclists were perfectly safe travelling to Glenelg. However, those bicycle tracks have been swallowed up in the mad scramble to give greater provision to motor vehicles. Apart from the odd bicycle

track in the park lands (where people could probably walk, anyway), there does not seem to be any provision.

The Hon. B. A. Chatterton: Existing cycle tracks go beyond the park lands.

The Hon. M. B. CAMERON: Yes, but they do not go to the extent required if people are going to be encouraged to use bicycles regularly.

The Hon. B. A. Chatterton: Have you been—

The Hon. M. B. CAMERON: If the Minister believes in this city it is possible to use a bicycle with safety, then I invite him to travel on any priority road around the city and still feel safe and unshaken by his experience.

The Hon. T. M. Casey: It all depends on how old one is.

The Hon. M. B. CAMERON: I will come to that but if one is the Chief Secretary's age one faces problems.

The Hon. F. T. Blevins: When did you last ride a bicycle on a priority road?

The Hon. M. B. CAMERON: I often ride a bicycle with my children to encourage them, but the problem is that one cannot let children go anywhere on a bicycle in this city in safety because once they leave home and get near a public road they are no longer safe; they have no chance unless they ride on a footpath. On the one hand one has to encourage children to ride in an illegal manner on a footpath or, on the other hand, one sends them on the roadway and puts them into a dangerous situation. I do not know what one does. However, no child is safe on our priority roads, no matter how careful or how well trained he or she is.

Bicycles comprise the main form of transportation for children, apart from motor cars, to and from school. There are probably thousands of parents in this city who take their children to school by car, for they are unwilling to let them ride a bicycle because of the associated dangers. Priority roads normally have two lanes on either side, and I refer to the traffic hazard encountered by children once those lanes are taken up by commuter traffic. It is not possible for a child or an adult to feel safe there on a bicycle, and anyone who believes that it is safe should travel down a priority road on a bicycle. One cannot feel safe in such a situation.

The Hon. T. M. Casey: Would you feel safe on a motor cycle?

The Hon. M. B. CAMERON: I would not feel safe on a bicycle if motor cycles were threading through the general traffic. We have a foot-operated machine competing with a mechanical motor cycle.

The Hon. T. M. Casey: Would you feel safe on a motor cycle?

The Hon. M. B. CAMERON: No, and I would feel less safe on a bicycle if motor cycles were involved as well. Motor cycles create an additional hazard because of the way they often travel between the lines of traffic. I do not know what planning the Minister has done, apart from the publicity exercises that we see from time to time.

The Hon. C. M. Hill: There's just one bicycle track in the south park lands.

The Hon. M. B. CAMERON: That is a big help if one lives in the northern direction! If we are to encourage the use of bicycles, we must make adequate provision for them. It is not so much for their leisure use, because it would be of great assistance to the residents of this city if we encouraged commuters to travel by bicycle. From now until autumn we have daylight saving, better weather and everything needed to encourage people to commute on bicycles. However, there is the great deterrent of

motorised traffic creating grave problems for people on bicycles. Has provision been made in road widening plans in the metropolitan area to provide special facilities for cyclists to encourage the use of bicycles, especially in the light of the problems of the supply and the increased cost of petrol supplies in Australia? I have no doubt that more and more people will be using bicycles as we come towards the stage where fuel will be extremely expensive. Any person who does not believe that is not looking to the future.

More importantly, I ask the Minister, in view of the almost overwhelming use of bicycles by those children who go to school other than with their parents in cars, whether he is going to provide these facilities in the road widening plans to enable the children concerned to do this with safety. I have seen on innumerable occasions situations where children, through no fault of their own, and even adults, have got into serious difficulties, and one only has to read of the casualties that occur to know that they not only get into difficulties but in fact have accidents. It is so difficult on a bicycle to avoid these accidents when another, totally different vehicle is travelling on the road at high speed.

The Hon. C. M. Hill: The conservation groups support your ideas very strongly.

The Hon. M. B. CAMERON: I imagine they would. The trouble is that, with the inactivity and the lack of planning occurring in the metropolitan area to provide these facilities, it is so easy to disguise the situation by having little splurges every now and again, with people riding around. I ask the question quite seriously of the Minister: is any provision being made in road widening plans for the provision of these special tracks and, if not, is it Government policy in the near future to take account of the situation? I support the second reading.

The Hon. T. M. CASEY (Minister of Lands): I will endeavour to get the information for the honourable member. From my limited knowledge of the road widening plans, I cannot say with any degree of certainty that provision has been made for bicycle tracks. Nevertheless, I will attempt to find out for the honourable member and let him know in due course. I think he has made some good specific points. It is very difficult in this day and age in the road widening programme to cater for all types of vehicles using the roads. Nevertheless, it can be done in some cases. I do not say that, regarding schools, it could be done for every school in the metropolitan area, but I know that there are other areas where bicycle tracks are being constructed, and one is from St. Peters into the city. That is the other one, through the park lands on the eastern side.

The Hon. C. M. Hill: Through the Hackney area?

The Hon. T. M. CASEY: Yes. It is a pity they ever did away with the bicycle track on the Anzac Highway; unfortunately, that is progress at one stage of a city's development which proved to be wrong.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Application of Act."

The Hon. C. M. HILL: I was listening with interest to the Minister in reply, because I was expecting him to reply to some of the concern that I expressed at the second reading about this word "possibly" in clause 4. The Minister did not make any mention of clause 4 at all but seemed to get on his bicycle and go off and talk about nothing else but bicycle tracks. I think clause 4 is very

important, and I made the point earlier in this debate that the Government departments are going to wield the broad brush in their planning, and mark down areas of private property that they claim their departments might possibly wish to acquire by compulsion. The owners of the individual properties concerned are being treated very harshly in the planning processes if this occurs.

I object to the principle of a department's not defining specifically that piece of land which it intends to acquire. The Minister has not answered the debate at all. However, I do not want to be the cause of obstruction in the matter, because the general approach involved in the Metropolitan Adelaide Road Widening Plan Act, and indeed the general approach that has caused this amending legislation to come forward, is something that I agree with in principle. But I speak for the individual owner when I say that it is extremely harsh on him when he is told by a department that some of his land will possibly be needed in future and he is not given certain information that some of his land will be needed and then what the measurements of the land to be acquired will be. It is this indefinite aspect, this vagueness and uncertainty in legislation, which I think is unfair on the individual.

I think that there is the possibility that if it is done by the Highways Department in this manner then other Government departments will follow. The Hospitals Department will be telling people that their property, or part of their property, might possibly be required in the future for a hospital; the Engineering and Water Supply Department will tell owners that some of their land might possibly be wanted in future for water tanks; and so I could go on and on. This is just not good enough because the system should be that a department should be certain in its planning and should tell people which land definitely will be required in the future. Of course I could say that the department should be in a situation to proceed with acquisition if required by the owners, but I do not want to extend my argument into that area. I hope in future legislation the Government will make every endeavour to avoid this particular approach and will be certain in its planning in the future, so that individual land owners can ascertain which areas of their holdings will be needed by Government departments. That would be a far more satisfactory process than that contemplated in this legislation.

The Hon. T. M. CASEY (Minister of Lands): The reason I did not answer the honourable member is that he spoke nearly a fortnight ago, and it just slipped my mind at the time. I knew the honourable member would take advantage of speaking to the clause when the Bill reached Committee, and I am pleased that he did. I think he knows as well as I know that in legislation of this nature, when one is concerned with purchasing land for future use, the word "possible" comes into the drafting of such a clause and, whilst it may be bad drafting, there does not seem to be any other way in which one can overcome this difficulty. I think that the draftsman has used the word "possible" for that specific reason. In cases where the Commissioner is purchasing land for future development, it may or may not be possible that that land will be used. It is very difficult to decide just exactly how it should be worded in legal phraseology. I think the honourable member realises the difficulty, and I thank him for his explanation.

Clause passed.

Remaining clauses (5 to 7) and title passed.

Bill read a third time and passed.

POULTRY PROCESSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 19. Page 1589.)

The Hon. J. A. CARNIE: It has been said that the basic design of this Bill is to stabilise the poultry meat industry. I must confess at the outset that I have only a very limited knowledge of the problems within the poultry meat industry, but obviously there must be problems in that industry, because, as I understand it, producers as well as processors support this Bill. Unlike other speakers, I say that this fact alone should not be a reason for supporting the Bill, which may be in the interests of producers and processors, but it may not necessarily be in the best interests of the State or that person who appears to have been forgotten in this debate—the consumer. There is no doubt that any restrictions such as are imposed in this Bill must inevitably lead to higher prices.

The Hon. B. A. Chatterton: Why?

The Hon. J. A. CARNIE: The Minister will accept that, when there are restrictions and protection for people already in an industry, history shows that such people tend to take advantage of their situation. It has happened in other industries, and it could happen in this one.

The Hon. B. A. Chatterton: It could, but not inevitably.

The Hon. J. A. CARNIE: The Minister is being a little naive. Any restrictions that close an industry must lead to higher prices.

The Hon. B. A. Chatterton: The Bill could reduce overheads.

The Hon. J. A. CARNIE: The Minister is now getting into the realms of supposition. This Bill cuts completely across one of my basic principles—that there should be free competition in a free enterprise society. This Bill, if passed as it now stands, will provide strong protection for people already in the industry, and it will make it almost impossible for anyone new to enter the industry. This is done by new section 11i (4), which provides:

... the committee may grant the approval if it is satisfied that there is a demand for the supply of chickens for processing that cannot reasonably be met by the operators of approved farms.

I presume that, in the event of there being an increase in demand, the committee would approach the industry to see whether it could meet such an increased demand. There would be fluctuations in demand. I believe that any increase would be gradual; it is unlikely that there would be a sudden large increase in demand. Nevertheless, the trend would be upwards. Sometimes there will be an increase in demand and sometimes a decrease. Naturally, the industry is always going to say that it could meet any increase. I have no doubt that the industry could meet an increase in demand, but it means that those in the industry before June 1, 1976, will get bigger, and the only way anyone new could enter the industry would be through buying an established approved farm at a highly inflated price, because the industry would be highly protected.

There are no provisions in the Bill for the transfer of an approved farm to a new owner. I hope the Minister will comment on this point when he replies to this debate. I do not blame the producers for wanting this Bill. It is a human failing to hang on to what we have and to try to get more. I admire this sentiment, provided it operates within the framework of free competition. However, it is wrong in principle to keep competition out deliberately, and that is what this Bill does. It applies the "closed shop" principle. I have never made any secret of my

opposition to this principle, whether in relation to compulsory unionism or in relation to the matter dealt with in this Bill.

Much of the success of this measure will depend on the composition of the committee. I have no quarrel with the matter of who may be on the committee; some names have been mentioned. Of course, those who are appointed will not be members of the committee for ever: the membership can and will change. We must understand the powers that the committee will have. All committee members will be appointed by the Minister. The Chairman will be an officer of the Public Service, and half of the balance will represent the interests of processors while the other half of the balance will represent the interests of producers. It has been mentioned that there may be four members representing producers and four members representing processors. There is only a very small number of processors; I believe the number is four. However, there is a much larger number of producers—between 90 and 100. Yet these two interest groups have the same representation on the committee. I believe that one of the main reasons for introducing the Bill is that the growers believed that they were under the control of the processors; in view of the disproportionate representation on the committee, I question whether that situation will not still apply in the future. The committee must approve any agreement between producers and processors. This is provided in new section 11j.

The Hon. B. A. Chatterton: Do you suggest there should be a majority of growers on the committee?

The Hon. J. A. CARNIE: No, I am not suggesting that. I am pointing out to the Council that this committee will have much power, and apparently this Bill was brought forward because representations were made by the producers, who claimed that they were too much under the control of the processors. I am raising the purely academic question whether they may still be under the control of the processors, under the terms of the setting up of this committee. This committee has the power to approve an agreement between producers and processors, which is a sweeping power: it has a power to grant or refuse entry into the industry. There is a right of appeal in the legislation, but that is to the Minister. The committee is appointed by the Minister, so we must ask whether such a power of appeal is worth while. Is the Minister (I speak not of the present Minister but of any Minister who would be in charge of this Act) likely to go against the findings of a committee appointed by himself, in its entirety?

There must be orderly marketing, but it must be possible to have this without the drastic move made by this Bill—the closed shop principle and the rigid controls embodied in this Bill. It must surely be possible to have a processing arrangement similar to that in the wine-grape industry. The Hon. Mr. Burdett raised this point in his speech; he has gone into the matter and has been told that there are too many variables for this system to work. In this industry, it seems that the main variables are likely to be whether the processor supplies stock and fodder to the producer or whether he does not; there may be others.

The Hon. B. A. Chatterton: There is also the matter of the efficiency of the producer.

The Hon. J. A. CARNIE: The efficiency of the producer would apply to the wine-grape industry; in fact, it applies to any industry. It still seems to me that it must be possible to have a price-fixing agreement, which should take variables into account.

The Hon. B. A. Chatterton: It is possible.

The Hon. J. A. CARNIE: The Minister can go into this more fully later if he wishes to, but I conclude by saying that I am not happy with this Bill because of the principle embodied in it. If passed, it could set a precedent that this Parliament would come to regret. I will support the second reading because I believe amendments are to be moved to make it easier for newcomers to enter the industry, that matter being my main objection to the Bill. If such amendments are not accepted, I will oppose the third reading.

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

RUNDLE STREET MALL ACT AMENDMENT BILL

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

INDUSTRIAL CODE AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 20. Page 1647.)

The Hon. F. T. BLEVINS: I oppose this Bill with all the power at my command. I do not think it is a very well thought out measure; it is poorly presented. One reason why I say it is not very well thought out is that it is evident that, even with the amendment on file to be moved by the Hon. Mr. Carnie, who introduced the Bill, which attempts to bring some slight measure of sanity to it, the Bill is not worthy of very much attention. In the unlikely event of its ever becoming an Act, I am certain it will solve few, if any, problems about shopping hours. In fact, in my opinion, it will increase the problem and create even more problems than we have at present. I am not prepared to support any measure that would create problems; we have enough problems in retail trading at the moment. This Bill will create more problems.

The Hon. J. A. Carnie: Do you think they should close down in Whyalla; you do not approve of Whyalla?

The Hon. F. T. BLEVINS: It is an excellent place. We have been lobbied by the Shop, Distributive and Allied Employees Association. The retail traders did not see fit to lobby me. No doubt, members opposite have some pertinent points to make. Let us look at the lobbying of the Shop, Distributive and Allied Employees Association. I believe all honourable members will have received a copy of this letter but, so that the public can see that association's wishes in this matter of extended shopping hours, I intend reading it to the Council.

The Hon. M. B. Cameron: The Hon. Mr. Sumner has already read it.

The Hon. F. T. BLEVINS: He did not read it all, but I intend reading it all. I am sure that the honourable member will be pleased with the letter. It is headed, "Factors against extended shopping hours" and states:

The principal arguments against extension of trading hours include the increased cost factors which will necessarily mean higher prices for consumer goods, a dislocation of working hours for employees in the industry and longer working hours for management. Additionally, other service industries, for example, public transport, would be adversely affected. The increased costs extended trading hours would cause are very significant. Our investigations in this matter agree with the assessment of employer groups. Information supplied by the Retail Traders Association clearly illustrates this increase which the general public have to bear:

Merchandising cost (cost of selling) 11.9 per cent.

Administrative cost 5.8 per cent.

Overhead operating cost 2.9 per cent.

Employers in the retail industry are not in a position to absorb increased costs of this nature, so obviously the consumer would have to bear this additional cost. In the present inflationary situation this would be a serious problem for the general public, particularly those in the middle and lower income groups. The claim that extended trading hours would create more jobs is not true. It would only mean a reallocation of work. The political use of the shopping hours issue by a small minority group is deplored universally by all sections of the retail industry both by employer and employee. The Shop Distributive Association, on behalf of some 60 000 employees of the industry, vigorously opposes any reduction in the standards of employment for people employed in the industry which increased trading hours must necessarily mean.

The disruption to family life with so many women employed in the industry would cause further social problems within the community. The pressures placed on marriages and children by mothers having to work extended hours in order to obtain a reasonable living would, in many cases, lead to grave family problems and cause a resultant breakdown of the basic family unit. Extended trading hours would mean night employment for many young girls who will be forced to travel home from work at an hour when their personal safety cannot be guaranteed. Public transport would have to be replanned to accommodate the changed travelling pattern of the general public. This would involve the State Government in additional expense for both bus and rail transport. At the present time there is no public transport to some outer metropolitan areas after 6 p.m., which means that such transport would have to be provided, or those employees who live in those areas would be forced to relinquish their present employment.

The small shop owner will suffer more hardship than his bigger competitors by the extension of trading hours. At the present time the schedule of exempt goods allows a small shopkeeper to sell virtually all essential and most food items 24 hours a day seven days a week. Extension of trading hours would mean that his major competitors would attract the public away from the small shop to the larger shopping centre where goods can often be bought cheaper and where the public have a greater range from which to choose. This would inevitably lead to many small shopkeepers being forced out of business and thus creating further unemployment.

Extended trading hours would not give the general public the opportunity of buying more goods. It would only give them more time to buy a lesser quantity of goods (due to increased prices) for the same amount of money as they now spend. Only an increase in income can increase the spending power of the general public. Full-time employer staff almost certainly would be reduced and more casual employees at a greater cost per hour would be employed in their place. The general standard of service would deteriorate with a reduction in the number of full-time, fully trained employees.

The Retail Storekeepers Association representing the smaller shops and the Retail Traders Association representing principally the larger shops have always expressed their opposition to the extension of trading hours. The early closing movement of the last century was led by the smaller shopkeeper who sought to restrict trading hours so that he might be able to have the same opportunity for recreation which was available to other members of the community. He also saw the compulsory closing of shops at a reasonable hour as the only method to successfully compete with his bigger competitor. The investigations of Parliamentary committees about the turn of the century amply illustrate this point. We call on all members of the Parliament to reject any moves to alter the present trading hours.

That letter is authorised by Mr. E. J. Goldsworthy, for and on behalf of the Shop, Distributive and Allied Employees Association, South Australian Branch. I considered it important that the letter be read into *Hansard* so that people could examine it. It is an extremely well considered submission. I have given it much consideration and have decided that, basically, I would have to agree with it, and I will vote accordingly on this issue. No-one

has lobbied me with opposite points of view and no-one has put reasonable arguments for the opposite view. The Hon. Mr. Carnie certainly did not. The only evidence I have is from Mr. Goldsworthy and some newspaper cuttings.

The Hon. M. B. Cameron: You could not think for yourself.

The Hon. F. T. BLEVINS: I must look at the evidence and then decide. The first part of the submission, which relates to the principal arguments against an extension of trading hours, includes the increased cost factor. The Hon. Mr. Cameron has certainly not given me any indication that costs will not increase.

The Hon. M. B. Cameron: We should not need to, when you come from Whyalla, because you should know that that is not true.

The Hon. F. T. BLEVINS: The logic of the matter is that it is true. The trade union has recognised this and has given the logic of it. It seems to me that, if we are to extend trading hours without having a corresponding increase in purchasing power, the arguments against, on the basis of cost, must be valid. If shops are to open for longer hours and be staffed for them, with penalty rates being paid, obviously costs must increase, because no-one has suggested that there will be any increase in patronage. The increase in cost would not bother me or any other member of this Chamber very much. If costs increased by \$2 a week, that would not bother anyone here, because of our salary, but would it bother pensioners? Clearly, it would. Clearly there will be an increase in costs and at this time I do not see how the Government could be party to any action that would result in increased costs.

I refer to the element of unfairness in such action. Increased costs must be borne by the whole community, not just by those people wanting to shop on Friday night. The whole community must bear those costs. It is no good someone saying, "I will confine my shopping to reasonable hours and not shop after 5.30 p.m." The loading to cover the cost of the additional shopping hours will be placed on all goods at all times. Members opposite might have arguments that are valid, but they cannot advance valid arguments based on economics to support their views.

The Hon. M. B. Cameron: What about hotels?

The Hon. F. T. BLEVINS: They are different, because it is a voluntary matter whether one patronises a hotel. If a person can afford it he can go to a hotel. As there are some valid arguments to support the honourable member's case, he should use them, but he has not used them so far. The example of hotels is a complete red herring, because no-one has to go to a hotel, but most people must go shopping to purchase their basic supplies.

The Hon. M. B. Cameron: They can make a telephone order.

The Hon. F. T. BLEVINS: People must purchase their supplies. I now refer to one point in the Hon. Mr. Cameron's contribution. He said that from the bottom of his heart he knew he was right, he knew that it was improper that the community could not decide shopping hours based on demand. I disagree with that philosophy entirely. It is wrong that, merely because the majority in a community demands something, a minority in the community must supply it. It is easy for the majority—

The Hon. M. B. Cameron: They don't have to supply it.

The Hon. F. T. BLEVINS: It is voluntary on the part of shop assistants, too.

The Hon. J. A. Carnie: There is nothing compulsory in this Bill.

The Hon. F. T. BLEVINS: The philosophy that because the majority demand something the minority must supply it is wrong.

The Hon. M. B. Cameron: They can decide their own hours.

The Hon. F. T. BLEVINS: Obviously, the Hon. Mr. Cameron agrees that shop assistants have the right to determine their own hours.

The Hon. M. B. Cameron: If they want to, it is up to them.

The Hon. F. T. BLEVINS: I am pleased to hear that from the honourable member. When shop assistants decide to do their own thing, just as other trade unionists do, I will look to their support by the Hon. Mr. Cameron. Merely because the majority demands something does not mean that the minority must supply it. That is a dangerous philosophy.

The Hon. R. C. DeGaris: Have you been reading my speeches?

The Hon. F. T. BLEVINS: I have been reading the Leader's speeches. I have a great file of them, but I will have to close it because he is finished now. I will have to open a file on the Hon. Murray Hill. What is the reality of the situation in this Bill.

The Hon. M. B. Cameron: If there is a demand, it will be realised by someone.

The Hon. F. T. BLEVINS: Shop assistants will not work on both Friday night and Saturday morning, and no Bill, however poorly thought out by the Hon. Mr. Carnie, despite what the Liberal Party State Convention says about its passage—

The Hon. C. M. Hill: It's not like the Labor Party. We are not bound like you are.

The Hon. F. T. BLEVINS: Honourable members opposite will have the opportunity to show how independent they are. I am concerned about the reality of the situation. I refer to a report by Bill Rust in the *Advertiser* (October 14, 1976), which states:

South Australia's shop assistants will be instructed to refuse to work on Saturdays if any move is made to extend trading hours. This decision was made yesterday by a special meeting of the South Australian executive of the Shop, Distributive and Allied Employees Association. The meeting was called to discuss moves in the South Australian Parliament to suspend the provisions of the Industrial Code governing trading hours in December.

The South Australian secretary of the association (Mr. E. J. Goldsworthy) said: "It was the unanimous recommendation of the executive that if the Act is suspended for December, we will instruct all our members to refuse to report for work on Saturday mornings while the Act is suspended. We have made our position very clear to the Government. We are not prepared to compromise in our complete opposition to any extension of trading hours whatever. And the Government has indicated to us that it does not propose to extend trading hours. It is unrealistic for some people to expect the shop assistant to work extended trading hours when the general trend in the community—banking, post offices and other services—is to a shorter working week. We are amazed that, at a time like this when inflation and wage indexation are very much in people's minds, the Opposition would launch a move which could only increase prices. We will do everything in our power to see that this does not happen.

Under the heading "Meat union against longer shop hours" a report in the *Advertiser* (October 15, 1976) states:

The Meat Industry Employees Union would oppose any extension of trading hours, the South Australian branch secretary (Mr. A. A. Tonkin) said yesterday. "The policy of our members in the retail section for many years has been that we will work Friday nights if necessary—

honourable members should take note of that statement, that union's membership is offering to work on Friday nights, if necessary—

but we will not work on Saturday mornings," he said.

"There is no way that we will work both Friday nights and Saturday mornings. It is one or the other." Mr. Tonkin was backing opposition by the Shop, Distributive and Allied Employees Association to moves by Opposition members in the South Australian Parliament to extend trading hours in December.

Does any honourable member seriously suggest that Mr. Goldsworthy and Mr. Tonkin cannot close down shops on Saturday mornings?

The Hon. M. B. Cameron: They can do it.

The Hon. F. T. BLEVINS: They will do it all right. If I were a member of Mr. Goldsworthy's union or Mr. Tonkin's union I would be advocating, as a worker, that I would prefer to work late on Friday and have two clear days at the weekend. One day the shop assistants will wake up to the fact that this is best for them. That is what they will do if this Bill became law, which it will not. If it did, however, it may be the thing that creates the situation whereby the shops in South Australia will be closed on Saturday.

The Hon. M. B. Cameron: Are the shops in Whyalla closed on Saturday?

The Hon. F. T. BLEVINS: No-one has suggested to me that Mr. Goldsworthy cannot deliver the shop assistants, or that Mr. Tonkin cannot deliver the meat employees. Of course they can. Mr. Goldsworthy may very well come under pressure to do what the Hon. Mr. Carnie wants; to extend the hours on Friday and close down on Saturday. If I were a member of Mr. Goldsworthy's union that is what I would be advocating very strongly. One only has to look at the postal union. When the opportunity arose to stop deliveries on Saturday morning they took it.

The Hon. M. B. Cameron: That is a different situation. There was no competition involved there, but shops are in competition with each other. Let it happen. You will see what happens.

The Hon. F. T. BLEVINS: It is easy for members opposite to say "Let it happen".

The Hon. M. B. Cameron: You let it happen.

The Hon. F. T. BLEVINS: Members on this side of the Chamber cannot allow that chaotic situation to develop.

The Hon. M. B. Cameron: It won't be chaotic.

The Hon. F. T. BLEVINS: We would be irresponsible to allow it.

The Hon. M. B. Cameron: It would not be chaotic, and you know that.

The Hon. F. T. BLEVINS: Are you suggesting the shops would stay open Friday night and Saturday morning, too?

The Hon. M. B. Cameron: If there is a demand it will be catered for.

The Hon. F. T. BLEVINS: Are you suggesting that Mr. Goldsworthy and Mr. Tonkin would not deliver?

The Hon. M. B. Cameron: No.

The Hon. F. T. BLEVINS: I am telling you from my own knowledge that they will close down the shops on Saturday mornings.

The Hon. M. B. Cameron: No they won't.

The Hon. F. T. BLEVINS: And I would support them in doing it. I would have to support the employees having two days off.

The Hon. M. B. Cameron: What about shops in Whyalla? Do you close on Saturday there?

The Hon. F. T. BLEVINS: That is different.

The Hon. M. B. Cameron: You have avoided that question all the way through.

The Hon. F. T. BLEVINS: The question of Whyalla has been raised once or twice. We have Friday night shopping in Whyalla. I come from Whyalla and we enjoy Friday night shopping.

The Hon. M. B. Cameron: Do you enjoy Saturday morning shopping?

The Hon. F. T. BLEVINS: Very well indeed.

The Hon. M. B. Cameron: Has Mr. Goldsworthy closed it down there?

The Hon. F. T. BLEVINS: In fact, Whyalla, being the progressive place that it is, it has—

The Hon. M. B. Cameron: It has Friday night shopping?

The Hon. F. T. BLEVINS: We not only have Friday night shopping but also Thursday night shopping.

The Hon. M. B. Cameron: Goodness me! We will have to see Mr. Goldsworthy.

The Hon. F. T. BLEVINS: One of the supermarkets in Whyalla opens on Thursday night. This is precisely the point.

The Hon. M. B. Cameron: Anarchy!

The Hon. F. T. BLEVINS: It is by agreement. In Whyalla we would be very unhappy if we lost Saturday morning shopping through a measure such as this. It only needs a trigger to set the unions off and the shops will be closed on Saturday mornings. From their membership point of view it is logical.

The Hon. M. B. Cameron: What an incredible argument.

The Hon. F. T. BLEVINS: That is the position in Whyalla. On a personal basis I have no objection whatsoever to extending trading hours. I believe that if the shop assistants, the shopkeepers and the general public wish to open—

The Hon. M. B. Cameron: Who comes first?

The Hon. F. T. BLEVINS: —24 hours a day, that is all right. I can afford to pay the increased prices. Naturally it does not affect me very much, and it makes things more convenient for me. That is speaking from a purely selfish point of view. I have no objection whatsoever to 24 hours a day trading if that is what people want. If that is what the shop assistants want, and if it is what the traders want, and if that is what the public wish, I have no objection, but in reality that is not what they want at all. Reality tells us that the shop assistants do not want it and will not in any circumstances cop it. The retail traders do not want it (for reasons best known to themselves) and I am sure they do not want it because there is no profit in it for retailers. The public at the last referendum said they did not want it. Just what are we to do? I have stated my position clearly. It is my responsibility, as a member of this Chamber, to ensure, for the people of this State, that a chaotic situation does not ensue in the retail trading area.

The Hon. M. B. Cameron: You will have me crying!

The Hon. F. T. BLEVINS: I will accept that responsibility and vote against this Bill. I think the Hon. Mr. Carnie was naive to think that something of this nature could be imposed on people who did not want it. It is obvious that in this area it cannot be done by an Act of Parliament.

The Hon. M. B. Cameron: It is not.

The Hon. J. E. Dunford: It is against the will of the people. We have had a referendum.

The Hon. F. T. BLEVINS: It can only be done by consensus of opinion by the various parties concerned and when the shop assistants, the employers, and the public come to the general consensus that this is what they want I will be only too happy to support it. That certainly is not the case at the moment. If there is any extension of Friday night shopping there is no way that Saturday morning shopping is going to continue.

The Hon. M. B. Cameron: That is not what happened in Victoria.

The Hon. F. T. BLEVINS: What happened in Victoria does not particularly concern me.

The Hon. M. B. Cameron: You don't want to know about it.

The Hon. F. T. BLEVINS: I am quite happy to know about it. I will give way to you if you like and you can tell us about it for 15 minutes. I am convinced by Mr. Goldsworthy and Mr. Tonkin and the retail traders how easy it would be to close down the shops on Saturday morning. If the Retail Traders Association and the Retail Storekeepers Association and the Shop Assistants Union all say the shops will close on Saturday they will close.

The Hon. M. B. Cameron: In three weeks they would be reopened, and you know it.

The Hon. F. T. BLEVINS: They would be reopened without stock and without staff. You say that small shops would open but they would be without stock very soon because the unions control the warehouses too.

The Hon. M. B. Cameron: Here comes the heavy mail fist.

The Hon. F. T. BLEVINS: You can call it what you like. That is the reality of the situation. Until there is a general consensus that it what you are stuck with.

The Hon. M. B. Cameron: What a damn shame we haven't got a strong Government.

The Hon. F. T. BLEVINS: For those reasons I oppose the Bill.

The Hon. ANNE LEVY: I, too, oppose this Bill, and in giving my reasons for it I will be echoing to a large extent the remarks made by other members of the Government. The Hon. Mr. Sumner gave us an indication of some of the benefits of the extended trading hours in various European countries, and I thought I could perhaps extend the Cooks tour that we had by mentioning conditions in California where a number of years ago I spent a few months.

It was very obvious in California that the shopping centres were open at hours which are very different from those in South Australia. In the shopping centre nearest to where I lived in California all the shops, including a large supermarket, were open seven days a week, opening at 7 o'clock in the morning. For five days a week they closed at 10 o'clock at night; on Saturday they remained open until 11 o'clock at night, but on Sundays there was early closing and they closed at 9 o'clock at night. Furthermore, at a distance of about five kilometres from where I lived, there was another large shopping centre, where the shops, including supermarkets, were open 24 hours a day and seven days a week.

These extended shopping hours are certainly beneficial, particularly to working women. The proportion of working wives in our community is increasing. Women now make up 37 per cent of the work force in this country, and more than two-thirds of those working are married women. Despite what many people would hope to be the case, I still maintain that many of these women, in fact, have two jobs, whereas their husbands have only the one job. Certainly, shopping poses a great problem for a woman who has a full-time job. It means rushed lunch hours and impossibly busy Saturday mornings, with the woman trying to do the necessary shopping for the household. It is easy to say that the husband should do more of the shopping, but it is much harder to achieve in practice. Many women are certainly not in the position of sharing these chores equally with their husbands. So, extended shopping hours can certainly benefit the vast number of working married women in this country.

These considerations make clear that I am not opposing this Bill in principle, but there are "buts" that need to be considered. Wages and conditions for employees would need to be carefully considered and determined before we embarked on an experiment along these lines. I am sure that the supporters of this Bill would not expect employees to be exploited in any way as a result of extended shopping hours. Attaining fair penalty rates and fair wages and conditions for employees would need time and consideration by the Industrial Court and other authorities. Although the Hon. Mr. Carnie intends this Bill to operate for only one month, there is no reason why employees should be exploited for a month. As other speakers have said, there are costs involved in an experiment of this type.

People cannot spend more money than they have got. They are not going to buy any more goods merely because shops are open for longer hours. So, shopkeepers' income will not be increased, but costs obviously will be increased. Nowadays we are being told to keep costs down. In fact, some of the main advocates of keeping costs down are the Federal colleagues of members opposite. An experiment like this should not be tried during the Christmas period, which is an abnormally busy shopping period. An experiment at Christmas would not be a valid experiment for drawing general conclusions about shopping hours at other times of the year. If we are to have a valid experiment, it should be conducted at a more typical time of the year.

The Hon. R. C. DeGaris: Each year we have an experiment for one evening during the Christmas period. This Bill extends the length of that experiment.

The Hon. ANNE LEVY: Shopping during one evening, and one evening only, at Christmas time is provided for the convenience of Christmas shoppers, but the Christmas period is not the best time for such a month-long experiment. To be valid, the experiment should be conducted at a more typical time of the year.

The Hon. J. A. Carnie: Would you support a Bill for an experiment at a different time of the year?

The Hon. ANNE LEVY: I will not commit myself to anything unspecified; that would be a dangerous thing to do. The amendments that have been foreshadowed will change the Bill from what it was initially. Even with the amendments, the Bill would still lead to a certain amount of chaos. Different shops might open on different nights of the week. People might turn out for late-night shopping, only to find some shops open and some shops closed, resulting in great inconvenience for shoppers who might want to go to a series of shops in the one evening. Many people talk about Friday night shopping as though Friday night was the only possible night for extended shopping hours. Actually, Sydney shops are open on Thursday nights, and my Sydney friends tell me that the system works extremely well.

Several female friends have suggested to me that Thursday is a lovely evening for extended shopping hours. They say that they can go to a hairdresser and get their hair done on Thursday evenings, and their hair is still in good condition for their outings on Friday evenings.

The Hon. R. C. DeGaris: Are you opposing or supporting the Bill?

The Hon. ANNE LEVY: I oppose it in its present form. The authority I can quote for my opposition to the Bill is no less a person than the Leader of the Opposition in another place who, a few nights ago when I saw him being interviewed on television, on being asked about the late night shopping hours Bill which had been brought into the Legislative Council, replied that he felt the Bill

was too drastic, too extreme, and not to be considered. I am not quoting someone from this side of the Council; I am quoting the words of Dr. Tonkin in another place.

The Hon. C. M. Hill: And now the Bill has been amended.

The Hon. ANNE LEVY: I do not often take much notice of the utterances of Dr. Tonkin, but in this case he had summed up the position very well. I commend his words on this matter to honourable members opposite. This Bill is too drastic. I oppose it.

The Hon. N. K. FOSTER: This Bill should be opposed by any clear-thinking person, either inside or outside this Chamber, who takes it upon himself to make some sort of a prophecy of what may be the consequences of such an ill-devised measure as this. Secondly, I say this for the benefit of those people who scurried back to the Liberal fold from the Liberal Movement so recently and who obviously are having second thoughts because they were given a dusting over the weekend by their former colleagues. The Hon. Mr. Cameron may recall that I said to him and his Parliamentary colleague what I thought about the Bill.

The Hon. J. C. Burdett: Did you hear what happened last weekend?

The Hon. N. K. FOSTER: I know that the Hon. Mr. Burdett will enter this debate, because there is a feeble demand that he should enter it, as the Liberal Party and the shadow Cabinet Ministers think that one of their front bench members in this Chamber should support the Bill because of this misguided motion carried last weekend which supported such a weak move as this to change the shopping hours. Let me return to these fellows in the Liberal Movement. They are Liberal Party members, once removed and once returned, hoping to get out of their political predicament and imprisonment.

The Hon. M. B. Cameron: Get back to the Bill.

The PRESIDENT: Order! I hope the honourable member will return to the Bill because, if he goes on like this, he will stray away from it.

The Hon. N. K. FOSTER: Stray away! It was promulgated by a former member of the Liberal Movement; he discussed a policy decision of the Liberal Party that was made only 48 hours ago. Yet you, Mr. President, suggest that I am straying from the Bill. What rubbish, with all due respect to you!

The PRESIDENT: Order! The honourable member will not make such remarks.

The Hon. N. K. FOSTER: I have made them, and I will go on to say that what I say is perfectly true. It was a matter widely reported in the press and the electronic media by the Liberal Party, whilst the Bill was in this Chamber. To use a word that you say you hate, Mr. President, it is "hypocrisy". It was a private member's Bill, but it is no longer a private member's Bill, when it has been subject in the last 48 hours to a unanimous decision by all members opposite. Is anyone prepared to stand up now and say that what I say is untrue?

The PRESIDENT: Order!

The Hon. N. K. FOSTER: Is it any wonder that I object—

The PRESIDENT: Order! I will answer the honourable member because, as far as this Chamber is concerned, this Bill was introduced as a private member's Bill, and it will remain so until it is dealt with completely.

The Hon. N. K. FOSTER: If members of the Party opposite had a conference in the last few days and prostituted or pre-empted the right to a private member's Bill by their own Party, more shame on them for not having

proper regard for the powers and privileges of this august Chamber. Returning to the Bill, I point out that industrial matters have been the subject of industrial awards.

The Hon. M. B. Cameron: In Victoria and New South Wales?

The Hon. N. K. FOSTER: In Darwin, almost a capital city of a State—

The Hon. M. B. Cameron: What about Whyalla?

The Hon. N. K. FOSTER: —there is no late closing; there is no late closing in Perth, Hobart, or Adelaide. If members want to go through the principal States—

The Hon. M. B. Cameron: What about Whyalla?

The Hon. N. K. FOSTER: Not one facet of industry in South Australia has come out in support of this stupid move.

The Hon. M. B. Cameron: What about Whyalla?

The Hon. N. K. FOSTER: There was an editorial in the *Adelaide Advertiser* and in the *News* only two weeks ago, but the people who place the advertisements in the *Advertiser* and in the *News* got on the backs of both those newspapers, which have gone very silent since then: they do not want to support the idea any further. If we were to carry this Bill and the unions wanted to abide by and respect the fact that it had been carried and wanted to avail themselves of the procedures of the award-making process in this country, both State and Federal, we could be arguing the point for the next 10 to 15 years. When there was a hue and cry by members opposite to defend late closing hours in the outer suburban areas, let me remind them that the services provided in the outlying areas were services on the basis of only tea and sugar.

The Hon. M. B. Cameron: Nonsense!

The Hon. N. K. FOSTER: How long had the Tea Tree Plaza been in existence or the Marion shopping centre at that time? They had not been there for very long. They had just been built and completed. There was no service in the outlying areas for the people who wanted to shop in a department store. No facilities were available in most of the areas for people who wanted to shop in the way in which they could shop in the main business centres in the city: Tom the Cheap, Woolworths and Coles were all on a "tea and sugar" basis; they were flourishing in selling fruit and vegetables but people could do no real shopping in the way in which this Bill thinks it could be done. It amazes me to hear the criticism made by members opposite about compulsory trade unionism. Here is an industry with a closed shop agreement for most of it—and those parts that are not in the agreement must certainly follow it in any case.

The Hon. M. B. Cameron: What about Whyalla?

The Hon. N. K. FOSTER: I am not concerned about Whyalla. The Bill does not provide that the Whyalla hours apply in Adelaide. Members opposite have not the guts to do that. They should do some homework and go to the country areas instead of scurrying to the city to live. If a person travelling to the Flinders Range has not filled up his tank before nightfall, he will run out of petrol. Recently, when I was going to Orroroo, if I had not topped up my tank at Jamestown, I would have had no petrol at Orroroo and no chance to get any there. Members opposite talk about letting the industry decide.

Will any member opposite tell me, in relation to a store which is one of the biggest in Rundle Mall and which is one of the biggest emporiums in the suburbs, whether the number of permanent employees now is more or fewer than in 1969? The store has extended its operations and profits have increased, but the number of permanent employees in 1969 was about 2 300, whereas by 1974 the

number dropped to about 540. The balance of the staff comprises casual employees. Any member opposite who purports to represent business interests can see the big saving that has occurred in this regard. In terms of the Hon. Mr. Carnie's Bill, the poor executive who is not covered by a trade union or by award processes would be required to work beyond ordinary hours for not one cent more.

The Hon. A. M. Whyte: You can take the credit for that.

The Hon. N. K. FOSTER: The honourable member is talking rubbish, and the Opposition has not considered that aspect. The Hon. Mr. Carnie, at least, would have some feeling for people in employment in the general staff area but, because they are not in a trade union, they have no award-fixing authority. Is there anything in the Bill to protect these people, or do members opposite expect them to stay at work until 10 p.m. for not one cent more? The Hon. Mr. Hill is laughing and his mirth indicates his ignorance. The Hon. Mr. DeGaris is chewing the end of his pen, and that indicates his taste.

The Hon. R. C. DeGaris: It is a gold pen.

The Hon. N. K. FOSTER: The honourable member has had a one-track mind towards minerals and profits for years: it is no wonder that he sucks a lump of metal. The Opposition has not considered this measure on the basis of the attitude of the trade union movement or the rights of members of that movement through the award-fixing tribunal. It has made a feeble, weak attempt to steal the thunder of Mr. Dean Brown in another place, who is supposed to be the shadow Minister of Labour and Industry and who likes to put over his so-called expert knowledge in Treasury matters. He is the so-called bright hope of the Liberal Party and is breathing down Dr. Tonkin's neck.

What has Mr. Dean Brown done and said since this Parliament was elected last year? I hold up all the volumes of *Hansard* covering that period, and the number of times that Mr. Dean Brown has been right in what he has said on industrial matters could be written on the back of a packet of cigarette papers. He has asked questions, made speeches, and taken more points of order than has any other member in the other place, but he has not been a constructive shadow Minister, nor is he, or has been, a person who has a capable knowledge of industrial matters to enter into debates. His speeches on major industrial legislation—

The Hon. J. A. CARNIE: On a point of order, Mr. President, I point out that the Bill before the Council is a private member's Bill that I have introduced and it has nothing to do with a shadow Minister in another place.

The PRESIDENT: I uphold the point of order. What has been said has nothing to do with the Bill and I ask the Hon. Mr. Foster to come back to the subject matter.

The Hon. N. K. FOSTER: Thank you, Mr. President. If I wanted to come back with a round turn, I would read from *Hansard* the speeches that he has made on the very matter that is before this Chamber. I will point out to you later, because I will not take up the time of the Council now, that the Chair is not correct, because those volumes of *Hansard* contain references to industrial matters. Dr. Tonkin has spoken on shopping hours, and Mr. Dean Brown has spoken about them. I consider that I am in order, because Mr. Dean Brown has spoken on industrial matters and shopping hours, and this Bill deals with shopping hours.

The Hon. C. M. HILL: On a point of order, Mr. President, the honourable member is challenging the Chair

and arguing with you, and that is not within Standing Orders. It is entirely improper and I ask that he withdraw all criticism of the Chair.

The Hon. N. K. FOSTER: If I have made any criticism of you, Sir, I would withdraw it, and I commend the Hon. Mr. Hill for drawing attention to the matter in his weak way. It is not good enough for the Hon. Mr. Hill to sit in his place. He wants to be in the Chair. He wanted to beat the Hon. Mr. DeGaris and now he wants your job, Mr. President.

The PRESIDENT: I hope that the honourable member will come back to the Bill. I invite him to look at the clock.

The Hon. N. K. FOSTER: On industrial matters, members opposite are so weak that they must go behind doors to prevail on a man who ought to know better (the Hon. John Carnie) to introduce a private member's Bill. The only way out of the predicament is to adopt a sensible attitude. They will not have the Hon. Mr. DeGaris in the Adelaide Club if this Bill is carried and Mr. Hayward will not have him, either. Mr. Hayward was a one-time President of the honourable member's Party.

The PRESIDENT: Order! That has nothing to do with the Bill.

The Hon. N. K. FOSTER: He is in the rag trade. He is a retail trader and belongs to the association, to the best of my knowledge. If anything is to be done on this matter, it ought to be done with the full knowledge and understanding of all the processes in this industry concerned with wage fixing, the cost structure, and the industrial implications and applications in the industry. If there is to be any change, those who are outside wage-fixing tribunals must be given some consideration and not disadvantaged any longer. There can be no lasting benefit to either industry or the people of the State in respect of trading. Does the honourable member suggest we go back to the law of the jungle in this matter? The Hon. Mr. Cameron, by way of interjection, referred earlier to the family trader. Surely the family trader referred to by the honourable member will not be affected.

Was the Hon. Mr. Cameron referring to the Myer group of companies, which have profited more than any other single organisation in the industry? Is that the family storekeeper about whom he talks? If it is not, I know of no other such organisation that could be described as a family company; certainly, none that could be classed as a small business, yet these are the people the honourable member says he is concerned about. The Bill should be opposed by all honourable members having a clear and proper understanding of what is involved in an approach so stupid as this approach is.

The Hon. J. C. BURDETT: I support the second reading of the Bill. It has been suggested by the Hon. Mr. Foster that I was told to speak in support of it. Nothing could be further from the truth.

The Hon. D. H. L. Banfield: Don't you take any notice of Liberal policy.

The Hon. J. C. BURDETT: That is not necessary, because this private member's Bill was introduced before the State Council general meeting to which I presume the Minister refers. I supported the Bill previously, but I have not been able to speak until now, and I am supporting it because I agree with it. Its principle has to be debated in this Council because we must recognise that, whether we like it or not and whatever the merits and demerits of late closing are, sooner or later it will inevitably come in. There is no doubt about that.

For some time trading in Melbourne has been from midnight Sunday until 1 a.m. on the following Sunday. On every day but Sunday shops can open for trading. What has happened is obvious: agreement has been reached about shopping hours. There is now only Friday night opening. I understand that, by Statute in New South Wales, in the city there is Thursday night shopping, and in country areas there is Friday night shopping.

The Hon. R. C. DeGaris: Do you think Mr. Wran will change that?

The Hon. J. C. BURDETT: I do not know what Mr. Wran will do, but I predict he will certainly not restrict those shopping hours; he may even extend them. This is the current move. The position in Melbourne proves that late trading will find its own level. If one allows late trading and does not apply restrictions (and this is what my Party in its wisdom suggested as general policy), trading will find its own level, as has been the case in Melbourne.

In Melbourne there can be late trading from Sunday midnight until the following Sunday midnight or 1 a.m., and that situation has come about because common sense has prevailed. Certainly, if restrictions are not imposed, common sense will prevail. Traders have sorted out problems between themselves and have not cut each others' throats, as has been suggested will happen. It does not happen that one trading house remains open and the next one closes. The situation has been sorted out between retailers and the unions. Agreement has been reached between unions and retailers, and the problems that have been referred to by honourable members opposite have been sorted out and resolved. They are not really problems at all, and there is no reason why problems here cannot be resolved, too. There is an amendment on file to restrict the effect of this Bill to one night a week. In any event, it was to apply only for one month as a trial period. Surely that would have been a fair way to determine the issue.

The Hon. D. H. L. Banfield: It was a crook time. Why didn't you do it in the middle of July?

The Hon. J. C. BURDETT: I would have thought that it was the best time to sort out the position. It is a time when there is high trading and when this matter can be best sorted out. The Hon. Mr. Foster referred to problems involving processes. Whether these points raised are actual problems or not can be discussed, sorted out and ascertained during the trial period. If there is no trial period, how will one really know whether there will be problems or not? For these reasons I support the Bill. It seems to be most estimable action on the part of the Hon. Mr. Carnie, and I congratulate him on taking his stand and introducing the Bill so that we can have a trial period of late closing and unrestricted shopping hours and then see where we can go from there.

Finally, I ask honourable members opposite seriously whether or not some years ago they supported Mr. Dunstan's Bill on Friday night shopping. Did they support that concept, bearing in mind that he introduced a Bill in this form. Do they think he was wrong? If he was wrong, why do members opposite think he was wrong? If he was right, why are members opposite now opposing the Hon. Mr. Carnie's Bill?

The Hon. D. H. L. BANFIELD (Minister of Health): I oppose the Bill, because of the way in which it was introduced. We are getting near the end of the session, and the Hon. Mr. Carnie has taken some time to introduce it. He had the opportunity, and he could have taken it if he had wished, to introduce the Bill much earlier so that,

if we did support the principle, we could go into the implications of it and see what would follow as a result of extending existing trading hours. Did the Hon. Mr. Carnie look at the processes of the law involved in this regard, or is he suggesting that the changes should be applied willy-nilly? Does the honourable member think that shop assistants will accept having to start half an hour later every day to work on Friday night and not receive any extra pay, or is the honourable member putting the additional expense on the public? Is he deliberately attempting to increase the prices of commodities by getting shop assistants to work overtime?

The Hon. J. C. Burdett: You're not serious!

The Hon. D. H. L. BANFIELD: Why would I not be serious? Does not the honourable member think that extended hours must be paid for one way or another? Does he believe that shop assistants should have to pay for it by working back at night without any extra pay, without any payment of overtime?

The Hon. J. C. Burdett: It's enabling legislation—shops don't have to open.

The Hon. D. H. L. BANFIELD: True, but why does not the honourable member take the same attitude in respect of preference to unionists? In this instance, he is giving preference to people who want to open, but shopkeepers will be compelled to open, because they will not remain closed while their competitors open. Why do honourable members opposite not adopt the same attitude throughout? The Hon. Mr. Burdett knows very well that, if only one shop opens at night, every shop will open, because shops cannot afford to miss out on custom. Members opposite have said that inflation must be conquered, and they are willing to put people out of work and to reduce expenditure. They say that they want to reduce the cost of living, and they oppose wage indexation. Yet, through supporting this Bill, evidently they want to increase the cost of products sold to the public. There is neither rhyme nor reason in their arguments. Why are they not consistent?

Did the Hon. Mr. Carnie take into consideration the question of the additional public transport that would have to be provided in connection with late night shopping? The Hon. Mr. Cameron is laughing, but he has not even thought about this matter. Did the Hon. Mr. Carnie take into consideration the people's decision at the referendum that they did not want Friday night trading? The Hon. Mr. DeGaris has changed his attitude as a result of a conference that took place over the weekend on North Terrace, or wherever it was held. The Hon. Mr. Cameron wants me to wind up this debate because he does not want the truth to be told. The political bosses on North Terrace have members opposite in their grip.

The Hon. J. C. Burdett: Rubbish!

The Hon. D. H. L. BANFIELD: We will see when the vote comes whether it is rubbish. Then, we will see how many honourable members opposite want to control inflation and keep costs down! Then we will see which honourable members opposite are looking for preselection for the next election. When the vote comes, we will see whether this is a House of Review. Then, we will see whether the masters are in this Council or whether they are across North Terrace. I am willing to bet that not one honourable member opposite will step out of line, after what has happened. Honourable members opposite know that they have lost millions of dollars of election campaign funds from the big retailers, but they will support the Bill because preselection is a close and vital issue. The Hon. Mr. Carnie introduced this Bill, but we do not know whose

views he is advancing. Because of the referendum, he knows that the people are against the Bill. Did the honourable member speak to the shopkeepers? Obviously he did not, because they expressed their viewpoint over the weekend. So, the honourable member is off-side with them. Did the honourable member confer with the shop assistants? Has he any support politically?

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

The Hon. D. H. L. BANFIELD: I am talking about outside support—not open to the public or the press. What happened?

Members interjecting:

The Hon. F. T. BLEVINS: I rise on a point of order, Mr. President. I ask you to control the Opposition, which is absolutely unruly, disgraceful, and unseemly. In view of your fairness, will you ask the Opposition to shut up?

The PRESIDENT: The debate is getting too political and too far away from the Bill. I ask the Minister to see whether he can confine his remarks to the Bill.

The Hon. F. T. BLEVINS: By the same token, Mr. President, you must concede that my point of order had some validity. It was not the Minister who was transgressing.

The PRESIDENT: There is altogether too much noise in the Chamber.

The Hon. D. H. L. BANFIELD: If this matter is beyond politics, can the Hon. Mr. Cameron explain the resolution passed by the Liberal Party at the weekend? Surely that is where the matter became political. Obviously, it is now political. There was a small majority at the weekend, and honourable members opposite are going to support it because of their desire for preselection. Without attempting to provoke anyone, I had asked the Hon. Mr. Carnie to say who was behind this Bill. The people are not behind it; that is clear as a result of the referendum. The retailers are not behind it; they expressed their viewpoint to delegates at the weekend. The Hon. Mr. Carnie has not told us whether he has consulted the shop assistants. I have not had one approach from any person or organisation seeking my support for this Bill, and I therefore take it that the matter is a dead issue.

The Hon. D. H. Laidlaw: What about the working woman?

The Hon. D. H. L. BANFIELD: What about inflation? Honourable members opposite say that nothing should be done that will worsen inflation. If this is not an inflationary measure, what is? Let the Hon. Mr. Laidlaw tell us that this Bill will not increase costs!

The Hon. M. B. Cameron: It would create consumer demand.

The Hon. D. H. L. BANFIELD: There is no consumer demand. I have not received any representations in support of this Bill from any consumer. The Bill supposedly will test whether people want unrestricted trading, but will it succeed in showing this? The Hon. Mr. Carnie said that the period when the greatest amount of shopping is done is an ideal time. I ask the honourable member: if he wanted to make a real test and if there was a great demand for this, it would surely show up if it was set down for the middle of July—on a nice, wet, cold Friday evening; if the consumers wanted it, they would be out in their droves; but the Hon. Mr. Carnie wants to test the public at Christmas time when there is always extra shopping to be done. He says that this will clearly show one way or the other whether there is any demand for late night shopping.

The Hon. R. A. Geddes: Will the Minister support a test in July?

The Hon. D. H. L. BANFIELD: I am talking about the Bill. Is the Hon. Mr. Carnie going to move for July? If he moves for July, I will have to look at the position again. I do not believe that an extension of shop trading hours in the middle of December will prove one thing or another; but let the honourable member look at the possibility of July, and I will look again at the matter.

I point out that means for testing whether people want unrestricted trading hours has been in the Industrial Code since 1971. Section 227 of that Act gives to any municipal or district council the right, on its own account, to find the views of shopkeepers, shop assistants and residents in any shopping district within the council area and, if those views reflect a desire to have unrestricted shopping hours, to apply to the Minister to have their respective shopping districts abolished. That provision has been there. In that time, only three councils have taken advantage of this option. The Robe shopping district was abolished in 1971, the electors in Port Lincoln decided in a poll in 1972 to retain their shopping district, and this year an application has been made for the abolition of the Kingston shopping district. In other words, the people of any district already have the right to have unrestricted trading hours applied by normal democratic procedures. If honourable members opposite are fair dinkum about this, they have a provision to test the feeling of the people; it is already provided for. Because there have been no approaches to me (in fact, there have been only approaches to oppose this Bill), because there is no consumer demand for it, and because I agree with honourable members opposite that it is not in the best interests of people shopping to have any increase in the costs of goods produced, the Government and I oppose the Bill.

The Hon. J. A. CARNIE: I am well aware of the late hour so I shall be as brief as I can. Two speakers in particular have done their best to hold up this measure.

The Hon. D. H. L. Banfield: That is not right; that is not fair.

The PRESIDENT: Order!

The Hon. J. A. CARNIE: Some honourable members have supported this Bill, including three members opposite, because the Hon. Mr. Sumner, the Hon. Mr. Blevins and the Hon. Anne Levy support the principle of this Bill. They stated that definitely. Naturally, the Hon. Anne Levy made the point that an extension of shopping hours would benefit working wives, who at present have to contend with rushed lunch hours. Many speakers said that Christmas was the wrong time to be testing the public. I moved for Christmas because it is a time that is coming up; it is normally a festive time, and we have the new Rundle Mall. I may introduce another Bill next year to give this test of public feeling a try in July as well. If honourable members opposite say that this is the wrong time for this to be done, we will see what happens on a cold, blustery, wet night in July, as a time when we can test public feeling.

The Hon. Mr. Sumner spoke generally in favour of the Bill; he took us on a trip around the world. Both he and the Minister mentioned a local option poll in various places, including Port Lincoln. It is not a poll of rate-payers—it is a poll of electors. In Port Lincoln, where it was voted against, 14 per cent of the people voted and the poll was very narrowly won.

The Hon. D. H. L. Banfield: Do you think it should be compulsory voting?

The Hon. J. A. CARNIE: No, I do not, but the fact is that most people did not express an opinion against late night shopping. The whole matter that has been

raised by the honourable members opposite is what this will cost the community. The Hon. Mr. Foster spoke strongly about penalty rates that would have to be observed. The Hon. Anne Levy also said that we must look after the wages and conditions of employees, who were not to be exploited. Of course they must not be exploited, but does any honourable member believe that shop assistants are being exploited in Victoria? They work happily there. I have spoken to shop assistants in Victoria, who would not have it any other way because, under their system, they get a three-day weekend every other week, and they want it that way. This can be provided by consultation between union and management for the benefit of all.

The Hon. D. H. L. Banfield: Do you think it can be worked out within the next few weeks?

The Hon. J. A. CARNIE: I conclude by saying that, since the introduction of this Bill, much public interest has been aroused. Apparently, the Chief Secretary did not receive any advice on this matter from people, but I assure him that I have. Most reaction has come from the unions through the mouth of Mr. Goldsworthy, who speaks for very much the minority of shop assistants in this State, only about one-fifth of them belonging to the union. In not such an arrogant way there is opposition from the traders. I say "arrogant", because the Hon. Mr. Blevins and Mr. Goldsworthy laid down an ultimatum. The threat was made that, if this Bill goes through, the union whip will crack, but I do not think Mr. Goldsworthy has quite that amount of power.

I have cited the other places like Melbourne and Sydney, which have had this for some time. I do not suggest it should work seven days a week for 24 hours a day or on every night, but I expect it to settle down, as it has done in Melbourne, and operate on one night a week, which I suppose could be a Friday. However, I did not want to lay down anything specific. Because the thought of complete freedom seems to be anathema to many people, particularly to members opposite, I propose to amend the Bill by withdrawing clause 2, about which honourable members have different views. I propose to withdraw that clause and introduce a new clause which will allow shops to open for any one week night until 9 o'clock. That is more restrictive than I like, but it must be left to the traders to choose a time to suit them. In Melbourne it is Friday; it could be the same here or another night. This Bill deals with Adelaide, and I ask honourable members to support the second reading.

The Council divided on the second reading:

Ayes (9)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie (teller), M. B. Dawkins, R. C. DeGaris, R. A. Geddes, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (9)—The Hon. D. H. L. Banfield (teller), F. T. Blevins, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. Jessie Cooper. No—The Hon. T. M. Casey.

The PRESIDENT: There are 9 Ayes and 9 Noes. To enable this Bill to be considered by the Committee, I give my casting vote for the Ayes.

Second reading thus carried.

The Hon. J. A. CARNIE moved:

That it be an instruction to the Committee of the whole that it have power to consider new clauses relating to optional trading hours.

Motion carried.

In Committee.

Clause 1 passed.

Clause 2—"Suspension of this Part."

The CHAIRMAN: I think the easiest way to deal with this, as the Hon. Mr. Carnie has given notice that he will move to insert a new clause, is to clear the existing clause 2 by voting against it.

Clause negatived.

New clause 2—"Amendment of principal Act, s. 122—shops to be closed at closing time."

The Hon. J. A. CARNIE: I move to insert the following new clause:

2. Section 222 of the principal Act is amended by inserting after subsection (1) the following subsections:

(1a) It shall not be an offence against subsection (1) of this section for a shopkeeper, on not more than one week-day in any week that falls within the prescribed period, to keep his shop open after the closing time on that day where that shopkeeper at or before the hour of 9 p.m. on that day, closes and fastens his shop and keeps it closed and fastened against the admission of the public for the remainder of that day.

(1b) In subsection (1a) the "prescribed period" means the period commencing on and including the first day of December, 1976, and concluding on the including the thirty-first day of December, 1976."

I had no intention of speaking further to the new clause. I explained my reasons for it during the second reading debate, and I ask members to support it.

The Hon. D. H. L. BANFIELD (Minister of Health): This is much worse than the original provision. Let us look closely at the new clause. In effect, Myers would be able to open on Monday evening, John Martins on Tuesday evening, and Woolworths on Wednesday evening. How could anyone who has to control the transport of people to and from the shopping centres be able to cope with this? The shopkeeper need not advise the shop assistants that he will be opening on the next Thursday night. He can wait until 4 p.m. on the Thursday afternoon and then tell them that he has decided to open.

That shows how much thought has gone into preparation of the Bill. The original provision was bad enough, but this is worse. I say to the Hon. Mr. Carnie, "Never mind about looking at the clock" and I take exception to what the Hon. Mr. Carnie said in debate, namely, that I was purposely stalling this. At no time have I tried to stop the debating of this Bill on a Government day or on a private member's day. That does not mean that I will not point out the pitfalls that have arisen as a result of the proposed new clause, which provides that any shopkeeper can open on any evening that he likes. He need give only five minutes notice to employees that he will be working until 9 p.m.

The transport authorities are not given any indication of when they will have to reset their time tables for bringing people to the city or taking them home. There is no indication of how many shops will take advantage of this on any evening. The new clause shows clearly that no thought has been given to preparation of the Bill. I ask members opposite to throw this new clause out so that we will not have the chaos of shop assistants not receiving any notice that they will be working in the evening. We do not want a situation where public transport must say, "Get those buses to town, because Woolworths is opening." That is unworkable and indicates a lack of thought given to the clause by the Hon. Mr. Carnie, who has indicated that this is the sort of consumer protection that the people want.

The CHAIRMAN: I point out that in, I think, exactly half a minute, the sittings of this Committee must be adjourned, pursuant to Standing Orders, unless an extension of time is allowed. I point that out to the Minister and to the Hon. Mr. Carnie.

The Hon. D. H. L. BANFIELD: I indicated to the Hon. Mr. Carnie that I would do nothing to stop the passage of the Bill today, but in no way did I expect the staff or anyone else to work overtime on a private member's Bill.

The CHAIRMAN: Order! The time is 6.30 p.m. The sittings of this Committee stand adjourned until 7.30 p.m.

[Sitting suspended from 6.30 to 7.30 p.m.]

The Hon. M. B. DAWKINS: I support the new clause, and I find it difficult to understand why the Minister believes it is worse than the original clause. The provision improves the Bill considerably, and I intend to support the Bill more strongly because of the redrafting of the clause. The Hon. Miss Levy seemed to support the Bill more than she opposed it. The provision concerns an experiment on three nights of the year. The new clause is excellent and should be supported. The opening of shops is completely voluntary, there being no reason for a retailer to open other than the pressure of competition.

Obviously, the Hon. Mr. Blevins in opposing the Bill opposed this clause. He conveyed that he believes that the unions rule the roost. He referred to increased prices in Whyalla and the great danger to young girls at Whyalla. The Hon. Mr. Sumner and the Hon. Anne Levy obviously believe in late-night shopping, as I believe the Minister believes in it, despite his comments. He supported Mr. Dunstan when he introduced a similar Bill some years ago.

The Hon. Mr. Blevins' comments should be published in the *Whyalla News* to show his advocacy of the banning of night shopping at Whyalla. How can the Minister describe this new provision as worse than the original provision? The experiment cannot continue unless further legislation is enacted. I support the amendment.

The Hon. N. K. FOSTER: The motion should not be agreed to. I refer to the speech of the member for Davenport (Mr. Dean Brown) on October 8, 1975 (*Hansard* page 1184). Mr. Dean Brown is the shadow Minister of industrial affairs, but he speaks less on industrial affairs than do two of his colleagues in another place, Mr. Coumbe and Dr. Eastick. Mr. Millhouse made the following interjection when Mr. Dean Brown was speaking on that occasion:

You're avoiding my question. Has it increased costs in Victoria?

Mr. Dean Brown replied:

I am amazed that the member for Mitcham obviously has not even looked at the real differences between Victoria and South Australia. There have been increases in cost in Victoria, and the member for Mitcham probably knows that. He must also appreciate that there is a five-day working week there for shop assistants and a five-and-a-half-day working week here. The situation regarding costs is entirely different. The Liberal Party would liberalise the shopping provisions in several ways, and I will deal with them briefly.

He goes on to say that a Liberal Government would increase the limitations on certain goods in certain trading hours. For the benefit of the Hon. Mr. Cameron I point out that this speech can be found on page 1183 and subsequent pages of *Hansard*, 1975. It is not for me to belabour the weaknesses of the shadow Minister of Labour and Industry. At least I will admit that he foresaw that there was a vast difference between what applied here and what applied in Victoria. The purpose of this Bill originally was to introduce into this State something similar to what is now operating in Melbourne.

The Hon. J. A. Carnie: This is for Adelaide.

The Hon. N. K. FOSTER: We still have shopping districts in this State. The shadow Attorney-General should have informed the Hon. Mr. Carnie of the multiplicity of amendments that would be needed to other legislation. What sort of conception do honourable members opposite have of the industrial tribunals of this State, when they so foolishly move an amendment, without saying anything about changes that would be needed to other legislation? This matter must be looked at in context. The Hon. Mr. Burdett said that we should put the matter on the same basis as in Melbourne and that shopkeepers can trade on any nights. Actually, Melbourne shopkeepers have agreed that they will open on only one night, principally Thursday night.

Only a few months ago some traders in the eastern end of Rundle Street saw fit to do their own thing and, in doing so, breached the industrial laws of this State. I am not sure whether they were prosecuted, but the strength of the legislation ultimately affected their attitude. It was at that time that a debate ensued in the House of Assembly. Honourable members opposite ought to read the record of that debate in connection with the political philosophy that was brought into the matter last weekend. Honourable members opposite should see what their colleagues said last October. I do not blame the Hon. Mr. Carnie for attempting to use Standing Orders and the procedures of this Chamber to make his point, but all honourable members should do adequate groundwork and homework. It is no good introducing a Bill and saying that there ought to be additional trading for a month. The Hon. Mr. Carnie revealed his weakness today when he said that, while he represented the Flinders District in the House of Assembly, a plebiscite was taken in Port Lincoln. He said that it was a 14 per cent vote; it was a restricted vote; and a decision was made on the basis of the people voting.

The Bill does not provide that the industry shall be consulted, nor does it provide that the Industrial Court or the industrial laws shall be recognised. What would happen if there was an industry council, made up of representatives of people in the industry and consumer organisations and Government departments? I therefore criticise the Hon. Mr. Carnie for introducing this Bill without adequately consulting all people involved in this matter. Could any Parliamentary Counsel agree with the approach taken by the honourable member? I commend to all honourable members the booklet *Conciliation and Arbitration in Australia*, available from the Australian Government Publishing Service for 40c. I have been addressing school-children over the last three months and using two booklets, including the one to which I have referred. It says:

The chief objects of the Conciliation and Arbitration Act are as follows:

a. to promote goodwill in industry.

By this Bill, honourable members opposite are not promoting goodwill in industry. This Bill shows that they are not acquainted with the basic principle surrounding industrial relations in Australia. I refer to the Constitution Review Committee, 1959-60. The fact is that there is as much, if not more, space devoted to recommendations and submissions on industrial relations as to any other single item. I suggest to the Hon. Mr. Carnie that in his political interests in this particular field he ought to withdraw the amendment, for as a person who, prior to his entry into this Parliament, was engaged in a type of undertaking which ought to serve him well (the pharmaceutical trade), he ought to have had some better appreciation of what is

involved, particularly considering that he moved from the country area (Port Lincoln) into the city area; and there is no comparison between the two localities, even though he could have been engaged in the same type of industry.

The fact is that the honourable member ought to withdraw his amendment, and he ought to consider withdrawing the Bill. He ought to consider, too, that in doing so he would give recognition to the rights of the industry to have a voice before a vote is taken on this matter.

The Committee divided on the new clause:

Ayes (9)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie (teller), Jessie Cooper, M. B. Dawkins, R. C. DeGaris, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (9)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. R. A. Geddes. No—The Hon. T. M. Casey.

The CHAIRMAN: Order! There are nine Ayes and nine Noes. To enable this Bill to be further considered I give my casting vote to the Ayes.

New clause thus inserted.

Title passed.

Bill reported with an amendment. Committee's report adopted.

The Hon. J. A. CARNIE moved:

That Standing Orders be so far suspended as to enable the Bill to pass through its remaining stages without delay.

The Hon. J. E. Dunford: No.

The PRESIDENT: There being a dissenting voice, there will have to be a division.

The Council divided on the motion:

Ayes (9)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie (teller), Jessie Cooper, M. B. Dawkins, R. C. DeGaris, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Noes (9)—The Hons. D. H. L. Banfield, F. T. Blevins, B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford (teller), N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. R. A. Geddes. No—The Hon. T. M. Casey.

The PRESIDENT: There are nine Ayes and nine Noes. The motion therefore fails because it is a motion to suspend Standing Orders and needs an absolute majority.

Motion thus negated.

MEDICAL PRACTITIONERS ACT AMENDMENT BILL

The House of Assembly intimated that it did not insist on its amendments to which the Legislative Council had disagreed.

WEST TERRACE CEMETERY BILL

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

ADJOURNMENT

At 8.2 p.m. the Council adjourned until Wednesday, November 3, at 2.15 p.m.