

LEGISLATIVE COUNCIL

Wednesday, November 16, 1977

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

QUESTIONS

PRESIDENT'S RULING

The Hon. N. K. FOSTER: On a point of order—

The Hon. M. B. Cameron: Is it a question or a personal explanation?

The Hon. N. K. FOSTER: Call it what you will. Yesterday I asked a question, and I seek leave now to make a personal explanation or—

Members interjecting:

The PRESIDENT: It is up to the honourable member to decide—

The Hon. N. K. FOSTER: It's up to you to shut up honourable members: I am not in the Chair. It is time that members opposite stopped interfering with the normal and proper business and function of this Chamber. Yesterday, following a question that I rightfully directed to the Leader of the Government in this Council (and I shall quote from yesterday's *Hansard* report) you, Sir, interposed and stated:

Order! I rule out of order all those parts of the question which do not deal with any matter concerning South Australia. Parts of the question were relevant to South Australia.

I then queried your ruling on the ground that it interfered with the way in which a Minister could reply to the question and you, Mr. President, made the following statement:

Order! The honourable member will resume his seat. I said I ruled out of order all parts of the question that did not relate to South Australia, on the ground that it was not within the competence of the Minister representing the Attorney-General to answer such parts of the question. He can answer that part of the question dealing only with the reference to South Australia.

You will recall, Sir, that my question concerned the Australian Treasurer, Mr. Lynch. Therefore, can you explain why, in light of your remarks in this Council yesterday, the following motion, to be moved by Mr. Chapman, M.P., is on the Notice Paper of another place:

That this House congratulates the Federal Treasurer for his successful introduction of wide taxation reform which will benefit every taxpayer in Australia.

Also, will you comment on another motion on that Notice Paper to be moved by Mr. Becker, M.P., on behalf of the Liberal Party concerning false ideas about inflation? Mr. President, you deprived a Minister of the right to answer a question relevant to Federal Liberal Party Ministers, as not being within the bounds of the concern of this State. Why does your Leader in the Lower House place upon the Notice Paper most of those matters I raised here yesterday?

The PRESIDENT: First, it does not concern me what goes on in another place but, looking at the matters to which the honourable member referred, it seems to me that they deal with motions that seek the opinion of honourable members in another place.

The Hon. N. K. FOSTER: It is dealing with the subject matter I raised in this Chamber yesterday, as you well know, Mr. President. You were out of step again.

The PRESIDENT: Order! The motions to be moved in another place are entirely different from the honourable member's question.

RICE STRAW

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to asking a question of the Minister of Agriculture on the subject of rice straw.

Leave granted.

The Hon. R. C. DeGARIS: A good deal of publicity has been given to the question of the production of high protein feed from rice straw in Malaysia. A statement of the Premier was quoted in the press, and a statement was made by the Premier on radio. As the protein content of rice straw is approximately 5 per cent—

The Hon. N. K. Foster: Question!

The PRESIDENT: "Question" has been called. The Hon. Mr. DeGaris must ask the question.

Members interjecting:

The Hon. N. K. Foster: He started it yesterday.

The PRESIDENT: Order! The Hon. Mr. Foster will please keep quiet, or I will have to deal with him.

The Hon. R. C. DeGARIS: As the protein content of rice straw is approximately 5 per cent—

The Hon. N. K. Foster: Does this relate to the question?

The PRESIDENT: Order! I warn the Hon. Mr. Foster not to interject again. He has called "Question": that is bad enough.

The Hon. N. K. FOSTER: I raise a point of order; I insist upon it. Mr. President, you just told me, when I proposed that the question be asked, that it was bad enough.

The PRESIDENT: It was bad enough for the—

The Hon. N. K. Foster: It is my right to call "Question" whether he did it to me yesterday or not.

The PRESIDENT: Undoubtedly that is so, but it does not help the man on his feet.

The Hon. N. K. Foster: Who wants him there?

The PRESIDENT: Order! I call the Hon. Mr. DeGaris.

The Hon. R. C. DeGARIS: I have information that the protein content of rice straw is approximately 5 per cent. Can the Minister tell the Council the process through which it is possible to transpose this to high protein content food? Secondly, as the content of barley, wheat and oat straw is also approximately 5 per cent or slightly lower, is it not possible to use this process for converting the many million of tonnes of straw available in South Australia through such a process?

The Hon. B. A. CHATTERTON: I am not conversant with all the technical details in the conversion of rice straw or any other straw. I am aware that the protein content of straw is about 5 per cent, and it would need processing to raise the protein content to a higher percentage. However, British Petroleum has been growing bacteria and producing high protein animal food from petroleum products which, as far as I know, have no protein content. So there are ways to convert those non-protein substrates, in a bacterial process, to a high quality food. I am not aware of details of the process, nor am I aware whether this is intended for processing rice straw in this way. I have not been involved in this matter. However, there are processes with petroleum products producing high quality, high protein animal feed in that way. I am not aware whether bacteria will be used in this case, nor do I know whether it can be used for straw other than rice straw.

RURAL COSTS

The Hon. ANNE LEVY: I ask the Minister of Agriculture a question: On July 27, the Hon. Mr. DeGaris asked the Minister a question concerning figures issued by the Bureau of Agricultural Economics, which purported, according to the Hon. Mr. DeGaris, to show that South Australia had the highest rural costs of any State in Australia. At the time, the Minister had not had a chance to see the figures released by the Bureau of Agricultural Economics. Because I presume that he has seen the figures by now, can he tell us how the bureau, in fact, regards rural costs in South Australia?

The Hon. B. A. CHATTERTON: The most significant factor in connection with rural costs in South Australia or anywhere else in Australia is the ratio between the prices received for rural products and the prices paid for inputs used in agriculture. Certainly, the situation in South Australia is better in terms of that ratio than in any other State. At present the ratio in South Australia is .66, and the State that comes nearest to it is Western Australia with .63. All other States' ratios are lower than that ratio. When considering items of cost individually, which is what the bureau did, the other significant factor relates to the area where Governments have the greatest influence on farm costs—rates and taxes. During the 12-month period, only two States showed any reduction in the index figure for rates and taxes—South Australia and Queensland. Both these States showed a small reduction in the index figure: South Australia, three; and Queensland, two. Those figures should be compared with the average, which is a 23 index point increase for Australia as a whole and a fantastic increase of 148 points for Western Australia.

PUNK PLAY

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Health, representing the Premier, about the proposed punk play *East*.

Leave granted.

The Hon. C. M. HILL: An article in last Monday's *News*, headed "Stir over Festival punk play", refers to the proposal to present the punk play *East* at the Adelaide Festival of Arts. The article states:

A controversial "punk" play to be staged as part of next year's Festival of Arts will come under the scrutiny of the Festival's Board of Governors.

The play is *East*, written by Steven Berkoff. It has caused a major controversy in London.

The script abounds with four-letter words and there is a simulated sex scene. Some of the dialogue sets new standards in crudity.

While the Chairman of the Festival Board of Governors, Mr. Bruce Macklin, is guarded about the play, the festival's artistic director, Mr. Anthony Steel, defended it saying it was "a very good piece of theatre." . . . Mr. Steel saw the play in London. "I thought it to be a very good piece of theatre," he said.

"As for whether it is a suitable item for the festival—as we are saying in the brochure, it is bound to be one of the more controversial attractions."

"The audiences will have to judge it for themselves."

"We are saying in our brochure for the festival that *East* is not for the squeamish or easily offended."

"So anyone who goes to see it will have had pretty fair warning."

A copy of part of the script of this proposed play has come into my hands, and I believe it to be an accurate copy.

This part of the script is filth and vulgarity of the worst kind. For example, in 25 lines an intimate part of the female anatomy is mentioned 28 times in a most deplorable and degrading way. I have been informed by those who visit such plays that this play is far more obscene than such productions as *Flowers* and *Oh! Calcutta!*

The Hon. N. K. Foster: Can we have that document tabled?

The PRESIDENT: Order!

The Hon. F. T. BLEVINS: On a point of order, the Hon. Mr. Hill is clearly giving his opinion, namely, that this section of the play is degrading to women, or words to that effect. He is clearly out of order. So that all honourable members can form their own opinions on this, the Hon. Mr. Hill should either read it out or have it incorporated in *Hansard* so that honourable members who have not seen it can see whether or not they agree with the honourable member's opinion or so that the public can see it to say whether or not they agree with the honourable member.

The PRESIDENT: It is not a document that is capable of being tabled.

The Hon. F. T. Blevins: Why?

The PRESIDENT: It is the Hon. Mr. Hill's personal opinion on the matter.

The Hon. F. T. BLEVINS: The Hon. Mr. Hill has clearly stated an opinion based on what he has before him about this play. You did not rule that out of order and, if it is not out of order, at least let us have it in *Hansard* and let us have a look at it.

The PRESIDENT: Order! It is not required of any honourable member that he should table a private paper.

The Hon. Anne Levy: What about his opinion? He is giving his opinion.

The Hon. C. M. HILL: I assure honourable members that I will try to avoid giving opinions. The international and high reputation of the Adelaide Festival of Arts will be seriously damaged if this play is presented as part of the festival programme.

The Hon. F. T. BLEVINS: Who said that? On a point of order, again that is an opinion.

The Hon. C. M. HILL: I remind the Premier that the performance will be shown in the State's Festival Theatre complex, built from and subsidised by public funds. The presentation of this play and its advocacy by the Artistic Director of the festival is an insult to the people of South Australia.

The Hon. F. T. BLEVINS: On a point of order—*Members interjecting:*

The PRESIDENT: Order! I must ask the Hon. Mr. Hill whether those are his opinions or whether he is quoting someone.

The Hon. C. M. HILL: Those are my opinions.

The PRESIDENT: They are clearly out of order.

The Hon. F. T. BLEVINS: Despite your ruling, those opinions are in *Hansard*; they cannot be retracted.

The PRESIDENT: So are very many opinions of the honourable member.

The Hon. F. T. BLEVINS: In all fairness, we should see what the Hon. Mr. Hill is giving his opinions about. I only wish he would sit down in the proper manner.

The PRESIDENT: Order! The Hon. Mr. Blevins will resume his seat while the Hon. Mr. Hill is asking a question.

The Hon. F. T. Blevins: I am asking a question, too.

The Hon. C. M. HILL: My question is: will the Premier take immediate steps to cancel the production of *East* and terminate the services of Mr. Anthony Steel as Artistic Director?

The Hon. D. H. L. BANFIELD: I was not aware that there was an advertisement for an advertising manager but the Hon. Mr. Hill is really and truly advertising this play. He is already putting in for the job of Manager of the Festival Theatre.

The Hon. M. B. Cameron: It is derogatory to women—that's all it is.

The Hon. D. H. L. BANFIELD: You are an old woman.

The Hon. M. B. Cameron: You are a dirty old man.

The PRESIDENT: Order! The honourable Minister will cease answering interjections. I also ask the Hon. Mr. Cameron to cease interjecting.

The Hon. D. H. L. BANFIELD: I should certainly hope so, Sir. The honourable member, who does look like an old woman, does not seem to be offended. However, I will refer the honourable member's question to my colleague.

PARLIAMENTARY TITLES

The Hon. F. T. BLEVINS: I seek leave to make a brief explanation before asking you, Sir, a question.

Leave granted.

The Hon. F. T. BLEVINS: Recently, there has been a little controversy in the press regarding the taking of titles by members of Parliament generally, included amongst whom are members of this Council. We all have bestowed on us the title "honourable".

The Hon. N. K. Foster: It's a prefix.

The Hon. F. T. BLEVINS: Whatever it is, it is something which is bestowed on us from above and over which we have no control. To indicate some of the disquiet that exists in the community regarding this matter, and to illustrate my point, I shall read briefly from a letter written to the *Advertiser* on November 9, 1977. Written by Mr. D. J. Durand of Manningham, the letter states:

So I'm not the only one who disagrees with the members of Parliament having that title "honourable".

Can I make a friendly suggestion? That our Labor members let it be known that they wish to be known only as "mister".

I assume he also means "Ms", "Miss" and "Mrs.". The letter continues:

This can be done by making a statement to the House and the press and by word of mouth. I have mentioned the Labor members first, because of the belief and platform of our Labor Party that people really shouldn't have titles. But our Labor members accept this title.

That is a good indication of what people think. Of course, what this gentleman has said is not completely correct, because Labor members do not accept these titles. Indeed, I know that every member on the Government back benches (I have not included those honourable members sitting on the Government front benches, because they are capable of speaking for themselves) does not accept the title "honourable". It is something which was bestowed on us when we arrived here and which we must put up with. It is in certain circles a cross that we must bear. I wonder whether anything can be done about this matter, particularly when one realises that it is possible for members of the House of Lords in Great Britain to renounce peerages and be known only by their names, and certainly without the ridiculous—

The Hon. R. C. DeGaris: Do they remain in the House?

The Hon. F. T. BLEVINS: Not in the House of Lords. However, they are entitled to renounce their title.

The Hon. R. C. DeGaris: That is the point.

The Hon. Anne Levy: You're interjecting.

The Hon. F. T. BLEVINS: The honourable member is not helping one little bit. Certainly, he is not helping the

President. I will leave it to you, Sir, to continue discussing this question with the Clerk, as you seem to be doing now. I have other questions to ask you when you are free. Now that I have your undivided attention, Sir, I ask: what is the origin of the title "honourable" used in this Council for all members? What relevance has that title in 1977, when all Labor back-bench members oppose being referred to in that way and, in view of the clearly stated wishes of Labor back-bench members to be known only by their names, will you do whatever is required to see that this title is dropped? If you will not do that, Sir, will you make clear to the people at large that this is something over which we have no control, which is bestowed upon us, and which is certainly something that we do not want?

The PRESIDENT: I think that perhaps it would be better if I give a considered reply to this question tomorrow, but it appears from a brief look at the papers that have been presented to me that some of us achieve greatness and some have greatness thrust upon them.

RURAL COSTS

The Hon. R. A. GEDDES: This afternoon the Minister of Agriculture has given an interesting reply to the Hon. Miss Levy regarding farm prices and price ratios. Can the Minister say from what source he has obtained these figures, and will he let me have them?

The Hon. B. A. CHATTERTON: The figures I have quoted were from the Bureau of Agricultural Economics listed index prices paid and received by farmers on a State-by-State basis. These figures are easily obtainable from the bureau, but I can certainly give the honourable member a copy.

CONCESSIONS TO INDUSTRY

The Hon. N. K. FOSTER: Has the Minister of Agriculture a reply to my question regarding assistance to industry?

The Hon. B. A. CHATTERTON: The honourable member's question related to the sugar concessions. Under the sugar agreement, a domestic rebate of \$15 a tonne is paid for sugar used in the manufacture of approved fruit products. The approved list covers jams, canned fruits, citrus peel, crystallised and glace fruits, and certain fruit juices and fruit cordials, containing not less than 15 per cent pure fruit juice. To be eligible for the rebate, the final fruit juice product must not contain any imported fruit juice concentrate. Also, the fruit from Australian growers used for processing must be purchased at or above the minimum prices set by the Fruit Industry Sugar Concession Committee (F.I.S.C.C.).

The other sugar concession available to Australian industries is the export sugar rebate. This rebate is paid when the world price for sugar is less than the home consumption price. As this is the case at the moment, there is an export sugar rebate of \$7 a tonne of sugar, and this is paid on both approved and non-approved products. This is necessary to ensure that Australian exporters are not disadvantaged in world trade because of the higher price of local sugar, relative to the world price.

The only other concession to the drink industry is a sales tax exemption given where the percentage of Australian juice used in the final product exceeds 25 per cent of volume of this product. This sales tax exemption would therefore not be available to the soft drink industry, because of the low level of juice concentrate used in its products. It can be seen, therefore, that the fruit juices

industry is not disadvantaged when compared to the soft drink industry, but in fact has a number of financial concessions available to it that are not available to soft drink manufacturers.

CONSUMER PROTECTION LEGISLATION

The Hon. J. C. BURDETT: I seek leave to make a brief explanation prior to directing a question to the Minister of Health, representing the Minister of Prices and Consumer Affairs, on the subject of the Government's making itself subject to consumer protection legislation.

Leave granted.

The Hon. J. C. BURDETT: Several times I have asked the Government whether it would make itself subject to the consumer protection legislation, in the same way as private industry is subject to it, when the Government enters the commercial field. Last week I was told that, if I gave instances of specific legislation that I had in mind, the matter of giving a reply would be considered. On that day, I gave some instances and said that later I would submit a longer list. Will the Government, when it enters the commercial field, make itself subject to consumer protection legislation in regard to the Land and Business Agents Act, the Excessive Rents Act, the Housing Improvement Act, the Prices Act (particularly in regard to access to the services of officers of the Prices and Consumer Affairs Department), the Commonwealth Life Insurance Act, the Food and Drugs Act, the Health Act, the Landlord and Tenant Act, and the Sale of Goods Act? My question applies to Government instrumentalities as well as to the Government itself.

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

NORTHERN EMPLOYMENT

The Hon. A. M. WHYTE: I seek leave to make a brief statement prior to directing a question to the Minister of Health regarding a report in yesterday's *News* headed "Connelly to boost jobs in the bush".

Leave granted.

The Hon. A. M. WHYTE: The report is attributed to Rex Jory, but nowhere does there appear to be a statement that the report was released by a Minister. Nevertheless, I assume that the report has some foundation. Indeed, it would be wonderful if Mr. Connelly could create jobs in the bush. Part of that press report states:

Mr. Connelly is tipped to win the job of Chairman of the new Northern Areas Development Trust when it begins operating, probably next year.

I would have thought that such a job should require the calling of applications to provide for the best possible applicants, including people with more expertise in running country affairs than Mr. Connelly has.

Members interjecting:

The Hon. A. M. WHYTE: I knew Mr. Connelly when he was the Mayor of Port Pirie. Such a job should involve the calling of applications for the position, but the report goes on to say:

The trust will have the power to borrow up to \$1 000 000 a year.

As the survey into local government and isolated areas, or unincorporated areas, has not been long completed and as the proposition was overwhelmingly rejected, how will the \$1 000 000 be serviced, unless it is by rating? Will the Minister ascertain how the \$1 000 000 is to be serviced?

The Hon. D. H. L. BANFIELD: It is fascinating how the honourable member can take such a newspaper report as gospel. According to the honourable member this job has already been created, a man has been put into the position, and the honourable member is already wondering how the appointee will spend the funds.

The Hon. A. M. WHYTE: Can you or can you not answer the question?

The Hon. D. H. L. BANFIELD: Of course I cannot answer the question, which concerns a newspaper report and, as the Hon. Mr. Whyte indicated, there was no indication in the report that the Government had made any decision on this question. How can the honourable member assassinate Mr. Connelly's position and work until he has either been appointed to the job or had experience in it? Of course, I cannot answer the question in those circumstances, and I do not intend to do so.

The Hon. A. M. WHYTE: The Minister suggested that I assassinated Mr. Connelly's position—

The Hon. D. H. L. BANFIELD: You said he was no good for the job, which Mr. Connelly has not even got.

The Hon. A. M. WHYTE: I said that it was a position for which people should have a right to apply. Also, as only \$270 000 is provided by grant from the Commonwealth Government in relation to isolated areas, how will this trust be financed? Will it be from State finances?

The Hon. D. H. L. BANFIELD: Now the honourable member is becoming more specific and, in those circumstances, I will be happy to refer the honourable member's question to my colleague.

URANIUM

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply from the Minister of Mines and Energy to my question of November 3, concerning uranium?

The Hon. B. A. CHATTERTON: The information that the Minister of Mines and Energy has available is contained in confidential documents. These documents indicate that a small amount of plutonium is buried at Maralinga. The documents do not confirm that the British nuclear authorities have been dumping waste material at Maralinga; and there are no documents available in the Minister's possession which enable an assessment to be made on the matter.

The Hon. M. B. DAWKINS: Has the Minister of Agriculture a reply from the Minister of Mines and Energy to the question I asked on November 3 concerning uranium and the visit of Dr. Mabon, British Minister for Energy, to Australia seeking uranium supplies?

The Hon. B. A. CHATTERTON: The Minister of Mines and Energy feels that no useful purpose would be served by such an invitation at this stage.

MANNUM RETRENCHMENTS

The Hon. N. K. FOSTER: Has the Minister of Health a reply to my question concerning Mannum unemployment?

The Hon. D. H. L. BANFIELD: The State Unemployment Relief Scheme will provide about 30 job opportunities with the District Council of Murray Bridge, 50 job opportunities with the Monarto Development Commission, and 25 with the District Council of Mannum. Registered unemployed at the Murray Bridge office of the Commonwealth Employment Service in mid-September, 1977, were as follows:

Male	169
Female	105
Total	274

To this figure must be added 16 ex-Woods and Forests Department employees retrenched at Monarto before the redundancy measures were taken at Mannum. The additional employment opportunities created under SURS will be available to every person registered with the Commonwealth Employment Service. Project sponsors are required to recruit staff only through the Commonwealth Employment Service. No specific priority in employment will apply on the basis of length of period unemployed. It would be expected, however, that preference would be given where practicable to single-income families or others in necessitous circumstances.

GOODWOOD ORPHANAGE

The Hon. C. M. HILL: Has the Minister of Agriculture, representing the Minister of Education, a reply to my question of October 25, 1977, concerning the Goodwood Orphanage, the purpose for which it was bought, its cost and the approximate cost of alterations?

The Hon. B. A. CHATTERTON: The Minister of Education informs me that the Goodwood property was acquired principally to provide more adequate accommodation for the service branches of the Education Department. The fundamental purpose of the orphanage is teacher development. The property was purchased for \$750 000 and the estimated final cost of repairs and renovations is \$217 000.

SOUTH-EASTERN FREEWAY

The Hon. R. C. DeGARIS: Has the Minister of Lands a reply to my question of October 27 concerning the South-Eastern Freeway?

The Hon. T. M. CASEY: There has been no postponement of the scheduled opening of the Littlehampton-Callington section of the South-Eastern Freeway, which is scheduled for December, 1977.

RAPE STATISTICS

The Hon. J. C. BURDETT: I seek leave to make a brief statement prior to addressing a question to the Minister of Health, representing the Attorney-General, on the causes and incidence of rape.

Leave granted.

The Hon. J. C. BURDETT: For some years both the Leader of the Opposition in another place and I have been asking for a report that was being prepared, allegedly by a committee, on the causes and incidence of rape. Following a question last week, at last a report signed by Mr. Claessen (and there was no evidence of any committee) has been made available. In the report, Mr. Claessen complained about the lack of access to figures in any orderly way. He complained that he did not have any research assistance. The report is of little assistance in trying to assess the causes and incidence of rape. Mr. Claessen stated in his report:

The major difficulty one faces with a retrospective study is that the information contained in official records is not sufficient for the research work or, if it is recorded, it is not precisely stated. It, therefore, means that there is always the

danger of inaccurately interpreting the data. I think that the time has come when information likely to prove helpful for research is kept, and for this reason the authorities would be well advised to establish a more research-orientated method of record keeping.

To this recommendation I add the recommendation I have previously made that South Australia should, with the least delay, adopt a system of index crimes so that fluctuations in serious crime can be measured. I here contemplate a system similar to the Uniform Crime Reports used by the United States Federal Bureau of Investigation. This kind of system will cure the kind of speculation that is made about the crime rate and will aid any research work that may be undertaken in the future. It is superfluous to add that I will be most willing to participate in setting up a system such as I contemplate.

The report was dated August 27, 1975. The Attorney-General stated that he was setting up a Bureau of Criminal Statistics, but it has been impossible to extract any data from that bureau. My questions are: first, will the Attorney-General set up a system of crime reporting as recommended, and, secondly, will he conduct a properly manned and properly staffed inquiry into the incidence and causes of rape, with proper access to research facilities?

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

ETHNIC AFFAIRS

The Hon. C. M. HILL: Has the Minister of Health a reply to my recent question about the Ethnic Affairs Branch of the Premier's Department?

The Hon. D. H. L. BANFIELD: The \$83 600 proposed for the Ethnic Affairs Branch, Premier's Department, on the 1977-78 Expenditure Estimates, under "Salaries and wages and related payments", is required to cover the following:

Personnel	Number	Estimated salary payments 1977-78 \$
1. Ethnic Affairs		
Ethnic Affairs Adviser	1	16 000
Project Officer	1	11 000
Assistant Project Officer	1	5 000
Office Assistant/Typist	1	5 000
	—	—
	4	\$37 000
2. Community Interpreter/Translator Service		
Co-ordinator	1	9 000
Senior Ethnic Information Officer	1	7 000
Ethnic Information Officers	3	13 800
Senior Interpreter/Translator	1	7 000
Interpreters	2	9 800
	—	—
	8	\$46 600
	—	—
Total	12	\$83 600
	==	====

Members interjecting:

The Hon. C. J. Sumner: Are you opposed to it? You said it was an empire.

The Hon. C. M. Hill: I said "quite an empire".

The Hon. N. K. FOSTER: I raise a point of order. Is it right that, following the reply by the Minister to a question

asked by the Hon. Mr. Hill, he should indulge in a remark such as "empire-building", when referring to the good work done by the Government in the ethnic affairs area?

The PRESIDENT: I am sure that the Hon. Mr. Hill could not contain himself.

PUBLIC SERVICE OFFICERS

The Hon. C. M. HILL: On October 26, I asked the Minister of Agriculture, representing the Minister for Planning, the following question:

In his financial statement, the Treasurer explained the creation of a new Housing and Urban Affairs Department, which would include the State Planning Authority, the State Planning Office and the noise control division of the Environment Department. It appears that there are two senior officers in that new department—Mr. Mant and Mr. Hart. Which of these two officers is regarded by the Minister for Planning as the senior officer?

Has the Minister a reply?

The Hon. B. A. CHATTERTON: The Minister for Planning advises that Mr. J. H. Mant is the permanent head of the Housing and Urban Affairs Department. Mr. S. B. Hart is the Director of Planning and heads the State Planning Office Division of the Housing and Urban Affairs Department. As Director of Planning, Mr. Hart is also the Chairman of the State Planning Authority, a statutory body under the Planning and Development Act, 1966-1976.

PUBLIC SERVICE PROMOTIONS

The Hon. J. C. BURDETT: I seek leave to make a brief explanation prior to directing a question to the Minister of Health, representing the Premier, on the subject of Public Service promotions.

Leave granted.

The Hon. J. C. BURDETT: Recently I asked a question stating that public servants when promoted were subject to appeal but, where an outside person applied for a position in the Public Service and was appointed to that position, there was no right of appeal. As I said, my principal concern was not with the higher levels of the Public Service, to which necessarily persons with high qualifications should be appointed: I was concerned with the lower levels. In a comparatively lowly position, such as district supervisor with the Engineering and Water Supply Department, applications were received and accepted from outside the Public Service and there was no right of appeal. I received a reply last week stating that it did not seem to be practicable to allow an appeal, because if the applicant's employer knew he had applied for this position he might dismiss him or be unhappy that he had applied for another position. It was pointed out that there is a preference clause in the Public Service Act requiring the board to accept the responsibility of ensuring that, before a person not in the employ of the Government could be appointed, the board must be of the opinion that he or she had sufficient superiority of qualifications, and so on, over a person in the Public Service. However, that is a poor substitute for a right of appeal. Will the Premier consider amending the Public Service Act so that there may be a right of appeal against the appointment of persons outside the Public Service, such appeal to be heard privately and to receive no publicity, if that is necessary, so that the applicant's present employer does not learn that his employee has applied for another job?

The Hon. D. H. L. BANFIELD: When the reply was given to the honourable member, the difficulties affecting the outside employee were pointed out. Even if an appeal was heard in private, it would in no way reduce those difficulties. The appeal might take six or eight weeks, and the employee concerned would have to get time off to attend the hearing. Being an honest employee, he would tell his employer why he wanted the time off, or is the honourable member suggesting that he should take a "sickie"? Does the honourable member think the employee will say that he is going to town for the day? He may not even get the job. However, I will take up the matter again with my colleague.

RICE STRAW

The Hon. R. C. DeGARIS: I do not think the Minister of Agriculture fully answered my earlier question. I repeat the last part of it: if the production of high protein stock food from rice straw is possible, will the Minister investigate the possibility of extending the process to wheat, barley and oat straw in South Australia?

The Hon. B. A. CHATTERTON: I do not think that that was exactly the question that the Leader asked. Actually, I believe he asked whether it was feasible to apply this process to wheat straw and barley straw, and I said I did not know whether it was or was not possible. However, if he wishes, I will ask my department to inquire of the people who are carrying out the study.

HEALTH ACT REGULATIONS

Order of the Day, Private Business, No. 2:

The Hon. C. J. SUMNER to move:

That the regulations made on May 5, 1977, under the Health Act, 1935-1976, in respect of the licensing of pest control operators, and laid on the table of this Council on July 19, 1977, be disallowed.

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

That this Order of the Day be discharged.

The Joint Committee on Subordinate Legislation has recommended that no action be taken in connection with these regulations. Evidence taken in connection with this matter was tabled in this Council yesterday.

Order of the Day discharged.

INDUSTRIAL CODE AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 2. Page 609.)

The Hon. J. E. DUNFORD: I oppose the Bill, which makes me wonder what the Hon. Mr. Carnie is all about. Many people must be considered before any changes are proposed in any industry. If conditions are changed to an extent where workers may be required to change from a five-day week to a seven-day week and where they may be required to work a greater number of hours in a day, either overtime has to be increased or the number of employees has to be increased, resulting in an increase in the price of the article produced. There is no other way out.

Any member of Parliament proposing a change in industrial conditions ought first to ask: is there something wrong with the industry? My information is that the employers, the trade union movement, and the employees are satisfied with the *status quo* in the baking industry. It

appears to me that the only person who is dissatisfied with a five-day baking week is the Hon. Mr. Carnie. Because I was unable to comprehend the honourable member's second reading explanation, I contacted the trade union movement, but let me stress that I know much more about the baking industry than the Hon. Mr. Carnie does. I actually worked in the baking industry.

I telephoned my wife today, and I certainly know that we have fresh bread regularly. I said to her today, "How often do we get our bread?" I have four children, and I have ascertained the following information about our bread purchases: Monday, one sliced loaf; Wednesday, two sliced loaves; Friday, two sliced loaves. Four lunches are cut for the children on Tuesdays, Wednesdays, Thursdays, and Fridays. I stress that people do not get fresh bread on any day in Victoria with baking on seven days a week. The Hon. Mr. Carnie said:

Comparing this with other States we find that Queensland and Victoria have no restrictions at all: if they wish, bakeries can bake 24 hours a day, seven days a week but, in fact, do not do so. Tasmania is interesting in that, while there are no restrictions on the baking of bread, by convention bakeries chose not to.

I do not want there to be any chance of employees losing their jobs or of an increase in the price of bread. I stress that, while there are no restrictions on the baking of bread in Tasmania, by convention bakeries choose not to. So, it is obvious that bakers, unions and consumers in Tasmania do not want a seven-day week for baking. I have always believed in organised labour, organised distribution, and organised manufacturing and production. We have all those three things in this State, but those three things are lacking in the States and countries where there is a seven-day week for baking. We have a good rationalised industry here, and we will help to keep it that way if we reject this Bill. The Hon. Mr. Carnie, who obviously does not know anything about baking, has produced no evidence that consumers require or need a seven-day week for baking.

The manufacturers say that with a seven-day baking week they will lose their business, as I believe they will. Most will have to work longer hours for the sake of the few people who want, on Sunday, bread baked on Saturday. I worked in the baking industry once; we used to start at midnight and work until 8 o'clock in the morning. In the winter it was all right, but not in the summer. We did not have an automated industry in those days, in the 1940's, as we have now. Even bread rolls were cut manually, not by machine. I know about baking bread. I am concerned about the manufacturers, the bosses, on this occasion, as well as the employees. I believe all members opposite have copies of a proposition put forward by Mr. Bobridge in reply to the Hon. Mr. Carnie; I will get to that later.

I believe the union has conveyed to the Opposition its reasons why there should not be seven days a week, 24 hours a day, baking, stating the position as it affects the whole industry. I suggest that the submissions from Mr. Bobridge and the trade union more than answer the points set out in the Bill introduced by the Hon. Mr. Carnie. The honourable member said:

Western Australia has restrictions similar to South Australia, as does New South Wales, although the Labor Minister for Industrial Relations in New South Wales, Mr. Hills, announced in June of this year that he would introduce legislation to remove what he referred to as the farcical restrictions on weekend baking.

That sounds, and the Hon. Mr. Carnie tried to make it sound, as though Mr. Hills supports a seven-day baking week.

The Hon. J. A. Carnie: He said he would confirm it; he said he would open up weekend baking.

The Hon. J. E. DUNFORD: What you are suggesting arises from perhaps a misunderstanding by you of what he said, but I went to the trouble of telephoning Mr. Hills, and said I would be speaking on this matter of seven days a week, 24 hours a day, baking. I asked whether this was the proposition that Mr. Hills wants to put forward in New South Wales, and he said there had been some controversy there, which concerned the Minister of Labour, where shopkeepers had been summonsed because they were baking outside the Act. The trouble had been caused and, as a result of that, he was going to consider extending baking hours, certainly not to seven days a week but towards liberalising the hours for baking mainly hot bread and rolls, although not making it as wide as the provisions in this Bill.

The Hon. J. A. Carnie: He still called the present situation farcical.

The Hon. J. E. DUNFORD: When he was talking about the farcical situation, it may be that people were breaking the law. In Victoria, when it first changed to seven-day baking, the situation was not being policed. As a result, it got out of hand and people were being prosecuted. Mr. Hills was referring not to a farcical situation involving a five-day-a-week bake but to the people breaking the law, and the same thing happened in Victoria.

The Hon. Mr. Carnie went on to say in his second reading explanation "There are arguments as to whether or not there is, in fact, a demand for fresh bread at weekends." I agree: there are arguments and we shall have to know whether or not there is a demand for fresh bread at the weekend. If we find it is a fact that there is a demand for bread to be baked at the weekends, seven days a week, it is the Government's prerogative to have an inquiry into the matter and bring legislation forward. The honourable member does not know for a fact whether or not there is a demand. The honourable member continues:

The sales recorded at the outlets which sell country-baked bread on Sundays would seem to indicate that there is. Also, on page 17 of the report of the Bread Industry Inquiry Committee of October 30, 1974, it states:

The need for early baking and delivery is attributed to consumer demand for fresh bread at small shops and supermarkets. It is alleged that the availability of fresh bread in shops when they are first opened, attracts customers.

If fresh bread attracts customers early to shops on weekdays, then surely it would do the same at weekends.

I do not know where the honourable member got the figures, but the figures given to me are that by 8.30 a.m., 20 per cent of fresh bread has been sold by way of home deliveries and, I think, 4 per cent by way of shop purchases. By 2.29 p.m., 97 per cent of home deliveries have been completed and only 66 per cent of shop purchases have been made. I do not think the honourable member's argument stands up. He continued:

The success in Victoria is apparent. Unrestricted baking in Victoria has been in operation for almost 10 years, and has gained very wide public acceptance. Hot-bread shops have proliferated and the demand for fresh bread, both from these outlets and others, is such that industry officials in Melbourne last week told me that, while both management and workers would like to see a return to five-day, or even six-day baking, neither was prepared to promote such a move because of the strong public opposition there would be.

I agree with that, to some extent. If we have a seven-day-a-week bake and the people believe they are getting each day fresh bread, which is available 24 hours a day, it is difficult after giving people anything at all to take it away. So I agree with the honourable member's argument there. What about the Victorian employers who would now like

to return to five days or six days baking? Why do they want that? It must be for a reason, and it must be that it is unprofitable, despite what the consumers want. The honourable member wants seven-day-a-week baking for the consumer's benefit. In Victoria, they say they would like to take it back to five or six days, but they say there would be too much public opposition, so the argument stands: once a service of any sort is provided, it is difficult to take it away without opposition. We can do it if we are not worried about politics, but people concerned with politics do not usually take that sort of risk. The honourable member went on to say:

The question of price has inevitably been raised. Mr. Bobridge, of the Bread Manufacturers Association of South Australia, is reported in the *News* of October 27 as saying that seven-day-a-week bread baking would mean that the price of bread would increase by 10 cents a loaf.

It appears that Mr. Bobridge is attempting scare tactics so that housewives will oppose this move. If the argument is that the introduction of unrestricted baking hours would mean a 20 per cent increase in price (and that is what it would amount to), how is it that in Victoria there are not only unrestricted hours but also no price control?

I think he is wrong there, and that there is price control.

The Hon. J. A. Carnie: I have checked that.

The Hon. J. E. DUNFORD: Well, the honourable member can take it that he is right and that I am wrong, but I am certainly not willing to accept that. In his second reading explanation, the Hon. Mr. Carnie continued:

Bread prices are the same as in South Australia. In fact, prices in Victoria are usually lower because discounting of bread is a common practice.

However, I find that the honourable member is wrong in this respect, as a loaf of bread in Victoria costs 54c compared to 53c for a similar loaf here.

The Hon. J. A. Carnie: It's not 10c dearer though, is it?

The Hon. J. E. DUNFORD: No, it is not. However, the honourable member said that Victorian prices were lower.

The Hon. J. A. Carnie: They are, with discounting.

The Hon. J. E. DUNFORD: Despite what the honourable member says, and irrespective of the sum involved, loaves of bread are, in fact, dearer in Victoria. The other thing that must be remembered is that in Victoria, where bread is dearer, the wage for a baker is \$25 a week less than it is in South Australia, and for a bread carter it is \$7 less than it is in South Australia. So, despite the lower wages in Victoria, that State still pays more for its bread. Yet the honourable member wants to change the situation in South Australia to that obtaining in Victoria. I think he is on dangerous ground until he gets his facts correct, because what I have said is correct.

The Hon. Mr. Carnie then referred to prices. He said in this respect that he found the opinion of Mr. Max Austin, of the Bread Manufacturers of New South Wales, more credible than that of Mr. Bobridge. The honourable member continued as follows:

He stated in June that all-week baking and selling of bread would mean a price increase of 2c, not 10c. If any price increase was greater than that, it would show that the bread bakers award in South Australia needed revision.

I said previously that bakers in South Australia receive \$25 a week more than their counterparts in Victoria, and that bread is sold for 1c a loaf less here. Yet, despite that, the honourable member suggests that the award in South Australia needs to be revised. Should wages be revised upwards or downwards? Is the honourable member suggesting that South Australian bakers should receive less money? I should not think that, if bakers here were receiving \$25 a week more than their Victorian counterparts, the honourable member would be suggest-

ing a rise in their wages. I think, therefore, that he is suggesting that these people should receive less money. In this respect, I will be interested to see what the honourable member says in reply.

The Hon. Mr. Carnie then went on to refer to the Bread Industry Inquiry Committee, of which Mr. J. Fryer, Secretary of the Baking Trades Employees Federation (South Australian Branch) and Mr. F. A. Evans, Secretary of the Bread Carters Industrial Federation (South Australian Branch), were members. He then referred to the following conclusion reached by that committee:

The South Australian award results in an average higher but also a much wider range of gross weekly earnings for bakers in this State. It also means that in giving a justifiable wage increase to bakers earning only marginally above the award rate, much greater earnings increases are given to bakers receiving the penalty payments.

That is understandable, because they work early in the morning. The committee's conclusion continued as follows:

This results in large wage cost increases for plant bakeries which have no option but to pass them on to the consumer through higher bread prices. We therefore recommend that the award be restructured so that the award rate is higher and penalties other than the shift loading are removed.

It is all right for a committee to make such recommendations. In fact, the committee could make those recommendations to the Industrial Commission. However, the fact is that, although award rates are higher here, bread is still cheaper in South Australia than it is in New South Wales. The honourable member, when quoting the committee's report, left out its recommendation that we in South Australia retain a five-day bake.

It therefore seems that the Hon. John Carnie wants to reduce the wages of people working in the baking trade in this State and to increase the number of hours worked each day and the number of days worked each week by these people. He wants to accept the recommendation regarding changes in the wage structure so that our workers will receive less, although the honourable member does not want to go along with the five-day baking recommendation.

Although I have not read the whole report, I know that it would be easy for a politician who did not expect opposition to this proposition to extract from the report those parts of it that suited his argument. However, Government members will not accept any proposition that will result in reduced wages being paid in this industry; nor will they accept a proposition that will result in increased working hours for employees in the industry without their receiving some form of compensation for that extra work.

That part of the report is therefore rejected by Government members, as the South Australian Industrial Commission is the place in which wages and conditions are decided. Any of these people can go to the commission and make submissions for or against wage increases. The Bread Industry Inquiry Committee's report continues as follows:

There will no longer be disproportionate increases in the gross weekly earnings of bakers involved in early starts, who already receive good wages. Overall wage cost increases to plant bakeries will therefore be lower, and this will help prevent higher bread prices.

The Hon. Mr. Carnie then continued:

This is an eminently sensible recommendation, and, as I said, was signed by Mr. Fryer as a member of that committee. On Friday of last week, the same Mr. Fryer stated that, if this Bill passed, he would press for quadruple time for weekend baking. Already the award provides for

treble time for weekend work in those exempt areas where it is permitted. In Victoria, the award provides for double time for weekend work.

I should tell the honourable member that double time for weekend work went out with buttoned-up boots. Generally, it is accepted that triple time and quadruple time is not rare in Australia. Indeed, quadruple time already applies in Canberra and in Tasmania. It seems to me that that was done either by agreement or by a decision of the Industrial Commission. Whichever way this happens, this is no idle threat being made by Mr. Fryer. He would not be doing his job as Secretary of his union (and I know that he is doing a good job) unless he did this. I know that members opposite will have sufficient common sense not to support a proposal for seven-day baking. This gentleman will probably use the argument that was used in Canberra and Tasmania and, knowing the industrial situation here (and because South Australia does not like to be referred to as the low-wage State, as it was referred to many years ago), he will probably be successful.

Then you would have a problem and probably the assessment made by Mr. Bobridge that, if quadruple time came in, the cost could increase by 20c or 25c, would apply. I have also been advised that, even though bread is still cheaper in South Australia than in Victoria, the standard of the bread is much better. The Hon. John Carnie went on to say, in support of this innocuous Bill, that the Government agrees that there is a demand and a need for increased baking hours. He states:

The Government agrees that there is a demand and a need for increased baking hours. In July, 1976, Cabinet strongly supported a plan to extend baking hours from 6 p.m. on Friday to noon on Saturday. In an unprecedented back-down, five hours after making the announcement, the Minister of Labour and Industry, in response to pressure exerted by the large bakeries and the unions, rescinded the decision.

I understand that Mr. Bobridge, representing the Bread Manufacturers Association, and Mr. Sibly, who is a baker at Port Pirie and a representative of the manufacturing industry, saw the Minister and explained the follies involved. They were aware of what had happened in other States. There was no representation from the trade union movement, no pressure from the Trades Hall, and no pressure from members of Parliament, but representatives of the manufacturers explained that, if the Minister brought in the proposal reported in the newspaper, chaos could occur in the industry, and the Minister withdrew.

I do not consider that to be a back-down: I consider it to be a commonsense approach to a serious matter. The Hon. Mr. Carnie is always talking about pressure from unions and from the Trades Hall, and he ought to get his facts straight before he makes these allegations. That honourable member has also referred to earlier pressures exerted by unions. In the explanation of the Bill, he states:

I have referred earlier to pressure exerted by unions, but it is obvious that undue pressure is also exerted by management, and in this regard it is fitting to examine the structure of the bread industry in metropolitan Adelaide. Of the 30 bakeries in the city, eight bakeries owned by four companies control 80 per cent of the market. Another four bakeries have 11 per cent. So this means that 12 bakeries, or eight companies, control 91 per cent of the market, while the other 18 bakeries share 9 per cent. While I am the last one to decry the principle of free enterprise (in fact, this Bill is in support of that principle) . . .

He is saying that he likes monopolies. There is a monopoly to some extent in the baking industry in South Australia, but the honourable member wants a bigger one. I have

been reliably informed that in the United States of America a seven-day 24-hour bake has been introduced, and now the quality of the bread in that country is inferior. It has a life of three days and there is a sort of vending machine process, where the people think they are getting fresh bread every day. However, we all know that that is not true. There must be stale bread if there is a seven-day bake. The people of America were in favour of that system, and now the Hon. Mr. Carnie believes that it ought to be introduced here. With the vending machine situation in America, the people do not know how old the bread is. The vending machines are built up with bread, and I see a danger there.

The Hon. Mr. Carnie, by his Bill, wants to create a monopoly, but I am sure that the measure will not be passed. That honourable member has been overseas and I have been there a few times. We know that shops are open for the 24 hours of the day but additional people are not employed there as he suggests they will be here. The person who owns a rag shop sits up all night, because he cannot afford to employ staff. The people cannot pay their electricity accounts.

We see newspaper reports to the effect that we must conserve energy and that we must produce more for the same market, hoping that people will eat more. The Hon. Mr. Carnie has said that, generally, people buy their bread in one unit. A person who eats a loaf of bread in two days may buy a loaf on Friday, but surely the honourable member is not suggesting that production will increase if that person buys three loaves. The three loaves would not be required by a person who normally buys only one loaf. The buying habits of people may change but the need and the consumption will not change.

The Hon. D. H. L. Banfield: The honourable member will want milk delivered on Sunday morning.

The Hon. J. E. DUNFORD: Yes, as long as he does not have to deliver it. His explanation of the Bill is an expose of his attitude to the workers. The workers come last and, in this case, the bosses, the manufacturers, who do not bake for the Labor Party but bake for the Liberal Party, may say, "There will be no more dough unless you get rid of the Hon. Mr. Carnie." I believe that baking on seven days a week will cost more. If we listen to the Hon. Mr. Laidlaw, we know that industry has ways of doing away with costs: it does away with workers.

I have been told that in South Australia 1 000 workers will lose their jobs if we have baking on seven days a week. Automation will be used for such baking. Members opposite talk about people having a choice of what they want to buy, but I understand that, with an automated system, the recipe cannot be changed. The bread goes through on a restricted recipe, and the quality is downgraded. That cuts the cost for the baker but it gives the consumer, about whom we are concerned, a lessening of choice and a reduction of quality.

Bakers can also cut costs by reducing the quality of bread and still have it remain within the health standards required by law. All members would have received a folder headed "Reply in opposition to private member's Bill for seven-day baking in South Australia". That has been prepared by the Bread Manufacturers Association of South Australia (Inc.). Mr. Bobridge commences with a statement extending over 2½ pages in reply to what the Hon. Mr. Carnie has said in his explanation of the Bill.

That folder refers to the cost of Saturday and Sunday baking, the restriction of varieties to five, labour for Saturday and Sunday, staff requirements, the wages of production managers, doughmakers, packers on conveyors, breadroom supervisors, packers, and slicing and wrapping machine operators. It sets out the weekend

wages in relation to distribution outlets, the group supervisor, the salesman, stand-by relievers, and accountants, head clerks, female clerks, plant mechanics, motor mechanics and cleaners: all these people are required to work on weekends.

Reference is made to the inclusion of workers compensation, additional annual leave, and all the figures are documented. Reference is made to additional mileage as a result of the delivery of bread on weekends, the additional waste, the transfer of trade from retail to wholesale, initial costs not elsewhere stated, increased discounting, credits for unsold bread and the like. I often came into the city on Sunday morning at about the time fresh bread first hits either Kensington, Norwood or Magill Roads (I take any one of those routes). I have seen cars lined up while people get fresh bread, or supposedly fresh bread, but which is really baked on Saturday, a day earlier.

What if people stop buying this bread? The Hon. Mr. Carnie would say that bakers do not have to bake on those

days, but they have employed their staff and set their standards. As businesses change hands, new owners will have bought their businesses on that basis. Members opposite can say that they can close their doors, but that is not easy to do. The immediate effect of Sunday baking on additional labour, additional annual leave, additional waste, transfer of trade from retail to wholesale, as well as miscellaneous costs not elsewhere stated, increases in discounting, crediting for unsold bread and Saturday baking amounts to over \$16 000 in the example cited. I ask leave to have inserted in *Hansard* without my reading it the submission by the Bread Manufacturers of South Australia (Inc.).

The PRESIDENT: I explain to the honourable member that he can insert in *Hansard* only statistical matter, not a long document.

The Hon. J. E. DUNFORD: I ask leave to insert statistical information prepared in November, 1977, by the Bread Manufacturers of South Australia (Inc.).
Leave granted.

Effect on Costs and Prices of Baking Fresh Bread on Saturday and Sunday

Cost of Sunday baking and delivery:

1. Varieties restricted to five—S/W 450g., S/W 900g., S/W 680g., S/W 680g. brown, 900g. sandwich.
2. 20 000 units for a 75 tonne bakery.
3. Conditions under the Bread and Yeast Goods Award.
4. Four weeks leave for all staff. (This could be five weeks as four weeks is standard).
5. Treble time for all staff on Sunday. (This is now in the Award, and could go to quadruple time).

Cost of Saturday and Sunday baking:

1. Varieties as above but these could increase and even include rolls. This would result in much higher costs.
2. 25 000 units for the two days—10 000 for Saturday and 15 000 for Sunday.
3. Bread and Yeast Goods Award.
4. Four weeks leave for all staff. (Refer above).
5. Double time for all staff on Saturday, with a minimum of four hours pay.

Labour—Sunday (Staff figures reduced below normal—five-day level due to restricted varieties):

		\$	\$
Bakery:			
Production Manager—1	6 hours @ \$15.00	90.00	
Doughmaker—1	6 hours @ \$11.25	68.00	
Bakers—10	60 hours @ \$10.84	650.00	
Packers on conveyors—2	12 hours @ \$9.86	118.00	
			926.00
Breadroom:			
Supervisor—1	6 hours @ \$10.00	60.00	
Packers } 12	60 hours @ \$9.86	592.00	
S/W Machine Operators }			
			652.00
Distribution:			
Group Supervisor—2	8 hours @ \$15.00	120.00	
Salesmen—26	104 hours @ \$11.00	1 144.00	
Standby Relievers—2	8 hours @ \$11.00	88.00	
			1 352.00
Office:			
Accountant—1	6 hours @ \$14.00	84.00	
Head Clerk—1	6 hours @ \$12.68	76.00	
Clerks—females—5	30 hours @ \$10.85	326.00	
			486.00
General:			
Plant Mechanic } 2	12 hours @ \$11.77	129.00	
Motor Mechanic }			
Cleaner—1	6 hours @ \$10.06	60.00	
			189.00
			3 605.00
Pay-roll Tax and Workers' Compensation—11%			396.00
			4 001.00

**Effect on Costs and Prices of Baking Fresh Bread
on Saturday and Sunday—continued**

Additional annual leave:

Five weeks leave for all staff—additional relievers would be required:

		\$		\$
Bakery } Breadroom } Delivery } Office }	1¼ @ \$220·00	275·00		
	2 @ \$152·20	304·00		
	1 @ \$157·60	158·00		
		737·00		

Pay-roll Tax and Workers' Compensation—11%

80·00

817·00

Additional mileage:

650 miles @ 16c per mile—variable and semi-variable costs

104·00

Additional waste:

5% of 20 000 units—1 000 @ 15c per unit variable cost

150·00

Transfer of trade from retail to wholesale:

Based on Easter experience—8 000 units transferred to wholesale at the difference in revenue between wholesale and retail for the varieties concerned:

	cents		\$
Average retail delivered price	53		
Average wholesale price after discounts	41		
	12		960·00

Miscellaneous costs not elsewhere stated:

Supplies—electricity, stationery, accelerated repairs, etc.

\$

120·00

Increase in discounting:

There is a strong presumption, based on the pattern that developed in Melbourne, that discounts will increase. Melbourne's standard discount increased from 16½% to over 20%. Assume a modest 2½% in Adelaide just to retain trade against offers made by certain bakers to recover their lost week-end trade.

2½% on \$32 000

\$

800·00

Crediting for unsold bread:

This will be re-introduced into the Adelaide market. If it does, it will certainly be at a level much higher than it was when it was discontinued. Melbourne's percentage of waste would be about 20% of their production.

10% of 140 000 units—14 000 @ 15c variable cost per unit

\$

2 100·00

The waste in Melbourne of over 20% is due to the impossibility of predicting the sales over seven days because of the variable buying habits of the consumer brought about by the seven days baking.

Saturday baking:

This would follow from baking on Sunday. The sales would come from the Friday and the Sunday's sales. The two days trading could possibly result in the following sales:

Sunday	15 000	
Saturday	10 000	
	25 000 units	

The labour on Saturday would be at least double time and the mileage travelled would duplicate that of Sunday. The saving of labour on Sunday would not compensate for the additional work on Saturday. Minimum pay would be four hours, although they may work less.

Saturday labour cost: this is not proportional to units sold in view of the clean-up time in bakery labour and the running and serving time for delivery.....	1 600·00		\$
Less reduced cost of labour on Sunday	500·00		
	1 100·00		

Pay-roll Tax and Workers' Compensation—11%			121·00
Additional motor mileage—650 @ 16c per mile			104·00
Additional waste—5% on 5 000 @ 15c per unit			37·00
Transfer of trade—2 000 units @ 12c per unit			240·00
			1 602·00

**Effect on Costs and Prices of Baking Fresh Bread
on Saturday and Sunday—continued**

Immediate effect of Sunday baking:		\$	
Labour		4 101.00	
Additional Annual Leave		817.00	
Additional Motor Mileage		104.00	
Additional Waste		150.00	
Transfer of Trade from Retail to Wholesale		960.00	
Miscellaneous		120.00	
		<u>6 252.00</u>	
Cost per 1 000 units—based on 113 000 units		<u>55.32</u>	
 Additional cost consequent on Sunday baking:			
It is difficult to predict in what sequences these additional costs will be incurred, but it is possible that they will more or less occur together or will all occur within a relatively short period of time.			
		\$	
Miscellaneous	150		
Saturday baking	1 602		
Increase in discounting	800		
Credits for unsold bread	2 100		
		<u>4 652.00</u>	10 904
Cost per 1 000 units—based on 113 000 units		<u>41.17</u>	
Total ultimate increased cost per 1 000 units			<u>\$96.49</u>

Total cost per unit spread over shop and delivered units = 9.65c

Additional costs which are difficult to quantify:

If six or seven days baking should come into operation in the bread industry, there will no doubt be a lot of discontent within the labour force leading to increased staff turnover with replacements less efficient than the previous staff. This must and will lead to increased costs that will have to be recovered through price increases, as it will not be possible to raise productivity with inferior staff. The low image of an industry that employs labour for seven days in the week cannot be expected to attract efficient staff.

If casual staff are used, assuming that there are trained bakers and salesmen employed in other industries, and again assuming that they will be prepared to work casually, the casual labour rates are 20 per cent above the costs used in this report.

It may be necessary to incur an additional cost to assist in identifying freshly baked bread. This of course, increases the risk of Friday's bread being unsaleable.

Recovery of increased costs:

This poses quite a problem:

1. What varieties should carry the additional cost?
2. Should it be on shop prices alone?
3. Should retail delivery share a burden in which it is really not directly concerned?
4. Should it only be in respect to the fresh weekend trade? In which case, how can the fresh bread be identified?
5. Will other bakers decide to gain trade during the week by refusing to enter the fresh weekend trade and use the cost saving to cut prices? One baker has already stated that this will be his intention.

Such varieties as rolls, french sticks, french breads, packaged rolls, yeast goods and slimming loaves would not be involved in the increased costs and their prices should not carry the additional loading for weekend bread.

Basic data which is representative of an average plant bakery:

		Units	
		Wholesale	Retail
		769 000	145 000
Less: Other sales—where recovery would not be possible		<u>44 000</u>	<u>—</u>
		725 000	145 000
Less: Slimming	6 500		1 300
Rolls	51 000		1 700
Other Breads	16 500		2 000
		<u>74 000</u>	<u>5 000</u>
		651 000	140 000
Average bakery (7)		<u>93 000</u>	<u>20 000</u>

**Effect on Costs and Prices of Baking Fresh Bread
on Saturday and Sunday—continued**

Recovery of immediate costs:

A. Increase of 12c shop prices and (10c retail delivered over the week).

	\$
Wholesale 93 000 at 9·4c (less 15 per cent less 7½ per cent)	8 742
Retail, 20 000 at 10c	2 000
	\$10 742 under recovery
	10 904
Costs incurred	10 904

1. This brings shop and delivered prices together.

2. This recovers less than the immediate cost increases.

B. Increase on fresh bread only on Saturday and Sunday of 50c per unit on shop price. 20 000 units at 39·125c (less 15 per cent less 7½ per cent) \$9 828 (under relief).

C. Increase on shop prices only over the week of 15c per unit.

93 000 units at 11·79c (less 15 per cent less 7½ per cent) \$10 964.

Recovery of the immediate and consequential cost increases:

It would be necessary to double the above price increases. The ultimate price increases could be:

Under A—12c shop retail

10c delivered retail

(i.e. cost consumer 70c extra per week if a delivery every day).

Under B—(25 000 units)

50c shop retail for Saturday and Sunday

Under C—15c shop retail

Note: It could be that the unions would insist on higher penalties for seven days baking and there is no doubt that the industrial courts would favourably consider any union demands in this regard.

The labour costs stated in this submission must increase at a more rapid rate than the costs involved in the normal operation in view of the heavy penalty loading that will prevail.

The Hon. J. E. DUNFORD: I should like to set out briefly the key to the Hon. Mr. Carnie's proposition. He said restrictions were placed on the baking of bread and that he is seeking to lift those restrictions to provide for seven-day baking. The Bread Manufacturers in their submission state:

The bare statement that the making and selling of bread has more restrictions placed on it than most other items of food is completely misleading. No attempt has been made to define what these restrictions are. In point of fact most, if not all, the regulations pertaining to the making and selling of bread relate to minimum quality standards, hygiene and sanitation in the bakery and the handling of bread on the rounds, and the protection of the rights of employees whilst engaged in the bread industry. Restrictions are necessary to avoid the law of the jungle from operating.

The health of the community is of fundamental importance and should be protected by law, and whether that law is restrictive or not is of no consequence in this context. The restriction on hours of work for the bread industry is quite valid and is based on a number of factors:

1. It supports the fundamental social contract that all employees should enjoy the same opportunity to pursue the quality of life open to the community as a whole. In today's so-called enlightened age no person should be exploited to benefit the few.

2. It is the only way that the industry can give maximum employment.

3. It is the only way that the industry can continue to be viable and stable.

4. It gives bakers and breadroom staff who work at night the only chance they have to enjoy their family and to have some social life with their families and friends.

5. It avoids the excessive economic costs that would be involved in weekend work and avoids also the high social and human costs that would be incurred by the industry's employees.

The statement of Mr. Bobridge goes on at length, and there is far too much of it for me to read. Indeed, I need not read it all to convince this Council that the Bill should be thrown out on the scrapheap. I refer now to the origin of seven-day baking. I already referred to this when I referred to discussions with Mr. Hills in New South Wales, but Mr. Bobridge states:

Seven-day baking originated in Melbourne from a number of unscrupulous bakers deliberately breaking the law, and baking weekends to obtain trade from bakers who not only were law abiding but far sighted enough to see the economic chaos as well as the loss in employment that would occur if everyone was involved in seven-day baking. The department involved in policing the regulation was indifferent to the regulation being broken. In fact, it was downright lax in carrying out its duties and responsibilities. The Government of the day took the easy way out and repealed the regulation.

Honourable members heard the question I asked yesterday concerning small business and people in the community affected by change. Unless change that is in the interests of all is brought about we must be careful and compensate people who are permanently affected.

It is a matter of record that the baker who initiated weekend baking eventually went into receivership owing hundreds of thousands of dollars. Certainly, we do not want that position to obtain in South Australia. Several members opposite have been involved in industrial affairs, industrial relations and business and would resent any legislation or law seeking to put them at a disadvantage or requiring them to undertake additional work.

Therefore, honourable members should consider the position of a baker who has been in the industry for 35 years and has undertaken a five-day bake. Such a situation would not be uncommon, and there are many industries where men have worked over a similar span. In this case, bakers have produced bread, and I refer to the position in

country areas. Suddenly a baker is asked to undertake a seven-day bake.

The Hon. Mr. Carnie suggests that a baker would not have to bake unless he wanted to but, if his competition, the baker across the road, chose to bake, of course he would have to open his shop and bake. In such a circumstance, through legislation, we will destroy the latter part of the bakers' working life, destroy his industry, his accumulated wealth, his business and goodwill and everything that goes into it, as well as extending the amount of work he must do merely to bake fresh bread for one additional day, but having to bake for six days a week.

What is the necessity for baking seven days a week? The Hon. Mr. Carnie gave no evidence to support his proposition. The submission states:

We know from our records that there are few, if any, people now purchasing bread five days per week. The greatest number of consumers buy one, two or three days a week. This is evident from our records which show customers buying Monday, Wednesday, and Friday, or Tuesday and Thursday, or even only on one day in the week. There is no evidence whatsoever that consumers as a body buy fresh bread daily in the five days. How can anyone imply that consumers want fresh bread daily for seven days in the week? The average number of loaves purchased by a consumer is 3½ units per week. It is obvious from such a small purchase that it would be farcical to introduce seven-day baking. To spread 3½ units over seven days would be ludicrous. The consumer is not fully exploiting the existing five days, as there is no need to do so for 3½ units.

It has seldom occurred, but it is not rare that employers support a wage structure in one State which is \$25 in excess of another State. I know it happens because I was a trade union secretary, representing scores of industries, and the employers I dealt with where we had that fortunate situation were happy because they had good employees, a stable work force, a contented work force, and no strikes, because good wages were paid. This is usually the ingredient for good industrial relations.

The Hon. D. H. Laidlaw: Would you say that again?

The Hon. J. E. DUNFORD: The honourable member would agree with that. Perry Engineering has a good industrial record. It pays over the award and allows a good deal of worker participation. When workers there want to vote for union officials, they are given plenty of time to do so. I do not personally know Perry Engineering, but its industry turnover would be less than comparable with industries interstate. The wages might be a little higher. The Bread Manufacturers say:

The committee's conclusion regarding the high level of wages in South Australia and their solution is not a realistic one, and in any case is not relevant to the question of weekend baking. The wage levels have been established generally by the Industrial Court having regard to comparative wage justice, good conscience and equity. It is not within the competency of any person who is not familiar with the industry to comment on whether the wages are high or low.

That is a statement from the boss, the Bread Manufacturers Association, telling Mr. Carnie that he does not know anything about the history regarding this matter; he is not competent to decide whether a person ought to get double time, treble time or quadruple time on Saturdays and Sundays. Certainly, he is not competent to overrule decisions of the Arbitration Commission. He is competent to criticise or disagree, but not to set himself above the point where he can comment without any knowledge of the industry. That is what the bosses are saying to Mr. Carnie. There has been some comment about Mr. Carnie's "red herring". That has been introduced into the argument. The bosses say:

The number of bakeries have no real relevance to weekend baking. The industry has been under price control for 38 years, most of which under the Liberal Party. During that particular period, the price structure was too low to support the operation of all bakeries and they were compelled, because of their uneconomic operation, to sell to existing bakeries. Each bakery was bought at values that were equitable at the time of sale. It is interesting that practically all of these sales were made whilst the Liberal Party was in power.

I am afraid that if this Bill is passed we shall have a recurrence of what occurred at that time when the price of bread was so low that the smaller bakeries were unable to compete with the larger bakeries. The larger bakeries bought them out. If this Bill is passed, the situation will be reproduced and you will have what Mr. Carnie referred to as a "complete monopoly".

I shall conclude with some statistics I received from the trade union movement. They show figures for quadruple pay, different rates of pay, which employees will be retrenched in the case of the changeover, loss of quality, service to the community, and the results of a survey made about the true demand for fresh bread every day, a comparison with five-day baking, and what will happen if six to seven-day baking is introduced. I have left the union out of this debate, to some extent. It was not that I was not impressed with their submission. I have dealt with the reply and the proposition put forward by Mr. Carnie in his speech in support of the Bill. I have not used all the time available to me to put in Mr. Bobridge's remarks. I seek leave to have incorporated in *Hansard* documents supplied by the breadmaking unions without my reading them.

Leave granted.

Brief details of a comparison between seven-day baking in Victoria and five-day baking in Adelaide Metropolitan Area, and the changes if South Australia introduces six or seven-day baking, as seen from the Victorian experience.

Cost structure: Wages for weekend work would increase on grounds of interstate relativity. Tasmania and A.C.T. Canberra has quadruple pay for weekend work. The same production would be spread over a longer, costlier period. Large bakeries would, to overcome increased production costs, purchase costly automatic plants, close some bakeries, introduce day-time baking, flood the country centres with bread to a radius of 200 miles (or more), which will close country bakeries. This will be necessary to utilise automatic plants and to offset the increased costs of weekend baking.

Compare price structure between Victoria (seven-day baking), South Australia (five-day city and 99 per cent of country bakes five-day only) and New South Wales (five-days State-wide). Victorian bakers, for like hours, receive \$25 per week less than South Australian bakers, and breadcarters receive \$7 per week less than South Australian breadcarters, yet the recommended price in shops is 54c as against 53c in South Australia. Compare these two States with New South Wales where it is restricted to five-day State-wide baking with a legislated penalty provision (under Prices Act) for giving excessive discounts to supermarkets, the basic rates for bakers and breadcarters in New South Wales are higher than in South Australia but the recommended price for bread is only 50c shops and home delivery.

Loss of employment: Only the larger of bakeries in the city could survive, medium size and small bakeries in the city would close, possibly all bakeries within a 200-mile radius of city would close in the face of cut-throat competition from large city monopolies (that would emerge from extended baking hours). Home delivery would eventually cease, and employment losses of this and the automation of production

coupled with the loss of most of the country bakeries would result in:

the retrenchment	400 Bread carters	} in city
of	100 Other bakery	
approximately	workers	
	300 Bakers	
	200 workers in country bakeries	

Plus the loss to the vehicle industry when approximately, 350 delivery vans are dispensed with (replacement and maintenance costs).

In Victoria, one company alone automated two bakeries, closed down five bakeries and retrenched 500 employees, other baking groups also automated with a resulting loss of jobs.

Loss of quality and service: Home delivery lost, this share of market taken over by supermarkets at a greater distributive cost because of excessive profits demanded. Deliveries to country centres would be by carriers—buses—private people, not all complying with health regulations. In Victoria, bread is of poorer quality and does not keep as well (opinion of Victorian unions, who would prefer it otherwise). Because of the introduction of day baking in Victoria bread is baked one day and sold the next, Victorian Manufacturers claim this is fresh bread, but it is different from South Australian fresh bread. If six or seven-day baking forces South Australia to extreme competition and day baking, our bread will be baked one day and sold the next. On Monday, October 24, I inspected a Tip Top Bakery at Brunswick and saw bread being sliced and wrapped at approximately 12 noon for sale the following day. Nearly all bread sold is sliced-and-wrapped and a survey last week of two of the largest bakeries in Melbourne showed that the starting time for bread-room hands, who slice and wrap the bread, was 10 a.m. and 10.30 a.m., which would be too late for same-day delivery, therefore proving that bread is baked one day and sold the next.

Is there a true demand for fresh bread every day? At present in Adelaide, bread is "Same-day" fresh Monday to Friday, but over 80 per cent of people have bread every other day whether from shops or home-delivery which proves that the consumer, while saying that he wants fresh bread, does not in fact use fresh bread daily. The so-called weekend country "fresh bread" is in fact made, and most of it delivered, on Saturdays.

Comparison: The present five-day Adelaide baking, "Same-day" fresh bread Monday to Friday—Saturday, the same aged bread that we will get every day if weekend baking is introduced (but our present Saturday's bread is of a higher quality). Sunday, high quality bread from Friday, that if frozen is much better and fresher than Victorian fresh bread (2 years ago, 24 per cent of Friday's production was frozen).

If six or seven-day baking is introduced: Not one advantage can be seen if weekend baking introduced. Besides many disadvantages not listed here, the main impact of extending to six or seven-day baking (and whether compulsory or not, competition would demand it), would be—Substantial rise in cost of bread. Huge unemployment. Monopolisation by large bakeries. Huge loss of country bakeries. Day-old bread every day (as in Victoria). Social life of bakers reduced further.

I oppose the Bill.

The Hon. D. H. LAIDLAW secured the adjournment of the debate.

LICENSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 2. Page 610.)

The Hon. C. J. SUMNER: This Bill provides for the addition to the Licensing Act of a separate additional

licence, a limited restaurant licence, which would allow patrons to bring their own liquor to a restaurant to be consumed, rather than its being supplied by the restaurant, as is presently the case. I intend to support the second reading of this Bill, although there may be some problems with details of it, and in the Committee stages of the debate I may move amendments to it.

However, I support the general principles of the Bill, that there ought to be so-called "bring-your-own" restaurants. In general, I support establishing a separate category of limited restaurant licences. If this proposal becomes law, the range of choice for patrons of restaurants in South Australia will be wider, and with luck the cost of a meal out for those patrons will be lower for those who do not require the same style of service as is involved with a full restaurant licence. There is no doubt that the service provided by a full restaurant licence would be better because wine would be served at the table. There would be greater possibilities to choose wine at the restaurant and not to have the inconvenience of taking it to the restaurant. In general, there would be a greater style of service in a fully licensed restaurant.

However, for the people who did not wish to have that greater style of service, there would be this additional category of licence making it possible for individuals to bring their own liquor. This may mean some shaking out in the industry and an increase in competition. However, the two types of restaurant licences standing side by side will appeal to different classes of customer and provide for differing tastes and styles in respect of the way in which people wish to enjoy their meals. Although there may be this shaking out in the industry, I do not believe that it will really affect restaurants with good food, good service, good wine, and good atmosphere. Such restaurants will continue to attract customers without those restaurants suffering in any way through the introduction of this additional type of licence.

The new type of licence will not allow restaurants with poor food and poor service to prop up their poor food and poor service by charging excessively for wine. The kind of shake-out I have in mind would be for the good of the industry generally. Costs will be lower for those who wish to use this sort of eating facility, which will widen the choice provided for local people and visitors to the State, particularly during the Festival of Arts.

This Bill will not mean an open slather; unlike the situation in New South Wales, where these restaurants are not controlled in the way proposed here, the Licensing Court will control the facilities provided by holders of limited licence restaurants. These facilities, including toilet facilities and washing-up facilities, will have to be of the same standard as those provided by fully licensed restaurants. Of course, limited licence restaurants will not have to provide bar facilities, which would be unnecessary. So, the standards of the fully licensed restaurants and the limited licence restaurants would be similar.

An argument advanced against the Bill is that it would lower standards, but I repeat that the control exercised by the Licensing Court will mean that the facilities in limited licence restaurants cannot be of a standard below those provided in fully licensed restaurants. Rather than a reduction in standards of food and service, the increased competition will operate in the reverse direction: there ought to be higher standards if this type of licence is introduced, because the restaurateur will be able to concentrate on providing food, rather than on providing the whole range of services. The physical surroundings in restaurants ought to remain at least at the same level. The administration and supervision of this additional type of licence will still be catered for, because the Government

will still obtain revenue when liquor is purchased from a hotel or a licensed retail storekeeper. So, there will be no reduction in revenue to the Government.

The Hon. J. A. Carnie: There may be increased revenue—through a licence fee for the new type of restaurant.

The Hon. C. J. SUMNER: Yes. It has also been suggested that the Bill will lead to excessive consumption of liquor, but I do not accept that argument. Generally the consumption of alcohol with a meal is less than the consumption of alcohol without a meal. There are sufficient outlets where people who want to consume alcohol to excess can do so without the assistance to their sobriety provided by an accompanying meal. The consumption of wine with a meal is rarely taken to excess, whereas it is sometimes taken to excess in other circumstances.

The problem has also been raised of illegal sales and the situation where a proprietor of a limited licence restaurant may keep his own stock of liquor in the back of his premises and sell it under the counter. Of course, the premises will be subject to police supervision. Something ought to be done to ensure that that situation does not occur. The fact that there may be a problem related to detecting this kind of situation ought not to stop honourable members from voting for the second reading of this Bill. Clause 3 provides for a new section 31a of the Licensing Act.

The Hon. Mr. Carnie's provision that the liquor should be purchased at the express request of a person proposing to consume it from the holder of a full publican's licence or retail storekeeper's licence is designed, according to the honourable member, to overcome the problem of a proprietor keeping stocks in the restaurant and just wheeling them out as desired. I am not really sure that inserting such a clause as this in the Bill will improve the capacity of the police to control this problem that may arise; it may well be better to make it illegal for the proprietor to purchase the liquor on behalf of the customer: in other words, it might be better if it was left exclusively for the customer to bring wine or liquor on to the premises and if no facilities were provided for the proprietor to get it on behalf of the customer. That would, of course, assist in policing the situation and overcome the problem of a limited restaurant proprietor abusing the licence and selling liquor under the counter.

The Hon. J. C. Burdett: Doesn't what you say apply already? Doesn't the consumer have to bring the liquor?

The Hon. C. J. SUMNER: No. What is proposed is that there shall be two ways in which a person can consume liquor on premises with a limited restaurant licence. First, he can bring his own liquor to the premises and that may be opened by the restaurateur and served by him there; secondly, he can arrive at the premises and request the proprietor (this is proposed new section 31a (1) (b)) to get the liquor for him, and the proprietor will have to go to a normal retail outlet, get it and bring it back to the restaurant. That is the situation obtaining in the other States, I think, and the Hon. Mr. Carnie has provided that the proprietor shall purchase the liquor from the holder of a full publican's licence or a retail storekeeper's licence, to try to solve the problem of a proprietor keeping a stock that he can sell. I am not sure that putting this provision into the law will overcome a problem that is basically one of detection. It could still be that the proprietor could keep the stock at the back and wheel it out as he wanted to. In other words, inserting this in the law does not seem to overcome the real problem, which is one of detection.

The Hon. J. C. Burdett: What do you propose?

The Hon. C. J. SUMNER: I have no firm ideas on it at the moment; I may move amendments and I am still considering the matter, but a proposal I am toying with is not to allow the proprietor to purchase the liquor from anywhere; in other words, the only consumption that can take place is the consumption of liquor brought on to the premises by the customer. There will still be a problem of detection. I am not necessarily foreshadowing that amendment, as I have not made up my mind on it. The deletion of the existing clause may make it simpler for the police to pin someone down. All they have to look at is what liquor has been brought on to the premises by the customer who is there at the time.

The Hon. J. C. Burdett: Would another move be to prohibit storage of liquor on the premises?

The Hon. C. J. SUMNER: Yes; if there were no storage facilities and if the police arrived at a restaurant and found liquor there, that could be a *prima facie* case that the restaurateur was in breach of the law.

The Hon. D. H. Laidlaw: White wine has to be kept in the freezer, whether you bring it yourself or whether the proprietor gets it for you, so there would need to be some facilities.

The Hon. C. J. SUMNER: That may be, but the question of detection would be easier if the police knew that there were a certain number of people in the restaurant and there were only a certain number of bottles being stored, whereas with a large storage system it is much more difficult to ensure that the liquor being consumed is liquor that has come on to the premises *bona fide*. In any event, the storage of white wine would not be any great problem. Most people would bring it chilled, anyhow, and drink it within a short time. It is only the stayers, people like the Hon. Mr. Laidlaw, who like to linger on in restaurants but do not consume red wine as they should be doing in order to overcome the current problem of disposing of our red wine stocks, who would be causing trouble! Perhaps the Hon. Mr. Laidlaw, if he does linger, should drink more red wine.

The next problem I see is contained in subsection (2) of new section 31a, namely, the powers that the Licensing Court should have. That provides that the Licensing Court should have the power to limit the types or kinds of liquor that may be consumed on the licensed premises and the power to limit the corkage or other charges. I am not sure whether it is right to give the Licensing Court the power to decide the types or kinds of liquor to be consumed. That is perhaps a matter rightly to be decided by Parliament, and I would favour there being no restrictions on the type of liquor to be consumed. I cannot see that giving the court that power really adds very much to the Bill. There might be greater flexibility, but then I would want to know on what basis the court would decide in which restaurant consumption of the full range should be permitted and in which restaurant the consumption of only wine should be permitted. To give the court that power without guidelines is abrogating our responsibility. That is a problem I still have to resolve and maybe I shall move an amendment.

The next problem involving new subsection (2) is vitally important. Should the Licensing Court have the power of limiting corkage and other charges, or should this rightly be the province of the Commissioner for Prices and Consumer affairs? Again, that is a matter I am considering, and I may well move amendments on it in Committee. The other matter that concerns me a little is not clear in the Bill—whether it is still an offence to take liquor off premises after it has been brought on to those premises.

The Hon. Mr. Carnie, in his second reading explanation, said that it was illegal to take liquor off

licensed restaurant premises now even though the restaurant might be permitting its patrons to bring their own liquor. I assume from what the honourable member said that he intended that this Bill would remove the offence of taking liquor off the premises. In other words, I think he proposed that a person bringing liquor on to the premises for consumption should be able to take home what was left over. That is a proposal which I would support. Indeed, I think the honourable member supported it, although by implication rather than by spelling it out specifically in the second reading explanation. That matter may need to be clarified.

Of course, the matter of taking off the premises liquor that is not consumed is important. If this was not permitted, it could encourage people to consume excessive quantities of alcohol, which has been referred to as one of the disadvantages of introducing a licence such as this. It therefore seems desirable that liquor can be taken from premises if it is not consumed. I will look to see whether the Bill makes that clear, as I am not sure at present whether it does. I may, therefore, have to move amendments regarding this matter.

Subject to the aspects to which I have referred, I intend to vote for the second reading and probably, in Committee, to move amendments. Depending on the results thereof, I will decide my attitude to the third reading.

The Hon. D. H. LAIDLAW: I, too, support the second reading, and commend the Hon. Mr. Carnie for introducing this Bill. I am pleased that the Hon. Mr. Sumner, on the Government side, has seen fit to support the Bill, albeit with some qualifications, and I shall be interested to consider any amendment that he may see fit to move. I should add that a resolution supporting the introduction of bring-your-own licences was passed at the recent annual meeting of the State Liberal Party, and it is therefore policy of the Party.

There are several compelling reasons why the Licensing Act should be amended to achieve this concept. First, as honourable members know, South Australia is the only State in Australia with laws that forbid the operation of a restaurant where patrons can bring their own liquor unless that restaurant is fully licensed. It must pay an annual fee equal to 8 per cent of the value of liquor purchased or, in some instances, sold during the previous year. This usually amounts to several thousand dollars a year for each restaurant.

In contrast, in Victoria there has been provision in the licensing laws since 1968 for fully licensed as well as bring-your-own restaurants. The former pay a licence fee equal to 6 per cent of total liquor purchases, whereas the latter pay a fixed annual fee of only \$52. Both categories must maintain high standards of hygiene in kitchens and toilets.

Mr. Guy, a spokesman for the Victorian Restaurateurs and Caterers Association, stated, as reported in the *Advertiser* in July, 1976, that, largely because of bring-your-own restaurants, Melbourne is now the No. 1 dining-out city in Australia. Victoria now has about 1 000 such restaurants, 150 of which started during the previous year.

In other States, the proprietors of unlicensed restaurants are free to decide whether customers can bring alcoholic liquor when they eat. Many opted to permit this. Mr. Leo Schofield, a leading food writer in Sydney, said in the same *Advertiser* report to which I have referred that bring-your-own restaurants were flourishing in Sydney, and that their numbers would equal those of the conventional restaurants. He scoffed at allegations that B.Y.O. restaurants lowered the standard of food and service, as is often alleged.

In his opinion, the best food in Sydney is served at a B.Y.O. restaurant called Tony Bongout's, where there is a six-week waiting list to dine. I suggest that B.Y.O. restaurants need to serve food above the ordinary in order to flourish, and that the manner of serving the wine should be left to the discretion of the proprietor.

Secondly, it was reported in the *Sunday Mail* in June last that Mr. Dallas Bruse, the President of the South Australian Association of Restaurateurs, approached the Premier requesting that more licences be issued for wine bars in Adelaide, as well as special licences for B.Y.O. operations and discotheques. In his view, a restructuring of the licensing system to create a divergence of services, and at the same time restricting the number of new licences, could provide relief for the financially stricken restaurant industry.

There are at present about 220 licensed restaurants in the Adelaide area, and Mr. Bruse claims that this is excessive. In addition, within the past few weeks, the Wine and Brandy Producers Association resolved at its general meeting to support the concept of B.Y.O. restaurants. The wine industry, as we all know, is in financial trouble, and the South Australian Government should do everything possible to support it.

One fully licensed restaurant, that is, La Provencale, at North Adelaide, introduced a B.Y.O. system on July 14, 1976. As honourable members know, that was Bastille Day, and the proprietor chose that day, in his own words, to launch a small revolution against South Australia's fuddy-duddy wining and dining customs. Initially, the restaurant operated B.Y.O. from Monday to Thursday, but such was the demand that the scheme was extended to seven days a week. It continues to be well patronised. Liquor brought to the premises is checked in and recorded for the purpose of assessing licence fees, and a small corkage fee is charged.

The Hon. F. T. Blevins: How much is it?

The Hon. D. H. LAIDLAW: I think it is \$1 for the first bottle and 40c for each bottle thereafter. Other restaurant owners have obviously considered following the example of La Provencale, although they are apparently reluctant to do so because of the high licence fees.

My third reason is that, because of the high cost of dining out in restaurants in Adelaide, many people have resorted to buying food at take-away centres. Recent figures published by the Bureau of Statistics show that take-away food bought outside of the home amounts to 20 per cent of the food bill of the average Australian family. Furthermore, the c.p.i. figures for the September quarter show that Adelaide recorded the highest price rise in the category of take-away foods.

I do not deprecate the facilities provided by take-away food centres, but I do want South Australians to be able to afford to dine out in restaurants if they so desire.

The Hon. C. J. Sumner: We are not deprecating take-away foods.

The Hon. D. H. LAIDLAW: There is a mark-up on wine sold in licensed restaurants sometimes of as much as 200 per cent or even 300 per cent above the cost to the proprietor. As a result, people usually have to buy either carafes or the cheapest bottle of wine on the menu. This applies particularly to young people and it is unfortunate, because many South Australians keep a store of wines at home. In the case of table reds, they like to mature them for a few years and, if B.Y.O. restaurants were encouraged, customers could bring their own matured wines, and thereby enjoy their dinner more.

Mr. Alan Young, Manager of the Wine Information Centre in Western Australia, has confirmed this view. He said recently, after spending a few pleasant days at

wineries in the Barossa Valley and at McLaren Vale, that it was a pity that he could not eat at a B.Y.O. and enjoy one of the rarer wines that he had purchased.

I congratulate the Hon. John Carnie on introducing this Bill. I am aware that the Government would like to assist the restaurant industry in this State, and I suggest that it can best do so by encouraging B.Y.O.'s with a low fixed licence fee, as in Victoria. However, in doing so, it may be desirable for the Government to restrict the overall number of licensed restaurants in the Adelaide area to, say, 220. I support the second reading.

The Hon. F. T. BLEVINS secured the adjournment of the debate.

BEVERAGE CONTAINER REGULATIONS

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

That the regulations made on June 23, 1977, under the Beverage Container Act, 1975-76, exempting certain classes of containers from the provisions of the Act, and laid on the table of this Council on July 19, 1977, be disallowed.

(Continued from November 2. Page 612.)

The Hon. M. B. CAMERON: In supporting the motion to disallow these regulations, I want to correct a few points made by the Hon. Mr. Sumner. When the Bill was before Parliament, I made clear my position that I believed it was essential that, if the legislation was being passed to try to obtain a greater retrieval of cans, it was necessary to ensure that in doing so we did not change the emphasis from cans to bottles, particularly beer bottles, and that it was necessary to ensure that the relationship of the usage between cans and bottles remained the same. As reported at page 1151 of *Hansard*, on October 8, 1975, I stated:

If the Government administers this legislation improperly (as I believe it will) and uses a discriminatory deposit system to get rid of cans, I cannot support the Bill.

It was difficult then to know what the Government intended, because it did not indicate that it would be exempting any container. Now it has totally exempted beer bottles from the legislation. It has gone a step further, and I refer to the most staggering press release that I have seen. That highlighted the hypocrisy of the Government on this matter. The then Minister for the Environment (Mr. Simmons) was photographed promoting the introduction of a stubby bottle called the echo bottle, which had no deposit. The Minister had his photograph and his name with it in the press.

Leaving the present beer bottle system, with a small deposit, was bad enough, but the Minister took the matter a step further and promoted no-deposit glass containers, which I consider to be the worst containers for any drink, because they cause serious harm. I wonder what motivated the Government in making sure that beer bottles were exempt. I cannot help but think that the Government was not prepared to take the risk of upsetting beer drinkers, because too many of them were voters. The Government was prepared to take action against the younger people, who are the biggest users of cans. It was prepared to promote, in the media, a no-deposit container. As reported at page 611 of *Hansard* on November 1, the Hon. Mr. Sumner stated:

About 95 per cent of cans collected are being returned to Can Recycling (S.A.) Coca-Cola, and I understand that this company has already handled more than 1 000 000 cans that have been returned from depots.

I assume that the Hon. Mr. Sumner intended to give the impression that already the system was working well and cans were being returned wholesale.

The Hon. C. J. Sumner: The figure is more than 2 000 000 to date.

The Hon. M. B. CAMERON: That is twice the figure the honourable member gave. That figure was outdated, and it has increased. I have been given a figure that I believe is accurate. In South Australia, the average sale of cans is 150 000 000 a year, or 12 250 000 a month. We have gone through two months of the new system and in that time 25 000 000 cans have been sold and 2 000 000 have been returned.

The Hon. Anne Levy: Are cans sold equally during the 12 months of the year?

The Hon. M. B. CAMERON: The Hon. Mr. Sumner should be able to tell us that, because obviously he has some good contacts. One of these two months must have been good for can sales, because it is getting close to summer. However, we are already seeing that the legislation is not working. If honourable members do not believe me, let them go to the suburbs where cans are sold and see them lying in the street. Of all the cans sold in the past two months only one-tenth have been returned.

The Hon. Mr. Sumner said that only 10-15 per cent of beer bottles are not returned, but it is possible that some cans are no longer being sold, that the public has turned to bottles. If that is the case, then the 10-15 per cent will remain constant because of the Minister's action in promoting a no-deposit bottle. What an incredible thing to do. We already have the high figure of 10-15 per cent of bottles not returned, and there is now in this State plenty of broken glass merely because of the action taken by the Government.

The Government has put people in the community, especially younger people, at risk through this legislation and through its obstinate refusal to impose a deposit on the stubby bottle. In my district I was told that, at the Beachport Hotel, no-deposit bottles from Victoria can be sold but that cans cannot be sold.

The Hon. R. C. DeGaris: Rip-off bottles can be sold.

The Hon. M. B. CAMERON: Yes. Bottles that have no deposit on them can be sold, but cans cannot be sold. What an unbelievable situation! The worst problem in that area is broken glass—not cans.

The Hon. J. E. Dunford: Why don't you move an amendment to—

The Hon. M. B. CAMERON: The honourable member will recall that I moved an amendment, which was rejected by the Government, to provide for a 2c deposit on beer bottles. The then Minister refused to accept the amendment, saying that the only deposit he would ever accept on beer bottles was less than 2c. I did not have that figure in mind, as I would have been willing to put a higher figure on beer bottles, but I was trying to obtain Government support for my amendment.

The Government has introduced a Bill that has seriously increased the litter problem in South Australia, especially the problem of broken glass. I have made that point repeatedly on this issue. The Hon. Mr. Sumner implied that I supported the Bill unreservedly.

The Hon. C. J. Sumner: You voted for it.

The Hon. M. B. CAMERON: I did that because I was concerned about litter, but I am not hypocritical like the Government. I believe that all litter should be treated equally, and I would prefer to see if there is a choice, cans lying around South Australia rather than broken glass. Indeed, my children are valuable to me, as they are to most parents. The Government's action in allowing beer bottles to be exempt from this legislation is the greatest act of hypocrisy I have seen.

It is ridiculous for the Government to succumb to the blackmail of whoever has put pressure on it to ensure that

beer bottles are not included in the legislation. In this case the Government has not the guts to say to beer drinkers that they will have to pay a little more. The Government has gone further: it has allowed a no-deposit container to be sold, while at the same time saying that we must have deposit cans.

I am glad I am not on the Government's side having to argue that point of view, which is impossible to sustain. This hypocritical action is compounded because the Minister for the Environment believes that, if a stubby is called an "Echo", it will come back. That must be the joke of the year.

The Hon. J. C. Burdett: Perhaps it should have been called a boomerang.

The Hon. M. B. CAMERON: True, at least it would have had more chance of coming back. On July 4, 1977, the following statement appeared in the *News*:

... the Echo was the dream of environmentalists and that products marketed for use by individuals as food or drink should be packed in containers that could be used again. The report also states:

I hope the Echo will give the public the incentive to return containers, because the replacement cost if the Echo doesn't come back will eventually be passed on to the consumer. I can just imagine the fellows on a late evening at the beach, drinking beer and, whether under the influence to a large or small degree, saying to themselves, "We must return this container because, if we do not, the next lot of beer we buy will cost us more." I can understand how the then Minister for the Environment was demoted. That was the most incredibly naive and stupid statement I have heard from a member of Parliament and a Minister of the Crown in a long time. I support the motion.

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

SHOP TRADING HOURS BILL

Adjourned debate on second reading.

(Continued from November 15. Page 719.)

The Hon. C. M. HILL: I intend to speak only briefly to this Bill which, in the main, is a Committee Bill. Many honourable members are placing amendments on file, and the time for the detailed debate should be during the Committee stage. The history of this matter generally has been such that the Liberal Party's policy has been over the years one of trying to introduce late night shopping by way of a transition period involving some restriction and control. Our ultimate aim has been to reach a point where employers and employees could get together to obtain the best solution to suit both them and their customers in this matter. The Labor Party's policy, and I understand its position, has been one of continued control in this general industrial area.

It is rather obvious that it has been difficult for the two major Parties to get together on this question. Whilst these Bills have been considered by Parliament over the years, and whilst a final goal of reaching late night shopping in this State has not been achieved, I am sure that the public generally has wanted the opportunity to shop at night, and has been hoping that at some stage late night shopping would be introduced. It is my view that this is in the best interests of the public and that the majority of members of the public want it.

I hope that the present Bill, in some form, will be ultimately passed. For that reason, I will support the second reading and will give full consideration to amendments when they are moved in the Committee stage. I hope also that if this measure is introduced in

metropolitan Adelaide and in the central city area, in time some changes will be made. I hope that the parties involved will be flexible in regard to those changes. There must be some period of experimentation during which the experience of the traders, the unions and the public can be observed and noted. It might then be that the initial plan approved by Parliament may not, in the longer term, be the one which suits the public best. It could be that in due course, based on the reaction of the public, there will need to be a change, and when that time comes I hope it can be implemented.

As I see it, there are three major issues in the Bill on which I want to make my position clear. The first of these is probably the most controversial, the nights of opening of shops in the metropolitan area and in the city of Adelaide. I support Thursday night opening in that part of metropolitan Adelaide other than the city of Adelaide. On Thursday many people receive their pay and it is a day when many of them will find it most convenient to go to supermarkets and shopping centres to buy much of their foodstuffs and other requirements for the forthcoming week or fortnight. That will be a service that will be welcomed. I see merit in the Commissioner's recommendation that shops in that part of metropolitan Adelaide should open on Thursday night.

A difficult question arises in the city of Adelaide. I listened to other speakers on the Bill and I understand the views they have put. I appreciate the arguments they used in support of their contentions regarding this matter. I have had reports from employers and employees on this question. It is absolutely essential that shops around the Central Market area should be open on Friday nights. It would be ludicrous to fashion any law prohibiting that occurring, or one which laid down that shops would have to open on a night other than Friday night around the Central Market area.

That leaves the Rundle Street or Rundle Mall area, and I include in that region Hindley Street. Despite the problems that have been pointed out to me by employers in that area, including both small traders and large emporiums, and despite difficulties presented by reports of employees, I believe that largely the population in metropolitan Adelaide favours Friday night opening in that part of the city. I place most emphasis on the customers when considering this question.

As I said previously, regarding similar legislation on Friday night shopping, not enough thought has been given by Parliament to the needs, wants and desires of the customers. Investment in the Mall has been considerable and the opportunity is provided for one night of the week to be utilised by people coming from all over metropolitan Adelaide to that region, enjoying the outing in that part of the city. In many respects, the Mall has been successful as a social gathering point, a central point for people to visit. I believe that with proper promotion, Friday night shopping in the Mall area could be very successful from the business people's point of view. By that I mean the traders in that part of the city.

The Hon. Anne Levy: What about Hindley Street?

The Hon. C. M. HILL: I include Hindley Street in these comments, as I said previously. Time will prove whether the nights Parliament chooses are the best possible nights that can be considered. No-one can be certain about this. I do not claim that I know definitely what the future will be, but there are in the suburbs of Adelaide a great number of people who will find that the best night to come to the Mall and the Hindley Street areas to enjoy convenience shopping and the spirit of the outing will be Friday night. For that reason, I support Friday night shopping in the city of Adelaide.

On the question of meat, I support all that has already been said by speakers on this side of the Chamber that the public ought to have the opportunity to buy red meat, as well as other foodstuffs and other meats.

The Hon. J. E. Dunford: Where will you get the butchers from?

The Hon. C. M. Hill: I have read representations stating that this will present a problem, but the honourable member must agree that on all the issues being debated in this Bill, there are many points being raised on all sides. One has to appreciate differing points of view.

The Hon. J. E. Dunford: The butchers now work 47½ hours a week.

The Hon. R. C. DeGaris: What does a greengrocer work?

The Hon. J. E. Dunford: I am not talking about greengrocers; I am talking about butchers.

The Hon. C. M. Hill: It may not be necessary for a great number of butchers to be employed in some of the shops on the night of late shopping. We seek the opportunity for the public to buy red meat there. The red meat could perhaps pass through butchers' hands earlier in the trading day. It could be pre-packed.

The Hon. F. T. Blevins: I'll bet Mrs. Hill would not buy pre-packed meat.

The Hon. C. M. Hill: Actually, she buys very little red meat. She buys it only from supermarkets; so, she buys pre-packed red meat. Summarising, I believe that red meat should be available to customers during late-night shopping hours.

Regarding convenience shops, I recall that a year or two ago legislation was introduced into this Council in regard to land agents. The Hon. Mr. King, the then Attorney-General, was extremely harsh in regard to that legislation. At the time I stressed that it was entirely contrary to precedent in this Council and, indeed, contrary to principles within the Labor Party itself that legislation should be introduced that would immediately affect the livelihood of people.

The legislation meant that people who had been in business as licensed land brokers and licensed land agents and who had been earning income from both those activities were told, "You must give up one of the two activities: you cannot hold the two licences." My point is that the legislation did not simply say, "In future a person will not be able to obtain both licences." The legislation should have provided for the *status quo* in respect of those who were at that time already deriving their livelihood from such work.

The Hon. F. T. Blevins: To which Labor Party principles are you referring?

The Hon. C. M. Hill: Old-timers in the Labor Party would turn in their graves if they knew that a Labor Party Minister, through the head of his department, had said to certain shopkeepers in 1975 that they could continue trading as they were, yet now in 1977 the present Labor regime has introduced a Bill which provides that when the legislation is proclaimed the doors of those same shopkeepers must shut.

The Hon. R. C. DeGaris: The same Minister is involved.

The Hon. C. M. Hill: Yes.

The Hon. F. T. Blevins: Where did it say that the shopkeepers could trade forever?

The Hon. D. H. L. Banfield: The Hon. Mr. Burdett has often said that there is no reason why we cannot alter legislation; that is what we are here for.

The Hon. C. M. Hill: I would like the Minister to tell me where the Hon. Mr. Burdett has advocated that someone's livelihood should be cut off immediately a Bill is passed.

The Hon. Anne Levy: He will cut off child pornographers' livelihood.

The PRESIDENT: Order! The Hon. Mr. Hill should return to the Bill.

The Hon. C. M. Hill: The following letter, dated July 29, 1975, was sent by the Labour and Industry Department to Mr. R. J. Siviour, of the Red Owl Foodland, Main South Road, O'Halloran Hill:

I refer to your letter of May 6, 1975, addressed to the Minister of Labour and Industry in which you advised that because of your age you proposed to relinquish your business at the above address and asked whether permission could be given to your successor to continue trading without any restriction.

I have given further consideration to the position of your convenience store and others that were classified as exempted shops in 1973. I have decided to continue registering your shop as an exempted shop irrespective of any change of ownership, provided there is no extension in the size of the shop. Your successor will thus be able to continue trading without any restriction, other than the necessity to lock away at the normal closing times any non-exempt goods which are stocked in the shop.

The Hon. F. T. Blevins: It did not say "forever".

The Hon. C. M. Hill: I repeat the following portion of the letter:

I have decided to continue registering your shop as an exempted shop irrespective of any change of ownership.

The Hon. F. T. Blevins: It did not say that the continuation would go on forever.

The Hon. C. M. Hill: It says "irrespective of any change of ownership". Obviously, the person was assured in 1975 that his doors could remain open.

The Hon. D. H. L. Banfield: Did they remain open? They are still open.

The Hon. C. M. Hill: The Minister, a senior member of the Labor Party, later said that this person and 24 others should be forced to close their doors.

The Hon. J. E. Dunford: They have an advantage over others.

The Hon. C. M. Hill: Did they not have an advantage in 1975? A person in this position should be able to maintain his shop despite the change in law. I am not saying that he should be able to extend or that others after the passing of law should be given a similar privilege, but they were given a privilege in 1973, which was added to in 1975, and naturally they have carried on business since then; but now this Labor Government wants to force them to close their doors, which is harsh and unfair.

The Hon. R. C. DeGaris: The Government said they could continue trading as long as they did not extend their business.

The Hon. J. E. Dunford: Not "they"—only one person.

The Hon. R. C. DeGaris: This is a change in policy.

The Hon. C. M. Hill: The point made by the Hon. Mr. DeGaris emphasises the fact that, if there was any change in Government policy, it was giving more encouragement and more benefit to the owners of those shops.

The Hon. R. C. DeGaris: That is right.

The Hon. C. M. Hill: Because in 1975 they got another benefit besides that which they got in 1973.

The Hon. R. C. DeGaris: And that was given by the same Minister.

The Hon. C. M. Hill: Yes. Does the Hon. Mr. Blevins believe that a man should be given time in which to wind up his business or should the guillotine fall within a fortnight of today? What is his answer to that?

The Hon. F. T. Blevins: I will refer to Commissioner Lean.

The Hon. R. C. DeGaris: You will lean on Mr. Lean.

The Hon. F. T. Blevins: What does the honourable member mean when he says "lean on Mr. Lean"? Is that a poor pun?

The Hon. C. M. HILL: How this Government has the gall to close these people up after the same Minister gave approval for these businesses to continue with this extra privilege only two years ago is beyond me.

The Hon. J. E. Dunford: Read it out again. You have been on it for half an hour.

The Hon. C. M. HILL: You did not do so badly yourself this afternoon. I cannot understand the Government's attitude in this; it is unfair and unjust. It is very poor practice as far as legislation is concerned, and in a case like this—

The Hon. J. E. Dunford: You have said that all before.

The Hon. C. M. HILL: Let us take, for example, an area where residential zoning is introduced: if there is a reception house in that area, it is not closed up immediately; it is allowed to continue with that use in that spot, but elsewhere in that locality no other people can come in and use the property for reception purposes: it has to be residential in future. It is this continuity of opportunity that is so important in principle. I cannot accept that the Government believes it is acting fairly in this matter; I cannot understand the reasons why it has drawn up its Bill in this way. I shall support as strongly as I can an amendment in this Chamber to correct this position and give justice to these relatively few shopkeepers in this unique position, who have been permitted by this Government to remain in this unique position right up to as late as 1975. Those are my submissions on the three main matters in the Bill. I support the second reading.

The Hon. ANNE LEVY: I rise to support this Bill in its entirety. My remarks will be brief, but in principle I think the Bill meets the needs and wishes of the general public, as was shown by the survey taken by the Royal Commission, whilst at the same time protecting the legitimate interests of workers in the industry. My reason for rising to take part in this debate is that there is one comment I wish to make in particular, a comment that has not been made by others in this Chamber and has received hardly any mention in the debate on this Bill that took place in the other place: that is that this Bill will mainly benefit women.

Women do most of the shopping in our society, as indeed all advertisers well know. One group of women which will benefit greatly from the implementation of this Bill is that of working married women. Currently, 37 per cent of the South Australian labour force is female, and about two-thirds of those women who work are married; 41 per cent of all married women are in the work force and, of those women aged between 35 years and 44 years, 55 per cent are now in the work force—the majority of women in that age group.

Furthermore, studies show that working married women work on an average 6½ hours a week more than the average male, when the time taken by household chores is taken into account; and working married women also work 13 hours a week more than women who are not in the labour force. Any measure that can ease the stress and work of these women is to be welcomed.

With late night shopping, they can, hopefully, cease the terrible lunch-hour rush, of which I have all too horrible memories, of trying to shop for their families and also eat their lunch in a hurried stressful manner rather than resting and avoiding indigestion themselves during the lunch-hour break, prior to tackling an afternoon's work. Those women may even be able to get their husbands to shop for them in the late shopping evening, thereby

increasing the feeling of joint responsibility of the two partners in maintaining the home. However, even if not, evening shopping will be much less stressful and more relaxed and enjoyable for the women concerned than the dreadful lunch-hour sprint, from which so many women suffer.

For women who are not in the labour force, late night shopping will also prove a boon. Those with small children will be able to leave them at home with father while they shop, thereby cutting out the necessity of dragging tired and fractious children around the shops. How often have people seen both a mother and her child worn to a frazzle as the mother tries to cope with a bored and irritable child, who prevents her concentrating properly on the purchases she is trying to make?

For women with older children or those with no children, too, late night shopping will increase the quality of their lives. They will be able to shop with their husbands, sharing the responsibility of purchases of considerable monetary value. One would hope that husbands, too, are interested in the furniture and fittings of their homes, rather than having to put up with a colour scheme or fabrics that are solely someone else's choice. Late shopping will provide opportunities for these major purchases to be made together, again thereby increasing the sense of joint responsibility in the partnership of marriage and all that goes with it.

I realise that in the Committee stage of this Bill there will be many arguments over particular clauses. I do not intend to canvass these at the moment; I merely wish to present, on behalf of all the women of this State, my wholehearted endorsement of this legislation.

The Hon. JESSIE COOPER: I rise to support the Bill. A more flexible approach to trading hours is, I have long believed, desirable. It is, of course, a basic principle that things should be restricted only in order to reduce hardship in some aspect of social life: in other words, restrictions on people's activities should be kept to a minimum.

The principle applied in the Victorian legislation is a very good starting point. There is a greater flexibility under the Victorian Act than South Australia has had since the first major early-closing legislation was introduced into this State. When dealing in his report with Victoria, the Commissioner said:

Apart from a small number of exceptions (e.g. the sale of meat) the legislation permits trading from midnight on Sunday through to 1 p.m. on the following Saturday afternoon. Trading is permitted at any time during that period and certain types of shops are permitted to trade outside of that period (Saturday afternoon and all day Sunday up to midnight) by virtue of the Act. The Wages Boards of Victoria make determinations for about 15 different types of shops and in so doing determine the spread of ordinary hours for shops in which the employees can work without attracting penalty wage rates. In Victoria the shops generally open on Friday nights till 9 p.m. and in addition certain other shops, particularly supermarts in the suburbs, open on Wednesdays and Thursdays for trading but do not necessarily remain open until 9 p.m.

I do not believe that Victorians, or the people of Melbourne in particular, have suffered any noticeable hardship as a result of the shopping hours in that State. It seems to be a flexible approach, which ensures that the public can usually find somewhere the service that it requires. This Bill does not go anywhere near that, although I believe that it is a step in the right direction. I find the Commissioner's report excellent, practical and, I think I may say, an unbiased appreciation of all the points of view that have been submitted to him. The

recommendations that he has made are well based and acceptable. I should like now to quote the Commissioner's perspective and wide views, to be found on page 15 of his report, as follows:

Unfortunately, whenever any change is made to a way of life, a habit of living or indeed to any established pattern of human behaviour, the changes made will never suit everybody. Whenever a change is mooted some will always claim that they will be disadvantaged and in fact some are. Therefore when contemplating change one must consider the wishes of the community as a whole, but in so doing respect as far as possible the wishes of the minorities. It is with this philosophy I have approached my assignment.

That is abundantly clear right through the report. The report continues:

The Shop, Distributive and Allied Employees Association and the Retail and Wholesale Managers Association, on behalf of their members, and perhaps others in the industry, made a number of objections to a departure from the *status quo*.

Those people who have adapted to an existing situation rarely wish to be forced to rethink and rearrange their mode of life. So few people can clearly visualise their future. This is a great inhibitor of change, which can briefly be termed "social inertia".

Again, no law bringing change can be equally advantageous to everyone. There is always injustice somewhere: some people will make a profit out of any change, and some will make a loss. No social structure can be changed without the result that some people will rise in their position and some will slip down.

However, there is one aspect of injustice that worries me particularly, and we have had it this afternoon, that is, the matter of broken promises. It is one thing to say that we regret the disadvantage that some people will have to suffer for the good of the majority. It is quite another thing to break a promise to some of the people by the State's administration and government.

It is an extremely serious matter when one revises a rule in a manner that will nullify a promise made and thus cause financial losses to some people who have been assured that they were safe from such losses. I refer to the matter of so-called "convenience" (an idiot word, if I may say so, Sir) stores. I can see that to allow them to continue to operate indefinitely in their present form will build enormous problems in relation to the future expansion of activities, the future sale of properties, and the value of the goodwill attached to them.

At the same time, I cannot agree that the simple way out is to take away their rights, as this Bill does at the stroke of a pen. I believe that the answer to this problem is to have such stores phased out by giving them a five-year period to terminate their operations. Five years will be long enough to enable the owners to recover the money that they specially invested for this operation, but not long enough to encourage further building and investment in pursuit of this operation. That was my mind bending. We were all asked to bend our minds.

Finally, I refer to the matter of closing times, which is dealt with in clause 12 of the Bill. I believe that a little more consideration could have been given to the wishes of the majority of employees in the retail organisations, namely, that the closing times on weekdays and Saturdays should be half an hour earlier than the times proposed in the Bill.

The Hon. F. T. Blevins: I thought you agreed with the Liberal Party's policy. It is that—

The Hon. JESSIE COOPER: I am afraid that the honourable member does not know too much about it. I must emphasise that a great number of women who have

domestic commitments would be severely inconvenienced, to put it mildly, if they were required to remain in employment until 6 p.m. on week nights and until 12.30 p.m. on Saturdays. No great hardship would be created for anyone if these closing times were brought forward half an hour once late shopping had come into existence. Therefore, I foreshadow an amendment which is now on honourable members' files and which I think could be of some help in this matter.

Sitting suspended from 5.35 to 7.45 p.m.

The Hon. F. T. BLEVINS: I hope that the Bill now before us is the final Bill in a long and unhappy history of legislation on this matter in this Chamber and in another place. I contrast the chopping and changing of the Liberal Party in recent years with the constant position of the Labor Party, and I am pleased that at last we seem to be near to having extended shopping hours in this State. Criticism has been made of the cost of the Royal Commission, yet the establishment of that Commission was forced on the Government after its last Bill, which sought to refer this whole matter to the Industrial Commission, was defeated.

The passage of that Bill would have made it unnecessary for this matter to have been referred to a Royal Commission. For their own political purposes Opposition members refused to pass that Bill, hoping that the people of South Australia would believe that the Government was in some way delaying the introduction of extended shopping hours. However, the election results disappointed Opposition members, especially in relation to the outer metropolitan districts where the Opposition expected to make gains, after it had misused its numbers in this place to delay the introduction of late shopping in South Australia.

Anyone reading the report of the Royal Commissioner will agree that it is a first-class report. There can be no doubt about that. Perhaps not all honourable members would make similar conclusions; indeed, on certain points I would have come to a conclusion different from that arrived at by Commissioner Lean, yet he had the task before him, heard all the evidence, made all the investigations and made this excellent report. But for one minor detail the Government has decided to endorse the report and translate it into legislation. As an election promise the Labor Party clearly stated that it would implement the recommendations of the Royal Commission through legislation, and that is exactly what we are doing.

The Hon. A. M. Whyte: But it could have been done five years earlier!

The Hon. F. T. BLEVINS: That is not the point. We are clearly implementing our election promise. The election results were overwhelmingly in favour of the Labor Party. Especially in outer metropolitan districts the results were an endorsement of the Commission's recommendations. The history of extended shopping hours in this State has been unhappy and, more than anyone else, the Opposition has twisted and turned on it. Indeed, it has not had the same policy two years in a row. Opposition Bills have been contradictory to one another, and the Opposition has not been able to support a common policy. I understand its policy now, for example, is for 1 o'clock closing on Saturday.

I refer to the amendments on file and the comments made by honourable members opposite during the second reading debate. Even now they do not support fully alleged Liberal Party policy. The inconsistency of Opposition members is a major reason why South

Australia does not already have extended shopping hours. From the comments in the second reading debate, I am pleased to hear that this situation will shortly change, although comments made in the second reading debate are not always a guide to how honourable members opposite will vote as a result of pressure applied to them after they have made their speeches.

I believe that both the Government and Opposition were trapped to some extent by the referendum held several years ago. Undoubtedly that referendum would have passed with the support of the Government, until Steele Hall indicated that he would intervene. Subsequently, the referendum was seen as a dark Liberal plot, and the referendum was defeated. Although we were surprised, in retrospect that was the obvious result once Steele Hall intervened.

The Leader made various comments yesterday that should be answered. He is still politicking on this matter, and that troubles me somewhat. This is not the time for politicking, and I would have thought that he would listen to the Hon. Jessie Cooper's speech and realise that other honourable members in this Council on his side see this as a problem to be solved and not as a problem from which to make cheap political points. The Hon. Jessie Cooper's speech was the most constructive speech in the debate, apart from the Minister's second reading explanation. Certainly, it was a first-class speech, outlining the problems and referring to the solutions. I congratulate the honourable member on her most impressive speech. Indeed, I like to give credit where credit is due.

The Leader referred to problems in relation to butcher shops and said that they should stay open until 9 p.m. By way of interjection objection was raised and the Leader said, for example, "Why should greengrocers be allowed to open?"

That is a typically silly Ren DeGaris remark. Greengrocers are not tradesmen; the preparation of cabbages and carrots does not require the skill of a tradesman, nor do shop assistants require it. That is the principal reason why meat is not included. The Commissioner did not recommend that red meat shops should be open until 9 o'clock at night. The Government has brought that back solely to retain the *status quo*. It is inconsequential.

It is not as easy to take butchers off the streets as it is in the case of shop assistants and put them behind the counter. Whilst there is a certain amount of skill required for shop assistants, that cannot be equated with the skill required by butchers in their shops. It is obvious that butcher shops should not be included in this extension of hours, and I agree wholeheartedly with the Bill on this aspect.

The Hon. M. B. Cameron: You've got no choice. The meat industry union told you what to do.

The Hon. F. T. BLEVINS: I would not know one person in that union. The Honourable Mr. DeGaris also spoke about convenience stores. I admit that this is a problem, but when one reads the Commissioner's report one sees:

The title "convenience shop" is a misnomer.

The Hon. Mrs. Cooper did not think the title "convenience shop" was very good, either, and I agree with her. The Commissioner's report continues:

They are nothing more than privileged supermarkets that have been allowed to trade during unrestricted hours on seven days per week to the detriment of their competitors particularly those competitors trading in the immediate vicinity. I am requested in your terms of reference to recommend whether or not an extension of the exempted shops list should be made. From evidence placed before me and from my own inspections it is apparent that few if any of

these "convenience shops" come within the common meaning of the word "delicatessen" or within the department's definition. If there are stores now trading illegally (and it seems to me that most if not all of them are) I can see no reason why they should be permitted to now trade legally. If they are now trading legally I regret that my terms of reference do not permit me to recommend that they be closed because it seems to me that their current trading advantage, though accepted by the community, is not in the best interests of the trade and in any event would not now be needed if the general extension to shop trading hours which I have recommended is implemented.

As I say, I wholeheartedly agree with those remarks. These people have an advantage, which was perhaps necessary in the past. This advantage was given to them by the Government, as the Commissioner said, but it is now no longer required, and it should cease.

The Hon. R. C. DeGaris: You do not agree that any group should have an advantage over another?

The Hon. F. T. BLEVINS: The Commissioner does not.

The Hon. R. C. DeGaris: Do you agree with him?

The Hon. F. T. BLEVINS: I am discussing convenience stores. I agree with the Commissioner; I cannot make it any clearer than that.

The Hon. R. C. DeGaris: You agree that no store should have an advantage over another?

The Hon. F. T. BLEVINS: I agree with what the Commissioner says about convenience stores at page 29 of his report.

The Hon. J. C. Burdett: The Minister was wrong before?

The Hon. F. T. BLEVINS: I am not sure how many honourable members have read Commissioner Lean's report. If they have not done so, they should, and should understand it clearly. He stated, in reference to convenience stores:

... and in any event would not now be needed if the general extension to shop trading hours which I have recommended is implemented.

I agree with Commissioner Lean.

The Hon. R. C. DeGaris: Do you agree that no store should have an advantage over another?

The Hon. F. T. BLEVINS: Would the Leader like me to repeat what I have said four times already? He can interject and ask me questions as long as he likes; the answer will be that in regard to convenience stores I agree wholeheartedly with what Commissioner Lean said at page 29 of his report.

The Hon. R. C. DeGaris: Do you agree that no store should have an advantage over others?

The Hon. F. T. BLEVINS: I agree wholeheartedly with Commissioner Lean that they should no longer enjoy that advantage, provided we legislate for the things the Commissioner recommended. Does the Leader want another go or will he give up?

The Hon. R. C. DeGaris: You're illogical.

The Hon. F. T. BLEVINS: He should have given up four interjections ago. It would surely have been apparent to him then that he would get the same answer.

The Hon. C. M. Hill: You are quite happy to close those people's stores immediately this Bill is passed?

The Hon. F. T. BLEVINS: I am happy to endorse the recommendations of the Royal Commission into shop trading hours, as the Government told the people before September 17.

The Hon. D. H. L. Banfield: The people accepted that.

The Hon. F. T. BLEVINS: They voted overwhelmingly for us.

The Hon. C. M. Hill: Where is the recommendation in the Commissioner's report?

The Hon. F. T. BLEVINS: Does the Hon. Mr. Hill want me to read it again?

The Hon. C. M. Hill: The Government is wielding the axe on these people, not Commissioner Lean. Where is the recommendation that you support?

The Hon. F. T. BLEVINS: I support what Commissioner Lean said at page 29 of his report. I have said that at least six times. If honourable members opposite keep interjecting, I will say it another six times.

The Hon. R. C. DeGaris: It was not a recommendation.

The Hon. F. T. BLEVINS: It is clear that that is what the Commissioner said. Do opposition members deny that he said it?

The PRESIDENT: Order! The argument seems to be whether a comment is a recommendation or a recommendation is a comment.

The Hon. F. T. BLEVINS: That is not the argument and it is not the point. The point is that members opposite are allowed free rein, as usual, and are completely out of order.

The PRESIDENT: Order! I do not agree with the honourable member. Some interjections are perfectly relevant, and that is one of them.

The Hon. F. T. BLEVINS: Six times? I leave the question of convenience stores, and rest my case on what Commissioner Lean said at page 29 of the report. Yesterday Mr. DeGaris also made some comments about trading in motor boats and cars, objecting to Commissioner Lean's recommendations on this matter.

Again, I agree with what was recommended by the Commissioner, who had all the evidence before him. The Government undertook to implement his recommendations, which are incorporated in this Bill.

The Hon. Mr. DeGaris seems to think that people engaging in one kind of trading have an unfair advantage over people engaging in another kind of trading. I point out that shops selling motor boats or cars are competing among themselves, and they are all able to open until 9 p.m. each weekday during the period of daylight saving. From whom are they taking trade? What unfair advantage do they have? I agree with the Commissioner's recommendation in relation to this form of trading.

The Bill provides that shops may open until 6 p.m. on every weekday except the weekday when there is late night trading and until 12.30 p.m. each Saturday. Of course, shops are not compelled to remain open until these hours, and I doubt whether the major stores will alter what they are doing now in this respect, but at least this provides an avenue for traders to extend their hours somewhat if they wish to do so. In view of the fact that the Liberal Party wanted almost an open slather, surely it should support this provision, which represents a slight extension of trading hours. Again, this is a recommendation of Commissioner Lean. The Liberal Party advocated 1 p.m. closing on Saturdays, and this Bill provides for 12.30 p.m. closing on Saturdays. So, I cannot see where the great problem is from the Liberal Party's viewpoint.

The Hon. C. M. Hill: What is the union's view on this question?

The Hon. F. T. BLEVINS: I know Commissioner Lean's view; that is the policy on which we went to the people, and we won. The unions have not contacted me. Honourable members opposite seem to have the misguided idea that the unions tell us what to do. The Shop Assistants Union has not made any representations to me on this Bill.

The Hon. C. M. Hill: And you have not gone to it?

The Hon. F. T. BLEVINS: Absolutely not. I am standing here completely free of any union pressure whatever. Late night trading will increase costs, but by

how much is arguable. I have always personally favoured extending trading hours to the maximum possible extent, because I can afford to pay any extra cost and I am willing to pay for the convenience. I also do not have to make a dollar out of the industry, as the shopkeepers do, and I do not have to stand behind a counter for long hours, as the shop assistants do. That is my personal view.

If, to cover the increased costs, a loading was added to the prices of goods bought outside the ordinary hours of 9 a.m. to 5.30 p.m., I wonder how many people would want the increased trading hours. I suspect that very few people would want them. What happens is that the hours are extended, and the people who do not want the extended hours (for example, pensioners) have to pay the increased prices to make it more convenient for people who are better off than they are.

The Hon. R. C. DeGaris: Don't you agree with the Commissioner?

The Hon. F. T. BLEVINS: I do. The Commissioner says that there will be an increase. He says that it will be slight; that may be so. If there is a 10 per cent increase, it will not bother me.

The Hon. R. C. DeGaris: That is not slight.

The Hon. F. T. BLEVINS: I support the Bill and I hope that at last South Australia will have extended shopping hours for the benefit of those people who require them.

The Hon. J. C. BURDETT: I support the second reading of the Bill. I should like briefly to consider its history, which started with the introduction of a private member's Bill by the Hon. Mr. Carnie last year.

The Hon. Anne Levy: Why don't you start with what happened in 1900?

The Hon. J. C. BURDETT: I am talking about this Bill, not about late shopping hours.

The Hon. C. J. Sumner: What about the Government's proposals in 1973 and 1974?

The Hon. J. C. BURDETT: What led to this Bill was the introduction by the Hon. Mr. Carnie of a private member's Bill last year which sought to introduce late night shopping for a trial period prior to Christmas, 1976.

The Hon. J. E. Dunford: He said that it was with a view to unlimited hours.

The Hon. J. C. BURDETT: The reason why I said that this was the beginning of the history of this Bill is that, if the Hon. Mr. Carnie had not introduced his Bill last year, undoubtedly we would not have this Bill before us this evening.

Subsequently, as we all know, the Liberal Party announced as its policy that it favoured unrestricted shopping hours, as applying in Victoria, and it favoured, as a start, producing a Bill providing for one late shopping night for a period of 12 months to allow the problems between the employers, employees and consumers to be ironed out prior to the coming into force of unrestricted shopping hours. It was the announcement of the policy of the Liberal Party, following the Hon. Mr. Carnie's Bill, which pressed the Government into doing something. The Government introduced a Bill to refer the matter to the Industrial Commission, which is just opting out: that is what the Government has done throughout the history of shopping hours, and it is still doing it.

This Party at that time sought to amend that Bill by introducing the policy to which I have just referred, and that Bill fell flat. The Government then referred the matter to the Royal Commission, and has now introduced this Bill. The philosophy of the Liberal Party is that it is nothing to do with the Government how business is carried on: it is a matter for the industry, for the employers, the employees and consumers to sort out amongst themselves.

The Hon. C. J. Sumner: You do not believe in State support for an industry that may be in need of it?

The Hon. J. C. BURDETT: You will hear what I believe. The basic philosophy of the Liberal Party is that it is nothing—

The Hon. C. J. Sumner: Non-interference of the Government in business affairs?

The Hon. J. C. BURDETT: The basic philosophy is that it is not the business of the Government or any matter concerning the Government to intervene when private industry carries on business; it is a matter for the industry itself—the employers, the employees and the consumers. Of course, in Victoria, that is what exists.

The Hon. D. H. L. Banfield: Some of your amendments don't say that, do they?

The Hon. J. C. BURDETT: I am coming to them. The philosophy that I support is that it is not for the Government to tell consumers, employers and employees when they should trade; it is for them themselves to sort it out.

The Hon. J. E. Dunford: How?

The Hon. J. C. BURDETT: It has been sorted out in Victoria by arriving at one late shopping night in Melbourne and another in the country; but there are no legal restrictions at all and that, in my view, is ideally what should happen. But, even if we have restrictions (and this answers the objection that the Minister of Health made a few minutes ago), those restrictions must be reasonable and equitable and must make sense to all members of the community.

The Hon. D. H. L. Banfield: But why provide restrictions if you do not believe in them?

The Hon. J. C. BURDETT: I say that there should be ideally no restrictions, but this Bill does not do that.

The Hon. D. H. L. Banfield: And your amendments do not do it, either.

The Hon. J. C. BURDETT: Of course they do not because, as I have said, this Bill does not follow the philosophy I have already expounded, which the Government does not understand. If the Bill had followed the policy I have mentioned, I would have no complaints, but it does not. It is a most restrictive Bill which imposes restrictions unequally on all sections of the community. I intend to support some amendments foreshadowed which make the restrictions greater than they are now, but the restrictions, if imposed, must be fair and equal across the board.

To cover various aspects of the Bill briefly, first on the question of one or two nights—one night for the city and another night for the rest of the metropolitan area, the suburban areas and the country—I find difficulty. If we are to have one late night, it seems to me there are probably one of two alternatives we should follow—either leave it to the particular business which night it is or make it a common night. What has not been canvassed in this debate so far but has been mentioned by the Hon. Mr. DeGaris is the position of country traders close to the city. There is no doubt (whether it is good or bad I do not know) that there is a strong tendency for people who live in the country and work close to the city area to want to come to the city itself or to the metropolitan area to shop. Probably all honourable members have received representations from the Federated Chambers of Commerce, and in particular from the Murray Bridge Chamber of Commerce, pointing out that, if there are two late shopping nights, one in the city and one in the suburban and country areas, many more of the country people will take the opportunity to come to the metropolitan area to shop; many will come to the city itself on that late shopping night, and others will go to the suburban shops.

The Hon. J. E. Dunford: And vice versa.

The Hon. J. C. BURDETT: Nobody will go to the country shops.

The Hon. J. E. Dunford: People stay out of the suburbs instead of coming to the city.

The Hon. J. C. BURDETT: I am talking about country places like Murray Bridge and Mount Barker.

The Hon. J. E. Dunford: They want to keep their customers captive in their area.

The Hon. J. C. BURDETT: No, but people who live in Murray Bridge, Mount Barker and Strathalbyn come to the city to shop whenever they can. At present they cannot come very much. Most people living in those areas work during the week and they cannot come on week days. On Saturday mornings they are restricted because most people in the country follow sport on Saturday afternoons and want to be home early. If there is late night shopping, they will come to the city more than they do now. The country trader, in many respects, has to put up with a fair bit and, if people from his area are able readily to travel to the metropolitan area on the two nights and shop there, there will be some hardship on the country trader. I have just said I do not know whether that is good or bad but it is a point worth making. I favour either making a single late shopping night or else—

The Hon. J. E. Dunford: It would be worse if it was unrestricted trading hours.

The Hon. J. C. BURDETT: I have explained that, and I will not explain it again. If there are restrictions in this Bill, they should be equitable and just for all, but they are not just for all. If we are to have one late shopping night, as in this Bill, either it should be completely open for five nights, with the choice given to the trader, or else it should be one single night.

The Hon. D. H. L. Banfield: How is it just if you have one late night and you do not allow the shop assistants to have time off? You do not want people to be discriminated against?

The Hon. J. C. BURDETT: It is your Bill not mine.

The Hon. D. H. L. Banfield: I am asking you.

The Hon. J. C. BURDETT: I have already answered. One alternative would be to allow all traders to choose their own late night.

The Hon. D. H. L. Banfield: No, because they might all choose the one night.

The Hon. J. C. BURDETT: No, they would not. Individual traders, if allowed to choose their own night, would not immediately choose the same night.

My next point relates the matter of convenience stores. There is a difficulty in this respect, which has been created by the Government and the Minister. There is an anomaly, in that 25 convenience stores have been allowed to operate. It has justifiably been said that they really operate in the same way as the supermarkets, and that there is no reason why they should have this advantage.

The Hon. M. B. Dawkins: They have been led up the garden path.

The Hon. J. C. BURDETT: That is so. They have been permitted by the Government to operate in this way. It is unfair, when capital has been put into these ventures, that suddenly, when the Bill is proclaimed, they will not be allowed to continue to operate. There are on file two amendments which deal with this aspect and which I will consider favourably.

Regarding used car dealers, I do not see why there should be any differentiation between them and other traders. I suggest that they should be allowed to trade until 9 o'clock on the late shopping night, whatever it is.

Another important matter is that of red meat. At present, the meat industry, as is well known, is in fairly

dire straits. The question whether the Government should grant that industry more assistance is another matter. However, it seems to me quite wrong that the Government should, in legislation that it is introducing, in effect discriminate against that industry.

As other honourable members have said, rabbits, poultry and fish, products that compete with red meat, may be sold during the late shopping night, and the probable result will be that less meat will therefore be sold. It astonishes me that the Government, by this legislation, is discriminating against an industry that, through no fault of its own, is experiencing some trouble at present.

I have listened to what has been said about the problems experienced by butchers, bakers and greengrocers. The various problems experienced by those people are not much different. Whether or not those people are tradesmen does not seem to me to be germane to the subject because, whether or not they are tradesmen, all those people work long hours.

Red meat may be packaged and, if this happened, the consumer might perhaps not get quite the service that he would get if a butcher was present. However, it would still be a better service than he would get if red meat sales were excluded completely.

My final point relates to the closing time on other than late shopping nights, the closing time of 5.30 p.m. being extended to 6 p.m. on week days and to 12.30 p.m. on Saturdays.

The Hon. D. H. L. Banfield: What is it now during the week? Do you know?

The Hon. J. C. BURDETT: It is 5.30 p.m.

The Hon. D. H. L. Banfield: On every week day?

The Hon. J. C. BURDETT: That is so. Much has been said about Commissioner Lean's report. However, I can find no evidence in the submissions presented to him that justify these changed trading hours on week nights. It is all very well for anyone to say that this was in the Commissioner's report. So it was. However, it seemed to come from out of the blue; there was no substantial evidence to justify it. In some ways, this is an important matter.

The Hon. Anne Levy spent most of her speech saying how beneficial this Bill would be to women. She said most shoppers were women. I do not know whether that honourable member also knows that about 80 per cent of shop assistants are women, and that many of them are also married. When those women knock off work at 5.30 p.m. now, they must find transport and get home. I have been given information about surveys which have been conducted and which indicate that, if women knock off work at 5.30 p.m., it could be 6.30 p.m. or 6.45 p.m. before they arrive home.

In some cases, these women have husbands and families to look after and, if shops close half an hour later than they do now, the problem will be so much worse. Similar considerations apply on Saturday morning. I cannot see how there is any justification for extending trading hours by half an hour on week nights or, indeed, how the public would benefit much if this happened. It could involve a considerable hardship for housewives.

It may be, as has been suggested, that businesses would not remain open for the extra half hour, because at present they may open until 12.30 p.m. on Saturdays but do not do so. The main reason for this is probably because penalty rates for shop assistants apply after 11.30 a.m. In any event, this legislation is designed to change shopping hours, and I cannot see that that is any argument for anyone's saying that, if the hours are extended, businesses probably will not do anything about it.

We are enacting legislation that ought to lay down the hours that we, as a Parliament, think should apply. Therefore, I will consider in Committee the matters that other honourable members and I have raised. I support the second reading.

The Hon. M. B. DAWKINS: I wish to speak briefly to this Bill, the matter having been canvassed in some detail by other honourable members. I indicate that I will support the second reading, although not with any great enthusiasm, because I think there are a number of problems regarding the Bill.

I also indicate that I am generally in favour of the extension of shopping hours to provide for late night shopping until 9 p.m. on one night a week. However, I am certainly not in favour of some of the exclusions referred to in the Bill as it stands, because, as I think the Hon. Mr. Burdett said, they provide in some cases unequal restrictions. I should like briefly to refer to those matters that concern me as I consider the Bill.

First, I refer to that part of clause 4 which relates to convenience stores and which exempts only those shops that have a total floor area of less than 186 m². I have been told that a number of these convenience stores vary in size from 372 m² to 1 115 m², and that is obviously more than 186 m², which corresponds, I understand, to about 2 000 sq.ft.

I am not particularly in favour of convenience shops as large supermarkets, as some of them are, in effect. However, I believe that the Government has led the people who have invested in these shops up the garden path. I do not intend to quote again the letters which were read to the Council by the Leader of the Opposition and the Deputy Leader of the Opposition and which indicated that these shops would be able to continue operating. They certainly are in the position of having been led to infer that they would be able to continue to develop. As a result of those letters, they have done so, and have spent much money.

In my view these people should be permitted to continue operating. However, I do not think they should be increased in number. It may be that over a period of years that part of their stores could be phased out gradually. It is a very serious imposition and a most unfair action to "cut off" these people on December 1 after they have invested in the businesses all the money that they have possessed.

Not only that, but they are providing a service in some areas of the city which otherwise would not be provided (especially in relation to tourism) and which will not be provided if they are cut off, especially services needed by tourists that will otherwise not be available. This will have a bad effect on tourism in South Australia. Clause 11 (4) deals with a proclaimed shopping area and provides:

An application under this section may only be made in pursuance of a resolution of the council supported by not less than two-thirds of the total number of members of the council.

I do not wish to go into detail but, as the Minister has the final say in this matter, it is unnecessary for there to be two-thirds of the total number of members of the council in favour of such an application. The Minister can review any application, and I believe that that provision is unnecessary and could be omitted.

There are one or two other matters to which I will refer only briefly, because they have already been touched upon by other honourable members. Clause 12 (1) refers to hours and was referred to by both the Hon. Jessie Cooper and the Hon. Mr. Burdett. I endorse what those honourable members have said, and I refer to the closing time of 6 p.m. and the position of married women working

in this industry who must go home to prepare an evening meal or attend to their children. It is wrong that that position should obtain.

The Hon. Mr. Blevins said that it was not a compulsory position, that no-one has to be in that position. True, but if one shop opens until such an hour the other shops will have to do it as well. That provision does not commend itself to me, and I am not in favour of it.

Finally, the main reason why I spoke in this debate, because the other matters have been well canvassed by other honourable members, is the provision regarding red meat. Red meat, under this Bill, cannot be sold in the extended trading hours. Red meat has been singled out for restriction yet rabbit and poultry and the like are not excluded. As the Hon. Mr. Burdett stated, Opposition members are aware of the difficult position faced by the meat industry today. This restriction is wrong and should be removed from the Bill.

I would find it hard to support the Bill if it is insisted that this provision remain. The Hon. Mr. Blevins suggested that the position regarding this provision was not compulsory either but, if one butcher shop stays open, other shops would have to follow suit, and also some red meat would be available at supermarkets. As I said, I will support the Bill at the second reading stage, but I express my concern about the matters to which I have referred, as well as about some other matters referred to by other honourable members. With those reservations, I support the second reading.

The Hon. A. M. WHYTE: A Bill on this matter has been dealt with by this Council on several previous occasions. This matter has been bandied about and thrashed by both political Parties over several years, climaxing eventually in a Royal Commission, and a well conducted Commission, judging by the report. Late night shopping has involved arguments more political than factual. Both major Parties have said over several years that they knew the wishes and will of the majority of the people of South Australia and that, by extending shopping hours, they would obtain a majority of votes.

I do not believe that to be correct. Extended shopping hours is a process that would eventually come to pass, whether people favour extended shopping hours, or not, because of politics, and even after they consider the added costs (despite what is said by the Commissioner in his report). No matter how figures are manipulated or what commodities are included or what hours are extended by increasing shopping hours, commodity costs are increased as well.

Every South Australian wise enough to understand this problem will agree with that view, and many are wondering whether this added facility and convenience is worth paying for. However, the Government has a mandate and, as such, I accept the Bill at this stage. I refer to the anomalies apparent in the Bill; indeed, they are so brazen that it is hardly necessary to highlight them.

Various groups have come before honourable members representing comprehensively most industries affected by this legislation. I was interested most by the Shop, Distributive and Allied Employees Association, which put forward a good case, as outlined by the Hon. Jessie Cooper. Amendments are on file to rectify what seems to be an unnecessary restriction on the family life of employees in the industry.

Australia is a lucky country blessed with the facilities enabling outdoor sport. It has an abundance of facilities provided by this and past Governments, and it is pleasing to see that so many of our people participate in various sports. Therefore, it seems unjust that a shop assistant,

because of the Government's decision to extend shopping hours, should be deprived of the right to practise sport. Similarly, it seems wrong for a housewife, who is also a shop assistant, to be delayed until 6 p.m., when her counterparts in other industries and in Government departments can leave their employment by about 4.30 p.m. or 4.45 p.m., allowing them to attend sport practice, to feed a family or young children who, in turn, may need to attend sport practice.

I believe that the extra half hour requested in this Bill is unjustified, and I agree with the amendments on file, referred to by the Hon. Jessie Cooper. I want to speak about the absolute anomaly which removes the possibility of selling red meat in fair competition with any other type of meat. There seems no justification for this. Although the butchers who gave evidence before the Commissioner said they would be inconvenienced, so will every other shopkeeper.

I am not an advocate of extended shopping hours, because I do not think there are many people who wish for them. The Government and my Party believe it is necessary, and I do not argue strongly for or against them. If the shopping hours are to be extended, we increase the cost and extend the hours for all those working in business. Butchers say they work 48 hours a week; most of the people producing the product for them to sell work 60 or more hours a week. Many small delicatessen owners work longer hours. I have good friends in the butchering trade who have said that the last thing they want to see is an extension of shopping hours.

They could work a late night Friday, and would then have to get up at an ungodly hour to prepare their shops for Saturday morning trade. I realise this and sympathise with them. However, it is not my Bill. The Government introduced it and has said shopping hours will be extended for all other areas except meat. Mr. Tonkin of the Meat Industry Union did not come to the butchers' rescue. After all the work he has done to keep his slaughtermen and butchering apprentices employed, he missed the point. He is a great fighter for his union but he missed the point. He did not say, "If you restrict the sale of red meat and do not allow it to compete on a fair basis with every other commodity of that type, this must work to the detriment of slaughtermen". It will also work to the detriment of butchers and the whole meat trade.

It was said that 12 per cent of meat substitutes is sold in areas of late night shopping. That would constitute possibly a 10 per cent loss for those nights in the sale of red meat. Also, it is shown that the butchers claim that if red meat is allowed to be sold it would work to the advantage of supermarkets and prepackaged meat outlets, but in speaking to a most irate butcher, he told me he is angry that shopping hours are to be extended. He realises that he will be caught with this situation. I asked him how the sale of meat through supermarkets would affect him. He said that it would not affect him one scrap; he would not be prepared to hold his head up if he considered that a supermarket could take any of his clientele. He does not like the Government, nor does he like its Shopping Bill. He was not the slightest bit deterred by the thought that the supermarket may be selling red meat.

In New South Wales where red meat is readily available at all times, the figures show that supermarkets sell 13 per cent of the meat, and 84 per cent of the trade is retained by butchers. There is no restriction on the sale of red meat in that State. In South Australia, where it is proposed in this Bill completely to restrict the sale of red meat and shopping hours and red meat sales have always been restricted, butcher shops are said to have 73 per cent of the meat trade, and supermarkets 27 per cent. If we analyse

these figures, they show that where there is freedom of trade in red meat, only 13 per cent of the trade now belongs to the supermarkets, and this holds no threat so far as the small butcher is concerned.

Other people came to lobby members of Parliament. In this group were the automobile representatives, who put their case well. They are concerned about the hours to be imposed on them by this legislation.

They do not wish to stay open five nights a week, and made out a very strong case showing that some of those hours worked would create a loss of revenue because they would have to service them, yet they would not be serviced by the Registrar of Motor Vehicles, and would not be serviced by the financing authorities, which would be closed.

However, I read that Mr. Bennett stated, in this evening's *News*, that he was the organiser lobbying for the automobile trade. I am not now prepared to take up that case, since Mr. Bennett has entered into it so forcefully. He can look after his own affairs. Provided that the amendments as detailed and on the file relating to shop employees' hours and the sale of red meat are accepted, I will vote for the Bill; otherwise, I will vote against it.

The Hon. M. B. CAMERON: At long last we are to see a return of late night trading in South Australia. I say, "a return to" because this Government is now attempting to take some credit for the return of late night shopping and it was the one which took it away from many areas of South Australia.

The Hon. C. J. Sumner: Late night trading did not exist in many areas.

The Hon. M. B. CAMERON: Of course it did not; your Government would not give it to them. I understand why few members of the Government have spoken on this Bill because they appear somewhat embarrassed by the Bill; they are apologising to the people of South Australia for what they did to them a few years ago. At long last, and in a half-hearted way, they are making up for it. This Bill is the result of many years of argument and a Royal Commission, which was appointed because the Government could not make up its mind. The Government continually sought to pass the responsibility to other people, because it could not stand up to the unions. Finally, it found a weak, half-hearted compromise.

It is a pity that the Government did not take the bit between its teeth, open up trading hours, and let the people and the industry make up their minds about trading hours. Parliament should not lay down any restrictions, and I forecast that the time will come when Parliament will get out of the situation of setting hours. Late night trading was abolished in some districts after the most dishonest campaign I have seen in many years. The whole basis of the previous campaign, which the Government supported, was that there would be a huge increase in costs. Yet the Government now supports the Commissioner, who did not say that there would be a huge increase in costs. This shows that the whole basis of the previous campaign was false. It is to the credit of the Hon. Mr. Carnie that finally the Government has been brought to face reality, and South Australia will at last have reasonable shopping hours. Womenfolk will be able to go out at night and do their shopping. I was surprised that the Hon. Miss Levy did not support the Hon. Mr. Carnie's Bill last year.

The Hon. D. H. L. Banfield: What about the eight Liberal members in another place who did not support the Bill?

The Hon. M. B. CAMERON: They have that right, but that is something we will never see from the Minister. They have since been persuaded, and I give credit to those members that they have accepted a reasonable viewpoint.

I support the Bill, but I wish that the Government had had the gumption to introduce it in a more definite way, without saying that butchers cannot open at night while other storekeepers can open at night. The Government's intention to close down convenience shops is discriminatory. Convenience shops were established with Government backing, but now the Government has the audacity to say to the proprietors, "We will bankrupt you, but don't worry: you have had an advantage, but we will take it away, and to hell with you." In one instance, a man had been in his business for only three months, yet he and others are to be sent to the wall. If that is the sort of attitude that the Government has to people in this community, it has no heart at all.

I trust that the Government will support an amendment to give these people a continuing right, which the Government originally gave to them. No business will ever feel secure again if the foreshadowed amendment is not carried, because businesses will not know whether they will be chopped off in three months time. There ought to be some rights for a citizen to take action against the Government in such circumstances. Commissioner Lean made no recommendation on this matter. The Hon. Mr. Blevins was trying to run away from this point.

The Hon. D. H. L. Banfield: He said that the Commissioner made an observation.

The Hon. M. B. CAMERON: An observation is totally different from a recommendation. What the Commissioner observed was that the Government had given convenience shops an advantage. Now, the Government wants to take away that advantage, and I particularly refer to the West Beach convenience shop, which services a large caravan park.

The Hon. C. M. Hill: Why isn't the Minister of Tourism, Recreation and Sport supporting these shops?

The Hon. M. B. CAMERON: That is a good question. The caravan park is an excellent tourist facility, but the Minister will give them nothing. Basically, he is a reasonable Minister, but in this case the Government has forced him to take an action that I am sure he would not support.

Members interjecting:

The PRESIDENT: Order! If the Hon. Mr. Hill and the Hon. Mr. Casey want to have a conversation, I suggest that they have it outside the Chamber.

The Hon. M. B. CAMERON: I am amazed at the Government's attitude towards red meat sales. Why say that a certain item cannot be sold during late night trading? What is the advantage of late night trading if housewives are deprived of the opportunity of buying a basic item in the diets of most families? Members opposite will say that I am a meat producer, but that is not the point. The point is this: why have late night trading for most commodities but not for one particular type of commodity? Why not allow all items in our diets to be sold? While some butchers may not have the necessary trained staff, that is a matter of organisation in connection with their own businesses.

All they have to do is to ensure that for that Friday night they have sufficient meat prepared in the various lines for sale. Any butcher who cannot do that had better pack up and close his business, because that is purely a matter of organisation. It requires only relatively unskilled staff to sell the meat.

The Hon. T. M. Casey: Do you know what time the butcher starts work?

The Hon. M. B. CAMERON: The butcher, the baker, the candlestick maker are all the same.

The Hon. B. A. Chatterton: What time does the penalty rate start?

The Hon. M. B. CAMERON: That is not the question. If the butcher starts work at 5 o'clock or 6 o'clock in the morning, he must have to roster his staff, so let him roster them after hours as well, if that is an argument. If they work from 5 o'clock or 6 o'clock in the morning until, say, 5.30 p.m. there must be some rostering, anyway, if they are to work reasonable hours.

The Hon. R. A. Geddes: If the butcher has to work extended hours, wouldn't that mean increased employment in the industry?

The Hon. B. A. Chatterton: What about the cost?

The Hon. M. B. CAMERON: Of course. The Minister of Agriculture brings it up again; it is a repeat of the 1970-71 campaign. The Commissioner himself has said there will be a minimal increase in cost, no different from the supermarket. The Bill is a half-baked exercise dreamed up by the Government to try to wriggle out of having to make a decision itself on the matter, and it is a damned shame it has not the gumption to bring in a Bill to give back to the people of this State a little freedom. It is time it did that. It has been forced to give a little; it is a pity it was not a little more. I support the second reading.

The Hon. C. J. SUMNER: The Hon. Mr. Cameron said that members on this side of the Chamber would not speak in this debate, because they were embarrassed. I assure him I am not embarrassed in making this contribution. My attitude to this matter has been perfectly consistent; if honourable members read *Hansard*, they will ascertain that. The only embarrassment in this Chamber is the Hon. Mr. Cameron. In fact, his whole political career has been an embarrassment to all the various multi-coloured supporters he has had at various times. He was a great embarrassment to the Hon. Mr. DeGaris, and still is.

The Hon. J. A. Carnie: What has this to do with the Bill?

The Hon. C. J. SUMNER: It was the Hon. Mr. Cameron who introduced the matter of embarrassment. He says one thing and the next day he changes his mind. He is a terrible embarrassment to all those people who supported him in all those years when he was in the Liberal Movement.

The Hon. M. B. Cameron: Oh, Lord!

The Hon. C. J. SUMNER: The honourable member mutters "Oh, Lord!"

The Hon. M. B. Cameron: You would be the weakest lawyer in Adelaide, apart from the Attorney-General.

The PRESIDENT: Order! I think it is about time the Hon. Mr. Sumner got on with his speech.

The Hon. C. J. SUMNER: I really felt I had to answer the honourable member's interjection. The other matter mentioned by honourable members opposite is history. They thought they were strong on history in today's debate. One honourable member says that the history of this Bill goes back to 1976. The history of shopping hours in this State goes back a considerable time before that. The Hon. Mr. Cameron took the matter back to 1970 and said that the whole history of this started then, when the Government by means of a referendum took away people's rights to late night shopping. He did not go back any further than that, although it is interesting to note that the Royal Commissioner did and indicated that it was in fact the Playford Government that introduced restricted shopping hours during the Second World War. In fact, those restricted shopping hours (not late shopping during the week and until 12 noon on Saturdays) went through until 1970.

Although the Playford Government was in power until 1965, it did not do anything about changing the hours, although there was a Government led by Mr. Steele Hall, a supposed progressive, from 1968 to 1970. He did not

make any attempt to change the shopping hours. In fact, there was only late night shopping by an accident of history, in that the metropolitan area extended beyond the original boundaries originally prescribed as the area in which the restricted hours would apply.

The Hon. R. C. DeGaris: Wasn't there a local option poll situation?

The Hon. C. J. SUMNER: Not for the inner metropolitan area, laid down as restricted. The people in the outer areas could shop; it was only an accident of history they were able to do that in 1970. The boundary of the restricted area was small and the population extended beyond that boundary.

The Hon. R. C. DeGaris: How do you say it was an accident of history?

The Hon. C. J. SUMNER: By the fact that the boundary was set as it was in 1939, at the beginning of the Second World War.

The Hon. Anne Levy: By a Liberal Government.

The Hon. C. J. SUMNER: Those are the historical circumstances. If the Leader wants to be pedantic, it is a result of historical circumstances. It is by chance that the people in the outer metropolitan area were able to have late night shopping. Restrictions in the city existed from 1968 to 1970. The Hall Government did nothing about it and the Playford Government did nothing about it. If we are to talk about history, let us get the history straight. That is the situation. The Dunstan Government in 1970 at least tried to get people's opinions on it. That referendum was lost and shops were closed throughout the whole metropolitan area, including the extended metropolitan area, as we now know it; but it was the Government at that stage that made a move to see about extended shopping hours. It could have been done by the Hall Government, but it did nothing about it. In 1972 on two occasions the Government introduced a Bill to provide for late night shopping on one night a week, and on both occasions it was rejected by the Liberal Party in this Chamber.

The Hon. R. C. DeGaris: No, it was not.

The Hon. C. J. SUMNER: Yes it was. You moved amendments to the Bill that were unacceptable to the Government.

The Hon. R. C. DeGaris: The Government was uncompromising and knocked them out.

The Hon. C. J. SUMNER: I was not here then but I should have thought that was far from the truth. Honourable members opposite have been uncompromising on many reforms that the Government has wished to bring in over the years and have dug their toes in on all sorts of issues.

It has generally acted as a conservative, reactionary force in relation to the government of this State, and this was yet another example of that. In 1972, the Government twice introduced legislation to extend trading hours and, because this Council moved amendments, probably with the aim of defeating the legislation, it meant that the Bills failed.

The Hon. R. C. DeGaris: Do you know the real reason why? It was because Bob Hawke rang from Melbourne and told them to get rid of it.

The Hon. C. J. SUMNER: The Hon. Mr. DeGaris has some flights of fancy, but that is about the most fantastic one that I have heard him propose in this Council. All honourable members know that he is not doing very well and that the Hon. Mr. Hill is carrying the brunt of the Opposition's attack on this matter in the Council. I am sure that the Hon. Mr. DeGaris has been over the week-end, and still is now, busy with his calculator trying to work out whether there is as great a gerrymander in South Australia as there is in Queensland.

The Hon. M. B. Dawkins: What has a gerrymander in Queensland got to do with this Bill?

The Hon. C. J. SUMNER: It seems the honourable member has just woken up. The Legislative Council did not agree that anything should be written into the 1972 Bills dealing with shop assistants' hours and conditions of work and, because that point of view was not acceptable to the Government, the Bills failed. To say, therefore, that the Government has not tried to extend shopping hours is erroneous.

I do not wish to take up much of the Council's time on this matter, which has been thrashed out time and time again in this place. However, I consider that, as I had contributed to the previous debates, I should make these one or two points. My basic approach previously was that the Bill introduced by the Hon. Mr. Carnie last year, in which he proposed a trial period from December 1 to December 31, which initially provided for an open slather during that period but which was then amended to provide for one night late shopping a week, did not take into account the interests of the various employers, employees and consumers involved.

Apart from that, the introduction of a trial period would have given a completely erroneous idea of what sort of a demand there was for late night shopping. It is interesting, when talking about public demand, to note that the Hon. Mr. Carnie referred to a poll carried out by Gardner and Associates, which showed that about 80 per cent of the people wanted late night shopping, but that the poll carried out by the Royal Commissioner indicated that about 50 per cent were satisfied with present trading hours and that 50 per cent were against them. I therefore suggest that, the next time the Hon. Mr. Carnie quotes public opinion polls in this Council, he had better check to ensure that they are not polls conducted by Gardner and Associates.

My approach previously was to oppose his Bill for the reason to which I have referred, namely, that the interests of the parties involved were not taken into account. For that reason, earlier this year I supported the Government's Bill which would have given the Industrial Commission power to decide on shopping hours and related matters such as conditions of employment for shop assistants.

That attempt, yet another by this Government to achieve a change in shopping hours, was opposed by members opposite, and the Bill again failed. Subsequently, the Royal Commission was appointed. I am pleased to see that the Commission has taken account of the arguments of the various interested parties. There was a large number of submissions from interested groups, and the Commissioner was able to consider the different stands taken by them. He assessed how those groups would be affected, and on that basis made his recommendations. The Royal Commissioner came to the conclusion that there would be no substantially increased costs as a result of his proposals.

The Royal Commissioner dealt with the effect of late shopping on employees by suggesting a roster system. He also dealt with the matter of public demand, and came down with the proposal of having two late shopping nights, that is, Thursday night in the metropolitan area, except the city, and Friday night within the city of Adelaide. So, the Royal Commission has achieved what I have been looking for in my previous remarks on this matter, particularly on the legislation introduced by the Hon. Mr. Carnie, namely, that all interested groups ought to be considered, all the arguments weighed up and a careful series of proposals presented to the Parliament.

This has been done by the Royal Commissioner in his comprehensive and wide-ranging report and, as has been said, the Government went to the election on the basis that the Royal Commissioner's report would be accepted. It seems to me that the Liberal Party is not willing to accept the results of the election and is now picking away at certain aspects of the report. One really wonders whether members opposite will once again vote out late night shopping, as they have done previously. The Government has made a number of proposals over the past seven years that I have already outlined.

The Hon. M. B. Cameron: Yes, what about Elizabeth?

The Hon. C. J. SUMNER: The honourable member was so dumbfounded by my earlier comments about him that he had to leave the Chamber and did not hear my resume of the historical situation.

The Hon. C. M. Hill: Did you find a recommendation in the report about those special shops?

The Hon. C. J. SUMNER: I read the report carefully, and I wish honourable members opposite had done the same and had read the historical section before making such inane interjections. Finally, I cannot understand why honourable members opposite, having fought an election partly on this issue and having lost it convincingly, have decided to put many nit-picking amendments on file. I hope that they will not take their opposition to the extent of defeating the legislation. I support the Bill.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members for the attention they have given the Bill, although I must say that honourable members opposite have shown how much at odds they are with themselves. They have referred to Liberal policy and unrestricted shopping hours, yet they have amendments on file to cut back by half an hour each day the Commissioner's recommendation. Is that part of their unrestricted shopping hours policy? They seek to implement even more restrictions through some of the amendments on file. The Hon. Mr. Burdett will never become rich if he continues to have a bet each way, as he did on each part of the Bill on which he spoke.

The Hon. Mr. Dawkins wants extended shopping hours on only one night, and does not want people unable to shop on Thursday night to have the opportunity to shop on Friday night, yet he said that everyone should have equal opportunity.

The Hon. M. B. Dawkins: I did not say any such thing.

The Hon. D. H. L. BANFIELD: So much for providing equal opportunity. The honourable member denies people the right to have a night's shopping. Liberal Party members have claimed they have a policy on this matter, but where was their policy when the Hon. Mr. Carnie's Bill hit the deck in another place? It was defeated with the support of eight Liberal members. The Liberal Party has no policy. If it has 40 members in this Parliament, it has 40 policies, because each honourable member has a policy of his own.

That is why the Liberal Party cannot get elected in this place. Its members go out, each with a different policy, and there is no way in the world that we can determine what is Liberal policy, because the Party does not have a spokesman who can be relied upon. The Party keeps changing its mind. At the time of the election when the Commissioner's report had come out we had the Leader of the Opposition saying that he would support the report and that that was what he wanted, but what has happened in this Chamber tonight?

The Hon. T. M. Casey: They've not got their heart in late night shopping.

The Hon. D. H. L. BANFIELD: True, and that was clearly indicated by the way the Liberals voted when they had their opportunity.

The Hon. C. M. Hill: You were like a scared rabbit.

The Hon. D. H. L. BANFIELD: The Hon. Mr. Hill knows who is running for cover now! The honourable member is at variance with his Party, and the Hon. Mr. Cameron has often been at variance with his Party. Half the time we do not know what Party the honourable member is in, and after his performance tonight he will not be in his present Party for long.

Members interjecting:

The PRESIDENT: Order! I think we have had enough of this. I ask the Minister to come back to the Bill.

The Hon. D. H. L. BANFIELD: I thank you for your consistency towards both sides, Sir. You give the other side a fair go, but you pull us into line. Let me be clear about that: the President has a policy and he sticks to it, and that is more than honourable members opposite do. One thing is clear from speeches made by Opposition members: they are completely out of touch with reality.

I do not want to go into the complete history of shopping hours but, if I did do so, it would be clearly seen that, had it not been for the obstruction of honourable members opposite, we would have had late night shopping in this State years ago. On two or three occasions we have introduced Bills on this matter in this Council, but honourable members opposite have obstructed those Bills and, although I do not want to tax their memories, when introducing an Industrial Code Amendment Bill in this Chamber on April 19, 1977, I stated:

Many different approaches may be taken to the question of regulation of closing hours. One option would be for the Legislature to simply abandon all regulation and let the market forces take their course. The Government believes this is not an acceptable or desirable option—
yet members opposite have many amendments on file—and in fact would border on irresponsibility as changes could then be foisted on to the public and the employees and employers in the industry without regard to its consequences or side-effects, or to the increased prices that would undoubtedly result.

It would mean that the public and industry alike would be at the mercy of any trader who was prepared to be aggressive in his marketing policies based on his own calculation of his immediate commercial gain and remain open as long as possible. In order not to lose competitive advantage the rest would be forced to follow whatever the immediate cost. The result would be chaotic and in the end would neither assist the consumer nor the industry. While there is this conflict of interests one group can be played off against another to the disadvantage of all.

With these conflicting interests in mind, the Government has decided that changes in shopping hours should not be an arbitrary act of the Government but should be as a result of the widest possible public discussion before a tribunal, which allows access to interested parties, can consider their submissions and make decisions based on the evidence presented.

Accordingly, the Bill empowered the Industrial Commission to determine shopping hours. Other changes were included in the Bill, including an extension in the list of exempt goods and exempted shops. However, this Council substantially amended the principal provisions of the Bill and those who represented the Council in the conference of managers with the other House, were not willing to compromise. The Government was therefore thwarted in its attempt to bring about orderly changes in the shopping hours.

The Government was not prepared to let the frustrating policies of the Opposition deny the public of this State the opportunity to have shop trading hours reviewed in an orderly manner. We wanted to ensure that everyone interested—whether shopkeepers, shop assistants, consumers or even members of Parliament, had an opportunity to make submissions to an independent tribunal which could consider and report on all the evidence presented to it. On May 20, 1977, the Lieutenant-Governor appointed Commissioner W. C. Lean, of the South Australian Industrial Commission, to be a Royal Commissioner to inquire into and report on whether the law relating to shopping hours should be amended and modified. In announcing the appointment of the Royal Commission, the Minister of Labour and Industry said that “all sections of the community will be invited to give evidence before the Royal Commissioner, and the Government will abide by the final decision of the umpire”.

It is also appropriate to remind honourable members that since then another event of significance has taken place in this State. On September 17, 1977, the electors of this State elected 27 members of the Australian Labor Party to the House of Assembly compared with a combined total of 20 members of three different Opposition Parties. Even honourable members opposite must surely concede that a Government returned with such a majority has a clear mandate to put into effect the policy on which it was elected. The Premier's policy speech stated:

The Government's efforts to provide more flexible shopping hours and service have been repeatedly frustrated by the Liberals in the Legislative Council. They have veered from demanding no change to wanting to abolish all rules so the pieces fall where they may, according to the political wind as they sniffed it. We will legislate to give effect to the report of the Royal Commission on shopping hours. We expect that the new provisions will operate by Christmas.

What this Bill does give effect to is the undertaking made by the Minister, when the appointment of the Royal Commission was announced, and reiterated by the Premier in his policy speech and endorsed by the people of South Australia in returning the Government to office. The Bill gives effect to the recommendations of the Royal Commission. It also continues other sections now in the present Act and includes appropriate provisions for country shopping districts, consequential on the Royal Commission report.

Each of the amendments seeks to upset or negate specific recommendations made by the Royal Commission. The Hon. Mr. DeGaris is quite wrong in claiming that the Bill gives late night trading, then seeks to make as many exceptions as the Government can think of. What the Bill does is to give effect to the report of the Royal Commission—no more, no less. Those honourable members who have studied the report of the Royal Commission know that 180 persons or organisations made written submissions, and 98 presented oral evidence. As Opposition members seem to have so many bright ideas on the subject, it is surprising to see that not one of them made a submission to or gave evidence before the Royal Commission. However, Mr. J. W. Olson of the Liberal Party of South Australia gave evidence on July 21.

Do honourable members opposite really think that the report from the Royal Commissioner, submitted after hearing submissions and evidence from every resident in South Australia who wanted to make submissions, should now be torn to shreds and replaced by every whim or fancy of any member? I ask that honourable members should not proceed with any of their amendments but pass the Bill

in its present form, without delay. In his report, the Commissioner made specific comments on the manner in which shop trading hours should be amended in future. I quote from page 34 of his report:

During the hearing the views of all major parties who gave evidence before the Commission and a number of individuals were sought on this aspect. A question was posed to them either by myself or by counsel assisting the Commission, to this effect:

If in the future any alteration to shop trading hours is contemplated do you think the determining of the matter should be undertaken in the political atmosphere of Parliament or would you prefer to see an independent body such as the Industrial Commission or another tribunal set up for the purpose to determine that matter?

With almost complete unanimity the answer was they would prefer to see such matters dealt with by the Industrial Commission or a tribunal constituted for the purpose.

The Government accepts this proposal that special jurisdiction be given to the Industrial Commission to determine any future amendments to shop trading hours. This will be done by introducing the necessary amendments to the Industrial Conciliation and Arbitration Act early next year. No provision is included in the Bill now before the Council because the new trading hours have to be introduced and given a fair trial before they can be varied, and in any case this is not the Bill that concerns the jurisdiction of the Commission. If some or any of the fears expressed by Opposition members are borne out in fact, and I am sure they will not be, then the procedure will be available by which application can be made to an independent tribunal to make changes. I commend the Bill to all honourable members.

Bill read a second time.

In Committee.

The Hon. R. C. DeGARIS (Leader of the Opposition): There are two schedules of amendments, and I will deal first with the second schedule. The Bill, as it stands, recognises two separate trading districts, the central shopping district and the metropolitan district. In the metropolitan shopping district, which is outside the square mile of Adelaide, late night shopping is to be on Thursdays. In the square mile of Adelaide, late night shopping is to be on Fridays. If we are to have late trading on Thursdays or Fridays, I believe that the whole of the area should trade on Thursday nights, with the exception of the one area that wants Friday night trading; that is, the area around the Central Market. About 80 per cent of traders in Rundle Mall want to trade on Thursday nights, not Friday nights, but the whole of the Central Market area wants to trade on Friday nights, as is traditional. I received the following letter today from the Retail Traders Association:

Thank you for receiving members of this association on Monday regarding the Shop Trading Hours Bill.

In respect of the suggestion raised at the meeting, of optional trading nights, we have sought the views of our members.

There is strong support for metropolitan late trading to be specified as being lawful on Thursday nights only. In respect of the central shopping district we strongly recommend that trading in this area should be one night with retailers being allowed a choice between Thursday or Friday.

This would allow the Rundle Mall area to trade on a Thursday night and for the Central Market area traders to trade on Friday at the time of market activity. This concept has the support of our members in the Central Market area. So, the vast majority of traders in Rundle Mall, both large and small, want to trade on Thursday nights, not Friday nights, whereas shopkeepers in the Central Market area

want to trade on Friday nights. My first amendment gives the option in the central shopping district to trade on Thursdays nights or Friday nights; to do that, I have to strike out the definition of "the central shopping district". I intend to seek to redefine the area where Friday night shopping will take place—the Central Market area. The central shopping district will become that area, and the other areas will have Thursday night shopping. If that is carried, I will move on to my other consequential amendments. If it is not carried, I will move to strike out the definition of "the central shopping district". I now move:

Page 1, lines 13 and 14—Leave out "The Hundred of Adelaide" and insert "the area bounded by a line commencing at the intersection of Franklin Street and Victoria Square thence westerly following the southern alignment of Franklin Street to the intersection of that Street with Morphett Street thence southerly following the eastern alignment of Morphett Street to the intersection of that Street with Wright Street thence easterly following the northern alignment of Wright Street to the intersection of that Street with King William Street thence northerly following the western alignment of King William Street to the intersection of that Street with Victoria Square thence westerly and northerly following the southern and western alignments respectively of Victoria Square back to the point of commencement".

The area in this definition is the area that is demanding Friday night trading. The other areas will have Thursday night trading.

The Hon. D. H. L. BANFIELD (Minister of Health): The Government's action in setting up the Royal Commission has been justified. The Hon. Mr. DeGaris has clearly pointed out that the retailers themselves cannot make up their minds. Of course, the Retail Traders Association does not represent all traders in the city. The Royal Commission was set up to take evidence from everyone concerned and to decide what was in the best interests of everyone concerned. The central shopping district and the metropolitan shopping district described in the Bill are based on the recommendations of the Royal Commissioner, who considered all community attitudes placed before him. Any deviations from these findings can only be contrary to public opinion.

The amendment will raise problems related to dividing lines. It is not difficult to imagine a situation where shops on different sides of a street may be permitted to trade late on different nights. That would be an impracticable situation, and would operate against the success of late night trading in the city. In connection with the boundary proposed by the Royal Commissioner, I point out that there are no shops on one of the two sides of each of North Terrace, South Terrace, West Terrace, and East Terrace. The Hon. Mr. DeGaris referred to 80 per cent of Rundle Mall traders, but what about the other 20 per cent? Did the 80 per cent not have an opportunity to make submissions to the Royal Commissioner, who was in a better position to consider all the evidence, including that given by Mr. Olsen? The Royal Commissioner made a sensible recommendation, which the Government supports.

The Hon. R. C. DeGARIS: Most of the Minister's arguments are illogical. First, he referred to the definition of the boundary. I point out that there is no retail trading in Wright Street.

The Hon. D. H. L. Banfield: Of course there is.

The Hon. R. C. DeGARIS: I challenge the Minister to give an example. The metropolitan area is defined in this Bill. That runs along a street. Which side of the street where the metropolitan area boundary runs can trade?

Exactly the same argument can be made on a massive boundary right around the metropolitan area. It is not a valid argument, because already we have that line right around the metropolitan area that follows roads and streets. It is known that the majority of people in this defined central shopping district want Friday night trading; the majority outside that area want Thursday night trading. That is clear and that is what the amendment does.

The Hon. D. H. L. BANFIELD: I am pleased that the Leader is so confused about where the boundaries may be, because the area of which I spoke is clearly bound by the park lands.

The Hon. R. C. DeGaris: Not the metropolitan area.

The Hon. D. H. L. BANFIELD: I am talking not about the metropolitan area but about the central shopping district. I pointed out that where the Leader started to draw his boundaries within the square mile of Adelaide was where the confusion came about. He agreed there was some confusion. I am talking about the amendment.

The Hon. C. M. HILL: This matter was dealt with by me in my second reading speech, that the city of Adelaide might have Friday night shopping. I gave the matter much thought then; I respected and appreciated the views put to me by the business interests involved and also by the unions involved. Further representations have been made to me over the dinner adjournment this evening. I remain of the opinion that it would be in the best interests of the population generally and of Adelaide in particular if the city could have Friday night shopping in lieu of the proposal that the Hon. Mr. DeGaris has made, which is one night opening in one part and opening on another night in the other part. I therefore cannot support the amendment.

The Hon. J. C. BURDETT: I am not quite certain what the Minister was talking about as regards boundaries but he mentioned confusion about the boundaries in the amendment. There is no confusion. The area is clearly defined in the amendment.

The Committee divided on the amendment:

Ayes (3)—The Hons. J. C. Burdett, R. C. DeGaris (teller), and D. H. Laidlaw.

Noes (15)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, M. B. Cameron, J. A. Carnie, T. M. Casey, B. A. Chatterton, Jessie Cooper, C. W. Creedon, J. E. Dunford, N. K. Foster, R. A. Geddes, C. M. Hill, Anne Levy, C. J. Sumner, and A. M. Whyte.

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

Majority of 12 for the Noes.

Amendment thus negated.

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

Page 1, Lines 12 to 14—Leave out all words in these lines. This takes out the definition of a central shopping district, which is picked up later on in an amendment to clause 12 and will allow discretion in trading in the metropolitan area. That is the intention of clause 12.

The CHAIRMAN: This is a preliminary amendment as to whether or not shops in the metropolitan area should have a choice of Thursday or Friday.

The Hon. D. H. L. BANFIELD: This amendment refers not only to the metropolitan area but also to country districts; so what the Leader is saying is, "Let us have half the shops down Rundle Street open on one night and the other half on another night." The provision of different late shopping nights in the central shopping district and in other shopping districts is included to give effect to the recommendations of the Royal Commission. However, despite the efforts of that commission to ascertain the wishes of all parties representing community attitudes and

to make recommendations accordingly, this amendment completely disregards those findings. It introduces quite a new concept that shopkeepers themselves throughout all shopping districts can nominate which night of the week, if any, they will open. Such a provision not only appears to favour one sector of the community but would also raise serious problems of enforcement. It is no secret that the department has experienced difficulties in the past in policing the existing legislation; the inclusion in the Bill of an optional late shopping night would place an impossible burden on the inspectorate and would render the legislation unenforceable.

Confusion would result for the consumer. He might have to come into Myers on Wednesday night to purchase a certain article and, if that establishment did not have what he wanted, the consumer might then have to come into, say, John Martins on Thursday night. That is what the amendment would allow. Does the Hon. Mr. DeGaris suggest otherwise? Surely, it is not Liberal Party policy to make people come into the city on two nights of the week merely to obtain a certain article. I am certain that this recommendation will be rejected by the Committee.

The Hon. R. C. DeGARIS: I get concerned about the Minister's application of logic. Victoria has open, unrestricted trading hours, and the instance to which the Minister referred does not happen there. John Martins' establishment in the Mall will not open on Monday night while Myer's establishment, also in the Mall, opens on Tuesday night.

The amendment gives a discretion to those concerned in the metropolitan area and in country areas. Many country areas have market days on a Tuesday or Thursday, and Tuesday night could well be the correct night for shops to open. This amendment merely gives the consumer the right to determine when he wants the shops to open. After all, the shops will open when they can best serve their customers. That is all that the amendment provides, and I reject the argument advanced by the Minister of Health regarding the confusion that will result from it.

The Hon. D. H. L. BANFIELD: It does not give discretion to the consumer: it gives it to the shopkeeper.

The Hon. R. C. DeGaris: That is right.

The Hon. D. H. L. BANFIELD: Also, it goes further, because the shopkeeper can, for any reason, change his mind simply by giving notice to the Minister. The shopkeeper does not even have to advertise that he intends to change his trading night. The confusion exists not with me but with the Hon. Mr. DeGaris.

The Committee divided on the amendment:

Ayes (6)—The Hons. J. C. Burdett, J. A. Carnie, R. C. DeGaris (teller), R. A. Geddes, D. H. Laidlaw, and A. M. Whyte.

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

Majority of 6 for the Noes.

Amendment thus negated.

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

Page 1, after line 18—Insert—"declared shop" means a shop that is, for the time being, a declared shop under section 4a of this Act."

This amendment is preliminary to the main and much more substantive one. It deals with the problem of the so-called convenience stores, to which I referred during the second reading debate. I said previously that the Royal Commissioner exceeded his brief in this matter, because

he was not asked to report on convenience stores. In turn, the Government has taken on itself to put these people out of business.

The Hon. N. K. Foster: That's not true.

The Hon. J. A. CARNIE: Well, it has taken on itself to reduce their hours. It will certainly put some of these people out of business. The report acknowledges that convenience stores are accepted and needed in the community, but it goes on to say that they should not be operating. Although this Bill provides for extended trading hours throughout South Australia, it has the effect of reducing the hours of 25 major stores throughout metropolitan Adelaide. The people who have established and are operating these stores legally, and with the Government's explicit permission, will suffer.

A petition containing, I believe, almost 7 000 signatures, was tabled in another place. In this place, the Hon. Mr. DeGaris referred to a petition which could not be tabled here because it was not in the correct form but which, nevertheless, illustrated the strong feeling that existed in certain areas that these stores should be permitted to continue operating.

One of the biggest operators of the so-called convenience stores is the Big Heart organisation, which, as all honourable members know, gives all its proceeds to charity, that is, to Adelaide Children's Hospital and Minda Home. On June 14, 1973, the Minister of Labour and Industry released the following press report:

The size of convenience stores in the Adelaide metropolitan area is to be pegged. Agreement on this step has been reached this week following some objections to the recent dramatic increases in the number and size of these stores.

Associations representing small traders approached the Labour and Industry Department complaining of the inroads into their sales being made by these stores, which, in some instances, have grown to near-supermarket size. Convenience stores—in essence super-delicatessens—have been selling a wide range of goods, from bacon to batteries, from flour to frozen foods, from tea to toothpaste.

These are items contained on an extensive list of "exempted goods", and they may be sold from "exempted shops" at any time. "Exempted shops" include delicatessens. They may remain open 24 hours a day and seven days a week, if they wish.

As a result of the representations made to the Labour and Industry Department conferences were held between the interested parties. Final agreement on the "ground rules" was reached this week. A firm peg was put on the size of any new convenience store.

This was achieved by the administrative definition of a delicatessen as providing (among other things) not more than 2 000 sq. ft. of selling space.

It was agreed that existing stores with greater selling space can continue in business. However, if they change hands the size limit will be enforced.

Legislation requires the department to determine exactly what constitutes a delicatessen. So, those already determined will be allowed to continue. However, no further premises will be authorised that exceed the new size limit.

On June 14, 1973, explicit permission was given to those shops to continue operating, and I emphasise the penultimate paragraph in that press release. Yet on July 29, 1975, Mr. L. B. Bowes, Secretary for Labour and Industry, wrote to a Mr. R. J. Siviour of Red Owl Foodland, O'Halloran Hill. That gentleman wanted to sell his business and sought guidance from the department as to whether or not the business could continue. The Secretary stated:

I have decided to continue registering your shop as an exempted shop irrespective of any change of ownership, provided there is no extension in the size of the shop. The existence of such stores was affirmed in 1973 and reaffirmed in 1975, and these stores have been operating in good faith subsequently. In fairness, that position should be allowed to continue, and that is the purpose of my amendment. It leaves the decision in the hands of the Minister and provides a definition of declared shops. I cannot imagine the Minister's allowing the shops to increase in size, and I, too, would be opposed to that. It is thrown back to the Minister's discretion, and it will allow the existing number (25) of convenience stores to continue operating—

The Hon. R. C. DeGaris: At the Minister's discretion?

The Hon. J. A. CARNIE: Yes.

The Hon. D. H. L. BANFIELD: The purpose of this amendment is to exempt existing shops known as "convenience stores" from the new trading hours provisions. As indicated in the second reading explanation, the Royal Commissioner in his report considered such shops should cease to be exempt. The Commissioner believed that his terms of reference did not permit him to make such a recommendation. In particular, he stated:

... it seems to me that their current trading advantage, though accepted by the community, is not in the best interests of trade and in any event would not now be needed if the general extensions to shopping hours which I have recommended are implemented.

It is clear what the Commissioner would have done. All honourable members have concern for people who believe they may be put at a disadvantage, yet I did not hear one member opposite deal with the hundreds of other shops that have been at a disadvantage while these 25 shops have operated.

The Hon. R. C. DeGaris: At the Government's behest.

The Hon. D. H. L. BANFIELD: It does not matter whether or not it is at the Government's behest. Previously, members opposite have not been backward in coming forward if they believed the Government was not doing the right thing. I have heard no complaints about discrimination against the hundreds of other shops that were not allowed to operate. The Opposition is now saying that these shops should continue to have an advantage over other shops. First, honourable members opposite say everyone should have the same rights, but that these 25 shops should have more rights. That is what they are saying, despite their plea for uniformity. Where is the uniformity in this amendment moved by the Hon. Mr. DeGaris?

With the acceptance of the Royal Commission's recommendations in respect to extended trading hours, as embodied in the Bill, the need for any special arrangements for such shops no longer exists. The Bill, as drafted, will place all supermarket-type shops on an equal footing, instead of some having the competitive advantage they now enjoy. No purpose can be served by perpetuating the existing anomaly.

Although petitions have been tabled in another place, we have not attempted to hide that fact. They had been tabled in another place supporting the continuance of the present arrangements, and my colleague in that place has received one telegram and three letters supporting them—one from a man who claimed he has purchased a unit so he can live near a late closing supermarket.

The Hon. C. M. Hill: What about the petitions signed by 7 000 people? Don't talk about one or two isolated cases.

The Hon. D. H. L. BANFIELD: The Hon. Mr. Hill believes it is just for these 25 people to have an advantage over other shopkeepers. He has forgotten about the small

shopkeeper, and he is no longer interested in them. How much have these shopkeepers given to the election funds of the Liberal Party?

The Hon. A. M. Whyte: How much did the big shops give you?

The Hon. D. H. L. BANFIELD: In addition to the three letters supporting the retention of convenience shops, three letters had been received supporting the Government's decision to adopt the view of the Royal Commissioner. One was from the Secretary of the Mixed Business Association, an association that represents, in the main, small shopkeepers. Honourable members opposite are not concerned about small shopkeepers. How the position of the Hon. Mr. Hill has changed.

The other two are from Pete's Serv-Wel Store at West Beach and Independent Traders Pty. Ltd. (which apparently operates Tom the Cheap Stores at Henley Beach and Grange). Both make the point very strongly that hours and restrictions of any kind can be applied equally to all stores, and that everyone must fall into line. There is no doubt that the present situation is an anomaly which advantages some and disadvantages others. It should not be retained and I oppose the amendment.

The Hon. R. C. DeGARIS: I strongly support the amendment, for several reasons. We have constantly been reminded by the Minister that the Government is not going to slavishly follow the determination of the Commissioner appointed to inquire into shop trading hours. Parliament is still the supreme body; Parliament still legislates, and on many occasions when commissions have been set up to investigate matters the Government has moved many amendments to their reports. One of those occasions involved the Licensing Bill, to which the Government finally moved 25 amendments.

Parliament is the organisation set up by society to legislate. If we slavishly followed all the recommendations of the Royal Commission, we would be failing in our task as legislators. In this amendment, Mr. Carnie is not seeking to inflict upon the Government an absolute guarantee that these people will continue to operate. He has asked that the Minister be given a discretion as to whether the shops in question should continue operating in the future. The Minister should take this discretionary power, which I hope he uses as a back-up. There are many grounds for allowing certain stores to continue operating. We have at West Beach one of the largest and most popular caravan parks in Australia which is used by some 400 000 people annually.

If we are to develop tourism, there is a need to have a store that can cater for those people day in and day out. That store does just that. Ministerial discretion was given here, so that, if the Minister looks at this matter and says that that store is meeting a specific need task, he should allow it to continue operating. It is just and reasonable that the amendment does not insist that it stay open; it says the Minister should have a discretion. That is the correct and fair place to leave this matter.

The Hon. C. M. HILL: I support the amendment. The Minister makes accusations about this side of the Chamber not being concerned with the little people but, if he continues with the existing provision as it applies to the shop at West Beach, 85 South Australians will lose their jobs. He has the hide to accuse us of not being concerned with individuals in this society. I hoped that the Minister of Tourism, Recreation and Sport would stay to take part in this debate. One of the main issues involved was the establishment of such shops; it was promoted by the Government in 1973, and the continuation was agreed to by the Government in 1975. Now, when the Government does not have a recommendation from the Commission

that such shops should close, it will close them under this legislation.

The people who use the facilities of the shop in question come from all over Australia. The caravan park is one of the finest in Australia, and one of the largest. People from Victoria and other States telephone the shop and check when it will close, arranging their trips here as tourists, spending money in this State and assisting the tourist industry, all on the basis that they know the existing hours of the shop.

Members interjecting:

The Hon. C. M. HILL: The proprietor can produce letters from tourists from all over Australia to this effect. The Minister whose main objective in this Chamber should be to extend tourism and the tourist industry in this State is chopping off one of his arms by supporting the Government in this legislation.

Members interjecting:

The Hon. C. M. HILL: If his conscience is not pricking him I cannot understand him at all on this matter. It is almost as bad as the Minister of Agriculture's not standing by the producers of red meat. When the whips crack in the Labor Party, when Caucus meets behind closed doors, and when they say this is going to be the issue, and these people are going to have their heads lopped off, despite the promises made by Mr. McKee when he was Minister and by the present Minister in 1975, that is it, and the people opposite are wedded to that decision. If they oppose it they are expelled from the Party.

The Hon. N. K. Foster: And Bert Kelly lost his preselection because Fraser said he had to lose it.

Members interjecting:

The CHAIRMAN: Order! That has nothing to do with the question.

The Hon. N. K. Foster: He started it.

The Hon. F. T. BLEVINS: On a point of order, Mr. Chairman, there is nothing in the Bill about Caucus, Party rooms or anything else. If anyone is out of order, it is the Hon. Mr. Hill, but you will not tell him.

The Hon. N. K. Foster: Tell Charlie to pull his head in.

The CHAIRMAN: Order! The Hon. Mr. Hill specifically made his remark in relation to this matter.

Members interjecting:

The CHAIRMAN: Order! The Hon. Mr. Hill put the proposition that, because of some decision made in Caucus, these people, to use his own expression, were going to have their heads lopped off. The honourable member's introduction of Mr. Bert Kelly had nothing to do with the fact.

The Hon. N. K. Foster: He was talking about preselection.

The CHAIRMAN: Order!

The Hon. C. M. HILL: I am supporting the amendment and trying to convince members opposite that, unless they agree with it, 85 jobs will be lost in one store alone, and 25 shopkeepers will have the axe fall on them in a matter of days when the legislation is proclaimed, even though this Government promised these people that they would be able to continue with their business operations. They will have to close their doors.

It is not only the one store at West Beach that is involved. The main chain of other stores involved originated with one of the greatest South Australian institutions in this trade. It was established by the Rogerson Trust, the old C. P. S. group. Mr. Rogerson established his first store on the western roadway of Central Market in the early 1900's. He acquired an immense fortune, which he has left to charity. Minda Home and other charities benefit by it. The people who

manage that operation have kept up with the times and have changed their system of marketing.

The Hon. N. K. Foster: Is it the same company, mate?

The Hon. C. M. Hill: It is owned by the trust. It is not a company at all.

The CHAIRMAN: Order! The Hon. Mr. Foster must not use the word "mate".

The Hon. C. M. Hill: It is a trust, and the profits are distributed to charities in this State. Keeping up with marketing trends, the trust has established this form of marketing. Because it was unusual, it went to the Government of the day for consent to do that, and consent was readily given. That consent was reinforced only two years ago. This operation is well managed and has deep roots in the South Australian community, yet this cruel Government will bring down the axe on it. If the Government has any conscience at all, it will yield to the case advanced by the Hon. Mr. Carnie and supported by other honourable members on this side. If the Government does not accept our case, it will be going back on its word given in 1975 and it will be lacking in principle. I ask the Government to consider this matter further.

The Hon. M. B. Cameron: If the Government refuses to accept the Opposition's reasonable arguments, its refusal can only be described as vicious. Sometimes we hear talk about misleading advertising. Surely the Government's action in this connection is in the same category: it has misled these storekeepers.

The Hon. R. C. DeGaris: A Government instrumentality advanced money to one of these operations.

The Hon. M. B. Cameron: Yes. I trust that the Government will not take a vindictive attitude, which would inevitably lead to serious losses by people who have operated businesses in good faith. I urge the Government to change its mind.

The Hon. D. H. L. Banfield: The Hon. Mr. Hill expects us to believe that, before 400 000 tourists come to South Australia, they inquire whether a shop at West Beach is open. What a fairy story! That is the greatest load of baloney I have ever heard. He then told us about the Central Provision Stores as though those stores started only when the convenience stores started. The C.P.S. group was operating long before that and is doing all right. Now the honourable member is suggesting that a firm that has been operating since the early 1900's will go out of business because it will not have an added advantage over hundreds of small shopkeepers in South Australia.

How is the C.P.S. going broke in those circumstances? The convenience stores did not get C.P.S. going nor will they close it. Let us not hear any more fairy stories that 400 000 tourists will write to the Minister of Tourism, Recreation and Sport to ascertain whether a shop will be open at West Beach or that the C.P.S. will close down after having operated for many years.

The Hon. J. A. Carnie: I am sorry that the Minister has adopted a rather facetious attitude towards this serious matter.

The Hon. D. H. L. Banfield: I referred to the points made by the Hon. Mr. Hill.

The Hon. J. A. Carnie: The Hon. Mr. Hill said 85 people working in one shop would be unemployed if this measure was passed.

The Hon. N. K. Foster: That's not true.

The Hon. J. A. Carnie: Well, they will lose their jobs in that store. Throughout metropolitan Adelaide 25 such stores operate, and some people must lose their jobs as a result of this legislation. Those stores employ many casual employees, such as housewives and schoolchildren, who work at the stores after school and at weekends. The Government is being intransigent and will not face the

issue. I am not saying that the stores should be allowed to be open (although that is what I want); I am putting the decision back in the hands of the Minister, so that if he wishes to close down these stores he can do so the day the Bill becomes law.

The Hon. D. H. L. Banfield: At which store will 85 employees lose their jobs if the store closes down?

The Hon. R. C. DeGaris: West Beach, where 116 people are employed.

The Hon. D. H. L. Banfield: In one shop?

The Hon. R. C. DeGaris: Yes.

The Hon. J. A. Carnie: The Government's attitude is stupid and is typified by the Minister's interjection. I ask the Committee to support the amendment.

The Hon. D. H. L. Banfield: The hue and cry of members opposite that 85 people will be thrown out of work implies that one store is employing 85 full-time employees.

The Hon. M. B. Cameron: No.

The Hon. D. H. L. Banfield: Perhaps those 85 employees are working for an hour a week each. I ask the honourable member how many hours a week are worked by those 85 employees. Members opposite cry about 85 people getting the sack, but what about the thousands of casual jobs that will be created by opening shops at night?

Members opposite should congratulate the Government for giving extra work to hundreds of other employees who will get casual work as a result of this, instead of trying to imply that 85 employees will be put out of work.

The Hon. M. B. Cameron: The Minister is again running away from the real issue—whether or not these shops should be allowed to open as they have been by Government permission; he will not answer that question or say why he does not want that decision to be made by the Minister, why he wants Parliament to make it. However, the employees at West Beach average 20 hours a week and some of them are full-time. The Minister used exactly the opposite argument to the argument he used when dealing with the problem of late night shopping before Christmas: then he said there would be no casual employment but now he says there will be. The Minister should make up his mind.

The Hon. D. H. L. Banfield: You are the last person in the world to say I should make up my mind.

The Hon. M. B. Cameron: I would not need Caucus to make my mind up for me! The Government does not want to make a decision again at this time; the Royal Commission did not make a decision for it so it wants somebody else to make it for it again. It wants Parliament to make the decision and take the action to close down those businesses that it allowed to remain open. It has not got the intestinal fortitude to do it itself. I urge the Government to change its mind about this amendment, and show that it has a little bit of what is needed to govern this State.

The Hon. D. H. L. Banfield: Here again, the discrepancy between the Leader and the Hon. Mr. Cameron is obvious. The Leader said this should be a matter for Parliament and the Commissioner to decide. Those are the Leader's words. The Hon. Mr. Cameron now says that Parliament should not do a thing about it: it should be left to the Minister. Come on—where are you people going? That is all I ask. We do not know which policy is being followed by members opposite. The honourable member does not know whether to follow his Leader and say that Parliament should accept responsibility. Hundreds of Bills pass through this Chamber each year and amendments are made to them, so Parliament is making up its mind. The Hon. Mr. Cameron has not the guts to stand up to his responsibilities.

The Hon. N. K. FOSTER: Have honourable members opposite forgotten that during a recent State election campaign the Leader of the Opposition announced publicly that he agreed absolutely with the recommendations of the Commission?

The Hon. M. B. CAMERON: I point out to the rather sad honourable member who has just spoken that the Commissioner made no recommendation in relation to this matter. Parliament will make the decision for the Minister and confer a power on him.

The Committee divided on the amendment:

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

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

The CHAIRMAN: There are 9 Ayes and 9 Noes. To enable this matter to be considered by the Lower House, I give my casting vote for the Ayes.

Amendment thus carried.

The Hon. C. M. HILL: I move:

Page 1, lines 20 and 21—Leave out “of which the proprietor is a natural person and”.

I move this and the following amendment in the cause of common sense, because I believe the Government is being too restrictive concerning forms of ownership of these exempt shops. In the legislation “exempt shop” is defined and a list is included of small business and shops that are involved. Many families have small family companies and the business ownership is vested in these corporate entities.

There is nothing mysterious about this; nor is there anything that is in any way a cover up for some big business interest or something beyond what can be foreseen. Small family businesses do exist and, for taxation and other reasons, family companies are the proprietors thereof.

It seems to me that, if a business was involved in such an arrangement, it would not be an exempt shop. Alongside such a shop could be another similar type of shop with a sole proprietor that could be an exempt shop. Simply because there was a different form of ownership of the family company compared to that of a natural person, one shop would be exempt whereas the other would not be. I have therefore moved my amendment to enable a form of ownership like that to be classed as exempt.

Secondly, the Government is limiting such a shop to two employees. However, many small businesses such as this have more than two people in them. Indeed, in many such shops there are three people involved. A delivery service is associated with many newsagent shops. The father of the family could, in the early hours of the morning, be involved in the delivery of newspapers, as a result of which he would not work actively in the shop during normal shopping hours. Often, because of the volume of business, that man could have his wife and daughter working therein so that, in effect, it would be a three-person shop.

If a small operation like that was alongside a shop with only two people in it, one would be exempt whereas the other would not be exempt. That is ridiculous and involves a considerable injustice and unfairness. Of course, this does not relate only to newsagent shops. Some food shops enjoy such a volume of sales that in many cases three people are working in them and, because of that, such businesses would not be classed as exempt.

Because I am an aviculturist, I sometimes visit bird shops over the weekend and at odd hours. In some such shops, the father, mother and a child work and because three people are involved the shop would not fall within this category. I am sure that all honourable members would know of similar examples.

The object of my first amendment is to open the door for a small private family company to be a proprietor and at the same time for that family to enjoy the benefits of that shop being exempt under this legislation. That cannot apply as the Bill reads at the present time.

The Hon. D. H. L. BANFIELD: The Hon. Mr. Hill explained the purport of this amendment, which removes the natural status, and he talks about protecting the small shopkeeper, but the amendment would allow the big shops to set up small shops and put in a manager. It is true to say there are cases such as the examples the Hon. Mr. Hill gave of a husband and wife and other members of a family being called on to work in a shop but I think that the amendment would act to the detriment of the average small shopkeeper.

The Hon. R. C. DeGaris: Many small shopkeepers are themselves a company.

The Hon. D. H. L. BANFIELD: They are, but the amendment also opens the door for the big companies to open a shop and put a manager in, to the detriment of these family shops. They could open a small shop alongside a family concern (which I agree may be a company), and they would be in a better position to create unfair competition with a small family shopkeeper, because they can afford to carry losses for a longer period. For those reasons, I think the amendment would be detrimental to the owners of small shops.

The Hon. J. C. BURDETT: I support the amendment. The proprietorship of the small shops does not seem to me to be at all relevant. Some small shops are operated by a sole proprietor who employs somebody, maybe his wife. Some are operated in partnership between husband and wife. In some cases they may be operated by a family company. The relevant thing seems to be the number of people employed—the size of the enterprise not the nature of the ownership. It would seem to me quite wrong for this Bill, as it were, to dictate how a business should be owned. The Minister has suggested that this would open the door for large shops to buy small shops and put in managers. I suggest that it is unlikely they would be able to find anyone to operate as the manager of a small shop of that kind.

The PRESIDENT: They would have to pay that person a fairly large salary.

The Hon. J. C. BURDETT: Yes, and in the second place the door is already open; they could operate their own business in partnership, even if the Bill remains as it is, and still put in a manager in the same way. What the Hon. Mr. Hill is doing is eminently reasonable, in not dictating the form of proprietorship of a small shop.

The Committee divided on the amendment:

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

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

The CHAIRMAN: There are 9 Ayes and 9 Noes. To enable the amendment to be considered by the House of Assembly, I give my casting vote to the Ayes.

Amendment thus carried.

The Hon. C. M. HILL moved:

Page 1, line 21—Leave out "Two" and insert "Three".

The Hon. D. H. L. BANFIELD: I oppose the amendment.

Amendment carried.

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

Page 2, lines 37 and 38—Leave out "one hundred and eighty-six" and insert "four hundred".

This amendment relates to the size of a declared shop, and we have already had debate on this question. This amendment is ancillary to the amendment moved by the Hon. Mr. Carnie and carried by the Committee. Presently there are many shops that are far in excess of 186 m². A delicatessen-type shop of 186 m² is not a large shop after providing for a foyer and shelving space. One convenience shop is 12 000 sq. ft., and by letter the Government told the operator he could sell that shop and told the new operator that he could continue in that shop. I do not suggest that an exempt shop should be 12 000 sq. ft. or about 1 000 m²; what I am suggesting is that, in the modern context, a declared shop is not a large shop at 400 m².

Although some of the convenience stores already established exceed 400 m², it would be possible to reduce them to 400 square metres and allow them to operate satisfactorily. It would also allow existing delicatessens of about 2 000 square feet to expand. I know several such operators who would like to expand their shops still further to cater for public demand, and it is for that reason that I have moved my amendment.

The Hon. D. H. L. BANFIELD: The amendment seeks to extend the floor area of convenience stores that can operate as exempt shops from 186 m² to 400 m² in order to include within the category of exempt shops certain convenience stores that have been operating without restriction but with the tacit approval of the Labour and Industry Department. Members will be well aware of the difficulties which the department has encountered in the past in connection with the enforcement of trading hours of such shops. These difficulties were acknowledged by the Royal Commissioner in his report. To this end, he specifically stated:

If there are stores now trading illegally (and it seems to me that most if not all of them are) I can see no reason why they should be permitted to now trade legally. If they are now trading legally, I regret that my terms of reference do not permit me to recommend that they be closed because it seems to me that their current trading advantage, though accepted by the community, is not in the best interests of the trade and in any event would not now be needed if the general extensions to shop trading hours which I have recommended (is) implemented.

The Government has given serious consideration to the matter raised by the Royal Commissioner and has acted in accordance with his findings. Consequently, any extension to the size of convenience stores would not be acceptable to it.

The Committee divided on the amendment:

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

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

The CHAIRMAN: There are 9 Ayes and 9 Noes. To enable the matter to be considered by the House of Assembly, I give my casting vote to the Ayes.

Amendment thus carried.

The Hon. J. A. CARNIE moved:

Page 2, after line 40—Insert '(da) a declared shop.'

Amendment carried.

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

Page 2, line 45—After "goods" insert "of a kind used in the sport carried on in or about those premises".

This tidies up the part of the Bill and is consistent with the real intention of the measure. If there are no more than three persons in a shop conducted at, say, a ten-pin bowling alley at any one time, it comes within the exemption (a). However, I have been told that at some shops more than three persons are present at the one time, and they should be exempt only if the kind of goods used at those premises is sold.

The Hon. D. H. L. BANFIELD: We cannot accept the amendment. The Bill currently provides that shops dealing mainly with the retail sale of sporting goods, which are situated in sporting centres, would be classified as exempt shops. The amendment restricts the principal activities of those shops to the retail sale of sporting goods of a kind used in the sport carried on in or about the sporting centre.

The Hon. C. M. HILL: The Minister's attitude is alarming. The Hon. Mr. Burdett has moved the amendment to clarify the obvious intention of the original provision. All it would do is limit the retail sales of sporting goods to goods associated with the sport surrounding the activities of the place. I recall two union officials making representations on this matter. As the Hon. Mr. Dunford knows, members in this side truthfully claim to represent people right across the board. I was surprised that the Hon. Mr. Blevins indicated that he had not referred to the unions and that they had not approached him. They did approach members on this side, and all lobbyists were received. These union officials brought forward the proposal.

The Hon. J. E. Dunford: Who were they?

The Hon. C. M. HILL: They were office holders in the shop assistants union.

J. E. Dunford: Mr. Goldsworthy?

The Hon. C. M. HILL: No. He was in Melbourne and could not attend.

The Hon. J. E. Dunford: You should have told them to go to the Minister of Labour and Industry or to the Government.

The Hon. C. M. HILL: Does not the honourable member agree that any party can come to any member of Parliament?

The Hon. J. E. Dunford: The sensible approach would have been to go to the Minister of Labour and Industry.

The Hon. C. M. HILL: I have my doubts that they would be very enthusiastic about going to the Government.

The Hon. J. E. Dunford: Did they say that?

The Hon. C. M. HILL: No.

The Hon. J. E. Dunford: What makes you say it?

The Hon. C. M. HILL: That is my assumption.

The Hon. J. E. Dunford: We had enough of your assumptions last week.

The Hon. C. M. HILL: I want to remind the Hon. Mr. Dunford, who has boasted several times that he represents people and that members on this side represent the sections of the community who are employers, a point he makes from time to time—

The Hon. J. E. Dunford: You've done nothing since I have been here to disprove it.

The Hon. C. M. HILL: The Hon. Mr. Burdett is doing something at the moment. He is putting the case for the employees in regard to this amendment. They came to him and sought help because they could not get it from the Government.

The Hon. J. E. Dunford: They didn't come to the Government.

The Hon. C. M. HILL: And the honourable member knows why. I agree with the submission that the unionists made in this matter. I was pleased to see the Hon. Mr. Burdett pursue it and place this amendment on file. I wholeheartedly support the amendment.

Amendment carried.

The Hon. A. M. Whyte: I move:

Page 3, line 3—Leave out this line.

This is the first of four amendments which, if carried, will place the sale of meat in the same category as the sale of other commodities. The effect of the amendment is to ensure that butcher shops are not treated differently from other shops and to remove all the the restrictions on the sale of red meat. There has been sufficient explanation in the second reading debate of the anomaly existing in the present Bill.

The Hon. D. H. L. Banfield: We oppose the amendment. This question has been discussed at length during the second reading debate. The general effect of this series of amendments is to remove from the Bill the special provisions relating to butcher shops by treating them in all respects as other shops. The Act would only apply to butcher shops in shopping districts. The present Act applies to butcher shops, wherever situated. The Bill simply continues the existing arrangement; there would be no special closing hours for butcher shops; there would be no restrictions on the sale of meat outside the hours at which butcher shops could be open; and it would be possible for small butcher shops to be exempt shops.

The Royal Commissioner specifically recommended against meat shops being open until 9 p.m. one night a week. I mentioned in my second reading explanation that the Government considers there should not be any extension in the present hours of shops in which meat is sold. There is no point in repeating the reasons.

My colleague in another place has received only two letters on this matter in the Bill. The first was from the Meat and Allied Trades Federation, a letter of congratulation from an employer association. Apparently some associations do not trust the Opposition, so they came to the Government. Obviously, the roles have been reversed on this occasion. The second letter was from the United Farmers and Graziers, which suggested that the question of fresh meat and late night shopping could well be the subject of a special inquiry. The Government will consider this request, but at this time it cannot accept the amendment.

The Hon. R. C. DeGaris: This is one of the most discriminatory clauses in the whole Bill. The Hon. Mr. Burdett explained the general attitude of Liberal Party members to this Bill. If there are to be restrictions on trading hours, the restrictions must be fair and equitable to all concerned. There is absolutely no case that the Government can make to exclude one commodity, which is the backbone of our primary industries, from late night trading. Surveys have been conducted showing that 82.4 per cent of the people surveyed wanted meat available during late night trading, and 17.6 per cent did not want meat available then.

Much has been made of the fact that the Royal Commissioner gathered information on the matter. The Royal Commissioner said that three witnesses, all opposed to the extension of trading hours in meat, had claimed that

the present hours satisfied customer demand, convenience, and need. The Royal Commissioner based his findings on those three witnesses. I point out that the three witnesses had a vested interest in ensuring that shops did not open at night. There is absolutely no case for this sort of discrimination. Either the Government should allow red meat sales during late night trading or it should ban during late night trading the sale of all foodstuffs that compete with meat. The correct move is provided in the amendment: red meat should be available during late night trading.

The Hon. J. E. Dunford: Butchers now start work at about 4 a.m. on Fridays. Butchers are highly specialised and skilled tradesmen who average 47 hours a week and, if this amendment was carried, they would have to work for up to 15 hours on Fridays. Generally, people in the suburbs can get their meat on a Friday during current trading hours or on a Saturday morning. I have not had any complaints about people being unable to get meat.

We support late night shopping because several other foods and services are required by customers. As the Minister has pointed out, employers in the meat industry would not want butchers to work at top speed and top pressure on Friday night because the number of injuries would be enormous. It would be unfair to expect a butcher to work at high speed for 15 hours a day and then front up again on Saturday morning for another four hours. The Hon. Mr. DeGaris is in print saying that he will not allow this Bill to pass unless Friday night shopping permits red meat to be sold until 9 p.m.

The CHAIRMAN: Many Thursday night shops would also be involved.

The Hon. J. E. Dunford: True, we would not have one without the other.

The CHAIRMAN: Friday night shopping applies only to the city area.

The Hon. J. E. Dunford: Yes. I cannot put up exactly the same case as regards Thursday night shopping, but I am making a stronger point as regards Friday night shopping. Butchers would still be expected to work on Thursday nights. Some butchers working in the outer metropolitan area work for large firms and would be required to come into the metropolitan area and work on Friday night. Butchers who now work 47½ hours a week would have to work up to 55 hours a week, including overtime. I oppose the amendment.

The Hon. A. M. Whyte: The butcher's concern is not that he must work late on Friday night but that he would have to start early on Saturday morning. I do not believe he should do so. I am not asking butchers to work extra hours. If one sells a meat substitute one should be able to sell meat whether it is sold in a butcher shop, supermarket or delicatessen. All the stories about employers being upset about this matter do not hold water. I have checked the situation, and there is no real opposition to it except from the Government.

The Committee divided on the amendment:

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

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

The CHAIRMAN: There are 9 Ayes and 9 Noes. To enable the matter to be considered by the House of Assembly, I give my casting vote to the Ayes.

Amendment thus carried.

The Hon. A. M. WHYTE moved:

Page 3, lines 9 to 12—Leave out all words in these lines.

Amendment carried.

The Hon. C. M. HILL moved:

Page 3, lines 35 to 37—Leave out all words in these lines.

Amendment carried.

The Hon. R. C. DeGARIS: In paragraph (b) can the Minister explain the meaning of the phrase "mainly or predominantly the retail sale of all or any of the goods"? How does he interpret that phrase: is it on area or is it on the volume of sale? For example, a person may have an expensive shop, say an antique shop, in which he sold only one article a week for about \$1 000 and there is a shop next door of an inferior type; would that phrase be interpreted according to volume of sale or on area?

The Hon. D. H. L. BANFIELD: It is on volume of sale. Clause as amended passed.

New clause 4a—"Declared shops."

The Hon. J. A. CARNIE moved:

Page 4—Insert new clause as follows:

4a. (1) Where the Minister is satisfied that

(a) the business of a shop, being a business that is mainly or predominantly the retail sale of foodstuffs, was being carried on or before the commencement of this Act;

(b) after the commencement of this Act the business of that shop continued to be the same as or substantially similar to the business of that shop before that commencement;

and

(c) by reason of the operation of this Act, the number of hours in a week during which the business of that shop was carried on during the period of one month immediately before that commencement was more than the number of hours in a week during which the business of that shop may lawfully be carried on after that commencement,

the Minister may, by notice in writing served on the shopkeeper of that shop, declare that shop to be a declared shop for the purposes of this Act.

(2) A declaration under subsection (1) of this section may be expressed to have effect subject to such conditions, limitations or restrictions as are specified in the notice.

(3) Where the Minister is satisfied that a condition, limitation or restriction specified in a notice under subsection (1) of this section has not been complied with or has been contravened the Minister may by notice in writing served on the shopkeeper of the shop concerned revoke the declaration and upon that service the declaration shall have no further force or effect.

The Hon. D. H. L. BANFIELD: I strongly oppose this new clause.

New clause inserted.

Clause 5—"Application of Act."

The Hon. A. M. WHYTE: I move:

Page 4—line 12—Leave out "to—"

Lines 14 to 16—Leave out all words in these lines and insert "any shop situated within a shopping district".

These are consequential amendments.

The Hon. D. H. L. BANFIELD: I oppose the amendments.

Amendments carried; clause as amended passed.

Clauses 6 to 10 passed.

Clause 11—"Variation of Proclaimed Shopping District."

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

Page 6, lines 20 and 21—Leave out "supported by not less than two-thirds of the total number of members of the council."

A council must fulfil certain things before an application can be made to the Minister, and it seems ridiculous that a majority of not less than two thirds of the total number of members of the council is needed to decide whether an application can be made to the Minister.

The Hon. D. H. L. BANFIELD: The Leader has changed his mind, because the provision in the Bill merely repeats the procedure which has been continued in section 227 (4) of the Industrial Code since 1970, with respect to the constitution or abolition of a shopping district. There have been no problems with the operation of the present provision since 1970, and it would seem to be undesirable to change that procedure without the evidence of practical problems concerning its implementation.

The Hon. R. C. DeGARIS: The Minister talks about changes, but the Government amends Bills that were passed even as late as last year. This provision is not necessary.

The Hon. D. H. L. BANFIELD: We have heard people criticised for changing their minds from one year to another, but now it is suggested we should change something. We do not know where the Opposition is because of its different arguments. Has the Leader of the Opposition received any complaints from councils? This provision has operated since 1970, when he supported the Bill, and it seems to me there should not be any change.

The Hon. R. A. GEDDES: I should like the Minister to say whether the following provision is contained in the principal Act:

(5) The council must advise the Minister of the views it has ascertained, upon the subject of the application, of persons resident in its area and of shopkeepers and shop assistants affected by the application wherever resident.

The Hon. D. H. L. BANFIELD: Yes.

The Committee divided on the amendment:

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

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

The CHAIRMAN: There are 9 Ayes and 9 Noes. To enable the amendment to be considered by the House of Assembly, I give my casting vote for the Ayes.

Amendment thus carried.

The Hon. R. A. GEDDES: I move:

Page 6, line 33—Strike out "three years" and insert "one year".

I suggest that the period of three years is an unnecessarily long time in these days of trade and changing circumstances. It was pointed out earlier that areas can change because of a population growth or reduction. Indeed, even the membership of a council can change in less than three years. Even though a previous council may have taken a decision, because of changing circumstances a new council may wish to apply to the Minister for either a reduction or an increase in shopping hours.

The Hon. D. H. L. BANFIELD: The Government opposes the amendment. This provision has been in the Act for a long time.

The Hon. R. A. Geddes: But late night shopping has not been.

The Hon. D. H. L. BANFIELD: True, but this provision has been in the Act for many years, and we have had no problem with it over the years.

The CHAIRMAN: The Minister might have some problems now with the introduction of this Bill.

The Hon. D. H. L. BANFIELD: I am opposing the amendment, because we have had no problems with the existing provision. We have had three applications since 1970, and there have been no problems of any sort.

The Hon. R. A. GEDDES: I am interested in the Minister's argument, but I point out that there could be a set of circumstances in the outer suburbs, or particularly in rural areas such as Whyalla, Port Augusta, Port Lincoln or Port Pirie, necessitating a change which a council or people in the area have not been able to appreciate. It has been said in circles outside Parliament that people in certain rural cities are saying that they will not have late night shopping. They might well convince their councillors and gain the vote of all shopkeepers and the support of the shop assistants in this regard. The question of trade and profitability could well alter the opinions of the traders themselves.

The Hon. D. H. L. BANFIELD: The honourable member is on the wrong clause; clause 11 relates to the variation of a proclaimed shopping district. Clause 12 is the one to which the honourable member should be applying himself. I suggest that we defer consideration of this clause until the other amendments have been dealt with.

Consideration of clause 11 deferred.

Clause 12—"Closing times for shops."

The Hon. JESSIE COOPER: I move:

Page 6—

line 36—Leave out "6" and insert "5.30".

line 37—Leave out "12.30 p.m." and insert "12 noon".

line 39—Leave out "6" and insert "5.30".

line 40—Leave out "12.30 p.m." and insert "12 noon".

Through these amendments I hope to help shop assistants, of whom there are many thousands in South Australia. A majority of shop assistants are women, who will already work one long night. It is ridiculous to provide for an extra half hour as well, when the past situation of closing at 5.30 p.m. has been satisfactory for years. Shop assistants represented their case rationally to me, and the fact that a few sporadic shops in the city which remain open until 6 p.m. will be restricted is not sufficient argument to oppose these amendments.

The Hon. D. H. L. BANFIELD: I oppose the amendments. I am interested to see members opposite showing much concern for shop assistants at this stage.

The Hon. Jessie Cooper: I always have.

The Hon. D. H. L. BANFIELD: I am saying that their situation did not appear to have warranted such consideration previously. Liberal Party members seek unrestricted shopping hours, yet now, despite the Commissioner's finding, they seek a restriction and stipulate 5.30 p.m. closing. This is completely inconsistent with the arguments advanced by members opposite. The honourable member should seek support from her colleagues.

The Hon. M. B. CAMERON: The Minister has forecast exactly the situation that will obtain. I understand the Hon. Jessie Cooper's motivation in moving the amendments, but it is a further restriction of shopping hours and, therefore, I support the present provision and cannot support the amendment. The provision is a move in the right direction and a small step towards what will be the eventual situation when people can make up their own minds. I doubt that many shops would take advantage of the extra half hour in the evenings that would be available, just as many shops are not taking advantage of the 12.30 p.m. closing on Saturdays that has been available for years.

The Hon. J. C. BURDETT: The Minister stated that the Bill reflects one of the findings of the Royal Commissioner. So it does, but there was no evidence to support the finding, which was right out of the blue. No-one can explain why that finding was made. Regarding the comments of the Minister and the Hon. Mr. Cameron, although I agree with the philosophy that there should be no restriction, this Bill is restrictive. Although it extends shopping hours, it does impose several restrictions. If there are restrictions, they must be equitable to everyone. The Bill as it stands is inequitable to shop assistants and, therefore, I support the amendments.

[Midnight]

The Hon. JESSIE COOPER: Finally, one has only to drive from, say, Gawler to the city at 3.30 p.m. or 4.30 p.m. to see the thousands of people leaving their work. Why should only one section of the community, most of whom are women, be the victim of this kind of thing? It is unfair and unjust, and I cannot understand the Government's decision to keep at work so many thousands of people, particularly in the city area.

The Hon. T. M. CASEY: Perhaps you should restrict hotels.

The Hon. JESSIE COOPER: I, unlike the Minister, am not interested in hotels.

The Committee divided on the amendments:

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

Noes (11)—The Hons. D. H. L. Banfield (teller), F. T. Blevins, M. B. Cameron, J. A. Carnie, T. M. Casey, B. A. Chatterton, C. W. Creedon, J. E. Dunford, N. K. Foster, Anne Levy, and C. J. Sumner.

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

Majority of 4 for the Noes.

Amendments thus negatived.

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

Page 6, lines 42 to 47—Leave out all words in these lines.

The provision allows retailers of motor vehicles or boats, during the daylight saving period, to open until 9 p.m. every weekday and until 12.30 p.m. on Saturday. As I have said, I believe that the Bill is one of restrictions and, if we are to apply them, they should apply to all sections of the retail trade. The present provision is not supported by the motor boat trading industry. Further, I refer again to "mainly or predominantly". Does that mean that a person selling motor vehicles and boats can sell other goods in that period?

The Minister has referred to the size of the operation in relation to the volume of sales. There could be a motor retail business with a turnover of \$100 000 a week, that being mainly and predominantly the business. At the same time, the trader could open a shop on any day of the week, or conduct any other operation, as I read the provision. That matter requires explanation. Apart from that, I oppose the whole subclause because it produces a disparity between trading hours in one business and in another.

The Hon. D. H. L. BANFIELD: I think that a case has been made out for the sale of cars and boats being exempted during daylight saving. In that way people will have an opportunity to look at the cars or boats. They may not have made up their mind on the type of vehicle or boat that they want, and under the provision they can look at that without being under pressure. They would not have to go to town on Friday night and rush around. These people are going to purchase a big item and they may be purchasing one for the first time. They do not want to do it

under pressure. They would be under pressure if they had to make the purchase along with shoes and other household goods.

In his report, the Royal Commissioner recommends that new and used motor car traders may open for the same hours as any other non-exempted shop and in addition may open their premises from Monday to Friday inclusive until 9 p.m. during the official daylight saving periods. The main thing is that it is for a specific period only, namely, a period during which there is daylight saving, so that a person will be able to see whether there are any defects in a motor car.

The Hon. R. C. DeGARIS: Is it a fact that a small motor vehicle industry with a turnover of \$50 000 a week could establish a supermarket with a turnover of \$49 000 a week and trade every night until 9 p.m.? The Minister has not answered that.

The Hon. D. H. L. BANFIELD: The Hon. Mr. DeGaris has asked similar questions all day. Let me answer him in a similar way. He said such things just would not happen, and that is the answer I now throw back at him.

The Hon. J. C. BURDETT: I question the Minister's remark. If the subclause remains in the Bill, the argument about convenience stores becomes largely irrelevant. There could be a motor vehicle dealership with a turnover of \$15 000 a week, and \$15 000 a week is quite a large turnover for a convenience store. If anyone wants to open a convenience store and sell anything and trade five days a week, all he must do is buy a motor vehicle dealership.

The Hon. J. A. CARNIE: I find myself on this occasion agreeing with the Minister. He made out a good argument for unrestricted trading right across the board, which is what I have been talking about for a long time. I cannot support this amendment. The Bill is a step towards freer trading in South Australia. I did not support the amendment moved by the Hon. Mrs. Cooper which was bringing in further restrictions, and for the same reason I cannot support any further restriction.

The Hon. M. B. CAMERON: I do not intend to support the amendment, but I heartily support the Hon. Mr. Carnie's comment about the Minister's statement concerning car trading. The words he spoke will be carefully noted and put up somewhere so that, next time a Bill comes in for unrestricted trading hours, we will be able to quote as an argument his words that it is necessary for people to look at whatever they are going to purchase. The fact that it is a motor vehicle is irrelevant. It could be a frock, as suggested by the Hon. Mrs. Cooper. Why should not a woman be able to take it out to look at it in the daylight so that she knows whether it is suitable? I think the Minister has destroyed his entire argument of opposing unrestricted hours in the past by his statement. I shall quote his words back to him some day in the future.

The Committee divided on the amendment:

Ayes (6)—The Hons. J. C. Burdett, Jessie Cooper, R. C. DeGaris (teller), R. A. Geddes, C. M. Hill, and D. H. Laidlaw.

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

Majority of 6 for the Noes.

Amendment thus negated.

The Hon. A. M. WHYTE moved:

Page 7, lines 1 to 4—Leave out all words in these lines.

The Hon. D. H. L. BANFIELD: The Government opposes the amendment.

The Hon. R. C. DeGARIS: Subclause (4) provides:

... the closing time for any shop the business of which is mainly or predominantly the retail sale of meat shall be 5.30 p.m. on every weekday and 12.30 p.m. on a Saturday.

I make the same point again: if a shop can sell mainly other forms of meat, it can sell red meat. That appears to be what the clause says.

The Hon. D. H. L. BANFIELD: Clause 15 answers the Leader's point.

Amendment carried; clause as amended passed.

Clause 13 passed.

Clause 14—"Certain sales lawful."

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

Page 9, line 30—After "goods" insert " , not being prescribed goods within the meaning of section 15 of this Act".

This drafting amendment is intended to give full and proper effect to clause 15, which restricts the after hours selling of prescribed goods. To ensure that full effect is given to this provision, it is necessary to make certain that goods lawfully sold or delivered to any person residing at least eight kilometres from a shop in a country shopping district are not prescribed goods within the meaning of clause 15.

Amendment carried; clause as amended passed.

Clause 15—"Prescribed goods."

The Hon. A. M. WHYTE moved:

Page 9, line 45—Leave out all words in line.

The Hon. D. H. L. BANFIELD: The Government opposes the amendment.

Amendment carried; clause as amended passed.

Remaining clauses (16 to 18) and schedule passed.

Clause 11—"Variation of Proclaimed Shopping District"—reconsidered.

The Hon. R. A. GEDDES: This provision deals with variations to proclaimed shopping districts. A proclaimed shopping district can comprise the whole or part of a council area. The clause provides that a council may apply to the Minister that:

- (a) a proclaimed shopping district comprising the whole or part of the area of the council be abolished;
- (b) the area of any proclaimed shopping district be varied so that it includes or ceases to include the whole or any part of the area of the council;

As this legislation becomes more widely recognised, changes may be considered necessary in proclaimed shopping districts.

The other point about which I am concerned relates to subclause (2), which provides:

An application to vary the area of any proclaimed shopping district shall not be made unless the area of the proposed proclaimed shopping district would comprise—

(a) a municipality;

or

(b) an area of not less than ninety square kilometres.

I have moved my amendment because the Bill must go to a conference for further consideration.

The Hon. D. H. L. BANFIELD: I do not necessarily agree that the Bill must go to a conference.

The Hon. J. C. Burdett: The Government might accept all the amendments?

The Hon. D. H. L. BANFIELD: Do not bet on it. The Government might not accept any amendments, and the Opposition might not insist on its amendments. No problems have occurred in the past; only three applications have been received in the past seven years. I assure the Committee that, if a flood of applications occurs, we will consider the matter. This provision has been in the Act for many years, and the Government is not willing to accept the amendment.

The Committee divided on the amendment:

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

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

Pair—Aye—The Hon. M. B. Dawkins. No—The Hon. J. R. Cornwall.

The CHAIRMAN: There are 9 Ayes and 9 Noes. To enable the amendment to be considered by the House of Assembly, I give my casting vote to the Ayes.

Amendment thus carried; clause as amended passed.

Title passed.

Bill read a third time and passed.

ADJOURNMENT

At 12.24 a.m. the Council adjourned until Thursday, November 17, at 2.15 p.m.