The Hon. L.H. Davis interjecting: The President: I do not bear a Chamber of Commerce and other people saying, 'We want you people to make up your mind in the Lower House.' No, they were all sitting back waiting to see whether they could slippery your decision in the Lower House. No, they are not getting it and they will have to sit until February 19th. We are going to get the Minister, 'We will do you, we are going to see you do slowly.' I support the second reading.

The Hon. CAROLYN PICKLES secured the adjournment of the debate.

PARLIAMENTARY COMMITTEES (PUBLICATION OF REPORTS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 November. Page 737.)

The Hon. J.C. BURCHETT: I support the second reading of the Bill. The Bill provides that, if more than half of the members of a committee—whether a final report or an interim report—is adopted by the committee until the next sitting of the House, the committee may present the report to the President of the Senate or Officers of the Parliament's appointing House or Houses; and the President of the Senate or Officers of the committee may offer consultation with the committee authorise the publication of the report. prior to its presentation to the committee's appointing House or Houses.

A report so published will be deemed to be a report of Parliament and, therefore, it will be open to all members of the committee that it replaced the ability to examine the additional responsibilities given to them. My opinion is that in the case of the Social Development Committee, I can only welcome it.

It was pointed out in the second reading explanation that it is not in the interest of the committee members to have a report within a committee that has been appointed by the House of Representatives or Officers of the Parliament of Parliament, the House that has appointed the committee, will prepare a draft report for the committee and, as long as the committee is in the committee's appointing body, it cannot publish a report without the committee's permission. However, if the committee eventually receives a report that is not published by the committee, the report will be deemed to be a report of Parliament and, therefore, it will be open to all members of the committee that it replaced the ability to examine the additional responsibilities given to them. My opinion is that in the case of the Social Development Committee, I can only welcome it.

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Clause 13: Powers of the Authority—This clause provides that the Authority has the power to ensure or incident or incidental to the performance of its functions and may, for example—

- enter into any form of contract in accordance with the Act;
- employ staff or make use of the services of staff employed by the Authority;
- enter into any form of contract in accordance with the Act;
- engage consultants or other contractors;
- enter into any contract in terms of which such person may be employed in the provision of services to any employer.

Clause 14: The Dairy Authority Administration Fund—This clause provides that there is to be a fund called the Dairy Authority Administration Fund which consists of all fees and charges recovered under this Act, all penalties recovered for any offense against this Act or any other money appropriated by Parliament for the purposes of the Fund. The fund is to be applied towards the costs of administering this Act.

Clause 15: Accounts and audits—This clause provides that the Authority must keep proper accounting records of its income and expenditure, and must, at the conclusion of each financial year, render accounts for that financial year. The Auditor-General may audit the accounts of the Authority at any time and must audit the accounts for each financial year.

Clause 16: Annual Report—This clause provides that the Authority must, on or before 31st October in every year, forward to the Minister a report on the administration of this Act during the year that ended on the preceding 30th June. The report must include the auditor's report on the Authority's financial year and must be laid before Parliament within 14 sitting days after receipt by the Minister.

Part 4 of the Bill (Clauses 17 to 27) deals with the regulation of the dairy industry.

Clause 17: Licences—This clause provides for licences of the following classes:

- dairy farmer's licence;
- processor's licence; and
- vendor's licence.

Clause 18: Issue of licence—This clause provides that the Authority may, on receiving an application for a licence, issue the licence.

Clause 19: Licence fee—This clause provides that a person who holds a licence must pay periodic licence fees in accordance with the regulations and if a periodic fee payable by the holder of the licence is in arrears for more than 3 months, the Authority may, by written notice given to the holder of the licence, cancel the licence.

Clause 20: Conditions of licence—This clause provides that a licence may be issued on such conditions as the Authority determines and that the Authority may, by written notice to the holder of a licence, add to the conditions of the licence or vary or revoke a condition of a licence. A person who holds a licence who contravenes or fails to comply with a condition of a licence is liable to a fine of $5,000.

Clause 21: Transfer of licence—This clause provides that a licence may be transferred to another person or the Authority may, on the recommendation of the Authority, vary or revoke a condition of a licence.

Clause 22: Revocation of licence—This clause provides that the Authority may revoke a licence if the holder of the licence ceases to carry on business in respect of which the licence was issued on the holder of the licence contravenes or fails to comply with a condition of the licence.

Clause 23: Price controls—This clause provides that the Minister may, on the recommendation of the Authority, publish an order fixing a price for the sale of dairy produce of a specified class. An order under this section—

- may apply generally throughout the State or be limited, in its application, to a particular part of the State;
The Hon. K.T. Griffin: I am being serious—

The Hon. K.T. Griffin: To be serious about that interjection, as I understand it, the objection to so-called 'topping' is that it is not the job of a person's private body, whether it be a shop or otherwise. If one talks about partial nudity, one has to relate the term to an exposure to the public, I think. My personal view applies to 'transparent clothing' because one can have transparent clothing that does not necessarily expose any part of the body in any way, shape or form. There has been an expression.

The Hon. Barbara Weiss interjecting: It is Government policy to be short. I am simply flagging—

Members interjecting: The Hon. K.T. Griffin: You can talk about it later.

That is what I understand to be the concern. If you talk about partial nudity, one can then extend that to the stage, to the Australian Dance Theatre. As an honourable member interjecting—

The Hon. K.T. Griffin: It may be perfectly proper, but I am saying that the breadth of this clause is such that a dancer who is covered by the relevant industrial award is required to work partially nude. If the Australian Dance Theatre is okay, fine. I am just trying to raise the issue that employers have raised about the potential for this to be the subject of litigation. It seems to me that one focuses on the real concern, it is more likely to limit the extent to which their might be litigation, and the same in relation to transparency. We can have transparent clothing that does not expose those parts of the body whose exposure is causing the particular concern.

The Hon. K.T. Griffin: It was before the exposure of a part of the body was raised at the ALP State convention and, as I understand it, the Attorney-General was one of those—

The Hon. K.T. Griffin: No. The Attorney was suggesting that this should not be the subject of litigation, but the State legislation, at least on an earlier occasion, but the State convention did take the decision to move in the direction encompassed in this Bill. It is interesting to note also that the Adelaide Festival was held in July 1989 in its editorial that is referred to 'moral totalitarianism', referring to—

The Hon. R.L. Olson: The Hon. K.T. Griffin: No, this is 1989—a view opposed to so-called 'topless waitressing.' I refer also to a later editorial in the Australian Picklebox on 8 October 1993, and which say, 'Bar workers should not be sex objects,' and which says that the decision was made that point that we do not support that limitation and will be moving to extend it. Further, that is the recent International Labour Organisation convention which was adopted on 13 November, whereas the Federal Government's decision was made on 18 November 1992. Therefore, it is clear that there is a difference, or whether or not it should be in this legislation and, as I indicated, everyone knows my views on the point.

The Hon. T. Crotwell: We will come to that when I make my contribution.

The Hon. K.T. Griffin: That's fine. Honourable members will be pleased to know that there are not many other matters I wish to make—

The Hon. K.T. Griffin: In addition to those general provisions which presently have a bearing on the Federal level, I will be asking some questions about that in the Committee stage, particularly about the relationship between these provisions and section 25a, which allows the Industrial Commission to make some generally applying provision across the State, and also I understand there is some inconsistency with the Federal legislation. The Commonwealth, and I would like to know why the Government has decided to follow a New South Wales provision for family leave rather than the Federal legislation.

The other only matter concerns the question of conscientious objection. My colleague the Hon. Rob Laidlaw has mentioned in detail, suffice it to say that there had been representations made to us in several areas where I believe there is some merit in seeking to clarify the position of the Commonwealth on freedom of association principles, and that workers ought to have a choice, and if they wish to join a union they can do so. It is interesting to note that there were unions as small as 100, and another of 30, that were held not to necessarily in the ILO convention.

The Hon. K.T. Griffin: I am being serious. In respect of all agents, there is a provision for a more formal procedure for establishing a registry of agents. In the legislation there is a provision that withholding power which enables them to select standards to be set and discipline to be applied. I think that it is an area that does need some amplification and why, with the reference to Section 44, in respect of the clarification of the difference between the registered agent and an agent, whether agents employed by unions and employees or by employers. The procedural proposals by which agents will be recognised, the code of conduct by which they will have to comply, and the procedures for their formation and disbandment. There is a concern among employers about the requirement (under clause 52) which stipulates that employers must keep certain supervision records. The Chamber of Commerce and Industry is of the view that the provision is unnecessary absolutely, given that the recording requirements under supervision is necessary. The Chamber of Commerce and Industry is of the view that the provision is unnecessary absolutely, given that the recording requirements under supervision is necessary. The Chamber of Commerce and Industry is of the view that the provision is unnecessary absolutely, given that the recording requirements under supervision is necessary. The Chamber of Commerce and Industry is of the view that the provision is unnecessary absolutely, given that the recording requirements under supervision is necessary. The Chamber of Commerce and Industry is of the view that the provision is unnecessary absolutely, given that the recording requirements under supervision is necessary. 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and provision is made for the industry to fund the research and development of the equipment.

The last time that I can recall debating a dairy bill was when we considered section 2 of the Metropolitan Dairies Act 1976. Debate then was about giving the Minister power to declare a maximum only price for milk if the industry was threatened with a price war.
has been developed is that the producers around Australia have been buying that milk at manufacturing price—approximately 20c a litre—and that has given them to understand the product and has allowed them to still sell the product at a price that makes flavoured milk competitive in the soft drink market. That is very important to the development of this milk industry in Australia, particularly in South Australia, because both major producers in the State are very active in the flavoured milk market and their names are well known.

Beginning with the Kent plan at least 10 years ago, attempts have been made to rationalise the dairy industry Australia-wide, and I welcome these attempts. Nationally we are looking at the long-established price which the producer gives for his fresh milk, and there will be a negotiated price for the manufacturing milk. That will not vary much within the major dairying States in Australia. What we are trying to achieve in Australia is a universal farm gate price so that milk can move freely across borders. At present in South Australia there are three distinct areas, and milk cannot move amongst these. The aim around Australia is that fresh milk and manufacturing milk can move flavoured milk, which will become a bigger part of our dairy diet in the future, will be bought at a price that makes it competitive.

At the end of the day, with all that deregulation going on, it is done in a commonsense way, the dairy farmer in Australia, and most dairy producers in South Australia and Victoria, I believe, average farm gate price that not only makes their industry viable on the local market but that also makes it competitive in the export market. I have always liked the fact that, when you look into, at the various production areas around South Australia as they are divided up in the South-East, the Riverland, the Mid North and other areas within the State and some of their production costs and returns per hectare and per cow, one sees that that may change dramatically in the years between now and 1995, although it may not be dramatic at that stage.

However, by a domestic area of daily milk market, there will of course be a different mixture because different calculations will be made and, with the reality of the year 2000 in mind, the best and most efficient place in South Australia to produce milk, bearing in mind that, as with the international market, is in a smaller area of the production area in South Australia where there is a domestic market, say, the South-East. However, they say that that milk is being commercialised to the highest degree, so it needs to be seen somewhere else.

I had a 20 cow dairy at one stage with a ridiculous situation of Freisian dairy cows producing cream for the local cream factory, with milk coming out of my ears. I also had pigs which I was fattening and breeding with this exact interest in having in the dairy industry in a very small way years ago, I had a sheep farming for many years. But all of the time I was a farmer, who, with his wife, get up at 5 a.m. and who finished their work at 7 p.m. seven days a week. At the end of two or three years, I said to them, "Do you want to go out? I calculate that your average hourly work is bringing you 20c an hour. Although you love the animals and you are doing a fantastic job and I will support you to get your milk to Melbourne, Warrnambool or wherever. That is important. With all this in place, one further thing must happen; they must make sure that the milk is produced under certain limits which is a licence applying only to milk of bovine animals. Both are identical to amendments on file from the Deputy Prime Minister and Minister for Agriculture and the Opposition in another place.

We have not been able to debate amendments that we can debate more fully in the Committee stage. One refers to the authority to be constituted by this Bill. There will be a different authority. Also, in the Committee stage we have been taking place about what should go into the Bill which will finally become the Act. That has caused a tremendous amount of work for the Minister, his staff and the South Australian Dairy Farmers Association.

I pay a tribute to the Minister and his staff for the way in which the Opposition has been able to cooperate to ensure that we get the Bill into a form that is acceptable to all parties. The agreement between the two companies and the South Australian Dairy Farmers Association has not yet been signed, as I understand it, but it is important that I place it on the parliamentary record again, in this Committee stage, that we know the sort of outcome towards which we are working.

There are still a couple of minor sticking points, but they should be resolved before too long. I will read into Hansard the tentative agreement, because this is one of the things that will see the Bill through. The tentative agreement states:

Industry recommendations to the South Australian Minister of Agriculture will be in line with the Minister's interest in new legislation arrangements:

- there will be no organisation to make the whole price of milk; for milk, in fact, nationally, the aim is that by the year 2000 the farm price for market milk will be taken away and the industry will then be completely deregulated. As I have said before, that is difficult.

- not only in industry in favour of deregulation, but it also must be done in an orderly fashion, and that is a sensible proposition for dairy farmers and their representatives with the Federal and State Governments, for that target of the year 2000.

In this State, this Bill will provide for a common farm gate price for the fresh milk supplied before the wholesale price is deregulated. The fresh milk price is the price at which milk in lots of 1c a litre, is fixed. The reason, as we present we have the lowest wholesale price of milk of any State in Australia. There is a degree of competition on wholesale and retail prices in South Australia to cut and the ceiling which has been controlled. We have total control on wholesale and retail prices in South Australia to cut and that has been good for the consumer and the retailer with the rest of Australia. This 1c rise each year will bring us more in line with what is happening in the industry.

It is interesting that the authority set up under the Bill will determine the farm gate price, which will not be a market price, taking into consideration what the farm gate price is in Victoria, so that managers to live off the price being paid in both States and give them a much better basis on which to organise itself. It also, most importantly, allows a free flow of milk between the States because, if the market price is the same, there may be producers in the South Australian area who will not sell their milk to Melbourne, Warrnambool or wherever. That is important.
As to subclause (7) (b), a decision of the authority can be reversed by a three-member panel of the authority—that is, three—express their concurrence in writing. A telephone or video conference between members of the authority is absolutely prohibited. I accept both those provisions, but I claim that there are telephone hearings of the authority. I claim that the members appearing on the telephone or video conference before the authority are an unchartered territory. They are not the matters that the Minister has ever required to have a meeting only with two members. There is a different situation. If the matter involved is of some complexity, and another meeting will have to be decided to decide the issue. It is a small compromise to make if the authority is not remained comprised of three members. Local government is in this arrangement, where, if the members are equal, the Chair, opposed to a contractor with a mayor, does not have their power and the matter is not resolved until a subsequent meeting. Those we are talking between 13 and 14 people who potentially will be at the meeting. My fourth amendment is to clause 21 which deals with transfer of a licence. A licence may be transferred with the consent of the authority. My amendment is in line with the provisions of the Dairy Industry Act of 1928, which we are reporting. We have been given no advice that that provision did not provide any work in that old Act. If the Bill now before us is about to be work, it may be a question of its necessity. As clause 21 provides, a licence may be transferred with the consent of the authority. Clause 21 now is a starker, I would say, a much more a responsible and power to investigate and sit in judgment on prospective nominees seeking over an existing licence. In the other place the Minister of Primary Industries said:

I am not prepared to remove the amendment at this stage. I have not dissipated the amplification of it with the industry. I do not think it will take all that long to do so, it is a matter that will be removed definitely one way or the other before it goes to the Upper House. The Minister said that he erred on the side of caution when rejecting our amendments. I can only say that I do not anticipate any advice from the Minister regarding this amendment and I am not aware of any advice from the Minister that the Government will produce its own amendment or accept our Co-operators. We ask the Minister at the time of the Bill to give some explanation of what the Minister of Primary Industries has been through in relation to further consultation, which he very clearly said that he would have to just have some more consultation. I have had some limited discussion about clause 23, which is the scope of clause 23 comes to amended by the Minister of Primary Industries. To put this matter into context, I shall quote from the amendment moved by the Minister of Primary Industries, the Hon. Mr. Groom.

In debate, Mr. D. S. Baker said:

The Hon. Mr. Groom said:

We want to know what the position is, with the Minister having had some days to consult and think about what was put in it in relation to the Bill. Finally, the Opposition and the Democrats have received advice from the South Australian Dairy Farmers Association that they have a number of advisory and consultative committees. The South Australian Dairy Farmers Association advice to me is that the history of dairy production and the dairy industry over the past few years would suggest that there would be a great benefit to the industry and the Government in having one such committee. The Act is certainly envisaged by the Act. They have suggested a structure for a consultative committee consisting of 10 people. We have three people, one of the three major processors, one dairy farmer, the dairy farmer's representative, and one person, the retailer and one union representative—and I venture to suggest that there is a place there for a consumer. It would be funded by the budget of the authority.

I am not sure what the statutory requirements or linking to statutory control and overview would involve. I am not sure whether it can be done as it is now, whether the authority can set up a consultative committee and fund it, or whether it needs to come back in us, and its role would be, as suggested by SADA, to act as a forum for industry development and regulations to advise the Minister on policy development, and also provide a forum for regular industry consultation and to establish a code of practice.

Clause 28 provides: 'The Minister may establish a committee or committees. The Opposition and SADA want to see that there is a consultative committee for dairy farmers. The consultative committee will be set up and not 'may be', I have no need to set out on the preparation that has been evident between SADA and the Minister. A consultative committee will be set up. The Minister referred to that in another place. There may be one or two consultative committees for any Minister not having to have a consultative committee. I am looking for an assurance that a consultative committee will be set up. I support the fact that the Bill does not seek to be prescriptive in this instance, but I urge the Minister to encourage the setting up of the informal consultative committee and I am confident that he will.

It is heartbreaking to observe the progress, albeit slow, in sorting out various protective measures under GATT. I have had to give way to the reference in that and it is the French attitude. When I put down this thought yesterday it was just through that 28 days on the GATT regime in the World Trade Organization. I am happy to pay credit to the Federal Government for its determination and I am confident that he will be, as some of us have seen for a long time, that it is convincing that this is one of the best avenues for lifting productivity and incomes, particularly, dairy farmers and this efficient farming industry. We have the problem of only a small domestic market and have to get rid of an enormous excess production. GATT countries advice is that they cannot afford to go on subsidising their rural products to a point where they over-produce so that they then have to be supplied to our farmers or in our domestic market. Once they win that philosophical battle, the work done by the Federal Government as far as the GATT and other rounds of negotiations are concerned will be an advantage to the Australian farmers that will flow through to the processes of milk and cream.
know that the Hon. Mr Elliot would take up that point with regard to oranges and fruit juice imports, as presented in question 6. I know, however, that the public is marketing better than secondary production and I am sure that the focus of attention will be on volume and not on price.

An independent industry consultant estimates that farm business incomes on identified properties could rise by 15 per cent, with employment rising by 50 per cent. He notes that the introduction of the GST, the abolition of wholesale sales tax, fuel excise, payroll tax and tariffs set to negligible levels. A 15 per cent increase in the number of people is predicted and the average per person increase is 11 per cent. That was the same used by the department on an annual survey basis. When I say that the herd size increased to 109 cows, I did not measure the whole State but rather amongst the surveyed group.

In that group, which would be representative of the industry, they had a per cow increase. Milk was up 57 litres per cow or 12 per cent, kilograms of butter fat increased by 17 per cent and kilograms of protein increased by 21 per cent. I am unable to give an analysis of the total State or regional trends. I understand that there is a problem for changes in the market and we must be prepared to change with a new generation of products.

While the latest information is that production costs, at least at the farm gate, are declining slightly due to a number of factors including genetic improvement and farm efficiency, production costs are still too high and return on capital is too low. In 1991-92 the average herd size increased by 11 per cent, with 95 cows to 109 cows and the average per cow production increased. That was on the sample used by the department on an annual survey basis. When I say that the herd size increased to 109 cows, I did not measure the whole State but rather amongst the surveyed group.

In that group, which would be representative of the industry, they had a per cow increase. Milk was up 57 litres per cow or 12 per cent, kilograms of butter fat increased by 17 per cent and kilograms of protein increased by 21 per cent. I am unable to give an analysis of the total State or regional trends. I understand that there is a problem for changes in the market and we must be prepared to change with a new generation of products.

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reminded me and of which all nations should take note to some extent.

There are just a couple of matters to which I will refer during the second reading debate and to which I hope the Minister will respond. In relation to clause 21, I note that the Minister, in Committee, said he wished to make this clear explanation as to how the transfer of licences is to be handled by the authority, and that this is in preparation for more detailed discussion on this explanation of my mind. The Minister, I think it was, said he might have an amendment in relation to that clause, which he felt was wanting in the present circumstances and that amendment that perhaps takes us back to the situation that existed under the old Act. It is a matter of only minor importance but, in relation to price control and equalisation schemes, I will be moving amendments to make clear that they relate to milk only from bovine animals, in other words, cows. This is because it appears to me that it is likely that there will be licensing of dairy industries other than simply cows. Already it involves a number of primary producers, selling a number of products from goats and other products from goats' milk, and there are also a couple of primary producers now milking sheep.

I suggest that we would want to license those dairy animals in my mind and I am looking at standards, but I would not expect price control mechanisms or the equalisation schemes to apply to those animals. Moving amendments to make clear that that is the case.

I also want some clarification in relation to clause 25, which refers to the guarantee of the farm gate price. I do not think that we are making any estimate at standards, but, indeed, I would not expect price control mechanisms or the equalisation schemes to apply to those animals. Moving amendments to make clear that that is the case.

If we are talking about the situation in the Riverland where there were the minimum pricing scheme for grapes some years ago and they are looking at something similar now, we would pay the minimum charge but then pay quite incredible freight rates to move the grapes around. I want to make sure that the government can do the right thing for the farmers, and there is no indication that is included in the has no indications that is included in the former proposals.

My thinking is that the need for take account of location, and it does so currently through experience and, of course, Division III of Part IV still has an equalisation scheme. As I understand it, it is the intention of the dairy industry to use the equalisation scheme to take account of location. I hope that the setting of the farm gate price will be such that some dairy companies do not pull a short hook on and try to charge exorbitant freight rates. I do not think we can do that, but I certainly want the Minister’s advice that that cannot occur.

I will rise in the second reading debate relates to the consultative committee. The Hon. Mr. Irwin received a copy of a letter that the SADC sent to the Minister under his name and he has essentially sort of read in the response that it sent me in, particular his requirement to see a consultative committee set up. I believe that the SADC would have liked to be set up under the legislation itself.

As I understand it, it has been inordinately difficult to get the various sections of the industry to sit around the table, and the chairing of a small committee to move ahead. They think their great hope was that a consultative committee set up under statute would be one way of ensuring that the various groups do sit around the table.

There may be other matters that I will raise in Committee. I note that the legislation, and we are pleased to see that the metropolitan milk zone will be the same, and that the equalisation of regulation will be maintained in the industry. It is at least guaranteed that the farm gate price will remain until the amendments are made.

The Democrats would like to see the farm gate price continue indefinitely and they are there other commodity groups for which it could be argued we should be doing it. However, in the light of how much business we have to get through this week, I will not extend that debate at this time. As I have indicated, there will be amendments of a relatively minor nature that we will move in Committee.

The Hon. BARRIKA WIESE (Minister of Transport Development): I think honourable members for their contributions to the debate. A number of issues will be raised in Committee, so I will not address all the points made by the members of the opposite party in the course of the debate. I, of course, because we can deal with them in the Committee stage.

However, I wish to deal with the point that I think I can deal now. Two of them were matters that were raised by the Hon. Mr. Irwin, and the third was one of the issues raised by the Hon. Mr. Elliott. First, the Hon. Mr. Irwin raised the question whether the Minister of Primary Industries actually has power to direct. As he indicated, it is the function of the authority to nominate proxy for authority members. We put it to the Committee that if the authority cannot raise these original members or two original members and one proxy, or one original member and two proxies (whatever the combination), the chair of the meeting should not have a casting vote but only a deliberative vote.

If that does not resolve a matter at a meeting when only two members are present, they should go away and consider the matter at another time—the next day, for example. At the next meeting the matter can be resolved. I will not go on to deal with any other points that I mentioned, but I indicated in the second reading debate that we considered going along the path of increasing the authority membership to six members, of course, that was not done, to give more representation, on the one hand. On the other hand, there is the question of whether those people should represent, but giving a higher number from which to pick a chairman where this would not become a problem. We decided not to go on along that line, because we are helping the Government to deregulate. A small authority is best in our way of thinking, and we just want to take that final powerful step at this stage in line in chair in case only two members are at an authority meeting.

The Hon. BARRIKA WIESE: The Government obviously does not believe it is necessary. We do not anticipate that the circumstances will be a matter very often when there will be only two members present. However, the government did arise then the Government believes that the business of the authority should be allowed to proceed and that there should be the capacity for the authority to be conducted. I might say that if this new authority works in a way similar to the old, then the need for a vote is likely to occur very rarely, and I think generally there has been the case since the Metropolitan Milk Board was introduced. It has been the preference of the board for decisions to be made by consensus wherever possible, and so the need for votes is very rare. This is another matter that we think that the board of the new authority. The concern being raised in relation to these circumstances is that there would be a need for such a vote, the Government believes that the ability to resolve the issue should be there in the event that not all of the members are present to enable the business of the authority to proceed. For that reason we oppose the amendment.

The Hon. M.J. ELLIOTT: The Democrats support the amendment. There may be very few occasions where this would eventuate—in fact it would be extremely rare—and when one considers that not does each member of the authority have the capacity to have a deputy but also, under clause 116 the authority has the capacity to have a telephone or video conferencing. There simply is no excuse, where there is a one vote, in putting one member making a decision to the board of the whole authority. I think the amendment, in the light of the absence of depots and also clause 116(6), is a very reasonable one and I will support the Amendment carried; clause as amended passed.

Clauses 13—14 passed. Clause 15—Agreed to without a debate.

The Hon. M.J. ELLIOTT: I move: Page 22, line 18 and 19—Leave out "and, if the votes are equal, the member present at the meeting may exercise a casting vote." This amendment deals with the casting vote of the president at any authority meeting. In subclause 4(2) the provision where, if votes are equal, the member president of the meeting cannot have a casting vote. There is to be no casting vote or deliberative vote. If there is a quorum two members out of the authority and if there is a 1:1 vote under any amendment there would not be a decision. There is to be no authority to nominate proxies for authority members. We put it to the Committee that if the authority cannot raise three original members or two original members and one proxy, or one original member and two proxies (whatever the combination), the chair of the meeting should not have a casting vote but only a deliberative vote.

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Clause 20.—Conditions of licence.

The Hon. J.C. IRWIN: I was not going to ask any questions on clause 20 until the Minister in his second reading reply indicated that clause 21 and I think clause 25, 26, 27, 29 would be dealt with under a price control. I have referred in the second reading debate to the matter of price control as it relates to clause 21, the Minister would also have noticed that I have an amendment on file to clause 21, which affects the transfer of a licence, and I will speak to that later. If the Liberal Party is successful with its amendment to clause 21 it will mean that when a property changes hands the licence will go with it. Would that the condition of a licence in clause 20, would change, if a licence moves from one property to another? Will a different condition apply to that licence held by the new property owner?

The Hon. BARBARA WISE: I was advised that if such a transfer took place it would affect the conditions that apply under the licence.

Clause passed.

Clause 21.—Transfer of licence.

The Hon. J.C. IRWIN: I move—Page 9, after line 5—Insert after the present contents of clause 21 (new to be designated as subsection (1)) the following subclause:

(2) The authority's consent is not required for the transfer of a dairy farmer's licence where ownership of the dairy farm to which the licence relates changes and, in that case, the Licence will be transferred on notification to the authority of the change of ownership of the person by whom the dairy farming business is conducted.

I outlined this matter in my second reading speech. The intention of this is to add to clause 21 the provision as outlined above. Quite simply, the Opposition believes that in a deregulation sense there is no reason why the old conditions that were in the Act of 1928, which we are repealing by this Bill, cannot be transferred here, where the authority does not have to make any intervention when the licence moves from one farmer to another. Unless the Minister can give good reasons, we cannot see any reason for the authority needing to intervene in the purely commercial business transfer of the farm from one person to another.

The Hon. BARBARA WISE: The Government opposes the amendment. The Minister in another place indicated some reservations about it when the matter was raised there, although he indicated that he would want to consult the industry about such a provision. I understand that the industry supports the provision that the authority needs to intervene in the purely commercial business transfer of the farm from one person to another.

The Hon. M.J. ELLIOTT: The South Australian Dairy Farmers Association did not ask me for any change here, although it would be fair to say that it questioned how precisely it would work. Will the Minister give a more definite answer as to why this option is preferred over the way things were done under the old Act as opposed to what is proposed under this amendment?

The Hon. BARBARA WISE: As I understood it, there has not been a huge amount of discussion one way or another on this matter. I understand that the purpose of the provision is to ensure that at the changeover of a licence an opportunity is provided to inspect the quality of the buildings and reassess the conditions of a licence. Generally that idea is supported by the dairy industry.

The Hon. M.J. ELLIOTT: No consultation has been undertaken by the Minister with dairy people concerning this. The Minister wished to err on the side of safety and I admire him for that as it did not accept the same amendment in another place. I strongly believe that no reason exists for the inspection of buildings or facilities on that holding that has the licence which cannot be carried out anyway by other people connected with the dairy industry or the health authorities connected with the production of milk. It is an intrusion to have the authority sitting in judgment of the transfer of my property to someone else to carry on with the dairying licence. I do not want to put them in a position of having to sit in judgment on whether the new owner has the money or the expertise or will be a good or bad person in the industry. The three reasons, therefore, the authority should not have that thrust upon it for any reason. I have been given any reason why it needs such power other than to look at some buildings of this nature. The authority should sit in judgment on the proper commercial transaction between the person selling the farm and another buying it.

The Hon. BARBARA WISE: To correct the misunderstanding that the honourable member seems to have about what sort of monitoring is undertaken in accordance with this provision, I point out that no intention exists whatever for the authority to judge as to their suitability for being involved in the industry or to check in any way on their financial capacity. The purpose of these provisions is to allow for a check to be made on the suitability of buildings, facilities and so on: that is what the licence is for. It is licensing the property or facilities and no intention exists to intrude on what might be considered the private business affairs or character of individuals involved.

The Hon. J.C. IRWIN: The Minister could conceivably grounds exist for that to happen if an antagonistic majority on the authority does not like a person who will get a licence or become bigger by accumulating more licences. It is possible that there could be some antagonism towards that and therefore some vague nitrogen precautions. I am hoping that everything goes well and there will be no problem, but there could be a problem in this area. It could follow that, with the inspection of the buildings, draconian measures will have to be taken by the new owner before taking over the licence as it may come through the authority. If the authority continues to say that the buildings or facilities are not good enough, there appears to be no appeal mechanism or any way of settling out the matter if it becomes a nasty incident. I hope that it does not get to that, but the Minister must agree that it could. I am happy to accept the Minister's prior explanation that I was probably going too far in what I thought the authority could do in so far as intervening with the selling. I am happy to accept her explanation on the matter.

Amendment negatived; clause passed.

Clause 22 passed.

New clause 22a—Application of division.

The Hon. M.J. ELLIOTT: I move—Page 9, after line 13—Insert new clause as follows:

22a. This division applies only to milk of a bovine animal or dairy produce processed from milk of a bovine animal.

I referred to this during second reading. I have no problems with the licensing of goat and sheep farmers for the production of milk, but I see no point in their being involved in price control and equalisation schemes. The amendment makes quite clear that it relates only to cows.

The Hon. BARBARA WISE: The Government opposes this new clause. There was some discussion about this matter in another place when amendments were moved relating to the definition, although the intention was similar. I understood that the Minister had no intention of applying either the pricing or equalisation provisions to sheep and goats' milk farmers, but there is a possibility that sheep or goats' milk could be mixed with cows' milk and circumvent the provisions of the legislation. With that argument, it is possible for a possibility that consideration is more appropriate to stick with the Bill. The Hon. J.C. IRWIN: We support the new clause.

New clause inserted.

Clauses 23 to 25 passed.

New clause 25a.—Application of division.

The Hon. M.J. ELLIOTT: I move—At 12.45 a.m. to 21/5 a.m. Bill read a third time and passed.

CONSTRUCTION INDUSTRY LONG SERVICE LEAVE (MISCELLANEOUS) AMENDMENT BILL

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's amendments to which it had disagreed. The Legislative Council agreed to a conference, to be held in the conference room of the Legislative Council at 12 noon tomorrow, at which it would be represented by the Hon. J. Gilfillan, R.I. Riten, T.G. Roberts, J.F. Sanford and G. Weatherill.

FIREARMS (MISCELLANEOUS) AMENDMENT BILL

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

ADJOURNMENT

At 12.45 a.m. the Adjourned House adjourned until Wednesday, 25 November at 2.15 p.m.