

**LEGISLATIVE COUNCIL**

Wednesday, September 12, 1973

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

**PETITIONS: CASINO**

The Hon. G. J. GILFILLAN presented two petitions, one signed by 90 persons and the other signed by 25 persons in the community of Jamestown in the constituencies of Rocky River and Frome, stating that they were totally opposed to the establishment of a casino in South Australia and praying that the State Government would refuse any extension of existing gambling facilities until there had been a public inquiry into the social and economic effects of gambling in the community.

Petitions received and read.

**QUESTIONS****CHILDREN'S HOMES**

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

Leave granted.

The Hon. R. C. DeGARIS: In announcing the closure of the Morialta Protestant Children's Home, the President of the board, Mr. A. G. Matheson, said:

The Federal Government contributes nothing to such homes, while the South Australian Government provides only \$9.80 a week for each child. The Victorian Government provides \$20 a week for each child in similar homes. Can the Minister tell the Council whether the Government intends to provide higher subsidies for the care of children in such institutions, whether other institutions such as Morialta are in a similar financial position, and whether other homes established for child care may close?

The Hon. A. F. KNEEBONE: I will have to refer to Cabinet the honourable member's question regarding increased subsidies, and I will examine the situation regarding other homes and bring down a reply for the honourable member later.

**CO-OPERATIVE FARMING**

The Hon. R. A. GEDDES: On August 1, I directed a question to the Minister of Agriculture asking whether the Rural Group Buying Co-operative's report could be tabled in Parliament, and he undertook to look into the matter. Has the Minister looked into the matter and when will this report be tabled?

The Hon. T. M. CASEY: I acted on the honourable member's inquiry and have ascertained that the report was tabled on August 21. It is available for the honourable member to peruse.

**MODBURY-MANNUM ROAD**

The Hon. J. C. BURDETT: I understand the Minister of Health now has a reply to my question about the Modbury-Mannum road.

The Hon. D. H. L. BANFIELD: Subject to the availability of funds and the completion of pre-construction activities, the Highways Department's programme for the Adelaide (Modbury)-Mannum Road is as follows: Modbury to Tea Tree Gully (Haines Road)—completion by late 1979; bridge over Torrens River at Gumeracha—a new bridge with approaches is to be commenced in 1974-75 and completed the following year; Palmer to Mannum—reconstruc-

tion is to be commenced this financial year and completed the following year. The Highways Department has no other work listed at this time.

**STATUTES CONSOLIDATION**

The Hon. F. J. POTTER: Has the Chief Secretary a reply to a question I asked some weeks ago about the consolidation of the Statutes?

The Hon. A. F. KNEEBONE: If the present programme is maintained as it has been over the last 12 months or so, it is hoped that the new consolidation of Statutes will incorporate Acts from 1837 to 1974. This plan is dependent on whether or not all corrective legislation has been passed by Parliament before the end of 1974. If this plan is achieved, the first few volumes of the new consolidation will become available early in 1975.

**FISHING**

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture, representing the Minister of Fisheries.

Leave granted.

The Hon. M. B. CAMERON: The fishing industry has over the last 12 months been subjected to several setbacks through revaluations of the Australian dollar, the total revaluation in that period being 25 per cent. I have no doubt that many other industries are in a similar position. The fishing industry, as no doubt the Minister would agree, has been a very responsible body and, because of representations, it is now on a more organized basis than hitherto. It has sent in a submission for compensation because of the revaluation of the Australian dollar. That was 31 months ago and it has not yet received a reply from the committee set up by the Commonwealth Government to examine this matter. Now, it is subject to a further revaluation of 5 per cent. Will the Minister ask his colleague, the Minister of Fisheries, to advise the fishing industry whether it is necessary now to make a fresh approach to this committee seeking further compensation or whether there will be an automatic adjustment to the industry's submission, based on the recent revaluation of the Australian dollar?

The Hon. T. M. CASEY: As the fishing industry has already made representations to the committee set up by the Commonwealth Government, my personal opinion, if it means anything, is that there is no reason why the industry should not make a second submission in view of the recent revaluation measures taken by the Commonwealth Government. On the other hand, I am sure the Commonwealth committee will take this matter into consideration when it makes its determination. Nevertheless, I will refer the honourable member's question to my colleague to see whether perhaps he can make representations to the committee for a speeding up of this inquiry. I understand that, when the previous revaluation took place, the Prime Minister stated that, if any industries were being adversely affected, the Commonwealth would look into the matter.

**WORKERS' COMPLAINTS**

The Hon. JESSIE COOPER: Has the Minister of Health a reply to my recent question concerning job discrimination?

The Hon. D. H. L. BANFIELD: The statement quoted by the honourable member when asking her question on August 14 did not emanate from the Department of Labour and Industry. The following information concerning discrimination committees may be of assistance to the honourable member. The appointment by the Australian Government of Committees on Discrimination in Employment

followed the Government's decision, with the agreement of the six State Governments, to ratify International Labour Convention No. 111. That convention is unusual among International Labour Office standards in that it requires the declaration and pursuit of a policy rather than compliance with specific standards. The convention, which is concerned only with discrimination in employment and occupation, requires ratifying countries, first, to declare a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation with a view to eliminating any discrimination in respect thereof and, secondly, to pursue the policy in accordance with the range of action specified in the convention. For the purpose of the convention, "discrimination" includes any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. Committees on Discrimination in Employment have been appointed by the Australian Government in each State on a tripartite basis with an independent Chairman, two Government representatives, one trade union representative, and one employer representative. One of the two Government representatives has been nominated by the State Government concerned and the other by the Australian Government. The main function of the State committees will be to consider allegations of breaches of the national policy relating to discrimination in employment and occupation.

In a statement that the Australian Minister for Labour (Hon. C. R. Cameron, M.H.R.) made in the House of Representatives last May he indicated it was envisaged that allegations, however they are raised (including approaches direct to a Minister for Labour or by way of representations from a Commonwealth or State Parliamentarian, or by complaints to Government departments or the committees), will be investigated initially by the secretariat established to service the Committee on Discrimination in Employment. This secretariat is located in the Australian Department of Labour. Where a complainant has recourse to other forms of redress (for example, through proceedings before a court or an industrial tribunal or to existing appeals machinery) he or she will be informed of the available avenues and the complaint will ordinarily not be pursued if these avenues have not been exhausted. If the complaint cannot be dealt with in this way, the investigation officers of the secretariat will seek information from the parties. In the cases of discrimination covered by the convention, they would then attempt to resolve the matter using their good offices. Where this intervention does not produce a solution, the matter will be referred to the State committee, which will operate in whatever manner it considers most appropriate to resolve the matter in accordance with the declared policy. Where a matter cannot be resolved in this way by the State committee, it will be free to send it to the national committee. From the above detail it is evident that the operations of the committee will supplement rather than overlap or override State legislation on discrimination.

#### FILMS

The Hon. V. G. SPRINGETT: Can the Chief Secretary say what the current position is regarding the film unit which was to be established in this State, according to statements made during the last election campaign? Has consideration been given to the unit's making films not only for tourist purposes but also for social purposes, such as films on alcoholism and the dangers of smoking?

The Hon. A. F. KNEEBONE: I know that the film unit has been set up and is working. I will convey the honourable member's questions to the Premier and bring down a detailed report on the matters he has raised.

#### PETRO-CHEMICAL INDUSTRY

The Hon. A. M. WHYTE: Yesterday, in reply to a question, the Chief Secretary indicated that within three years the South Australian gas wells would produce 350 000 t a year of ethane gas. Will the Chief Secretary ascertain the minimum requirements of ethane gas for the complex contemplated at Redcliffs?

The Hon. A. F. KNEEBONE: I shall obtain this information for the honourable member and bring it down as soon as possible.

#### AEROSOL SPRAYS

The Hon. M. B. CAMERON: Has the Minister of Health a reply to my recent question regarding the use of aerosol sprays by pregnant women?

The Hon. D. H. L. BANFIELD: The 3M Company has been in communication with the Director-General of Public Health regarding the possible dangers associated with the use of certain aerosol spray adhesives. Two products are marketed in Australia—Scotch Brand Spray Adhesive and 3M Brand Spray Trim Adhesive. The company is, as a precautionary measure, withdrawing the products from sale. Similar products marketed in the U.S.A. have been withdrawn from sale on the basis of findings which suggested a relationship between exposure to these particular sprays and birth defects in certain subjects. A full investigation into the problem is being undertaken in the U.S.A.

The corresponding Australian products consist of more than 80 per cent local raw materials and there are other significant differences between the products marketed in each country. The company has made available the formulae of the Australian products and the matter is being pursued by the Poisons Schedules Subcommittee of the National Health and Medical Research Council; that committee has not recommended prohibition of the sprays. The Food and Drugs Act gives power to prohibit the sale of poisons; however, in view of the circumstances, the Director-General of Public Health is not prepared at this stage to recommend either the prohibition of the sale of the spray or the issuing by me of a warning to pregnant women, as such a statement, in the absence of specific evidence concerning the Australian product, could cause considerable alarm.

#### RAILWAY PROJECTS

The Hon. C. M. HILL: Recently I asked the Minister of Health, representing the Minister of Transport, a question concerning a report appearing in a publication of the South Australian Railways dealing with railway projects. The project involved was one in which the department was investigating the use of road transport for departmental purposes. Has the Minister a reply to that question?

The Hon. D. H. L. BANFIELD: My colleague has provided the following reply:

The investigation which is at present being carried out by the South Australian Railways into the road motor services is nearing completion. An interim report will be submitted by the end of this month. This investigation does not include the possible use of railways road vehicles for moving goods in country areas. This matter will be the subject of a further investigation to be made in due course.

**NORTH AFRICAN COUNTRIES**

The Hon. B. A. CHATTERTON: Can the Minister of Agriculture say whether any contact has been made with North African countries following the visit of a departmental officer to those countries and the visit to this State of Government officials from Tunisia?

The Hon. T. M. CASEY: Representations have been made by the Government of Libya for a departmental officer to visit that country to advise on the setting up of a pilot farm of approximately 1 000 ha. Climatic conditions in that part of the world are very similar to those applying in South Australia, so that dry-farming methods are advocated. Mr. Peter Barrow, an Assistant Director of the department, will be leaving within the next few days to assess the situation in Libya. I hope that the information he will be able to gather in Libya will be the forerunner of the establishment of better relations, particularly on farming methods and the use of farm machinery which has been manufactured in South Australia and which, I understand, is in demand in that part of the world. I hope that, on his return, we can be of more assistance, as far as the Agriculture Department is concerned, to Libya. The information conveyed to me was that the Tunisian delegates, who called into South Australia only a few weeks ago, were impressed by what they saw of dry-farming methods here. I believe that, in the future, a similar scheme will exist between the Tunisian Government and the South Australian Government for perhaps the borrowing of departmental officers from this State to advise on farming methods in that part of Africa.

**PRICES**

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my question of August 14 regarding the Commonwealth and the State prices tribunals?

The Hon. A. F. KNEEBONE: The Commissioner for Prices and Consumer Affairs advises that companies marketing products that are subject to control under the South Australian Prices Act are obliged to submit applications for approval of price increases, as in the past. Once a prices order has been issued approving increases in prices, companies with a turnover of less than \$20,000,000 a year may increase their charges to the revised level immediately.

Those companies with annual sales of over \$20,000,000 would also be required, under the Commonwealth Prices Justification Act, 1973, to justify the proposed increases to the Prices Justification Tribunal, which means that they would not be able to increase prices until the procedures under the Act had been carried out. It is expected that, in most cases, any problems which may arise will be resolved by liaison with the tribunal.

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: On August 14, I directed a question to the Chief Secretary relating to prices, and I thank him for the reply he gave today. However, in explaining my question on August 14, I said that it was rather difficult to frame the question and illustrated that in South Australia there might be four companies manufacturing a similar product and selling it to relatively the same market, that three of the companies might have sales in excess of \$20,000,000 a year and one less than \$20,000,000 a year, and all of the companies might be under price control. I wanted to know what would happen if there were a difference of opinion between the Prices Justification Tribunal and the Commissioner for Prices

and Consumer Affairs in South Australia. In the reply he gave today, the Chief Secretary said it was expected that in most cases problems that might arise would be solved by liaison with the tribunal. This does not completely satisfy me. Even the Chief Secretary's reply indicates that there could still be some areas of conflict. Does he agree that there could be an area of conflict between the tribunal and the Commissioner for Prices and Consumer Affairs and, if he does, will the Government attempt to clarify the position in the interests of those companies that may be affected?

The Hon. A. F. KNEEBONE: As the Leader is probably aware, the Prices Branch comes under the jurisdiction of the Premier, to whom I will convey the question and bring down a reply as soon as possible.

**STANDARD GAUGE RAILWAY**

The Hon. C. M. HILL: Has the Minister of Health a reply from the Minister of Transport to my question of August 21 about a standard gauge rail link between Adelaide and the existing east-west line?

The Hon. D. H. L. BANFIELD: Following the question asked by the honourable member, the Hon. Mr. Geddes asked the Chief Secretary, who was then the acting Minister of Transport, a similar question. My colleague has now supplied a reply which he believes will answer both questions. Discussions and negotiations between the State and Commonwealth Governments have reached the stage where agreement has been reached in broad principle regarding the Adelaide to Crystal Brook standard gauge railway project. The only matter not finally resolved is a question regarding finance for the necessary grade separations. South Australia has made certain proposals, which are being examined by the Commonwealth Treasurer. It is expected that the final report of the consultants will be presented soon, following which Parliament will be asked to consider ratifying legislation.

**UNION BAN**

The Hon. R. C. DeGARIS: Has the Minister of Agriculture a reply to my question of August 29, concerning a union ban?

The Hon. T. M. CASEY: The General Manager of the Government Produce Department has informed me that inquiries have revealed that ample cold storage space is available at present in the various public stores in South Australia and also at those meat export works which are provided with cold storage facilities.

**CHRISTIE DOWNS RAILWAY**

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

Leave granted.

The Hon. C. M. HILL: Recently, publicity was given to an old house that was within the alignment of the new railway project to Christie Downs. According to the press at that time the house was of special interest to the National Trust and also, as I recall, to the owners who were much concerned not only from the point of view of the National Trust's interest but in regard to their own relocation. I did not see in the press the outcome of the negotiations between the department and the owners, so will the Minister tell me what the final decision was?

The Hon. D. H. L. BANFIELD: I shall be happy to ask for a report and bring down a reply as soon as possible.

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

Leave granted.

The Hon. C. M. HILL: I understand that some of the construction work on the new Christie Downs line is earth-fill and earth-works and is being carried out by the Engineering and Water Supply Department. If that is so, can the Minister ascertain the extent of the work that has been done, what is proposed to be done by the Engineering and Water Supply Department, and what costs are involved?

The Hon. D. H. L. BANFIELD: I shall direct the honourable member's question to my colleague in another place and bring down a reply as soon as possible.

#### GEPPS CROSS ABATTOIR

The Hon. R. A. GEDDES: Can the Minister of Agriculture tell the Council how many members of the Meat Industries Employees Union and how many salaried staff were employed at the abattoir on June 30, 1971, June 30, 1972, and June 30, 1973?

The Hon. T. M. CASEY: I shall obtain that information for the honourable member.

#### PADDLE STEAMERS

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. M. B. CAMERON: In Letters to the Editor in the *Advertiser* of September 11, a correspondent expressed concern about the disappearance of steam-driven Murray River paddle steamers in their original state. He indicated that the *Marion* is still berthed at Mannum, but is not operational. Recently, Renmark bought the vessel *Industry*, which is well maintained, and which it is proposed will be used only as a floating museum. The correspondent asked whether the vessel could be kept operational and whether other original paddle steamers could also be made operational. Will the Government consider giving assistance to groups, such as the councils, interested in restoring these important relics of our past?

The Hon. A. F. KNEEBONE: I will discuss the proposition with my Cabinet colleagues.

#### PORT NOARLUNGA FLOODING

The Hon. M. B. CAMERON: I seek leave to make a statement prior to asking a question of the Minister of Agriculture, representing the Minister of Works.

Leave granted.

The Hon. M. B. CAMERON: As the Chief Secretary and all honourable members probably know, a considerable flooding problem has been experienced recently at Port Noarlunga. An engineer has put forward a plan that he thinks will solve the problem. Indeed, in the *Advertiser* of September 5 he suggested that a 700-acre (283.3 ha) boating resort should be established in an area forming part of Port Noarlunga. Although I do not intend to enter into the details of that proposal, I ask the Minister to ascertain whether this plan has been examined. Can he say what plans the Government has in mind in an attempt to cure the flooding problem that seems to arise at Port Noarlunga from time to time?

The Hon. T. M. CASEY: My limited knowledge of the situation is that the flooding is caused by tides more than by the Onkaparinga River. I am sure that the Engineering and Water Supply Department is conscious of the problems that exist in this area. However, I will refer the hon-

ourable members' question to my colleague and ascertain whether any scheme, such as the one referred to by the honourable member, has been examined by the department. If this has not happened, perhaps the department could examine the situation and see whether any steps could be taken to eliminate the flooding. When I was acting Minister of Works during the recent flooding of the area, I was left in no doubt, from the information I received from the department, that the flooding was caused mainly by tides.

#### CONSTITUTION ACT AMENDMENT BILL

Third reading.

The PRESIDENT: I have counted the Council and, in accordance with Standing Order 282, there being present an absolute majority of members, I put the question "That this Bill be now read a third time". There being no dissentient voice, I declare the third reading carried by the required absolute majority.

Bill read a third time and passed.

#### GIFT DUTY ACT AMENDMENT BILL

Read a third time and passed.

#### AGENT-GENERAL ACT AMENDMENT BILL

Read a third time and passed.

#### HOUSING AGREEMENT BILL

Read a third time and passed.

#### STATE LOTTERIES ACT AMENDMENT BILL

Read a third time and passed.

#### ART GALLERY ACT AMENDMENT BILL

Bill recommitted.

Clause 3—"Power of board to lend exhibits"—reconsidered.

The Hon. C. M. HILL: I thank honourable members for permitting this opportunity for further discussion of clause 3, which, they will recall, was debated in Committee yesterday. At that time some honourable members would not have had much opportunity to reconsider the clause and its effects. The clause has caused me some concern since yesterday, and I believe that it would be in the interests of the best possible legislation on this matter if this clause was debated further.

I understand that the clause was inserted principally because, where donors wished to have gifts lent back to them, such arrangements were not possible under the existing Act. I completely agree with the proposal that if a donor makes a gift and requests that it be lent back to him (say, for example, during his lifetime) that arrangement should be honoured. The proposed change in the Bill would permit such an arrangement to be made.

However, the clause as at present worded also permits the board to lend works of art to individuals who have not been donors or who have had nothing to do with donating works of art to the gallery. I stress that I am talking of individuals: the Act permits such loans to be made to institutions, and I have no argument with that section of the Act. My concern is simply that this clause would permit the board to lend to individuals works of art owned by the State.

One can easily be misunderstood when discussing matters such as this, and I stress that I do not intend to cast aspersions on any individuals connected with the Art Gallery but, when we amend Acts, those amending Acts are on the Statute Book, and boards, board members, and officers of

the gallery, of course, change as the years pass. I am thinking of the years ahead.

The Hon. R. C. DeGaris: Pressures can be exerted by people outside, too.

The Hon. C. M. HILL: Yes; there is this matter of pressure, which is completely unforeseen at the moment but which may occur in the future.

The Hon. T. M. Casey: What is the situation in Victoria, where this has applied for many years?

The Hon. C. M. HILL: I am not greatly concerned with the situation in Victoria.

The Hon. T. M. Casey: One reason why the Act is being changed is that this legislation has worked so well in Victoria.

The Hon. C. M. HILL: I am not concerned at the moment with the position in Victoria or in any other State: my concern is basically the interests of the people who have sent me to this place—the South Australian community, which has given me the responsibility of inserting checks and balances, wherever possible, in legislation so that we finish up with the best possible legislation. In the interests of the people of this State, I have grave doubts whether this legislation is in its best form, if it changes the Act to permit the gallery to make loans to individuals with no reference to any other party or with no permission being sought other than that of the gallery board.

The Hon. T. M. Casey: You do not think the board is competent to do that?

The Hon. C. M. HILL: Either the Minister has not been listening or he has misunderstood what I have said. I have tried to emphasize that we are not necessarily dealing with the present board: we are dealing with those people who are board members now and also those who will be board members in the future.

The Hon. T. M. Casey: You do not think that those board members in the future will be any good?

The Hon. C. M. HILL: I do not know who they will be, for one thing; so I believe there may be some circumstances, difficult to foresee at the moment, in which it would be fair and reasonable for a work of art to be lent to a person. Instead of that provision being excluded altogether, a check could be inserted so that, in circumstances where a loan was proposed to an individual who was not a donor or connected in any way with a donor, permission to make that loan should be reserved to the Minister in charge of the Art Gallery. In other words, such a loan to an individual could be made subject to the Minister's consent.

That is not a very great change from what the Bill provides, but it is a check that loans will not be made to such individuals unless the Minister agrees to them—and, of course, that in itself implies that extreme caution would be observed by the board before it sought the Minister's consent to such loans. I want to move an amendment to clause 3 to effect that relatively minor change that I have endeavoured to explain. I have been trying to contact the Parliamentary Draftsman this afternoon in an endeavour to get this proposed amendment on honourable members' files, but I have had difficulty in contacting him so I am not ready for the amendment to be discussed in detail.

The Hon. D. H. L. Banfield: You could not find the Parliamentary Draftsman because we do not have one now.

The Hon. C. M. HILL: I am sorry—the Parliamentary Counsel. Also, the Hon. Sir Arthur Rymill was most interested in this Bill yesterday, so it would be unfair if I proceeded far without his being present, and he has

been called away for the moment. I therefore ask the Minister whether he would be so kind as to report progress.

The Hon. T. M. CASEY (Minister of Agriculture): I am always kind to the honourable gentleman, so I ask that progress be reported.

Progress reported; Committee to sit again.

#### **SUPERANNUATION ACT AMENDMENT BILL**

Read a third time and passed.

#### **PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL**

Read a third time and passed.

#### **REGISTRATION OF DEEDS ACT AMENDMENT BILL**

Read a third time and passed.

#### **STATUTES AMENDMENT (PUBLIC SALARIES) BILL**

Adjourned debate on second reading.

(Continued from September 11. Page 639.)

The Hon. R. A. GEDDES (Northern): I support the Bill. In a way, it seems ludicrous that, although permanent heads of Government departments have already received salary increases because of the galloping inflation from which the nation is suffering, statutory office holders, who have equal responsibility, must depend on Bills being passed by Parliament to amend the appropriate Acts in order that they may receive their salary increases. The suggestion that prices and wages be frozen is not the point: the point I am making is that it is strange that permanent heads of departments should already have been granted salary increases while statutory office holders should have to come, in a sense, cap in hand to Parliament seeking amendments to the appropriate Acts to allow salary increases to be granted.

The salary increases are as follows: for the Auditor-General, \$4,100; for the Commissioner of Police, \$3,800; for the Chairman of the Public Service Board, \$4,100; and for the Valuer-General, \$4,600. So, the increases are considerable. It is significant that there is a degree of understanding in this State; no foolish remarks have been made about these increases similar to those made by the Commonwealth Minister for Labour, Mr. Cameron, who slated the Commonwealth Public Service Board for suggesting salary increases for men in senior positions. I believe that senior men deserve recognition of their work and their responsibility. It is pleasing that there is a degree of responsibility in this respect in Government circles in South Australia. Because of the futility of Mr. Cameron's argument, it was rejected by the Commonwealth Cabinet.

As a result of the salary increases provided in this Bill, a considerable sum will pass from the recipient back to the Commonwealth in the form of taxation. For example, the Auditor-General, assuming he has one dependant and not allowing for any deductions, would have paid \$9,348 in income tax out of his previous salary of \$21,300. Now, out of his new salary of \$25,400 he will be paying a maximum of \$11,672 in income tax. So, one wonders whether salary increases in these brackets are as desirable as they may appear at first glance. In the Government and private sectors men in responsible positions need to be recognized, and it is regrettable that they have to be recognized by means of salary increases. This system was not started by Socialists; it was started many years ago. I support the second reading of the Bill.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

**PAY-ROLL TAX ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from September 11. Page 641.)

The Hon. A. F. KNEEBONE (Chief Secretary): The Leader of the Opposition suggested that there may be some need for clarification of the position of the Education Department because some outside bodies and schools may be exempt from pay-roll tax. This Bill will not affect those areas where exemptions exist. Difficulty has existed in areas where Government departments carry out contracts for other organizations and have to recover the costs. When pay-roll tax was passed to the States in 1971, it was decided that, to avoid what then appeared to be unnecessary administration, all Government departments, except those specifically named, would not be required to pay the taxes. It was, in fact, considered that payment by Government departments merely involved a transfer of funds from one pocket to another. However, as things have transpired, and with the virtue of hindsight, it appears that considerably less complications would have been encountered if we had continued to raise the debit for pay-roll tax in respect of all Government paysheets.

One of the principal problems has been associated with areas where the Government carries out certain functions and recovers the cost; for example, where work has been carried out by the Victorian Railways in the manufacture of rolling stock the cost has included pay-roll tax but when similar work has been performed by the South Australian Railways we have had some problems in including a notional charge for pay-roll tax. Again, departments have been instructed to raise a notional debit for pay-roll tax where work has been carried out on a reimbursement basis and this notional debit has been challenged.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Imposition of pay-roll tax on taxable wages."

The Hon. A. F. KNEEBONE (Chief Secretary): I move the following suggested amendment:

In paragraph (h) after "on all taxable wages" to insert ", that are not liable to pay-roll tax at the rate of three and one-half per centum,".

The effect of this short amendment would be to prevent even the highly theoretical possibility that wages payable before September 1, 1973, and actually paid after that day would be liable to double taxation. In fact, this is highly unlikely to occur and in the nature of things such wages would be included in only one pay-roll tax return. However, from an abundance of caution it would be desirable to guard against this possibility, and this amendment makes clear that wages taxed at the old rate will not be liable to be taxed at the new.

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the amendment. I am pleased that the Chief Secretary has adopted the line of taking an abundance of caution, and I trust that any future Leader of this Council will adopt a similar attitude.

Amendment carried; clause as amended passed.

Remaining clauses (3 to 5) and title passed.

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

**PRICES ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from September 11. Page 643.)

The Hon. R. C. DeGARIS (Leader of the Opposition): The Hon. Mr. Dawkins, in speaking yesterday to this Bill, referred to it as a hardy annual in the South Australian

Parliament. I do not think anyone would disagree with that opinion. Following the introduction of price control as a wartime measure by the Commonwealth Government, and after the end of the Second World War the rejection at a referendum of the powers sought by the Commonwealth Government to continue price control, the South Australian Government decided to impose price control legislation as a State measure. Since then ours has been the only State to continue to keep price control legislation on the Statute Book.

Irrespective of the political colour of the various States (there have been Labor Administrations in other States and Liberal Administrations), no other State has seen fit to continue price control at the State level. Gradually, more and more items have been removed by proclamation from price control in this State, until we have reached the present position where only a handful of items is left under control. I have no absolutely firm ideas on the question of price control. I place on record that, in my opinion, the only effective means of price control is to ensure that open competition exists in the market place. When this competition exists, one has the most effective system of price control but, where it does not exist, it may be arguable that there is a case for the imposition of some form of control or price justification.

Since the enactment of this legislation in South Australia in 1948, when the supply of goods and services was to some degree limited, there has been a gradual and progressive decontrolling of various commodities from price control. It should be the policy of any Government to remove controls on people, industry and commerce when such controls are not essential in the public interest. I think that that is a piece of political philosophy on which we can all agree.

However, since the original enactment, other changes have occurred in the principal Act that place the Act in a somewhat different position from the original concept. In 1965, for example, the Prices Commissioner assumed a new duty, namely, to fix the price of grapes in South Australia. I understand from the inquiries I have made that the wine-grape growers want the Commissioner to continue his price-fixing function in this area. There may be other honourable members who have different information from mine, but I believe that wine-grape growers want a continuation of the Commissioner's role in this area. The Commissioner also acts as a complaints investigator, if I may use that term, and an arbitrator in the interests of the public over a wide range of matters. In the past, he has investigated about 1 000 complaints a year of excessive prices and charges. The service is both remedial and a deterrent.

During the last Parliament new legislation was introduced that further widened the Commissioner's role by changing his title to "Commissioner for Prices and Consumer Affairs". No matter how one feels about the overall question of the efficiency of price control as a means of keeping prices down, the original legislation now has a much wider application than merely the controlling of prices. At the recent Commonwealth Constitution Convention the Australian Labor Party, as a political group, seemed to be trying to make some political gain by insisting on the reference to the Commonwealth of price control powers at present existing at the State level but which was rejected by the people of Australia at the 1948 referendum. To me, the question of a reference to the Commonwealth of powers to control prices would have little or no effect on the control of inflation in Australia.

The Commonwealth Government demonstrated that it was not willing to face the real problems of inflation in Australia by the Budget it introduced this year. To hear constant bleats that the Commonwealth needs the power to control prices to beat inflation is hardly convincing when all the other powers it has to control inflation have not been applied. The Commonwealth Government looks on this, once again, as a means of enlarging the power base of the centralist Government instead of tackling the problem of inflation. Since the widening of the scope of the original Act in South Australia, to which I have already referred, I am inclined towards agreeing with the Government that the annual appearance of this legislation on the Notice Paper is not justified. At least, I am inclined to that view in relation to most parts of the legislation, as it now exists, with regard to all the other matters that have been added to it since the original Act of 1948. At the same time, I believe that we should approach such a course with a good deal of caution. We have seen, for example, that the Government recently used the Commissioner for Prices and Consumer Affairs and the powers provided by the Act to control doctors' fees in South Australia.

I object strongly to the use of prices legislation for such a purpose, because it is an insult to the medical profession. I believe that any professional group in the community, no matter who it is, would feel similarly; for example, if the Prices Act were used by the Government to control, say, legal fees, architects' fees, schoolteachers' salaries or any other professional fees. I think that any profession would be justified in complaining bitterly if the Act were used in this way. We should approach with caution the question of making the powers existing under the Prices Act a permanent part of our Statutes. The very fact that the legislation has to be renewed annually gives Parliament a small measure of control. This point has been raised over the years in this Council, namely, the gradual decline in the power of Parliament, the forum of the people, so that more and more power falls into fewer and fewer hands and more and more decisions are made by the Executive, with Parliament being bypassed.

I believe that, in relation to this legislation, a case can be made for a braking power; even though it is a small braking power, Parliament should exercise some caution in forging it. A need exists for Parliament to ensure that there is someone who can put his foot on the brake occasionally. I point out that the powers in the original Act are extensive: for example, section 19 allows the Governor, by proclamation, to declare any goods or services in South Australia. That is a very wide power, which was used, as I said earlier, to give the Commissioner the right to investigate and recommend what doctors' fees should be in South Australia. I believe that, if we are going to make this legislation a permanent part of our Statutes, we must consider how the Act is drawn and ensure that Parliament has the ability to place its foot on the brake of the extensive powers that exist for the Executive.

Clause 2 of the Bill provides for appropriate information being communicated to the Commonwealth as well as to other State authorities. When the original Bill was introduced the idea was that if other States moved into the price control field there could be an exchange of information between the States. Irrespective of their political colour, Governments in the other States have not continued with price control legislation; and they may well be right. Nevertheless, South Australia has taken the other course. The Commonwealth Government is now showing an interest in the whole matter of price control through the establish-

ment of the Prices Justification Tribunal. The State Government now considers it necessary that the Commonwealth also be included in this question of the passage of information from the Commissioner to other price control administrations.

Today the Chief Secretary replied to a question I asked and I then asked him another question on this very important issue relating to the powers of the Prices Justification Tribunal and the South Australian Prices Commissioner. Honourable members will see that there could be serious problems arising from the interference, if I can use that word, with the price control system in South Australia by recommendations of the Prices Justification Tribunal. In answering my question the Chief Secretary said that in most cases it was expected that there would be no problem. I believe that that reply needs some clarification not only for members of this Chamber but also for people engaged in industry and commerce in South Australia.

Clause 2 allows information to pass from the Prices Branch to the Commonwealth. The wording of the clause raises a similar point to that raised by the Hon. Murray Hill yesterday when speaking to the Art Gallery Act Amendment Bill. Clause 2 of this Bill states:

... the Minister or the Commissioner from communicating to the Minister or any person concerned in the administration of legislation of another State, of the Commonwealth, or of a Territory of or under the control of the Commonwealth, relating to the control of prices any information which that Minister or person reasonably requires for or in connection with the purposes of that legislation.

It can be seen that information (which should be as near as possible a secret to the department) may be transmitted to the Commonwealth or any Territory of or under the control of the Commonwealth. In his second reading speech the Minister said that the only reason for this was the Commonwealth's present interest in the matter of price control. The clause gives the Commissioner the right to transfer information to the Commonwealth. The Minister did not mention that that power extends to giving information to a Territory under the control of the Commonwealth: it is only a small point, but it follows the point made yesterday by the Hon. Murray Hill.

Clause 3 is the only other clause in the Bill, and I have dealt with that already at some length. Among other things, that clause removes the need for an annual review of the principal Act. I have strong feelings on this aspect of the measure as it applies to one part of the principal Act, and that is why I have given a contingent notice of motion that if this legislation is to be permanently placed on the Statutes we should look at the question of the Governor being able to proclaim any goods or services without notification to Parliament. At this stage I am prepared to support the second reading of the Bill.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

#### **ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from September 11. Page 645.)

The Hon. R. C. DeGARIS (Leader of the Opposition): Yesterday I spoke to a Bill that will raise a further \$16,000,000 for the Treasury in South Australia, a percentage rise of about 30 per cent. Today I speak to this Bill, which will raise about \$2,000,000, a percentage increase in the rate of taxation of 661 per cent. We should compare these two Bills with the Treasurer's statement when introducing the 1973-74 Budget, a Budget that was supposed to contain no significant tax rises for South Australia. The

Government, under this Bill, is introducing a rather savage tax rise, yet at the same time it is trying to tell the people of South Australia that the Budget contains no significant tax increases.

The whole question of tax rises, as far as this State is concerned, revolves around the States being chained to the financial chariot wheels of the Commonwealth, and until there is a realistic attitude adopted by the Commonwealth the States will be faced with the problem of providing the main services to the people of Australia with revenues that are not adequate for the correct management and provision of those services. I draw the attention of the Council, as I have done on previous occasions, to the unfair criticisms that have been directed at the previous Commonwealth Government in relation to the financial problems of the States. On any analysis made of the attitude of the previous Commonwealth Government it will be found that it had begun to take a more realistic attitude to the financial problems of the States.

In previous speeches I have detailed the changes that were made by both the Gorton and the McMahon Administrations. Although possibly the changes did not go far enough, at least steps were made in the right direction. The attitude of the present Commonwealth Government is in sharp contrast to the attitude of the previous Commonwealth Administration. Apart from a few muffled mumblings from the Premier, no scathing comments have been directed by him at the attitude of the present Commonwealth Government, as were coming from his lips when criticizing the attitude of the previous Commonwealth Government.

As a tax-raising measure, the taxing of power supplies, as contained in this Bill, does have an advantage over many other forms of taxation because it tends to spread the tax burden over the whole community. This is more than can be said for many of the other areas of taxation in which the State is engaged. The measure spreads the tax burden over the whole community in a relatively fair way. It is always difficult when devising new ways and means of raising revenue at the State level to spread the taxation

burden equally amongst the people of the State. On his return from the recent Premiers' Conference, the Premier stated when being interviewed on television that South Australia could face a deficit of \$20,000,000 in the ensuing financial year.

The two taxation measures now before the Council will raise about \$18,000,000, and certain in-service charges will also increase Government revenue. The two main avenues of raising money to meet the \$20,000,000 deficit will be payroll tax and the tax on Electricity Trust profits. The initial 3 per cent tax on the trust's profits resulted in a 7 per cent increase in the cost of electricity to the consumer. That tax on the trust's profits is now being increased from 3 per cent to 5 per cent, and the trust has already announced that it intends to increase the price of electricity by, I think, 11 per cent. Whether that figure takes into account the proposed Commonwealth increase in freight charges for the cartage of Leigh Creek coal, I do not know. However, I predict that the 11 per cent increase in charges, which has resulted largely from the increased taxation burden being imposed on the Electricity Trust, will not be the last increase in electricity charges that will occur during the life of this Parliament.

This Bill is a revenue measure, which will raise about \$4,000,000 for the State Treasury in the next year. If one wished to sheet home the blame completely for this measure, one would say that this State's financial position is largely the result of the attitude of the Commonwealth Government rather than that of the State Government. The Commonwealth's attitude is becoming increasingly clear: it intends using its hold of the nation's purse strings to impose increasing control on the activities of both State Government and local government. It is with some reluctance that I support the Bill.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

#### ADJOURNMENT

At 3.50 p.m. the Council adjourned until Thursday, September 13, at 2.15 p.m.