

LEGISLATIVE COUNCIL

Tuesday, September 18, 1973

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

MINISTERIAL STATEMENT: ESCAPED PRISONERS

The Hon. A. F. KNEEBONE (Chief Secretary): I seek leave to make a statement.

Leave granted.

The Hon. A. F. KNEEBONE: My statement relates to the prisoners who escaped while on duty with a puppet show at the Royal Show. Now that the escapees Farnsworth and MacDonald have been returned to Yatala Labour Prison and following interviews with them, it is possible to report on the whole episode, as follows:

1. The approval to allow selective prisoners to conduct special operations in public is nothing new.

- (a) Emergency fire-fighting service groups have fought fires and conducted trials alongside other volunteers since 1962. There has never been any attempt to hide them and they wear overalls with "Northfield E.F.S." stitched on them. Some life sentence prisoners have been through this organization. There have been no escapes.
- (b) Trainees from Cadell have had approval to attend country shows with officers since 1965. They wear the green shirt and trousers normally worn by Cadell trainees, and move around the shows discussing exhibits and animal husbandry with the public. Prisoners serving life sentences have done this. There have been no escapes.
- (c) The annual toy fete at Yatala since 1966 attracts many thousands each year and a number of prisoners assist in organization and sales, in many instances working alongside wives and children of senior officers and general duty officers. No attempt is made to hide the fact, and prisoners wear the usual brown shirt and trousers of C Division. Many life sentence prisoners have participated. There has never been one untoward incident or any escapes.
- (d) In the theatre groups and puppet groups, the department has had prisoners covering the full spectrum of crime, and hundreds of outside performances have been given to many thousands of people. It is from this group that there have been two sets of escapes, although the first outside performance was given in 1966.
- (e) With reference to this particular group, the prisoners concerned were moved to one dormitory in C Division where they had room to set up the stage for practice purposes, and they lived and rehearsed in this area.
- (f) During their time at the Royal Show, no attempt was made to hide their identity. They wore distinctive green slacks and jacket, a yellow skivvy, and the words "Y.L.P. Puppeteers" were stitched in large type on the jacket. At least three unscheduled checks were made by senior officers, and at no time was any cause for anxiety discovered.
- (g) There were no incidents either during the supervised walks or the necessarily less supervised periods, during which crowds around the puppet booth

were heavy, and at no time did any of the group fail to return behind stage at show time until the incident of the escape.

2. It is now quite definite that the escape was a spur of the moment decision, and there was no assistance either from other group members or from outside sources. The excuse offered by Farnsworth and MacDonald is that they wanted to show the public that they were not dangerous and could live outside without trouble. This is not acceptable, as it is the traditional reason given in similar circumstances. I and the Prisons Department are quite satisfied that neither really knows why they did it; it was quite irrational and probably deeply regretted within minutes.

3. The Classification Committee which selected the prisoners for C Division consists of the Assistant Comptroller (Treatment), who prior to this appointment was the Senior Psychologist; the Superintendent, Yatala Labour Prison; Chief Prison Officer, Yatala Labour Prison; the two Supervisors of Industry, and the resident Probation and Parole Officer, Yatala Labour Prison. All movements of prisoners are based on psychiatric reports (if necessary), psychological reports, education and medical reports, work reports, divisional reports and social background reports. It is regretted that there exists no objective or subjective testing that is totally accurate in these circumstances, and such a committee can exercise its judgment only on all the evidence available. There were no grounds for rejection of these two people in particular, or for any of the group in general. When it is considered that this committee, which has been in operation since 1960, has selected thousands of prisoners for Cadell, other institutions, and all of the other activities mentioned, it is apparent that it has an excellent record and it is extremely difficult to suggest a better method.

4. With regard to parole, Farnsworth was eligible to apply some 12 months ago, but had not done so. He was going through the usual channels of establishing some sort of trust which could be reported to the Parole Board. MacDonald, as a Governor's pleasure prisoner, was eligible to apply to the Government at any time for release. The cases of both men are reviewed annually by the Parole Board.

The position can be summarized as follows:

1. This incident was unplanned and unassisted.
2. Total supervision is impossible in this type of activity and trust is an important part of the selection and programme.
3. For many years, similar activities have been almost without incident:
4. The selection was based on objective grounds, and the assessment of these two as "non-violent" types was correct.

It is also now clear that the escape took place at about 6.30 p.m. The prisoners were known to be in the area of the puppet show at 6.15 p.m. I also want to refer to a statement I made last week when the Leader asked me a question, part of which covered the matter of whether I or Cabinet had an overriding authority in connection with recommendations made to allow convicted murderers to be involved in activities such as those at the showgrounds. I replied, "No", and then went on to say that I had certainly given approval for the unit to operate at the showgrounds. I added further "as had been done on several previous occasions in the time of the present Government and of previous Governments". This further comment did not refer to approval at the showgrounds, but to the Leader's question as to activities such as those at the showgrounds.

QUESTIONS**INTEREST RATES**

The Hon. R. C. DeGARIS: Following the announcement by the Commonwealth Government of increased interest rates, can the Chief Secretary say whether the State Government has undertaken any studies as to the effect of this rise in interest rates on the economy of South Australia; if so, in particular can the Chief Secretary say what will be the likely effect on building societies in South Australia?

The Hon. A. F. KNEEBONE: The Government is looking at the situation, and I shall convey the Leader's question to my Cabinet colleagues and bring down a reply as soon as possible.

The Hon. C. M. HILL: Will the Chief Secretary in his reply deal with the situation of interest rates generally as it will affect those people who have borrowed money for housing loans from the State Bank and the Savings Bank of South Australia and what effect will occur in regard not only to those people who have already borrowed money but also to those people who are seeking loans at present?

The Hon. A. F. KNEEBONE: Yes.

EXPORT TAX

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

Leave granted.

The Hon. M. B. CAMERON: My question refers to the proposal by the Commonwealth Government to introduce an export tax to stem rising meat prices in Australia. Of course, this matter will affect South Australia, but there seem to be conflicting opinions about the effect it will have on producers. An article in the *Advertiser* of September 17 quotes Mr. Whan, Labor M.H.R., as follows:

It was important not to discourage production by imposing the tax. He foreshadowed a system in which the money collected by the Government from the tax would be returned to the farmer. An export tax, if returned to the producer, is more likely to increase total income for the producer than decrease it. My personal view is that the tax would need to be very high.

I quote also from the *Stock Journal* of September 13, as follows:

Mr. John Harnett, General Manager of William Angliss and Company, said that he believed the cost would be passed back to the producer. Any charge such as this is automatically included in the exporters' conversion cost structure, he said. Exporters will obviously cover this extra charge in the price they are prepared to pay for meat and the burden will be borne by the producer.

I, together with many others in the community, am unable to see how a charge, obviously designed to decrease the demand for meat and so decrease prices, could end up by giving farmers and producers a higher income. Will the Minister take up this matter with his Commonwealth counterpart and indicate to the producers who will be affected by this tax just what the effect will be on meat producers?

The Hon. T. M. CASEY: I would not like to comment on the two statements the honourable member referred to, because I do not believe that they have been confirmed. Unless a statement came from the Prime Minister or from any other responsible Cabinet Minister, I would be sceptical of the motives behind such a statement. Undoubtedly, this matter will be brought up at the Agricultural Council next month, provided that nothing has been done about it in the meantime. Although I have my own views on an export tax, I am not willing to state them to the

honourable member now. However, if he wishes to discuss this matter with me privately, I shall be happy to express my views then. Basically, it is difficult to assess the situation when statements are coming from various quarters and those statements cannot be confirmed.

SERVICE STATIONS

The Hon. B. A. CHATTERTON: I seek leave to make a statement prior to asking a question of the Chief Secretary, representing the Premier.

Leave granted.

The Hon. B. A. CHATTERTON: A constituent of mine, who is a storekeeper in a small country town, has been told by the Shell Company of Australia Limited that it will remove his petrol pumps as a result, so the company claims, of the introduction into Parliament of legislation to license petrol outlets. First, will the Chief Secretary ask the Premier whether he can prevent petrol retailers from being threatened as a result of legislation that has not yet been enacted, and secondly, whether the Premier can make it clear that such legislation, if enacted, is to protect the interests of those people who provide a worthwhile service to the community?

The Hon. A. F. KNEEBONE: I shall be happy to convey the honourable member's question to my colleague and bring down a reply as soon as possible.

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

Leave granted.

The Hon. R. C. DeGARIS: I, too, have received a letter from one of my constituents, as follows:

Today I have had word that by the end of the month the petrol bowser will be removed by order of the Government. I am strongly opposed to this and I hope that you as a member of Parliament representing our district will be able to assist. I would like to point out that people who are travelling between Bordertown and Loxton who cannot find a service station open at Pinnaroo quite often during the night come for petrol at our bowser. As we are serving the travelling public, I cannot see how they can take my petrol bowser away. Hoping you will be able to do something for me.

The Hon. T. M. Casey: What company?

The Hon. R. C. DeGARIS: I do not know. I telephoned the woman concerned, who lives in a small country town, and she said she was told that the company had received from the Government a list of petrol bowsers in South Australia that had to be removed. The representative told her, too, that the company could do nothing about the matter and that the bowser would have to be removed at the end of the month. Will the Chief Secretary say whether the Government has sent to petrol companies in South Australia a list of petrol bowsers that must be removed?

The Hon. A. F. KNEEBONE: I should be surprised if this was so. However, I will inquire for the honourable member and bring down a reply as soon as possible.

LITTER BINS

The Hon. V. G. SPRINGETT: Having noticed a growing number of rather attractive litter bins alongside the highways of this State, I ask the Minister of Health, representing the Minister of Environment and Conservation, who is responsible for emptying these bins, their upkeep and the general tidiness of the surrounding areas, as it seems to me that these nice bins are not being looked after and that, before long, rats and other unpleasant visitors may frequent their locations?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague and bring down a reply as soon as possible.

UNDERGROUND WATERS APPEALS

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Chief Secretary, representing the Minister of Development and Mines.

Leave granted.

The Hon. M. B. DAWKINS: My question refers to a considerable number of users of water from the underground basin in the Northern Adelaide Plains. As I explained earlier this session, a number of people were restricted unduly in order to conserve water and, consequently, they have had to appeal against their allocations. There has been an undue delay in finalizing the results of all these appeals. I believe a number of my constituents have received letters suggesting that they should carry on for the time being. However, they are still uncertain regarding the exact amount of water they will be permitted to use. Will the Chief Secretary therefore ask his colleague to see what can be done to expedite the results of the appeals that have been lodged?

The Hon. A. F. KNEEBONE: Yes.

LUGGAGE TROLLEYS

The Hon. JESSIE COOPER: Has the Minister of Health received from the Minister of Transport a reply to the question I asked on July 31 regarding the shortage of luggage trolleys at the Adelaide railway station?

The Hon. D. H. L. BANFIELD: The Minister of Transport states that the normal complement of luggage trolleys at the Adelaide railway station is 36. However, on the day referred to by the honourable member, only 29 were available, as five were missing believed stolen and two were out of service being repaired. Steps are now being taken to bring the normal complement back to 36 trolleys. In addition to the luggage trolleys, a "red cap" luggage porter is also stationed on No. 11 platform for the arrival of the Overland and is available to assist passengers with their luggage as required. Passengers are also able to avail themselves of the facility to book their luggage through to their destination and to use the railway pick-up and delivery service. Alternatively, the luggage may be booked through in the brake-van and collected at the passenger's convenience. I have asked the Railways Commissioner to examine the possibility of increasing the number of trolleys available to above the 36 mentioned.

MANNUM PRIMARY SCHOOL

The Hon. J. C. BURDETT: I understand the Minister of Agriculture, representing the Minister of Education, has a reply to my recent question about the Mannum Primary School.

The Hon. T. M. CASEY: Mannum Primary School has been on the waiting list for inclusion in the school design programme for some time. Most of the present school is in wood, but there is no shortage of accommodation, and it is considered there are many schools in more urgent need of replacement. For these reasons, and because of the limitations imposed by available finance, it has not been possible to include Mannum in the design programme at this stage.

TARCOOLA TO ALICE SPRINGS LINE

The Hon. C. M. HILL: I seek leave to make a short statement prior to directing a question to the Chief Secretary, representing the Premier.

Leave granted.

The Hon. C. M. HILL: On August 23 there was a report in the press that the rail plan for the new line

between Tarcoola and Alice Springs had been accepted by South Australia. It was reported that the Commonwealth Minister for Transport (Mr. Jones) had stated that this was so and that the Premier was writing to the Prime Minister accepting the agreement. Since that date, there has been some publicity about proposals by Dr. Coombs for ways and means of controlling the national economy, budgeting, and so forth, one being, I understand, the deferment or scrapping of the Dartmouth dam project. I also understand that one of those proposals concerned the railway project to which I have referred. Will the Premier say whether this is so and, if it is so, whether any advice has been received by the South Australian Government to this effect? Will the Government strenuously resist a deferment of this transport project so vital to South Australia?

The Hon. A. F. KNEEBONE: I will refer the honourable member's question to my colleague the Premier but I point out that, although there was a report of the deferment of the Dartmouth dam project, as a result of the action of the Premier and of the South Australian Government, supported by one other State, that deferment did not occur. Whether the Commonwealth Cabinet has accepted the recommendation of the Coombs report in regard to the Tarcoola to Alice Springs line, I have not heard. I have received no information (and I do not think South Australia has) of any such deferment. To clarify the matter for the honourable member, I will seek from my colleague the Premier a report on this matter, but I have heard no suggestion of a deferment.

WEEDS

The Hon. Sir ARTHUR RYMILL: About a month ago I asked the Minister of Agriculture a question on one of my favourite subjects, weeds. I understand that he now has an answer to that question.

The Hon. T. M. CASEY: My colleague, the Minister of Transport, has informed me that the weedicides that are being used on the South-Eastern Freeway are as follows: Verox AA at 101b. (4.54 kg) to 200 gallons (909.2 l) of water as a general purpose spray for medians and islands surfaced with screenings or rubble, and under guard railing. LV57 at 4 pints (2.27 l) to 200 gallons (909.2 l) of water for local spraying of salvation jane. Weedozal TL Plus at 18 pints (10.23 l) to 200 gallons (909.2 l) for general purpose control at particular places, such as along chainwire fencing.

NEW MATHEMATICS

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

Leave granted.

The Hon. C. M. HILL: Last month, during a presidential address by Professor Potts, Professor of Applied Mathematics at the Adelaide University, to the congress of the Australian and New Zealand Association for the Advancement of Science, he is reported to have read examples from school textbooks dealing with the subject of new maths that brought laughter from the audience. In the *Advertiser* of August 16, 1973, he was reported as saying:

It is quite ridiculous and the stuff should be thrown out and the kids put back on tables and mental.

He was further reported as saying:

A father asked his grade 2 son what was seven times nine. The child said it was "commutative"—the same as nine times seven. But he didn't know the answer. Teachers

don't understand it either because when I ask them awkward questions about it they flounder. Material being put in the texts now is what appeared in oversea texts about ten years ago, but there has been a reaction against it since. As more than a month has expired since that report, has the department made any review of, or does it propose any change in, policy as a result of the views expressed by Professor Potts?

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

PAY-ROLL TAX ACT AMENDMENT BILL

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

PRICES ACT AMENDMENT BILL

In Committee.

(Continued from September 13. Page 748.)

Clause 1 passed.

New clause 1a—"Interpretation."

The Hon. R. C. DeGARIS (Leader of the Opposition): I move to insert the following new clause:

1a. Section 3 of the principal Act is amended—

(a) by striking out from the definition of "declared goods" in subsection (1) the word "proclamation" and inserting in lieu thereof the word "regulation";

(b) by striking out from the definition of "declared service" in subsection (1) the word "proclamation" and inserting in lieu thereof the word "regulation".

I believe I gave an explanation of this amendment in my second reading speech. This Bill changes a provision that has been in this legislation since 1948, under which it had to be brought before Parliament for re-enactment every 12 months. Since 1948 there have been a number of amendments to the Principal Act; for example, wine grapes were placed under price control, and the Commissioner's role was widened. So the legislation now has a new standing. The Government is seeking to ensure that the legislation will be permanently on the Statute Book, so that it will not have to be ratified annually by Parliament. I gave some support to that view during the second reading debate, because the ambit of the legislation has been widened considerably since its introduction in 1948.

One thing we must all recognize is that the power, the influence and the authority of the Government and the Executive have increased considerably over the last 20 or 30 years because of the greater complexity of financial and industrial affairs and of the legislation coming before Parliament. It is therefore essential that Parliament should examine its procedures to ensure that its own power and authority should develop correspondingly in order to provide the necessary checks and balances that are essential if the power of Parliament, as we know it, is to have any meaning or purpose. Parliamentary control and scrutiny have been weakened, not strengthened, over the years.

During the period when this legislation came up for annual ratification, there was always a measure of control exercised by Parliament. Now that the Government is to make the legislation permanent, by section 19 it can declare any goods or services to be under price control, and there is no chance of such a declaration being reviewed. It is for that reason that I have moved my amendment. It provides that, if the Government wishes to impose price control on any goods or services, it must bring forward a regulation that can be scrutinized by Parliament and disallowed or altered in accordance with the general will

of the public. New clause 1a has the effect of striking out "proclamation" and inserting "regulation", so that the authority of Parliament is maintained.

The Hon. A. F. KNEEBONE (Chief Secretary): I am directly opposed to the amendment. Bills amending the Prices Act have been coming before this place for as long as I have been a member here, and I have seen some good performances in that time in regard to the attitude of honourable members who were opposed to my way of thinking. Even during Sir Thomas Playford's period as Premier, although many honourable members spoke in opposition to price control, a sufficient number always voted for it to ensure that price control continued for another year. During that period I did not hear any great opposition to placing goods on the declared list by proclamation, but now that there is a general attitude outside of support for price control—

The Hon. R. C. DeGaris: Are you sure of that?

The Hon. A. F. KNEEBONE: Generally, yes. Even the Leader's colleagues in Canberra supported price control until it looked as though we would get it, and then they objected to it.

The Hon. T. M. Casey: They did a Catherine-wheel.

The Hon. A. F. KNEEBONE: Yes. The amendment would prevent price control from being effective. I do not know how such control would work under a system of regulations. In some years this place adjourns before Christmas and does not resume its sittings until June of the following year. Of course, when the Labor Government is in power we generally come back to do some work early in each new year, but I can remember when we had more time away from this place than we had in this place; that situation could recur. We would then have a situation where an article could be declared by regulation to be under price control, and the regulation would have to lie on the table for 14 sitting days after Parliament reassembled. When this place resumed its sittings, the firm concerned could ensure that an honourable member moved that the regulation be disallowed and, if the motion was carried, the article would be removed from the list of controlled goods and services until it could be placed on the list again. So, there would be great confusion.

On a previous occasion an amendment was moved here to provide that a regulation should not come into effect until after it had lain on the table for 14 days and until after the matter had been finalized. That sort of procedure could go on and on, because a motion for disallowance could be placed on the Notice Paper and adjourned from day to day. Since I have been in this Chamber I have seen an attempt made to put a provision in an Act that regulations would not come into effect until they had been dealt with by this Council.

The Hon. R. C. DeGaris: Until they had lain on the table for 14 days.

The Hon. A. F. KNEEBONE: The present position is that, immediately a regulation has passed Executive Council, it is effective unless disallowed. If this new clause is inserted it could be moved subsequently that no regulation could come into effect until it had been on the table for 14 days and any motion for disallowance had been dealt with.

The Hon. R. C. DeGaris: Surely the Chief Secretary is drawing the long-bow now?

The Hon. A. F. KNEEBONE: The amendment was not carried, but it was attempted. I strongly oppose this and the other proposed new clauses.

The Hon. G. J. GILFILLAN: I support the new clause. The Chief Secretary's reply does not destroy the argument of the Leader. A regulation allows the Government to put a measure into effect immediately. If the Government is sincere, and if the proposed enactment is acceptable, it need have no fear from this Council or from the other House. If this is to become a permanent Act on our Statute Book it is only fair that Parliament should have some oversight, and the history of Parliament in the matter of regulations is such that no Government need fear interference by Parliament in good government. The Chief Secretary has referred to an attempt to add to legislation words to the effect that a regulation shall not come into effect until it has lain on the table for 14 days. I cannot follow this argument. I remember that it was attempted some years ago when another Bill was before this Chamber, but once a Bill becomes law there is no hope of the Opposition amending it. I do not know why the Government should have this fear.

The Hon. T. M. Casey: It could be moved and carried.

The Hon. G. J. GILFILLAN: Any private member in either House could introduce a Bill to do just this, but it would have no hope of going through both Houses. It would be only with Government approval.

The Hon. A. F. Kneebone: I was pointing out what had happened.

The Hon. G. J. GILFILLAN: That is an entirely different subject.

The Hon. M. B. CAMERON: I support the amendment. At present, selective price control under the Act can be applied almost permanently to certain items. In cases where an attempt is being made to curb the activities of a certain industry it is probably justifiable. Where industry can be put under such a control on a permanent basis with deleterious effects to the industry or the retail outlet, it is important that Parliament should have the opportunity to look at the proposal. I can see no force in the argument of the Chief Secretary against this amendment. Parliament is a body of responsible people who will look responsibly at matters brought forward by legislation. As the Hon. Mr. Gilfillan has said, the Government has nothing to fear from the Opposition (whichever Party happens to be in Opposition) in such matters; any Opposition that took an irresponsible attitude would not gain increased support from the community.

The Hon. T. M. CASEY (Minister of Agriculture): I oppose the new clause. The Act has been in force for some years, and I remember when a Bill to extend it was introduced every year in another place by the Hon. Sir Thomas Playford. It was supported, without exception, almost unanimously, year after year.

The Hon. Sir Arthur Rymill: That is not correct. You should check your facts.

The Hon. T. M. CASEY: I was referring to another place. Initially, it was passed only with the support of the Opposition. It has worked well and there has never been a move by members opposite or by their counterparts in another place to alter the existing situation until now; yet no-one has given a reason for this change of heart. There has been no disagreement, to my knowledge, on anything the Commissioner has been asked to do. Since I have been in this Chamber, in most cases where there has been an indication of a price rise on a certain commodity members have asked whether the Commissioner has looked at the matter, and invariably the answer has been "Yes". This is the situation in which members opposite have placed the Commissioner. He has done a magnificent job over the years and, to my knowledge, his ruling have never been

queried by any member opposite. To bring in these provisions at this stage is utter folly, when members opposite had years in which to do it. No-one can deny that the Act has worked exceptionally well; and South Australia has been in the unique position over the years of having an Act which has worked well and for the benefit of the State; it has been to the credit not only of the people who have supported the measure in Parliament but also of the Commissioners who over the years have administered the legislation. The new clause will tie the hands of many people and will not do the Act the justice it deserves. In no circumstances will I support this or the other new clauses.

The Hon. C. M. HILL: I support the new clause. The only reason why the Council has passed this legislation year after year is that it has not had permanency on the Statute Book. The Chief Secretary highlighted honourable members' sensitivity to the whole concept of price control. Now that the Government has decided that it wants permanent price control, I do not understand why its members are showing so much surprise at our attitude. The new clause, if agreed to, will provide permanency but retain some form of check.

The Hon. T. M. Casey: Why didn't you ask for a check before?

The Hon. C. M. HILL: We had a check before, because the legislation was reviewed annually. We knew that it was not permanent legislation, and that is why it passed the Council year after year.

The Hon. A. F. Kneebone: Did you agree to everything that was brought under price control during that time?

The Hon. C. M. HILL: Not necessarily. All we were concerned about was the legislation which, in a year's time, would be reviewed, but now the Government has decided that it wants permanent legislation. The new clause provides for permanency but writes in a check, because of the nature of the legislation and the sensitivity certain honourable members have shown over a long time. The Government should not fear this provision. The Government must agree that some members of the public have doubts about price control generally as it has operated in the past.

The Hon. R. C. DeGaris: Or price control without checks or balances.

The Hon. C. M. HILL: Yes. The whole principle of price control has been questioned by some members of the public from time to time. Price control is questioned by some people who go to a service station to buy petrol, which is subject to price control, and the proprietor offers them a discount. I believe that Parliament should retain some check. If the Government accepted the new clause it would obtain permanent legislation, but the legislation would be reviewed by Parliament through the machinery of regulations.

The Committee divided on the new clause:

Ayes (13)—The Hons. J. C. Burdett, M. B. Cameron, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey, B. A. Chatterton, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 7 for the Ayes.

New clause thus inserted.

Clause 2 passed.

New clauses 2a, 2b and 2c.

The Hon. R. C. DeGARIS: I move to insert the following new clauses:

2a. Section 19 of the principal Act is amended:

(a) by striking out the word "proclamation" and inserting in lieu thereof the word "regulation";

and

(b) by inserting after the present contents thereof (which we hereby designated subsection (1) thereof) the following subsection:

(2) A proclamation in force under this section immediately before the commencement of the Prices Act Amendment Act, 1973, shall have the force and effect of a regulation under this section.

2b. Section 43 of the principal Act is amended by inserting after the word "proclamation" in subsection (1) the word, "regulation."

2c. Section 44 of the principal Act is amended by inserting after the word "proclamation" wherever it occurs the word, "regulation."

This matter was fully covered in relation to new clause la.

The Hon. A. F. KNEEBONE: The argument that I put in regard to new clause la applies to these new clauses. Therefore, I strongly oppose them.

New clauses inserted.

Clause 3—"Non-application of certain provisions of this Act."

The Hon. M. B. DAWKINS: I move:

To strike out all words after "is" and insert "amended by striking out '1974' and inserting '1975'."

In the second reading debate I objected to the Government's intention to make this legislation permanent. Honourable members will be aware of the very considerable powers in the Prices Act. The Minister of Agriculture said that the prices legislation had worked very well, and I do not think any honourable member would disagree with that. However, surely one of the main reasons why it has worked so well is because of the annual review to which it has been subjected. Had the considerable powers contained in the Act been used unfairly or administered with a heavy hand, the legislation could have been defeated in the following year or amended by the insertion of new clauses. The powers contained in the Act may be suitable, provided there is an annual review. Nevertheless, those powers are far too considerable for permanent legislation.

I said in my second reading speech that Parliament did the wrong thing last year when it made the daylight saving provision permanent. Daylight saving refers to only one matter. However, the Prices Act and associated legislation refer to many matters, and it is far more important that this legislation should come up for review each year as it has in the past. My amendment will mean that we will revert to the *status quo*, and the legislation will be subject to review, its operation ceasing on January 1, 1975.

The Hon. A. F. KNEEBONE: I strongly oppose the amendment although, in view of the operation of the Act over the years, I prefer it to the Leader's amendment, which will have a much more drastic effect. All the arguments regarding the previous amendment were that it was necessary to do what the Leader has achieved in his amendment as the Act will not come up for review every 12 months. I therefore expect that most honourable members will oppose this amendment.

The Hon. T. M. Casey: They give it away with one hand and take it back with the other.

The Hon. A. F. KNEEBONE: That is so. In view of what honourable members said regarding the Leader's amendment, I hope they support me in my opposition to

this amendment. As my colleague said, the Prices Act has worked to the advantage of the people of this State. The Leader says that we should get outside and hear what the people who are opposed to the legislation are saying. Of course, the Leader and his colleagues move in a different sphere from that in which I move. I associate with those in the lower income bracket who strongly oppose any limiting of this legislation, which has not worked to its greatest advantage because there has not been price control in the other States.

I am confident that those who vote against the forthcoming referendum, which I am sure will be carried, will be the people who are represented by honourable members opposite and who receive some advantage if there is no price control. The people in the lower income bracket receive advantage from price control and, for that reason, I oppose this amendment, which will subject the legislation to further yearly attempts to emasculate price control in this State. I hope those honourable members who supported the Leader's amendments, because the annual review would not occur, will support me now.

The Hon. R. C. DeGARIS: I refute the Chief Secretary's statement that Opposition members oppose price control because they are seeking to look after only one section of the community. The welfare of the lower wage earner in the community concerns me and other honourable members as much as it does the Chief Secretary, and any statement that we are here to represent only one section of the community is unfair. Price control is a matter of political philosophy. The present Commonwealth Government has been crying out about the down-trodden people in the community, but what has it done? It has merely pushed these people further into the mire as a result of its philosophies.

The Hon. A. F. Kneebone: I will not accept that.

The Hon. R. C. DeGARIS: I refer, for example, to young people wishing to build houses. The Chief Secretary cannot deny that increased interest rates will have a tragic effect on them. I have heard the same allegation made in this Chamber: that we do not care for the young people in the community who are just starting out in life. But look at what has happened regarding interest rates!

The Hon. A. F. Kneebone: We will have a look at your performance on controlling land prices.

The Hon. R. C. DeGARIS: I can give an example of how price control has kept prices up for the people in the community on the level of income to which the Chief Secretary has referred. I can remember two shops in a small country town. One operator used to fly to Melbourne every three months, buy many shoes in bulk from the factories there, return to his shop and put them in his window at exactly the same price as that of his opposition, who used merely to remain in the town waiting for travellers to call on him. The man who travelled to Melbourne was called on by the officers of the Prices Branch because he had shoes in his window at exactly the same price as did his opposition. Yet he broke the law.

The Hon. A. F. Kneebone: Why?

The Hon. R. C. DeGARIS: Because his mark-up above what he paid for the shoes was more than he was permitted. We are dealing here not with price control but with profit control.

The Hon. A. F. Kneebone: Price control fixes the maximum price.

The Hon. R. C. DeGARIS: It allows a certain mark-up over the minimum price. That is what I am saying: price control fixed the maximum amount over and above what he paid for them.

The Hon. D. H. L. Banfield: I bet he paid his employees the minimum, and not the maximum wage.

The Hon. R. C. DeGARIS: He did not have an employee. I am giving a clear illustration of where price control has not kept down prices. We have also had the Hon. Mr. Hill's example of petrol. It is amazing that petrol can be sold at 6c or 7c a gallon cheaper in Victoria than in South Australia, and that has been happening for years and years. My point is that the allegation that people who do not support price control are thinking about only one section of the community is fallacious, because I am as much concerned about the prices of ordinary commodities as is the Chief Secretary. I know and he knows that the only way in which prices can be kept down is by ensuring free and open competition. Most of us here recall what happened in South Australia about land price control after the Second World War. What a farce that was! The only person who could buy land was the person prepared to do it underhand, and that created a nasty black market far more damaging to the community than free and open competition, which should be fostered as the means of keeping down prices.

The Chief Secretary says that members of my Party have little concern for the person on a low income, but that is not so. It is a matter of which philosophy can provide the best and cheapest service. I come down on the side of free and open competition, and that is where our legislation should be directed, not at a massive bureaucratic control of prices, because that will fail: it always has and always will. All around the world we see the rate of inflation in countries pursuing a policy of control of prices and wages. Look at their inflation rate! No—the approach is one of philosophy. The Chief Secretary has his philosophy for providing price control, and I have mine; but we both want to serve the whole community. I do not accept the argument that we on this side of the Chamber are concerned only with one section of the community. That is not so.

The Hon. A. F. KNEEBONE: The Leader speaks of price control but apparently does not understand the system, which is to fix the maximum, and not the minimum, price at which a person can sell goods. Anyone can sell at below the maximum price if he wishes to. The South Australian Commissioner for Prices and Consumer Affairs investigates the price of petrol, and the other States take the lead from what our Commissioner does here. There is no control of the minimum price at which petrol may be sold. In the petrol war in Victoria, and to some extent here, the petrol companies have been known to sell at below normal prices. There is no fixing of a minimum price—it is the maximum price that is fixed. That is the philosophy, of course, that I and my Party support and I know the Leader supports his Party's views on this matter. Members opposite talk about free and open competition. Some of my friends have had little corner shops and, as a result of free and open competition, they have gone out of business; they closed down their shops, took the goods home and used them themselves because they could not get the required price for them because of the "free and open competition" from big supermarkets around them. So do not tell me that free and open competition is good for the little man; it is not. If there is free and open competition, very good, but tell me where it is in these circumstances. Do not let us talk of that sort of philosophy, because I will not accept it.

The Hon. D. H. L. BANFIELD (Minister of Health): The one thing the Leader has not mentioned is whether or not he supports this amendment. It is clear that

the Leader has lost control of his Party. He introduces a new clause, so he says, simply because this legislation will be permanent and will not be reviewed every 12 months. So the Leader says, "We accept that, provided we put in these other provisions." They have been put in. He knew he had the numbers when he put his amendments on file. He did not say specifically that he agreed but he did so by way of interjection and with the support of the Hon. Mr. Hill, the Hon. Mr. Cameron and other honourable members in the back row opposite, because it was not previously permanent legislation and that was why they were supporting his amendments.

Let us see whether or not they were fair dinkum in their reason for supporting the amendments—that this legislation would be permanently on the Statute Book. The Leader deliberately evaded this amendment when speaking to his own amendments—he did not refer to it at all. He gave no indication that he had lost control of his Party members. Is the Hon. Mr. Dawkins out on a limb and acting on his own in moving this amendment or is this another snide move from the Opposition to get something in by backdoor methods, by persuading their own members to move other amendments like this one? The Leader also said that he was looking after the interests of the little man, yet he was pleased to be able to show that one of the people he represented could fly to Melbourne, bring back a box of shoes and make a greater profit in that way because he marketed them at the same price as that of his competitors, who transacted business in the normal way.

The Leader believed that the Commissioner for Prices and Consumer Affairs fixed minimum prices, but he knows now that that is not true. He knows that the big people he represents always advocate fixing the maximum prices for goods; but, when it comes to wages and assisting the little man, for whom he claims to have great concern, that little man is paid the minimum award rates because the award states, "This shall be the minimum award rate." The big man, represented by the Leader, is happy to pay that rate. However, under the Prices Act maximum prices are fixed, and the Leader, representing the big man, is happy that people can charge maximum prices; he thinks that is a good thing. Obviously, he is not concerned about the little man. Let us see the concern he showed when he moved his amendment to this Bill, when he gave an assurance that he moved his amendment because this legislation would become permanent.

The Hon. M. B. DAWKINS: The Minister of Health should look at the Bill file, because if he did he might notice that the amendment I placed on the file was placed there some time before that of the Hon. Mr. DeGaris.

The Hon. D. H. L. Banfield: Don't you confer with your Leader?

The Hon. M. B. DAWKINS: The Minister must remember not to interject as much now that he is on the front bench; he must also remember that the members of my Party do not have to toe the line as do members of the A.L.P.

The Hon. D. H. L. Banfield: They did on the last division.

The PRESIDENT: Order!

The Hon. M. B. DAWKINS: Both the Chief Secretary and the Minister of Health have been talking as though the amendments moved by the Hon. Mr. DeGaris, as inserted and passed, are now law and that there is no need for the amendment I have moved. If the Ministers will give me an assurance that these amendments will be passed in another place, I will consider withdrawing my amendment.

I know perfectly well, as do the other members in the Council, that the Ministers cannot give that assurance and that they hope that the amendments that have just been passed will be thrown out in another place. They also hope that the Council will not pass my amendment, that the Bill will give the Government all the powers of very wide permanent legislation, and that there will be no further need for the Government or the Commissioner, under instructions from the Government, to move carefully in using these powers, because the Bill will not have to be considered again next year. That is exactly why I am persisting with this amendment, because I know perfectly well that the Government has the numbers in another place and that it intends to reject these amendments. I invite the Ministers to deny that, but I know they cannot. Therefore, it is vital that we should retain in this all-embracing legislation the right to look at it each year.

I hope that honourable members will not be led up the garden path by the Ministers who tell us that these amendments already exist in the Bill and that there is no need to pass the time limit to bring back the *status quo*. I hope they will realize that it is still necessary to have a time limit in this legislation.

The Hon. M. B. CAMERON: Let me assure the Chief Secretary that I am not under the control of anyone in this House.

The Hon. A. F. Kneebone: We will see about that.

The Hon. M. B. CAMERON: My attitude towards the amendment is not based on opposition to price control, because I believe in price control where it is necessary. However, I am suspicious that when this Bill is passed everything will be subject to price control. This is evident from the Minister's attitude, because all he has done during this debate is to confirm my belief that he is seeking permanent price control on everything.

The Hon. A. F. Kneebone: You are back in the team.

The Hon. M. B. CAMERON: Far from it. I will not support the amendment. I am satisfied that Parliament has the right to examine whatever the Government does in relation to price control. I cannot see why we need to continue with this yearly check if we have the amendments moved by the Hon. Mr. DeGaris.

The Committee divided on the amendment:

Ayes (11)—The Hons. J. C. Burdett, Jessie Cooper, M. B. Dawkins (teller), R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, F. J. Potter, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (8)—The Hons. D. H. L. Banfield, M. B. Cameron, T. M. Casey, B. A. Chatterton, C. W. Creedon, C. M. Hill, A. F. Kneebone (teller), and A. J. Shard.

Majority of 3 for the Ayes.

Amendment thus carried; clause as amended passed.

Title passed.

Bill reported with amendments. Committee's report adopted.

SUPPLY BILL (No. 2)

Adjourned debate on second reading.

(Continued from September 13. Page 747.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This is the usual Supply Bill that comes before us at this time of the year. It authorizes the expenditure of up to \$110,000,000.

The Hon. A. F. Kneebone: This Bill is for \$50,000,000.

The Hon. R. C. DeGARIS: Yes. It was the previous Supply Bill that was for \$110,000,000. I support the Bill.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT

At 3.52 p.m. the Council adjourned until Thursday, September 20, at 2.15 p.m.