LEGISLATIVE COUNCIL

Wednesday, September 26, 1973

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

QUESTIONS

PACKAGING

The Hon. B. A. CHATTERTON: Has the Minister of Health a reply to the question I asked on August 28 regarding the packaging of poisonous substances?

The Hon. D. H. L. BANFIELD: The poison regulations require that the containers for poisons shall be sufficiently stout and sufficiently sealed to resist the normal risks of handling, storage or transport. Because of their relatively low toxicity, neither of the two substances mentioned are scheduled poisons, so that the requirements of the poison regulations are not applicable. Under these circumstances there is no legislation prescribing the type of packaging that should be used.

WEEDS

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

Leave granted.

The Hon. R. C. DeGARIS: I note that the Agriculture Department's Agronomy Branch, Weeds Section, annual report of 1972 states that a draft Bill, named the Pest Plants Bill, 1973, has been submitted to the Minister by the Weeds Advisory Committee to replace the present Weeds Act, 1956-1969. The report also states:

Major changes in weed control administration and responsibilities will occur if this new Act is passed.

Does the Minister of Agriculture intend to introduce such a Bill this session and, if he does, will it make changes in relation to weed control in this State and provide for the establishment of regional weeds boards in South Australia?

The Hon. T. M. CASEY: The answer to both questions is "Yes". I understand that the Leader has referred to a submission made by the District Council of Mount Gambier. I point out that this matter was taken up by the committee established some time ago to examine the control of weeds throughout South Australia. This is indeed important legislation as weed control in this State is essential. I hope therefore, that in the interest of controlling weeds throughout South Australia, regional boards can be set up.

EXPORT TAX

The Hon. A. M. WHYTE: I seek leave to make a statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. A. M. WHYTE: From all one reads in the press, it seems likely that the Commonwealth Government will proceed with its intention to impose an export tax on the sale of beef. It is suggested that this money will be returned to the grower so that he will not be robbed of the incentive to continue expanding his production. Has the Minister any ideas on how long the grower will have to wait for the export tax to be returned to him, how the tax would be collected from a person selling a beast at auction, how the beef would be traced through the export channels, and how the whole machinery would work? Has the Minister any other details of the scheme?

The Hon. T. M. CASEY: The only answer I can give the honourable member is that he should not place too much faith in what he reads in the newspapers. This matter was tabled in Parliament as a report from the prices committee set up to look into these problems. I do not believe the Commonwealth Government would initiate the scheme as reported. However, if I get anything from the Commonwealth along these lines, I shall be looking at it in the interests of producers not only in this State but also throughout the Commonwealth. I cannot comment on what the honourable member would like me to do because this scheme has not so far been accepted by the Commonwealth.

The Hon. A. M. Whyte: I am pleased about that.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL

Second reading.

The Hon. C. W. CREEDON (Midland): I move:

That this Bill be now read a second time.

Clause 1 is formal. Clause 2 creates an offence of failing to exercise a habitually chained or closely confined dog for at least one hour in every 12 hours. The present section 5 (1) (i) in the Prevention of Cruelty to Animals Act, 1936-1970, requires the owner reasonably to exercise a habitually chained dog once a day. The Royal Society for the Prevention of Cruelty to Animals believes it is necessary for any dog to receive exercise for at least one hour in 12; otherwise its health and temperament will suffer. Thousands of dogs in South Australia spend the greater part of their lives tied up or closely confined. Apart from humanitarian considerations, a continually chained dog often becomes vicious and therefore a potential danger to the public. It generally seeks relief by barking and whining. This constitutes a definite nuisance to other citizens and is the subject of much public complaint at this lime. One quarter of the complaints recorded by the R.S.P.C.A. in the metropolitan area concern the habitual chaining or confinement of dogs.

To prove a case under the present Act, observation must be maintained on the restrained dog for a period of 24 hours. To maintain such continual observation is generally beyond the capacity of the R.S.P.C.A. owing to that society's shortage of staff, and would prove difficult to any law enforcement agency or individual. It is desirable to impose specific timings such as those detailed in the proposed amendment. The penalty for all offences under this section is increased to $200. Penalty fines were increased to the sums detailed in the present Act in 1960. It is believed reasonable to seek a further increase this year to the present maximum limit of all penalty fines for offences in the Act. It is not believed that there should be any increase in the maximum terms of imprisonment detailed in the present Act.

Clause 3 increases a penalty. Clause 4 inserts a new section dealing with the caging of animals. An animal or bird cage must be big enough to permit the occupant reasonable opportunity for exercise and must conform to the regulations that prescribe cage sizes. Certain exemptions are made from this obligation. "Birds" are regarded as "animals" for the purposes of the present Act (section 4, definition). Section 5b in the present Act, which will be repealed by the proposed amendment, controls the caging of birds only. The proposed amendment is framed to include animals and birds, which is believed to be necessary. The exclusion at 5d (2) *(b)* from the provisions of the proposed amendment is framed specifically to allow an animal to be displayed by its owner on a temporary basis either for interest or competitive purposes in a cage smaller than that in which it is usually kept. Pet

shops are not excluded from the provisions of the amendment, but consideration will be paid to the limited display space available to the pet shop owner when detailing regulation cage sizes for the confinement of animals held for the purpose of trade. Regulations in terms of the proposed amendment will be formulated by the R.S.P.C.A. in conjunction with recognized experts in the field of animal management and will specify acceptable cage sizes for the various circumstances under which the animal is confined.

Clause 5 increases a penalty. Clause 6 inserts a new section. New section 5d creates the offence of abandoning an animal in circumstances likely to cause it suffering. There is no specific section in the present Act dealing with this offence. In the past, offenders have been charged with ill-treatment by abuse, and failing to provide proper and sufficient food and water where the animal can be proved to have been left uncared for for any length of time. This is unsatisfactory. Abandonment is a prevalent offence in South Australia and is one of the principal causes of suffering on the part of the dogs and cats in the State. The R.S.P.C.A. handles 10 times the usual number of sick, injured and distressed dogs during the period of the year these animals are required to be registered and an equal increase in the number of dogs and cats at the commencement of the Christmas holiday period each year. At these times the irresponsible animal owner abandons his domestic pet rather than pay the registration fee or the kennelling fees.

Clauses 7 to 13 inclusive increase penalties. Clause 14 provides for powers under regulations to the Act to enforce the display of the relevant minimum dimensions of cage sizes in places selling animals or cages. This is most desirable, not only in the interest of the animals but to provide protection for members of the general public who should be informed of their responsibilities in this regard at the time that they buy a cage. The second part of clause 14 increases a penalty.

The Hon. JESSIE COOPER secured the adjournment of the debate.

PRICES ACT AMENDMENT BILL

The House of Assembly intimated that it had disagreed to the Legislative Council's amendments.

Consideration in Committee.

Amendments Nos. 1 *and* 2.

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That the Legislative Council do not insist on its amendments Nos. 1 and 2.

The first two amendments could be considered together as both concern the same matter, providing for the declaration of goods to be by regulation and not by proclamation. The third amendment deals with the terms of the legislation being on an annual rather than on a perpetual basis, as provided in the original measure. In the second reading debate, I said that the amendments would make the Act unworkable.

I also said that, if goods were to be declared by regulation instead of by proclamation, because the Parliament might not be sitting at the time, the goods would be on the declared list until it next sat and, within 14 sitting days, the regulations, once laid on the table, could be disallowed by the Council or by another place. This would mean that it would be an off-and-on procedure in regard to declared goods and, in such circumstances, it would make it more difficult to operate the Prices Act.

Also, the Commissioner for Prices and Consumer Affairs has always been able to work on the basis that the information given to him is confidential. This is necessary, because of competition between various firms and businesses. It would be unwise to have the Commissioner appear as a witness before the Subordinate Legislation Committee and be compelled to reveal the confidential information he had received in arriving at his decision to declare that a certain article be placed on the declared list.

The Hon. R. C. DeGARIS (Leader of the Opposition): The arguments in this matter between the Council and another place revolve around the question of the power of Parliament as opposed to the power of the Executive. What the Government seeks is absolute power for the Executive to declare any goods or services (which is a wide term, as set out in the principal Act) by proclamation and for these goods and services to be placed under the control of the Prices Act. I believe it is reasonable that Parliament should assert its right to have a check and balance on the use of that power by the Executive.

The Chief Secretary has said that the principal Act would become unworkable if goods and services were declared by regulation. However, one could say that this position applies to regulations under any other Act, but only a few regulations have been disallowed since I have been a member of this place. On many occasions motions for disallowance have been placed on the Notice Paper, but often in the long term the Government also agrees that some alterations should be made to the regulations. I agree that regulations are law from the time they are made; if the House is not sitting they are law until it sits.

However, it does give Parliament a check on the growing power which Executives, not only in this State but elsewhere, are attempting to achieve. One may say that, if this amendment makes the Act unworkable, the Planning Act also is unworkable. I can well remember the arguments when we changed from "proclamation" to "regulation" in that Act. When the Planning Act was introduced as a Bill it provided for all these matters to be handled by proclamation. One can imagine the position of people on Kangaroo Island and the rest of South Australia if this Council had not changed "proclamation" to "regulation". Even some of the regulations that are now coming down, in my opinion and in the opinion of the vast majority of the people who are affected by them, go far beyond what is normal and reasonable.

Much has been said about the question of confidentiality of information relating to the Commissioner for Prices and Consumer Affairs. I understand, from what the Chief Secretary said, that he would strongly oppose the present Commonwealth Prices Justification Tribunal, of which Mr. Hurford is the Chairman. That is a Parliamentary committee at the Commonwealth level that is charged with forcing businesses to justify any increased prices. The committee has the right to take confidential information from the people concerned when they attempt to justify the prices they are charging. There is absolutely no confidentiality in that system, a system where there is a tribunal with this power.

The Hon. F. J. Potter: You mean a committee?

The Hon. R. C. DeGARIS: Yes.

The Hon. A. F. Kneebone: It is not a tribunal.

The Hon. R. C. DeGARIS: It is a committee; a Parliamentary committee at the Commonwealth level. How does the Chief Secretary see that committee in relation to the question of confidentiality?

The Hon. D. H. L. Banfield: Are you agreeing for the committee having those powers?

The Hon. R. C. DeGARIS: Not at all; I am refuting the argument put forward by the Chief Secretary on the question of confidentiality.

The Hon. D. H. L. Banfield: But you are insinuating that you agree with it.

The Hon. R. C. DeGARIS: Does the Minister of Health strongly support Mr. Hurford's committee? Have we heard anything from that committee as to the confidential matters that come before it affecting companies within this State just as much as companies elsewhere in Australia? The Subordinate Legislation Committee, which will have to examine these matters, will, I am certain, not press the Commissioner for Prices and Consumer Affairs in regard to all confidential matters.

The Hon. A. F. Kneebone: Probably the only way he can justify his recommendations before the committee is by revealing the matters that are confidential.

The Hon. R. C. DeGARIS: That may be so; but how do you get past Mr. Hurford's committee?

The Hon. D. H. L. Banfield: We are not dealing with Mr. Hurford's committee.

The Hon. A. F. Kneebone: It has nothing to do with the Bill before us.

The Hon. R. C. DeGARIS: I cannot see any great harm being done by using regulations and giving the Subordinate Legislation Committee power to examine the Commissioner for Prices and Consumer Affairs, taking his evidence, and making recommendations to Parliament on the question of whether any regulations should be allowed or disallowed. I believe very strongly that Parliament should have an annual review of this legislation, as it has had previously. Of course, in the second reading debate I agreed that the position has changed and that the Prices Act now covers a much wider field than the original Act. There may be an argument in relation to making the Act permanent, but at the same time I am concerned with the question of having a check and balance against the power of the Executive.

During the second reading debate I quoted from Lord Shepherd (the Socialist peer) who drew attention to this facet. If one goes through many of the Commonwealth Parliamentary Association discussions one will see that this subject, that is, the power of the Parliament in relation to the power of the Executive, is indeed becoming a live one right across the whole democratic system. That is the main point in this argument. Parliament is seeking to maintain some check and balance on the tremendous power of the Executive to declare any goods or services in South Australia under the terms and conditions of the Prices Act. I cannot accept the Chief Secretary's argument that bringing these matters under the regulations will make the Prices Act unworkable. Indeed, it will not have that effect but will give Parliament some check on the Executive. I therefore oppose the motion.

The Hon. G. J. GILFILLAN: The Leader of the Opposition has covered the matter very well. I should like to refer to comments made on the media and in the press that the amendments will have the effect of negating the Act. They will do nothing of the kind, as the amendments in no way interfere with actions that have already been taken. Indeed, to make doubly sure, new subsection (2) of section 19 provides as follows:

> 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.

Therefore, any actions that have been taken in the past will be suitably covered; these amendments will in no way undermine any work that has already been done under the Act, and they should not be a handicap in the future. Surely, the Government's objection to these amendments can only mean that it has no confidence in the Parliament, and surely a reflection is being cast on the Joint Committee on Subordinate Legislation, on which I served for some years. I know of no occasion when the information placed before the committee was used to the disadvantage of the public, and I assume that, as under the present system of proclamation, the Commissioner for Prices and Consumer Affairs must justify his attitude to the Cabinet. 1 hope that when proclamations have been made Cabinet has assured itself that all precautions have been taken to ensure that the proposals are just and fair. The Government is asking for a blank cheque in this matter with Parliament's having absolutely no say. The question of an annual review would merely preserve the *status quo,* as such reviews have occurred ever since the legislation has been on the Statute Book.

The Hon. A. J. Shard: It has always been done by proclamation and not by regulation. Why the sudden change?

The Hon. G. J. GILFILLAN: True, it has been done by proclamation since the legislation has been on the Statute Book. However, the legislation was subject to an annual review. Now, the Government is requesting that the power to issue a proclamation should be written into the Act, so that annual reviews by Parliament will not occur. This is the crux of the matter: the legislation is being made permanent without there being any recourse to Parliament. I do not see why the Government should object to such an annual review if it has nothing to hide.

The Hon. C. R. STORY: There seems to be some doubt regarding the functions of the Joint Committee on Subordinate Legislation and regarding how much of the information given to it is made public. When she was Chairman of the committee, Mrs. Byrne made a regular practice of showing all witnesses who appeared before it a notice stating that if one wished his evidence not to be made public (in other words, that it should not be included in the official record prepared by *Hansard),* it would be in order. Therefore, with this warning being given to witnesses appearing before the committee it is unlikely that their evidence would be published if they did not wish this to happen.

The committee's function is not like that of the Public Works Standing Committee, before which much information is tabled. The Joint Committee on Subordinate Legislation is more of a fact-finding committee, and information supplied to it in camera remains as such. Therefore, I do not see the logic in the argument that people may be embarrassed as a result of the information they give to the committee.

The Hon. A. F. Kneebone: On a disallowance motion how does one effectively argue without giving confidential information to the Council?

The Hon. C. R. STORY: The whole point is that, if confidential information is given to the Council, the committee may as well fold. up. It is up to the members of that committee, who come not only from this Chamber but also from another place, to decide on the information available to them whether they will support a disallowance motion.

The Hon. A. F. KNEEBONE: The Hon. Mr. Story has put his finger on the point I was trying to make. How can one move a motion of disallowance without giving all the information to honourable members so that they can decide how to vote? If all the information is not given,

one is withholding confidential information given to the Commissioner for Prices and Consumer Affairs. At present, that information would have to be given to the Council so that all honourable members would know on what they were voting. I do not know how the Leader of the Opposition and his colleagues can support any arrangement that means that confidential information must be disclosed to all members of both Houses of Parliament so that they can make a considered judgment on a motion for the disallowance of a regulation.

The Hon. D. H. L. BANFIELD (Minister of Health): Although the Leader of the Opposition opposed the motion, he gave no reason why we should depart from the system of proclamations. He did not give one instance of where this procedure had been abused. This Act has been in operation for about 20 years. It was introduced by the Playford Government and supported by members opposite in this Chamber. It has been reviewed every year of those 20 years and no attempt has been made in that period to alter "proclamation" to "regulation". During that period a Labor Government has been in power for about seven years, and the Opposition has not once said that that Government has acted irresponsibly in this matter. There is no reason to assume that whichever Government is in power will not act responsibly in the future. So, unless the Leader can point to something that is worrying him, there is no reason at present to change a set-up that has been in operation for about 20 years, having been introduced by a Liberal and Country League Government and supported by members opposite.

The Hon. Mr. Gilfillan says, "That's all very well, but the Act then came up for review every 12 months." What did honourable members, including the Hon. Mr. Gilfillan, do the other day? They moved an amendment to make sure that it continued to come up for review every 12 months, and the Hon. Mr. Gilfillan voted for that amendment. He now says that, because it will be on the Statute Book for all time, we should have "regulation" and not "proclamation"; yet he, with his numbers, supported the amendment to make sure that the Bill came into this Chamber every 12 months in the future. That was supported by the Leader.

Let them get their argument clear: are they happy that it should be by proclamation provided it comes up for review every 12 months, or do they want both? I ask honourable members to state their case clearly on what they want.

The CHAIRMAN: I point out that the debate has now drifted on to all three amendments. The last speaker was dealing with amendment No. 3.

The Hon. D. H. L. BANFIELD: And so was the Hon. Mr. Gilfillan.

The CHAIRMAN: Will the Chief Secretary indicate whether he is prepared to deal with all the amendments together?

The Hon. A. F. KNEEBONE: I should prefer to take amendments Nos. 1 and 2 together, if any are to be taken together.

The CHAIRMAN: Then I ask any honourable member who speaks to confine himself to amendments Nos. 1 and 2.

The Hon. D. H. L. BANFIELD: I want to clear up this matter. You, Sir, implied that I was the speaker who went on to amendment No. 3.

The CHAIRMAN: Order! I did not imply that: I made a statement. The Minister was talking about the period of 12 months, which has nothing to do with the matter being discussed.

The Hon. D. H. L. BANFIELD: I agree with that. Will you, Sir, also agree that the Hon. Mr. Gilfillan spoke on that matter?

The CHAIRMAN: He made a passing reference to it but I do not know that he dealt with it at length.

The Hon. R. C. DeGARIS: I am in a bit of a quandary because the Minister has asked me to explain my position in regard to amendments Nos. 1 and 2 and, on your present ruling, Sir, I cannot do that. However, I will proceed until I am told I am out of order. The Hon. Mr. Shard said, by interjection, "Why the sudden change in relation to 'proclamation' and 'regulation'?"

The Hon. A. J. Shard: That is right.

The Hon. R. C. DeGARIS: There is no sudden change. I assure the honourable gentleman that, irrespective of the Government in another place and of which Government made the changes to the principal Act, the attitude of this Chamber would be exactly the same.

The Hon. A. J. Shard: It has not been so for 20-odd years.

The Hon. R. C. DeGARIS: Let me explain why. It was fully explained in the second reading debate that Parliament had some control regarding the previous Act, and the reason why the Government did not abuse its very wide powers of proclamation was that it knew that, if those powers were abused, Parliament had an overriding power. That is why price control in this State, although it was under proclamation, was subject to Parliament's ability to say, "Look; you (the Government) are going too far. Your Bill will disappear if you do not behave yourself."

The Hon. A. J. Shard: You do not mean Parliament; you mean this Council.

The Hon. R. C. DeGARIS: No, Parliament as a whole.

The Hon. A. J. Shard: No, it would not.

The CHAIRMAN: Order!

The Hon. R. C. DeGARIS: There has been no sudden change in the attitude of this Chamber: the sudden change has been in the attitude of the present Government to the Prices Act. All we are seeking to do is maintain, in one way or another, effective Parliamentary review of the actions of the Executive.

The Hon. D. H. L. Banfield: But you support it both ways, not one way.

The Hon. R. C. DeGARIS: It is so difficult to get the message through to the Minister of Health. There is no sudden change in the attitude of this Chamber: the sudden change is the Government's approach to the Act. All we are trying to do is maintain Parliamentary review, Parliamentary check, and Parliamentary balance of an extremely wide power of the Executive. This Chamber has suggested that it be by regulation instead of by proclamation, because of the change of attitude of the Government to the present Act.

The Committee divided on the motion:

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

Noes (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.

Majority of 7 for the Noes.

Motion thus negatived.

Amendment No. 3:

The Hon. A. F. KNEEBONE: I move:

That the Legislative Council do not insist on its amendment No. 3.

This amendment was moved by the Hon. Mr. Dawkins. The Prices Act has operated for 25 years in South Australia, and in the past it has come up every year, as the Leader said, for review. On occasions in this Chamber, even though the Premier of the day, the Hon. Sir Thomas Playford, introduced a Bill every year for the continuation of the Prices Act, we have seen many people talking one way and voting another. Although people spoke for the benefit of *Hansard* and of the electors, saying they did not support the control, because the then Premier wanted price control it was always seen that there were enough people in this Chamber to vote with the Labor Party to support its continuation.

The Hon. Sir Arthur Rymill: Are you suggesting that this Chamber has never defeated the Playford price control Bill?

The Hon. A. F. KNEEBONE: I cannot remember that it was defeated in my time.

The Hon. Sir Arthur Rymill: I can recall some very late conferences on the matter.

The Hon. A. F. KNEEBONE: Yes, but eventually the wish of the L.C.L. Government was always granted, as it was in the case of the Electricity Trust legislation. The Leader and all other members who are opposed to the Government have formed a team which voted in favour of the amendments to this Bill. They are all in the one team at the moment.

The Hon. D. H. L. Banfield: Including the L.M. boy.

The Hon. A. F. KNEEBONE: Yes. They voted on the amendments on the basis that the Government was making this permanent legislation. They said they were voting for only the amendments because they would no longer have the opportunity, because of what the Government is trying to do in this Bill, to review the position every year and to review every year the proclamations made, so that if they did not agree they could throw out the Act holus-bolus.

Members opposite want a double issue. They then moved to amend the Bill to provide that in addition to the regulations provision the matter should come up for review every year. If they want it that way, they are getting the review every time the Council is sitting. Those same members are really saying they have no confidence in the Joint Committee on Subordinate Legislation. They want a second bite at the cherry. How can they support this amendment after what has happened in relation to other amendments?

The Hon. R. C. DeGARIS: I am almost inclined to agree with the Chief Secretary.

The Hon. A. J. Shard: Because what he said was logical.

The Hon. R. C. DeGARIS: It is not logical at all—

The Hon. A. J. Shard: If the Leader's argument was logical, this is sound logic.

The Hon. R. C. DeGARIS: It may sound that way.

The Hon. A. J. Shard: What is more, the Leader knows I am right.

The Hon. R. C. DeGARIS: I do not know how one can argue with the former Chief Secretary when he knows he is right. However, in this case the Chief Secretary has put forward an argument which seems to go along the line that this Council is trying to have it both ways. We are seeking some Parliamentary control, some check, some balance of the power, of the Executive. When it comes to having things both ways, I should like to look at it from the point of view of the House of Assembly. This Council amended the Bill in two ways, but it has come back from the House of Assembly with objections, that House not accepting either of those approaches. If one follows the logic of the Chief Secretary in saying that we have no confidence in the Subordinate Legislation Committee, one could also say that the House of Assembly, on his logic, has no confidence in that committee or in the Parliament itself.

The Hon. A. F. Kneebone: Or the Upper House.

The Hon. R. C. DeGARIS: If one were to take the Chief Secretary's argument this would follow as a natural corollary. The Government, by its action in another place, is displaying no confidence in either the Parliament or the Subordinate Legislation Committee. The position is clear, namely, that the Council seeks to have some check and balance on the Executive, whereas the Government does not want Parliament or the Subordinate Legislation Committee to have any control, examination, or balance or check on decisions of the Executive. I am sure that, if there had been any degree of co-operation or compromise, either one or the other would have been accepted. But no, it is a blank cheque: the Government wants to give the Executive what it wants and when it wants it. There will be no check or balance.

The Hon. A. J. Shard: Hasn't the Government the right to do that? Your Party had Government for 25 years.

The CHAIRMAN: Order! Interjections are out of order, and I ask honourable members to control themselves. The honourable Leader of the Opposition.

The Hon. R. C. DeGARIS: I think I have made my point fairly well, judging by the reaction of Government members.

The Hon. D. H. L. Banfield: It wasn't impressive.

The Hon. R. C. DeGARIS: The Government requires this power without any check or the balance provided by the Subordinate Legislation Committee or the Parliament. I do not support the Chief Secretary's proposition.

The Hon. Sir ARTHUR RYMILL: I agree with everything my colleagues have said. They have made our position crystal clear, even though it does not seem to have impinged itself on the Minister of Health. Criticism has been levelled at the attitude of several members of my Party when the Hon. Sir Thomas Playford, ably assisted by his first lieutenant (then the Hon. A. L. McEwin), kept renewing this legislation from year to year. I was a bitter opponent of the legislation (and said so many times), and I still am. On October 10, 1956, I said—

The Hon. A. J. Shard: Was that your maiden speech?

The Hon. Sir ARTHUR RYMILL: No, but it was close to it. The extracts I will give contain the whole gist of my attitude. On October 10, 1956, I said:

> As an ardent supporter of the Playford Government and as one who fully recognizes the wonderful things it has done for South Australia it gives me no pleasure as a new member so soon to oppose one of its measures. However, if the Government departs so far from Liberal principles as to continue a war-time measure year by year, long after the state of emergency it was brought in to control has ceased, it can surely be said to be inviting criticism from its own ranks.

I now go on to that wonderful occasion in 1965, when the Walsh Government was elected. On November 30, 1965, I said:

> I have spoken at great length on this legislation over the years. I think honourable members will be relieved when I announce that I do not propose to speak at such great length on this occasion. Honourable members know my views on this matter, and I think that would apply to even those members who have been here for the first time in this session, because I have always been violently opposed to price control, and I remain so. I believe in

free enterprise, despite the earlier remarks this evening of the Chief Secretary (Hon. A. J. Shard). In my opinion, competition is the essence of our capitalistic structure. I consider that price control is completely antipathetic to that. Restrictions from the dead hand of Socialism and price control do not go with a vigorous enterprise and a surging economy such as we all want to see, a virile economy with full competition. However, I know that price control is traditionally Labor and Socialist policy.

The Hon. D. H. L. Banfield: But the Liberals introduced it.

The Hon. Sir ARTHUR RYMILL: I continued (apparently inconsequentially, although it was in the context):

I have said previously (and I am prepared to hold it) that I am prepared to support the things for which I think the Government has a proper mandate. I regard this as part of their domestic policy, although I do not agree with it.

I still hold that view. I continued:

I am not certain what the price of a standard loaf of bread is at present.

The Hon. Mr. Shard interjected by saying that he could not tell me, because it was a long time since he had sold one.

The Hon. A. F. Kneebone: You have not told us how you voted on that occasion, although you referred to a mandate.

The Hon. A. J. Shard: You've never voted for price control in your life.

The Hon. Sir ARTHUR RYMILL: I did not vote against it, because I thought that the Government had a mandate for it. It is Government policy to have price control, but I could not agree more with my colleagues, because we are entitled to exercise remote supervision over what the Government does. However, if we give the Government this power forever without provision for an occasional Parliamentary review, we will have handed over the whole matter to the Executive. It seems now that the Government wishes to hand this control over to the Commonwealth. I am rather confused as to what it all means. However, I have not voted against prices legislation while a Labor Government has been in power, because I have regarded it as having a mandate for price control. What I said when the Steele Hall Government was in power, I cannot remember, but it will be recorded in *Hansard.* No doubt, I would have opposed it then, but I am not opposing the measure now. However, I wish to retain the principle that Parliament must not be by-passed completely and that it is entitled to have a say from time to time on these extremely important matters. In saying that I do not suggest that we should not hold to the previous amendment, which was debated, but I cannot refer to that now.

The Hon. M. B. CAMERON: I was interested to hear that the Hon. Sir Arthur Rymill, in a speech some years ago, referred to the need for price control as something that is used only in a state of emergency. I believe that it is proper to say that a state of emergency exists now: the Commonwealth and State Labor Governments have lost control of the economy. Therefore, price control is needed to maintain some sort of control over the economy. However, when all sorts of groups in the community are blamed for inflation getting out of control, (the Government is not taking the blame and after all, it controls the economy) I believe they should not be left in that position where the Government can blame them permanently. I did not hear anyone shouting about the position of country people during the recent depression, but suddenly country people are being blamed for everything. Parliament should have a check: that is why I supported the previous amendment. I do not support this amendment now under consideration.

The Committee divided on the motion:

Ayes (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.

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

Majority of 3 for the Noes.

Motion thus negatived.

UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL

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

The Hon. T. M. CASEY (Minister of Agriculture): I move:

That this Bill be now read a second time.

It makes a number of formal amendments to the principal Act. The purpose of these amendments is to give effect to a decision to transfer substantially the administration of the principal Act from the Mines Department to the Engineering and Water Supply Department. When this transfer is effected, the main areas of the principal Act that will still come within the jurisdiction of the Mines Department will be those connected with technical aspects of well sinking. This transfer of responsibility is in keeping with the overall plan of, eventually, placing responsibility for the preservation and development of all water resources in this State in the hands of a single authority. It is hardly necessary for me to remind honourable members that the economic future of this State is, to a considerable extent, bound up with the manner in which our water resources are developed and husbanded. The Government is mindful of the steps that must be taken to achieve proper conservation and protection of the water supplies.

I now consider the Bill in detail. Clauses 1 and 2 are formal. Clause 3 amends the interpretation section of the principal Act; this section contains a reference to the Director of Mines, and the amendments will provide that a reference in the Act to the Director can be read as a reference to the appropriate officer of the Mines Department or the Engineering and Water Supply Department, as the case requires. Clause 4 is consequential on a further proposed amendment that will have the effect of exempting certain wells from all or some of the provisions of the principal Act. The purpose of this amendment is to ensure that any work or change of use carried out or occurring in relation to an "exempt well", the effect of which would cause the well to cease to be an exempt well, shall only be done under a permit.

Clause 5 similarly amends section 44 of the Act, removing the specific reference to the Mines Department and substituting therefor a reference to "a department of the public service of the State that is concerned in the administration of this Act". This will cover both the departments concerned in that administration. Clause 6 amends section 50 of the principal Act by deleting a specific reference to the Minister of Mines. Clause 7 amends section 57 of the principal Act by providing that an "authorized person", as defined, can also provide a certificate as to certain matters that may be admitted as evidence.

Clause 8 by enacting a new section 57a in the principal Act provides a power for the Minister to delegate his powers and functions under the Act, except this power of delegation. It is considered that such a delegation will make for better and more convenient administration

of the principal Act. Clause 9 provides greater flexibility in respect of the power to make regulations under section 61 of the Act. At present, if it is necessary to control wells of a certain type, for example, those over a certain depth used for irrigation purposes, it is necessary to control all wells in the defined control area that are over that depth even though the same control measures may be unnecessary as regards, say, wells used for stock and domestic purposes. The amendment contained in this clause will ensure that wells in respect of which control measures are not necessary can be exempted and avoid unnecessary restriction on landholders.

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

LAND COMMISSION BILL

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

MONARTO DEVELOPMENT COMMISSION BILL

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

TRAVELLING STOCK RESERVES: RIDLEY

The Hon. A. F. KNEEBONE (Minister of Lands): I move:

That the travelling stock reserves adjoining section 338, section 180 and section 330 in the hundred of Ridley, as shown on the plan laid before Parliament on June 19, 1973, be resumed in terms of section 136 of the Pastoral Act, 1936-J970.

The reserves contain about 71.63 ha (177 acres), 8.157 ha (20 acres) and 3.922 ha (9 acres 2 roods 30 perches) respectively. The travelling stock reserve adjoining section 338 was originally used as a camping ground for travelling stock. It is situated at the junction of three former travelling stock reserves that were resumed some years ago and, consequently, the existing reserve is no longer required as a camping ground. Locally, it is known as "Shell Hill". The Marne River adjoins its northern and north-western boundaries, making it ideal for picnics, and there is evidence there of camp fires and barbecues. In fact, the district council of Marne has erected a sign at the cross roads indicating "Shell Hill".

The shell is understood to be quite unique to the area, but considerable quantities were removed in past years for road making and in the early days for mixing with superphosphate for farming purposes. None has been removed for about the last 10 years, and it is desired that there should be no recurrence in the future. The council has authorized some cleaning up of limestone and overburden around the outer periphery of the area from which the removal took place in order to make it more attractive for picnics. The other two travelling stock reserves are in the same locality. Portion of the reserve adjoining section 180 is required for road straightening purposes. The reserve adjoining section 330 is also very popular with tourists and weekend picnickers. There is a permanent creek flowing through the area fed by a natural spring. The council has named it "The John Christian Memorial Reserve" in honour of a councillor killed in a plane crash a few years ago. A barbecue has been built and ground improvements effected under the non-metropolitan unemployment relief scheme.

None of the three existing reserves is required by travelling stock, and the Stockowners' Association of South Australia has advised that it has no objection to resumption. It is intended that following resumption the three areas be dedicated for picnic and recreation purposes and be placed under the control of the District Council of Marne. The council intends gradually to improve the areas by general tidying up and the erection of barbecues and toilets. In view of the circumstances, I ask honourable members to support the motion. For the benefit of honourable members, a map regarding this matter is displayed on the notice board in the Chamber.

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

TRAVELLING STOCK RESERVE: PARNAROO

The Hon. A. F. KNEEBONE (Minister of Lands): I move:

That an area of 5¼ acres of the travelling stock reserve in the hundred of Parnaroo, as shown on the plan laid before Parliament on November 9, 1971, be resumed in terms of section 136 of the Pastoral Act, 1936-1970, for railway purposes.

Under the rail standardization project, which involved the construction of a deviation line between Ucolta and Paratoo, it was necessary for the railway line to cross the travelling stock reserve in the hundred of Parnaroo. An area of 51 acres (2.124 ha) is therefore required to be resumed from the reserve for this purpose. The area has been fenced and the survey plan lodged with the Lands Department indicates that gates have been provided to enable any stock using the travelling stock reserve to cross the railway line. In view of the purpose for which this land is required, I ask honourable members to support the motion. For the benefit of honourable members, a map regarding this matter is also displayed on the notice board in the Chamber.

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

POTATO MARKETING ACT AMENDMENT BILL

Second reading.

The Hon. T. M. CASEY (Minister of Agriculture): I move:

That this Bill be now read a second time.

This short Bill, which is introduced following representations from the South Australian Potato Marketing Board, established under the principal Act, the Potato Marketing Act, 1948, as amended, is intended *(a)* to increase penalties for offences against the Act; *(b)* where the offence involves unlawful activity in relation to potatoes, to include in the penalty an amount equal to the value of those potatoes; and *(c)* to facilitate somewhat prosecutions for offences against the Act. The actual amendments put forward are in expression and effect somewhat similar to those inserted in the Citrus Industry Organization Act by an amendment in 1971 and, in practice, the amendments have been found most helpful by those responsible for the administration of that Act.

Clause 1 is formal. Clause 2 repeals section 21 of the principal Act and inserts in its place three new proposed sections, which I shall deal with *seriatim.* New section 21 increases the penalty that may be imposed for a breach of a provision of the Act from a maximum of $400 to a minimum of $50 and a maximum of $400 for a first offence and a minimum of $100 and a maximum of $600 for a subsequent offence. In addition, where the offence involves, in effect, the unlawful marketing of potatoes, the defendant may be liable to an additional penalty based on the "market price" of those potatoes at the time the offence was committed.

Honourable members will appreciate that in "orderly marketing legislation" penalties for breaches must be substantial lest it become "economically profitable" for

breaches of the legislation to be contemplated. The short-term economic benefit to the individual should not be allowed to outweigh the good of the industry as a whole.

New section 21a in effect transfers the "burden of proof" to the defendant. In cases in the contemplation of this section, it is easy for the defendant to show that his transaction was lawful but difficult for the authorities to prove, in the strict legal sense, that the transaction was unlawful. It seems reasonable therefore that, once it is proved that the defendant had possession of potatoes at a particular time and that he could not produce appropriate evidence that the transaction was lawful, it shall lie upon the defendant to satisfy the court that the transaction was a lawful one. New section 21b merely ensures the invalidity of agreements or arrangements that have the intention or effect of defeating the objects of the principal Act.

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

APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from September 25. Page 887.)

The Hon. J. C. BURDETT (Southern): I support this Bill. The Minister, in speaking to it, said:

> But, as we all know, the real test is the individual's experience and reaction to the quality of service offered when he or she seeks it, in education, in health, in the protection of the law, in assistance against hardship or in some other area of Government-provided service.

With that I agree. The Minister then went on to say:

> I suggest that, in the totality of these things, the ordinary South Australian is far better off because of the Government's efforts.

This I deny. It is certainly my experience as one individual, and I believe it is the general experience, that, because rising costs and State taxation have outstripped rising incomes, the average South Australian is less well off in material things and in quality of life than he was a few years ago, and this despite the increased expenditure outlined in the Budget which the Hon. Mr. DeGaris and the Hon. Mr. Hill have highlighted.

I intend to give a few isolated examples of where the public has found the services of which the Minister spoke inadequate. These are cited simply as examples and I realize that they are too isolated to provide proof of what I have said. They do, however, represent actual complaints by members of the public about the services provided. I also acknowledge that, whereas the Hon. Mr. DeGaris and the Hon. Mr. Hill have emphasized the increased State taxation and the increased expenditure, most of the items to which I intend to refer would require the spending of more money. However, my contention is that, despite the increased taxation and the increased expenditure, the Government has not directed this expenditure efficiently enough to provide adequately those services that the Minister said are the real test of the Government's Budget performance.

The Minister spoke of education. Some little time ago, I asked a question about when the new Mannum Primary School would be placed on the design programme. The answer acknowledged that this project had been on the waiting list for some time. The Council was told:

> It is considered that other schools are in more urgent need of replacement, and it has not been possible to include the Mannum school in the design programme.

However, the answer also acknowledged that most of the present school is in wood. I understand it has long been a policy of the department to replace timber with solid construction and, if there are many schools in more urgent need of replacement than the Mannum school, all I can say is there must be many children throughout the State being taught in substandard school buildings.

The Minister also mentioned assistance in cases of hardship. I now mention an organization called Birthline, which exists to provide assistance in certain circumstances. It applied to the Treasurer for assistance on January 4, 1973, by letter. Assistance was declined by the Treasurer in his letter of January 18. Birthline is a professional counselling service for women distressed by an unplanned pregnancy. It is a client-centred agency, an agency that cares about women and girls who find themselves pregnant and do not know what to do about it or how to cope. It is a unique agency, the only one in South Australia set up specifically to help women faced with an unplanned pregnancy. That is the sole function of Birthline, and all the energies and skills of the volunteer staff, and all available resources, are directed to this prime service. A responsible attempt is made to reach clients before a decision is made in the hope of preventing a hasty and ill-considered decision. It is a co-ordinating centre for all services required by those to whom pregnancy means economic, social and emotional distress. One of its important roles is to mobilize support services at the parish, local, inter-church and regional levels.

Birthline is not a moralizing agency. None of the counsellors are willing to take upon themselves responsibility for "persuading" a client to carry through a pregnancy against her will. It is not a general welfare agency. While many agencies deal with a multiplicity of problems, the criterion for eligibility of Birthline is an unplanned pregnancy. It is not a referral agency for abortions. While it is acknowledged that a client, after counselling, may choose abortion, it is not the policy of Birthline, which is a pro-life agency, to make referrals for same. Clients need to contact their own doctors or public hospitals for this purpose.

There is an advisory panel, which consists of doctors, lawyers, and clergy of all denominations. It has a staff of telephone answerers. Birthline is manned at all times by telephone answerers who have participated in a training programme. These are the front-line, first-contact persons. Their role is to convey warmth, understanding and acceptance, to assess the nature and urgency of a call, and to arrange for clients to see the social worker if necessary. There are also volunteer social workers. Counselling is undertaken only by professionally qualified social workers. They offer a non-directive, non-value-laden examination of all alternatives available to the client. For those who elect to carry through their pregnancy, practical assistance is arranged if required. Then there are support services. Birthline co-operates with agencies and individuals in the community in order to provide practical assistance for those who need it. Names of persons who have volunteered their services for child-minding, home help, transport, accommodation, shopping, and so on, are listed at Birthline.

Birthline has an unfulfilled goal. In order to become a true crisis counselling service, it is essential to employ a social worker. Without such a person, great difficulty has been experienced in meeting the clients' needs—that is, on-the-spot counselling. The employed social worker would necessarily be backed by a team of volunteer social workers to provide a crisis service at all times the agency is open, from 10 a.m. to 4 p.m. and from 7 p.m. to 9.30 p.m., five days a week. The role of the employed social worker will involve general administrative responsibilities, the development of the social work service, public relations, and the co-ordination of volunteer services.

To allow Birthline to carry out its vital function, $15,000 a year is needed over the next three years. This money wilt be spent on office rental, employment of a social worker, and advertising. I have viewed some of the statistics of Birthline. In its first year of existence it handled 250 cases. There are precedents for Government assistance to similar organizations—for example, the Single Mothers Council. Birthline's appeal for funds appears to be all the more important because, while it may overlap to some extent with other agencies, it is, as I have said, a unique agency, the only one in South Australia set up specifically to help women faced with an unplanned pregnancy.

Whatever one thinks on the question of legalized abortion, one must acknowledge the need to guide and help women faced with an unwanted pregnancy. That need exists whatever the woman may choose to do about the pregnancy, whether to continue it or to seek its determination. It is true that Birthline is a pro-life agency largely geared to assist those who choose to continue with the pregnancy, but that surely is no valid reason in anyone's mind to decline to support the agency. I think all honourable members would have received in the past few days a letter from the Synod of the Church of England upholding Government financial support for Birthline. This is an area in which the presently planned expenditure of the Government could usefully be extended and where the quality of service to the community, to use the words of the Minister, could be improved.

Recently, I asked a question about the reconstruction of the Mannum to Adelaide main road. The reply listed a time schedule for a portion of the road, but no work was planned for the very considerable stretch running through the Adelaide Hills. This section of the road, although its reconstruction would be expensive, is dangerous and not suitable for modern traffic. Many accidents have occurred on the road owing to its dangerous nature. The vehicle count may not be high in comparative terms, but its reconstruction is urgent because of the hazard it presents. It is particularly hazardous for farmers' trucks carting stock and other produce to the metropolitan area, and the road has an ever-increasing potential for tourist use.

The Hon. Mr. DeGaris mentioned the future of hospitals in South Australia and the kind of hospital service provided which, as he said, all honourable members would want to see continued. I refer to the service provided by Government subsidized hospitals whereby excellent facilities are available to people in the country areas, enabling not all but many patients to be treated in their own centres, close to their families. I draw to the notice of the Government that the future of this system seems to be in some jeopardy. Many country Government subsidized hospitals are in financial difficulties because of problems in recovering fees from indigent patients, including a large proportion of Aborigines, and also outpatients' fees not covered by any benefit system. The Government must keep a close eye on the problems of Government subsidized hospitals to see that this unique and invaluable system is maintained.

On the subject of fisheries, I understand that at present only one research officer is employed by the South Australian Government and that Commonwealth officers also work in South Australia. The fishing industry is in some difficulty because of the Commonwealth Government's fiscal policies; the industry relies very heavily on export trade. To alleviate this position, an extended research service is necessary to assist the industry by this means, and the employment of more officers is also necessary. A further suggestion I make is that the research officers should travel more often with fishermen on their boats and, where necessary, charter fishermen's boats and employ professional fishermen for research projects.

The Hon. Mr. DeGaris and the Hon. Mr. Hill both criticized, rightly, the extent to which the South Australian taxpayer is subsidizing the South Australian Railways. They did not, of course, suggest that the railways be closed; on the contrary, it is essential that the railways be maintained if only to provide an alternative service (and therefore competition) to road transport. The Government will not improve the finances of the railways by carrying passengers on country trains at a loss of $16.02 a head. I suggest that the department could investigate an extension of its long haul and bulk freight services, which are potentially profitable operations. By using even the existing rolling stock to a greater extent and to greater advantage, more bulk freight, particularly primary produce, could be obtained. I suggest that a reduction of freight charges in such cases to compete more effectively with road transport could bring enough additional business to make such a project profitable. In other fields, some freight charges appear low. A local agricultural machinery agent told me this morning that the freight charge to him on a certain item of agricultural machinery was $6 by train and $16 by road. I suggest that a complete review of freight rates is necessary.

The last specific subject on which I propose to speak is that of land acquisition. In order to put into effect many of its current plans as announced in the Budget, many of them progressive and beneficial plans, the Government is having to acquire a considerable amount of land. I suggest that our legislation for the compensation of landowners, urban as well as rural, results in inadequate compensation being paid in some cases. I do not suggest that such landowners should make a fortune out of the taxpayer, but they do not ask to have their land acquired and they should receive full compensation for all genuine financial losses actually incurred. Under the present legislation, the restrictions imposed on the heading of compensation known as "disturbance" prevent a landowner in some circumstances from recovering financial losses actually incurred. In the United Kingdom the same problem exists, and I refer to an English Justice Report on the same subject, published by Stevens & Sons. I quote from page 41 of the report, as follows:

> There appear to be two main reasons for the difficulties over relocation from a compensation point of view. The first reason is that the extra cost of alternative accommodation, albeit it may be reflected in the capital value of the premises, is not reflected in the occupational value of the premises to the person concerned. A small business may be forced to relocate itself in expensive premises which contribute nothing to the profitability of the business and are not necessary for the conduct of it. Similarly a residential owner-occupier who is dispossessed may, in order to relocate himself, be forced to purchase premises which are more expensive than he either requires or desires. In such cases the compensation received by the dispossessed person is likely to be insufficient to pay for the relocation.

The report contains suggestions to remedy this situation, and I commend them to the Government. I support the Bill.

The Hon. C. W. CREEDON (Midland): I support the Bill and commend the Government for its proposals and the way in which it has managed to allocate available moneys in the best interests of the community as a whole. Several honourable members referred to increased taxation. None of us likes increased taxation, but it is always necessary to increase services to the community, and unfortunately the only way of paying for them is through

increased taxation. Water rates have also been criticized. We all know that, in order to provide an essential service in places where a reticulated water supply is not available, it is necessary to increase the rates of those people who enjoy a reticulated water supply so that those who do not may receive it in the future. There is always great pressure on the Government to provide reticulated water supplies, to supply cleaner water, and to fluoridate the supply.

The Hon. T. M. Casey: Particularly in country areas.

The Hon. C. W. CREEDON: Yes, and particularly in the Barossa Valley. It is only right that people should criticize these things and that faults should be corrected, but they should realize that this costs money. Sewerage is another essential service, for which $4,000,000 has been allocated for this financial year. The Government does not receive a big return on sewerage. The Auditor-General's Report states that losses have been sustained on returns from sewerage services but, again, this is an essential service which people must have and for which they must expect to pay increased taxation. A few weeks ago the Hon. Mr. Dawkins referred to sewerage in Gawler. He has been a member of this Council for 11 years and has asked three questions on this matter. One question asked was that the Munno Para area be given sewerage at the same time as Gawler was given it. I point out that the late Mr. Les Duncan was the first Parliamentarian to suggest that Gawler should be connected to the sewerage system. Later, Mr. J. S. Clark also raised this matter. However, it was not until about 1966, as the result of a deputation from the Gawler corporation to the then Minister of Works (Hon. C. D. Hutchens), that any real consideration was given to connecting Gawler to a sewerage system.

The Hon. Mr. Dawkins said that sewerage had been under way in Gawler for eight years. That statement is incorrect, because work on the system did not commence until 1968, in the term of office of the Labor Government. The Hon. Mr. Dawkins, who made other misleading statements, has lived in the area all his life and should know better. He said that Gawler was not doing too well out of the sewerage scheme, but he did not say that Gawler, under the sewerage scheme, takes in sections of the Munno Para and Mudla Wirra council areas. In connecting Gawler to the main trunk sewerage scheme, it was necessary to go through these areas, which were the first to be connected. It is only in the last couple of years that work has commenced on sewerage in Gawler proper, and it is expected that the work will be completed within the next four years. Credit should be given where it is due: Gawler council has been pressing the Engineering and Water Supply Department for the last five or six months to have the work recommenced and it has been promised that it will be completed in three to four years.

Considerable criticism has been voiced about this Bill, but no credit has been given to the Government for the money it is spending on education, which, previously, had been run down but which is now being improved. The allocation for education this financial year has been increased by about 20 per cent. The Government pays great attention to community welfare services. These services cost money, and it is necessary to increase taxation so that people in dire circumstances may benefit from them. The Minister of Health Department this financial year has benefited to the tune of about $13,500,000. This department's services are also for the benefit of the people in the community, but again increased taxation is necessary to pay for them. Complaints have been made in the past about the taxation levied on the Electricity Trust of South Australia. However, various Auditor-General's reports show that considerable grants have been allocated to E.T.S.A in the past. This year the grant is about $500,000 to enable the trust to extend electricity to outer country areas.

The Hon. Mr. DeGaris, the Hon. Mr. Hill and the Hon. Mr. Burdett referred to the South Australian Railways. The former two members made great play of political statistics in their comparisons with services in other States, deficits or profits made in other States, and the subsidizing of our rail passenger services. However, they did not take into account the population advantages of the other States and railway mileages. I wholeheartedly agree with the Government's approach to the Commonwealth Government that a greater part of our railway system be taken over by the Commonwealth in the future, because that will relieve the financial burden on our Government.

Railways are important, no matter what they cost, because they take people to and from work, or shopping and home again, or to business and home again. Some people use the railways because they do not own their own vehicle, and many people who own their own vehicle prefer to travel by train for convenience and to avoid adding to our pollution problem. It is time that statistics were produced on the cost to the public of all motor transport. The railways pays for maintenance of the permanent way (this matter has not been referred to by any previous speaker), as against people who own their own vehicle.

The Hon. R. C. DeGaris: Who pays for that?

The Hon. C. W. CREEDON: It comes out of Government money. The Leader might suggest that registration fees pay for road maintenance, but it is all taxation. It costs the taxpayer much to subsidize a transport system that provides highways, bridges, by-passes and freeways, and I believe the system should be examined so a true comparison can be made of the cost to the State. Pollution is the major hazard to the public caused by the transport system.

The Law Society grant has been increased by $50,000 this year. That is perhaps not much, but it will probably assist a few more people who are in dire need of such a service to protect their rights. It is a citizen's right to approach anyone he wishes when purchasing something, but many people have things put over them by salesmen and do not have the money to fight in the courts for their rights. I am pleased the Government has provided this sum to enable people in these circumstances to protect themselves in the courts of this State.

I notice, too, that increased funds will be made available to prisoners as wages (tobacco rations, I think they are called), and I commend the Government for its action. Although prisoners may have brought this punishment on themselves, they are deprived of certain rights. Many of them learn from the time they spend in gaol that they must behave themselves and try to be better citizens when released. I believe that anything we can do to make their detention more comfortable and to give them peace of mind should be done. I support the Bill.

The Hon. R. A. GEDDES (Northern): I, too, support the Bill. I was pleased to hear the new members expressing opinions and observations on problems as they see them, and I compliment them for the attitudes they have taken in this Council to their responsibility. In February this year the Premier announced that he had received a letter of intent relating to the establishment of a petrochemical industry and oil refining complex at Redcliffs, about 16 miles (25.7 km) south of Port Augusta. Modern

chemical plants have to be big to be profitable and, if big, their material throughput will also be big, the products they produce will be big, and the rubbish they produce will be big. It has been freely stated in the press that this complex, in its initial stages, will cost about $300,000,000. It is planned (although reports vary on the figures) to produce initially 250 000 tons (254 000 t) of caustic soda and 270 000 tons (274 320 t) of ethylene dichloride a year, as well as bi-products (propane and butane) from natural gas from the Cooper Basin.

It appears that the caustic soda output will be used within Australia for alumina projects and in industry generally, as there is a shortage of this product. However, Australia can use only about 80 000 tons (81 280 t) of ethylene dichloride, which is used exclusively in the plastics industry. This means that about 190 000 tons (193 040 t) will have to be exported, probably to Japan. Because Australia does not have a plastics industry big enough to absorb the available quantities of butane and propane gas (the bi-products of cracking wet natural gas) this, too, will have to be exported. The recognized method of producing caustic soda is to extract chlorine from seawater by electrolysis, using mercury electrodes. In layman's terms, there will need to be a large chemical complex using certain elements obtainable from natural gas from the Cooper Basin that will become available only when dry natural gas is being piped to Sydney (which is hoped will be in the late 1970's).

If this plant is to go ahead there will be five major problems, and many other associated problems. The Japanese Government has decreed that industry that creates pollution must not be built in Japan. The Japanese people are also clamouring for their country to clean up the mess created by industry in the fantastic advances made in that country in the engineering field since the Second World War. What alternative has Japanese industry got but to try to build these dirty industries, as I call them, somewhere outside Japan? What better place would there be to look at than Australia? Japan has been looking at Australia for many years: once it was with a different coloured eye and a different thought and meaning. I am positive that Japan is now looking at Australia because of its vastness, and as a place in which to build a petro-chemical plant and oil refinery and any other industry that may create a pollution problem, and leave a mess behind that will not be Japan's responsibility to clean up. Japan will receive the finished product, its industry will be cleaner and more efficient, and the Japanese people will benefit from cleaner air; but we in certain sections of Australia will suffer. This is a real threat that must be looked at carefully.

Redcliffs is about 192 sea miles (306 km) from the Southern Ocean, and the movement of water from the mouth of the gulf must be slow. The discharge from this large complex will tend to lie in the gulf and will be similar to the salinity slugs that come down the Murray River when it is low and cause problems to growers in the Riverland area during summer. I imagine that any bi-product that is put into the sea at Redcliffs will move slowly down the gulf in that fashion. I said that the method for making caustic soda was to use mercury electrodes. Industry and scientists throughout the world well know that mercury electrodes have already caused an accumulation of the mineral in fish which is dangerous for human consumption. No matter how this waste moves down the gulf, whether it be in slug form or whether it be dispersed, mercury, being one of the heaviest metals, will most certainly fall to the bottom.

The Hon. T. M. Casey: But mercury has always been present in fish.

The Hon. R. A. GEDDES: I cannot say that it has always been present in fish.

The Hon. T. M. Casey: In some of them.

The Hon. R. A. GEDDES: That is so. There is mercury in sea water, but I cannot say whether the mercury that is now considered dangerous to humans was in fish, say, 20 or 30 years ago. However, the reports I have read, which admittedly may be tainted, state that the amount of mercury is increasing in shark and fish that have been examined. That increase cannot be from natural causes. It has been suggested that the mercury in the electrolysis process used for making caustic soda is one of the problems. The fishing industry in Spencer Gulf is producing $3,000,000 worth of prawns and $500,000 worth of the finest whiting in Australia each year. Because of the shallow water there, the area near Redcliffs is recognized as an important spawning and breeding ground for all types of fish. This is because of the wonderful conditions that obtain among the mangroves and because the sun's rays filter down through and warm the water. Indeed, this has been recognized ever since man has been catching fish. Fish have been born and have developed in this area, and it is here that this chemical water is to be discharged.

The world is at last realizing that there is a shortage of fossil fuel and, although our natural gas reserves are a relatively new discovery, the experts are sounding notes of caution, saying that we must not allow this gas to be exported until we are absolutely certain of the future of the fields and, indeed, of the future demands of Australian people and industries. I commend the Commonwealth Government for the positive action it has taken by not permitting natural gas to be exported overseas. The petro-chemical works to which I have referred will have butane and propane gas which it cannot use and for which there is no market in Australia. The companies financing the complex will naturally wish to dispose of these gases, and they will go not into this area but overseas. One wonders whether this by-product will be exported through the back door, contrary to the intentions and wishes of Commonwealth and State Governments. Nevertheless, it will be sold to interested buyers overseas, much to the detriment of this nation.

Soon after the Playford Power Station at Port Augusta was built to treat Leigh Creek coal for the Electricity Trust, the residents of Port Augusta found that they had a pollution problem, as the prevailing winds in the area blew the smoke straight across the city. Many people were concerned for some time, until the authorities investigated the situation, that the silicone content of the smoke emanating from the power station would be detrimental to the lungs of young children. From reports I have read from the Health Department, it appears that this fear has been allayed.

This petro-chemical works is only 16 miles (25.7 km) farther south of Port Augusta. Will it be spewing out fumes or poisonous gases that are unsuitable for the atmosphere and, with the Flinders Range immediately adjoining the area, will this smoke blow over Port Augusta and perhaps blend with the smoke from the power station? If these elements are mixed with each other, serious problems could occur. Have the prevailing winds in the area been studied to ensure that Port Augusta will not be adversely affected? I realize that the Fisheries Department is spending about $80,000 on preliminary research into the ecology of the seabed offshore from Redcliffs.

However, can anyone predict what effect this will have on the ecology of the seabed in, say, 50 years?

Interesting studies are being made of the plant and fish life and of the sea currents. A wonderful array of data is therefore being amassed. However, when hot water is poured in from this large complex, especially if it is charged with mercury even in the most minute form, what effect will this have on the area? It is no use our putting up a plant and saying, "The survey said that the area was like this but now it has changed." Man has for so long been foolish in discharging effluent and other wastes into the oceans of the world. For example, we have had the recent cholera scare in Italy, reliably reported to have been caused by scallops feeding on human waste.

The Hon. T. M. Casey: I thought they were mussels.

The Hon. R. A. GEDDES: The Minister was formerly Minister of Fisheries, so perhaps he would be able to tell me the difference between a scallop and a mussel; I do not know. This germ has been collected from human waste in the Mediterranean, as a result of which people have suffered, and indeed, some have died. The Mediterranean is not dissimilar geographically to, say, St. Vincent Gulf or Spencer Gulf. It has an opening near Gibraltar and then there is 2 000 miles (3 216 km) of the Mediterranean Sea. Man has been pouring his industrial wastes and all his sewage into the Mediterranean for a long time, as a result of which fish life is becoming extinct. Because of the foolishness of man, boats have to be sent around the coastlines of some of the most delightful islands in Greece before people can swim, and this cannot be stopped once it has been started.

I refer now to Lake Erie, on the border of the United States of America and Canada, into which industrial and human waste has been pouring so that today no life exists on or in the lake. Much expense is involved and many problems exist in solving this problem. I hope that this eventually happens. It will not happen in our lifetime, however, because of the complexities involved. Cities have been built on the shores of the lake and everything has been geared to pour into the lake. Man must now turn around and stop it and make things work properly. These things have happened, and the Government should look carefully, before giving the green light to the Redcliffs project, at all facets of wastage. There should be a red light until the Government looks at all the facets, not only the problems of the sea and the air but also the problem of exporting our natural gas. In conclusion, I ask: do we want to take the type of industry that Japan is trying to export because it is a pollutant industry? I support the Bill.

The Hon. V. G. SPRINGETT secured the adjournment of the debate.

ADJOURNMENT

At 4.32 p.m. the Council adjourned until Thursday, September 27, at 2.15 p.m.