

Legislative Assembly

Tuesday, 30 August 1988

THE SPEAKER (Mr Barnett) took the Chair at 2.15 pm, and read prayers.

MATTERS OF PUBLIC IMPORTANCE

Standing Orders Suspension

MR PEARCE (Armadale - Leader of the House) [2.18 pm]: I move -

That so much of the Standing Orders be suspended as is necessary to defer consideration of any "matter of public interest" on this day until 4.30 pm.

MR MacKINNON (Murdoch - Leader of the Opposition) [2.19 pm]: The Opposition has agreed to this arrangement. I indicate to members opposite, particularly to the Treasurer, that the Deputy Leader of the Opposition and the member for Cottesloe will not be in the House during the Budget speech. It is not a sign of disrespect to the Treasurer - they would like to be present - but they have to attend a funeral of a close family friend. The Opposition is more than happy to accommodate the arrangement made with the Leader of the House.

Question put and passed with an absolute majority.

PETITION

Motor Vehicle Accidents - Random Breath Testing

MR TAYLOR (Kalgoorlie - Minister for Police and Emergency Services) [2.20 pm]: I have a petition which reads as follows -

The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, wish to express our grave concerns at the tragic number of alcohol related motor vehicle accidents in Western Australia. Moreover we believe that an effective deterrent to drinking and driving in the form of random Breath Testing is urgently required in order to redress our road carnage. We therefore urge you to vigorously support amendments to the Road Traffic Act (1976) to be introduced in the forthcoming session of Parliament which will legislate for Random Breath Testing measures in this State.

The petition bears 3 202 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly, and it is a good idea.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 53.]

PETITION

Roads - Lincoln-Beaufort Streets Intersection

DR ALEXANDER (Perth) [2.21 pm]: I have a petition couched in the following terms -

To: The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request that because of conditions which are extremely hazardous to motorists and pedestrians, the intersection at Lincoln and Beaufort Street, Highgate, be modified so as to prevent motorists crossing Lincoln at Beaufort Street.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and you petitioners, as in duty bound, will ever pray.

The petition bears 131 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.
[See petition No 54.]

PETITION

Police - Truancy Patrol

MR CUNNINGHAM (Balga) [2.22 pm]: I have a petition which reads as follows -

To the Honourable Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

The Truancy Patrol that has been operating from the Warwick Police Station covering the suburbs of Marangaroo, Balga, Girrawheen, Koondoola, Nollamara, Alexander Heights, Wangara and Landsdale is considered to have been a great success in the community's fight against crime, since its inception in March this year. With a 20 per cent reduction in the number of daylight breaking and enterings committed in the first four weeks.

We, the undersigned, therefore humbly request the Government of Western Australia to establish the pilot Truancy Patrol on a permanent basis.

Your petitioners therefore humbly pray that you will give this matter your earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 2 060 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 55.]

PETITION

Pornography - Sex Shops

MR GRAYDEN (South Perth) [2.24 pm]: Mr Speaker, I present a petition from 206 residents in respect of the recent proliferation of sex shops and adult video bookshops operating within shopping centres throughout Western Australia. The petition is couched in similar terms to a number of others that have been presented recently.

I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 56.]

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE

Report

On motion by Mr D.L. Smith, resolved -

That the report be printed.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Second Reading - Budget Debate

MR PETER DOWDING (Maylands - Treasurer) [2.26 pm]: I move -

That the Bill be now read a second time.

In doing so, I present the Budget for 1988-89, the sixth successive Budget under a progressive Labor Administration.

Members will be aware that the legacy of the 1982-83 Liberal deficit has now been totally erased due to the buoyant levels of economic activity generated under this Government's stewardship. The initiatives I will announce today reflect the commitment I gave on becoming Premier and Treasurer earlier this year. Simply put, that commitment was: To continue the outstanding economic management record established over the past five years; to recognise the significant, and at times onerous, sacrifices made by ordinary Western

Australians during those difficult times; and, most importantly, to return to all Western Australians the benefits flowing from the work done during those five years. The Government has already laid down the basic framework to meet those commitments. One of our first steps was to clearly spell out our economic priorities. In April I released a strategy to secure prosperity for all Western Australians. This is the most comprehensive study ever developed by an Australian State and is based on an analysis of local, national and international developments. The recently announced social strategy completes the framework and provides the mechanism which will see the tangible benefits of successful economic management delivered to all.

Mr Speaker, I would like to point out that our policy of holding down charges for essential services has reduced the financial burden on all Western Australians, especially those on low incomes. In 1988-89, there will be no increases in charges for domestic users of electricity and gas, water and drainage, Transperth and Westrail fares, fuel levy or hospital bed charges. With this unprecedented decision Western Australian families will be \$3 a week better off compared with last year.

Motor vehicle registration fees for all Western Australian drivers have been reduced by \$5. The overall effect of the reductions will mean a saving of \$26 million to Western Australians this financial year. Moreover, it has been the investment strategies of the State Government Insurance Commission which have given us the flexibility to fund the Western Australian Family Foundation and some of the concessions I will outline today. During the last financial year, the commission recorded an unaudited profit of \$137.2 million and it will make a contribution of \$31 million to our Budget revenues this year compared to less than \$2 million in 1987-88. Although these profits reflect opportunities that arose in circumstances following the October 1987 share market crash that are unlikely to be repeated, it is pleasing that the outlook is for continued significant contributions from the commission to help us meet pressing social and community reform in the future.

It is against that background that I must say, in all seriousness, that the development of our State has not been helped by one-sided and ill-informed criticism. One of the challenges for modern Governments, including ours, is to make what revenue they have work harder, to look at means of raising revenue other than taxes and charges, and to have the courage to look at new ways of doing things. This Government believes that continual real increases in State taxes and charges, apart from being broadly unacceptable to the wider public, are inappropriate, partially self-defeating and potentially damaging to economic activity and employment.

In the past few years, because of the weakened dollar, cuts in Commonwealth grants and the world's general economic pain, the tasks have been more difficult. Such circumstances demand new solutions to the problem. We have been able to meet our broad social responsibilities, and will continue to do so because we have had the guts to challenge those who would say the only way to address these circumstances is to increase unemployment or increase taxes. We have some difficulty in understanding the critics who have sought to find fault with this. By implication, those critics would have us prevent organisations such as the SGIC from making profits and instead raise taxes to fund increasing demands on social services. This Government does not believe in that simplistic solution.

Mr Speaker, we have seen recently attempts to portray this Government as a high taxing administration. Those critics, through lack of understanding or quite deliberately, have confused total taxation collections with tax levels imposed by Governments. The fact is that the latest Grants Commission review shows that our tax rates are no more onerous than the average of other States. The fact is Mr Speaker, that one of the major contributors to the boost in revenue last year was stamp duty on property transactions - a tax which in Western Australia is significantly lower than the average of the other States. In other words, a buoyant economy, an economy which sees more and more people entering the work force, will of course see more revenue raised by Government.

It is appropriate at this early stage to mention what is one of the highlights of this Budget. A priority for the State Government on its election in 1983 was to address longstanding concerns about the quality and relevance of education in Western Australia. That has been done, not without the controversy that significant change always brings, but with major improvements to the school system. The Government will continue that work towards

providing our children with a highly efficient school system which equips them with the fundamental knowledge to survive in an ever changing environment. This Budget provides for 500 new teachers and more than 250 additional school support staff. It will see the completion of seven new schools in 1989, and at least seven extra schools to open in 1990. I will detail more of the education initiatives at a later stage.

This Budget has been framed against a background of severe Commonwealth funding cutbacks. It is, nevertheless, a balanced one both in terms of financial outcome and content. The Government will continue to provide a firm economic foundation for the social development I have referred to and priority will be given to encouraging sustained but diversified economic activity, emphasising the dominant role of the private sector as the principal creator of jobs. For it is only with that economic foundation that the social initiatives this Government is committed to become possible. In that regard no State is better placed than Western Australia to deliver. Employment, private investment, and consumer demand have all grown much more strongly in this State than for the nation as a whole, our housing industry has enjoyed a dramatic surge in activity and our traditional mining and agricultural sectors have been boosted by a strong recovery in commodity prices. I am especially proud to be able to say that Western Australia consistently outperforms other States in terms of job creation. In 1987-88 employment increased by 4.3 per cent, almost double the growth recorded in 1986-87 which was also well above the national average. The latest figures also show that, in July 1988, our unemployment rate dropped to 6.7 per cent, the lowest rate recorded in the State since November 1981.

The strength and improvement of the Western Australian economy is further reflected by the following figures for 1987-88: Growth of 13.3 per cent and 16.4 per cent respectively in the estimated value of our agricultural production and mineral and energy production. Both reached new record levels; increases of 9.5 per cent in new capital expenditure by private business and 30 per cent in the value of engineering construction work done over the nine months to March 1988 compared to the same period a year earlier. Western Australia was the only State to record an increase in the value of engineering construction work done; a 36.5 per cent increase in the value of new residential building approvals and a 46.8 per cent increase in the value of non-residential building approvals; and a 6.4 per cent increase in new motor vehicle registrations, well above the national increase of less than half a per cent. In addition, inflation moderated more in Western Australia with the increase in the Consumer Price Index dropping to 7.1 per cent compared with 7.3 per cent nationally. And our most important asset, our population, is growing at a faster rate than any other State. The latest figures show the increase was 2.7 per cent, well above the national growth rate of 1.6 per cent.

The resurgence of our mineral and energy resource based industries has been a significant factor in the State's economic performance. There are a large number of resource development projects currently under construction or soon to be commenced, which will significantly strengthen the State's economy. The massive liquified natural gas phase of the North West Shelf gas project is nearing completion and is due for commissioning prior to the first shipment to Japan in October 1989, the liquified petroleum gas plant at Kwinana will come on-stream in September, and I am hopeful that the North West Shelf joint venturers will make a decision to proceed with the Goodwyn development later this financial year. Work is proceeding on projects which will further reduce the dependence of our iron ore industry on the Japanese market, including the joint Australia-China Channar project and the development of the McCamey's Monster deposit to meet contracts with Romania, Czechoslovakia and Hungary. A \$72 million program has been announced to increase alumina production, the Saladin oil project will start producing in 1989, a number of new mineral sands developments are planned or under construction and work is under way on several major new goldmining operations. Clearly, resource development continues to be a major source of economic growth for this State, as evidenced by the almost \$3 billion worth of new projects under active consideration or in the final feasibility stage. We will continue to encourage the development of this sector with special emphasis on increasing value added in Western Australia.

Consistent with this policy, the Government recently announced that it would be taking a minority interest in the \$1 billion petrochemical plant at Kwinana to ensure that the benefits of the project are not lost to the State and it proceeds as quickly as possible. I make no

apologies for that decision which will act as a catalyst for one of the largest processing plants ever planned for this State and one that has been actively sought by successive Governments. Apart from becoming a major supplier of caustic soda for our alumina industry, exports of ethylene dichloride and vinyl chloride monomer will make a significant contribution to our balance of payments. The project will provide a boost to the State's economy requiring a peak construction work force of 1 700 and an operational work force of about 400. But, while acknowledging the importance of this sector, one of my Government's main priorities is to achieve a broadening of the State's economy by encouraging new industries and services through the promotion of small business, tourism, high technology and more vigorous export growth. The advantages of such a policy in reducing the impact of fluctuating international commodity prices are self-evident and I am encouraged by the progress we have already achieved.

Examples include the \$120 million silicon smelter at Kemerton, the \$55 million gallium metal extraction plant at Pinjarra and the recent commissioning of a new plant to manufacture jet turbine blades. In addition, the decision to relocate Australian naval personnel and facilities to Cockburn Sound will provide a major boost to the State's economy and, as I will mention in more detail later, we have moved to establish a Defence Technology Precinct and an Advanced Materials Engineering Park to provide further impetus to economic growth through diversification.

Mr Speaker, our strong economic growth has had an important bearing on the framing of the 1988-89 Budget because of the associated revenue implications. Last year, a surplus of \$3.1 million was recorded without the need to draw upon accumulated short term interest earnings which amounted to \$199.1 million at 30 June 1988. On any measure, the Government's economic and budgetary management has been outstanding but, despite our sound financial position at the end of last financial year, the framing of the Budget for 1988-89 has not been easy. In particular, we had to contend with severe funding cutbacks of \$650 million imposed by the Commonwealth on the States' general recurrent and hospital payments at the May 1988 Premiers' Conference. Our share of that reduction was about \$76 million.

Subject to an underpinning guarantee, the Premiers' Conference also implemented the latest recommendations of the Grants Commission which imply a reduction in our Commonwealth funding of \$44 million in 1988-89, mainly due to changes in the commission's methodology including the removal of State railway freight services and shipping services from the assessments. The combined effect of the decisions made at the Premiers' Conference was to hold our Commonwealth general revenue assistance and hospital grants at almost the same dollar levels as in 1987-88. This represents a real reduction of over 5 per cent in grants which comprise around 40 per cent of our total revenue. These, then, are the overall economic and financial parameters within which the Government has framed the Budget and the Capital Works Program for 1988-89.

Mr Speaker, the highlights of the Budget are -

- no new taxes or tax increases and a continuation of our policy of reducing the impact of payroll tax on small businesses;

- the provision of more than 750 new teachers and support staff to improve the quality of education and reduce class sizes;

- completion of seven new schools in 1989, and at least a further seven primary schools and one high school in 1990;

- construction of 18 new preprimary centres throughout the State;

- a \$23 million upgrading and improvement program at existing schools;

- a housing program of \$272.4 million - \$98.4 million more than last year;

- \$52 million on housing for first home buyers and low income families;

- 1000 additional housing units for aged Western Australians over 3 years;

- \$58 million for the redevelopment and upgrading of State hospitals and health facilities;

- 2000 additional TAFE places at a net cost of \$2 million;

six new child care facilities;

\$8.2 million in specific support for the economic and social development of regional Western Australia, in addition to a major regional capital works program; creation of more employment and training opportunities especially for youth, the long term unemployed, women and Aboriginal people;

funding of the first stage of the Government's plan to increase police strength by 1,000 over three years; and

\$25 million in the social strategy package, including the \$12 million Family Foundation.

Mr Speaker, it is worth noting that the latter initiative includes \$1.9 million for special grants to school parents' organisations for library resources and a further \$2 million to assist low income families through a \$50 a year primary school allowance.

SOCIAL DEVELOPMENT AND COMMUNITY SERVICES

Education

Mr Speaker, as I said earlier, education has been, and will remain a key priority for this Government. We will continue to take steps to further improve the quality of the education system in Western Australia so that it better serves community needs and prepares students for changing technological and labour market demands. To meet our educational responsibilities this year we propose to spend \$940.5 million on education services, an increase of 10.4 per cent or over four per cent in real terms.

Features of the Ministry of Education's program include -

the appointment of an additional 500 teachers to help reduce class sizes, to meet the demands of existing schools with increasing enrolments, new schools and school extensions; and

an extra 250 support staff to allow further devolution of responsibilities to school communities as recommended in the Better Schools report.

The State Government boarding allowance for both Government and non Government students will be increased from \$250 to \$500 per year effective from 1 January 1988. The boarding allowance will now be paid to all eligible Government and non Government students irrespective of Commonwealth assistance through the Assistance for Isolated Children Scheme.

In the interests of fairness, the Government believes it appropriate to introduce new contract bus services and extend existing services to enable non Government primary and secondary students to have the same transport provisions to the nearest appropriate school as currently applies to Government students in rural areas. For the same reason, the conveyance allowance scheme will be extended to cover eligible non Government primary and secondary students in rural areas who are unable to gain access to free contract bus services.

There will be a substantial primary and secondary schools Capital Works Program in 1988-89 costing \$51.9 million, an increase of \$10 million or 24 per cent. New primary schools will open at Ballajura, Mirrabooka (Dryandra), East Leeming, High Wycombe (Edney), South Padbury and Karratha (Tambrey). Construction will continue on the Mundaring Primary School which will open in 1990. A new high school will open at Coodanup in Mandurah and construction will commence on a new secondary school for 1990 to service the newly developing area of South Lake. Major additions are listed for Australind, Padbury and Woodvale Senior High Schools, and also for Australind Primary School. Upgrading and extensions are scheduled for Eastern Hills and Geraldton Senior High Schools. Ongoing work will continue to provide extended facilities in Broome. Subsidy arrangements for non Government school buildings are now more accessible through the new loans scheme administered by the Ministry for Education and our Capital Works Program provides \$25 million for advances by way of low interest loans.

Health Services

To meet our commitment to a modern and comprehensive health system accessible to all Western Australians, gross expenditure by the Health Department, after adjustment for the

Commonwealth Hospital Grant and other revenues, will increase by 11 per cent in 1988-89. Apart from meeting the ongoing running costs of our public hospitals, the features of the expenditure program include -

the joint State-Commonwealth Home and Community Care program which provides maintenance and support services for frail, aged and disabled people, helping them remain in the community rather than in institutional care. Additional funding of \$6.7 million will be provided this year;

spending of \$3.7 million on the prevention of AIDS and for the acute care of AIDS sufferers;

an allocation of \$5.6 million to the Patients' Assisted Travel Scheme which makes specialist medical services accessible to the entire community;

a \$3.2 million program to reduce hospital waiting lists especially for joint replacement and cataract operations; and funding of \$3.8 million for the construction of an additional operating theatre and associated support facilities at the Royal Perth Rehabilitation Hospital;

the introduction of a Government subsidised spectacle scheme from 1 November to assist pensioner health benefit card holders. The subsidy will be 50 per cent of the cost of spectacles and contact lenses up to a maximum of \$50;

the undertaking of a \$1.4 million breast and cervical cancer screening program; and a \$1.3 million vaccination program aimed at significantly reducing hepatitis B amongst Aboriginal people;

the establishment of a \$1.2 million recompression facility at Fremantle Hospital;

a \$2 million program to attract more doctors to understaffed areas in the country; and

the establishment of sexual assault referral centres at Bunbury and Geraldton, and funding to develop a network of health centres for women at Fremantle, Whitfords and in the goldfields.

The Government will continue to give priority to combating alcohol and drug abuse and to broadly based preventative campaigns aimed at improving the health of the community. The Budget this year includes:

\$2 million for an alcohol education and training program, which includes the Drinksafe campaign;

\$2 million for anti-smoking programs, including the highly successful Quit campaign;

\$100 000 for a tranquilliser education campaign; and

provision to maintain our commitment to the national campaign against drug abuse, and a further strengthening of support to non Government agencies through a 65 per cent increase in funding.

Apart from the Royal Perth Hospital North Block redevelopment, highlights of our \$58.6 million Capital Works Program on hospitals and health facilities include \$6.5 million for the replacement of Heathcote Hospital facilities and a number of projects in country areas. Work is also proceeding on a permanent care unit at the Armadale-Kelmscott Hospital and a Community Health Centre at Lockridge. Country projects include work on the new Margaret River Hospital -

Mr Blaikie: Hear, hear!

Mr PETER DOWDING: Here is one who will cross the floor!

Opposition members interjected.

Mr PETER DOWDING: We are indebted to the upper House member for the area.

Opposition members interjected.

Mr PETER DOWDING: The member for Vasse fought very hard for this hospital, and he has now got it. Do not take it away from him; we should all feel pleased together.

To continue, country projects include work on the new Margaret River Hospital, the Jigalong

and Balgo Hills Community Health Clinics and a start to work on the \$8.8 million redevelopment of the Geraldton Regional Hospital. Staged redevelopment will finish on the Albany, Augusta, Collie and Kununurra Hospitals during the year and commence on Derby and Kalgoorlie Hospitals. The program includes rationalisation of the Wiluna nursing post and construction of a health centre at Fitzroy Crossing. Planning of redevelopment of the Broome Regional Hospital - stage three - and the Warren District Hospital has also commenced.

Social development

I recently outlined the Government's social strategy for Western Australia when announcing the formation of the Western Australian Family Foundation. This Budget reaffirms that commitment to social progress and reform with special emphasis on the disadvantaged. It also gives priority to new directions and improvements in community services such as education, health, and law and order, which are essential to the integrated development of our society. Apart from an allocation of \$12 million for the Western Australian Family Foundation Trust, the Department for Community Services has been allocated \$101.4 million, a substantial increase of 11.7 per cent. The increase of \$10.6 million reflects, in part, my Government's determination to increasingly involve non Government agencies in the delivery of welfare services in Western Australia. This year, the Budget allocates \$23.3 million to these agencies, an increase of \$3.9 million, or more than 20 per cent, on 1987-88 expenditure.

I do not wish to repeat today the full details of our social strategy but it is worth summarising some of the far reaching initiatives that will be undertaken by the Office of the Family and the Department for Community Services. These include -

- increased funding of \$1.3 million for the Commonwealth-State supported Accommodation Assistance Program, bringing the total program to \$10 million in 1988-89;

- an allocation of \$3 million for the Family Support Services Program recently transferred from the Commonwealth;

- funds for the construction of a total of 25 new family centres and for the upgrading of another 15;

- the continued expansion of child care. Six new child care centres are planned;

- an amount of \$1.1 million under the juvenile justice initiative and a further \$100 000 for the department to respond to calls for assistance from families in the area of troubled youth;

- provision for a further 10 youth drop-in centres and a further amount of \$1.5 million to enhance the Government's youth initiatives and training program which assists our youth achieve their full potential;

- adoption of the recommendations of the Child Sexual Abuse Task Force, involving the appointment of 14 additional staff at an estimated full year cost of \$683 000;

- an increase in the State Energy Commission dependent child rebate per child, making low income families about \$40 a year better off;

- and funding assistance of \$5.4 million for needy families.

The Government has announced the extension of the transport concessions that are currently available to pensioners to all holders of the Western Australian Government's Seniors' Card. We will also introduce a subsidised taxi scheme from 1 November 1988 at an estimated full year cost of \$870 000.

Community safety

The Government has already mounted an unprecedented drive to end the growth in crime, and our publicised set of initiatives to achieve this goal has been widely acclaimed. This is reflected in a 26 per cent increase in the Police Department's budget. Within that budget of \$218.9 million, \$11.7 million relates to the establishment and operation of the first year of the Government's crime prevention plan. Allowance has been made for an additional 330 police officers, 10 police aides, 20 Aboriginal cadets and an additional 33 support staff,

including seven for the newly created Office of Crime Prevention. The Government has also decided to allocate \$3.8 million as a one-off endowment to the University of Western Australia for the establishment of a crime research unit. This independent unit will compile a comprehensive and reliable information base and provide objective analysis and possible solutions to general law and order issues and rates of crime and imprisonment.

ECONOMIC DEVELOPMENT AND EMPLOYMENT

The Government regards it as self-evident that success in achieving prosperity for all Western Australians depends on developing an environment for private sector growth.

Taxation

Accordingly, and as was the case last year, there will be no tax rate increases or new taxes in this Budget. In fact, for the third successive year the Government has been able to introduce significant tax reductions and reforms in the Budget. Proposed cuts in taxation and Government fees in this Budget amount to about \$17 million. The total value of taxation reductions introduced by this Government over the last five State Budgets is around \$80 million in today's values. We have decided to continue our policy of reducing the burden of payroll tax, particularly on small businesses. From 1 January 1989, the basic annual exemption level is to be lifted by around seven per cent from \$275 000 to \$295 000. Together with commensurate and related increases in other payroll tax threshold levels, the cost of this measure is estimated at \$4.5 million in a full year. The move will exempt between 200 to 250 firms who would otherwise have become liable for payroll tax in 1988-89. About 90 per cent of employers currently paying payroll tax will have a reduced payroll tax liability compared with the previous scale.

The growth in total State taxation collections is expected to ease significantly in 1988-89 but should continue to increase modestly in real terms due to continued strong economic activity. Apart from the payroll tax concessions I have just described, the Budget makes allowance for:

- A reduction in betting taxes to assist the financially troubled racing industry, at an estimated cost to Government revenue of \$4.6 million in a full year;

- the abolition of the third party insurance surcharge on motor vehicle registrations, at a cost of \$4.7 million in 1988-89;

- and discontinuation of occupational health, safety and welfare registration fees, representing a saving to Western Australian businesses of at least \$3.5 million every year.

Industry Support

An essential element of the Government's economic strategy is the targeting of assistance to new and developing industries with high growth prospects. This year, our expenditure programs include the following measures to assist the development of our important secondary industries -

- a State contribution of \$2.8 million for a marine support facility in Cockburn Sound, comprising a shiplift and dry berth, which will provide growth opportunities for shipbuilding and marine based industries;

- commencement of work on the \$7.6 million Defence Technology Precinct aimed at enhancing the growth of a defence support industry in Western Australia; and

- start-up funding for the construction of a \$6 million advanced materials engineering park.

The Government's \$100 million Industry Renewal Guarantee Scheme, which was announced in April, will considerably assist the expansion of businesses with well defined market opportunities through loan guarantees for plant renewal and modernisation. The Government also plans to spend \$420 000 on grants to encourage innovative research activities in small firms which lack access to equity markets and will mount a \$565 000 program of trade promotion as one of the more direct ways in which Government can increase growth opportunities for local industry.

A growing tourism industry is most important to an expanding Western Australian economy

and I am also encouraged by the latest statistics which show a 23.9 per cent rise in international visitors to the State in 1986-87 and a corresponding 17.5 per cent increase in interstate seats available on flights to Perth. This year, the Western Australian Tourism Commission will receive a Budget allocation of \$17.5 million, an increase of 23.8 per cent.

Employment and Training

Despite the State's strong performance in job creation, there is no room for complacency. Unemployment remains of concern and the work force must be adequately equipped to meet the changing demands of industry. Most importantly, there is a need to encourage the productivity of our work force if the economy is to grow in an increasingly competitive international marketplace. In this environment, our key policy thrusts are to concentrate on skills development, streamline the delivery of labour market services to clients and carefully target Government services to address pressing productivity issues and to meet priority vocational needs.

We will also establish 2 000 additional student places within Technical and Further Education to tackle the persistence of unemployment related to skill shortages and to meet the needs of the labour market. An allocation of \$11.9 million will be made to the State Employment Strategies Fund enabling expenditure of \$14.2 million from the fund in 1988-89.

Highlights include -

- an allocation of \$4 million for apprenticeship training with particular emphasis on improved monitoring and assessment;

- provision of \$1.7 million for industry training initiatives including funds for traineeships, for more effective recognition and accreditation of training qualifications, particularly overseas qualifications, and for the establishment of a State Employment Skills Development Authority;

- an allocation of \$1.4 million to encourage local communities to take a more active role in devising and exploiting local economic and employment opportunities.

- \$1.7 million for the Joblink and Employment Development Schemes;

- \$1.5 million for Community Employment Initiatives and other labour market programs including those concentrating on the long term unemployed;

- \$1.4 million for the highly successful Youth Employment Scheme and for associated research;

- special programs to improve employment prospects for groups disadvantaged in the labour market;

- an expansion in the activities of the Productivity Policy Unit to facilitate productivity improvements in individual enterprises; and

- provision for the State to host the national finals in Work Skill Australia, a major event leading to the selection of the Australian skills Olympic team.

Mr Speaker, the Government is pleased that the last three years have seen successive increases in the number of new apprentices. Although we acknowledge that the partial rebate of the workers' compensation premiums on first year apprentices was a welcome concession to employers, it was introduced at a time when those numbers were falling. After careful consideration, the Government believes that the revenue foregone could be used more productively in targeting areas of labour shortage through the industry training measures I have just described. Accordingly, we have decided to phase out the rebate scheme as from today.

Agriculture

Agricultural industries make a major contribution to the continued prosperity of Western Australia and the nation's balance of payments. To assist the farming community, \$8.7 million has been allocated to agricultural services, including important programs of agricultural research for extension and protection of agricultural industries and for the conservation of soil and water resources. The Government will improve the delivery of services to farmers by further decentralisation of the department's operations costing

\$350 000. To protect our valuable pastoral and horticultural industries, a new quarantine checkpoint is to be built near Kununurra at an estimated cost of \$1.7 million.

Current indications are that the 1988 farming season will be a relatively good one and applications for assistance from the Rural Adjustment and Finance Corporation are expected to be lower than in recent years. Nevertheless, sufficient funding has been allocated to the corporation to allow it to meet anticipated ongoing needs and to provide support for any emergency situations which arise during the year.

Regional Development

Substantial economic and social benefits result from a more balanced development of the State's regions and we have given a high priority to increased regional development and regional autonomy in this Budget. In particular, the South West Development Authority - through the Bunbury 2000 concept - has been highly successful in developing an alternative major urban centre and accelerating the economic and social development of the south west. This strategy has been a model for other regions of the State.

This year, allocations to the South West Development Authority and the Great Southern Development Authority have increased by 50.1 per cent and 46.4 per cent respectively. In addition, the Geraldton Mid-West Development Authority was established as a statutory body on 1 July 1988 and \$843 000 has been provided for its first full year of operations.

The highlight of our regional expenditure program is the commencement of the \$13 million Geraldton foreshore redevelopment. This two-stage project, involving private sector participation, includes tourist accommodation, a small boat harbour and marina, community parklands and beach improvements. In 1988-89, funding of \$3.5 million has been provided for the small boat harbour and marina stage which is expected to be completed late in 1989 at a total cost of \$6.4 million.

Other features include -

- the commencement of work on relocating Westrail's marshalling yards on the Albany foreshore at an estimated total cost of \$6.2 million;

- a start to the \$5 million Bunbury Entertainment Centre with a total State Government commitment of \$3.5 million;

- funds for a major goldfields planning and development study. The study aims at boosting mining industry support to the local economy, reducing cyclical economic fluctuations, sustaining the environment and generally improving the quality of life in the region.

Capital Works and Housing

Mr Speaker, it is through the Capital Works Programs of our departments and authorities that the State Government makes its greatest direct impact on economic activity and employment. Our planned total works program amounts to \$1 377 million compared with actual expenditure of \$928.2 million in 1987-88. About \$160 million of the increase is due to underspending last year due, in part, to delays caused by more rigorous evaluation and cost justification procedures.

Once again, we have given priority to the housing industry, the generator of a significant proportion of economic activity and jobs in this State. For the fifth consecutive year, the maximum allowable amount under the Government borrowing program has been nominated for public housing at concessional rates of interest. We have also provided special funding supplementation of \$41.1 million to Homeswest on similar concessional terms. As a result, Homeswest will mount a \$272.4 million Capital Works Program, an increase of \$98.4 million or 56.6 per cent on the amount spent last year. The new works program will enable the commencement of about 1 450 dwellings and will allow \$102 million to be directed to income geared home loans assisting an estimated 2 000 families. The Government's initiatives to stimulate the construction of private rental housing on Homeswest land continue to be successful in easing the supply pressures in the rental market and bond and rental support will be increased to \$46.1 million this year.

Mr Speaker, the Government's efforts to accelerate the supply of urgently needed public housing have been outstanding and I am proud to be able to say that, in our second term of

office, we will exceed our target of providing 6 000 homes for low and moderate income families - a target that would not even have been contemplated, let alone attained, under the funding priorities of our predecessors. Apart from the housing program, other notable elements of our Capital Works Program that I have not already mentioned include -

- a \$106.6 million program for educational facilities, an increase of \$38.3 million on the amount spent last year;

- expenditure of \$58.6 million on hospitals and health facilities including \$23.2 million for the virtual completion of the Royal Perth Hospital - North Block redevelopment; and

- an allocation of \$49.8 million for suburban rail electrification.

Time does not permit me to go into great detail about all areas of the Budget. Ministers will provide greater detail during the Estimates debate and the Government has had prepared a series of special Budget papers on selected areas to provide additional information to Parliament and the community. I would, however, draw the attention of members to the following items of interest -

A further \$10 million has been allocated under the Aboriginal Communities Development Program -- a joint Commonwealth-State initiative to provide a total of \$100 million over five years for projects aimed at materially improving the living standards of our Aboriginal people.

The Government recognises the importance of the arts in the lives of Western Australians and that is reflected in a 13.9 per cent increase in the Budget for the Department for The Arts together with a \$1 million increase in funding from instant lottery proceeds.

A start to the \$24 million inner harbour dredging and small boat harbour at Fremantle. Expenditure of \$14.5 million is planned in 1988-89 on this project which will deepen the inner harbour and approaches to provide a 12.5 metre draft.

Expenditure of \$17.8 million on the Perth City bus junction which is due for completion next year at a total cost of \$31.4 million.

\$3.3 million for the first stage of accommodating major Government computing facilities at Joondalup.

The outmoded and poorly designed police complex at Kalgoorlie is to be replaced at a cost of \$4.3 million with \$1 million to be spent this year.

The commencement of a \$1.4 million program of cell modifications to try to prevent tragic loss of life.

The number of days lost by accidents at Western Australian workplaces is more than seven times greater than days lost through industrial disputes. The Government will introduce a new approach to workplace health and safety in 1988-89 with the proclamation of the Occupational Health, Safety and Welfare Amendment Act. Reflecting this new approach to securing the health, safety and welfare of people in the workplace, \$12.3 million has been provided to the Department of Occupational Health, Safety and Welfare, an increase of 20.1 per cent.

A further \$25 million has been allocated to meet the estimated Teachers' Financial Society losses that will emerge during 1988-89. This is a provisional sum and, as I recently announced, the cost to the Government of these losses was estimated at \$119 million at 30 June 1988. The Government believes that this debt should be cleared as quickly as possible consistent with our financial position and the need to ensure that the level of our charges and the provision of services are not adversely affected. We will be looking at ways of achieving this over the course of the year.

The Government considers that adequate sporting and recreational facilities are essential to the overall wellbeing of our community and \$3.3 million has been provided as a contribution to the Community Sporting Facilities Trust Fund, an increase of 11.8 per cent. We have also decided to lift by one third, or \$1 million, the support provided to sporting bodies through the Sports Instant Lottery Fund proceeds. Our Capital Works Program includes \$632 000 towards a \$3.6 million commitment

to provide facilities to host the 1991 World Swimming Championships and \$1 million for the major development and ongoing management of the Woodman Point Reserve.

We will continue our policies to encourage the safe use of bicycles. An allocation of \$690 000 will enable regional bike plan implementation in Geraldton, Bunbury and Mandurah and engineering grants to over 20 local authorities on a dollar for dollar basis. The bicycle safety helmet rebate scheme has been boosted by an additional \$150 000, taking the total allocation this year to \$250 000.

Included in the Budget for the Department of Corrective Services is an amount of \$323 000 for the appointment of 11 officers to operate the Special Handling Unit which has been established following the inquiry into the fire and riot at Fremantle Prison. Provision of \$1.5 million has also been made for the first stage manning and operation of the Casuarina Prison due for completion in December 1989.

Mr Speaker, I would also point out that the Budget this year has been brought down earlier than usual to provide more timely advice to Parliament and to facilitate better public sector financial management. Due to its early introduction, however, some adjustments will be needed to reflect funding decisions and revised estimates included in the Commonwealth Budget.

BUDGET OVERVIEW

I will now give an overview of the Budget. Last year, and for only the second time in 40 years, we aimed for a small surplus. There is no better demonstration of the restoration of the State's economic and financial fortunes than that we surpassed our goal. Total revenue amounted to \$3 810.4 million, \$3.1 million more than actual recurrent expenditures of \$3 807.3 million. It was the fifth year in succession in which a Labor Government had achieved a surplus on the Consolidated Revenue Fund. For the current financial year and after bringing to account \$159.1 million of our available short term interest earnings, revenue collections are estimated at \$4 044 million, an increase of \$233.6 million or 6.1 per cent on an unadjusted basis.

After adjusting for changed arrangements in respect of payroll tax on Commonwealth business enterprises, State taxation collections are expected to grow by 8.1 per cent in 1988-89 compared with an expected inflation rate of about 6 per cent and projected population growth of 2.6 per cent. Turning to our recurrent expenditures, total outlays are planned to be held to the level of our estimated revenue, \$4,044 million, an increase of 6.2 per cent if no allowance is made for changed accounting and Commonwealth funding arrangements. After taking into account these changes the adjusted increase is nine per cent. The Consolidated Revenue Fund Budget for 1988-89 is therefore in balance.

Mr Speaker, nearing the end of the second term of Labor Government, we are proud of our financial and economic management. Our record is one of solid achievement, not rhetoric. The economy is no longer stagnant, our financial position is no longer shaky. The State's finances have been well and truly restored, our economic buoyancy is beyond dispute, we lead all other States in terms of economic growth, and we are heading for an exciting period of diversified and regionally balanced development which will put our economy on an even sounder long term footing. This Budget aims at maintaining that proud record and keeping us ahead of the nation. But, just as importantly, it ensures that all Western Australians fairly share in the economic rewards we are generating. It reaffirms my Government's commitment to a fairer and better society with security and dignity for all. I commend the Budget to the House and call on all Western Australians to work together to achieve the objectives that it sets.

I now turn to the formal purposes of the Bill. The Bill seeks appropriation of the sums required for the services of the current financial year as detailed in the Estimates. It also makes provision for the grant of Supply to complete requirements for 1987-88. Included in the expenditure estimates of \$4 044 million is an amount of \$494.645 million permanently appropriated under the Special Acts, leaving an amount of \$3 549.355 million which is to be appropriated in a manner shown in a schedule to the Bill. Supply of \$2 000 million has already been granted under the Supply Act 1988. Hence, further supply of \$1 549.355 million has been provided for in the Bill. In addition to authorising the provision of funds for the current year, the Bill seeks ratification of the amounts spent during 1987-88

in excess of the estimates for that year. Details of these excesses are given in the relevant schedule to the Bill.

I wish to pay a tribute to the work of those untiring servants of the public in the Office of Treasury, and all of those in the public sector who have worked so hard to make this one of the most important Budgets in Western Australia's history. I also pay particular tribute to the Under Treasurer and to his officers for their untiring work in the service of the public, work which it is worth placing on the record involves many hours during the week and on weekends in order to ensure that the public is as well served by the public sector as it has been in the past. I commend the Bill to the House and, in so doing, seek leave to table the Consolidated Revenue Fund Estimates 1988-89; Supplementary Budget Information; The Western Australian Economy 1987-88; and Budget Outlook.

[See papers Nos 379 - 382.]

Debate adjourned, on motion by Mr MacKinnon (Leader of the Opposition).

APPROPRIATION (GENERAL LOAN AND CAPITAL WORKS FUND) BILL

Second Reading

MR PETER DOWDING (Maylands - Treasurer) [3.24 pm]: I move -

That the Bill be now read a second time.

The purpose of this Bill is to appropriate sums from the General Loan and Capital Works Fund to finance items of capital expenditure. The Capital Works Expenditure program proposed for this year amounts to \$1 377 million. Of this amount, \$405.540 million is to be appropriated by this Bill from the General Loan and Capital Works Fund.

As a point of interest, it is worth noting that, had the appropriation arrangements in existence prior to the introduction of the Financial Administration and Audit Act applied, the amount of funds requiring parliamentary appropriation through this measure would have only been about \$97 million. That is a very significant point. In addition to the wider scope of capital works funding under the Financial Administration and Audit Act, this Government has introduced a number of welcome changes to the format of the Estimates, making them more helpful and informative. We will continue to do so and, this year, the Estimates enable easier identification of new projects and programs.

Our Capital Works Program in 1988-89 has been boosted by an injection of \$29.756 million from the Government's accumulated short term investment earnings. In addition, a further \$60 million has been provided as a special Commonwealth capital grant to assist us in meeting the additional costs of social and industrial infrastructure and facilities associated with the increasing presence of the Australian Navy at Cockburn Sound. I have already referred to the more significant matters of interest in the Capital Works Program in the Budget Speech, and I do not wish to take up more time now talking about the other programs and projects to be undertaken this year. Financial details of these are contained in the Estimates and further descriptive information is provided in the document "Supplement to the Capital Works Estimates", which I will seek leave to table at the end of this speech.

Members will also have the opportunity to obtain additional information during the debate on the Estimates. I turn now to the main purpose of the Bill, which is to appropriate from the General Loan and Capital Works Fund the sums required for the works and services as detailed in the General Loan and Capital Works Fund Estimates of Expenditure. An amount of \$405.540 million is sought from the General Loan and Capital Works Fund as part of the total financing arrangements required for the Government's planned works program. The amount to be provided from the General Loan and Capital Works Fund, which is subject to appropriation in this Bill, is clearly identified in bold type on page 5 of the Estimates. The Supply Act 1988 has already granted supply of \$200 million and the Bill now under consideration seeks further supply of \$205.540 million. The total of these two sums, namely \$405.540 million, is to be appropriated for the purposes and services expressed in schedule 1 of the Bill.

As well as authorising the provision of funds for the present financial year, this measure also seeks ratification for amounts spent during 1987-88 in excess of the Estimates for that year. Details of these amounts are provided in schedule 2 of the Bill.

Mr Speaker, I commend the Bill to the House and, in so doing, request leave to table the General Loan and Capital Works Fund Estimates of Expenditure for the year ending 30 June 1989 and the document Supplement to the Capital Works Estimates.

[See papers Nos 383 and 384.]

Debate adjourned, on motion by Mr MacKinnon (Leader of the Opposition).

WORKERS' COMPENSATION AND ASSISTANCE AMENDMENT BILL

Message - Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

JUSTICES ACT AMENDMENT BILL

Second Reading

MR PEARCE (Armadale - Leader of the House) [3.29 pm]: I move -

That the Bill be now read a second time.

Four major amendments were originally proposed by this Bill, namely -

- limitations on the sentencing powers of justices of the peace;
- an adjustment to the scale of imprisonment for nonpayment of monetary court orders;
- introduction of a simplified system of enforcing unpaid infringement notices; and
- amendments to existing provisions for restraining orders.

Specific amendments which the Government still wishes to pursue in respect of the sentencing powers of justices are as follows -

- (a) Justices and magistrates shall record their reasons in writing where they refuse a request for time to pay a fine. This reflects the view of the Government that the payment of fines should always be pursued in preference to imprisonment in default of such payment. Unless, in the opinion of the court, there are particular reasons to the contrary, time to pay should always be allowed where the financial circumstances of the defendant require it.
- (b) Justices and magistrates shall record in writing their reasons for imposing a term of imprisonment. The Court of Criminal Appeal has consistently ruled that imprisonment should always be the sentence of last resort. Written reasons for imprisonment will assist to clarify the issues in appeals against sentence.
- (c) Where justices have authority to impose imprisonment for an offence, the period they impose must not exceed one month. Where there is more than one offence being dealt with on the same day, the aggregate must not exceed one month.
- (d) Where justices impose a fine the amount of the fine must not exceed \$1 000 for each offence. However, they may impose the minimum fine for an offence where a mandatory minimum is in excess of \$1 000.
- (e) The amendments increase the amount of fines that justices can impose in lieu of imprisonment from \$500 to \$1 000. This amendment is to further encourage fines as a sentencing option.

Of these matters, items (c) and (d) were debated and rejected in the Legislative Council. These are important measures and it is regrettable that they have not received the support of the Opposition. It had been the intention of the Government to move to reinstate them during the Committee stage. However, there is now a real degree of urgency in respect of the implementation of the new, simplified scheme of enforcement of infringement notices, and the Government will proceed on the basis that the sentencing powers of magistrates will be addressed in a future, separate Bill.

It is ironic that I have to point out that two significant measures were defeated by a minority of the electors' representatives in the Legislative Council on the very day when, as I

understand it, a motion was being moved in that other place to entrench the power of the Legislative Council by seeking to defeat the one-vote-one-value referendum promulgated by the Federal Government, in order to ensure that motions put forward by a democratically elected Government commanding a majority of electors with a mandate in this House can be defeated on matters of importance by this rag tag group representing only themselves, and a few others, because of the gerrymandered nature of the electorates in this State.

The SPEAKER: Order!

Withdrawal of Remark

Mr MENSAROS: Mr Speaker, the Minister used the expression "rag tag" in regard to the Legislative Council, and I think you should direct him to withdraw that remark

Mr PEARCE: Mr Speaker, I did call those Legislative Councillors who rejected this a rag tag group of people representing hardly anybody but themselves. I am prepared to withdraw those remarks if they are, indeed, out of order.

Mr Clarko: That is a disgraceful withdrawal and the Speaker won't accept that.

The SPEAKER: The member for Karrinyup, being a member of the class of '74, is quite astute, and has hit the nail right on the head. It is a phrase which is disrespectful to those members of the Legislative Council; therefore, it is contrary to our Standing Orders and does require a withdrawal.

Mr PEARCE: I follow that direction and withdraw the remark. It is, nevertheless, a disgrace that the Legislative Council is today seeking to defend its position without being prepared to face the people on a fair basis, and debating their way of entrenching their own privilege.

Debate Resumed

Another amendment proposed by this Bill provides for the period of imprisonment for the nonpayment of a monetary court order to be assessed on the basis of one day for every \$25 payable in lieu of one day for every \$20. It also provides that in future this rate shall be prescribed by regulation. Important administrative changes are provided by another set of amendments which establish an alternative and simpler method for the enforcement of unpaid fixed penalties.

Due to the volume of infringement notices now being issued and processed but remaining unpaid the current system is proving inadequate. Under the existing procedure, if payment of an infringement penalty is not made, the only enforcement action available is by way of court proceedings. The existing procedure, therefore, results in -

lack of provision for payment by instalments prior to a court hearing;

the need for police officers and officers from other enforcement agencies to attend court to give evidence on *ex parte* matters, thus removing them from their normal policing duties;

excessive time taken by various personnel including police, court officers and the judiciary, to process fines for minor uncontested infringements; and

excessive time from the offence to the payment of fines.

Under the proposed procedures, following the receipt of an infringement notice an alleged offender may either -

pay the penalty within the prescribed time;

elect to have the matter dealt with in open court; or

ignore the notice, whereby the provisions of this legislation will take effect.

The amendment will reduce the need for evidence to be given on *ex parte* matters, reduce the clerical work involved in the process of enforcement of minor matters, and reduce the time taken from offence to payment of infringement penalty. It will be a far more efficient system. In every case offenders retain the right at any stage to elect to be dealt with in open court. The system will apply only to adult offenders.

The specific amendments are -

The Perth Court of Petty Sessions is specified as the court at which all these actions

will be registered. Thus, unpaid infringement notices from throughout the State will be centrally grouped for enforcement purposes. However, should offenders request a hearing, the action can be transferred to a court near to where the offence occurred.

Where an infringement notice is not paid within the time prescribed, the agency issuing the notice shall serve a courtesy letter on the offender. This will contain a statement advising the alleged offender of the alternatives available. The letter will also indicate a further period during which to pay or offer alternative action.

Where the time allowed by the courtesy letter has expired, the infringement notice remains unpaid, and the alleged offender has not requested a hearing, the matter is registered at the specific court for enforcement.

The Registrar of the Court then notifies the offender of the registration. This notice informs the offender that an order has been made requiring either (a) payment of the amount due or, (b) an election by the offender for a court hearing within a further designated period. The notice further advises that if neither of these options is exercised an enforcement warrant will issue.

When the prescribed time on the infringement notice has expired and neither payment has been made nor an election for a court hearing received a warrant will issue in the same manner as warrants now issue out of Courts of Petty Sessions. As all notices are served by ordinary post a warrant shall not be executed unless the officer responsible for that execution is satisfied that the alleged offender had prior notice of the enforcement order. Where the alleged offender did not have such advice, that person shall be given a notice advising that a further seven days has been allowed to either pay the amount due or apply for a hearing in open court.

At any time up to the execution of the warrant an offender may apply for time to pay the outstanding amount. The payment of the outstanding amount on an infringement notice or the making of an enforcement order constitutes a conviction in respect of section 103 of the Road Traffic Act. This enables demerit points to be allocated in appropriate cases.

An alleged offender may, at any time after the making of an enforcement order but before either the amount has been paid or a warrant executed, elect in writing to have a complaint of the alleged offence heard and determined in open court. As all documentation is to be served by ordinary post this will act as a further safeguard for the rights of offenders.

Persons authorised to issue infringement notices have the right to withdraw proceedings at any stage in the process.

The fee structure proposed in conjunction with this amendment is based on the user pays principle and will allow agencies to recover administration fees incurred prior to payment by offenders. To cater for the increase in the volume of infringements to be processed, and to reduce delays, the procedure will be computerised. These amendments will simplify the recovery procedure for infringement offences, increase the rate of collections at an earlier stage of the process, and greatly reduce the time required by personnel in carrying out basic clerical procedures in relation to minor offences for which infringement notices may be issued.

Finally, amendments proposed to the existing provisions on restraining orders deal with the following issues -

At present, an interim order may be granted in the absence of a defendant provided the defendant is then summoned to appear at a hearing of the application. Should a defendant fail to attend at the hearing the order may be confirmed in his absence.

One amendment will provide that the hearing to confirm the order does not have to be before the same justices who made the interim order.

Secondly, the maximum fine for contravening an order is increased from \$500 to \$1 000. The option of six months' imprisonment remains unchanged.

At present, orders are not enforceable until a defendant is served personally with an order. Under the proposed amendments, where an order is made in the presence of a

defendant it comes into effect from the time it is made. Where the defendant is not present, orders will continue to have effect from the time of the service of the order.

In future, restraining orders will be limited in operation to a 12 month term or less. Presently, restraining orders are not limited as to duration and this amendment will encourage parties to seek other long term solutions to their problems should they be necessary. A fresh order may be applied for if circumstances justify that cause.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Mensaros.

SUPREME COURT AMENDMENT BILL

Council's Amendment

Amendment made by the Council now considered.

Committee

The Deputy Chairman of Committees (Dr Alexander) in the Chair; Mr Pearce (Leader of the House) in charge of the Bill.

The amendment made by the Council was as follows -

Clause 3, page 2, line 3 - To delete the number "9" and substitute the number "12".

Mr PEARCE: I move -

That the amendment made by the Council be agreed to.

Mr MENSAROS: The Opposition, of course, supports this amendment because it originated from one of its amendments.

Question put and passed; the Council's amendment agreed to.

Report

Resolution reported, the report adopted, and the message accordingly returned to the Council.

ELECTORAL AMENDMENT BILL

Council's Amendments

Amendments made by the Council now considered.

Committee

The Deputy Chairman of Committees (Dr Alexander) in the Chair; Mr Pearce (Minister for Parliamentary and Electoral Reform) in charge of the Bill.

The amendments made by the Council were as follows -

No 1

Clause 4

Page 2, lines 8 and 9 - To delete paragraph (a) and substitute the following -

(a) in sub-section (1) -

(i) by inserting after "election" the following -

"in a region"; and

(ii) by inserting after "voting ticket" the following -

"or 2 or 3 alternative voting tickets".

No 2

New Clause 3A

Page 2, after line 5 - To insert the following new clause -

Section 70 amended.

- 3A. Section 70 of the principal Act is amended by deleting "not the" and substituting the following -
"be a Friday, not".

Mr PEARCE: I move -

That amendment No 1 made by the Council be not agreed to.

I have moved not to agree to the amendment because the issue that was canvassed by the Legislative Council in this matter was, in fact, what was canvassed in this Chamber. It stemmed from a proposition originally put forward by the member for Floreat that where voting tickets are filed by parties, pursuant to the new provisions for Legislative Council elections, under current legislation they are restricted to a single ticket which allocates their preferences in a fixed way. The proposition put forward by the member for Floreat when this Bill was debated in this Chamber was that parties should have the option of putting in two or three alternative tickets. We do not disagree with that and we believe it is the right principle. However, the difficulty which was discussed when the Bill was debated in this Chamber still obtains; that is, that the Government's legal advice is that a referendum will be required to make that the law. By moving to have two or three alternative tickets the interpretation has been given that it is not necessarily a direct election by the people as required by the Constitution and, therefore, would require a referendum to put it into effect. The Government is not prepared to have a referendum on that matter prior to the election. If the referendum was held concurrently with the election there would be a capacity for someone to seek to have the election declared null and void on the basis that the new legislation was not properly in place before the election was held. It is a technical difficulty that is not simple to overcome.

No-one wants the election which is to be held in four to six months' time to be held on the basis that the whole election of the Legislative Council might be declared null and void because of the technical difficulties surrounding this matter. However, it is also the case that the Government is quite happy to find a way to do what the member for Floreat is seeking to do and which is supported by the National Party, including the member for Stirling. I put this proposition to the House: If the Chamber agrees, and subsequently the Legislative Council agrees, to remove this amendment from the legislation, I will introduce into the Parliament a new Bill that will provide for precisely that including a provision to go to a referendum. It would mean that concurrently with the election following the next State election we could hold a referendum on that issue. It would enable the multiple voting tickets to be put in place for the following election - I do not think it is possible to do it for the next election unless the Opposition wants to call for a special referendum, which will cost millions of dollars, to determine the matter.

Another outstanding matter which each of the parties has wanted to address in the past is the question of nomination by parties for vacancies in the Legislative Council, given the new proportional zone system. It is a position which, in the past, has been adopted by all parties, but it also requires a referendum. As I said, if the Chamber is prepared to accept my proposition to disallow this amendment I will give an undertaking to bring into this Parliament a separate Bill which will include that provision and a provision for a referendum. I will also include in that Bill a proposition to have a replacement in the upper House by parties rather than by choosing the next person on the ticket who was not elected, as is the case under the present legislation. It will mean that the election can be held in a valid way without any possibility of challenge on that issue. We will be moving to achieve the point the member for Floreat has asked us to achieve which, as members would agree, is the best way to deal with this matter.

Mr MENSAROS: I am somewhat disappointed simply because the Minister told me that we would have an opportunity to privately discuss this matter before it was debated in the Parliament. It would have been a better way to go.

Mr Pearce: I did not realise it would be considered so quickly. If you want to move to report progress we can hold discussion this afternoon.

Mr MENSAROS: It would be advantageous.

Progress

Progress reported and leave given to sit again at a later stage of the sitting, on motion by Mr Mensaros.

SWAN RIVER TRUST BILL*Report*

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

MR HODGE (Melville - Minister for Waterways) [3.50 pm]: I move -

That the Bill be now read a third time.

MR LEWIS (East Melville) [3.51 pm]: As the Minister knows, last week I held some discussions with officers from his department at their invitation, and I am of the opinion that it is intended to introduce certain amendments when the Bill is presented in the Legislative Council. These amendments would sort out some of the problems to which I drew attention during the debate. I would be pleased if the Minister could explain his intentions to the Parliament at this stage.

MR HODGE (Melville - Minister for Waterways) [3.52 pm]: The member for East Melville is correct; I gave an undertaking during the debate last week that I would give further consideration to the matters raised by him. I did so and I asked the Director of the Waterways Commission to contact the member for East Melville to discuss a possible amendment to the legislation. I understand the member supported the suggested amendment. I have also approved it, and arranged for the drafting of an amendment to clause 63 of the Bill. I will ask my ministerial colleague in the upper House to move it during the debate in the Legislative Council. I believe that amendment addresses the point raised by the member for East Melville, and it should allay the concerns he expressed. I hope the upper House will agree to it and that that will satisfy the member for East Melville.

Question put and passed.

Bill read a third time and transmitted to the Council.

ARTIFICIAL BREEDING OF STOCK AMENDMENT BILL*Report*

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Pearce (Leader of the House), and transmitted to the Council.

BAIL AMENDMENT BILL*Second Reading*

Debate resumed from 16 June.

MR MENSAROS (Floreat) [3.55 pm]: This measure is yet another attempt to bring down new - or at least amended - rules about bail. Legislation was introduced in 1982 by our side to amend this Act, and in 1984 this Government amended it. None of those amendments was proclaimed because it was claimed that the provisions were too cumbersome and would make the process inefficient and lengthy. It is hard to understand how that decision could be arrived at, or the criticism be justified, when no-one had tried the new provisions. I, as Opposition spokesman, am not the only person who is unhappy about the delays involved; I refer to the comments of the Law Society when it said quite clearly -

... the delay in proclaiming the principal Act is most unsatisfactory. It is the view of the members of the Sub-Committee -

That is, the subcommittee of the Law Society which dealt with this matter -

that the government should move to bring the principal Act into operation and that such a move should be accorded priority.

In any event, it took the Government another four years to bring amendments to the Parliament and no great innovation has been suggested, nor principal change made to the Act, only a few modifications. For example, under the existing Act a person's application must be considered "as soon as is practicable", and the amendment proposes that the wording should be "as soon as is reasonably practicable". If we compare these two provisions there is no doubt in my mind that the new provision will slow down the process, rather than accelerate it, as a result of the addition of the word "reasonably". The Minister's explanation is that the granting officer may have some other important duties which he should not neglect and, therefore, the bailing out process may have to, and can, wait. The Law Society seems to object to this provision and it is worthwhile placing on the record its comments on this point -

Section 4(a) of the Bill seeks to amend Section 3 of the principal Act by adding a definition for the phrase "as soon as is practicable". This phrase appears most prominently in Part II of the principal Act and refers to the right of the defendant to have his case for bail considered. Pursuant to Section 5 a defendant who is in custody for an offence awaiting his initial appearance is entitled to have his case for bail considered as soon as practicable or if his case is not so considered or he is refused bail to have the matter brought before a Court as soon as is practicable. In Section 6 of the principal Act the police have a duty to consider the person's case for bail as soon as is practicable or bring a defendant before a Court to have his case for bail considered.

The Law Society says that it formed the opinion that "as soon as is practicable" is imprecise implying of course that "as soon as is reasonably practicable" is equally imprecise and that greater certainty for both defendants and the police would exist if a time limit was set. It is therefore its view that a defendant should have his case for bail considered within four hours of his arrest or alternatively he should be brought before the court within four hours of his arrest.

The Law Society has considered also the situation where a judicial officer is not available, and is of the view that communication with the judicial officer in such circumstances should be by telephone. This is so especially in remote regions of Western Australia or where an arrest is effected out of hours. In the event that the police require further time after arrest to conduct inquiries, the police should have the right to apply for an extension of the time before which a bail decision has to be made.

It is quite important and pertinent to consider what the Law Society has to say on this matter, because the Law Society took the trouble to make a comment. According to its view, the original provision has been criticised, and it was suggested that a precise time limit should be implemented, in view of this imprecise definition. So I think the amending word, which lengthens the period within which bail can be granted, is even less acceptable.

The proposed amendment allows the arresting officer the opportunity of having the defendant brought before another authorised officer to make the initial bail decision; that is in itself a reasonable provision. The explanation for it is that the arresting officer shall not be away from his beat for too long a time.

The next provision is that no more written information should be given to the applicant to read in connection with bail, and may be given only if it is unlikely that bail will be granted. In easy cases, the information will be at the back of the undertaking document, which the bailed-out defendant can take with him to read. This is quite an acceptable provision. In fact, it improves the situation. The Law Society has made an interesting suggestion, which has some merit. It suggests that the notice which all defendants will receive, informing them of their obligations pursuant to any undertaking, and of the consequences of their failure to comply with the undertaking, should be printed in a number of languages apart from English. The Law Society suggests that the form should be written in Italian, Greek, Portuguese, Yugoslav - I suppose that means Serbian or Croatian - and Vietnamese, at the very least. It could be argued that that proposition is a nuisance, but considering the practice of and the use by State and Commonwealth officers - particularly social service officers - not only printed matter in different languages but also television advertisements in various languages, I suppose that proposition is not entirely to be rejected.

I would not be very much in favour of it for the simple reason that I have always understood that when any applicants are allowed to emigrate to Australia, one of the conditions that should apply is that they understand the language properly. The proposition put by the Law Society undoubtedly indicates that it has had experience of quite a large number of people who were involved in criminal proceedings and subject to the granting of bail who did not understand the English language.

I turn now to the next provision, which is that cash deposits towards possible fine penalties can be accepted in lieu of bail proceedings. The offences where this can apply are specified. The bail record form will have to be completed only when bail is either refused or granted after a previous refusal, or granted where the defendant is dissatisfied with the conditions imposed. The reason here is to expedite the simple proceedings, which has again the support of the Opposition.

The next provision is that written notice to the defendant containing his rights and obligations before bail does not now have to be given. It will be given by way of verbal information, and the printed notice on the reverse side of the undertaking will be implemented. The Law Society has some pertinent comments about this, and says -

The Sub-Committee wishes to draw to the government's attention the proposed Section 26 sub-section 3. Pursuant to this sub-section the defendant prosecutor or an intending prosecutor is entitled to, upon request, a copy of the bail record form or the record of the decision. We suggest that the persons entitled to such a document should include the defendant's counsel or solicitor.

I suppose there is a certain element of selfishness in that recommendation, but at the same time I cannot see that there should be anything against it. I do not think that any of these comments which I have made would warrant the amendment, but the Government ought to take them into consideration. It is quite possible that most of these comments would not need a statutory change to the law; they could be implemented into the existing Statute. Having made these comments, the Opposition has no objection to the Bill.

MR PEARCE (Armada - Leader of the House) [4.08 pm]: I thank the member for Floreat for his comments on the legislation. As always in dealing with legal matters, the member is very thorough in the comments that he makes.

In general terms, what the Government is seeking to do with this Bill is prepare a piece of legislation with regard to bail provisions which meets the needs of the community in what is a very sensitive area from all points of view. No-one wants a provision where people who are charged with very serious offences find themselves very quickly out in the community again. On the other hand, people who turn out to be charged for reasons which are unjust or not to be sustained by the courts need to be dealt with in a sensitive manner. That is why the Government did not proclaim the original Bail Act and has brought in this amending Bill in order to try to assuage some of the criticisms that have been made.

I appreciate the comments made by the member for Floreat and I will pass them on to the Attorney General for his consideration.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Pearce (Leader of the House), and passed.

Sitting suspended from 4.12 to 4.33 pm.

MATTER OF PUBLIC IMPORTANCE

State Superannuation Board - Financial Situation

THE SPEAKER (Mr Barnett): Honourable members, I advise that today I received a letter from the Leader of the Opposition seeking to debate as a matter of public importance the financial situation of the State Superannuation Board.

If sufficient members agree to this motion, I will allow it.

[Five members rose in their places.]

The **SPEAKER**: In accordance with the Sessional Order, half an hour will be allocated to each side of the House for the purpose of this debate.

MR MacKINNON (Murdoch - Leader of the Opposition) [4.34 pm]: I move -

This House calls on the Treasurer to explain to the public fully and factually the whole financial situation of the State Superannuation Board, and in particular,

1. Why the 1987-88 Budget allocation of \$91.9 million to supplement earnings, actually cost the taxpayers \$196.1 million in Treasury payouts to 30 June 1988;
2. Why the Premier has attempted to mislead the public on the reasons for this blowout in expenditure;
3. Detailed total losses on share deals and trading;
4. Detailed total write-downs of the value of assets purchased, including an update on the State Superannuation Board Anchorage investment.

Page 26 of the Consolidated Revenue Fund Estimates of Revenue and Expenditure for the year ending 30 June 1989 highlights the performance of the State Superannuation Board over the last couple of years which is of grave concern not only to the Opposition, but also to many people in the community. The Budget papers highlight an attempt by the Treasurer to hide the facts of an enormous blowout in the Government's superannuation payments.

Last year, the Budget allocation under the old 1938 Act for the fund, was \$87.2 million. However, the actual expenditure in today's Budget was \$124 million - a blowout of \$37 million. Last year's estimated expenditure for the fund under the new Act which came into effect on 30 June last year was \$14.670 million, but the actual expenditure was \$72 million. There may be a good explanation for the blowout in the new pension fund for which the estimated expenditure this financial year is \$63 million.

The main question that should be asked is what is happening to the old fund. Why has there been a monumental increase in payouts? In the 1986-87 financial year the payout in the old fund was \$86.1 million; in the 1987-88 financial year it was \$88.9 million; and the estimated payout for this financial year is \$143 million - it is a fund that is supposedly winding down. I am referring to the Government's contribution to the payouts, and not the contributors' funds or the funds contributed to the benefits being drawn out. I ask why there has been a marked increase in the Government's contribution; that is, from \$86.1 million in 1986-87 to an estimated \$143 million this financial year. It indicates to me, as the member for Cottesloe said the other day, that there is something wrong with the fund.

One may ask why I said that the Treasurer has tried to hide the facts. I said that advisedly because an examination of the Government's monthly payments shows the areas of expenditure in Government. In fact, in May this year both the member for Mt Lawley and I asked questions of the Treasurer. The member for Mt Lawley's question was 206 and mine was 174. I asked the Treasurer to explain why CRF expenditure on general public and other services for the first nine months of the 1987-88 financial year was above the full year estimate. The Government had spent in nine months what it estimated to spend in the full year. His answer was that the overexpenditure of \$5 million for the nine months ended 31 March 1988 reflected in the main unbudgeted payments. He went on to explain a few - the R & I Bank capital injection of \$35; and the \$4.4 million towards losses by the Teachers Credit Society. We now know that to be much greater. He also said that there had been an increase of \$35.3 million in funds related to the Superannuation Board to meet the cost of lump sum payments in accordance with the Government Employees Superannuation Act 1987. He made no reference whatsoever to the 1938 fund which had blown out considerably and which would have been well known to the Treasurer at the time. As I said, he made reference to the \$4.4 million regarding the Teachers Credit Society, but made no reference to the blowout over the last two years of \$54 million by the old superannuation fund.

He gave no explanation! Then, the Treasurer's statement of 18 July commented on the full year outcome of the Budget. His statement at that time gave an indication of what occurred. The Treasurer said that a major increase in expenditure was the \$94.3 million increase in superannuation payments - the figure that is reflected in the Budget today - mainly due to

the extra cost of lump sum payments relating to the new Government Employees Superannuation Scheme and the necessity to meet those costs as they emerged. The Treasurer did use the word "mainly". Let us give him some credit where credit is due. "Mainly" would mean that the \$57 million blowout was due to that particular area, but there was no comment about the \$37 million blowout in the other area of the fund, the 1938 Act which, for payments to contributors, relies on the performance of the fund itself. If the fund is not performing, if the money is not there, the taxpayer has to make that contribution. As can be seen from the figures I have already quoted, the taxpayer in the last couple of years has been asked to make a huge contribution, well beyond what would ordinarily have been expected.

That raises other significant questions about the State Superannuation Board fund and what is really going on there. Why is it, for example, that in May of this year we saw a newspaper story commenting on the investment by the former State Superannuation Board in the David Jones site in St Georges Terrace? The article stated -

The SSB's new chairman, Bill Rolston, has entered into negotiations to buy out Bond Corp's half for a figure believed to be in excess of \$50 million.

The SSB was trying to buy out Bond Corporation because it did a deal that would give it an interest free loan and to fund itself over an extended period of time.

Mr Peter Dowding: It is easier perhaps to deal with one issue and when you are absolutely wrong about it we can go through it carefully and explain to you and others how wrong you are, but if you want to build in a whole lot of debate about a whole lot of other issues about which you are wrong that could keep this debate going in this sort of cloud of nonsense for the whole hour.

Mr MacKINNON: I cannot understand the Treasurer's reticence. We do not mind extending times. The Government has no other business on the Notice Paper. We could sit here all night and debate it.

Mr Peter Dowding: You have made a very serious criticism of the SSB, which is wrong.

Mr MacKINNON: Again, I make reference to the newspaper article which, in referring to comments made by Mr Rolston, stated -

He agreed that it made good commercial sense for the SSB to own the project outright as it was locked in to finance the total project but would receive only half the development profits.

Even Mr Rolston knew in May that it was a bad deal. In the newspaper today he was quoted as saying that a change in the joint venture arrangements had improved the board's position. But at what cost? Does the Treasurer know? What are the changes?

Mr Peter Dowding: The changes are substantial. But we are not in a position of seeing an arrangement such as you say is in place being in place.

Mr MacKINNON: How much will it cost?

Mr Peter Dowding: What has that got to do with the matter before the House?

Mr MacKINNON: It has an awful lot to do with the matter before the House. We are talking about the management of the board and the funds therein. That relates quite clearly to what I have indicated here: A major investment by the board. What has been its performance and what is going on? Why is it that the Treasurer even now is not prepared to tell us the nature of the joint venture agreement? Even though we are speaking of a major investment in the city by the former State Superannuation Board, the Treasurer still wants to hide behind a cloud of secrecy.

Mr Peter Dowding: I don't want to hide behind anything. But I am telling you that people out there in the community are getting sick of you attacking boards such as the SSB without justification.

Mr MacKINNON: I am not attacking the board of the SSB. I happen to be attacking the Treasurer because he is responsible. Why is he so secretive? Why will he not tell us?

Mr Peter Dowding: Get on with your attack.

Mr MacKINNON: The Treasurer has no answer. Perhaps the Treasurer can answer this

question: Why did the State Superannuation Board on 28 and 29 January deposit \$49 million in Rothwells? Was that considered to be a good, secure investment at that time?

Mr Peter Dowding: They made their money and they got it back again.

Mr MacKINNON: The money came from State Treasury and then went to Rothwells via the State Superannuation Board.

Mr Peter Dowding: They manage their investments.

Mr Hassell: No, they do not. FundsCorp manages their investments.

Mr MacKINNON: The State Treasurer does not even know who manages the funds. Why did the State Superannuation Board invest those funds in January? Why, on 16 June when I asked about the \$49 million deposit in question 595, did the money miraculously get taken back from Rothwells? Can the Treasurer answer that?

Mr Hassell: The question was asked a few days before, was it, and put on notice?

Mr MacKINNON: It was.

Mr Hassell: And the funds were whipped back before the answer was given?

Mr MacKINNON: I do not know whether that happened before the question was answered, but the answer was -

As has been stated several times, to disclose the day to day investment decisions of the Government Employees Superannuation Board would impinge on its ability to mount a successful investment strategy.

I would say that it would impinge upon the Government's ability to mount a successful defence of its strategy, and would have very little to do with the State Superannuation Board. Is there no comment by the Treasurer about a \$49 million investment in Rothwells?

Mr Peter Dowding: I have no comment about matters that are clearly the province of the board.

Mr MacKINNON: The money came from Treasury.

Mr Peter Dowding: Do you think I sit down there signing cheques?

Mr MacKINNON: I thought the Treasurer would have liked to know what was going on with respect to an amount of \$50 million. Does the Treasury make \$50 million investments without the Treasurer approving them?

Mr Peter Dowding: The State Superannuation Board does not ask me for permission to invest money.

Mr MacKINNON: Quite clearly, neither on 16 June nor today has the Premier denied that that occurred. Of course, it occurred.

Mr Peter Dowding: You are not going to get me in that cheap way.

Mr MacKINNON: Why is it that now we have a refusal to disclose anything from the State Superannuation Board, audited or otherwise, yet the State Government Insurance Commission can have a selective Press conference to disclose unaudited figures? Why is there one rule for one and another for the other?

Mr Peter Dowding: Why don't you ask the chairman of the board? Do you want to get into the chairman of the board? Or don't you trust his integrity? It is a disgraceful attack!

Mr MacKINNON: I am not talking about the board. Today, I have not mentioned the chairman of the board at all. It is a typical trick of the Treasurer to say, "You are attacking the man." I am not attacking the man. I am playing the ball. In this instance, the ball happens to be the Treasurer's failure to disclose the facts, a blowout in the Budget of quite huge proportions from \$86.1 million in 1986-87 to \$140 million in the coming year's Budget for those funds. Why does the Government have to put in that money? What has gone wrong with the management of the fund? Why does the Premier continue to hide behind this veil of secrecy? He has given us no answers whatsoever.

Mr Peter Dowding: You had no guts in Government and you have none in Opposition.

Mr MacKINNON: The Treasurer knows that is not true.

The Government does not disclose information that should be made available. By and large it is left up to the media and others within Government who have integrity to provide a little information so we can try to find out what is really going on. It is time that the Government came clean on the Government Employees Superannuation Board. As the figures here indicate, and as other evidence released on the weekend by the member for Cottesloe indicates, there is quite clearly something wrong within the board. I urge the Treasurer to allow the board to make some disclosures about what the unaudited position shows, as did the SGIC, so we can find out what is really going on and why the taxpayers are being asked to fund this huge blowout.

Why is it that taxpayers are being asked now to fund this huge blowout without one word of explanation in the Budget figures today? There is not one word; in fact, there is a deliberate attempt by the Treasurer today to hide the facts. However, the facts cannot be hidden, as we have shown over and over again. It is time he came clean.

MR HASSELL (Cottesloe) [4.51 pm]: Mr Speaker -

Several members interjected.

The SPEAKER: Order! I think that the member for Cottesloe wants to second this motion.

Mr HASSELL: I second the motion, despite the fact that members opposite have been carrying on before I have said a word and when I have only 10 minutes to say a few things. First, does the Treasurer of this State, the Minister responsible to this Parliament and the public for the State Superannuation Board, suggest seriously that that board invested \$50 million through Treasury in Rothwells Ltd in February this year and that he did not know about that, or approve it? Is he suggesting seriously that that investment was not made at the behest of the Government as part of its continuing support for Rothwells? Is he suggesting seriously that - and Mr Tony Lloyd was still chairman of the board at that time, was he not - Mr Tony Lloyd was not acting in consultation with the Government at that time? Is he suggesting seriously that that money was not withdrawn simply because the Opposition became aware of it and put questions on the Notice Paper in this House?

This motion is not attacking the State Superannuation Board at all. The situation is, as I said on Sunday, that the people in the State superannuation organisation are deeply concerned about what has gone on and about the fact that there has not been a proper disclosure of what is going on. I again put to the Treasurer a very simple proposition -

Several members interjected.

Mr HASSELL: Members opposite will not succeed in shouting me down, so they may as well dry up. I put to the Treasurer a very simple proposition: That he forthwith release to the public the completed and unaudited accounts of the State Superannuation Board. Those accounts are complete, so they could be released. There is no law, and no reason why they cannot be released. It is entirely appropriate that, in the context of dealing with the Budget review in this State, we should see the accounts of the State Superannuation Board, because, of course, the truth is that every penny of shortfall between that earned by the board and that required to meet the pensions and other obligations of the superannuation fund to retirees of the Public Service is required to be paid by taxpayers.

It is simply inadequate to present a Budget where the full truth and the full facts are not disclosed. The Treasurer has an opportunity to clear up this matter. He has caused other controversies to rage on for weeks unnecessarily because of his attempts to impose secrecy and because of his refusal to answer questions. I will point out the present situation as I know it to be: The State superannuation organisation holds serious concerns about its financial position and, in particular, about some past financial dealings - dealings for which present members of the board may not be responsible.

I ask the Treasurer, as the responsible Minister, what has been going on about the Anchorage development in the past 12 months. Has the land at the Anchorage development yet been consolidated into one piece or has there been a shameful neglect of that project and no attempt to try to rescue the remnants of that disaster from the course of action adopted by Mr Brush and the former Treasurer's other mates? What has been happening about Anchorage?

I raised some matters on Sunday that related to the fact that there was a desperately urgent need for the board to escape the onerous funding arrangements for the David Jones site. The

board is out of its depth with that project. The fact of the matter is that the board has continuing obligations in respect of the David Jones site and although some new financial arrangements have been made there is still a need for changes to be made so that the board can handle its development obligations; so there is a continuing problem in relation to that site. There is a continuing commercial need for new arrangements to be finalised in relation to the David Jones site.

I mentioned on Sunday that the share crash last October caught the State Superannuation Board with many bad investments. The Government has been saying in the past couple of days that the board has an average rate of return of some seven per cent. That is an interesting contrast with the statement last year of the Chairman of the State Superannuation Board, Mr Tony Lloyd, when he made the following statement in the annual report of the board -

The board continued to pursue its investment strategy of recent years.

'Disaster strategy' would be more accurate. It continues -

However, the earning rate of the Fund declined to 15.4 per cent compared with 19.0 per cent in 1985-86, the highest return ever achieved by the Fund.

And it goes on. It is not just a matter of the share crash; it is a matter of the nature of some of the investments made and the fact that some of those problems -

Mr Peter Dowding: Halls Head?

Mr HASSELL: I was talking about the share portfolio. The essential question relates to some of the share investments that have been made. The question relates to the nature of those investments and some of the people involved. More will be said about that, I can assure you, Mr Speaker. There have been what have been described to me as "gross overpayments" for properties such as the Ascot Inn, purchased for \$4 million and now valued at \$2 million.

Mr Peter Dowding: What evidence have you of this gross overpayment?

Mr HASSELL: The Treasurer was given the opportunity on Sunday by *The West Australian* to respond to these claims. He had another opportunity to respond about them on Monday when he had his own radio program, but he chose to talk about the Opposition and not about the State Superannuation Board. He chose to discuss the fact that this material had been released by me. That is what he chose to discuss - not the issues; he was going to the people involved. Why does this Treasurer not do what I have invited him to do? Why does he not release the unaudited figures for the State Superannuation Board.

Mr Peter Dowding: Because that is for the board.

Mr HASSELL: It is for the Treasurer's approval; make no mistake. We are about to enter the Budget debate, and this matter is highly relevant to that debate. If it was relevant to the public interest to have a special Press conference with selected journalists to disclose the profit figures of the SGIC - the unaudited, unproved profit figures - when it suited the Government's political purpose, the Treasurer should come clean now and tell the truth about the State Superannuation Board and its problems; because the public is entitled to know, and the information we have been given has been denied neither by the responsible Minister nor by the Chairman of the State Superannuation Board. I warn the Treasurer that this matter will not go away for as long as he plays his game of secrecy with politics and the State Government instrumentality.

MR PETER DOWDING (Maylands - Treasurer) [5.01 pm]: I am disgusted with the member for Cottesloe. It is very difficult to have a rational debate with him when he lashes out indiscriminately. He lashes out at the Chairman of the State Government Insurance Commission in Press statements -

Mr Court: You can direct that commission, and you have done.

Mr PETER DOWDING: The Treasurer does not know -

Several members interjected.

The SPEAKER: Order!

Mr PETER DOWDING: Here they go! The Chairman of the State Government Insurance

Commission and the Chairman of the State Superannuation Board have responsibilities which do not require their reporting to me before they do or say anything. They are people in whom I have the utmost faith. The member for Cottesloe is certainly wrong about this issue, and he has said nothing today that he did not say on Sunday. His primary source document was his own Press release, and it did not take this allegation one iota further; neither did the Leader of the Opposition, who walked in here from his party room with a big sign on his lapel saying "No". I assumed that was some sort of message to his own members not to roll him.

Let me go through this argument as quickly as I can in the hope that it will at least drive some decent people - if there are any left in the Opposition - to accept that challenging the State Superannuation Board or the State Government Insurance Commission is not right, it is not fair, and it is improper. I invite the member for Nedlands to remember what pain was caused to his brother's organisation when the former Premier stood here and uttered words which were critical of it. He went absolutely spare, and his brother wrote a personal letter to the then Premier warning him of the dangers to financial institutions -

Several members interjected.

The SPEAKER: Just a moment! It is becoming increasingly difficult for Hansard to take these debates in a reasonable way when the person on his feet is speaking in a fairly loud voice, which he is entitled to do, and somebody interjects into Hansard's left ear at exactly the same time. What members have to do is wait for a pause; wait for the person to take a breath or something like that. To try to shout over the top of the person on his feet and expect the debate to be properly recorded is not on.

Mr PETER DOWDING: I remind the smear and innuendo merchants on the other side of the House that one of these days they will find that no-one believes anything they say. As for the Leader of the Opposition, he made silly allegations about a loss of \$300 million, but by the end of the week he had the Press convinced that he was a bit of a dodo. He has done it again. He cannot even add up. The 1987-88 Budget allocation of \$91.9 million to supplement earnings actually cost the taxpayers \$196.1 million in Treasury payouts to 30 June. The Leader of the Opposition cannot add up. He should look at page 26 of the previous Estimates, which show that there are two relevant figures: \$14.7 million - Government Superannuation Act 1987 - and Superannuation and Family Benefits Act 1938, \$87.2 million.

Mr MacKinnon: It was \$14.670 million.

Mr PETER DOWDING: I will give the member the benefit of that, because I will prove he is a dill. That totals \$101.9 million, not \$91.9 million. Thank goodness the Leader of the Opposition is not the Treasurer. He is fundamentally unable to add up. Secondly, there is no blowout of this figure. In fact, there are two elements to this, both of which are success stories in the community. In 1986 we moved to address a problem of which the Opposition was aware and with which, when it was in Government, it did not have the guts to deal, and that is the potential unfunded liability of these schemes. We have now addressed that potential liability, and its being addressed is one of the reasons we were able to achieve a very good credit rating from Moodies - AA plus. That potential unfunded liability was \$5 000 million, a potential liability of the State. That was a result of the nature of the superannuation scheme, a scheme members opposite were prepared to allow to cost taxpayers 25 per cent of salary. We have turned that around so that it now costs the community 12 per cent of salary, which includes the three per cent superannuation arrangements which were put in place in 1986-87. In other words, that 12 per cent is comparable with 28 per cent of salary. The Opposition's actions in this case would have cost the community a huge amount more.

Mr Cash: That is rubbish.

Mr PETER DOWDING: That is absolutely correct; members opposite have no reason to challenge this.

Mr MacKinnon: There are fewer people in the fund and it has blown out.

Mr PETER DOWDING: The Leader of the Opposition has no credibility.

Several members interjected.

Mr PETER DOWDING: We have a fairer and less costly scheme.

Several members interjected.

The SPEAKER: Order!

Mr PETER DOWDING: Do not use scare tactics which have no relation to reality. When last year's Budget was funded we made an estimate of what we would have to contribute to the new scheme. We underestimated how successful the new scheme would be. We thought 40 per cent of people would transfer from a scheme which was costing the community 25 per cent of salary, and on top of that we would have had to incur another three per cent; in other words, the scheme would have cost us 28 per cent of salary. Transferring into the new scheme would have cost us 12 per cent of salary. That is what our efforts have addressed - this huge unfunded liability coming up over the hill which people like the member, when he was a member of a Government party, did not have the guts to address. So I suggest that the member should not take on this aspect of tough new, next leader - and I do not know who that will be, because as sure as hell it is not the member.

Instead of 40 per cent of people transferring across to the new scheme, 76 per cent have done so. That transfer arrangement was more successful than we could in our wildest dreams have hoped. That is, of 30 000 people in the old, very expensive scheme 26 000 have transferred to the new scheme, saving the taxpayers a huge amount of money. Obviously the faster we get people out of the old scheme and into the new one, the better it will be for the community. However, the member is right - there is one element of downside, which is that one has to top up this scheme to cope with the transfers because that is the basis of it. One cannot set up a scheme, suddenly throw 26 000 people into it and then say, "You have to self fund the scheme." That is just impossible. So of course there is a requirement in the short term to fund the transfers. That was known when this legislation was debated in this place. What was not known was that we would be criticised by nincompoops on the other side of the House who are after silly, superficial political advantages and who want the taxpayers to have the long term detriment of the continued funding of a scheme costing 28 per cent of salaries. The Opposition marvellously wants to have that level of unfunded liability continue so it can secure some short term gain. The Government has grasped this issue and encouraged those transfers. The Government underestimated how successful the new scheme would be. As a result we have had to top up the contribution to the State Superannuation Board, not because of its performance, but because that is how the new scheme will be run. If members opposite cannot understand that, I can only say, "God help the Liberal Party"; it is no wonder it is having so much trouble raising money; people cannot trust the Liberal Party to spend their money wisely.

The third thing that must be said is that this payment will not supplement earnings. It will not go into that fund to help the SSB. It will go to recipients of lump sum payments and to meet the transfer costs. That is the purpose of ensuring that this money is there for the top-up. In other words, it does not prop up the board at all.

The next proposition asks why I, as Treasurer, attempted to mislead the public on the reasons for the blow-out in expenditure. The only misleading which has been done to the public was that done by the member for Cottesloe, whose whatever it is on his liver is so intense because he has been dumped by his mates in whose eyes he is trying to restore his credibility. I do not think that the member for Cottesloe has it.

Mr Lightfoot: He is 10 times the man you are.

Mr PETER DOWDING: Did the member for Murchison-Eyre vote for him?

Several members interjected.

The SPEAKER: Order!

Mr Lightfoot: I am being kind to you. You can't argue the case without getting personal.

Several members interjected.

The SPEAKER: Order!

Mr PETER DOWDING: Would the member for Murchison-Eyre like to tell us whether he voted for the member for Cottesloe?

Several members interjected.

The SPEAKER: Order!

Mr PETER DOWDING: I remember that the member for Murchison-Eyre backed a double loser. There has been no attempt at misleading; that would have been known to any reasonable Opposition which sought to go back through the 1986 debate to see what was done and said.

Mr MacKinnon: We asked the questions and you did not answer them.

Mr PETER DOWDING: The problem with the Leader of the Opposition is that he is not game to take the running. He allows the member for Cottesloe to get up on Sunday afternoons, to hold Press conferences and issue Press releases because he is not game. When the Leader of the Opposition comes under the scrutiny of the television cameras, the member for Cottesloe actually performs better than he does. The member for Cottesloe is not liked by people very much, even by people on that side of the House, but he does sometimes perform a little more credibly than the Leader of the Opposition. The worst thing is that both the Leader of the Opposition and member for Cottesloe made fundamental mistakes on this occasion.

Let us go on to the third proposition in this motion and that is -

Several members interjected.

The SPEAKER: Order!

Mr PETER DOWDING: That is another attempt at distortion. The board has announced - not I, not the Treasurer, but the chairman of the board -

Mr MacKinnon: I cited all your figures.

The SPEAKER: Order!

Mr PETER DOWDING: What is a "W I M P"?

Mr Lightfoot interjected.

Mr PETER DOWDING: The member for Murchison-Eyre even pinches my jokes. That is how bereft he is. When I am Premier after the next election, one of the nicest things will be knowing that the member for Murchison-Eyre will not be here. I reckon a lot of people on that side of the House will breathe easier. That is why they would not accommodate the member for Murchison-Eyre and the member for Mt Lawley.

Mr Taylor: They should endorse him for a seat on that side.

Mr PETER DOWDING: I told them, "Look, I put the Leader of the Opposition on for another half hour on GWN" because I reckon we won more votes in that half hour than we have won in the last month. This is another attempt at distortion by the Leader of the Opposition and it is serious. I apologise for being a bit frivolous about it because the Opposition continually denigrates people who are working for the community. The Opposition denigrates the board regardless of whether it says it does; it cannot attack the State Superannuation Board the way it is now without denigrating the board. The chairman of the board indicated in a statement that the SSB had finished 7.7 per cent up - that is one per cent in real terms. That compares with minus 8.2 per cent average result across the managed funds nationally. The State Superannuation Board is up 7.7 per cent; it has already reported on its losses in the October share crash; it has also said that its exposure to the share market was less, hence it was affected less than other funds.

Mr Hassell: Are you going to publish the accounts?

The SPEAKER: Order!

Mr PETER DOWDING: The member for Cottesloe has singled out one investment in an investment portfolio of \$400 million.

Mr Hassell: Oh no, there are lots of them.

Mr Cash: Why don't you publish the unaudited accounts?

Mr PETER DOWDING: Because I do not have the unaudited accounts.

Mr Cash: What about saying to the chairman, "Publish the unaudited accounts and everybody can look at them"?

Mr PETER DOWDING: Then the Opposition would say that I had been directing the chairman, and I see no reason to direct the board.

Mr Hassell: Do you have the power to direct the board?

Mr PETER DOWDING: Of course I have, but why is it appropriate -

Mr Hassell: So it is your decision as Treasurer to publish those accounts?

Mr PETER DOWDING: The member cannot have it both ways. Either I am going to spend my days as the quasi chairman of the -

Several members interjected.

The SPEAKER: Order!

Mr PETER DOWDING: I hope that people who read *Hansard* will understand that the Opposition is proposing that the Premier and Treasurer should become the quasi chairman of the SGIC and the State Superannuation Board. What a load of nonsense that is.

Mr Hassell: You have had your political stooges in there for years and they have been doing all sorts of funny things. Now it is time for you to take responsibility for their actions.

Mr PETER DOWDING: There is absolutely no question about the integrity of the relationship between me and the Chairman of the SGIC, for whom I have a lot of respect, and the Chairman of the SSB, for whom I also have a great deal of respect. I am amazed, given his past, that the member would have the temerity to be even vaguely critical of him.

Mr Hassell: I am not being critical of him.

Mr PETER DOWDING: The member is suggesting that he is a stooge. The member is suggesting that I direct him and he acts.

Mr Hassell: Are you saying that Lloyd and Brush are not your political stooges?

Mr PETER DOWDING: Can I say something to the member?

Mr Hassell: Are you saying that Lloyd and Brush are not your political stooges?

Mr PETER DOWDING: The member for Cottesloe and his colleagues are on the nose. He is now talking about my directing the Chairman of the State Superannuation Board, Mr Rolston, in whom I have faith, to manage the SSB.

Mr Hassell: You have responsibility to the community to protect the public interest.

The SPEAKER: Order! The member for Cottesloe may not have been here when I mentioned this before. In my view it is entirely inappropriate for members to interject in a louder voice than a member who is making a speech in a slightly raised voice. He should wait for an opportunity to interject and not interrupt the member making his speech. I will not allow this session to degenerate into what we have heard for the last half an hour.

Mr PETER DOWDING: The Opposition is acting beyond the pale. A media statement was issued by the chairman of the board. I am amazed that the member for Cottesloe denigrated the chairman's comments in his speech. The chairman said that the board was in a sound financial position and at the financial year ended had cash reserves of \$116 million. He said the board has achieved an unaudited average rate of return on investments of 7.7 per cent or one per cent in real terms. This was a satisfactory result and compared more than favourably with a number of other funds. He said that, as a result of investment income of \$99 million, the size of the fund had expanded to \$496.9 million as at 30 June 1988. He also said that a buoyant property market had enabled the board to realise substantial capital gains through the sale of a number of properties. These capital gains more than offset the performance of the board's share portfolio. Mr Rolston said that, as stated in last year's annual report, the October share market crash resulted in a paper loss of \$31 million on the share portfolios.

He said that he did not want to comment on any of the board's specific investments. If he did not want to comment on them, why should I? If he felt that that was in the interest of the SSB, why should the Premier interfere and comment on it?

Mr Hassell: Because you are supposed to represent the public interest.

Mr PETER DOWDING: But surely Mr Rolston is a man of integrity and should be allowed to make that judgment.

Mr Hassell: But it is your judgment; you are the Treasurer.

Mr PETER DOWDING: What a load of nonsense. The member will have the right to say the responsibility rests with me when the SSB reports through me to this House. However, the board, and not the Premier, should have the responsibility for making a managed judgment about whether it is in the interests of the board to nominate a specific investment and discuss it. The member should not talk rubbish.

While Mr Rolston did not wish to comment on any of the board's specific investments, he said the Ascot Inn and the David Jones site had been singled out for criticism and the value of the Ascot Inn was based on its income performance. This had been affected by the Burswood Island Resort and an oversupply of accommodation in the hospitality industry. He said the board was currently discussing the matter with the managers of the property. However, Mr Rolston said that it is quite unfair - the member for Cottesloe is being unfair -

Mr Hassell: So he was attacking me, was he?

Mr PETER DOWDING: Yes.

Mr Hassell: That is okay, is it?

Mr PETER DOWDING: Yes, it is quite appropriate.

Mr Hassell: Go on.

Mr PETER DOWDING: He is at liberty to do that. He can attack me too if he wants. The difference is that I have not attacked him publicly as did the member for Cottesloe.

Mr Hassell: I did not attack him; get that right, Treasurer.

Mr PETER DOWDING: Mr Rolston said it was quite unfair for that investment to be singled out for criticism and there are always some gains and some losses.

Mr Burkett: That is right, the board wanted to put out a statement with no losses. Let us talk about Court Marine -

Mr PETER DOWDING: We will get to that.

Mr Burkett: - and your four mates who tickled the till at Teachers Credit.

The SPEAKER: Order!

Mr PETER DOWDING: In respect of the David Jones site -

Mr Burkett: What about -

The SPEAKER: Order!

Mr PETER DOWDING: Shut up, Graham.

Mr MacKinnon: That's no way to talk to a backbencher.

Mr PETER DOWDING: The thing is he is right, but I have only got eight minutes.

The chairman said that a change in the joint venture arrangement in respect of the David Jones site has resulted in the board improving its position in relation to its funding commitments on the project. He said that there is no question of the board being unable to meet any of its funding commitments. He said that the board is in a good financial position.

Mr Lightfoot: Just like the TCS was 12 months ago.

Mr PETER DOWDING: Is that where we are going? Does the member want to link these? Does the Leader of the Opposition support that comment? Does the member for Cottesloe want to endorse that comment? They do not have that solidarity in their party. The Leader of the Opposition, the member for Cottesloe, and other members who support this motion are suggesting that they do not believe the Chairman of the State Superannuation Board. They created that apprehension and he issued that statement.

Before I finish I wish to return to one point - the question of performance under different Governments. Since this Government has taken office, the performance of the SSB over the five years has been 6.9 per cent in real terms. Under the previous Government for a five year period, that rate of return was not 6.9 per cent real, but 1.5 per cent.

Mr Lightfoot: Good, solid, safe Government.

Mr PETER DOWDING: The good, solid, safe Government which has been applauded by the member for Murchison-Eyre, in the year ended 30 June 1987, lost the board the opportunity to make an 18 per cent return of profit on the investment and had it reduced to only 15.4 per cent because of the Halls Head investment. Who put that investment into the board?

The Opposition has continually attacked individuals who accept public office. It is irresponsible of the Opposition. Last week should have been the Leader of the Opposition's week of glory. I did not like telling the community last week that we will have to pay \$119 million to help 60 000 small people in the community and I am glad that the Leader of the Opposition agreed that it was the only thing we could do in the circumstances. That should have been his week of glory. However, he messed it up absolutely because he went over the top, lied to the community, and pretended that he had information to justify the \$300 million figure. I believe the Opposition's lack of integrity has been clearly displayed.

Withdrawal of Remark

Mr CLARKO: Mr Speaker, I raise a point of order.

The SPEAKER: I missed part of the sentence and was trying to pick up from the latter part of the sentence whether the words "he lied" were applied to a member of Parliament or to somebody else.

Mr PETER DOWDING: They were, and I withdraw them and substitute "misled".

Mr Clarko: That's not appropriate.

The SPEAKER: I understand that the Treasurer has now sat down, but he wants to substitute the word "misled". As there is time, I ask him to withdraw and make the necessary substitution by seeking leave to continue his remarks.

Mr PETER DOWDING: I withdraw, Mr Speaker.

Debate Resumed

Mr PETER DOWDING: I ask leave to continue my remarks.

[Leave granted for speech to be continued.]

Mr PETER DOWDING: I say that he totally intentionally and deliberately misled the community.

MR STEPHENS (Stirling) [5.30 pm]: Briefly, the National Party indicates its support for the motion. The response given by the Treasurer indicates the difficulty of trying to protect the public in this place. For some time, the National Party has advanced the idea that the Executive should be responsible to Parliament and not the other way around. More and more the Government is treating Parliament with complete disrespect. As a result, we feel that we are becoming irrelevant. It is time that the trend was reversed.

The response of the Treasurer to the motion moved by the Opposition was largely taken up with personal attacks. I do not think they have any place in this House. Personal attacks are no substitute for facts which are what the House seeks to ascertain. The Treasurer quoted selectively with respect to some figures, but did not give us all the information that we require to make a judgment in the public interest. The request for the accounts to be published - unaudited in the first instance and audited in the second - is a reasonable one and should be complied with.

As one who has listened to both sides of the debate, I can only say that the Premier has dodged the issue. It is time that he was prepared to come forth and give all the facts. If he has nothing to hide, he should give us the facts and let the public make the judgments. The public will certainly not be able to make any judgment on the basis of the Treasurer's resorting to smear and denigration. I certainly do not accept that as a substitute for a proper answer to the request that was made in the four points of the motion advanced this evening.

I urge the Government to treat the Parliament with more respect and to give us the information to which we as representatives of the people are entitled so that we can make judgments. The Press will no doubt report the information so that the public will be better informed and thus able to make a judgment as to whether the Government or the Opposition is right. I certainly do not take notice of the Treasurer on this issue, so the National Party supports the motion.

Question put and a division taken with the following result -

Ayes (19)			
Mr Blaikie	Mr Grayden	Mr MacKinnon	Mr Reg Tubby
Mr Bradshaw	Mr Hassell	Mr Mensaros	Mr Watt
Mr Cash	Mr House	Mr Stephens	Mr Wiese
Mr Clarko	Mr Lewis	Mr Thompson	Mr Greig
Mr Court	Mr Lightfoot	Mr Fred Tubby	(Teller)

Noes (26)			
Dr Alexander	Mr Evans	Mr Parker	Mr Troy
Mrs Beggs	Dr Gallop	Mr Pearce	Mrs Watkins
Mr Bertram	Mrs Henderson	Mr Read	Dr Watson
Mr Burkett	Mr Gordon Hill	Mr Ripper	Mr Wilson
Mr Cunningham	Mr Hodge	Mr D.L. Smith	Mrs Buchanan (Teller)
Mr Donovan	Dr Lawrence	Mr Taylor	
Mr Peter Dowding	Mr Marlborough	Mr Thomas	

Pairs

Ayes	Noes
Mr Crane	Mr Tom Jones
Mr Maslen	Mr Carr
Mr Schell	Mr P.J. Smith
Mr Williams	Mr Grill
Mr Cowan	Mr Bridge

Question thus negatived.

[Questions taken.]

Sitting suspended from 6.00 to 7.15 pm

AGRICULTURE BILL

Second Reading

Debate resumed from 15 June.

MR BLAIKIE (Vasse) [7.15 pm]: This Bill was introduced last May, and I prevailed upon the Minister at the time not to proceed with the legislation because the provisions were far-reaching and some significant changes were proposed to the present structure of the Department of Agriculture. Members have had adequate time to study those changes, as has the farming industry. The Opposition intends to support the Bill, but it will seek some clarification from the Minister during his reply to the second reading debate.

The Minister's second reading speech was relatively short of detail; I trust that he will have that corrected when the Bill goes to another place, because a number of matters need to be spelt out during the second reading. In view of the historic nature of this Bill, and because many people will not necessarily read the legislation, the Minister's comments on the reasons for the legislation being introduced are important because they will certainly be read.

The Bill provides for the Department of Agriculture's corporate powers to be implemented through the chief executive. It also provides for that chief executive to enter into contracts, to contract out the department's staff, to enter into joint ventures, to provide consultancies and to sell the intellectual property of the Department of Agriculture. It also provides for the department to charge fees for services. These are the general principles in the Bill, and the Opposition will support those general parameters.

During the recess I took the opportunity to go to the Eastern States - at my expense - to visit a number of departments, principally in Victoria and New South Wales, to see the changes which had taken place in those departments, and they were quite significant. During the same period I studied what had happened in Tasmania. Each of those States has moved

down a similar path under different political administrations. The departments are able to charge fees for services, sell off intellectual properties, and they can enter into joint negotiations in a number of fields to the advantage of both the State and the industries concerned.

In a couple of those States there has been a growth in the number of private services now coming on stream; services the departments should not have been involved in, but they have grown up over a number of years. Those services include, for instance, designing cow sheds for the dairy industry. It is important for a department to provide the best technological advice, but necessity is the mother of invention, and involvements such as the building of sheds and so on are best handled by the private sector. That is only one example. In Western Australia two or maybe three years ago the Minister determined that there would no longer be a free gardening service provided by the Department of Agriculture.

Mr Grill: It was two years ago.

Mr BLAIKIE: There was a hue and cry at the time but I do not think very many people were disadvantaged as a result of that decision and nowadays many people go, more appropriately, to their local nurseryman seeking that advice. If the advice they get is not appropriate and the lawn or plants die, they go to another nurseryman who can offer better advice. However, I expect that the department still has a team doing research in areas where it is needed more, by freeing up those resources from other areas. That is very important.

I have had personal experience of this. As members of this House would know, I was involved in the establishment of Brie production by the Margaret River Cheese Company. In the formative stages of that company - and incidentally, I am no longer involved financially in that company although I do enjoy its excellent product - the services of the Department of Agriculture in providing technological advice was invaluable. I believe it would have been appropriate for the department to have charged a fee for the services it performed. Without the services of the department - because it employed the only people in the State who could provide that service - that project might not have got under way. I am sure a host of other projects of a similar nature have depended on the services of the department and should have paid, or should pay, a fee - even a moderate fee - for such services in the normal commercial manner. While this process of freeing up resources is desirable it is still imperative that backroom research continue, because if agriculture is to survive it will do so only on its ability to adapt to the new techniques provided to us by advances in technology.

In a wider sense, in Australia generally not enough is understood or appreciated about agriculture and its importance to Australia's economy. Agricultural research is extremely important to ensure that those people involved in agriculture keep abreast of what is happening around the world. About two years ago I had the opportunity to visit Europe, and part of that visit included three weeks in France. If ever there has been an exercise I have appreciated, it was to see what the French were doing and to understand French agricultural policy. That policy is a warning that we in Australia must heed. The French are working on a 25 year agricultural program which started in 1975 and which in simple terms provides that by the year 2000 the French expect to have some 30 per cent of their agricultural area out of production and turned over to conservation and environmental purposes, but in the same period they also expect that their total agricultural production will increase by 25 per cent, over a substantially reduced area. We must understand that around the world research is having a profound effect on the future of agriculture, and ensure that our agricultural research and technology at least keeps pace with what is happening elsewhere, because unless we do our agricultural producers will be at risk, as will the rest of the Australian community.

In 1986 the *National Farmer* put out an excellent document headed, "Farm research - on the critical list." The document highlighted a series of very disturbing trends which included -

Funds to get on with the job being whittled away as growing overhead costs eat up research budgets.

Development activity lags badly compared to overseas countries.

Research is being urbanised, losing its connections back to the farm.

Australian scientific brainpower is increasingly being diverted to helping overseas farmers rather than those in desperate need back home.

Top researchers are spending more and more of their time fighting a bureaucratic paper war.

Marketing and other off-farm aspects are getting a bigger bite of the funding cake - at the expense of production research.

The paper went on to say -

That we're losing the productivity race is shown by wheat yields during the early '60s compared with those in the late '70s. Average yields rose 45pc in the USSR, 64pc in India, 59pc in Turkey, and 67pc in Pakistan. Australia's yields, meanwhile, stagnated at 1.21t/ha, so instead of being ahead of the other countries it dropped behind.

The same could also be said of animal production, but I will not pursue that now. On page 40 of the paper it said -

Among the State departments the picture is not uniformly rosy. Victoria dropped a massive 31pc in real terms between 1976 and 1985, while Tasmania slid 15pc.

These figures relate to farm research. The paper continues -

WA, on the other hand, increased research spending 75pc by chopping regulatory costs, and the Qld Department of Primary Industries pushed up its research contribution by 24pc.

So I take heart about what has happened in Western Australia as it is quite important. I note the funding cuts that CSIRO has received in the national Budget; it is a matter of grave concern that the total research commitment across Australia is dropping significantly. In this area Western Australia leads the way. I commend the Government for increasing its allocation to research because I believe that this is a fundamental matter for the survival of agriculture. However, Western Australia's taking the lead is not the final answer because this State's actions need to be echoed across Australia. I therefore appeal to the Minister to consider this when attending agricultural conferences with his colleagues and the Federal Minister; more action needs to be taken across Australia to maintain the status quo.

Mr Grill: The CSIRO should be spending more in this State. It is way down on expenditure in this State.

Mr BLAIKIE: Without doubt. That is a matter of concern to everyone in Western Australia but more importantly it has far wider impact across Australia because the total funding has been cut. The CSIRO obtains 30 per cent of its total budget allocation from private sources. We experience good years and we experience bad years. It is very important to understand the contribution that agriculture makes to the general economy. On that question the Australian Institute of Agricultural Science has put out a booklet titled *Which is Australia's oldest high-tech industry?* Of course, the answer is agriculture. The publication states in part -

Farm production was worth nearly \$20 billion in 1987/88, earning a record \$14.65 billion or 40 per cent of our total export income.

So it is clear that the dollars spent in agricultural research have a profound benefit in due course for the total Australian economy.

While in the Eastern States I met Professor Alan Lloyd, Professor in Agricultural Economics at the University of Melbourne, and Professor Derek Tribe, professor in charge of the Institute of Agricultural Science in Melbourne. Professor Tribe will probably be in Western Australia for the next three or four weeks to discuss the reduction in funding across Australia and to explain not only to farmer organisations but also to people involved in the total spectrum of the economy the necessity to improve and increase agricultural research. Professor Tribe has also expressed concern about Federal Government policy matters, and while it is not our province to buy into this area we should show our concern because we can have some small influence. One of the most telling of Professor Tribe's concerns, a concern which I share, is that unless adequate recognition is given to the importance of agriculture to the total Australian economy, the most traditional industry of all will be overlooked. We all become hyped up on the buzz terms "high technology" and "sunrise industries", but it should be remembered that last year agriculture contributed 40 per cent of the nation's total income. Goodness knows what its contribution will be next year; if we experience a couple of good

years it could be sky high. I am disturbed that the bright young school leavers are not entering the field of agriculture. The people who could be the agricultural scientists or technologists of the future are turning their backs on agriculture and looking towards other sectors of industry. But a positive role exists for them within agriculture and they could have an incredible future in that area. It is incumbent upon all of us to put across this message. The number of agricultural scientists within the Public Service is declining and, quite frankly, I support the view that agricultural scientists, technologists, teachers and farmers all feel that they are working within a declining industry. The industry may well be declining in terms of the number of people entering it but it is not declining in its importance to the total picture.

Mr Grill: One problem is due to the fact that the media has badmouthed the industry over the years and has scared children away from entering agricultural courses.

Mr BLAICKIE: I could not agree more. All members of Parliament have some responsibility in this area. A percentage of the people involved in the agricultural industry are in dire straits and probably always will be, but some significant achievers within the industry are making a great contribution to that way of life and to the Australian way of life generally. I adopt the same outlook with Aboriginal affairs: People tend to consider only the bad points in that area, but I prefer to look at the achievers. We need to adopt a more positive approach to the significant achievers in agriculture. Agriculture needs to be identified as a positive industry and one which makes a substantial contribution to our way of life; we need to encourage those bright young people to accept that a wonderful future exists for them in the agricultural industry - whether they become scientists or technologists - because that is the way to go. With some of the bleating that goes on it is little wonder that people run away from that industry.

If this legislation can achieve all those things I wish the Minister well. I look forward to comments from the Minister, as I understand primary industry organisations have written to him. I will not go over those letters now but I ask the Minister to make some response to them. We support the Bill and believe that it is incumbent on the Minister of the day to acknowledge agricultural industries. There is a fair degree of trust in this legislation and we depend on the Minister's not being voracious and not charging in for the sake of charging in. If the legislation is put forward in good faith it is supported in good faith.

MR HOUSE (Katanning-Roe) [7.41 pm]: I indicate at the outset that the National Party supports the Bill. I take this opportunity to raise a number of points with the Minister for Agriculture and I advise him that the National Party will seek clarification of a number of specific points during the Committee stage. There is no question that this Bill will help to free up the workings of the Department of Agriculture. It is fair to say that this Bill may drag the department kicking and screaming into the 20th century. When I was thinking about the sort of work that the department has done over the past few years and about what direction it had been taking, it occurred to me that a farmer has not been the Minister for Agriculture for the past 11 or 12 years.

Mr Taylor: There is a message there.

Mr Grill: There is a bit of self interest there.

Mr HOUSE: We will probably have to wait only until February to correct that situation. It is an important point because my understanding of the Bill is that the Minister will have far greater control over the direction the department will take. If that is the case I would like the Minister, in his reply to the second reading debate, to comment about the role he sees the Minister taking in the revamped Department of Agriculture.

I am pleased that the basis of the Bill is to free up the workings of the department and to allow it to operate under what we would call 20th century legislation. It was of interest to me that the legislation proposes that the department will be able to work with other industry groups and organisations. I have always been a critic of the fact that the staff from the department have been insular in their approach and perhaps jealously guard their research and achievements. As a result of that there is no interaction between other groups and the department. I was led to believe that there was cooperation between the CSIRO and the Department of Agriculture. However, it is evident from talking to staff from the Department of Agriculture and the CSIRO individually, that the scientists involved in research work into

the problem of annual rye grass toxicity work independently of one another. One of the main reasons for that is that both organisations are funded individually. The point was made by the member for Vasse that money from business organisations is used to fund the CSIRO. I understand it is called the "publish or perish theory" by departmental officers because unless they published something they perished - in other words, they had to prove they had been working. If anything good is to come out of this legislation it will be cooperation between those departments. I am sure if they worked together on annual rye grass toxicity they would achieve something worthwhile.

I refer now to the situation with regard to patents. The Minister in his second reading speech made a comment regarding patents that could be taken out by the Department of Agriculture or its officers. I presume those patents would be taken out on behalf of the department; in other words, they would belong to the department and not to individuals within that structure.

Mr Grill: If this Bill is passed that can happen. It cannot be taken out in the name of the department because there is no department. That is one of the reasons for this Bill.

Mr HOUSE: That is a good thing and that is my understanding of the legislation. Again, only good can come out of this legislation in that regard and it will be of benefit to agriculture as a whole. I am certain more individuals will become involved in aspects of agriculture, for example, plant breeding, research into chemicals and a host of things which presently we rely on the department to carry out. We have relied on the department because it offers a free service, but that does not mean it is the best service available. Many farmers would disagree with me when I say that farmers should pay for some things if they are to obtain a better service. If members consider what has been done in regard to crop protection by an organisation headed by Ralph Burnett, they will realise what a wonderful job he has done in this field. He has saved farmers thousands of dollars and has forced chemical companies to rewrite instructions about the amount of chemicals that should be used. He operates as an independent consultant and farmers pay him for his advice. We will see that sort of development in other areas of agriculture and I look forward to that day. In Europe research into wheat breeding has been undertaken by people who work in direct competition with each other and, as a result, they force each other to be more efficient and produce a better product. Only good can come out of that process.

It is interesting that since the turn of the century we have had a completely free enterprise system in the wool industry, with stud breeders competing against one another, and in that time we have trebled the wool that can be grown on the frame of a sheep. My grandfather was happy to grow 10 bags of wheat to the acre and we think that that is good today. In 80 years we have not made any progress in the actual yield we are producing, although we have made progress in other areas.

Mr Blaikie: That is a direct contrast to what has happened around the world.

Mr HOUSE: It is also in stark contrast to the wool industry. We must have a better attitude about the independent people involved in agriculture. When I see the way in which the department operates I have some concerns with the department advising farmers, particularly in respect of farm budget work. I happen to believe that is one area that is well catered for. There are many independent people working in that field, but the department has offered that service to farmers. It is one area in which we have competition and it is not necessary for the department to be involved in providing that sort of service. It takes away from the department resources that could be better utilised in solving other problems rather than trying to solve a problem which is well catered for. We have competent farm advisers, particularly in relation to budgeting services.

I am also interested in the future of the Department of Agriculture and the sort of advice it may take from farmers. In the past many people held the view that the department had taken some of the best ideas of farmers, mixed them with its own ideas and produced an end result. I wonder why a board of directors is not set up to liaise with the department in an advisory capacity, working in conjunction with the director and assistant director of the department to provide more farmer input. I have been involved with the department in such problems as annual rye grass toxicity, and I am sure the farmer input has been invaluable in such cases. I am sure the scientists in the department would be the first to agree that that input has been of benefit to them. If it had not been for the input of farmers with problems such as dystokia and lupinosis, the scientists would not have had the practical experience, despite all the

experiments they carry out, to enable them to solve many problems. Perhaps consideration could be given in the future to direct input from an advisory board in various areas; local meetings could be held with senior departmental people every three or four months and suggestions made about the practical and various directions in which the department should be heading.

It can be said that Western Australia was founded on agriculture; it has been the basis and backbone of Western Australia and Australia for many years, and I know the Minister for Agriculture has had a propensity to develop what I call the sideline industries of agriculture. I do not criticise him for that; areas such as floriculture need to be developed and they will produce an income for the State, provide jobs for people, and prove worthwhile enterprises in the future. However, despite the changing face of agriculture and its volatile performance at times, it is still the basis of all industry in this State. That could never be more evident than in this year's Federal Budget when the Treasurer announced a \$5.5 million surplus. A great deal of money in the balance of export trading of this nation in the last 12 months is a result of the price of wool having doubled since this time last year. We must not forget agriculture's position. If I were disappointed during the Premier and Treasurer's speech in the Budget debate today, it was to note that agriculture rated only four or five paragraphs. I thought it deserved more comment than that, and I hope agriculture will not continue to be used as the whipping boy - the industry which is made to pay because it does not have the numbers to fight in terms of individuals at the ballot box.

Mr Lightfoot: Wool is the biggest single commodity export in this nation.

Mr HOUSE: That is right, and the price has doubled in the last 12 months. That is a significant performance. I cannot think of any other commodity which has done that in Australia's recent history.

Mr Grill: It got a sizeable increase in the Budget.

Mr HOUSE: In what way?

Mr Grill: It got a seven per cent increase.

Mr HOUSE: And what was the inflation rate last year?

Mr GRILL: What is the inflation rate this year?

Mr HOUSE: I understand the point the Minister is making, but taking the average, it is not a sizeable increase; it is keeping pace with inflation.

Mr Grill: It is ahead of inflation this year.

Mr HOUSE: Time may prove that and I hope it is the case. In conclusion, the National Party does not completely reject the fee for service concept, but we hope it is kept within reasonable bounds.

I am pleased that the legislation will be reviewed in five years' time. I ask the Minister to comment on who will carry out the review, because it is no use Caesar sitting in judgment on Caesar. I hope the review procedure will include an independent person. Some people have been critical of the Department of Agriculture with regard to such things as salt land reclamation and recommendations on chemicals. In some areas obviously public servants will tend to put up the shutters and reject any criticism. To carry out a review without external input would be a waste of time and it would not be worth writing such a review into the legislation if outside people were not involved. I am glad that the department will now have some accountability - to use the Minister's words in his second reading speech. The National Party is pleased to support this Bill.

MR WIESE (Narrogin) [7.56 pm]: I rise to contribute to the second reading debate and I will also comment in the Committee stage. I noted with interest that the member for Vasse found it difficult on the basis of the second reading speech to ascertain what this Bill endeavours to do. I echo those comments because I have been through this Bill several times and have difficulty coming to grips with the aims of this Bill. I hope that the Minister will be able to shed some light on that in his reply. I acknowledge that the Minister and the Government are endeavouring to put in place legislation under which the department can function. I find it surprising that the department has operated for so long without the guidance of an Act of Parliament; I guess it has been working purely under the directions of

the Minister of the day. I know that the Bill endeavours to spell out some of the functions of the department. The provisions are wide enough to cope with all the developments that may occur in agriculture in the coming years, and the Bill will probably set the guidelines under which the department will function for the next 30 or 40 years. I have a couple of reservations about the Bill, which should be mentioned at this stage of the debate. Both concerns relate to the department's role in the future once an Act has been set up under which it will function.

I have some concern about whether, by working under the direction and possible restrictions of an Act of Parliament, the department will become less relevant to the people it hopes to serve; that is, the primary industry community. I have a fundamental belief that the success of the department - and it has certainly had some success - has been brought about by the interaction between departmental and research officers and the farmers. In the past a good working relationship has developed between those two sections of the agricultural community, which has been to the benefit of both; perhaps more to the benefit of the department than to the farmers in some cases. A large number of innovations within the primary industry have been spearheaded by innovative farmers. Through their practical observation of what has happened in their farming operations, they have seen something. They have passed on that knowledge to the departmental officers, and have seen research work taking place, which elicits a bit more information. The departmental officers eventually acquire a body of knowledge about a particular facet of agriculture, which is then disseminated among the people in primary industry. It has been in this important manner that the department and farmers have worked together.

What worries me is that if the department imposes a fee for service, there is a real possibility that the farmers will turn not to the departmental officers but to private enterprise people who are operating alongside or in direct competition with the departmental officers. If that were to happen, the Department of Agriculture would lose its contact with the farming community, which is an important aspect of its operations. It may be worse than that because the people who make these initial breakthroughs or observations and bring them to the attention of the research officers are very often the leading people in our farming community. These innovative farmers are the top five per cent of the farming community. If these people stop going to the department and start going to private enterprise advisers, the department is going to miss out on a vital aspect of its operations. I believe that if the fee for service becomes the operating method by which the department contacts farmers, and vice versa, the department will be the poorer for it. I am reminded that some time ago the Department of Agriculture attempted to sell its *Journal of Agriculture* to farmers. I was led to believe that almost no farmers wished to pay for the service. The department eventually had to revert to providing the journal free of charge to farming people. If the department endeavours to sell all of its services rather than provide them free of charge to the farming industry, farmers will not be willing to pay for those services. The role of the department is to provide an advisory service to the farming industry. An important aspect of that role is to carry out the basic research into the problems faced by primary industry. If the department gets to the stage where, by endeavouring to sell its services, it loses contact with the farming community, it will be very much to the detriment of the department and will detract from the operations of its research officers.

The department has a severe problem which needs to be addressed. I do not doubt that the department is attempting to address it, but I do not think it has succeeded very well. The problem is in disseminating to the farmers the knowledge uncovered by the department's research officers. We saw a classic example of that last Monday afternoon when the Minister was at a meeting of the rye grass toxicity action committee in Narrogin. I was impressed by the amount of information and research work which had been done and which was put forward by the various research officers at that meeting to what was a very select group of farming people. I do not think that many of those people had previously been exposed to such an enormous amount of information as they were given at that meeting. But they were talking at that meeting to only a minority of the farming community, so I wonder how much of that information has actually gone out to the farmers in the paddocks who are trying to cope with the situation. I believe very little of that important information would have gone out to them. If anything came out of that meeting, it was the fact that a lot of information has undoubtedly been uncovered and developed by departmental officers, but

that it is not getting back to the man on the land. My worry is that if we are not now getting that information to farmers, what will be the case if they have to pay for that information? How much less of that information will get out to them? I am worried about that aspect of the legislation, and I hope the Minister can put my worries to rest by telling me that a lot of this basic information is still going to be given out free of charge.

Another aspect of the Bill relates to the exemption from liability provided by this legislation, and to whom this exemption will apply. This aspect of the Bill was not mentioned in the second reading speech and has not been mentioned so far in the debate. I wonder whether the major reason behind the fact that we are now discussing this Bill tonight is the number of cases where departmental officers have given advice which was later proved to be not as good as it should have been, or was perhaps inaccurate or very bad advice. Farmers who have received such advice have taken recourse to law and sued the department, and have won their cases against the department for the bad advice given to them by departmental officers. If that is the reason this Bill is before the House tonight, the Minister should be addressing the matter and bringing it before the House so that we know what we are talking about and what we are endeavouring to do by providing the exemption from liability for any of the actions or advice given by the department.

I would like the Minister to tell the House whether this Bill confers complete exemption from liability on the department as a whole, or its members, for advice it gives out, mainly to primary industry. If that is the case I wonder whether that gives the department an advantage when it is selling its services in direct competition with private advisers. The private advisers will have to be absolutely sure that the advice they give is accurate, and the best they can possibly give, otherwise they are liable to be sued for giving bad advice. I would like an assurance from the Minister that we are not endeavouring to put the department in a privileged position by protecting it from liability concerning the advice it gives to the agricultural community, if that advice is false or negligent. I hope the Minister will touch on that aspect and explain to the House exactly what we are accepting in that clause in the bill.

Like the member for Katanning-Roe I am glad to see there will be a review of the operations of this Act at the end of a five year period, and I hope the Minister will not limit the scope of that review in any way. I say that because there are two clauses which specifically relate to aspects of the review, and a third clause which states -

"such other matters as appear to the Minister to be relevant to the operation and effectiveness of this Act."

The wording of that clause could restrict the review of the operations at the end of the five year period. I would like the Minister's assurance that there will be no restriction upon whoever undertakes a review of the operations. We should not restrict the review to any specific sections of the department's operations, because the operations of the department as a whole will be affected by the Bill.

I echo the comment made by the member for Katanning-Roe that he hopes the review will be conducted by people not intimately associated with the department, but by people who are completely independent of the department and able to give an impartial review of its operations under this Bill. That is very important in order to boost the confidence of the agricultural community, and this Parliament, as to the reliability and worth of the review when it is undertaken.

MR GRILL (Esperance-Dundas - Minister for Agriculture) [8.15 pm]: I thank the members opposite for their support of this Bill. I commend the member for Vasse for the research and background work that he has done in relation to the matters covered by the Bill. In relation to the specific comments made by the member for Vasse and other members, I indicate that this Bill will bring about an Act to govern the activities of the Department of Agriculture. It will set up that department and make its chief executive officer subject to the scrutiny of the Minister of the day. That is right and proper, and there is no argument or debate about it. Everyone concedes that there should be an Act of Parliament to govern the operations of the Department of Agriculture, and the department should be set up by way of Statute.

Where there seems to be some concern is in respect of the activities and powers which will be given to the department. By their very nature, under the Bill those powers are wide and

flexible, and have a fairly large scope for the exercise of that flexibility. The powers which the Chief Executive Officer of the Department of Agriculture can exercise will have several aspects. The department needs to be able to legitimately enter into contracts, something it cannot do now. That is a major impediment which needs to be remedied. In the same way, the department cannot enter into consultancies on a legitimate basis; it finds it difficult to legitimately sell its services; it finds it almost impossible to enter into joint venture agreements; and it finds it very hard to effectively capitalise on the intellectual property, such as patents, created within the department. At the present time, the officers of the department produce in excess of 50 per cent of the intellectual property that comes to Government each year. That is a reflection upon the calibre of the people and their activities in the department. I fear we are not properly capitalising on that intellectual property. Those fears have been raised by other members here tonight, and I believe they are real fears.

The department needs to be able to do all of the things I have just mentioned in its own right, and this Bill will allow it to do so. The Bill will set up the department in its own right, with its own Statute. The Bill will also constrain the activities of the department within the areas of the Bill and the discretionary powers of the Minister of the day.

One question was put to me by the member for Katanning-Roe as to whether the department would be more or less subject to the direction of the Minister as a result of the passing of this Bill. I cannot answer him directly, but my view is that, there being no Act at the present time, the department comes directly under the direction of the Minister in the final analysis. When this new legislation comes into being, the chief executive officer of the department will have the carriage of the legislation. He will be the head of the department and he will direct its activities; he will be the person incorporated as such. His activities will be constrained only by direction from the Minister. The Minister's power, in my view, will not be increased; certainly the powers of the department and of the director general, as he is now, will be defined and all of those powers will be subject to the final direction of the Minister.

The member for Vasse quite rightly indicated in his remarks that there are certain activities in relation to the Department of Agriculture and, speaking more generally, certain activities of Government from which Government should really withdraw. They are activities which are properly and effectively carried out by the private sector. The member named one of those activities from which the Government has withdrawn in recent times - that is, the home garden advisory service run by the Department of Agriculture. I was rather surprised to find that the department was involved in a big way with that service. I suppose I should have known earlier, but I had never taken much interest in it and I was surprised to discover it. I believed that was an area which private enterprise should fill and which private enterprise is probably now filling.

Mr Blaikie: You showed a real quality of private enterprise in that decision.

Mr GRILL: I thank the member very much.

I want to reassure all members present tonight in respect of a concern echoed by all speakers that the Government may in some way withdraw from the basic services it now provides - that is, basic research services, basic extension services and the basic regulatory services. I give an unequivocal undertaking that this Government has absolutely no intention that the Department of Agriculture should withdraw from those areas. I do not believe that the Government, through the Department of Agriculture, should charge for those basic services. A number of speakers echoed that concern, and I give the undertaking that while I am the Minister for Agriculture and while this Government is in place, the Department of Agriculture will not charge for the basic research, extension or regulatory services which it now performs. That does not mean that the Government will not charge for some services from time to time. It presently charges for a whole range of services and some of those, as I have already indicated, can be carried out better by private enterprise. I think we should give private enterprise a fairer chance to compete and we should give farmers the ability to decide whether they prefer the services of the Government or of private enterprise. I think there have been times when Government has competed unfairly in some of these areas.

I believe strongly that the CSIRO should not reduce its level of agricultural research. I strongly believe - and I will continue to urge this through the Minister for Primary Industry - that the CSIRO should spend more money in Western Australia on agricultural research. Presently, there is a very bad imbalance between the amount of research going on in the

Eastern States and the very meagre amount of research which goes on in Western Australia under the auspices of the CSIRO. It is a chronic situation, which has not improved over the years but I really believe it is something which must improve if this State is to get a fair shake.

Mr House: It has become worse over the last 10 years. There has been a reduction of services by CSIRO in this State, and it shows no sign of improving. From what you are saying, you are obviously doing something about it.

Mr GRILL: We have certainly made some approaches to the Federal Government. I believe we need to make some more aggressive approaches to the Federal Government in respect of the representation by Western Australians on the boards and committees set up at a Federal level because it appears to me that this sort of representation has been falling off for some time.

Mr Blaikie: There is a further factor - the interchange of scientists in Western Australia. This is something which has important spin offs.

Mr GRILL: Yes. The member also wanted me to give an unequivocal undertaking in respect of the Western Australian Farmers Federation's request that there would be consultation between the Government and that federation before there was any increase or any new rural charges imposed by Government or by the Department of Agriculture. I give that undertaking here and now. I would also like to say that we should be very proud of the Department of Agriculture in this State. The member for Vasse rightly indicated that the amount of money for agricultural research has increased in Western Australia over the years. The Western Australian Department of Agriculture has a lot of very talented, able, enthusiastic and competent officers. Various polls taken Australia wide over the years have returned results which indicate that the Department of Agriculture in Western Australia is more highly thought of here than are agricultural departments in other States or Territories of the Commonwealth. I think that says a lot for the Department of Agriculture and I believe we are very lucky to have the sort of talent we do have in that department.

A number of remarks were made about research efforts into grain cropping, particularly in respect of the cropping of wheat. Two speakers indicated that the wheat yield has not increased over the years. I know there has been ongoing debate about this and there are a lot of reasons for the average yield declining. One of the major reasons is that over the last two or three decades we have farmed progressively more marginal country. That has meant that the average yield has declined. But when one looks at some of the activities that have been undertaken very successfully by the Department of Agriculture, and at the returns to the farmers in this State each year, it is clear that the research efforts of the Department of Agriculture are not just paying their way on an annual basis; research is more than paying its way each year. Western Australia has pioneered work into lupins. This State is clearly a world leader in that regard and lupins are a very big export crop for this State. In fact, we are the biggest exporter of lupins in the world. A similar case could be made in respect of medic. The introduction of medic pasture and things of that nature makes one appreciate the tremendous benefits which have resulted from research carried out in Western Australia.

Two or three members referred to the review section in the legislation. They wanted an undertaking from me that independent persons would be involved in the review. Let me say that in five years' time, when I am supervising those reviews, I will ensure that independent persons are on the review committees.

Mr Thompson: We might appoint you to something.

Mr GRILL: Do not be nasty.

The member for Narrogin presented some anecdotal evidence that the *Journal of Agriculture* has been sold. I am not aware of that. It certainly has not been sold since I have been Minister.

Mr Wiese: I am going back 15 or 20 years.

Mr GRILL: Right.

The members for Narrogin and Katanning-Roe said many things with which I agree. However, I reassure the member for Narrogin on clause 14 of the Bill which deals with exemptions from liability. It does not give a general exemption in relation to tendering faulty

or negligent advice. The member asked me for an explicit statement in that regard. My Committee notes state that the Bill includes the usual exemptions from liability clause whereby the Minister and all departmental staff are not personally liable for any action or inaction relevant to the performance of a required or permitted function. I could have that checked out, but, in my view, that does not relieve the department from faulty or negligent advice given to a farmer.

I have covered most of the points raised. I will be happy to deal with any that I have missed in the Committee stage. Until then I thank all members who have spoken for their general support of the Bill.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr Grill (Minister for Agriculture) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: *Functions of department -*

Mr WIESE: Clause 6 is an extremely important clause. It has been painted with a very wide brush but I appreciate its purpose. However, I wonder whether the powers prescribed in the clause are so wide that it will cause the department to become involved in areas it has not been involved in before. Will departmental officers have the power to direct a farmer as to where he should put contour banks to control soil erosion, or compel him to plant trees in salt lands or fence salt lands?

Mr Evans: They have those powers now.

Mr WIESE: If that is the case, many farmers do not realise it and I would be surprised if the department was using that power. How wide are the powers provided for in this clause?

Mr GRILL: The provisions contained in clause 6 are necessarily wide. The department already has the powers contained in clause 6(c) of this Bill under the Soil Conservation Act. This clause does not widen those powers. I do not see how those powers can be expressed in a narrower way without becoming ineffective.

I think the member has to trust the department to some extent. In the past, the Commissioner for Soil Conservation has exercised his powers in a very responsible way. I believe the farming community prefers that powers in relation to soil degradation are exercised by Department of Agriculture through the Commissioner for Soil Conservation rather than through the Minister for Conservation and Land Management or the Minister for Environment. I really cannot help the member any more than that.

Mr HOUSE: I agree with what the member for Narrogin has said. It is interesting that in a moment the Chamber will debate an amending Bill on much the same matter. In the past, although the department has had the power to take very strong measures to force land holders to do certain things, very few practising agriculturists would disagree that somebody must have the power and authority to force people who are irresponsible with land to do things that are responsible. All I ask the Minister to do is tell the Chamber that he does not see that changing under this legislation. That is the only concern I have. The policy of encouraging, of giving advice, of being able to help those people rather than force them, is a good one. If the Minister is prepared to tell the Chamber that he does not see that changing, I will be quite satisfied with this provision.

Mr BLAICKIE: I also make some comments on clause 6(1)(c). The provisions of this legislation are fairly similar to those in other States. There is a very good and fundamental reason for the inclusion of this paragraph. I have a copy of the corporate plan of the Department of Agriculture of Tasmania. One of the principal objectives of that corporate plan is the conservation of Tasmania's natural resources by protection and enhancement of agricultural land, soil and water resources, and the environment generally. I want to draw a far wider definition than that indicated by either the member for Katanning-Roe or the member for Narrogin. I certainly understand their concerns.

I hope that paragraph (c) would change the situation of some years ago when the Government of the day decided to build a refinery at Wagerup. Part of the program of that refinery was to buy up some of the State's most highly productive irrigation area dairy farms. Those dairy farms are now caustic mud lakes for that refinery. One would hope that it would be part of the role of the Minister for Agriculture or the Director General of Agriculture to ensure that downstream planning did not deny agriculture land that was regarded as important for agricultural purposes. Land might be rearranged in all sorts of areas, but some land in certain areas has prime importance to agriculture.

I was also involved with an inquiry into the wine industry. It was indicated that certain land in the Swan Valley was of prime importance to agriculture, to viticulture in particular. In future, the Department of Agriculture needs to play a very important role in ensuring that agricultural land is protected. The alternative would be to subdivide into quarter acre blocks every decent agricultural farm and then simply have waste areas, or allow industry to sprawl over the best agricultural land. I hope the function outlined in paragraph (c) will give a purpose and a direction to successive Governments and, more importantly to the chief executives to ensure that important agricultural land is identified and that the balances are weighed to establish whether the land is important for agriculture or industry or important for agricultural or residential development. It was indicated to me in other States that the importance of agricultural land is starting to be recognised and agriculture is more often putting in its spoke to protect agricultural land, whereas previously the land was used for other purposes and lost forever. I believe that further dimension has some importance. At the end of the day under clause 6(2) the final determination will come back to the Minister. That is either a safeguard or a damnation. I believe it is a safeguard.

Mr GRILL: The member for Katanning Roe asked me to give an undertaking that the power under clause 6(1)(c) would be exercised as it has in the past. I give him that undertaking and indicate that as far as I can ascertain there is no intention to exercise it in any other way. If the Soil Conservation Commission moved out of this arena, the void would very quickly be filled by conservationists. Those conservationists can at times be quite inimical to the prospects of the farming community. I think it is far better to have a provision like this in the clause than to leave it in some other Act.

The member for Vasse has hit on a very important point. Although clause 6(1)(c) does not give the Director General of Agriculture or the Minister any particular powers to prevent good agricultural land being used for other purposes, it gives a direction to the director general to endeavour to look after agricultural land in the way that the member for Vasse would like it looked after. We must do that. The member for Vasse is asking that we do that in a much more aggressive way in the future. I give him an undertaking that if I have anything to do with it, that is what we will be doing. I hope that satisfies the member.

Mr WIESE: Paragraph (f) spells out the fact that the department will be going into the business of selling its services and its knowledge. It also refers to the "exploitation" - a word I hate - of its intellectual property. I hope that the department will not be in the business of exploiting anybody in the community. Seriously, I would like the Minister to provide some sort of a guide as to what basic services we are talking about.

I accept the Minister's acknowledgement in replying to the second reading debate that basic research and advisory type services, and basic extension and regulatory services, will still be provided free by the department. I was glad to hear that because that is what the department's job is all about, providing advice based on all the knowledge and experience that the department has been able to put together on the various things it has been looking at. I do not believe it would be right for that information to be for sale to the people the department has been put there to serve; that is, primary industry, agriculture and farmers. How will the Minister and the department determine which services the department will charge for, and which it will provide free?

Mr GRILL: I think that I indicated in my second reading speech that the Department of Agriculture, through its scientists and others, now creates slightly in excess of half of all the patents and intellectual property created by the Government - as much as all the other departments combined. The problem with that in the past has been that they have not really been exploited to the degree that they should have been.

Mr Wiese: Is that to do with plant varietal types?

Mr GRILL: All types of things; new inventions for machines, new plant varietal rights, and so on.

Mr Blaikie: Food and technology?

Mr GRILL: Yes, the whole gamut across the board - a whole range of intellectual property and patents are created. At present we are not capitalising on a lot of that property because we do not have the mechanisms whereby we can easily exploit it by selling it, entering into joint ventures, or doing a whole range of things with it. I am not talking about selling this to farmers but to third parties. I have already given an undertaking in respect of the basic services provided by the department. I have indicated that as far as I am aware, and this Government is concerned, those services will remain free, and so they should. If the department, even without this Act, wants to charge farmers for some additional services it can do so, as it has in the past. Just the other day, and after consultation with major rural industry organisations, I announced some additional services for which a charge will be levied. What we are really talking about here is the sale of intellectual property not to farmers, who will get it free, but to third parties in industry for its exploitation for the benefit of farmers.

Mr House: What about the Eastern States; would you sell it to them?

Mr GRILL: That is the way that things are going.

Mr House: I am not objecting to that; it is a good idea.

Mr GRILL: That is the way things are going; they are starting to charge us, so inevitably we will have to start charging them. However, we have not done so in the past. There are quite a few scientists in the department who would prefer the old situation where there was a reasonably free flow of information, but I think that those days are gone and what the department now wants is the right to charge in the way in which Eastern States departments are now charging. If one thinks about it in that context, the department is not charging the farmers but is exploiting the property by selling part of it or joint venturing it to third parties.

Clause put and passed.

Clause 7: Director General of Agriculture -

Mr HOUSE: If I have any great criticism of the Department of Agriculture it would start with the way in which promotion works within the department. It seems there has been a reluctance to bring in new people at all sorts of levels, and I think that other Government departments could be criticised for the same thing. When Governments have taken steps to bring people from outside, perhaps from private enterprise, and slot them into Government departments we have certainly seen a lift in efficiency. How far will the Minister be able to go with this appointment; will he be casting a wide net and seeking appointments from overseas or interstate, or will he remain with the present system where the next man in line is appointed to the job? My question also relates to a later clause in relation to the assistant deputy director; will the Minister change the system or stay with what we have?

Mr GRILL: We will stay with what we have, which is a lot different from what the member thinks it is. At present we advertise widely for senior positions in the department and appointees are placed on a contract, usually for five years. The advertisements are Australia wide and probably go a lot further than that; what we have is what the member wants.

Mr House: The reality though is that the next man in line is appointed.

Mr GRILL: Not really. What one must understand is that we have by acknowledgment across Australia the best Department of Agriculture in Australia; it leaves the others for dead. The reason that has happened is an accident of history that I will not go into. However, we have a tremendous amount of talent. We are continually bringing in people from other parts of the world. We have by far the most expert person in rapeseed technology in the world and we brought him in from India. We are bringing in horticulturists from New Zealand, and so on. A whole range of people in the department have come from around the world. The present director general was not next in line, as far as I know.

Mr Blaikie: He was not, but he was appointed. He had other qualities.

Mr GRILL: He has a lot of qualities. In any event, I do not think he was next in line. The system is more flexible than the member might think it is.

Clause put and passed.

Clause 8: Director General a body corporate -

Mr WIESE: I wish to clarify the situation in relation to setting up the director general as the chief executive officer and as a body corporate. It is probably because I am not a lawyer that I do not understand the implications of what is being done here. Can the Minister say what exactly is the intention of setting him up in this way and what are the implications for agriculture, and for the department in general? Is this part of the proposal to protect the department and its officers from public liability?

There are different ways of incorporating the department. One can incorporate the Minister, the director general, or the department as such. After very intensive discussions between the Crown Law Department, the Treasury and the Department of Agriculture, it was thought the best way would be to incorporate the director general, so he is the person with the perpetual seal. The various activities, like entering into contracts, patents and so on, are done by him physically as an incorporated person.

The member asked whether that reflects on the actual liability of individuals acting under this legislation. I have taken advice, and clause 14 exempts from liability those persons mentioned as individuals, but it does not exempt the department from full liability. The department would be completely liable where one of its officers tendered advice which was negligent and someone suffered damage as a result. It relieves the pressure from the individual as such and places it on the department. The department is incorporated by virtue of incorporating the director general. Does that make sense? I hope it does. In respect of the member's specific question, the individual would not be personally liable for damages but the department would be fully liable.

Mr HOUSE: I want to place this on record because it needs to be said now. One thing which has hindered the department in the past is this problem of giving advice. There is the fear that a person may be sued; and the direction comes down the line, "Do not be too specific." If officers come to look at a crop and three or four different herbicides or pesticides can be used on it they might hesitate to be specific so they tend to give a broad based approach.

The second problem involves individual companies where three, four or five different products can be used, and departmental officers are reluctant to be specific. This is happening right now with the lice eradication campaign. If one asks the stock inspector off the record for the best product to use he will advise specifically, but he will deny it if ever asked publicly because he cannot be put into a position where he is saying that one product will work and one will not. They can advise right now that some products on the market are not working and some are working better than others.

I know the Minister cannot answer the question right now, but I want to place this problem on the record and say that we need to come to terms with it. Perhaps this legislation has something to do with that in the longer term because it hinders the department from passing on what would be good and sensible advice. I am sure the Minister can see that the lice eradication program is a specific example.

Mr WIESE: I accept what the Minister is saying, but he has not clarified the situation. The problem here may need to be cured by an amendment. I will put my fears to the Minister, and he should consult so that steps can be taken in another place to correct the problem.

The first part of clause 8 says that the director general is a body corporate. The second part says that the corporate name of the director general is "Chief Executive Officer of the Department of Agriculture". It goes on to say that the body corporate, which is the director general, is capable of suing and being sued in that corporate name.

Turning to clause 14, the director general is specifically exempted from liability. I think the answer is that the person being exempted in clause 14 is the Director General of Agriculture as a person, not the director general as a body corporate. This problem is worrying me, and advice needs to be sought. I am no lawyer, but I think the Minister is talking about a different person in clause 14.

Mr GRILL: If the member for Narrogin looks at the third line of clause 14, the words are, "is not personally liable." Those words make all the difference. The director general is the body corporate and he would be liable in his corporate sense but not in his personal sense. I have

already taken advice on it and that is the case. He would still remain liable in his corporate position.

Clause put and passed.

Clauses 9 to 11 put and passed.

Clause 12: Contracts and arrangements for services and projects -

Mr BLAIKIE: Clauses 9 and 12 I regard as the two operative clauses in this legislation. Under this clause the director general may engage any person for a contract of service, and under paragraph (b) he can enter into arrangements with Ministers of the Crown, other Government instrumentalities in any other State or Commonwealth, university, educational institution, or any other body or person. I raise this question with the Minister because it is a matter I raised when I was in the Eastern States to see how those States which already had this legislation were getting on. Let us look at a hypothetical case where a particular section of the Department of Agriculture has been working on a research project for a period of time, such as some specialised treatment for blowfly control.

The department seeks outside funding by another company. For argument's sake let us say that company is Coopers & Lybrand, which enters into an agreement with the Department of Agriculture. Over a three or four year program Coopers & Lybrand might put in \$500 000 or even \$1 million because at the end of that four year program, it is expected there will be a significant breakthrough in blowfly control. That would be a commercial operation which would advantage Coopers & Lybrand and the agricultural industry. However, on the other hand, it would also give the department the opportunity to receive funding from an outside source rather than relying on the Government for funding. This is the nub of the legislation and the nub of what is occurring in other States. My concern is that once one enters into that type of agreement, commercial confidentiality must apply to officers of the Department of Agriculture and they will no longer be able to publish the papers they would normally publish. That ability to generate scientific information could then be lost to the industry because of this question of confidentiality. I am not sure how this could be overcome but it is one of the downsides of this legislation. It was indicated to me that we need to be very mindful that various scientists and technologists already in Government institutions could in due course be funded by private enterprise and they might leave those Government institutions, which would then be left with a very meagre corps of researchers and technologists who would probably be doing the mundane research tasks that did not attract public attention. Hypothetically the end result could be that one could finish up with a base of researchers doing mundane things which do not attract a great deal of interest while the high flyers are attracted to private enterprise. That is the horns of the dilemma. On the one hand the department is accepting funding from private organisations but on the other it is still important to have those research papers being published because they provide the researchers with a great degree of enthusiasm for their work. I raise this not as a criticism but as a hypothesis, hoping that it is not the path we take. Does the Minister or his department have any way of overcoming this problem to ensure that the high flyers do not leave and that the very important corps within the department is maintained? It is important to have not only a private enterprise research unit, which will be attracted to commercial matters, but also other people who will do the things that are currently non-commercial and may remain non-commercial for another five or 10 years but in due course will have a commercial application. As I said before, I consider that we are on the horns of a dilemma as to which way this legislation may eventually go.

Mr WIESE: I am probably speaking along the same lines as the member for Vasse. I too see a problem in this area and I am sure the Minister and his department are aware of it. However, it needs to be said that clause 11 refers to "such officers" as may be necessary to provide all these services; yet in clause 12 we are giving the director general the power to go out and engage any person under contract to provide the services referred to in clause 11. I do not have any problem in giving the director general the power to go out and do that sort of thing but I suspect the department will contract people to provide services to the Government rather than employing them as direct employees. The risk arises when a specific project, depending on a specific type of knowledge, comes along. In this situation, rather than having departmental officers extend themselves to acquire that knowledge and to get in there and provide that service, the temptation will be very strong to actually go straight out to private

enterprise and contract someone to provide the services outside the department. I am worried that there will be a strong temptation to contract work to people outside the department and that will be detrimental to departmental research officers. It will stop them acquiring experience and knowledge, and ultimately may be to the overall detriment of the department itself. This could have a detrimental effect on the morale within the department and its ability to attract top staff into the department and keep them, because they may well be tempted to leave. This has happened in some of the stock firms, where people with skills have left the stock firms and then contracted their services back to the firms, or directly to the farmers. That has happened in other areas and I believe there is a strong possibility of this happening within the department. It could cause the department to lose good men to private enterprise and it will be difficult for the department to find the men of calibre it needs.

Mr GRILL: The situation in relation to contract employment is not one which will change dramatically because of this legislation. A whole range of people are presently contracted to the department and their contracts are for various periods and projects. As a matter of fact, a lot of these contracted people come into the department when a position can be found for them. It does not really change the present situation at all. It is just a fact of life and it has some benefit to the department because it can then take on people it contracts, virtually as if they were on probation. Once the department finds these people are effective members of the department, it puts them into permanent positions. Members mentioned other problems in relation to contract service, but this provision really provides flexibility to the department, which the department needs from time to time.

In respect of the other question raised by the member for Vasse, that is a problem which has been around for a long time and it will be around for a long time to come. Specifically in respect of Western Australia, it might be possible for a policy to be drawn up whereby under the terms of the agreement or contract entered into for the research to be done in any particular area, there will be a clause that will provide that after a specific period that knowledge will come back to the department to be made available generally to farmers in Western Australia. That period will vary depending on the circumstances. I guess it will depend on the amount of money put into the project from outside sources.

A problem has already arisen because there are clumsy ways of doing some of the things which we want to do as a result of this Bill. For instance, contracts can be entered into in a roundabout way now by using me, the Minister, as the person who signs the contract. In cases where we have signed such contracts in the past we have inserted a clause saying that after a specific period of time - normally less than 12 months - that information comes back and is freely available to be disseminated to farmers. We will continue that policy.

In relation to intellectual property, as I indicated earlier, we are not exploiting this in the best interests of Western Australia, the Department of Agriculture, or the people who create that intellectual property by inventing registerable or patented material. I foresee a situation, which has already been arranged between the Treasury and the Department of Agriculture - there was a lot of dispute about this because the Treasury did not want to see this happen for its own reasons -

Mr Blaikie: They want the dough.

Mr GRILL: They do. What happens now is that in relation to the sale of this extraneous intellectual property and other material, the proceeds and profits go back to Consolidated Revenue, not the department. In future, there will be an agreement between the Treasury and the Department of Agriculture whereby a proportion of the profits will go back to the department to be used for further similar research, research in another area or, possibly, to be paid to the person who invented the intellectual property which has been utilised. In this way I hope we can solve the problem mentioned by the previous two speakers.

If we get some reward for the brilliant people within the department who invent the new procedures, or find new varieties, we can keep them working in the department. In the final analysis, once it is recognised that rewards are available for those within the Department of Agriculture, students will come in, which will solve another problem raised tonight. There is a lot in this clause, but most of it is good.

Clause put and passed.

Clause 13 put and passed.

Clause 14: Exemption from liability -

Mr BLAIE: This is the clause which gives the Minister, the Attorney General and the officers of the department exemption from liability. My understanding is that such exemptions will apply from the date when this Bill becomes an Act of Parliament, but will not affect any litigation that may be currently contemplated against the Department of Agriculture, in relation to pesticides and other problems. I raise this matter because there is currently litigation in Victoria against the Department of Agriculture in that State. I do not presume any action will be taken in Western Australia, but it has been said that when the new Act comes into force the exemptions provided for in this clause will not be retrospective, but will apply from the date of proclamation, and that is my understanding. I ask the Minister to indicate that my reading of this clause coincides with his own reading of it.

Mr GRILL: I confirm that the views expressed by the member for Vasse are correct, and that there will be nothing retrospective about this clause. I would also like to indicate that actions brought against the department are not brought against the department as such, but against me as the Minister. That will change in future, but it will not confer any retrospective exemption on anyone at all.

Clause put and passed.

Clauses 15 to 18 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Grill (Minister for Agriculture), and transmitted to the Council.

House adjourned at 9.27 pm

QUESTIONS ON NOTICE

CONNER, MR DENNIS - PAY
State Government Contracts

825. Mr HASSELL to the Premier:

- (1) What actual work has been undertaken by Dennis Conner in connection with the annual payment of more than \$200 000 being paid to him by the State of Western Australia?
- (2) What precise performance obligations has he under the contract?
- (3) What measure of performance has been applied to test the completion of those obligations?
- (4) What system of accountability is in place in relation to those obligations?
- (5) What achievements can the Government point to in relation to the payments made to Mr Conner?

Mr PETER DOWDING replied:

- (1) As has been previously stated in answer to the member's questions, the arrangements made by Western Australian Development Corporation with Mr Conner were the commercial prerogative of the board of the corporation. It would be a breach of confidence for the corporation to disclose the amount that was paid to Mr Conner, although he is free to disclose the amount if he so wishes.

The contract lapsed at the end of March 1988. Since the commencement of Mr Conner's contract in March 1987, he covered a complete cross section of the American community, and other international audiences, involving the sporting, commercial, media, communications, hospitality, food and educational industries with personal appearances and the delivery of 77 separate addresses. These addresses covered 19 American States as well as Canada, the Virgin Islands, Italy, Finland and the United Kingdom. Every available opportunity was used to promote tourism and investment opportunities to WA and the Australian Nugget gold bullion program to a diverse target upper socioeconomic market.

In addition Mr Conner appeared on a considerable number of television programs - notably "Good Morning Australia" by satellite from New York - as well as a number of 15-20 minute interviews on national television networks within the United States during which his work in promoting WA was highlighted. Mr Conner also made several appearances on the national American sporting channel ESPN, featured through the Mark McCormack organisation (IMG) as well as regional and national TV talkback programs.

- (2) It provided that Mr Conner use the considerable opportunities available to him in the United States of America and elsewhere by capitalising on his America's Cup win to -
 - (a) promote in the United States tourism in and to Western Australia;
 - (b) promote in the United States the gold bullion coin - whether in proof or uncirculated form - known as the Australian Nugget;
 - (c) personal appearances in the United States on television programs, commercials and other media outlets for the purpose of furthering the promotional opportunities referred to in (a) and (b); and
 - (d) promoting in the United States investment opportunities in Western Australia.
- (3) The range of activities outlined in (1) illustrates the success Mr Conner achieved in attaining the objective of promoting WA and we are likely to see the benefits in increased international investor confidence and increased tourism for many years to come. We are already seeing an increase in the number of visitors from the US.

- (4) I am advised the contract has been completed to the satisfaction of the WADC board.
- (5) Mr Conner has been an extremely successful promoter of Western Australia. His activities have ranged from television and radio appearances, newspaper articles, travel agency launches and widespread personal appearances. In addition he has participated in a specific opportunity analysis for new yachting event potential for Fremantle.

Due to the cost and competitive nature of television in the USA, the exposure Mr Conner has obtained for Western Australia would not have occurred without his participation. Media exposure obtained for the Australian Nugget due to Mr Conner's support at specific coin launches was due principally to his high profile in the USA.

**HEALTH DEPARTMENT OF WESTERN AUSTRALIA -
WITTENOOM ASBESTOS MINE
*Asbestos - Public Warnings***

853. Mr GRAYDEN to the Minister for Health:

- (1) As the fact that the Public Health Department discussed dangers inherent in working with asbestos with various interested parties during the life of the Wittenoom asbestos mine - answer to questions 732 and 738 of 21 June 1988 - is not in dispute, but as the public of Western Australia were not privy to such discussions, will he now advise if at any time during the life of the Wittenoom asbestos mine the Public Health Department made any attempt at all, via the printed or electronic media, to warn the Western Australian man-in-the-street and potential employees of Midalco Pty Ltd, of such dangers?
- (2) If so -
 - (a) when was such a warning issued;
 - (b) what form did it take; and
 - (c) to whom was it directed?

Mr WILSON replied:

(1)-(2)

The member is referred again to the information provided in the answers to questions 732 and 738 of 21 June 1988. It would not be possible to give any additional answers to these questions without extensive research into archival newspaper collections and radio broadcast transcripts, if indeed these still exist.

As the member is well aware, it is certainly true that individual miners were interviewed and counselled from 1958 onwards when departmental medical officers started visiting the Wittenoom mine.

The member who, as noted in the answer to question 732, was in the Parliament at the relevant times, was unusually well placed to be well informed in his own right.

**ASBESTOS - WORKING CONDITIONS
*Commissioner of Public Health - Report***

856. Mr GRAYDEN to the Minister for Health:

- (1) Apropos his answer to question 732 of the 21 June 1988, will he advise what aspects of the Commissioner of Public Health's report in 1959 "outlined the facts quite clearly" in respect of the dangers inherent in working with asbestos?
- (2) How does he justify that reply when the report contained statements such as -

It is obvious that the new Mill is a great improvement on the old Mill and in that conditions underground have also improved. It is too early

to tell whether the new Mill will be responsible for fresh cases of industrial chest diseases or not.

which had the effect of allaying alarm rather than serving as a warning?

Mr WILSON replied:

- (1) The member would do well to read all of pages 47-48 of the Commissioner of Public Health's annual report for 1959, which highlighted a number of disquieting features, including instances of asbestosis in underground workers; a greater extent of chest disease for a shorter exposure time in asbestos miners relative to gold miners; and inadequacies in environmental monitoring.
- (2) It should be appreciated that the relationship between mesothelioma - pleural cancer - and asbestos was not described until 1960. Prior to that time, the risks of asbestos exposure were known to be -
 - (i) asbestosis; and
 - (ii) an increased risk of lung cancer - not mesothelioma.

The comments in the 1959 annual report of the Commissioner of Public Health referred to risks that were known at the time and, as such, were appropriate.

INQUIRIES - GNOWANGERUP HOSPITAL

O'Sullivan, Mr Michael - Costs

870. Mr BRADSHAW to the Minister for Health:

- (1) Have the final figures now been arrived at for the cost of running the inquiry into the Gnowangerup Hospital by Perth barrister, Michael O'Sullivan?
- (2) If yes, how much did the inquiry cost?

Mr WILSON replied:

(1)-(2)

Costs related to the conduct of the inquiry by barrister Michael O'Sullivan amounted to \$78 012.88. This amount includes payments to witnesses called to the inquiry hearings. In addition, and by prior agreement with the parties to the dispute, the Government covered the hospital board's liability in respect of its own legal representation and that of the board's matron.

GOVERNMENT ADVERTISING - GOVERNMENT BUDGETS

Dowding Government

876. Mr COWAN to the Premier:

What is the amount budgeted for -

- (a) television;
- (b) radio; and
- (c) print media

advertising of the Dowding Government during the next six months?

Mr PETER DOWDING replied:

There is no total Budget allocation for advertising.

MOTOR VEHICLES - STAMP DUTIES

Value Assessments

891. Mr CASH to the Minister representing the Minister for Budget Management:

- (1) What criteria are used to assess the value of used motor vehicles submitted for stamp duty assessment when the vehicle is transferred from one owner to another?
- (2) (a) If market value is used to determine the value on which stamp duty is to be charged, are the assessors competent to determine market value; and

- (b) if yes, what method is used by the assessors?
- (3) Is the price paid for a vehicle at a public auction sufficient evidence of the market value of a vehicle when a number of independent buyers have submitted bids for a vehicle based on its condition as inspected at the public auction?

Mr TAYLOR replied:

- (1) The Stamp Act provides for duty on the transfer of a motor vehicle to be paid on the basis of its market value.
- (2) (a) The Act requires an applicant for a motor vehicle transfer to declare the market value of the vehicle to the licensing authority and for the licensing authority itself to determine the value only where it considers the amount so declared to be too low; and
 - (b) where the Commissioner of State Taxation or the licensing authority reviews stated market values, use is made of regular updated published market information available to the motor and insurance trade.
- (3) This is a matter properly assessed on a case by case basis by the licensing authority or the Commissioner of State Taxation, as appropriate.

STATE GOVERNMENT INSURANCE COMMISSION - MIRRABOOKA
Office Development

917. Mr MacKINNON to the Premier:

- (1) Is the State Government Insurance Commission still committed to its Mirrabooka office development?
- (2) If so, when is it likely that the office development will proceed?
- (3) Who is to construct the building?
- (4) Where is it to be constructed?
- (5) What is its approximate cost?

Mr PETER DOWDING replied:

(1)-(5)

The State Government Insurance Commission is presently undertaking a schematic evaluation and cost benefit analysis of the establishment of a head office park development at Mirrabooka. No decision to proceed has been taken.

MINISTERS
Legal Actions - Payments

919. Mr MacKINNON to the Premier:

- (1) How much has the Government paid on behalf of Ministers for legal actions they have taken since the 1 July 1986?
- (2) Will he detail the amounts paid out on behalf of each Minister and for which action the payments were made?

Mr PETER DOWDING replied:

(1)-(2)

Crown Law Department records indicate that no payments have been made since 1 July 1986.

MOTOR VEHICLES - STAMP DUTIES
Transfers - Value Assessments

924. Mr CASH to the Minister representing the Minister for Budget Management:

- (1) Have there been any recent changes to the method used or rates of stamp duty applying to the transfer of used or demonstration model motor vehicles and, if so, will he summarise the changes?

- (2) By which method or procedure does the assessor determine the value at which a used motor vehicle is to be assessed for stamp duty when that vehicle is transferred?
- (3) (a) Is he aware of concern expressed by persons involved in the motor trade of the arbitrary manner in which departmental assessors assess the value of a motor vehicle and in some cases where there is a dispute on the amount paid for the vehicle and the alleged market value for such a vehicle; and
 - (b) if yes to 2(a), what redress is available to a transferee who disputes the department's assessment or the value on which stamp duty is to be paid?

Mr TAYLOR replied:

- (1) There have been no amendments since 1985 to the provisions of the Stamp Act covering the payment of duty on motor vehicle licences and transfers. The rate of duty has remained unchanged since 1983.
- (2) See answer to question 891.
- (3) The Minister is not aware of any allegations of arbitrary attitudes towards the determination of motor vehicle values. He has received correspondence taking issue with the circular sent to all motor vehicle dealers by the State Taxation Department which stressed that the market value is usually the purchase price without allowance for trade-in but that sometimes it could be greater than the purchase price.
A person who is dissatisfied with an assessment made by a licensing authority may lodge a formal objection with the Commissioner of State Taxation and, if dissatisfied with the decision given, may make an appeal to the court.

WA DEVELOPMENT CORPORATION - CABLE BEACH CLUB RESORT
Broome

935. Mr COURT to the Premier:

- (1) Was WADC involvement in the new Cable Beach Club Resort at Broome necessary for this project to proceed?
- (2) Are there any restrictions on the WADC selling its interest in this project?

Mr PETER DOWDING replied:

- (1) I understand that the prospects for the project to proceed expediently were certainly enhanced by the involvement of WADC and it was on this basis that WADC was invited by Australian City Properties to participate in a joint venture.
- (2) Any arrangement WADC has with ACP regarding the sale of their interest is of a confidential nature.

STATE GOVERNMENT INSURANCE COMMISSION - INVESTMENTS
Dowding, Mr Peter - Assessment

937. Mr COURT to the Premier:

- (1) Has he satisfied himself that there has been a proper balance between long term and short term investments by the State Government Insurance Corporation?
- (2) If yes, who provided the information for this assessment?

Mr PETER DOWDING replied:

- (1)-(2) The Board of Commissioners of the State Government Insurance Commission is the accountable authority.

SHEEP - KIMBERLEYS
Fat Tail Sheep Project

946. Mr HOUSE to the Minister for Agriculture

- (1) Is it a fact that it is proposed to move the fat tail sheep project from the Kimberleys to a farm in the agricultural region of Western Australia, near Esperance?
- (2) If so, when will this move take place?
- (3) Has he satisfied himself that there is no chance of disease being transmitted from these sheep to merino sheep?

Mr GRILL replied:

- (1)-(2) No. The Awassi sheep joint venture has investigated the feasibility of moving the sheep to a new quarantine station in the south west. None of the sites considered was near Esperance.
- (3) My Chief Quarantine Officer and all relevant veterinary specialists are satisfied that there is no real chance of scrapie being transmitted to merino sheep.

SHEEP - KIMBERLEYS
Fat Tail Sheep - Scrapies

947. Mr HOUSE to the Minister for Agriculture:

- (1) Is he aware that the fat tail sheep now being held in the Kimberleys have been in contact with the disease scrapies?
- (2) If yes, can he assure the House that there is no chance of this disease, that is scrapies, being transferred to merino sheep in the agricultural region of Western Australia?

Mr GRILL replied:

- (1) No. The Awassi sheep in quarantine at Kununurra were imported as embryos via the Cocos Island maximum security quarantine station. The parents of the imported embryos were selected from a Government flock in which the disease had never been known to occur.
- (2) My Chief Quarantine Officer and all relevant veterinary specialists are satisfied that there is no real chance of scrapie being transmitted to merino sheep.

SHEEP - KIMBERLEYS
Fat Tail Sheep Project - Budget

948. Mr HOUSE to the Minister for Agriculture:

- (1) Will he give details of the total Budget allocation for the fat tail sheep project?
- (2) What has the allocation to the fat tail sheep project been in the financial years -
 - (a) 1986-87;
 - (b) 1987-88?
- (3) What is the total projected financial allocation for the year 1988-89?

Mr GRILL replied:

- (1)-(3) In 1986-87, the State Government provided approximately \$60 000 towards the project, and the Australian Meat and Livestock Corporation \$3 000. From January 1987, the Awassi sheep importation project has been the subject of a joint venture agreement under which funding is provided by a Kuwait based company.

SHEEP - KIMBERLEYS
Fat Tail Sheep - Melioidosis

949. Mr HOUSE to the Minister for Agriculture:

Can he assure the House that the disease known as melioidosis which can be transmitted from fat tail sheep to humans has not been found in the fat tail sheep currently being held in the Kimberleys of Western Australia?

Mr GRILL replied:

No. Melioidosis is indigenous to northern Australia and occurs naturally in animals in that region. It has been diagnosed in some of the Awassi sheep at the quarantine station. It is a disease which has been known to infect humans, however tests for this disease on contact workers at Kununurra have been negative.

AGRICULTURE, DEPARTMENT OF - CATTLE
Chemical Residue Buy Back Scheme

950. Mr HOUSE to the Minister for Agriculture:

- (1) How many cattle to this date have been purchased by the Government under the chemical residue buy back scheme?
- (2) What cost has been involved in the purchase of those animals?
- (3) How many animals have the Government currently got in -
 - (a) feedlots that have chemical residue problems; and
 - (b) on Department of Agriculture or Government owned land?

Mr GRILL replied:

- (1) 1 821 cattle have been purchased to date.
- (2) \$577 282.19.
- (3) (a) 95; and
(b) 103.

AGRICULTURE, DEPARTMENT OF - QUARANTINE
Chemical Residue - Albany

951. Mr HOUSE to the Minister for Agriculture:

- (1) How many properties are under quarantine for chemical residue problems in the Albany Department of Agriculture district?
- (2) Of those properties, how many of them are quarantined due to chemical residue as a result of either -
 - (a) SEC pole contamination; and
 - (b) residue from the spraying of Argentine ants?

Mr GRILL replied:

As at 29 August 1988 -

- (1) 26 properties.
- (2) (a) Four properties; and
(b) 10 properties.

AGRICULTURE, DEPARTMENT OF - POLLUTANTS
Animals - Government Tests

952. Mr HOUSE to the Minister for Agriculture:

- (1) Is it a fact that the Department of Agriculture, and therefore the Government, tests individual animals for property owners on those properties that have been affected by SEC pole contamination or the spraying of Argentine ants?
- (2) If yes, what cost is borne by -

- (a) the land holder;
- (b) the SEC; and
- (c) the Government.

Mr GRILL replied:

- (1) Some individual animals are tested on such properties, where it is necessary to determine the residue status of the herd. This testing is available to all quarantined farmers irrespective of the source of residues.
- (2) All costs are borne by the SEC or the Department of Agriculture, as appropriate. No costs are borne by the landholder unless he arranges private sampling and analyses above the level provided in (1).

ECONOMIC POLICY - ENVIRONMENTAL PROTECTION ACT
Metropolitan Coastal Strip - Environmental Protection Policy

955. Mr WATT to the Minister for Environment:

In view of the Government's intention to proclaim a planning policy for the metropolitan coastal strip under the Town Planning Development Act, as indicated by the Minister for Planning in the foreword to "Perth Metropolitan Region Coastal Development Policy, Statement of Planning Policy No 2", issued this month, is it his intention, or that of the Environmental Protection Authority, to develop an environmental protection policy for the coastal strip under part III of the Environmental Protection Act?

Mr HODGE replied:

No.

HODGE, HON B.J. - SWAN BREWERY SITE
Environmental Effect

958. Mr WATT to the Minister for Environment:

- (1) Does he agree that the old Swan Brewery and proposed future use of the site have "a significant effect on the environment"?
- (2) If so, has he referred to the Environmental Protection Authority -
 - (a) its purchase; and
 - (b) its future use?
- (3) If yes, what did the EPA report advise?
- (4) If not, why not?

Mr HODGE replied:

- (1) No.
- (2)-(3) Not applicable.
- (4) The authority viewed the earlier proposal by Brewtech and advised that the main issues were of a planning nature. I accepted that advice. The only issue the EPA is commenting on in regard to the present development is that of groundwater.

BRIDGE, HON E.F. - SWAN BREWERY BUILDINGS
Reports

959. Mr WATT to the Minister for Waterways:

What advice has he received, and on what dates has he received reports about the old Swan Brewery buildings from -

- (a) Waterways Commission; and
- (b) Swan River Management Authority?

Mr HODGE replied:

- (a) Nil. The Swan Brewery buildings are within the area of the Swan River Management Authority; and
- (b) the authority's advice related to conditions which it recommended should apply to the proposed redevelopment, particularly regarding drainage and sewerage. The authority has provided the State Planning Commission with its advice. The dates were 17 April 1986, 17 September 1986, 11 December 1986, and 19 February 1987.

STATE PLANNING COMMISSION - SWAN BREWERY SITE
Proposals - Environmental Protection Authority

960. Mr WATT to the Minister for Environment:

- (1) Did the State Planning Commission refer its proposal for the old Swan Brewery site to the Environmental Protection Authority?
- (2) If yes, on what date or dates?
- (3) What advice was offered by the EPA to the State Planning Commission?

Mr HODGE replied:

- (1) The State Planning Commission has referred two proposals to the EPA - the Brewtech development and the Bicentennial Aboriginal Commemorative Centre proposal by LandCorp.
- (2) The latter was referred on 28 July 1988.
- (3) Preliminary advice has been provided on groundwater issues. Further advice will follow after receipt of additional information.

PRESCHOOL EDUCATION
Four Year Olds - Government Commitment

963. Mr BRADSHAW to the Minister for Education:

- (1) When does the Government intend to fulfil its commitment to making available places in preprimaries for four year olds?
- (2) Does the Government intend to give further financial assistance to community kindergartens to help costs with gardening, cleaning, etc?
- (3) If yes to (2) when?

Dr LAWRENCE replied:

- (1) The Government's recently announced policy on the family is a refinement of its original commitment to provide all parents with the option of a place in preschool education for their four year olds. Places will be made available for four year old children in preprimary schools, community based preschools and a range of facilities in the new family centres. This provision will allow for greater flexibility of choice. It is proposed that the vast majority of needs will be met by the end of 1990.
- (2) No.
- (3) Not applicable.

MAIN ROADS DEPARTMENT - GOVERNMENT CONTRACTS
Tenders - Road Surfaces

965. Mr GREIG to the Minister for Transport:

- (1) Has the Main Roads Department called tenders for a major contract to seal and reseal road surfaces at various locations with the Kimberley, Pilbara and Carnarvon divisions?
- (2) Does the contract involve the use of approximately 27 million litres of bitumen?
- (3) Is the work in question to be let as a -

- (a) single contract; or
- (b) series of contracts?
- (4) When were the tenders -
 - (a) called; and
 - (b) closed?
- (5) What is the specified contract period?

Mr PEARCE replied:

- (1) Yes.
- (2) No.
- (3) Single contract.
- (4) (a) 6 August 1988 in the first instance; and
 - (b) 30 August 1988 at 2.30 pm.
- (5) Fourteen weeks in total.

FRUIT GROWING INDUSTRY (TRUST FUND) ACT

Amendment

968. Mr COWAN to the Minister for Agriculture:

- (1) In view of the call by the President of the Fruit Growers Association for an increase in the fruit growing industry trust fund levy to a minimum of 4c a bushel, is it the intention of the Government to amend the Fruit Growing Industry (Trust Fund) Act?
- (2) If yes, when?

Mr GRILL replied:

- (1) At this stage the answer is no. However, the Government is aware that the Western Australian Fruit Growers Association (Inc) has discussed the raising of the levy applicable under the Fruit Growing Industry (Trust Fund) Act at its recent annual conference in Perth.
- (2) To date, no official request to change the levy has been received by the Minister for Agriculture from the association.

STATE GOVERNMENT REVENUE - TOBACCO DUTIES

Quit Campaign

971. Mr COWAN to the Treasurer:

What effect has the Quit campaign had on State Government revenue from tobacco taxes?

Mr PETER DOWDING replied:

It is not possible to quantify the effect that the Quit campaign has had on the State Government revenue from tobacco taxes.

EQUAL OPPORTUNITY TRIBUNAL - TRADE UNIONS

Membership - Discrimination Claims

972. Mr COWAN to the Premier:

- (1) Have there been any claims of discrimination on the grounds of membership or non-membership of a trade union lodged with the Equal Opportunities Commission or the Equal Opportunities Tribunal?
- (2) If yes, how many were -
 - (a) upheld;
 - (b) dismissed; and
 - (c) withdrawn?

Mr PETER DOWDING replied:

(1)-(2)

There have been no claims of discrimination on the grounds of membership or non membership of a trade union lodged with the Equal Opportunity Commission or the Equal Opportunity Tribunal as membership or non membership of unions is not a ground for complaint under the Equal Opportunity Act.

However, seven complaints alleging discrimination in access to employment and promotions on the basis of political conviction associated to membership or non membership of unions have been lodged and investigated. The complaints fall into two categories -

- (1) Alleged detriment due to a political conviction supporting trade union membership or activity. Six complainants alleged they were denied employment or promotion or were forced to leave a job due to their union membership status and active participation in trade union affairs. Three of those complaints lapsed due to lost contact with the complainant; one complainant was conciliated and two complaints are still under investigation.
- (2) Alleged detriment due to the holding of a political conviction opposing non voluntary union membership. One complaint was lodged alleging discrimination in employment due to refusal to join a union. The matter involved a preference clause in a Federal award over which the Equal Opportunity Act had no jurisdiction. The complainant was advised of the exemption provision for conscientious objectors administered by the Commonwealth Arbitration Commission.

Finally, the commission has recently received an inquiry alleging restricted access to contract work due to non union membership. No allegation was made that the restriction was based on a political conviction. However, more detail is being sought.

Political conviction is not defined under the Equal Opportunity Act and no cases have been heard by the Equal Opportunity Tribunal relating to this issue to date.

TAX REFORM - STATE GOVERNMENT *Tax File Numbers - Federal Government Proposals*

973. Mr COWAN to the Premier:

- (1) Has the State Government been briefed on the Commonwealth's proposal for an upgraded tax file number system?
- (2) (a) If yes, does the proposal involve the cooperation of the State Government; and
(b) if so, how?

Mr PETER DOWDING replied:

(1)-(2)

No.

ABORIGINES - STATE GOVERNMENT *Federal Government - Definition*

974. Mr COWAN to the Minister for Aboriginal Affairs:

- (1) What is the State Government's definition of who is an Aborigine?
- (2) Is this definition the same as that used by the Commonwealth Government?

Mr BRIDGE replied:

- (1) The State Government's definition of an Aboriginal person is clearly set out in the Aboriginal Affairs Planning Authority Act 1972, as follows -

"Aboriginal" means pertaining to the Aboriginal inhabitants of Australia and to their descendants.

- (2) The Commonwealth uses the following definition for an Aboriginal person -

An Aboriginal or Torres Strait Islander is a person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community in which he or she lives.

It should be noted that this definition does not appear in any Commonwealth Statute. The statutory definition varies depending on the particular Act involved.

BREAD ACT - PROCLAMATION OF LEGISLATION
Changes - Delivery Hours

983. Mr WATT to the Minister for Labour:

- (1) When were the latest changes to the Bread Act proclaimed?
- (2) Have any companies been granted exemption from the provisions related to delivery hours since the Act was proclaimed?
- (3) If yes, which companies have been granted exemptions?
- (4) Why have the exemptions been allowed?

Mr TROY replied:

- (1) 12 June 1988.

(2)-(4)

I refer the member to the answer to Legislative Assembly question 617 of 1988.

MACKEREL ISLANDS PTY LTD - THEVENARD ISLAND
Holiday Resort - Saladin Project

986. Mr COURT to the Minister for Conservation and Land Management:

Will the Government give permission for Mackerel Islands Pty Ltd to relocate their holiday resort from Thevenard Island to an adjacent island, so the Saladin project can proceed without having to combine an industrial site with a holiday resort and allowing the holiday resort to be expanded, taking advantage of the unique attractions in this region?

Mr HODGE replied:

A proposal by Mackerel Islands Pty Ltd to relocate its operations to the nearby Long Island was not acceptable. Long Island is a high value nature reserve, particularly with its mutton bird rookery and turtle nesting areas.

MACKEREL ISLANDS PTY LTD - WEST AUSTRALIAN PETROLEUM PTY LTD
Mackerel Island Holiday Resort - Saladin Project

987. Mr COURT to the Minister for Environment:

Were acceptable arrangements made between Mackerel Islands Pty Ltd and WAPET in relation to the Mackerel Island holiday resort before the Minister for Mines had given his approval for the Saladin project to proceed?

Mr HODGE replied:

I informed the Minister for Mines on 24 June 1988 that discussions which were required to take place between Mackerel Islands Pty Ltd and WAPET to discuss mutual coexistence solutions had occurred.

STATE GOVERNMENT - PETROCHEMICAL PROJECT
Insurance

990. Mr COURT to the Premier and Treasurer:

- (1) Will the insurance for the new petrochemical project which the Government is

taking a large involvement in be put out to public tender, or has the Government directed that this insurance be undertaken by the SGIC?

- (2) What is the estimated cost of insurance during the construction stages of this project?

Mr PETER DOWDING replied:

(1)-(2)

The Government has made no such directive.

STATE TAXATION DEPARTMENT - CARS

Stamp Duty - Fleet Owners

991. Mr COURT to the Treasurer:

- (1) Is it correct that the State Taxation Department is now charging stamp duty on the discount which fleet owners receive when they purchase new vehicles?
- (2) If yes, when was this policy implemented?

Mr PETER DOWDING replied:

- (1) I am advised that the Stamp Act has always provided for stamp duty on motor vehicle licences and transfers to be calculated on the basis of market valuation. I am also advised that it has always been the position of the State Taxation Department that, when determining market value, special discounts available to only a certain category of purchaser should not be deducted from the normal sale price.
- (2) The Commissioner of State Taxation has indicated that the advice which he recently circulated did not create any new policy, but that it merely drew attention to the longstanding requirement for market valuation to be declared.

MARKET RESEARCH - ELDERS MARKET RESEARCH

Roads - Wembley

993. Mr COURT to the Premier:

- (1) Has market research been carried out by Elders Market Research for the Department of the Premier in June, covering the effect of recent changes to the road system in the Wembley area?
- (2) If yes, did this survey also include questions on local government and violence in the community?
- (3) Will this information be made public?

Mr PETER DOWDING replied:

- (1) No. An attitude survey was conducted for the 40km/hr trial zone monitoring and evaluation committee by Siromath, which independently commissioned Elders Market Research to perform the survey.
- (2) No.
- (3) The results will be part of the final report of the 40km/hr trial zone monitoring and evaluation committee due later this year.

HOSPITALS - KING EDWARD MEMORIAL HOSPITAL FOR WOMEN

Intensive Care Unit - Medical Equipment

997. Mr BRADSHAW to the Minister for Health:

- (1) Adverting to question 835 of 1988, and specifically referring to the lack of medical equipment when asking about an inadequate intensive care unit, is he aware of this concern?
- (2) If so, what does he intend doing to rectify the situation?

Mr WILSON replied:

- (1) Yes.
- (2) Any problems will be addressed when the report - referred to in question 835 of 1988 - is received from the hospital.

SMALL CLAIMS TRIBUNAL
Telephone Directory - Non-Listing

998. Mr COWAN to the Minister representing the Minister for Consumer Affairs:

- (1) Is he aware that the Small Claims Tribunal is not listed in the "Government of Western Australia" section in the new telephone directory?
- (2) Is there any significance to the non listing, or is it the result of an error by Telecom?

Mr TAYLOR replied:

- (1) Yes.
- (2) Telecom has admitted the error.

TOBACCO ADVERTISING - SPONSORSHIP
Code of Conduct

999. Mr COWAN to the Minister for Health:

- (1) Can he advise the House what progress has been made on a code of conduct relating to -
 - (a) tobacco advertising; and
 - (b) sponsorship of sporting and cultural events by tobacco companies?
- (2) Is it the Government's intention to legislate in this area during the current session of Parliament?

Mr WILSON replied:

- (1) No specific progress has been made within Western Australia regarding codes of conduct for tobacco advertising or sponsorship.
- (2) This area is under constant review.

SHARK BAY REGION PLANNING WORKING GROUP -
KOPKE, MRS VALMAI
Substitute

1003. Mr HASSELL to the Minister for Planning:

- (1) Has he refused to allow Mrs Valmai Kopke to appoint or have selected a substitute to sit in her place on the Shark Bay region planning working group during her absence overseas?
- (2) If so, why?
- (3) Can he say that no other member of that group has at any time in the past had a substitute sit in for that member in his or her absence?

Mr PEARCE replied:

- (1)-(3) I have arranged for the group's meeting to be postponed until Mrs Kopke's return.

SHARK BAY REGION PLANNING WORKING GROUP
Members

1004. Mr HASSELL to the Minister for Planning:

- (1) What is the Shark Bay region planning working group?
- (2) Who are the members and whom do they represent?
- (3) What is its charter?
- (4) Is it considering World Heritage listing for Shark Bay or part of it?
- (5) When did it last meet?
- (6) When will it next meet?
- (7) What consultations have been held with the Commonwealth?

Mr PEARCE replied:

- (1) Cabinet has agreed to the establishment of a working group to advise on the implementation of the Shark Bay region plan. It has not yet met.
- (2) Membership has not yet been decided.
- (3) To advise on matters relating to the implementation of the Shark Bay region plan.
- (4) No. See question 1006.
- (5) Not applicable.
- (6) See above.
- (7) None.

SHARK BAY - WORLD HERITAGE
Government Policy

1005. Mr HASSELL to the Minister for Planning:

In relation to the Shark Bay region, is the Government's policy to oppose World Heritage listing?

Mr PEARCE replied:

I have given an undertaking to local people that the State Government will not support World Heritage listing unless it is supported by local people, as the member well knows.

SHARK BAY - WORLD HERITAGE
Proposals - Advisory Committee

1006. Mr HASSELL to the Minister for Planning:

- (1) In relation to proposals to list Shark Bay or part of it under the World Heritage treaty, is there in existence an interdepartmental or advisory committee?
- (2) Who is its chairman?
- (3) Who are the members?
- (4) When did it last meet?
- (5) How many times has it met in the last four months?
- (6) Are there any representatives of the Commonwealth on it?
- (7) If not, what is the connection with the Commonwealth on the issue?
- (8) What consultations have been held within the Commonwealth in the last three months?
- (9) Who was involved?
- (10) What was the outcome?

Mr PEARCE replied:

- (1) Yes.
- (2) Mr Michael Kerry, Executive Director of Planning, State Planning Commission.
- (3) Core group members -
Mr J. Sellenger, Shire of Shark Bay;
Mr K. McNamara, Department of Conservation and Land Management; and
Mr B. Chan, Department of the Premier.
Co-opted members -
Mr W. Dale, Shire of Carnarvon;
Dr H. Jones, Fisheries Department;
Dr G. Robinson, Agriculture Department;

Mrs V. Kopke, Pastoralists and Graziers' Association;
 Mr G. Leyland, Western Australian Fishing Industries Council;
 Mrs B. Churchward, WA Conservation Council; and
 Mr R. Humphries, Australian Conservation Foundation.

Consultant - Dr K. Suter.

- (4) 20 April 1988.
- (5) Nil.
- (6) No.
- (7) World Heritage matters are the Commonwealth's responsibility.
- (8) Nil.
- (9)-(10) Not applicable.

SUTER, DR KEITH

Employment

1009. Mr HASSELL to the Minister for Planning:

- (1) Is Dr Keith Suter -
 - (a) a public servant;
 - (b) a Government officer;
 - (c) a Government adviser; or
 - (d) engaged on contract to the Government?
- (2) What are the employment functions of Dr Keith Suter for the Government?
- (3) How long has he worked for the Government?
- (4) What is the basis of his remuneration?
- (5) How much has he been paid in the last 12 months?
- (6) What dealings does Dr Suter have with the Commonwealth on behalf of the Government?
- (7) Is the Government aware of this man's background?

Mr PEARCE replied:

- (1) None of these - Dr Keith Suter is a consultant to the commission.
- (2) Dr Suter has assisted the working group on World Heritage.
- (3) Since November 1987.
- (4) Honorary.
- (5) Nil.
- (6) None.
- (7) Dr Suter has a distinguished record in environmental law. He is the Foundation Director of the Uniting Church's Trinity Peace Research Institute.

RESERVES - LOGGING

Moratorium

1010. Mr STEPHENS to the Minister for Conservation and Land Management:

- (1) Can he inform Parliament whether there is a moratorium on logging in -
 - (a) road reserves;
 - (b) river reserves; and
 - (c) stream reserves?
- (2) If yes, can he inform the House of the date of the moratorium's commencement as well as its date of termination?

Mr HODGE replied:

- (1) Clearfelling in road, river and stream zones has never been permitted except in the case of the EPA approved trials reported on in my answer to question 81. Thinning of regrowth areas has always taken place as silviculture demands.
- (2) Not applicable.

FORESTS - NATIONAL PARKS AND RESERVES

Unlogged - Logged

1011. Mr STEPHENS to the Minister for Conservation and Land Management:

- (1) Will he tell Parliament how many hectares of -
 - (a) unlogged forest; and
 - (b) forest logged prior to 1949,
 there is remaining in -
 - (i) State forest;
 - (ii) national parks;
 - (iii) conservation parks; and
 - (iv) nature reserves,
 as defined in the CALM regional management plans?
- (2) Will he provide the Parliament with maps showing -
 - (a) (i) the distribution of unlogged forest; and
 - (ii) forest logged prior to 1949, in
 - (b) (i) State forest;
 - (ii) national parks;
 - (iii) conservation parks; and
 - (iv) nature reserves,
 at a scale of 1:250 000?

Mr HODGE replied:

The information requested by the member is particularly onerous to extract and would require a great deal of staff time. I am not prepared to instruct the department to reallocate staff from work of a higher priority to compile this data. However, if the member has any particular concerns I invite him to discuss them with the Executive Director of the Department of Conservation and Land Management.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - TREES

Dead and Dying - Departmental Policy

1012. Mr STEPHENS to the Minister for Conservation and Land Management:

- (1) Can he inform the House whether the Department of Conservation and Land Management has a policy, whether official or not, of removing dead and/or dying trees from -
 - (a) road reserves;
 - (b) river reserves; and
 - (c) stream reserves,
 prior to fuel reduction burns?
- (2) If yes, can he provide the departmental criteria by which a tree is judged to be dying?

- (3) Can he tell the Parliament what the effects of the removal of dead and dying trees are on the -
- (a) flora;
 - (b) fauna;
 - (c) fire buffer; and
 - (d) amenity
- values of road, river and stream reserves?
- (4) Can he table the results of research into the effects of the removal of dead and dying trees prior to fuel reduction burns on the -
- (a) flora;
 - (b) fauna;
 - (c) fire buffer; and
 - (d) amenity
- values of road, river and stream reserves?

Mr HODGE replied:

- (1) The Department of Conservation and Land Management has a policy to minimise the impact of wildfires on its estate and adjoining land. Removal of dead or dying trees on the boundaries of areas to be burnt may be required to minimise the risk of the fire "spotting" and escaping.
- (2) Yes. I will forward a copy of the department's criteria to the member.
- (3) The effects are slight but are not quantifiable.
- (4) No research specific to the impact of removal of individual trees in the road, river and stream zones has been undertaken. However, the department's overall research program has provided general data on the likely effects.

FOREST PROTECTION - TREES

Old Tree Hollows - Ecological Importance

1013. Mr STEPHENS to the Minister for Conservation and Land Management:

- (1) Is he aware of the ecological importance of retaining areas of old trees with hollows for the protection and maintenance of many birds and small mammal populations in the forest areas?
- (2) Is he aware that suitable hollows are found only in trees older than 100 years of age?
- (3) Could he tell Parliament what proportion of -
 - (a) mammals; and
 - (b) birds,
 are dependent on tree hollows in -
 - (i) standing trees; and
 - (ii) fallen trees,
 during some stage of their life cycle?

Mr HODGE replied:

- (1)-(2) Yes.
- (3) Sixty seven per cent of mammals occurring in the Western Australian forests use hollows in standing and fallen logs. Twenty per cent of forest birds use hollows and the proportion is 32 per cent for birds observed in the karri forest. Details of the use of hollows by forest fauna are clearly described in the publication "The Road, River and Stream Zone System in the Southern Forest

of WA". The publication is freely available to the public and can be obtained from the Department of Conservation and Land Management.

QUESTIONS WITHOUT NOTICE

STATE GOVERNMENT BUDGETS - CONTINGENT LIABILITY

Rothwells Ltd - Petrochemical Budget

157. Mr MacKINNON to the Treasurer:

- (1) What provision, if any, is made in the Budget this year for -
 - (a) the Government's contingent liability under the Rothwells Limited guarantee; and
 - (b) the Government's investment in the petrochemical project?
- (2) If no provision has been made for either of those liabilities, why is this so?

Mr PETER DOWDING replied:

- (1)-(2) Once again, the Opposition leader shows his abysmal understanding of the process, and he has now been in Parliament 12 years. One would expect him to know by now that the requirement is for contingent liabilities to be reported in the Treasurer's statements.

Mr MacKinnon: If the contingent liability is to be exercised this year, you have to call it up.

Mr PETER DOWDING: The Leader of the Opposition should grow up! Following a practice that has applied for many years, the contingent liabilities of the State will be identified in the Treasurer's annual statement for 1987-88.

Mr MacKinnon: Not if the contingent liability becomes an actual liability.

Mr PETER DOWDING: One would think that an accountant would know what a contingent liability is: It is, obviously, contingent.

Mr MacKinnon: But not if it's called up.

Mr PETER DOWDING: I am confident that it will not be called up. The member for Cortesloe has raised that point. If the Leader of the Opposition cannot understand the distinction between liabilities and contingent liabilities, he displays his ignorance, with all due respect - not that I have much for him. The Leader of the Opposition also does not seem to understand that the process is that the contingent liability is reported to the Parliament. Thus, there is accountability for the contingent liabilities of the State.

Mr MacKinnon: Not if it becomes a liability.

Mr PETER DOWDING: But it is not a liability; it is a contingent liability.

Mr MacKinnon: It will either be a liability that is called up by Rothwells or an investment in the petrochemical plant and neither of those have been accounted for.

Mr PETER DOWDING: What a load of nonsense!

Mr MacKinnon: Either it will be a loss or it will be in the petrochemical project.

Mr PETER DOWDING: Why?

Mr MacKinnon: The Premier has said it is to be the petrochemical plant.

Mr PETER DOWDING: I have said repeatedly to the Leader of the Opposition, and he either does not listen or does not choose to listen, that the level of investment of the State has not been identified, nor yet has the mechanism, and nor yet has a decision about whether it will be funded in any one year, so in those circumstances it is not appropriate to put that item into the Budget.

ASBESTOS RELATED DISEASES
Sufferers' Plight - Opposition's Interest

158. Dr WATSON to the Premier:

Is he aware of the Opposition's belated interest in the plight of those suffering from asbestos related diseases?

Mr PETER DOWDING replied:

I am. I forgot to bring the report into the House with me, and I apologise for not doing so. It was very interesting to see the Leader of the Opposition trying to jump on the band wagon. He has photographs of himself up on billboards and has gone around with the member for Cottesloe abusing and criticising people in public office, people who used to be in public office, people who work for the Government, people who contract to the Government and anyone he can find to hang a Press release on. He even got into the asbestos diseases area, an area in respect of which no Government has acted with the compassion and speed with which this Government has acted.

The chairman of the Asbestos Diseases Society told him in a Press release, which is the way in which the Leader of the Opposition likes to communicate, that he was a man without compassion, he had never taken an interest in their plight, and so far as the society was concerned it thought he was a person without integrity in this discussion, a view I might say that is shared by anybody who takes a compassionate view of the plight of those people.

GOVERNMENT DEPARTMENT REORGANISATION
State Department of Trade

159. Mr HASSELL to the Deputy Premier:

- (1) Is it his intention to announce shortly that -
 - (a) a new State department of trade is to be formed; and
 - (b) TIDA will be absorbed in yet another arrangement of governmental services to technology and industry?
- (2) How many reorganisations of these departments and the various authorities have been made since 1983? My recollection is at least five.
- (3) What is the purpose of this latest restructuring?
- (4) Will this exercise embrace the Minister's plans for Exim Corporation, or is that to be handled later and separately, or by the Minister for Agriculture?

Mr PARKER replied:

(1)-(4)

First, in relation to the portfolios with which I have been involved there have been no reorganisations other than those which have been necessary and which are part of an ongoing management role that one should have in an organisation. The Department for Resources Development, for example, for which I have been responsible for nearly five years now has operated, certainly with some changes, as one would expect in that time period, but with no substantial reorganisation.

One of the things announced by the Premier when he became Premier and when he appointed me as Minister for Economic Development and Trade was that there would be a Ministry created for economic development and trade which would be absorbed or contain within it the two departments, DRD and TIDA and would also deal with trade matters. I have been having discussions with the staff and various other associated organisations of those departments to ensure that there is absolutely no disruption to anybody created by any changes that ensue. This is the first occasion on which I have, as Minister, certainly within this portfolio, undertaken any reorganisation, but I can say that when the announcement is made that announcement will show that there is no reorganisation which affects in any sense security of employment,

substantive position, their item, or the quality of the working environment of any of the staff. Whereas some earlier reorganisations within what used to be DID created a number of vacant items and a situation of people having to apply for positions, and things like that, that is not the situation on this occasion and I have worked very hard to ensure that the improvement in the coordination of the State's performance, particularly in trade matters, should take place without any disruption to individuals who work within the Government.

LAND - BROOME
Residential Lots - Commercial Lots

160. Dr GALLOP to the Minister for Lands:

Can the Minister provide information on the progress of residential and commercial land releases at Broome?

Mrs HENDERSON replied:

I thank the member for Victoria Park for his question. Since December last year when land auctions at Broome reflected a sudden upsurge in demand for land for residential and tourism related purposes, the Government has moved swiftly to meet the demand for additional sites. The effectiveness of this rapid Government response was reflected recently in the overall stability in land prices and in reductions in the sale price of residential lots on average by \$5 000 per lot less than at previous sales. This reduction has put land within the grasp of first home buyers, and the release of 93 additional lots as part of the Dakas Street subdivision for Homeswest housing has made ample land available for disadvantaged people.

The stability in land prices was reflected in July this year when 63 residential lots and five lots zoned for special tourism purposes on the prime Murray Road site adjacent to Cable Beach were auctioned and sold. There was strong public demand for those lots, but the Government had created a stable environment for land sales following a commitment to maintain the upset prices of lots being auctioned after a degree of panic buying at a December 1987 auction at Broome.

The average price for residential lots in the July auction this year was \$32 300 as compared with the previous December 1987 figure of \$37 500. The Government's additional land releases in July and its commitment to release more than 100 residential lots in late October has stabilised the land prices at Broome and met public demand for sites for both residential and commercial purposes. I am pleased to note that the majority of purchasers at the July auction in Broome were local residents from Broome and nearby regions.

In the longer term the Government is planning a further release of approximately 170 lots, which may be available for release by the middle of next year. In addition, one of the prime tourism sites on Murray Road which was available in July was passed in and will be made available again in September. The Government has honoured its commitment to resolve any problems with land released in the Broome region and has committed funding of \$3.2 million in the past financial year to carry over and to accelerate the release of residential land. This is an example of the successful program of land release by the Government in this State and is just one of the areas in which we are releasing land in response to a demand. Further land releases are planned for Boulder, Camarvon, Cervantes, Fitzroy Crossing, Jurien, Kalbarri, Lancelin and Point Samson.

CROWN LAW DEPARTMENT - TEACHERS CREDIT SOCIETY
Criminal Code - Charges

161. Mr COURT to the Premier:

- (1) Is the Crown Law Department currently assessing the possibility of laying charges under the Criminal Code in relation to the Teachers Credit Society debacle?

- (2) Is the Crown Law Department considering charges against only those people called before the recent Supreme Court inquiry or is it examining all parties involved with the crash of the Teachers Credit Society?
- (3) What involvement has the Fraud Squad had in those investigations and will it be providing advice to the Crown Law Department in relation to this matter?

Mr PETER DOWDING replied:

(1)-(3)

It would be quite inappropriate for me to say any more than that the Crown Law Department has the full confidence of the Government, has been asked to look at all the material relating to this issue and any other material that it wants to call for, and in doing so, of course, has access to the resources of Government. I have no doubt that those people - senior officers in the Crown Law Department - will do everything necessary. There is no limitation placed on their brief.

RANDOM BREATH TESTS - DOCTORS

Appeals

162. Mr MARLBOROUGH to the Minister for Police and Emergency Services:

Is he aware of an appeal by senior doctors to the Leader of the Opposition on the question of random breath testing and can he inform the House of any change in the Opposition's attitude to it?

Mr TAYLOR replied:

I am aware of an appeal by leading doctors in Perth in relation to this matter, an appeal I think should be taken very seriously indeed.

Mr MacKinnon: I am yet to receive any. I have received absolutely no correspondence.

Mr TAYLOR: I will read to the Leader of the Opposition what has been reported in a newspaper today -

One of the medicos - Royal Australasian College of Surgeons Road Trauma Committee chairman Dr Don Webb - said today the Liberal Party deserved to stay in opposition -

And we all know that -

- if it continued to block the legislation.

Dr Webb told the *Daily News*: "There should be no political mileage in dead and mangled people on our roads.

However, I am forced to the conclusion that this is why the legislation is being opposed."

The fact is that Don Webb is a good bloke. I know Don Webb, and no-one who knows him could ever consider that he is a screaming socialist or a great supporter of the Liberal Party. In fact, I understand he has been a member of the Liberal Party for a long time. It is about time the Leader of the Opposition and his colleagues really listened to people like this man, who do not have a barrow to push. They care about the people they see turning up in their casualty departments on Friday and Saturday nights. They know, as does the Leader of the Opposition, that nearly half of the people who turn up have been involved in deaths that can be related directly to people who drink and drive.

The Leader of the Opposition goes a step further than most would expect. He says that not only is he not going to take any notice of these doctors but also he believes that random breath testing will increase the road toll.

Several members interjected.

Mr TAYLOR: The Leader of the Opposition is saying he has never said that it will increase the road toll. I will just go back and check what he has actually said.

Mr Peter Dowding: He said it again last night on television.

Mr TAYLOR: Yes. Perhaps he has forgotten that he said it.

The fact is that random breath testing will save lives on our roads because it will mean that fewer people will be inclined to drink and drive. That is the difference. I suggest that if the Leader of the Opposition had any courage, he would say to his members in the Legislative Council, "For God's sake support this legislation." This legislation is what Western Australia needs, and it is just one of the measures that can reduce our road toll. We cannot just dismiss out of hand the sorts of comments that have been made by people like Don Webb, or in the last week or so by members of the Police Force, all of whom are saying to the Opposition that it should change its mind. I will leave the Opposition with this reminder. The fact is that people who are not prepared to change their opinions never correct their mistakes. The Opposition makes plenty of mistakes, but I ask it to change its opinion on this matter.

POLICE - CORRUPTION

Western Australia

163. Mr STEPHENS to the Minister for Police and Emergency Services:

- (1) As corruption has been proved in the Police Forces of South Australia, Victoria, New South Wales, and now Queensland, can the Minister guarantee there is no corruption in the Police Force in Western Australia?
- (2) If no, what is the Minister going to do about it?

Mr TAYLOR replied:

(1)-(2)

I wonder whether the member for Stirling could guarantee there is no corruption in the National Party in Western Australia, in the Parliament of Western Australia, or anywhere in our society.

We in Western Australia have a Commissioner of Police who in my view is beyond doubt in terms of leading his Police Force in the best way that could ever be asked of him. He sets the example at the very top, which is what did not happen in Queensland and places like that. From what I can remember from reading what has happened in the Fitzgerald inquiry in Queensland, it was at those very senior levels that people were not doing the right thing. People working under those senior officers were saying that if it was good enough for the senior people, it might be good enough for them.

We in Western Australia have a Commissioner of Police who is very much aware of the fact that he has to keep on top of these sorts of issues. I have confidence in the Commissioner of Police, and I think members opposite might share my confidence when they see what the Commissioner of Police has to say about these issues.

AUSTRALIAN CONSERVATION FOUNDATION - SHANNON NATIONAL PARK

Government Commitment - Criticism

164. Mr EVANS to the Minister for Conservation and Land Management:

The Minister would be aware of criticism expressed recently on the part of the Australian Conservation Foundation about the Government's commitment to the Shannon National Park. Could he advise the House whether there are any grounds for this criticism?

Mr HODGE replied:

I thank the member for some notice of the question. I would like to reassure members that the Government remains absolutely committed to the reservation of the Shannon River basin as a national park. I am aware of criticism by the Australian Conservation Foundation that the park has not yet been gazetted. While this is true, it certainly should not be construed as a lack of commitment to the Shannon. Nothing could be further from the truth.

There are a number of quite complex survey requirements and other formalities to be gone through before formal creation of the park can proceed, and the Government is working hard to complete these.

Mr Peter Dowding: Did the Liberal Party want the Shannon to be a national park?

Mr HODGE: I will get to that.

In the meantime, however, the Shannon is being managed as a national park.

Members will be only too well aware of the battles the Government fought in this House to make the Shannon a national park. We managed, against strident Liberal Party opposition, to get parliamentary approval for the removal of the Shannon from State forest. Had it not been for the delays caused by the Opposition to the creation of a park which had been overwhelmingly supported by the community since 1983, the formalities would probably have been long since completed and the Shannon National Park already a legal entity.

A further point which needs to be borne in mind is that this Government has brought about an unprecedented expansion of the State's conservation estate. The new forest plans alone increase the conservation estate in the south west by 300 per cent, and there are also the new marine parks and the Bungle Bungle park. The survey and other formalities required for these new parks are considerable. However, I would like to assure members that the Government is working through these as expeditiously as possible. In the meantime, all areas earmarked for parks and reserves are being managed as part of the conservation estate.

PEARCE, HON R. - NOLLAMARA ELECTORATE

Letter

165. Mr LEWIS to the Minister for Health:

- (1) Is the Minister a cosignatory, as Minister for Health, of a letter distributed recently to future electors of the new electoral district of Nollamara?
- (2) Is he aware that the other cosignatory to that letter was Brian Burke, who has signed that letter as member of the Legislative Assembly, the member for Balcatta, the member for Balga, and the Premier of Western Australia?
- (3) As Mr Burke is not what he purports to be, is not the letter -

Point of Order

Mr PEARCE: To my understanding, questions without notice can be addressed to Ministers in their ministerial capacity. The member is seeking to ask a question of a member in his capacity as a candidate for an electoral seat. That is not in order.

The SPEAKER: Unless the member intends to address the balance of the question to the Minister's portfolio responsibilities, the question is out of order. I have not heard the rest of the question, and if the rest of the question does as I say, I will rule the first part out of order and the second part in order. If the rest of the question does not, it will all be out of order.

Mr LEWIS: The Minister has signed the letter as Minister for Health, and I am asking whether -

The SPEAKER: I do not intend to allow you to canvass my ruling. I have given you a ruling, and you can keep going if you want to, but if I consider the second part of the question out of order I will rule it all out.

Questions without Notice Resumed

Mr LEWIS: As Mr Burke is not what he purports to be, is not this letter totally dishonest, and is not the Minister endorsing and subscribing to his own dishonesty in signing this letter?

The SPEAKER: Order! I rule the question out of order.