

## Legislative Council

Thursday, 31 October 1985

THE DEPUTY PRESIDENT (Hon. D. J. Wordsworth) took the Chair at 2.30 p.m., and read prayers.

### CONSTRUCTION INDUSTRY PORTABLE PAID LONG SERVICE LEAVE BILL

#### *Third Reading*

Bill read a third time, on motion by Hon. Peter Dowding (Minister for Industrial Relations), and returned to the Assembly with amendments.

### REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES AMENDMENT BILL

#### *Further Report*

Further report of Committee adopted.

### ACTS AMENDMENT (RESOLUTION OF PARLIAMENTARY DISAGREEMENTS) BILL

#### *Second Reading: Defeated*

Debate resumed from 30 October.

HON. MARGARET McALEER (Upper West) [2.37 p.m.]: The Government has been more frank than it has ever been about its intentions towards the Legislative Council in this Bill and in the second reading speech that accompanies the Bill. The Government has made it clear in all the Bills which purport to reform the Legislative Council that it would not rely on any changes in the electoral system to achieve this purpose, with good reason. Of course, because of our electoral system, probably no system of appointment or any other system for constituting the membership of the Legislative Council that one could imagine or even see examples of would, by itself, diminish the constitutional rights and privileges of the Legislative Council. There is in fact hardly a conceivable way in which its membership could be constituted which could guarantee a Government a non-troublesome Legislative Council.

Members of the Labor Party say of course that the Liberal Party has indeed found such a way through the electoral system and that while a Liberal or coalition Government is in power the Government is guaranteed a rubber-stamp Legislative Council. But if they spoke honestly, or rather expressed all their thoughts and knowledge of the situation of the past workings

of this Parliament, they would concede that these coalition Governments have not greatly loved the Legislative Council; that it is always felt as a check and a frustration by Governments; its powers—in fact existence—is to a greater or lesser extent resented by the Legislative Assembly as well.

That is the story of all Legislatures which have a bicameral system. Even the poor old House of Lords with its greatly reduced rights and powers, its changed membership, and its earnest use of the committee system to study matters in depth, is still the target of criticism and plans for reform.

In the past, fluctuations in the membership in the Legislative Council of the country parties and the Liberal Party have shown that it is possible to change the membership of this House in such a way as to be felt to be detrimental to even the coalition Governments, yet members opposite such as Hon. Garry Kelly tell us that all will be well if the electoral system were changed, if there were no malapportionment. The Government is more honest. It says that it would have preferred a system of resolving disagreements in this Bill such as that which applies in the House of Lords, and this in turn implies that it would like a Legislative Council similar to the House of Lords.

But this Bill provides for a system which strips the Legislative Council of its present constitutional rights to such a degree that one wonders why the Government bothers to give it any at all.

Leaving aside the suspensory veto that would apply to money Bills which form part of the ordinary annual services of Government, the Legislative Council, in dealing with all other Bills, is placed in a position of being perpetually subject to blackmail. How else can one view the provision that a single Bill, which was twice rejected, defeated, or amended in a way unacceptable to the Legislative Assembly, could be used for a double dissolution of both Houses at any time? within a certain restricted period. This, of course, is not a disadvantage to a Government in deciding on the desirability of an election that it chooses. The Minister has referred to the Legislative Council's ability to reject Supply as a fatal power! How much more fatal to our Parliamentary system is the power which the Government is proposing for itself in the Legislative Assembly?

It may be argued, as Hon. Garry Kelly by interjection is now arguing, that this proposition is just an adaptation of the Com-

monwealth Constitution in relation to the Senate, but I would say that it is a most unfortunate adaptation and gives the State Government more power in relation to the Legislative Council than the Commonwealth Government has in relation to the Senate. Even the Commonwealth power in this respect is, I believe, capable of abuse; and I would go so far as to say that it has been abused in recent times, to the discontent of the electorate.

In so far as Bills relating to the ordinary annual services of Government are concerned, I have a question for the Minister. I would like to know why the wording has been changed from the "ordinary annual services of the Government" to the "ordinary annual services of Government", thus omitting the "the" before "Government". There are those who argue that this is a significant change by omission and that it greatly widens the scope of the money Bills that the Government can claim as part of its ordinary annual services, while at the same time in the second reading speech, the Government is patting itself on the back for limiting or restricting the money Bills which it proposes to bring in under the suspensory veto.

I should like to ask the Minister also why the Government has included Bills with requests for amendments. It is my understanding that this is already a limitation on the Legislative Council's power to tamper with such Bills, and that it is not really within the Legislative Council's power to insist upon such requests. That being so, it seems unnecessary to include Bills with requested amendments among those which are defeated, rejected, and so on.

There will always be, I suppose, arguments about what constitutes the ordinary annual services of the Government. There always have been arguments in the bicameral system; and there are pages of Odgers to illustrate this on the Australian scene alone, but there is nothing unhealthy about that. However I certainly believe that it is up to the Legislative Council to look to its constitutional rights in defence of its undoubted constitutional role to provide a check and a balance on Government. In looking at this Bill, we see that it is a most significant constitutional challenge to the nature and role of the Upper House. I believe it should be rejected as such.

**HON. P. H. WELLS** (North Metropolitan) [2.44 p.m.]: I should perhaps put the record straight because I am certain that before the Attorney General replies to this debate he would like to have it put into its right perspective. One of the things that I find

interesting is that members, when they change their seats in this place, somehow put on a new cloak and speak with a new tongue. They forget that the *Hansard* record perpetuates what they have said in the past and, therefore, when they find themselves in a new seat, they attempt to work on the assumption that no-one will ever look up their past speeches. One finds that the Government does not like to provide money for computers and for databases for *Hansard* because it wants to keep members of Parliament in the dark. Government members realise that it is so cumbersome to go through the record and to find out relevant information that members generally hope that they will never actually have to go back through the records. The reality is that the Labor Party itself has changed its views on many things since it came into office.

**Hon. J. M. Berinson**: Even before it came into office.

**Hon. P. H. WELLS**: I would like to refer to the actual report of Mr Berinson's comments in this debate, but before getting to them I want to raise a couple of other issues regarding the changing attitude of people because this has a lot to do with this particular Bill.

Some time ago members in this place were asked to support equal opportunity. I have believed for many years in equal opportunity, and it was not too much of a problem for me when a Bill was presented under that name to believe that the Bill said what was intended to be done. I found it within my heart to support the concept of equal opportunity, which is something that I have practised during my lifetime. However, it was with regret that I found that what the Government actually meant by "equal opportunity" was discrimination in another way because the evidence which was presented to me indicated that the Government wanted to discriminate, and therefore it belied the name of the Bill. I would take the analogy of the Equal Opportunity Act and use it when discussing the Bill that is now before us.

I have heard members say that they do not believe the two Houses of Parliament should be equal. There is a belief among members of the Government that there should certainly not be equal opportunity within the Parliament. Starting from that premise, it would appear that there are those within the Government—and I am certain the Attorney General would not be one of those—who would seek, in terms of the arrangement of the Houses, to make certain that they were unequal. Furthermore this was confirmed to me when I saw the

reaction of many members of the Government who, like many people in the community generally, did not realise that the Parliament was not owned by the Government. The Parliament is owned by the people and therefore the Government should report to the Parliament. Therefore, in this place the Government has a responsibility to submit itself to examination by the people.

Consistent with this argument I find Government members feel that Parliament should lie down and say "Yes" to everything the Government suggests. I find that I am continually attacked because I dare, in this place, to question the Government of the day, and yet I would have thought that, having been elected to this place, that was one of the roles of each member in terms of his responsibilities as a politician.

In trying to see whether the Government would practise what it is now proposing, I thought I would examine the performance in Opposition of Government members. We are now moving into an election, and I can remember, at the end of the previous election, the smirk on the face of the Attorney General when the results of that election came through. He had a device poked into his ear through which he could obtain the results, and as the television interviewer was questioning him about the results he had a little twinkle in his eye and he said that the Labor Party would probably gain a couple of seats in the Upper House. That change did occur and the Labor Party did win a couple of the Upper House seats.

Let us consider, for the exercise and for the enjoyment of the Government, what would happen if the Attorney General were the first to receive the information that his party had won a couple of upper House seats at the next election. Let us also consider for the exercise, but not for the enjoyment of the Government, that the Opposition were successful in gaining a majority in the Assembly. The reverse situation to that which exists today would prevail. Consideration must be given to what is likely to happen in that situation in terms of how the then Opposition would approach the then Government's legislation.

Hon. G. C. MacKinnon: You are getting at them—they are leaving the House. They cannot stand the truth.

Hon. J. M. Berinson: Do you think that is the reason?

Hon. P. H. WELLS: I have noticed that we have at least one Minister on the front bench.

One of the accusations made in connection with this Bill is that the Opposition has tampered with nine Government Bills. I suppose it has been said that they were either amended substantially or defeated, but the accusation is wrong. Our founding fathers did not think it was wrong because they made the laws in order that we can do these things.

Hon. Fred McKenzie: What about the nine years you were in office?

Hon. P. H. WELLS: Hon. Fred McKenzie should not become involved in Bills about which he knows nothing. I ask him how many pieces of legislation he or his colleagues have convinced Ministers in the party room not to bring into this Parliament.

Hon. Robert Hetherington: You would be surprised.

Hon. P. H. WELLS: Are Government members trying to say that having been elected under a caucus system, Ministers are totalitarian and the legislation they bring to their party room is always right?

Hon. Robert Hetherington would say that his party room is a democratic place and that his Ministers would not be so silly as to come into the Parliament with legislation without briefing their members on it. In this way they would have the support of their members in the House.

Is Hon. Fred McKenzie saying that his Government's Ministers do not ensure that they have the support of their members prior to introducing legislation into this Parliament?

Hon. Fred McKenzie: Do you expect me to tell you what goes on in our party room?

Several members interjected.

Hon. P. H. WELLS: I want to take up the point raised by Hon. Graham Edwards; that is, that not only do some of the Labor members occasionally disapprove of legislation presented by Ministers, but occasionally they also bring forward legislation.

Hon. Graham Edwards: I will give you a prime example—Star Swamp. That example proves to me that our party system is better than yours.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order!

Hon. P. H. WELLS: Hon. Graham Edwards has brought forward the point I want to make. Under a party system not only do Ministers have to submit legislation to the party room to ensure they have the support of their members, but also members are able to exert influence

upon the Ministers of the day about what legislation is brought into the Parliament. Therefore, most of the Bills that are brought forward have the support of Government members. If that is not the case, there is something wrong with the way in which the party system works. I do not think that that situation occurs in the Labor Party room. Occasionally a Minister brings forward legislation for which he is caned. In the main, the Bills which are brought into the Parliament are not only brought forward because they have the support of their party, but very often the Bills have been modified to represent the views of the party and the views of the people it represents.

The difference between the Liberal Party and the Labor Party is that Liberal Party members, although they vote for legislation in the same way as Labor Party members, will always indicate to the Minister what legislation they do not want introduced. Unlike Labor Party Ministers, Liberal Party Ministers can be questioned by their members on the floor of the House if the members do not agree with the legislation the Ministers have introduced. The fact is that on several occasions under a Liberal Government, Ministers have had to defend the legislation they have introduced and this sort of thing does not happen under a Labor Government. Labor Party members do what Mr McKenzie has said because they are too frightened to do anything else. They do not speak on the Bill because of the fear they have of the Minister and because of the structure of the Labor Party—legislation must be considered in the party room.

Hon. Fred McKenzie: When are you going to get onto the Bill?

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! I will decide if the member is not speaking to the Bill.

Hon. P. H. WELLS: It has been stated that the reason for the Bill is that the Liberal Party has knocked back nine Bills. I remember a Bill that was introduced into this House in 1980. I was reminded of it recently because the Government has decided to investigate car pooling and one day I will speak on that subject.

Prior to 1980 it was illegal for a person to travel in a friend's vehicle to his workplace. When a Bill dealing with this matter was introduced into this House I found an error in it. I raised the matter during the second reading debate and put forward an amendment which

was accepted by the Minister. I believe that that is the process that should be taken and that is what we were elected to do.

This House is a House of Review for the majority of legislation that is introduced into this Parliament. When the Liberal Government was in power it was possible for Liberal members to amend legislation in a satisfactory way. The same thing applies now that we are in Opposition because on occasions, the Attorney General has been willing to accept reasonable amendments when he has not received strict instructions from the other place.

Hon. J. M. Berinson: I always accept reasonable amendments.

Hon. P. H. WELLS: I am referring to the performance of the Government. It has been alleged that the Liberal Party has knocked back certain Bills at the second reading stage. I have carried out an investigation to ascertain what took place when the Attorney General was on the other side of the House and whether he tried to defeat any Bills at the second reading stage.

Hon. J. M. Berinson: What sort of argument are you developing?

Hon. P. H. WELLS: The Attorney General is an honest man and I would not expect him to argue that the Opposition is wrong because it has sought to defeat several Bills at the second reading stage. When he was in Opposition he did exactly the same thing. A man of the integrity of the Attorney General would not launch an argument that I should not do what I am doing.

Hon. J. M. Berinson: Seriously, this Bill is about attempting to overcome deadlocks that may arise. It is not a Bill to prevent Opposition parties from voting against legislation.

Several members interjected.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! The Leader of the Opposition will come to order.

Hon. P. H. WELLS: The Attorney General raised an issue that will lead me to the point, but before getting there I want to give the House an illustration. If the tables are turned next session we can expect the same performance from the Government as occurred when it was in Opposition. Incidentally, it not only did it on second readings but also in the Committee stage. On one occasion, which I doubt I will ever forget, within five minutes the vote pairs were called off. I was told that that was a

gentleman's agreement and it would never happen, and that parliamentarians were above that shonkie sort of act.

Let us deal with what *Hansard* tells us. In 1980, a very good year, there were a number of Bills in relation to which, if some Liberals had not been in the Chamber—we did not have bells in the rooms in those days and members often got caught in their rooms because they did not hear the bells—we would have lost the vote. On the Aboriginal Heritage Amendment Bill (No. 2), if the Attorney would like to check on page 1487 he will find a list of members who sought to defeat it at the second reading stage. I refer to the Environmental Protection Amendment Bill; at page 3936 the Attorney will find a list of members who sought to defeat it.

I now refer to the Essential Foodstuffs and Commodities Amendment Bill; at page 1482 there is a list of Labor members who sought to defeat the second reading. I next turn to the Government Railways Amendment Bill—Hon. Fred McKenzie had a lot to say about that Bill. If I want to find out something about railways, I talk to him. He may well remember that debate when he sought to defeat the Bill during the second reading stage. He can check his name in the list at page 3982 of *Hansard*. I next refer to the Industrial Arbitration Bill at page 4200.

In 1980, the present Government attempted to defeat five Bills; and that was not in the Committee stage.

Several members interjected.

Hon. P. H. WELLS: I listed those Bills to show that the terrible group over there dared to defeat Government legislation at the second reading stage. What is the difference? If a couple of our members had taken sick, what would have happened to those Bills on those divisions?

Hon. P. G. Pental: They would have been defeated.

Hon. G. E. Masters: It seems there is one rule for one group and one rule for another.

Hon. P. H. WELLS: That is exactly right.

I do not wish to give all of the examples.

I am not quite certain how the Government put its list of nine Bills together. I think it included Bills like the Dental Prosthetists Bill where we had a Conference of Managers to resolve the dispute.

Hon. P. G. Pental: They included the land rights Bill.

Hon. P. H. WELLS: We already have a system for dealing with disputes in the House. Before I get to that point, I want to even up the numbers because I do not like to use too many examples, but I want to use exactly the same number as was presented against us.

The years 1981 and 1982 were not bad years. The Labor Party was not able to attack five Bills in the second reading stage; it only managed four. It attacked the Acts Amendment (Electoral Provinces and Districts) Bill, the Country Towns Sewerage Amendment Bill, the Education Amendment Bill, and the Hospitals Amendment Bill. That makes nine Bills. If the Attorney would like me to I can continue giving more examples because there are a number of other years when the Labor Party in Opposition sought to defeat Bills. On every occasion the Labor Party was calling "Divide"—it is recorded in *Hansard*—so it could defeat Government legislation.

#### *Point of Order*

Hon. GARRY KELLY: Does the Noise Abatement Act apply to the speech by the honourable member?

The PRESIDENT: That is out of order and the honourable member knows it.

#### *Debate Resumed*

Hon. P. H. WELLS: It may well be that I am trying to get my point over to people who do not want to listen and believe that their view is the one this House should rubber stamp. Therefore they do not want to listen to anything put forward.

They are examples of what happened, and what could happen, given the reverse situation, in the next session of Parliament.

Hon. J. M. Berinson: Mr Wells, seriously, if that did happen, do you not think there would be a need for some method of overcoming the instability of Government and the deadlocks which would result?

Hon. P. H. WELLS: The Attorney has referred to the next point I want to canvass. I told members the Attorney General was a genuine sort of man. He is now changing his view, and what was so bad is now not so bad.

Hon. J. M. Berinson: I am not changing my view. I am supporting the need for the Bill. Would you care to discuss the Bill?

Hon. P. H. WELLS: The Government is saying that this is the case, and that we did these bad things when in Opposition, and the Government is doing bad things now that it is

in Government, so we need to change the ground rules. It is very interesting. This happens in many cases; a party, when it gets into power, immediately wants to change the ground rules and say, "Righto, anyone else who wants to use those methods has to first jump 10 feet high. If they can't jump 10 feet high, too bad."

The question raised is that there is a need for change. As I understand it, we have a system that in the event of these Bills going back to the Assembly—and we do not want to stop that—incidentally, the Assembly did not do that with the land rights legislation. I thought it might have sent the Bill back to us. We could have had a Conference of Managers.

Hon. Garry Kelly: You couldn't. You rejected it. Didn't you defeat the second reading?

Hon. P. H. WELLS: The Government could have decided that it did not want, for instance, the Dental Prosthetists Bill to go to the Conference of Managers. I have become involved with two Conferences of Managers. In one of them we came to the situation where, regardless of the compromises on both sides, we did not agree. Surely that must spell out that when there is not total agreement of the community perhaps the legislation is suspect. In respect of the Dental Prosthetists Bill we gave way in a number of particular areas and were able to come up with agreement. That being the case, there was a 50 per cent response in terms of the two Bills during the period.

The Leader of the Opposition has brought forward a list of matters dealt with by a Conference of Managers. Regardless of what system the Attorney General puts across, he comes to the point that it is always possible to have an equal vote. It always comes to the situation, regardless of how many times we have to divide, where, as in Nunawading in Victoria, someone has to toss a coin or put a hand in the box and decide.

We could have a long debate about which of these positions will best achieve something that reflects the will of the people. I suggest that the system we have at present has not been ineffective. In fact, it has allowed this State to develop quite well if I take the words the Government has been using, remembering that the Government operates within the laws provided in this State.

The Government is saying it is doing a pretty good job and the State is doing well under its guidance and its laws. If it were able to show

the State was not doing well because the Government had not been able to get this law or that passed, and therefore the State is going backwards, it might be able to sustain an argument. I suggest the Government is not able to sustain that argument because during my term in the Parliament the Bills I have seen which have gone to a Conference of Managers have reflected the wishes of the community.

It is much the same when one considers the local football club or the local P & C. The votes may give an indication that the club is divided and is not ready for a proposed change. It behoves the group to go out and change the thinking of people before effecting the change.

As I see it, the present Conference of Managers arrangement has been able to achieve a reflection of the community's wishes. The Government, in seeking to change the rules, has not been able to justify any real need for change.

One of the arguments has been that the Royal Commission made these recommendations. I wonder whether, just because a Royal Commission says this is what should be done, one then forgets about the Parliament and decides that should be the law.

As I understand it, the present Government and the previous Government of the same colour, both State and Federal, and many Liberal Governments, have not totally accepted all Royal Commission's recommendations. In fact, a large number of reports have been produced, but the Governments disagree that the conclusions reflect what is needed for change in the community.

I accept that a Royal Commission is required to study the information, but I do not believe Parliament is a rubber stamp for saying this is how it should be done. I do not accept a Royal Commission recommendation as an argument for the necessity for change.

First of all I must be able to be convinced that the present system of resolving deadlocks has not served this country well, and that there are occasions when the Parliament justly does not accept a law, and when the Government puts a Bill up to the Parliament without changing the thinking of the community. Then it is right for the Parliament to reject that law in the interests of the people.

Our libraries are full of reports on law reform and a whole range of issues which have not been accepted by Governments for a number of reasons. First of all, it may be that the Govern-

ment does not believe the report. It may be there is a need first of all to change the community attitudes in a particular area.

In terms of deadlocks, I do not believe the Government has been able to convince the people or this House that the deadlock system with the Conference of Managers has not served this State well; therefore I suggest members should vote against this Bill. What the Government is putting forward is what it was practising itself in Opposition. If there is a change next year, it will use its numbers in exactly the same way.

When members are elected to this place they have a responsibility to vote on behalf of their electors. If the legislation is poor and it is not accepted they should vote against it. When the numbers come down, that reflects the wishes of the community. I do not think any Government has the right to expect this House or any other to rubber-stamp legislation just because the Government of the day wants it done.

The Government is a servant of this House in the sense that when it seeks amendments to change the law, it must sell ideas and convince people. It has not convinced me there is any need for the proposed changes in this Bill.

**HON. J. M. BERINSON** (North Central Metropolitan—Attorney General) [3.15 p.m.]: This is another of those sad debates when from the very first words from the Opposition we know that discussion is futile. As we all understand, the problem with this Bill has nothing to do with its detailed provisions. The real problem is that the Bill is directed to the general purpose of parliamentary reform, and so far as the Opposition is concerned that is enough to condemn it. The very thought of electoral or parliamentary reform is more than the Opposition can handle. Opposition members are appalled by it; they are terrified by it; they reject it every time. Is it perhaps because they fear for the future of democracy in this State?

Hon. P. G. Pandal: Yes.

Hon. J. M. BERINSON: It is precisely the opposite. What they fear in fact is that democracy, against all the odds created by the corruption of the system by the Opposition parties, might actually one day emerge. Anything with a prospect of advancing democracy, even in the slightest and most peripheral way, must therefore be resisted at all costs.

Hon. P. G. Pandal: Viewed with suspicion.

Hon. J. M. BERINSON: This is the basis and the only basis of the Opposition's response to this Bill. I have already called it sad. It is also shameful.

There is no point in chasing all the red herrings which the Opposition has drawn across this Bill's trail. To pursue Mr Wells up his blind alleys would seriously risk one's sanity. To the extent that a detailed response is called for at all, that has been amply provided by Hon. Garry Kelly, and there is no need to cover that ground again. I shall therefore restrict myself to a few basic matters only.

In the first place I make it clear yet again that this Bill is not designed to abolish the Legislative Council, nor is it capable of doing so. Mr Masters can quote from the Federal Labor platform as much as he likes. All we will be left with is the platform statement on the one hand and the reality on the other. The reality is that neither the State Government nor the State Labor Party supports or is even interested in the abolition of the Legislative Council.

Several members interjected.

Hon. J. M. BERINSON: It is not going to happen. We are not going to try to make it happen.

Hon. N. F. Moore: Nobody believes you.

Several members interjected.

The PRESIDENT: Order!

Hon. J. M. BERINSON: The second reality is that the House does not have before it the federal platform of the Labor Party. What this House has before it is this Bill. Twist it as members opposite will, this Bill cannot be understood as a measure for the Council's abolition, either now or later.

I shall go further than that and say that the passage of this Bill rather than its defeat would support the argument for the retention of the Council.

Several members interjected.

The PRESIDENT: Order!

Hon. J. M. BERINSON: The Council, it is true, would still have its rotten electoral base, but at least it would have had removed from it its current most objectionable potential for unacceptable conduct.

Hon. G. E. Masters: Unacceptable to whom?

Hon. J. M. BERINSON: This leads to another basic question. Will this Bill reduce the powers of the Council?

Hon. P. H. Wells: Of course.

Hon. J. M. BERINSON: Of course it will. Of course it should. This Bill will effectively remove—

Several members interjected.

Hon. P. G. Pental: Who is in charge of the interjections on that side? You had better sack him.

The PRESIDENT: Order!

Hon. P. G. Pental: At least he can smile.

Hon. J. M. BERINSON: Will this Bill reduce the powers of the Legislative Council? Of course it will, and of course it should. This Bill will effectively remove the power of the Council to reject Supply, and Mr Masters went all but paralytic at that prospect. On the one hand, he said that to remove this power would undermine and destroy the Legislative Council; on the other hand he reminded us repeatedly that in the 95 years of the State's independence the Legislative Council has never once exercised that crucial veto power.

Mr Masters also did his best to give the impression that the Council never would exercise that power, although he was more than a little undermined by Hon. Vic Ferry who is a very honest man and said exactly the opposite. It is a little difficult to respond rationally to internal inconsistent arguments. If the power to veto Supply has never been used and it is not intended to be used, then the abolition of that power cannot involve any loss. On the other hand if, as I believe, the abolition of the veto power would represent a loss, the fact remains that upper Houses have shown an ample capacity to influence the course of events without that power or without its exercise.

The present power of the Legislative Council in this respect is highly objectionable because the rejection of Supply, as opposed to the rejection of any other Bill, is the only measure which can force a Government to an election from which the Legislative Council itself would be immune. While the present power remains, the position is that twice in every year the Government can be brought down at short notice by refusal of Supply. Moreover, even if returned by a resulting election, the Government would face an unchanged upper House which could repeat the process with impunity, in the absence of double dissolution provisions.

Even if this were a House elected on a decent, democratic principle, that should still be regarded as intolerable given the nature of the Assembly and the threat to the stability of Government which the prospect poses from a

practical point of view. All the more is that the case when this House is not elected on anything faintly resembling a democratic basis.

The other major reform this Bill would provide is a double dissolution process based on the Commonwealth provisions for the resolution of conflicts between Houses. Mr Masters also sees that as a move to undermine and destroy the Council. Strange that, because no-one I am aware of suggests that the Senate has been undermined or is heading for destruction. Despite the fact that all national parties have now pledged themselves not to attempt to block Supply in the Senate, it appears to me the Senate is alive and well and, if anything, more assertive and even more threatening than ever. The essential point is that the double dissolution process has the effect in the end of putting the issue to the people by way of an election. What the Opposition is saying basically with its intransigence on this and all reform measures is that the people cannot be trusted. Mr Masters' judgment, Mr Ferry's judgment, Mr Wells' judgment, and the judgment of their colleagues clearly in their view is to be preferred to the judgment of the people. Similarly with the Bill now before us.

Our own passage of this Bill would achieve nothing. To take effect it requires as well the support of the people by way of referendum. The Government is prepared to face that judgment and to abide by it, whatever its result. That is not only the democratic, but the decent course to take, and the challenge to the Opposition is to join us in that, rather than to keep running for cover.

The PRESIDENT: Order! I wish to remind honourable members that in order for the Bill to be given a second reading it requires the concurrence of an absolute majority. I will put the question and should there be a dissentient voice I will count the House. If an absolute majority of members present vote in favour of the Bill, the Bill will be passed. If there is a dissentient voice, the bells will be rung and a division taken.

Question put and a division taken with the following result—

Ayes 12

Hon. J. M. Berinson	Hon. Kay Hallahan
Hon. J. M. Brown	Hon. Robert Hetherington
Hon. D. K. Dans	Hon. Garry Kelly
Hon. Peter Dowding	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. Lyla Elliott	Hon. Fred McKenzie

(Teller)



Noes 18

Hon. C. J. Bell	Hon. N. F. Moore
Hon. V. J. Ferry	Hon. Neil Oliver
Hon. Tom Knight	Hon. P. G. Pandal
Hon. A. A. Lewis	Hon. I. G. Pratt
Hon. P. H. Lockyer	Hon. W. N. Stretch
Hon. G. C. MacKinnon	Hon. P. H. Wells
Hon. G. E. Masters	Hon. John Williams
Hon. Tom McNeil	Hon. D. J. Wordsworth
Hon. I. G. Medcalf	Hon. Margaret McAleer (Teller)

Question thus negatived.

Bill defeated.

## RESERVE (No. 36636) REVESTMENT BILL

### *Second Reading*

Debate resumed from 29 October.

**HON. V. J. FERRY** (South-West) [3.29 p.m.]: I support this measure. It is a relatively small Bill for a relatively small parcel of land. It concerns an area known as Star Swamp, discussion of which has been well ventilated in the public arena for quite a long time. The Opposition has no objection to the transfer of the land contained in this Bill.

**HON. GRAHAM EDWARDS** (North Metropolitan) [3.30 p.m.]: I support the Bill. It is another step towards eventually seeing the whole of the Star Swamp region vested in the City of Stirling and saved for passive recreation purposes. Once again, it is another example of how democratic our party is and an example of how we are prepared to pursue issues in the interests of all the people of this State.

I look forward to the time when the whole parcel of land is available to all people.

**HON. P. H. WELLS** (North Metropolitan) [3.31 p.m.]: I support the Bill. The community has been seeking this parcel of land for some time.

Hon. Graham Edwards: All you did was talk about it.

Hon. P. H. WELLS: I would like to put the record straight. The Australian Labor Party, prior to the last election, made a commitment to reserve this parcel of land. However, when it came to Government it found that maybe the commitment had been wrong and said it would not now provide the whole area.

Hon. Mark Nevill: What was your commitment?

Hon. P. H. WELLS: The Opposition made a commitment that, on return to government, the total area would be preserved.

Hon. Graham Edwards: In nine years in Government it did nothing.

Hon. S. M. Piantadosi interjected.

Hon. P. H. WELLS: I will be present when the Liberal Party is returned to Government. Bill Hassell, as leader of the party, made a commitment to the reservation of Star Swamp. Prior to that, Jim Clarko, over a number of years made strong recommendations to the Government.

Hon. Graham Edwards: And he could not get his party to accept it.

Hon. S. M. Piantadosi interjected.

Hon. P. H. WELLS: It appears that the new member who has not had much involvement with this matter is intent on interjecting. He wants to give me some advice. I do not mind Hon. Graham Edwards interjecting because he has been connected with the Star Swamp issue and has fought for its declaration as a reserve. Hon. Sam Piantadosi has done nothing. All he knows about is interjecting on matters about which he knows nothing.

The PRESIDENT: Order! All members will come to order.

Hon. P. H. WELLS: It is correct that representations were made to Ministers about how to save the whole area. When this Government came to office it experienced the same problems that had been experienced by the previous Government. Initially this Government said it would not save the whole area. I compliment Labor Party members who put pressure on the Ministers to reserve the land. I presume that the Ministers were told by their members that, if the area were not saved, the Liberal Party on return to office would save it and that the Labor Party would lose a lot of votes in the electorate.

I acknowledge Graham Edwards' contribution in this matter. The fact is that many Ministers did not understand the facts about this area when they came to office. However, they fell to the pressure that was exerted on them.

I support the Bill and I am glad the issue has been resolved. This is just the beginning of making certain that the whole area is preserved for the people.

**HON. D. K. DANS** (South Metropolitan—Leader of the House) [3.34 p.m.]: I thank members for their contributions supporting the Bill.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

*Third Reading*

Bill read a third time, on motion by Hon. D. K. Dans (Leader of the House), and passed.

**SKELETON WEED AND RESISTANT GRAIN INSECTS (ERADICATION FUNDS) AMENDMENT BILL**

*Second Reading*

Debate resumed from 22 October.

**HON. MARGARET McALEER** (Upper West) [3.37 p.m.]: The Opposition supports this Bill. The Bill is necessary to provide funds to combat skeleton weed. The fund has to be renewed every three years. At the same time, it represents a renewal of the farmers' commitment to provide funds to combat skeleton weed. The money involved for the individual farmers is not great; the amount of \$30 has been increased to \$41.50. Farmers also make a real commitment to combating skeleton weed through their own efforts by coming together every year for the last 11 years, as the House is aware, and scanning the paddocks where outbreaks have been discovered. The number of farmers involved and the continuation of their involvement over such a long period shows their total commitment to this work.

Questions have been raised in another place about the fact that there is continuing discontent among small farmers that a flat rate is to be levied for the fund. It is argued that smaller farmers should have to pay less money and that the levy should be applied on a sliding scale so that smaller farmers pay less. I have received no representations. However, I noted that the shadow Minister referred to his constituents being opposed to the large farmers of the northern area. I suppose he would have classified all my constituents as being large farmers and therefore worthy of being able to pay larger amounts. I understand that while there would be no great cost and no technical difficulty in changing the method of raising this levy, it could, in fact, constitute an excise and therefore would not be acceptable to the Commonwealth. Everybody has accepted that raising the level of the levy is not only necessary, but also quite desirable because it is the first time it has been raised in 11 years. While the levy amount is small, and therefore one cannot quarrel with it in that respect, it is just one of those ironical

and unlucky happenings in a year when farmers are already battling on every front that even such a small amount should be increased.

An important addition to the reason for the raising of this money has been to provide money also to combat insecticide resistant grain insects. While skeleton weed, had it got a go on, would have damaged farmers' crop operations and would have been an added cost to them, the threat posed by the insecticide resistant insect—

Hon. D. K. Dans: Weevils in the bins.

Hon. MARGARET McALEER: The threat posed by weevils in the bins is a much more serious one because it is a threat to our markets. It is a threat which, as all members know, is not experienced by many of our competitors in colder climates because a climate that has snow has no weevils. Therefore, it is a very special problem in Australia.

I understand that there have been at least a couple of outbreaks that have made it necessary to use the fund to hit certain districts with every possible insecticide that the department could lay its hands on in order to eradicate such weevils. It is a race against time between Co-operative Bulk Handling Ltd providing suitable substitutes in the way of its silos and the takeover of those insecticide resistant weevils.

Thus it is a tremendously important fund for the farmers of this State and we certainly support the Bill to continue the fund.

**HON. TOM McNEIL** (Upper West) [3.42 p.m.]: I rise to indicate my support for the legislation before the House. The legislation increases the levy on grain and seed producers from \$30 a year to \$41.50. There has been much conjecture in farming regions as to the justification for the smaller producer being hit for the same amount as the larger one. Perhaps the structure should be based on the same guidelines as the State fuel franchise levy under which an additional levy could be acquired on a permanent basis for each grower.

Notwithstanding that, as Hon. Margaret McAleer has said, we have an additional problem with the pesticide resistant insect. It is essential that the funding that goes forward from the fund also goes to help that problem. It is an ongoing problem faced by farmers year in and year out. This is now the fourth time that the Act is to be extended. It seems to bob up every three years.

Members were probably lucky that my colleague, Hon. Mick Gayfer, is not in the House today or we would hear about Co-operative Bulk Handling Ltd and what it is doing to eradicate insecticide resistant grain insects. Since he is not available at the moment, I point out that CBH, with its sealing programme and its programmes for controlled atmospheric techniques, is making a big contribution to solving the problem. I can put it over a lot more simply and with a lot fewer words than my loud-voiced friend.

Hon. D. K. Dans: Strong-voiced friend.

Hon. TOM McNEIL: Yes, than my strong-voiced friend.

The National Party has much pleasure in supporting the legislation.

HON. D. K. DANS (South Metropolitan—Leader of the House) [3.44 p.m.]: I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

*Sitting suspended from 3.45 to 4.00 p.m.*

*In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

### *Third Reading*

Bill read a third time, on motion by Hon. D. K. Dans (Leader of the House), and passed.

## **LOAN BILL**

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Minister for Budget Management), read a first time.

### *Second Reading*

HON. J. M. BERINSON (North Central Metropolitan—Minister for Budget Management) [4.04 p.m.]: I move—

That the Bill be now read a second time.

Each year through a measure such as this, authority is sought for the raising of loans to finance work as detailed in the General Loan Fund Estimates of Expenditure tabled on Thursday, 10 October 1985.

The main purpose of this Bill is to provide the borrowing authority for the raising of loans to help finance the State's capital works programme. This year the Bill seeks to provide borrowing authority for the raising of loans not

exceeding \$90 million for the purposes listed in the first schedule. The level of borrowing authority is determined after taking into account the unexpended balances of previous authorisations as at 30 June 1985. It is also necessary to have sufficient borrowing authority to enable those works of a continuing nature to be maintained for a period of up to six months after the close of the financial year. Details of the conditions of the various loan authorities are set out on pages 38 to 41 of the Loan Estimates. Information relating to the appropriation of loan repayments received in 1984-85 and the allocation of Commonwealth general purpose capital grants is also detailed.

As usual, loans will be arranged by the Commonwealth Government which acts for all States in raising new borrowings, conversions, renewals, and redemptions of existing loans.

As mentioned in the Budget speech, Western Australia has again nominated its total borrowing allocation to be advanced for housing this year. The terms and conditions applying to these new loan raisings have already been determined by agreement—that is, the funds are to be advanced for public housing at the concessional interest rate of 4.5 per cent and are repayable over 53 years.

Taking into account the unexpended balances of previous authorisations, Commonwealth general purpose capital grants, and reallocation of loan repayments, the borrowing authority of \$90 million now sought is sufficient to meet commitments pending passage of a similar measure next year.

For this year the Loan Council agreed to a total new money programme for the States of \$1 564.5 million, the same level in money terms as in 1984-85.

Since 1975-76 the Commonwealth Government has provided one-third of the State Government's programme as an interest free non-repayable grant, except in 1982 when a supplementary grant was made for public housing. This year the interest-free grant component has been increased by seven per cent with an offsetting reduction of 3.5 per cent in the loan portion of the programme. As a result, the 1985-86 State Government's new money programme comprises \$1 006.5 million borrowings and a \$558 million interest free general purpose capital grant. Western Australia's share of this programme consists of borrowings of \$93.132 million and a \$51.632 million capital grant.

In addition to seeking to provide the authority for loan raisings, the Bill also makes provision for an appropriation from the Consolidated Revenue Fund to meet interest payments and sinking fund contributions on loans raised under this and previous Loan Acts. It also seeks authority to allow the balances of previous authorisations no longer required to be reappropriated and applied to other items.

The second schedule sets out the amounts to be reappropriated and the Loan Acts which authorised the original appropriations. The amount of \$10 633 241 shown on page 41 of the Loan Estimates includes \$424 124 allocated from loan repayments and \$5 124 230 of Commonwealth capital grants. As loan repayments and Commonwealth capital grants do not require legislative authorisation, the amount to be reappropriated is reduced to \$5 084 887.

The items to which the funds are to be appropriated are set out in the third schedule.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. P. H. Lockyer.

### **AUTHORITY FOR INTELLECTUALLY HANDICAPPED PERSONS BILL**

#### *Second Reading*

Debate resumed from 22 October.

**HON. TOM KNIGHT** (South) [4.09 p.m.]: The Opposition supports the Bill. We consider it is long overdue action which will be applauded by parents with intellectually handicapped children and the people who care for those who have been afflicted with this handicap.

The Bill acknowledges that intellectually handicapped people have the same needs, and should have the same rights, as other citizens. This was stated by the Minister in his second reading speech, and he also said—

For instance, each intellectually handicapped person's capacity for development in all areas should be recognised and, as far as possible, this development should take place within the community and within community facilities. Within their individual capacity, each person should participate in decisions affecting him or her. Whatever care and protection is needed should restrict the person as little as possible. The integrity of each individual is acknowledged, as well as the rights and interests of family members.

I have a life-long friend who has an intellectually handicapped child. The trauma and the hardship that family have faced over the many years of raising that child have been demanding on the family as a whole, including the other children. This Bill will provide assistance in this direction. When one considers what this little boy has been able to achieve in later years, after he was originally considered unlikely to attain a mental capacity achieved by a primary school student, one cannot but admire the loving care and time given to him by his parents, who have helped and advised him and given him the necessary schooling to allow for a good deal of development. He is a physically perfect young man and indeed holds down a job and lives in a unit his father has provided adjoining the family home. He looks after himself now.

So when we consider what can be done by caring parents we should all commend people like these who go out of their way to assist their children. Of course some are not physically or financially able to do so and within the community we have underprivileged people with intellectually handicapped children who are unable to do much to help them themselves. Some people give up the fight and place such children in an institution so that the Government can look after them.

This legislation goes a long way towards assisting these people and bringing their plight to the public's attention. Therefore the Opposition supports the Bill. It certainly has my total support.

**HON. D. K. DANS** (South Metropolitan—Leader of the House) [4.12 p.m.]: I thank the Opposition for its support of the Bill. I am very grateful for Hon. Tom Knight's remarks because we all have to accept that Bills such as this are designed to assist. They are not party political.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Deputy Chairman of Committees (Hon. P. H. Lockyer) in the Chair, Hon. D. K. Dans (Leader of the House) in charge of the Bill.

#### **Clause 1: Short title—**

Hon. G. C. MacKINNON: The proposition that we should have a separate organisation for the care of intellectually handicapped children—perhaps I should say people but I will stick with children—has been on the cards for at least 20 years. The theory is that the Mental

Health Services should look after those people who are mentally ill, those people who are, in theory, capable of being cured, although they may have to live until they are 150 years of age; but they are capable of being cured.

A mentally handicapped child cannot have his disability cured. He may be able-bodied but he cannot be cured. Just like a person who has lost a limb, that person can be cared for and assisted but that limb will not grow back.

Over the years the Mental Health Services has been responsible for the care of intellectually handicapped children in all their different grades. The department has been under the control of a number of Directors of Mental Health who have shouldered the burden of caring for these people. Gradually the children have been moved out to places like Claremont and Pyrton, and I am very pleased to have been responsible for the establishment of Pyrton. We have had some very excellent people in command, and in my time the most notable one was Dr Guy Hamilton.

This State owes a tremendous debt to the Mental Health Services and its officers who have handled the administration and care of mentally handicapped people. We owe a great debt to associations such as Irrabena Centre and other associations of people who have cared for Down's syndrome sufferers and a whole host of others with mental handicaps. We have had many voluntary associations which have assisted wonderfully.

I probably had a closer relationship than any other member here with Tom Burke, the present Premier's father. He was President of the Slow Learning Children's Group of WA, and we were able to rearrange the financing of what was and still is a very costly proposition. I have taken this opportunity to rise simply to express a very real appreciation for all these people.

Probably I am the only one here in a position to know the sorts of work, the care and attention, given far beyond the call of duty by many people in the Mental Health Services, sometimes under conditions that I find difficult to comprehend. I found it difficult to go around and visit all the centres at least once a year. Many of these children are untrained in every sense of the word and are able to tax the patience and training of many people. If we are able to toilet-train even one of them there is a great saving of money and time.

Again, the work these officers put in deserves that someone write a book about them. Not only the parents of the handicapped people but also all the people of the State owe so much to the work done by these officers. We owe them a deep debt of gratitude. It always amazes me that we never have any trouble finding these people. In our community we have an amazing number of people who seem to get their gratification not from the money they earn but from being needed and being able to show affection and care for these people. I know from my incumbency as Minister for Health in past years that we owe these people a great deal and that we should be eternally grateful to them.

Clause put and passed.

Clauses 2 to 49 put and passed.

Schedule put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by Hon. D. K. Dans (Leader of the House), and passed.

### **ACTS AMENDMENT (AUTHORITY FOR INTELLECTUALLY HANDICAPPED PERSONS) BILL**

#### *Second Reading*

Debate resumed from 22 October.

**HON. TOM KNIGHT** (South) [4.20 p.m.]: As members would be aware, this Bill is complementary to and arises from the Authority for Intellectually Handicapped Persons Bill. It is necessary for this to be passed to complement that first Bill, and the Opposition supports the measure.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by Hon. D. K. Dans (Leader of the House), and passed.

# **ACTS AMENDMENT (AMERICA'S CUP DEFENCE AND SPECIAL EVENTS) BILL**

## *Second Reading*

**HON. D. K. DANS** (South Metropolitan—Minister for Racing and Gaming) [4.24 p.m.]: I move—

That the Bill be now read a second time.

The America's Cup yacht races and the associated elimination series of races, together with the world 12-metre championships, are by any definition major sporting and social events of worldwide significance and importance. The impact on our community will be substantial. Provision is being made in a wide variety of ways to meet the needs and expectations of local people and visitors alike.

It is anticipated during the America's Cup period from October 1986 to February 1987 that some 1.2 million tourists will visit Perth, of whom 46 per cent, or 552 600, will come to Perth and Western Australia specifically to witness the elimination races and eventual defence.

The Government is of the view, therefore, that appropriate and sensible measures need to be taken to minimise any obstacles that could frustrate the success of these events. One method in which the Government can assist is to have the legislative machinery available to set aside, for a temporary period, certain laws and regulations that may have an inhibiting or detracting effect on the overall success of the America's Cup and its associated events.

The America's Cup Office, together with working parties from a wide range of departments and authorities, has been examining these matters and has identified a number of areas where existing laws and regulations could prevent or delay sensible provisions being made. Rather than seeking to bring before the House a whole series of Bills proposing amendments to separate Acts, it is considered appropriate to follow a practice adopted in other States and introduce a special Bill that seeks to amend a number of separate Acts for a limited period.

This is such a Bill. Its purpose is to amend specified Acts in order that certain activities may be carried out in connection with or incidental to the holding of the world 12-metre yacht championships and the America's Cup race. Specified Acts will be amended by inclusion of special sections and subsections in this Act. These sections and subsections will permit the existing authorities to modify or remove certain restrictions or conditions which

may inhibit or hinder the smooth running or enjoyment of the world 12-metre championships and the America's Cup yacht race.

This Act will not repeal any existing law or regulation. The provisions of the various Acts will remain in force. It simply provides an opportunity to modify or override those provisions or requirements should the appropriate authority decide it is desirable and/or necessary.

It is important for the House to understand that this special Act will expire on 30 June 1987, and there are no provisions contained within the Bill that will allow the Act to continue beyond that date. Within the life of the Act, provision has been made for the separate sections to commence and cease by proclamation.

The various Acts this Bill seeks to amend are—

- The Lotteries (Control) Act 1954;
- The Liquor Act 1974;
- The Medical Act 1894;
- The Nurses Act 1968;
- The Physiotherapists Act 1950; and
- The Chiropractors Act 1964.

The Lotteries (Control) Act amendment will allow the Lotteries Commission to run a continuous Instant Lottery for the period January 1986 until June 1987 in the form of an "America's Cup Instant Lottery". The disposable funds generated by this lottery will be paid into a special account within Consolidated Revenue and can be used by the Government to assist in meeting costs associated with the defence of the America's Cup. The present Lotteries (Control) Act does not permit funds being used in this manner.

The amendments to the Liquor Act give power to the appropriate Minister to change or modify any or all of the conditions appertaining to a liquor licence or permit, providing the Minister is of the opinion that such changes or modifications would facilitate the provision of a service during or in connection with the world 12-metre championships and/or the America's Cup yacht race. Some of the changes that may be appropriate but are prohibited under the current Act are—

- Extension of licensing hours beyond certain times;
- sale of liquor on unlicensed premises—for example, a charter vessel;

serving and consumption of liquor at sidewalk restaurants; and

lifting of membership requirements at licensed clubs.

The powers given to the Minister under the Bill are very wide and obviously will be exercised with a great deal of care and commonsense. This Bill is not about allowing the unrestricted sale of liquor by all and sundry; it is about creating machinery to free up the liquor trading laws in order that international tastes, customs, and practices may be enjoyed in Western Australia by our visitors and residents.

The amendment relating to the various health Acts—the Medical Act, the Nurses Act, the Physiotherapists Act, and the Chiropractors Act—will for the specified period allow properly and lawfully qualified practitioners the right to practise their profession on members of their own national teams without having to become registered under the existing laws of Western Australia.

It is considered desirable that the Bill be brought on now in order that the provisions be introduced and tested during the world 12-metre championships, due to be held in January and February next year. During that period it is expected that valuable experience will be gained in good time for the America's Cup races. It could well be that, in the light of the world 12-metre experience, further modification of these and other Acts may be necessary.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

## MEDICAL AMENDMENT BILL

### *Second Reading*

Debate resumed from 29 October.

**HON. JOHN WILLIAMS** (Metropolitan) [4.28 p.m.]: If one examines the title of this Bill, one finds a clue as to why it is here for amendment. It is a Bill to amend the Medical Act of 1894, which is probably a little before the time Hon. Graham MacKinnon took up the office of Minister for Health.

The Leader of the House, in introducing this Bill, mentioned that it was a response to an election promise, and this indeed is what it is. It is a question of now putting consumer interest into the medical scene—a process which would have been resisted strongly by the

medical profession even 10 years ago. However, I cannot let it go by without making a couple of remarks.

When the Bill was introduced into the other place, the Minister gave the impression that he had a close association with the Australian Medical Association. That was not precisely true. It was nearly true, because contact had been established, but it was not until the Opposition had put some amendments on the Notice Paper that the Minister and his officers had any meaningful dialogue with the AMA in regard to the amendments that have been made. The Bill that is now before the House is that amended Bill.

I have no hesitation in saying to my colleagues that I recommend they support this Bill. It is recommended because it is something that is appreciated by this side of the House and, certainly, it is a Bill which has the blessing of the medical profession as a progressive Bill. The Opposition has a policy of not hindering the Government in its election policies.

I support the second reading.

Question put and passed.

Bill read a second time.

### *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

### *Third Reading*

Bill read a third time, on motion by Hon. D. K. Dans (Leader of the House), and passed.

## APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

### *Consideration of Tabled Paper*

Debate resumed from 23 October.

**HON. G. C. MacKINNON** (South-West) [4.33 p.m.]: I take this opportunity to say a few words on a matter dear to my heart. When one looks at the Budget one will see that it is in excess of \$3 billion. As recently as 15 years ago the record Budget of the day was just over \$270 million. It is a tremendous increase and is indicative of the almost unbelievable progress that has been made in this State. Nevertheless it does not give us the right to cast aside the opportunities of trade for what I believe to be bad reasons. The thing that sparked my interest was an article in the paper the other day which was headed, "Shipping line risk in trade bans", and read as follows—

A VITAL million-dollar shipping route will be lost to WA if the Federal Government imposes severe sanctions on trade with South Africa.

Two ships, the Sahocean Mildura and the Sahocean Nederburg, are almost exclusively devoted to trade between Australia and southern Africa. Most of it is between WA and South Africa.

Naturally, because we are the closest country to South Africa. The article continued—

Total exports from WA to South Africa last financial year amounted to almost \$97 million, while imports were only \$19 million.

Such a trade we can ill-afford to lose because trade money means jobs.

I want to speak about what I consider to be the bad approach we are taking to the problems in South Africa. I noticed this week that for whatever reason the Right Honourable Malcolm Fraser has been appointed to a special committee employed to resolve discordance with the Republic of South Africa. I am not impressed with Mr Fraser's attitude.

First, I should state my qualifications which allow me to speak on this subject. After five visits to South Africa I have listened to many people talking about that nation with great interest and to say that many of them know little about the people or the land would be the understatement of the age.

Hon. Peter Dowding: Do you know how many people have been hanged in South Africa this year—87?

Hon. G. C. MacKINNON: I will advise Mr Dowding why people are hanged in South Africa and New Guinea without any difficulty at all. Lawyers in that country, when appointed as judges, are conscious that they were appointed by the Government; but it takes only three months before they begin to believe that God anointed them and put them there.

Very frequently in countries like New Guinea, South Africa and the like, hangings are carried out because if the people concerned were let loose on society they would be killed by whoever is part of the deal.

Hon. Peter Dowding: It is a kindness to them!

Hon. G. C. MacKINNON: It is purely and simply an agreement with the tribe from which they came.

Hon. Peter Dowding: Rubbish!

Hon. G. C. MacKINNON: I will not ask how many times Hon. Peter Dowding has been to South Africa or how many discussions he has had with people from that nation.

Many of the assumptions made are at best stupid and at worst are a darn sight more dangerous. There are many reasons that we should be more closely associated with the republic. The only exchange between that country and Australia has been in connection with fisheries. South Africa and Australia are the biggest producers of rock lobster. However, South Africa has problems with reafforestation, fire control and many other things, which are identical to the problems experienced in Australia. However, we send members of Parliament and Ministers around the world to try to learn what other countries are doing. We send them to the United Kingdom where everything is so different from Australia that it is a waste of time and money. We do not send them to countries which have similarities to ours.

I have visited South Africa often enough to have made good friends with many people from that country. During the last three or four years I have entertained many visitors from South Africa and have shown them around the State. In that way, I am still in touch with South Africa on a fairly regular basis. Very few of the people to whom I have spoken have gone to the trouble to define the problems before determining the solutions. Some of the most studious people to whom I have spoken during several visits to South Africa have said that the real plague of Africa is tribalism. We should try to understand what is meant by tribalism.

Members might say that everyone knows to what tribe or race he belongs—it may be Italian, Scot, Greek or whatever. In South Africa this becomes more of an issue than virtually anywhere else in the world. The tribes of South Africa are like the clans in Scotland were in the old days; that is, close-knit organisations which were literally at war with one another.

Members are aware of the peculiar phenomenon of the African continent with its one-party Parliaments which are an offshoot of tribalism.

A few years ago we were all shocked with the behaviour of Idi Amin in Uganda. I have visited Uganda which was taken over by a new leader who was supposed to be infinitely better than Idi Amin. What happened was that another group was killed because of the change in tribal control.



I have also been to Nigeria and seen what happened in that country; and purely and simply it was due to the different tribes.

There are some places in Rhodesia, now Zimbabwe, where there are two major tribes and if one is in power the other is out. We have seen the leader of the Matabele having to leave the country because he was in danger.

However, there are many people who do not even bother to question why from virtually one end to the other of the continent of Africa, there are one-party Governments.

Nor have we asked very often why other nations, quick to condemn such customs in other places, have accepted this peculiarity in Africa. The reason is tribalism. At present it is quite impossible to get a Matabele to last for long in the company of a Shona, a Zulu, a Sotha, or anyone else.

Soweto is a city built to house the miners. Miners are not drawn from the tribes of the Republic of South Africa because very few of those people will go underground as a result of their fear and superstitions. The miners are drawn from the northern tribes. They are a mixed group and long before the present troubles started there was an average of six murders in that town every week. I have been to the Baragwanath Hospital, situated between Johannesburg and Pretoria, which services Soweto. It was almost essential for anyone visiting Johannesburg or Pretoria to see the dancing that took place in Soweto.

The town is monotonous indeed; all the houses are similar, but then all the houses from one end of the republic to the other are similar. The Zulus all build exactly the same houses; little round kraals, woven with reeds. The other tribes build little rondavels which are round mud houses. Those houses are vacated if anyone dies in them. It is not unusual for the tribespeople to all live in the same type of house.

Baragwanath Hospital is the best hospital in Africa for treating working people. It has 10 operating theatres working all the time; it is staffed by very well-trained Bantu nurses and matrons, and it had only one or two white matrons when I was there. Any doctor who needs to be trained goes to Baragwanath Hospital.

The study of the development of the other nation States to the north of the republic—and they are almost universally one-party systems—is a study in itself. However, I do not

intend to comment on that at all. I want to concentrate on the Republic of South Africa and I will stick to that subject.

Nobody likes the philosophy behind apartheid.

Hon. Peter Dowding: Except the South African Government.

Hon. G. C. MacKINNON: Funnily enough, I do not believe that the Government likes it much either.

Hon. Peter Dowding: And the right-wing people who have just been elected.

Hon. G. C. MacKINNON: I have spoken to a senior Cabinet Minister and Cabinet Ministers and I have been entertained by them. I have been to their No. 7 Club, which is the most prestigious club there, and I have been escorted around South Africa. I was the first Cabinet Minister from a Commonwealth of Nations' country to visit South Africa after it became a republic and I stayed there for three weeks. So far as I was concerned, I was able to go wherever I wanted. I was entertained at the military training depot, and subsequently some years later spent two weeks in one hospital with pneumonia, pleurisy, and altitude sickness. Therefore, I know about the system from all angles.

Everyone not from South Africa condemns apartheid, and all sorts of punishments have been suggested for the Afrikaners, punishments which are supposed to force them to change their ideas. I hope to convince even one or two people in this House that none of those proposals will succeed; the solution to the problems in South Africa is not the cessation of apartheid. Because of the nature of the people, the solution will have to be a continuation and expansion of separate development to a logical conclusion. Members might ask why, and I will tell them.

It is not accidental that virtually all the people killed to date have been black or coloured. One has only to drive to the rural areas, north, south, east, and west of the country, to observe the Bantu tribesmen walking along the road. It is rare indeed to find a Bantu without his fighting sticks; one short stout stick and a long thin stick, and a length of blanket around his waist. The moment that Bantu sees an adversary, who may well look the same as he does because genetically he will be almost identical and may even speak the same language, but who is from a different tribe—and they all recognise the differences—he will take one stick, wrap his blanket

around it for a shield, and use the other stick with which to fight. The Bantu do not go out on Saturday nights without carrying their motorbike spokes as weapons. It is very much like the pay-back argument which causes negro riots and which we saw in the race riots in England recently.

Hon. Peter Dowding: That is why the police have been shooting them, is it?

Hon. G. C. MacKINNON: Half the police force are black anyway, and they are paying back the other citizens.

Let me say something about the employment of policemen. When I was in South Africa I stayed at the guest house at Witwatersrand. The guest house is kept by the Government to accommodate guests in the country. The American diplomat, Mr Kissinger, was a guest there before I arrived. Mr Michell, the man who ran the guest house, was immensely intrigued by the behaviour, because there was so much security that everybody walked in and out in a state of confusion. It was a magnificent place, but when the manager wanted staff he could not arrange their employment as we might do. He had to go to a tribal village, talk to the elders, and secure all employees from the one tribe. In Durban and Natal it is usual to find Zulus working in the hotels; they will not wash up at home, but will do so in the hotels.

It was no use employing women from one tribe and men from another because if that was done, the men from the women's tribe would murder the men of the other tribe because they would believe that improper activities were taking place. Those running a police force in a Matabele area would have to go to get Zulus or another tribe to guard property because if Matabele police were employed to keep Matabeles out the things being guarded would be lost on the first night—such is tribalism.

I know that other people in this place have been to South Africa and understand the situation. I can remember talking to member after member over the years and they understand the situation. It must be borne in mind that in the main these are fighting people. The Zulus have an incredible history.

The history of the Zulus is an incredible one. It makes fascinating reading. The first leader was Dingiswayo. He ruled for a period and brought the Zulus to some notice. When he died his place was taken by Shaka.

These people developed a small empire for people who could not read or write and they used a language which was extremely difficult to shout over any distance, yet they were able to convey messages from one end of their domain to the other with bewildering speed.

They developed a regimented system involving women, cows, men and boys. The moment the boys became mature enough to be circumcised and put into a military group they joined the battalions. They married the girls of the battalions to whom they were allotted. Their cattle were graded. Cattle represent wealth in Africa.

They absorbed every tribe they overran. They did it by the simple method of an absolutely inflexible discipline. The assegai, the original spear of the Zulus, is a long-handled spear which was thrown from 20, 30 or 40 metres. After this everyone ran away from each other and came back the next day.

Shaka thought of a brilliant idea and chopped off the handle of the assegai, developing a throwing weapon into a stabbing one.

Everyone was trained in running so that they could out-run most of their enemies. They overran the country as they moved south. Shaka was even more successful for a while, but gradually he was overrun by the Boers and the British until Dingane took over, and under him the empire was broken up.

Anyone who does not believe these people are still fighting their wars should spend a Friday or Saturday evening in the Baragwaneth hospital. The people fabricate a weapon from a motor bike spoke. There is a metal bit which goes into the head which is filed to a point. They use a wooden knob and secrete it somewhere in their clothing.

Imagine the difficulties faced by the doctors in Baragwaneth hospital with people with half a dozen holes in them! They do not go after white men, they go after Indians if they are around, or Cape Coloureds if they are not—or some other tribe. Baragwaneth is an exceptionally good hospital.

To return to tribalism, there must be something endemic in the history of that country, because tribalism has spread even to the Afrikaners. It is to some extent evident in the so-called "Brits". These are the English speakers. I suppose that the Boers needed an identification over the centuries and they have been welded into a tight group. They are in every sense of the word a white tribe of Africa.

The more intelligent of the Bantu leaders accept the proposition they are the white tribe of Africa.

Where else can these people go? They are not Dutch. Many of them are French Huguenot. Many are Scottish. They are certainly almost all Dutch Reformed Church Christians. They are a very fundamental bunch. By their own definition they are white people who speak Afrikaans in the home. That is the only definition one can use.

I remember speaking to a fellow by the name of Erik van Brandenburg. He was taking me from Natal to Elizabethville. I said, "I suppose you are a Boer." He nearly threw me out of the car. He said, "I am British. I am a Brit." His grandfather had gone to England and stayed a while and then they had moved to South Africa. They spoke English in the home. That is about the only way one can tell.

I spend a day with the du Toits. They are French Huguenots. I was entertained at Loskop Dam. I was given a present of a Rhodesian copper liqueur set by a Bill McPherson—a Scot, I thought; but he was a Boer. His mother and family spoke Afrikaans at home.

Where do they go? The language, I suppose, is more akin to Flemish than to anything else. I am not sure where the Flemish people live any more, it is so long ago that they left. They speak Afrikaans at home. They speak English with a guttural accent which we can all recognise. Instead of saying "Don't park my car in the garage" they say, "Don't pork my cor in the grudge." It is that sort of accent. They almost all speak one of the Bantu dialects.

As I said before, this suggestion is not the answer, because everywhere else in Africa, whoever has won the election has formed the Government and expelled the Opposition. People who talk about democracy simply do not look at the facts.

A Government member: What about Malcolm Fraser?

Hon. G. C. MacKINNON: Malcolm Fraser is wrong. He will lead to a bigger bloodbath than ever.

The population of the tribes is recorded. There are 2.5 million Xhosa. There are 6.2 million Zulu. They are a very strong-minded people. Anyone who does not believe that should read some of their history, or go to Natal and look at them. There are 932 000 Swazi; South Ndebele, 428 000; North Ndebele, 290 000. The fact there are North and South Ndebele does not alter the fact that they

hate each other. There are 1.4 million Tswana; over one million Shangaan; 209 000 Venda; and 117 000 others.

That does not include the Botswanas, and those from the Transkei and the Siskei, all of whom are separate tribes.

If there were an election the Zulus would win. They are more united than died-in-the-wool Labor or Liberal members. All members of Parliament would be Zulu. If they were not predominant in some places—there are not many Zulus in Cape Town—there would be none represented. There is none in Hout Bay; they do not like diving. Hout Bay is one of the centres of the crayfishing industry. I have been there, too.

If the Zulus had control of the Government there would be no Opposition. They are not going to sit back and have discussions and discourses with the Swazi or the Ndebele or anyone else. The system will not work. One can talk as much as one likes about it, it will not work. I am telling members it will not work.

What I found more objectionable in South Africa was the Broedebond, which I think is most objectionable. I told them so.

The Boers have so frozen out the Brits that one does not find anything named after them: The Jan Smuts Aerodrome and the Strijdom tunnel. Everything is named after one of the Boers. One is extremely lucky to find anything named after even one Briton, although the Brits did a lot there naturally.

Hon. Garry Kelly: Would you say the present system is working?

Hon. G. C. MacKINNON: The present system was working when I was there last. There are people who are happy and those who are unhappy. It is working to this extent: Thousands of illegal migrants stream over the border from every other province surrounding South Africa to get into the place to work. There are 30 000 people a year entering South Africa so there is no shortage of people willing to go into Johannesburg. Other States around the area almost live on it because the labourers who work in Johannesburg—the workers from Soweto—are not paid their full wages. They get paid a proportion, and the rest of their pay goes back to their Governments in gold. The other Governments make a profit on that gold and pay the expatriate labourers when they return from Soweto to their particular countries. Very few of them are South African Bantu. Bantu is a pretty general term describing most of the

blacks. They are quite different from the American negro. The American negro slaves came from Guyana. They were slaves so they are bigger, blacker, and stronger—a different negro.

Hon. Garry Kelly: If you were a black in South Africa would you feel obliged to—

Hon. G. C. MacKINNON: I am not a black in South Africa; I am a white in Australia, but I obey the law. My great great grandfather, John MacKinnon, was put out of Scotland at a clearing of the clans, so he was not in a much better position. I think he was given 80 acres of land on the outskirts of Melbourne, £10 and a free trip for he and his family on a sailing boat which was so damned slow that there were 50 more people on board when they arrived, despite the death rate. They were a fairly fecund people. That is why we have taken over Australia, or if it had not been for the Irish we would have taken over Australia! All sorts of peoples have had their difficulties.

I have seen black men in Johannesburg driving great big Cadillac limousines and smoking cigars. When I asked who they were, I was told that they were perfectly free citizens, driving around in their own motor cars. There are Bantu builders who erected houses for other Bantus. There are some very wealthy coloured people. Most of the Bantu people are jealous of the Indians who are mostly settled in Durban. The Indians have a pretty rough time if they are caught out by the Zulus after dark. Many of the Indians are millionaires. To realise this one only has to go to Indian Hill, the suburb where most of the Indian medicos live. The homes there are magnificent. It is like driving around Peppermint Grove or Dalkeith. They are very wealthy people.

Some of the Cape Coloureds have succeeded, but not many. I was there when Irwin and Johnson brought in three ships loaded to the gunnels with fish. I think there was about 900 tonne of fish and 900 coloureds turned up for work when the whistle blew at the factory. There were 900 the first day and just under 900 the second day. By the fifth day they were down to 400 workers because they were paid on a daily basis. That is not unusual for coloured people. One finds exactly the same situation when one employs Aboriginal shearers in Kalgoorlie. When we were bringing a lot of sheep across the Nullabor, the Aborigines were paid by the day and by the third day there was practically no-one left. They make money and they disappear. Members cannot tell me that I am not telling the truth because my brother-in-

law ran that operation for most of the time. I have sat on the fence and watched him trying to collect his labour. I know what I am talking about.

This problem exists not only in that part of the world. There are not very many wealthy coloured people, but there are a great number of very wealthy and successful blacks in South Africa. The Bantu who come into South Africa to work and earn money to send home to keep their families are frequently desperate. Their own countries have nothing for them.

I think there is at least one other member in this House who has been to Nairobi. The main city of Nairobi is about the equivalent of one of our city blocks. One could not walk around that block for the width of this Parliament House without passing a cripple begging, a shoe-shine boy, or a prostitute. It is no good kicking them off the street because those spots are prized, and on looking at the cripples, I would be amazed if that crippling was natural. A fair amount of that crippling has been added to in order to increase their worth. Things are tough.

One can drive from Nairobi, as I have done, to Kilimanjaro and Amboseli Park. Wherever there is a crossroad there are shoppers trying to sell things—from lion's teeth to lion's claws, and all sorts of carved stuff. They are trying to make a living. A living is subsistence there. Members must bear in mind that they have multiple marriages. As soon as they earn some cattle they breed from them do not eat them. Cattle mean wealth, so they hang on to them because they can buy wives with them.

I am constantly amazed that women rail about apartheid and join demonstrations about it, but do not demonstrate about the treatment of women in that country. It is something one has to see to believe. I will come back to that point in a moment.

If war broke out—there are trained battalions of blacks, Bantu, and Indians—to the best of my knowledge the South Africans have not yet been able to train battalions of Cape Coloureds, but they may well have done so. I am quite sure that most people who have studied the country would believe that if a major conflict broke out the Indians would suffer first. The smaller tribes would come next, and possibly the whites would be well down the scale.

Members might ask how can separation be extended. It is currently being considered in that unhappy republic. The republic can afford many things. It can afford all sorts of schools.

Indeed, I have a list of universities and it is interesting to look at. The University of South Africa is a correspondence university. There is a multi-racial and multi-lingual university in Pretoria. It is a big building that looks like a dirigible about to take off. It is built into the side of the hill and zooms out overlooking Pretoria. The University of Western Cape caters for coloureds, whites, and Indians, and blacks under special conditions. There is the University of Zululand for the Zulus and some Swazis with whom they get on. There is the Indian University at Durban which is all-Indian although it was open to some whites in 1978. There is the University of Fort Hare founded in 1916—Asota. There is the Medical University of South Africa for Bantus. There is a University of North Pietersburg for Tsonga, Sotho, Venda and Tswana; and the University of Orange Free State for Afrikaners.

I have been to several of the universities. I know they are there, and it is not a matter of saying they are not there. We are talking about separation. They have the people who can govern and fill the different positions. The suggestion they came up with is that the Bantu has now accepted that there is not just the tribes I have read out, but there is a white tribe of Africa.

The suggestion is that the country should be redivided. I suppose it could be divided whichever way one likes. There would probably be some conflict about it. I am not saying there would not be a war. I am saying that the way that Malcolm Fraser, Bob Hawke, and those who talk about sanctions are going will lead to an unending conflict which will finish up with one particular group in power, exactly the same as now. It will not solve the problem. South Africa will have the same problem all over again.

Hon. G. E. Masters: Slaughter!

Hon. G. C. MacKINNON: There will be slaughter. There may not be conflict if the country follows the proposal of some thoughtful people who are suggesting that because the Boers started in Capetown they should go back to Cape Province. That is a lovely province, very like the south-west corner of this State and with a climate almost identical to that of Bunbury. Now we have developed the Margaret River area we have almost the same sort of crops. There are crayfish in the ocean; they have more fish than we do. The Paarl Valley in South Africa produces beautiful wines, and I have been over those vineyards.

There is the fauna assegai-bush and all those fauna reserves. I refer to the tremendous work they are doing there in developing species to restock the wild species which are being slaughtered by poachers in the other republics of Africa. I saw at one site that they were breeding pygmy hippopotami. If the tribes in the north get one of those animals it ends up in the cooking pot; it is barbecued. The South Africans are replacing them in the wild at a cost of R1 000 per head.

The British would probably have to arrange with the Zulus to remain around Durban in the Natal. It is a rich sugar growing area, and although it is not very distant from the Cape such is the effect of the ocean and the very warm current which runs up the east coast of Africa that Durban has almost the same climate as Queensland—warm and muggy, with a lot of sharks in the waters. Shark control there is run by a lady called Beulah Davies who nets the sharks and makes it possible to swim at the rich tourist resort beaches at Durban. One could not swim at the beaches off Cape Town because it is too cold, but at Durban the water is warm.

It is suggested that Johannesburg should be an open area where the small-l liberals like Oppenheimer and the successful Jews of Pretoria—and there are a large number of them—would assist the tribes to continue to operate the mines.

I am suggesting—I am a lonely voice I admit, but many people who know Africa would agree—that this is the only way towards a solution of the country's problems. The imposition of sanctions and demands for votes will lead to nothing but the wildest form of bloodshed. If Russia steps in, as it undoubtedly would, probably through Cuba as in Angola, and supplies any of the major tribes—the best would be the Zulu—with reasonable arms, they would control the country. There would be a one-people Government with exactly the same philosophical situation as exists now. They would not live in peace with the Indians and the Cape Coloureds; they are not prepared to do that. There is no indication that they are prepared to do that anywhere in the length and breadth of the African continent.

No white race on earth should have more interest in this problem than we in Western Australia. We look out over the Indian Ocean to the only white people, the Afrikaners. Whether one likes it or not, if one went there he would find there is very little difference between them and the country people of this land.

If one goes to the wheat-belt areas one would see the people are not very different except for the rather guttural tones of their voices. They even have the same sort of narrow-mindedness, if you like, and the same sort of fundamental approach of people in many country areas here. I point out I was born and bred in the country.

I am suggesting there are other solutions to the problem and the most likely is that the Boers would return to the Cape where they started. When the Boers started out from the Cape the only blacks there were Hottentots and Bushmen. There were no Bantu anywhere in Cape Province when the whites first arrived. I am suggesting that the same arrangement would have to be made between the British, the Zulus and the Indians for all to live in Natal. The Johannesburg area with the gold and diamond mining would be for the Oppenheims and the others and could be regarded as an open area. That sort of approach ought to be taken. The British and the Dutch have been there for a long time but there are still problems. Nobody likes living in fear, and most people in South Africa live in some degree of fear whether they admit it or not. One only has to drive through the suburbs to see the signs—the security guards, guard dogs, signs saying “This fence is electrified”. Of course there is fear. The British have been ruling for a long time in many parts of the world and they should have been able to effect some changes, but those changes seem to be very thin on the surface.

We are taught that a lot of wars are fought for freedom or because of some supposed insult. A tremendous number of tribal wars in Africa have been fought over beliefs, not the least of which has been the absolutely shocking habit which exists in many parts of Africa of female circumcision or clitoridectomy.

I understand there was a television programme on one of the local channels on this subject the other night. They are still performing this ritual function in parts of Africa. They believe that the removal of all the inside of the female labia, including the clitoris, renders their women less sensual. The old grandmothers claim that if the daughters remain entire they will become prostitutes and have all the sexual feelings, and go from man to man. People in Nairobi say that all the Kikuyu wars were fought over that problem. The British wanted to stop it and they were quite successful, but the moment the whites left the old ritual came back because it is one of the things they believe in.

Yet women in this country, as I said in a previous matter, parade up and down the streets but never join together to send groups over there to teach these people not to perform these barbaric acts. I will not pursue the matter, Mr President. I know what a tender heart you have and how these matters upset you. Suffice to say that many of the conflicts in this country occur because people have quite strange beliefs. Their conflicts are over matters almost beyond our ken. One would think that everybody would be so anxious to avoid such practices that they would jump at the chance to go there.

I am told, and I have seen evidence of the fact, that far from that being the case, these people fight tooth and nail to retain the right to perform these operations. It would not be so bad if they could find decent doctors to carry out these operations. Of course, no properly-trained doctor would perform these operations, and so they are done by storytellers and witchdoctors, under shocking conditions, leaving scar tissue which renders normal birth for these women very difficult indeed. That is why something over 40 per cent of births in the Soweto hospital are not natural births; they are caesarean sections. These things happen.

People have said to me what terrible practices go on in these hospitals. They say that, if a woman has a child during the night, she is sent home the next day. It is tribal custom in that area for the husband, when he comes home, to have the child put in his arms. The woman goes back to Soweto, in which there are a number of clinics, and friends come in to help her. She does nothing for the next month or so. However, she has to be home for the husband to accept the baby according to custom.

I was quite distressed at the bedside of an old man who gave me the impression that he would not last long. I was told that he was being discharged in half an hour. I was told that the custom was that he be at home surrounded by his friends and sons, if he had any, who would see him off to the next world. I have had people tell me how harsh and how unconscionable these people are; they are not.

Despite constant suppression of the terrible practice of female circumcision or clitoridectomy, this still takes place. Why more Western women do not take a stand about this, rather than about apartheid, I will never know. The subjugation of women by most black tribes is infamous. Women go through multiple marriages and have numerous children. The job differentiation is extreme.

I could entertain the House for some time talking about the difficulties that the authorities have in getting some of the Bantu settlements to grow enough maize. The Zulus are grain growers; they have been grain growers since time immemorial. They are also herders of cattle but they were grain growers and grain eaters. The women grow the grain and the men guard the kraal and do the hunting. If they have a good crop it is put into a rondavel and everybody stops work. It is difficult to get the man to do any work around the home. He will work for a boss and wash floors and wash dishes, but he will not work around the home.

I believe that Mr Hawke encountered difficulties with the Prime Minister of the United Kingdom because Mrs Thatcher is well aware of the deep-seated difficulties which Africa faces. She probably has no particular love for the Afrikaners or for their Government.

Hon. Garry Kelly: What about the British investments there?

Hon. G. C. MacKINNON: I suggest to Hon. Garry Kelly that not even he should disregard his personal investments. Any leader of any country would be a poor leader indeed if he did not have regard for investment. Of course, there has been a lot of investment there. Members should bear in mind that there is much foreign investment everywhere. There has been much Australian money invested in South Africa.

Mrs Thatcher is well aware that sanctions are not the way to a peaceful solution of the problems of the coloured peoples of Africa and those living in South Africa. Millions of them are there illegally, in the same way as there are many Mexicans illegally in the United States of America. That is not unusual. In the Los Angeles County of southern California it is estimated that there is a population of about 19 million legal inhabitants of white and mixed race and three million illegal inhabitants. The same sort of problem exists in South Africa. People pour over the borders because of the better economic conditions. Certainly, many white Africans must share the blame for that.

I have been in a house and have been waited on by a Bantu woman servant and have been told that the woman was in the country illegally. She did not have any papers. She slept in a room at the back of the house and was earning money to go back home. She might even have her husband with her, although very rarely are they allowed to stay together.

There are many illegal residents in South Africa and the blame for that in many cases lies with the whites. There is no way now, however, that the non-whites in South Africa will give up those conditions because many of them have no countries to which they can return.

Hon. Garry Kelly: They are not spoken to.

Hon. G. C. MacKINNON: They do talk. They talk frequently. Many of them are made honorary whites. Idi Amin stayed in the same guesthouse in which I stayed. They talked to them frequently. I was with a fellow who was one of the last classical Zulu scholars; he was white. He knew Zulu more purely and better than the Zulus. All of his gamekeepers were Zulus. They treated him like a god. They revered him. They had no fear of him because he looked after them.

I have been to the west coast where, under licence to the United Kingdom, anchovy paste is made. I said, "Why do you not modernise the factory?" I was told that it was not allowed; that they had a responsibility to employ the people working in the factory.

Girls were employed just to push stuff around and to do things which could easily have been done by a machine. These people are responsible. I suggest that even if they were not responsible the course taken by so many people in clamouring to stop ships and stop trading with them is not justified. I understand that Australia Post workers are now stopping letters from going to South Africa. How ridiculous! People are attempting to get in touch with people over there.

Hon. P. H. Wells: They might have aged parents over there.

Hon. G. C. MacKINNON: That is right. Flights have been prevented from going to South Africa. This is no way to solve the problem. I know that my lonely voice in a little Parliament in Western Australia will probably not have much effect, but as I have been to South Africa five times, certainly more than anyone else in this Parliament, I think that I have an obligation to speak. I do not expect this speech to win me any votes—of course, I am not standing for election again, but votes in a popularity poll, perhaps.

I can see advantages in the way separate development was perhaps originally intended in view of the nature of the Africans with their

strongly developed tribalism and clannishness. So strong is the sense of clan that when an acting company from the United Kingdom took the play *MacBeth* to Natal as an experiment and showed it in open air theatre to Zulus, those Zulus had a total comprehension of the play. As members will all know, *MacBeth* is very much a clan story. They understood it totally because that is the way they are. If they kill someone from another clan, that is considered good.

Tribalism is the curse of Africa from one end to another. That lends itself to separatism, to apartheid. Members should look at the map sometime and see the mosaic of little nation states from one end to the other. Within those states can be found killing pits deep with bones.

Hon. Garry Kelly: Well, the European boundaries went straight through tribal areas, didn't they?

Hon. G. C. MacKINNON: Of course, but it was controlled. I am talking about now with the division into nation states. They have had to divide and divide to get even a semblance of peace. There is no way that most of the blacks in Africa, let alone the whites, will see the solution of one-man-one-vote in Africa as being fair, democratic, or decent. To their minds it will allow only the blacks of one particular tribe to be in charge. The whites point to all the other nation states in the continent with a one-party Government to demonstrate that. They also provide detailed accounts of injustices ranging from minor takeovers of properties to excesses of heads of state like Idi Amin.

Entebbe airport was built by the same builders who built the one in Johannesburg. The cleaners and other staff at both places were Bantu. It was possible to eat one's dinner off the floor at the terminal in Johannesburg, but one could smell the one at Entebbe from 100 yards away. To my mind, the existence of the Broedebond is worse in many ways than apartheid because it sets aside—

Hon. Garry Kelly: Nazism.

Hon. G. C. MacKINNON: It is the Nazi superior race kind of thing. It must be remembered that in the early days when the Afrikaners were trying to get control of Government business, the arts, and the like, that brotherhood concept may have been very necessary. I do not know, as I was not there, but I can see from reading history the reasons for its establishment. The Afrikaners gained control of Government and the arts through that concept. It did not give them control of business, but they are moving that way.

The brotherhood organisation was invented to ensure that the Boers could move into Government and attain success in life by helping each other. In many ways it worked. The major exception seems to be in the top level of mining and industrial business, but it has worked in Government and it seems to have worked in arts, crafts, and the administration.

Although I have much more material on which I could speak, I have spoken long enough. I have felt that I ought to make the point that I have made. I repeat that there are 6 200 000 Zulus. They would have to win any one-man-one-vote election. They would have to win enough seats to give them control, and the situation would be exactly the same as at present. If apartheid, separate development, one-nation Government is obnoxious, it is obnoxious whether it be white, black, yellow, or brown. It is no solution. I am suggesting that in the name of all humanity a solution has to be found.

Hon. Garry Kelly: What about some federal system?

Hon. G. C. MacKINNON: I suggest that there be proper discussion. It ill behoves us with our history of management of minorities—for example, the Aborigines—to stand in judgment the way some of our people have. But I believe we are in a position as we look at South Africa across that big arc of water to try to find some approach which might succeed. I suggest logically a complete about-face, and an extension of separation to the point where the Republic of South Africa could well be divided yet again, and separate areas could be created for the peaceful existence of the British, the Africans, and the other tribes of Africa. Those groups might then be able to live in some sort of peace and harmony in a very lovely country and get away from the fear which pervades it. It may also allow us to live without that awful smell of self-righteous superiority which emanates from Canberra nowadays.

HON. GARRY KELLY (South Metropolitan) [5.38 p.m.]: The good news of the present State Budget has been spread far and wide around the State, but I think a few matters contained in the Budget bear repeating. I refer first to the matter of taxation.

The present Budget contains tax cuts worth some \$26 million, bringing the total cuts in State taxation in the last two Budgets to \$65 million. To me and to members of the Government, the most gratifying of those taxation cuts has been the reduction in that most iniquitous



of taxes, the payroll tax, the tax on labour. For payrolls of \$880 000 or less, the rate will drop from 4.75 per cent to 4 per cent. The cut in the rate will be according to a sliding scale for payrolls between \$880 000 and \$1.408 million.

Payroll tax rates in WA are the lowest in Australia. This is the second successive Budget in which the Government has reduced payroll tax.

Hon. Peter Dowding: Hear, hear! The Liberals never did that, did they?

Hon. GARRY KELLY: They talked about it.

The payroll tax exemption level has also been raised by 10 per cent to \$220 000, which will free an estimated 600 businesses—most of them small businesses—from paying payroll tax. I think actions speak louder than words.

The Liberal Party may bleat about cutting taxes. It bleats but it does not do anything.

Several members interjected.

Hon. GARRY KELLY: The next tax is the financial institutions duty, which once again—

Several members interjected.

The PRESIDENT: Order! I suggest that all members refrain from interjections which will interrupt the honourable member's speech.

Hon. GARRY KELLY: I was doing my best to ignore them.

The financial institutions duty has been cut in two successive Budgets.

Hon. N. F. Moore: You brought it in; it was never there before.

Several members interjected.

The PRESIDENT: Order!

Hon. GARRY KELLY: We have the lowest incidence of FID charges anywhere in Australia, apart from Queensland, of course, which does not levy the tax.

Hon. Peter Dowding: It squeezes it out of the people in other ways.

Several members interjected.

Hon. GARRY KELLY: The Treasurer was asked if he would prefer a reduction in FID or in the payroll tax and he said his preference would be for the payroll tax.

Hon. G. E. Masters: He has done both.

Several members interjected.

Hon. GARRY KELLY: In respect of the Budget the Treasurer said he would choose to cut payroll tax rather than FID. I agree with that.

Stamp duty has also been reduced, or there is an exemption for weekly rents of \$80 or less. That will help the low income earners in their attempts to find accommodation.

Hon. Peter Dowding: Very good.

Hon. GARRY KELLY: In the rural sector the Government has exempted the levy on petrol for farm use.

Several members interjected.

The PRESIDENT: Order!

Hon. GARRY KELLY: At least it has been done.

Several members interjected.

The PRESIDENT: Order! I am not going to say it again.

Hon. GARRY KELLY: Thank you, Mr President. I am bearing those messages in mind.

The next success story of the Budget concerns the question of funding for housing, which has increased 54.4 per cent to \$257.6 million in this Budget. The Government's success story in attacking the housing problem has been remarkable. Homeswest will provide more than 1 900 units of accommodation this year with home loans for 2 200 families.

Hon. Peter Dowding: That is marvellous.

Hon. GARRY KELLY: The \$11 million which was lent to building societies will allow 15 000 families to have the continuing security of owning their own homes. The high interest rate makes it extremely difficult for families.

Several members interjected.

Hon. GARRY KELLY: Although the Liberal Opposition makes a lot of noise about the high interest rates and criticises the moves the Government made about lodging funds with building societies, and goes as far as to suggest the abolition of the interstate ceiling of loans allocated by the savings banks—

Hon. Peter Dowding: That is Mr Pental's solution.

Hon. P. G. Pental: That is Mr Keating's solution.

Hon. GARRY KELLY: As I said, I cannot understand that logic. There are many good things in the Budget. I thought those points deserved special mention.

Hon. Graham MacKinnon mentioned South Africa in his speech devoted to foreign affairs. I will not delve into the South African situation.

Hon. P. G. Pental: That is a relief.

Hon. GARRY KELLY: I think we have had enough of that.

One foreign policy matter which is of concern is the situation in Central America, in particular the attitude of the US Government to Nicaragua. In 1979, as members will be aware, the Sandinistas threw out the Somoza regime which had been installed in Nicaragua in 1934 by the American Government sending in the marines.

Hon. G. E. Masters: What about the Russians in Afghanistan?

Hon. GARRY KELLY: The Sandinistas form the only Government in South America which is doing anything for its people. Most of the Governments in that God-foresaken continent make war on their own people. Only in the last three to five years have the military juntas been removed from most of the continent.

In Nicaragua in particular the Sandinistas have improved the literacy rate, the health services, and so on, in the face of terrible odds. We have the spectacle of the United States backing the so-called contra rebels which are by and large led by the national guard of the former Somoza dictatorship.

American foreign policy seems to be walking in a blindfold. It goes on year after year learning nothing and repeating the same mistakes.

In 1959, when Castro took over in Cuba, the United States policy was to quarantine that revolution, effectively driving the Cubans into the arms of the Soviets. America is doing exactly the same thing in respect of Nicaragua. If the United States Administration, with the cowboy Ronald Reagan, would get down to talk to the Sandinistas and offer some support and aid—

Hon. G. E. Masters: This has to be the worst speech I have heard.

Hon. GARRY KELLY: —there would be no problem in security as far as the United States is concerned.

The situation is ridiculous. If the Nicaraguan Government, in a country of some 3.2 million people, which is very poor, turned all its resources to subverting the interests of the United States, I doubt if it would even be noticed.

There is a very grave danger that the situation will be reached where an invasion is undertaken by the United States, either overtly or through mercenaries coming across the border from Honduras. If the Nicaraguan Government falls it would be a blot on the history of Central America and on United States policy in Latin America generally.

Hon. G. E. Masters: Do you have a couple of minutes to talk about Afghanistan?

Hon. GARRY KELLY: The Afghanistan situation is equally reprehensible.

Hon. G. E. Masters: I am pleased to hear that.

Hon. N. F. Moore: You will take time to make a speech about it.

Hon. GARRY KELLY: No, it is not in my speech.

Several members interjected.

The PRESIDENT: Order!

Hon. GARRY KELLY: One last comment I would like to make is about something which one sees at this time of the year around the South-West Land Division: Yellow flecks appearing on certain trees around the metropolitan area and in the south-west. Around December and January the Western Australian Christmas tree *Nuytsia Floribunda* comes into bloom. It is a magnificent specimen of native flora. It is a plant which I have been trying to grow for some time—without very much success. I get the seeds to germinate—perhaps my skill is not all that good—but they die off in the early seedling stage due to fungal attack. However, I have one specimen which is now six inches tall. I hope it does not meet the same fate as the others.

The Christmas tree is in danger, as are many other native species, from expansion of urban development. People should make a note of where these specimens are growing. If they are lucky enough to have one on their block it would be in their interest to preserve it. It would be a treasure to have on their property and would make sure that more Christmas tree specimens are preserved.

The Christmas tree is a semi-parasite, but they do not adversely affect their hosts. No-one should be afraid of Christmas trees being of any danger to their exotic plants. It is very difficult to cultivate a Western Australian Christmas tree.

With those few words, I conclude my comments on the Estimates debate on that note.

Debate adjourned, on motion by Hon. W. N. Stretch.

## **SUPERANNUATION AND FAMILY BENEFITS AMENDMENT BILL**

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. Peter Dowding (Minister for Employment and Training), read a first time.

*Second Reading*

**HON. PETER DOWDING** (North—Minister for Employment and Training) [5.51 p.m.]: I move—

That the Bill be now read a second time.

Honourable members will recall that when the superannuation legislation was amended last year, mention was made of possible further changes being effected this year. At that time, it was thought that a review of the scheme being carried out would be completed in sufficient time to enable appropriate amendments to be dealt with during the current sitting of the Parliament. However, the task of reviewing the scheme is very complex and is taking longer than expected. Because the outcome of the review will be of great importance to a large number of people, it would be wrong to act hastily and without all of the relevant issues having been properly addressed. For this reason, the long overdue reform of the scheme and any consequential changes will not take place before 1986.

In the circumstances, the Government believes there is justification for carrying out limited changes to the scheme at this time, and the Bill before the House includes the following proposed amendments—

Widows' pension benefits to be increased to two-thirds of contributors' pensions;

child allowance payments to be increased generally, and in future they are to be adjusted in line with living cost increases;

the introduction of twice-yearly pension indexation;

allowing widows under the age of 60 access to larger lump sum payments than at present.

All of the proposed changes enhance benefits paid under the present legislation. They will be particularly beneficial to widows with dependent children.

**Widows' pensions:** Since 1961 widows have received pensions equal to twenty-two thirty-fifths—approximately 63 per cent—of the rate payable to contributors. The rate paid in all of the main public sector superannuation schemes in the other States and in the Commonwealth is two-thirds of contributors' pensions. This is also the rate payable under the Western Australian Parliamentary Superannuation Act.

Over the years, many requests have been made for widow benefits to be increased to two-thirds. The Government is very conscious of the financial difficulties that widows are exposed to and believes that their pensions should be increased. Accordingly, the Bill proposes that pensions payable to widows, both existing and future, be increased to two-thirds.

**Child Allowances:** The fortnightly rates of allowance payable on behalf of children of deceased contributors are—

(a) \$32, where the contributor leaves a spouse; or

(b) where there is no spouse, the greater of \$52 or \$28 plus one-quarter of the notional widow's pension for each of up to four children, or where there are more than four children, the notional widow rate divided by the number of children.

Since those rates were fixed in 1979, living costs have increased considerably. It is now proposed that the allowance be \$50 per fortnight for children with a surviving parent. For children without a parent, the rate is to be the greater of either \$100, or \$28 plus one-quarter of the notional widow's pension for each child.

Furthermore, to ensure that the value of the allowances does not fall, it is proposed that in future the new rates be adjusted in line with living cost increases measured by the Consumer Price Index. Because the new basic rates apply from January 1986, the first adjustment will be based on the Consumer Price Index increase for the period January to June 1986, and will be paid in October 1986.

**Pension Indexation:** Pensions payable under the Act have been subject to some form of regular adjustment after their emergence since 1969. Currently, pensions are increased annually in January by the percentage increase in the Consumer Price Index during the previous year. In recent years we have seen the Commonwealth Government move towards twice-yearly adjustment of social security and other benefits. In addition, both Tasmania and Victoria have adopted arrangements for adjusting pensions twice each year. Furthermore, we have currently a centralised wage fixing system that in recent times has varied employees' salaries and wages twice-yearly according to Consumer Price Index increases.

These developments have resulted in strong pressure from retired members and their representative body, the Joint Superannuation Pensioners' Committee, for pensions to be

increased twice-yearly. The Government feels a strong case has been made for the introduction of this system and the Bill contains a proposal to give effect to the arrangement.

Pensions were last increased in January this year by the Consumer Price Index increase for 1984. Commencing with retrospective effect from the first pay period in October 1985, pensions are to be increased by the percentage increase in the Consumer Price Index for the six months ended 30 June 1985. Subsequent adjustments will be made in April and October thereafter and will reflect the Consumer Price Index increase in the preceeding six-month periods of July to December and January to June respectively.

**Widows' Commutation:** When a pension becomes payable to the widow of a contributor, the legislation enables a part of the pension to be exchanged for an equivalent lump sum. The part of the pension that is paid in this way comes from the Superannuation Fund. No part of the Government's share of the pension is paid as a lump sum.

Under the present legislation, if a widow is less than age 60 when her pension emerges, she can elect to commute up to one-quarter of the fund's share of pension to a lump sum payment. On attaining age 60, she has a further option of converting any part of the balance to a lump sum. This arrangement is seen as being particularly unfair to young widows who generally have heavy financial commitments and are in need of a reasonable size cash payment as well as a regular income. This Bill proposes therefore to remove the restriction on the amount of the fund share that widows can commute. However, there is to be no change in the policy which prevents the Government's share of pension being paid other than as a pension.

The new arrangement will apply to widows whose pensions first become payable after the proposed legislation comes into force. Because such widows will have the option of taking all of the fund share of pension as a lump sum, there is no need for them to have a second commutation option on reaching age 60. This is consistent with the situation that currently applies to retiring members who have only one opportunity to commute.

This proposal will not add to the State's cost of superannuation as the additional payments will be made wholly from the Superannuation Fund.

**Cost of proposals:** Only two of the proposed amendments will result in additional direct charges against the Consolidated Revenue Fund. The proposals concerned are the increased widow pensions and increased child allowance payments. It has been estimated that the cost to the Consolidated Revenue Fund for the balance of this year will be \$478 000. The cost in 1986-87 is expected to approximate \$1 146 000.

In addition to the above, there could be some indirect costs resulting from the indexation of higher widow pensions and also the indexing of child allowances. The extent of this is dependent upon the difference, if any, between the total cost of pension indexation and the amount the Superannuation Fund is able to bear. While the costs of the proposals are significant, it is nevertheless felt they are justified, particularly having regard to the proportion of pension indexation being met by the fund. For example, of the \$38 million expended on pension indexation in 1984-85, the Superannuation Fund's proportion amounted to about \$35 million.

It is unfortunate that the overhaul of the superannuation scheme could not be completed this year. This task has been complicated by—

- (1) Recent changes to the Australian Taxation Act;
- (2) the possibility of the Commonwealth Government placing superannuation into the industrial arbitration arena; and
- (3) a changed perception of superannuation by the Commonwealth Government and the union movement.

These initiatives have placed a different emphasis on superannuation planning. Notwithstanding this difficult climate, the Government remains committed to a major review of the scheme and is confident that this will occur next year. In the meantime, I believe the proposed changes will be seen as positive initiatives and a demonstration of the Government's determination to remedy the scheme's shortcomings.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

**ELECTORAL AMENDMENT BILL***Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to amendments Nos. 2, 3, 5, and 10; that it had disagreed to amendments Nos. 1 and 4, and Nos. 11 to 19 inclusive, for the reasons set forth in the schedule annexed; that it had agreed to amendments Nos. 6 to 9 inclusive, subject to further amendments set forth in the schedule annexed; and that it had made a further amendment to the Bill as set forth in the schedule annexed, in which further amendments the Legislative Assembly desires the concurrence of the Legislative Council.

**ADJOURNMENT OF THE HOUSE**

**HON. D. K. DANS** (South Metropolitan—Leader of the House) [5.59 p.m.]: I move—

That the House do now adjourn.

*Gambling: Casino Agreement*

**HON. NEIL OLIVER** (West) [6.00 p.m.]: I will not delay the House for more than a few minutes. I will not do so unnecessarily, but in view of the interests of the public of Western Australia and the return of Hon. D. K. Dans (Leader of the House) today, it would not have been unreasonable to have expected a Government statement in respect to the Casino (Burswood Island) Agreement.

Matters that need clarification are as follows—

1. What consideration has been given to the variation of the original agreement and its tabling in the Parliament in accordance with the Act?

Has the project management agreement been substantially varied or has the Minister been consulted about a new agreement? Has the Minister's approval been granted in accordance with the Act, and has the trust deed been varied accordingly?

I believe the Minister should advise the House that the design and construction programme is in accordance with the Minister's original approval as required by the Casino (Burswood Island) Agreement Act.

Another matter which needs clarification concerns the operative date of the Casino (Burswood Island) Agreement. Has the Minister approved the programme for the design,

documentation, construction, completion fit-out, and commissioning of the resort in accordance with the Act?

Further, what substantial amendments, if any, may apply to the management agreement, or is a new agreement required? What effect will this have on the trust deed?

I do not wish to unnecessarily delay the House so my questions need not be replied to by the Minister tonight. I do not want some half-baked reply tonight, but in the interests of the public of Western Australia the Minister has the responsibility to provide to the public and to this Parliament a statement concerning some of the matters I have outlined. It might be appropriate for the Minister to make a statement to the House next Tuesday.

**HON. D. K. DANS** (South Metropolitan—Minister for Racing and Gaming) [6.04 p.m.]: We have just heard a most amazing statement from Hon. Neil Oliver which he purported to be a speech on the adjournment debate. However, it was a series of questions addressed to me. I have always understood that the adjournment debate is such that members do not actually enter into a debate. However, what Hon. Neil Oliver said prompted me to reply. Through you, Mr President, I advise Mr Oliver that he will not receive a half-baked reply.

The conditions of the agreement are being carried out. No changes are envisaged to any section of the agreement and every member of this House, probably with the exception of Hon. Neil Oliver, knows that. It is explicit in the agreement and it is a signed agreement.

To the series of questions from Mr Oliver I advise that my answer is "No", and I will not come back to this House next week with a considered reply. I will certainly reply to any question that is put on notice or, for that matter, asked without notice.

The matter involving the casino has been properly pursued by the Casino Control Committee in accordance with the agreement. I am aware of the position at this time in relation to some Press reports, and naturally every member in this House is aware of them. When I receive the report I will take the appropriate action. It is implied and agreed by the parties that it is up to me to give my approval for certain things to happen.

There will be no half-baked reply tonight. I will answer questions and I hope that members will not use the adjournment debate in the fu-

ture to ask questions and then advise the Minister concerned that they do not want a reply immediately.

It is my right to be on my feet to stress that the adjournment debate is a privilege we have in this place. I am constantly supporting its retention, but I do not think members should ask questions during the adjournment debate. There was ample opportunity when you, Mr President, called on questions at 4.00 p.m. for Mr Oliver to have asked the series of questions he has raised.

### SITTINGS OF THE HOUSE

#### *Thursdays: Statement by President*

**THE PRESIDENT** (Hon. Clive Griffiths): Before I put the question I advise members that the rules and customs of this House were arrived at after many years of experience and operation by members down through the ages. When members elected me as their President they elected me on the understanding that I would protect those rules and customs on behalf of members.

I do not want to enter into any debate on what members feel they should talk about or should not talk about. However, the rule in this House is, and will be until I am directed to change it, that we adjourn at 6.00 p.m. on Thursdays.

Obviously, from time to time there are occasions when Government business is introduced and Ministers are in the middle of it, or a member speaking on a debate has just about finished, that I relax that rule. That is what is done and I presume it is understood by honourable members as being the give and take that is necessary for a House of Parliament to operate.

If members think that it is to be a precedent that members will speak on new business after 6.00 p.m., I can assure them that it is a precedent that will not be repeated. Unless I am directed by the House to the contrary I intend to follow the customs.

Question put and passed.

*House adjourned at 6.08 p.m.*

# QUESTIONS ON NOTICE

## PRISON: CANNING VALE

### *Security System: Electronic*

302. Hon. P. G. PENDAL, to the Minister for Prisons:

- (1) Is it correct that the electronic surveillance system originally installed at Canning Vale was based on that operating at a Canadian prison?
- (2) Is he aware that at this Canadian prison, the previous decision to abandon a system of armed guards in observation towers has been reversed?
- (3) If that is correct, is there any intention of restoring armed guards to observation towers at Canning Vale?

Hon. J. M. BERINSON replied:

- (1) No.
- (2) Not applicable.
- (3) No.

## STATE FINANCE

### *Short-term Money Market: Profits*

305. Hon. A. A. LEWIS, to the Minister for Budget Management representing the Treasurer:

With regard to the Treasury investing in the short-term money market—

- (1) From what period of the 1984-85 year did the profit of \$65 760 977 come?
- (2) What amounts were earned by WADC and over what period did the corporation deal with Treasury's short-term money?
- (3) Did WADC have all the Treasury's short-term money market funds during that period?
- (4) If not, what proportion of these moneys did WADC have to invest?

Hon. J. M. BERINSON replied:

- (1) Treasury's interest earnings for the year ended 30 June 1985 were \$53 978 143, not \$65 760 977 as previously reported to the member in reply to question 851. The difference was the result of an incorrect posting which was found when the ledger was closed off and reconciled for the year.
- (2) Treasury commenced dealing with the WADC on 15 May 1985. Interest earned by Treasury from investments with the corporation to 30 June 1985 was \$2 631 309.18.
- (3) No.
- (4) As at 30 June the total of Treasury's money market investments was \$531 829 532 of which \$255 800 000 or 48 per cent was held with the WADC and therefore available to the corporation to invest.

## EDUCATION: HIGH SCHOOL

### *Collie: Gymnasium*

306. Hon. A. A. LEWIS, to the Minister for Employment and Training representing the Minister for Education:

Is it the department's intention to build a gymnasium at the Collie High School in the present financial year?

Hon. PETER DOWDING replied:

No. The project is tentatively listed for the 1986-87 financial year.

## TRANSPORT: BUSES

### *Schools: Donnybrook-Bunbury*

307. Hon. A. A. LEWIS, to the Minister for Employment and Training representing the Minister for Education:

Will the new bus service being provided for Bunbury and its environs affect the travel of school children from Donnybrook going to Bunbury schools?

Hon. PETER DOWDING replied:

No.

308 and 309. *Postponed.*

## TRAVEL AGENTS

*Complaints*

310. Hon. A. A. LEWIS, to the Minister for Consumer Affairs:

- (1) Has the Consumer Affairs Bureau had complaints against any travel agents in any of the last five years?
- (2) If so, how many in each of the last five years?
- (3) Of these, how many complaints were acted upon by his department in each of these years?

Hon. PETER DOWDING replied:

- (1) Yes.
- (2) Until 1984-85, complaints against travel agents were subsumed under the statistical classification "Travel". Total complaints in that category are contained in the detailed summary of complaints in the annual reports of the Commissioner for Consumer Affairs as tabled. In the 1984-85 report, a separate classification for "Travel Agents" was utilised. That report has also been tabled.
- (3) All of them.

## MINISTER OF THE CROWN: PREMIER

*Advertisements: Truth*

311. Hon. P. G. PENDAL, to the Minister for Consumer Affairs:

With regard to the letter sent by Mr Rod Slater, Managing Director of Eurocars, to the Premier, will he have the contents studied by his department to see if the Premier has been, as stated in the letter, "... somewhat careless with the truth" in those advertisements?

Hon. PETER DOWDING replied:

As the Premier has already advised the member, this statement is incorrect.

312 and 313. *Postponed.*

## EDUCATION: HIGH SCHOOL

*Lancelin: Establishment*

314. Hon. Margaret McAleer, to the Minister for Employment and Training representing the Minister for Education:

Would the Minister advise me whether any consideration has been given to establishing a high school at Lancelin?

Hon. PETER DOWDING replied:

Lancelin has a small primary school with an enrolment of just over 100. There is no proposal to establish a high school there at present.

315. *Postponed.*

## TRANSPORT: AIR

*Helipad Site: Meekatharra*

316. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Lands and Surveys:

- (1) Has the Minister refused a request by Mr R. Atkins for a helipad site in Meekatharra?
- (2) If so, why was his request refused?

Hon. D. K. DANS replied:

- (1) and (2) The Minister for Lands and Surveys refused Mr Atkins' application for a helipad site in Meekatharra following receipt of advice from the Minister for the Environment on the unsuitability of the preferred site. The Department of Lands and Surveys has since been investigating the suitability of an alternative site and will be making contact with Mr Atkins in the immediate future.