

Legislative Council

Thursday, 21 March 1985

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

TOURISM COMMISSION

Price Waterhouse Report: Ministerial Statement

HON. D. K. DANS (South Metropolitan—Minister for Tourism) [2.31 p.m.]: I seek leave to table the report by Price Waterhouse Associates Pty. on the Western Australian Tourism Commission and to make a statement about that matter.

Leave granted.

Hon. D. K. DANS: Yesterday, I sought the opinion of the commissioners by way of a question as to whether it would be appropriate to table this report. When I received their comments on that matter I set about doing that. This is the first opportunity I have had to do it.

Hon. A. A. Lewis: Could you get Mr Berinson to do the same with the O'Connor case?

Hon. D. K. DANS: At the outset, I wish to make it abundantly clear that this report is being tabled at the request of the Opposition and because of the patently false allegations made about the commission by the member for Gascoyne in his recently acquired role of chief Opposition mud-slinger.

As members will see, the report contains material that is critical of former senior officers of the commission and I have no doubt that some of them, if not all of them, will be deeply hurt by the report contents becoming public. I can only say that if they feel aggrieved by the report becoming public—as they quite understandably might—it is on the head of the Opposition because the Opposition has demanded that this course of action be followed. The responsibility for this rests solely with the Opposition.

Members who peruse the report will no doubt reflect on the irony of the situation which has arisen. The member for Gascoyne in this place on Tuesday made a number of allegations about the Tourism Commission, allegations which, as was pointed out so tellingly in this morning's editorial in *The West Australian*, he has conspicuously failed to substantiate.

In his speech on Tuesday, the member referred to the replacement of a number of senior officers from the commission, intimating that this action

was unjustified and suggesting that it did not have his support. In seeking to pursue the matter yesterday, his colleagues have demanded that this report be tabled and its tabling makes public the justification for the replacement of the senior officers—justification which the member for Gascoyne suggested was totally lacking.

The position of the member for Gascoyne on this current matter was, of course, further weakened last night when one of his colleagues was responsible for the leaking to *The West Australian* of a copy of the Price Waterhouse report. The article published this morning shows why the senior management changes made at the commission—changes which the member for Gascoyne has virtually said should never have been made—had to be made. I take this opportunity to stress that the Price Waterhouse report, which was instigated by the commissioners themselves at the suggestion of the then chairman, Mr Len Hitchen, refers to the activities of the commission prior to the recent changes in senior management.

I wish to stress—because it was not made clear in this morning's report in *The West Australian*—that the changes in senior management made at the commission recently have occurred because of the highly critical findings of the Price Waterhouse report.

This report highlighting inefficiency has been acted on promptly by the Government, as any reasonable taxpayer would expect. Once again, as has happened in so many other cases, the Government's efforts to increase the efficiency of the machinery of Government and to get better value for the taxpayer's dollar have been attacked by the Opposition.

The fact is, of course, that the deficiencies in tourism performance highlighted in the Price Waterhouse report are the legacy of years of neglect of tourism by the Court and O'Connor Governments. Under the leadership of the late Sir David Brand and his Government, tourism assumed an important place in State Government activity. But during the nine years of coalition Government between 1974 and 1983 it was downgraded and ignored.

In later years the office of the Minister for Tourism had a revolving door through which passed a succession of junior Ministers whose only interest in the portfolio was whether it would assist them in their aspirations to higher office.

Tourism was poorly funded. Its great potential as a means of generating economic growth was ignored. The tourism industry never received anything more than lip-service from successive con-

servative Governments, preoccupied with creating the State's financial crisis over North-West Shelf gas. It took a change of Government to change all that.

We came to office fully conscious of the tourism industry's great capacity to generate growth. In our first Budget—a no-growth Budget for most areas of Government—we increased funding by more than 35 per cent. In our second Budget we increased funding by more than 80 per cent.

We set about breaking out of the bureaucratic departmental approach to tourism and creating a dynamic, fast-moving and market-oriented structure, complementary to the dynamic nature of the industry itself.

The preparation of the Price Waterhouse report and the implementation of its major thrusts represent the final break with the non-performing past. Western Australia has before it the greatest tourist industry opportunities in its history. We have moved to take advantage of them, not only with substantially increased funding but with new strategies as well. These include—

- an aggressive drive to increase international air services to the State;

- the ground-breaking tourism forum;

- assisting with and encouraging the formation of new industry organisations such as the WA Tourism Industry Association and the WA Country Tourism Association;

- greater funding for country tourist organisations and the Perth Convention Bureau;

- allowing competition on intrastate air routes;

- the opening of new Holiday WA centres; and,

- allowing public participation in planning for Rottne.

This list is by no means exhaustive.

Yesterday, the Opposition made a demand of us with respect to the Price Waterhouse report. We have met that demand with consequences that I am sure are far different from those intended by the Opposition and which the Opposition, if it has any sensitivity at all, ought to find both embarrassing and unfortunate. That is on its own head.

Today, it is our turn to make demands. We make two demands. Firstly, we demand to know where is the evidence of the wrongdoing in the Tourism Commission and particularly by the managing director. So far the member for Gascoyne has been very free and fulsome with his

serious allegations—but he has not produced any evidence to back them up. Secondly, we demand to know just where the Opposition stands on the future of the State's tourism industry.

We have heard plenty from the member for Gascoyne, but we have heard nothing from the Leader of the Opposition or from his deputy—the Opposition's official spokesman on tourism matters.

Do they believe, as the member for Gascoyne apparently does, that there should have been no change to the senior management of the Tourism Commission or do they believe that the findings of the Price Waterhouse report should have been implemented as they were? If they do not believe the Price Waterhouse recommendations should have been implemented, what evidence can they bring to show that they are right and Price Waterhouse is wrong?

To use an old Australian expression: It is now time for the Opposition to put up or shut up.

The report was tabled (see paper No. 513).

MISCELLANEOUS REGULATIONS (VALIDATION) BILL

Introduction and First Reading

Bill introduced, on motion by Hon. J. M. Berinson (Attorney General), and read a first time.

FORESTS: NELSON LOCATION 2882

Acquisition: Motion

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.45 p.m.]: I move—

That the proposal for the acquisition of Nelson Location 2882 in exchange for Timber Reserve No. 143/25 laid on the Table of the Legislative Assembly at the request of the Acting Conservator of Forests be carried out.

Under section 23 of the Forests Act, 1918-1976, parliamentary consent is necessary as a prerequisite to the Governor's approval to the acquisition of alienated land for inclusion in State forest by way of exchange of Crown land.

Nelson location 2882—about 40.5 hectares—is surrounded by State forest that is part of a proclaimed disease risk area. The area carries good regrowth forest and is free from dieback. Its acquisition will simplify future management and protection by removing an enclave from State forest.

Timber reserve 143/25—about 101.2 hectares—is completely surrounded by private property and lies more than 10 kilometres from the

nearest State forest. It carries good jarrah forest with pockets of wandoo and is free from dieback.

In view of the disparity in size between the two areas, the Land Purchase Board has deemed that the applicants should pay a cash differential of \$15 000, to which the applicants have agreed. They have also agreed to pay an additional sum of \$15 036.80 for timber royalties forgone, as they wish to obtain timber reserve 143/25 in its natural state.

The proposed exchange will benefit the Crown by rationalising areas and by simplifying future management and protection, both from fire and disease. The applicants will benefit from consolidation of their holdings.

I commend the motion.

Debate adjourned until a later stage of the sitting, on motion by Hon. V. J. Ferry.

(Continued on page 1195.)

FORESTS

Revocation of Dedication: Motion

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.48 p.m.]: I move—

That the proposal for the revocation in whole of State forest No. 66 and the partial revocation of State forest Nos. 14, 20, 30, 33, and 65 laid on the Table of the Legislative Assembly by command of His Excellency the Governor on the Sixth day of November, 1984 be carried out.

Under section 21 of the Forests Act, 1918-1976, a dedication of Crown lands as a State forest may only be revoked in whole or in part in the following manner—

- (a) The Government shall cause to be laid on the Table of each House of Parliament, a proposal for such revocation.
- (b) After such proposal has been laid before Parliament, the Governor on a resolution being passed by both Houses that such proposal be carried out shall, by Order-in-Council, revoke such dedication.
- (c) On any such revocation the land shall become Crown land within the meaning of the Land Act.

Area No. 1 involves the excision of two small parts of State forest No. 14, comprising about 3.5 hectares, to facilitate exchange for an equal area of Wellington location 3609, in order to rationalise severances and consolidate boundaries following construction of the Boddington to Worsley bauxite conveyor line.

Area No. 2 involves the excision of approximately 4.09 hectares of State forest No. 20, adjacent to the Greenbushes townsite, to enable inclusion in the townsite of several houses built on a mineral lease held by Greenbushes Tin NL. The area to be excised carries no millable timber and will provide for a modest extension of the Greenbushes townsite in accordance with the requests from the Department of Local Government and the Shire of Bridgetown/Greenbushes.

Area No. 3 involves the excision of about 31.4 hectares of State forest No. 30 located as an isolated pocket in the northern portion of the Bridgetown townsite, in return for the inclusion of unvested water reserve No. 9510, of about 40.5 hectares in State forest. The area to be excised is separated from the remainder of the State forest by the municipal depot and other public facilities under the management of Greenbushes Shire. It contains forest, which is somewhat degraded and difficult to manage on account of its separation. Reserve No. 9510, abuts State forest on two sides and contains virgin jarrah/marri forest, which is free from dieback. The proposed exchange will benefit both parties. The State will obtain a superior area of forest in a much more manageable locality and the shire will obtain an expanded area available for public facilities.

Area No. 4 involves the excision of about 3.7 hectares of State forest No. 33, in exchange for portions of Nelson locations 1201 and 1422, totalling about seven hectares, in order to rationalise boundaries for management and protection purposes. The portion of State forest to be excised is seriously affected by dieback and has little potential for regeneration. The area to be acquired carries reasonable quality forest and is far less seriously affected by dieback.

Area No. 5 involves the excision of four portions of State forest No. 65, totalling 155 hectares, to enable their vesting in the Conservator of Forests as quarry reserves, in order to secure future supplies of limestone for road making in the adjacent pine plantations. Substantial quantities of road-making material will be required for plantation establishment, harvesting, and management purposes and no alternative source is available. The proposal is supported by the Department of Mines as the most appropriate way of securing long-term future access to this material, which is essential because of the sandy nature of all the surrounding plantations.

Area No. 6 involves the revocation of dedication of some 1 494.5 hectares of State forest No. 66, located approximately 14 kilometres south of Northcliffe. The area, known as Mt. Chudilup, is an enclave within the proposed extensions to the

D'entrecasteaux National Park and its inclusion therein will facilitate future protection and management of the park. The area contains some karri growing on shallow and rocky soils approaching Mt. Chudilup together with medium to poorer quality jarrah forest, both of which have been subject to severe past fire damage. In this instance, loss of any marketable timber will be greatly outweighed by enhanced visual attraction and consolidation of management boundaries in the proposed park.

Summarising the proposals, areas 1 and 4 will improve future area allocation and rationalise boundaries for future management. Area 2 will promote consolidation of the Greenbushes townsite. Area 3 provides for the acquisition of a slightly larger area of superior quality forest and an expansion of community facilities on the Bridgetown townsite. Area 5 will provide secure, permanent access to road-making material for development of the adjacent plantations in accordance with the provisions of the Land Act and the Mining Act, and area 6 provides for consolidation of the D'entrecasteaux National Park.

I commend the motion.

Debate adjourned until a later stage of the sitting, on motion by Hon. V. J. Ferry.

(Continued on page 1195.)

SMALL CLAIMS TRIBUNALS: SELECT COMMITTEE

Leave for Clerk of Legislative Council to Appear: Motion

Debate resumed from 20 March.

HON. V. J. FERRY (South-West) [2.54 p.m.]: This motion is somewhat unique in that, to the best of my knowledge, it is the first of its kind to come to this Chamber. Therefore, it deserves some comment as it relates to the operations of the Parliament and especially to the privileges of the Clerk or Clerks of the House.

I was a little surprised when, at the last sitting of the House, the Leader of the House moved the motion with a very belated explanation. I thought some ready explanation for it may have been available to the House. I do not hold that against the Leader of the House, because he may not have been briefed adequately; but it is unfortunate that the information was made available rather belatedly. Notwithstanding that, I have no objection to the motion and I recommend that the House support it.

In explaining my support for the motion, I assure the House that the procedure of granting the Clerk of the House leave to appear before a Select Committee of this House or another House is in

order. I refer members to Erskine May's *Parliamentary Practice*, twentieth edition, page 742. I will not read the relevant passage; if members wish, they may do so. In essence it says that it is right and proper that the Clerk of the House may be invited to appear before a Select Committee in a similar manner as may members of Parliament, although there is a slight modification in the request when it does not apply to members of Parliament.

Notwithstanding that it is a proper procedure that a Clerk of the House may be invited to appear before a Select Committee, it is incumbent on the House to grant such an invitation.

I refer here to a Select Committee of which I was privileged to be a member. Its recommendations are contained in the report of the Joint Select Committee of the Legislative Council and Legislative Assembly on the Offices of Profit of Members of Parliament and Members' Contracts with the Crown. That report was laid on the Tables of the Legislative Council and Legislative Assembly on Wednesday, 3 November 1982. In support of my contention that this motion is in order, I inform the House that the Clerk of the Legislative Assembly appeared before that Select Committee and gave evidence. Might I say that the members of that committee valued his evidence.

The report of that committee made reference also to the "Clerk of the Chamber", in this case referring to the Clerk of the House of Commons, who appeared before a Select Committee in 1956. It is clear a precedent exists for this procedure and, therefore, there is nothing untoward associated with it.

I took it upon myself to contact by telephone the Clerk of the Senate and acquainted him with the motion on the Notice Paper of this House. He confirmed that the right procedures were being followed and the right course was being adopted.

For the record, it is necessary that this be noted, because I mentioned in my opening remarks that I believed this motion was a first for this Parliament and, therefore, it may set a precedent in respect of our procedure.

I support the motion.

Question put and passed.

MEMBERS OF PARLIAMENT (FINANCIAL INTERESTS) BILL

Second Reading

Debate resumed from 28 February.

HON. JOHN WILLIAMS (Metropolitan) [2.59 p.m.]: This is the hardy annual which is trotted

out by the socialists under the false impression that all people on this side of the House have magnificent fortunes while they are still struggling to find out how we made them, if we did indeed made them. It is what might be called the "Socialist Busybody Bill". The socialists like to interfere and find out the position in this respect, because they feel deprived.

I do not think any member of this House will be under any illusion as to my opposition to this Bill, and I shall point out my reasons for that opposition very quickly and briefly, as I did last time a similar Bill was introduced.

In his second reading speech, the Attorney General gave us the clues as to why the Government had introduced the Bill. He was very honest about the matter. He said the contents of the Bill formed part of the Government's policy. However, it is part of our policy not to have this sort of disclosure of the financial interests of members of Parliament.

Hon. Kay Hallahan: For what reason?

Hon. JOHN WILLIAMS: If certain members could contain their excitement for a moment, the reasons might be disclosed and if, at the end of my speech, Government members feel they have not been disclosed, we shall tell them the position again.

While I reject this Bill, I do not reject the concept of a members' interest Bill being part and parcel of legislation, provided the Government does the same thing that the glorious leader in the east has done—the Messiah who unfortunately has the same initials, except for the last one, as myself, but that is a cross I have to bear. The Government should go about its business in the same way.

The Prime Minister of Australia instituted a financial interests Bill for Cabinet members, and that legislation is in place. He promised in October 1984 that he would introduce a members of Parliament (pecuniary interests) Bill or financial interests Bill. Having seen that legislation introduced in respect of Cabinet Ministers, I wonder whether this Government could introduce a Bill for Cabinet Ministers first and, having done so, and Ministers having registered their interests—that would be a good pattern to follow—bring in a Bill to see whether it could convince us that members should disclose their financial interests. If it is intended to do that, I suggest very humbly to the Attorney General that one or two awkward anomalies in the Bill need to be cleared up, and I will recommend that my colleagues reject the Bill on the grounds I have already stated. I will take my lead from the At-

torney General again and say that there is no point in retreading the arguments that the Attorney General put forward in 1983 and that I put forward in 1983 in rebuttal, on pages 5735 to 5742 of *Hansard*, including the interjections of Hon. Kay Hallahan.

Hon. Graham Edwards: Do you still believe it is necessary to have pecuniary interests at local government level?

Hon. JOHN WILLIAMS: I am not dealing with local government; I am dealing with State Government at the moment. I do not see any local government—

Hon. Graham Edwards: You mentioned it last time you spoke.

Hon. G. E. Masters: You don't have to write it all down. You declare an interest.

Hon. A. A. Lewis: Let him properly address his remarks to local government when he speaks.

Hon. G. E. Masters: It would be very rare.

Hon. JOHN WILLIAMS: One or two things disturb me in regard to the Bill and in regard to the singling out of members of Parliament. I would like to single out people holding public office in the community who, as I said earlier, have far more influence than have backbenchers. I wonder how many backbenchers on this side of the House have been able to score a financial interest in approaching a Minister of the present Government to get him to award them a contract, albeit a contract which would be profitable to the Government. Everybody knows perfectly well that the answer would be "none". One would not get to first base with the Attorney General if one tried that. If one were to approach the Attorney General and say, "If you allow me to supply all Crown Law's stationery, I would be very grateful. My company is just up your alley, Mr Attorney General. Furthermore, if you let me do that I will make sure you will get looked after as well", the Attorney General would stand up and tell the Parliament what had been said, and he would be absolutely correct in doing so. That practice does not occur among members of Parliament.

Equally, why are not heads of departments required to disclose their financial interests? Perhaps their wives, or maybe their children, are in a position to influence the head of a Government department to sign a contract while they do not have to disclose their financial interests. Hon. Graham MacKinnon interjected during the previous debate and said that he did not want financial interests legislation because he did not want people to know what a financial failure he had been.

I want to point out that if it is done it will need to be done simply. Some of the anomalies must be eliminated, because if they remain the legislation will leave itself wide open to abuse.

I do not propose to go through the Bill clause by clause because, Mr Deputy President (Hon. D. J. Wordsworth), you would not allow me to do so. Clause 9 (1) of the Bill provides under the sidenote "Gifts" the following—

A Member shall disclose in an annual return—

- (a) the description of each gift received by the Member at any time during the return period;

Clause 9(2) provides—

A gift received by a Member need not be disclosed in an annual return if—

- (a) the amount of the gift did not exceed \$500 unless—
 - (i) the gift was one of 2 or more gifts made by one person at any time during the return period; and
 - (ii) the amount of those 2 or more gifts exceeded, in the aggregate, \$500; or

This is where the holes appear—

- (b) the donor was a relative of the Member.

That is a very cosy arrangement. If a member's son or wife gives something to a member, not having been given the gift by someone else, one would assume it is only regarded as a gift in the same way as clause 10, "Contributions to travel" provides—

A Member may no longer take contributions to travel from any person other than a relative.

What is the point in my saying, for example, to an outside contractor who is seeking some favour, "Buy me an around the world first-class air ticket and I will see what I can do for you", or, "I will fix it"? That is against the financial interest legislation, so I could say, "Make it out to my son", or alternatively, "Would you give my son a cheque?" My son would then draw the cheque and go to the travel agent and purchase a ticket for me, because the person seeking the favour wanted to give me a gift. I think the Attorney General would agree that he is allowing a large loophole to remain. If the Government wants this legislation to be in proper form I suggest that those anomalies be eliminated.

Hon. Kay Hallahan: You could move an amendment.

Hon. JOHN WILLIAMS: I will conclude my remarks with the quote I made earlier, which is a

very old quote on the record appertaining to all members' pecuniary or financial interests. It is not a new topic. It was raised on 3 February 1932 in the House of Commons. Many things that are said and done in the House of Commons are enshrined in our legislation but, even more importantly, the rulings that are made by Speakers of the day are taken as guidelines and indeed published. The handbook to which most members like to refer when dealing with Commonwealth Parliaments is Erskine May. I quote from page 5737 of *Hansard* as follows—

On a point of Order, I wish to ask your guidance, Mr Speaker, on a matter of considerable public importance, and that is as to how far it has been in accordance with the Rules and customs of the House of a Member to vote in connection with a matter in which he is specifically and personally interested? One of the articles dealt with in the Schedule affects me quite clearly from a business point of view. I ask your guidance, and I dare say it will affect a great many other Members as to how far one could, in accordance with precedent, record a vote on a question of that kind?

Mr Speaker replied in the following way—

This question has often been raised before. Indeed, it has been put to me on several occasions. I have had always to remind Hon. Members that they individually must be the judges themselves on the question of personal interest; but, as a general Ruling—

I emphasise the word "general"—

—I would give the following.

The interest of a Member of a general or remote character on any Question before the House would not operate as a disqualification. The interest to disqualify must be immediate and personal.

There is a ruling given by one of my predecessors a very long time ago—

As an aside, I point out that he is about to mention Speaker Charles Abbot, who took up the speakership of the House in 1802. Mr Speaker Abbot used these words, and they are just as applicable today as they were then—

This interest—that is, the interest of members—must be a direct pecuniary interest and separately belonging to the persons voting and not in common with the rest of His Majesty's subjects or on a matter of policy.

The Speaker continued—

That means, of course, that an Hon. Member, although he may benefit by some Act of Parliament as a matter of general policy would not be precluded from voting thereon. I take an instance. As a farmer I am not precluded from voting on a measure directly designed to benefit agriculture, although that measure might benefit me and the industry in which I was engaged. That instance shows how, although to a certain extent I am interested, I should not be disqualified from exercising my vote.

I also explained, and I said I would not retread the arguments, other reasoned opinion as to why it was wrong that members of Parliament, and only they, should be treated in this peculiar way. As far as I am concerned until such steps have been taken to register the interests of Cabinet Ministers, who have far more chance of influencing anything in the financial arena than any backbencher, and until such time as they follow the Federal pattern, I will not consider such a proposal. I will not do so until a Bill is introduced which follows the outlines I have laid down.

I oppose the Bill.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [3.12 p.m.]: I would have thought in respect of the point made by the last speaker that this Bill did register the interests of Cabinet Ministers. I do not know why the member who has resumed his seat wants to wait until Cabinet Ministers register their interests. It seems to me quite proper that we can all do so at once.

The notion that the member started with, that this is a socialist perennial because in our envy we want to find out how other people earn their money and what they have, is so much nonsense. There are people on this side of the House whose interests would be as great as those of members opposite.

Hon. A. A. Lewis interjected.

Hon. ROBERT HETHERINGTON: I would be glad if the member kept quiet. I want to be heard if possible, but Hon. A. A. Lewis does not particularly want to hear me because he wants to throw his usual cheap jibes across the Chamber.

It is a matter of no importance to me or any member on this side of the House what particular interests people have. My interests are certainly an open book because I do not have many; that is, not anything that is relevant to the debate. The main thing is we should look at the whole question of interests of members of Parliament. The interests of parliamentarians has been regarded as highly

important since the time of Queen Anne. In looking at members' interests we are following the traditions of the House of Commons.

I point out to members that since we last debated this question in this House a new Act has been passed, the Constitution Acts Amendment Act, which has not yet been proclaimed, and which deals with the disqualification of members. Members will recall that from the beginning of our Constitution—and until this Act is proclaimed—the Constitution has been concerned with two aspects. The first is that members should not hold offices of profit under the Crown. This was brought in during the time of Queen Anne to ensure that members of the House of Commons could not be bribed or corrupted by the Crown, and the Crown could not buy the votes of backbenchers. The other point written into our Constitution was the notion that members should not have contracts with the Crown.

Those two principles have been very difficult to carry out because of the problem of definition. Members who have been in the House for some time will recall that in the Parliament before last the then Attorney General, Hon. Ian Medcalf, introduced a Bill to change the Constitution on the question of qualifications of members. That Bill passed through this House, although we in the Labor Party opposed it on the ground that we should look at it more carefully, and it was not carried in another place but was allowed to roll off the Notice Paper.

I suggested to the then Attorney General that a Select Committee should be set up to examine the whole question, and that was done. The then Government set up a Select Committee under the chairmanship of Hon. Neil McNeill who used to grace that corner of the house where my friend Graham Edwards now sits, and did so very well.

Hon. H. W. Gayfer: He used to grace the place where your leader is sitting.

Hon. ROBERT HETHERINGTON: I take the point, but I was not here to see it. When I first came to the House, Hon. Graham MacKinnon sat where my leader now sits.

The recommendations of the Select Committee were very much in line with those of the Law Reform Commission and the Bill put up by Hon. Ian Medcalf. The main recommendations will be put into operation by the Bill which was passed and is waiting to be proclaimed. Under that measure we got rid of the notion of offices of profit under the Crown except so far as the Commonwealth is concerned, and we have disqualified members of Parliament from a whole range of

offices which they could previously hold. If they do hold them they will lose their seat.

At the same time it was a recommendation of the committee, and it went into the Bill which we passed, that the question of contracts with the Crown be omitted from the Constitution because of the great difficulty of interpreting that notion and the fact that it was not likely there would be much malpractice anyway. Because of the development of joint stock companies and people owning shares with very remote connections with companies which might have contracts with the Crown it was possible for a member to err unwittingly and not realise he was in breach of the Act. The Select Committee recommended that the contracts be abolished, but at the same time it expressed some very serious concerns that this was done.

On page 26 of the report of the Select Committee of the Legislative Council and the Legislative Assembly which reported on 3 November 1984 the following is stated—

- (24) The Committee *recommends* that the concept of Members contracts with the Crown be abolished.

In advancing this recommendation, the Committee expressed its support for the recommendation of the Law Reform Commission, which in turn had been adopted in the Acts Amendment (Disqualification for Parliament) Bill 1979. It also follows of course the recommendation of the Select Committee of the House of Commons 1956, put into effect in the House of Commons Disqualification Act 1957.

The House of Commons decision can be said broadly to have been on the basis as similarly found by this Committee—of the virtual impossibility of statutorily defining a contractual interest offering the potential for Crown patronage, as against those that did not.

It can also be said that it was much influenced by the existence of Standing Orders, and of disciplinary powers of the House, which could be exercised in order that the proprieties previously embodied in Statute would continue to be maintained. Also, in the event of such serious breach as may conceivably necessitate disqualification in the Western Australian context, the forms of the House of Commons have been shown to have been sufficiently adequate as to

bring about the resignation of Members without the necessity of the imposition of the ultimate penalty. Indeed, the stature of the institution of the Parliament is such as to make that action beyond contemplation.

The Committee does not consider that either the Standing Orders of the West Australian Parliament in either House, or the traditional procedural forms can be sufficiently equated with the House of Commons as to engender an equivalent degree of confidence in their ability to fully compensate for the loss of the statutory safeguard.

This is not to suggest that the likelihood of offence is greater than in Westminster. Indeed history would suggest otherwise. But the Committee was mindful that in the event of the necessity of the Parliament to exercise extreme powers, it must be enabled to prosecute them fully and effectively. Its inability to do so would so seriously harm the fabric of Parliament as to put such action beyond contemplation.

- (25) The Committee therefore *recommends*

- (a) that the Standing Orders Committee of both Houses meet as a Joint Standing Orders Committee and be required to report to their respective Houses within a reasonable period not exceeding 12 months following the passing of an Act which abolishes the concept of "Contracts with the Crown" as recommended in this Report; and
- (b) that the Joint Standing Orders Committee be required to have regard to the preparation of draft Standing Orders under which the conduct of a Member in relation only to his dealings of a financial or commercial nature with the Crown, or of his dealings of such nature with the Crown on behalf of others may be investigated by a body responsible to the Parliament.

The committee did not believe that there was much likelihood of impropriety happening—as a matter of fact, the committee could find no evidence of any deliberate impropriety on the part of a member of the Western Australian Parliament. Of course, I would not argue, and I am sure other

members of this House would not argue, that we do not say that because we have behaved so far, it is beyond belief that anybody will not behave in future and that it is beyond belief that there will be infringements in the future. Of course, it is not beyond belief; of course, we have to establish safeguards; of course, we have to make sure that not only is members' conduct as far as their conflicts of interest are concerned above reproach, but that members are also seen to be above reproach. We have different safeguards for the judiciary and other people than we do for members of Parliament. Over the centuries we have regarded it as highly important in all Parliaments that follow the Westminster model to make sure that members' conduct is above reproach and can be seen to be above reproach.

If we are going to do something along these lines—I am not sure we will—the first thing we have to do is have a register of members' interests. It is an important requirement. We need to have a register of members' interests, now that the Constitution is about to be changed—this House having supported that change unanimously—and we have to bring in new reforms and procedures.

It is important that in the possibility of conflict of interest influencing Cabinet, Ministers, or members in their relationship with Cabinet Ministers, members can be seen to be above reproach, and that questions can promptly be raised when a conflict of interests arises. For this reason it is desirable there be a register of members' interest.

I am not convinced that the Bill goes far enough, although to one who believes in the equality of all people including wives and husbands I would find it very difficult to support legislation that said that the wives of members or the husbands of members should also have to register their interests which they perhaps acquired separately—although we do know that it has been the habit of many people from all walks of life to channel off to their wives or immediate families some of their moneys or their interests in order that they can be regarded as not being legally responsible for them. That does raise a problem, but I think we can here take the first step and if there are anomalies, as Hon. John Williams suggests, then either we can bring up amendments or we can have a look at the legislation to see how it works and to see if it needs changes in the future. I would regard it as a necessary first step, not as the be-all and end-all of legislation as far as the possibility of conflict of interests of members is concerned.

The Bill says that members will register their interests—it refers to members' interests and not those of their immediate families. I admit that

might be regarded as a weakness. It says that members will register their interests and that the register will be kept and it will be open to scrutiny, but nobody can reveal what is in it unless it is a matter of fair comment. In other words, the information is not there for mere titivation, although I have no doubt that some members who speak so strongly about the envy of socialists will be interested in titivating their own interests in the holdings and interests of the members of the Labor Party.

I have said that members are welcome to look at a statement of my interests at any time and if any member wants to ask me about my interests I can lay them out before him in 3½ minutes flat, or even less. However, that is not the purpose of this legislation. The purpose is to make available the financial interests of members so that if there is a possibility of a conflict of interest or the possibility of impropriety it can be commented on publicly, and probably that impropriety will either not take place or will be found not to have taken place.

I am not suggesting there is any likelihood of financial impropriety in the conduct of the business of this State as far as any members of this Parliament are concerned. I think it is highly unlikely, but I do not think it is beyond the realms of possibility that the day might come when it does happen.

It is always possible for minor or major corruption to enter any Parliament. If this were not possible, then we would not go in for the system of checks, balances and safeguards which is built into any Westminster system. We believe in this system of checks and balances. We believe in a system of limitation and scrutiny of the Executive. We believe in scrutinising a number of members' interests in the Westminster system, because we believe that honest men should be kept that way, and people should be protected from themselves if by accident they are likely to infringe what we regard as proper conduct for members of Parliament.

For this reason I think it is possible that a register which is open to scrutiny may be enough. It was considered by the committee which deliberated on this matter that perhaps we had reached the stage where impropriety of contracts could be left to political scrutiny; in other words, a deliberate impropriety in contracts. I do not mean some of the things which came to the notice of the committee. It was suggested some members might inadvertently be implicated in a contract which was against the Constitution because of something they had no responsibility for at all; sometimes through the correct carrying out of the legal processes people can be implicated inadvertently.

It is important, therefore, if there is any impropriety or inadvertent crossing of the bounds of propriety, that it be brought to the notice of the person concerned. If that person does not then do something about it, it can be made public vigorously and loudly. It can be given full publicity and brought to the notice of the electors, who are the ultimate judges of the behaviour of their members.

For this reason I think it is highly desirable that we have this register; that we register our interests and we register gifts.

I would point out to Hon. John Williams that nothing in this Bill says that members may not take gifts. It is not illegal for a member to take gifts. It is not even illegal for a member to be given a free air trip. But if a member is given a free air trip by some person representing an interest which is trying to put pressure on members of Parliament, I accept that that gift might be regarded as highly suspect and it should properly be brought to public notice.

It is arguable, though less likely to happen, that if members get trips from the Government, these may be pay-offs. But many trips which are paid for at the public expense are open and above-board; people can see why they are being undertaken. If members think these too should be registered, I see no reason why this should not be considered or discussed. It is worth thinking about.

All we are trying to do is to compile a register of members' interests which cannot be made public unless there is a reason for it; unless it is fair comment. We are trying to make sure that in the future, as far as possible, conflicts of interest can be avoided with members of Parliament, so that they are less likely to be dishonest about their financial interests in their decision making in this Parliament.

Hon. P. G. Pental: Does this apply to tax dodgers as well, or are they excluded? You are not sure.

Hon. ROBERT HETHERINGTON: I am making no exceptions. I am just saying that members' interests should be disclosed as far as they influence their decisions in this Parliament. If I may say this in reply to Hon. Phillip Pental: I am not interested in what members may or may not have done in the past.

Hon. P. G. Pental: Voters are.

Hon. ROBERT HETHERINGTON: They may or may not be. A member in Victoria was kept out of the Parliament because a law said a person who had served a sentence could not be in the Parliament. I believe our own law says this. I

think that is a bad law. I do not think if a person has served a sentence it should necessarily be held against him or prevent him from standing as a member of Parliament. I do not think there is any reason that it should be hidden from the electors, who can make up their own minds on this issue.

We should take all things into consideration. It may influence my judgment that I was a member of the managing committee of the University of Western Australia Staff Association immediately before I became a member of Parliament, and I had been for many years in the University of Adelaide. I suppose this gives me certain views, and it is an interest I am quite happy to declare so that members can say, "Are you allowing your past interests to influence your judgment on this issue?"

Hon. P. G. Pental: That is not a financial interest.

Hon. ROBERT HETHERINGTON: That is not a financial interest.

Hon. P. G. Pental: That is why you want to tell us.

Hon. ROBERT HETHERINGTON: It is the only interest I have which is likely to worry my judgment. If Hon. Phillip Pental would take the trouble to read the Bill, he would find it suggests that members who are officers of trade unions on the day that they take the oath should declare this interest too, and I think that is proper. As a matter of fact I suggest to the Attorney that he might consider, as far as members of the Legislative Council are concerned, changing the Bill to include members who were members of trade unions or other associations on the day on which they officially first received their salaries.

Hon. P. G. Pental: On the day of re-endorsement.

Hon. ROBERT HETHERINGTON: It could be at any time members like; it would make no difference to my re-endorsement. Nothing that Hon. Phillip Pental is likely to say across the Chamber to me is likely to affect my re-endorsement.

Hon. P. G. Pental: You know how intransigent you are.

Hon. ROBERT HETHERINGTON: I am perfectly transigent. The honourable member knows it. But as far as members of this House are concerned, and perhaps members of the other House, it should begin on the date of election, or the date on which they took their seats. I am not sure for myself when I resigned from my industrial association at the university. I may have resigned on the

day I became a member of the Legislative Council, or it may have been earlier; I do not know.

There are a number of things in this Bill which suggest that influence or conflict of interest should be made public. This is necessary under the guise of fair comment. It is perfectly proper. I do not know why members are becoming so upset about it. As I have said before, I do not think the members opposite can any longer say that they necessarily have a bigger, brighter or better financial interest than ours, or vice versa.

I suppose some members opposite have scarcely any financial interests while others may have a great deal, and the same applies to members of the Labor Party. Of course, we now attract to our party people who are attracted on rational lines, people who can see the rational sense of belonging to the ALP, people who are not necessarily poor industrial unionists. I suppose I might even be included in that lot, although I came from a fairly undistinguished background.

For this reason I say that Hon. John Williams was dragging a lot of red herrings across the trail. In his case it is blue herrings, perhaps, which he drags across quite unnecessarily.

The notion of singling out members of Parliament is one that is traditional. It has all the backing of hundreds of years, right from the time of Queen Anne in Great Britain when it was thought that members of Parliament should be watched.

Hon. P. G. Pendal: We are watching you carefully now.

Hon. ROBERT HETHERINGTON: Indeed I would be very sad if the members of the Opposition did not watch us carefully. I would be happier if they watched us first and then accused us of factual things instead of watching us and then entering into the area of fantasy as the Leader of the Opposition is so good at. Even when we were in Opposition we watched the Government which was in power at the time. This is what the Opposition is for: To exercise proper scrutiny over Governments, and it is sometimes debatable how proper that scrutiny is. One of the proper scrutinies that could well be exercised over any member of Parliament is to see whether he has interests which are in conflict with his duties as a member of Parliament.

For that reason I support the Bill and I support it very strongly; and I would suggest that when members opposite read the Bill they bear in mind the fact that things have changed since last year. We have passed a Bill changing the Constitution. We have got rid of the doctrine of offices of profit. We have got rid of the notion of contracts with the Crown. I point out that although we have done

that, the Select Committee which recommended it still believed that we should be very careful in our scrutiny of members of Parliament and that we should set up other institutions to carry out that scrutiny.

The first step is to get a register of members of Parliament's interests. Whatever else we do we need a register of members' interests so that whatever scrutinising body is established it will know what it is looking at.

Hon. P. G. Pendal: If the Bill does not succeed would the Government members voluntarily make a disclosure to set an example in a public-spirited way?

Hon. ROBERT HETHERINGTON: I have always been one who believes in obeying the law and equality before the law of all classes of people, and when the members opposite are prepared to disclose their interests, we will all disclose ours under the law as passed by this Parliament. What we do need is a register. We need other things and I presume, but I do not know—it may not be the case—that the Standing Orders Committee of this House and that in another place will take heed of the recommendation.

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

[Questions taken.]

Hon. ROBERT HETHERINGTON: Having been refreshed by the tea break, and for the benefit of Mr Pendal, I should perhaps dilate further on the Bill, but I will not.

I suggest to members opposite that I was saying that they should bear in mind the traditions of Westminster and the need to scrutinise members of Parliament and their financial interests. A Bill has been passed which changes the situation from what it was last year and members opposite should read the Bill very seriously and give serious thought to whether they should reconsider their attitude.

It gives me great pleasure to support the Bill.

Debate adjourned, on motion by Hon. P. G. Pendal.

POSEIDON NICKEL AGREEMENT 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) [4.28 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to obtain parliamentary ratification of the agreement entered into on 15 November 1984 between the State and Western Mining Corporation Limited to vary the provisions of the Poseidon nickel agreement of 1971 as amended to date.

The 1971 agreement was ratified by Act 59 of 1971 and with its amendments to date will be referred to as either the "principal" or the "current" agreement, with Western Mining Corporation Limited being referred to as "the company".

The major purposes of the variation agreement now before the House are briefly outlined as follows—

- to replace the company's several Mining Act 1904 mineral leases, held under the current agreement for nickel and certain other minerals, with a single "all minerals" mining lease under the Mining Act 1978;

- to replace the existing exemption from the labour provisions of the Mining Act 1904 with exemption from the expenditure provisions of the Mining Act 1978;

- to bring the Poseidon nickel project's Windarra mine process water supply, which is sourced from outside the agreement mining area, within the ambit of the principal agreement.

The variation agreement will also confirm that mineral lease numbered 38/84, a small area which was inadvertently excluded from the mining areas in the principal agreement, is to be deemed to have been at all material times held under and pursuant to the principal agreement.

I will now deal in more detail with the first of the objectives I have outlined; that is, the amendment of the current agreement to replace the company's 1904 Mining Act mineral leases held pursuant to the current agreement with a single mining lease under the Mining Act 1978 for the same total area, plus the area of mineral lease 38/84 which will be referred to again later in these comments.

Although the amending clauses give recognition to the "all minerals" concept of the Mining Act 1978, they will not provide the company with an automatic right to mine any mineral within the agreement mining areas apart from the ore defined in the principal agreement as nickel ore.

Should the company wish to mine other minerals, it will be required to first submit further or additional proposals to the State and to obtain the approval of the Minister to those proposals.

It is an important feature of the last described provisions that in the event of non-approval of the relevant proposals by the Minister, or subsequent failure of the company to obtain a favourable award on any arbitration concerning such proposals, the agreement as otherwise operative will remain in full force and effect.

As to the second objective of the variation agreement, the substitution of an exemption from expenditure conditions of the Mining Act 1978 for the exemption from the labour conditions of the Mining Act 1904 is a necessary corollary to the substitution of a mining lease under the current Mining Act.

I pass now to the amendments which will bring the Poseidon nickel's process water supply to the Windarra mine under the scope of the Poseidon nickel agreement.

In 1976, due to the remoteness of the locality, the brackish nature of the water, and the unlikely requirement for a share of the water supply by any third party, the State approved the company designing, constructing, and operating its own process water supply from the Valais Wells area, under an appropriate licence from the State.

That approval was given, subject to the company entering into a variation agreement to authorise this departure from the water supply provisions of the principal agreement. Under those provisions, the State is obliged to design, construct and operate the water supply service from outside the agreement mining area at the cost of the company.

Action towards the variation agreement lapsed shortly afterward due to the then uncertain future of the Poseidon nickel project as a result of a drastic fall in the world price for nickel.

The related provisions of the variation agreement will remove this longstanding anomaly in regard to the water provisions of the Poseidon nickel agreement.

The last of the amendments to the principal agreement outlined in my opening remarks is that concerning the inclusion of mineral lease numbered 38/84.

This small lease adjoins the southern boundary of two of the several mining leases included in the principal agreement. The Minister for Minerals and Energy is satisfied that it should have, at all material times, been held under and subject to the provisions thereof.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. N. F. Moore.

FORESTS: NELSON LOCATION 2882

Acquisition: Motion

Debate resumed from an earlier stage of the sitting.

HON. V. J. FERRY (South-West) [4.33 p.m.]: The Opposition has examined the proposal and has no objection to it.

Question put and passed, and a message accordingly returned to the Assembly.

FORESTS

Revocation of Dedication: Motion

Debate resumed from an earlier stage of the sitting.

HON. V. J. FERRY (South-West) [4.34 p.m.]: Once again, the Opposition has no objection to the provisions contained in this motion. It is traditional that a motion comes before this House seeking the excision of areas of State forest which it is sought to use for other purposes. A number of parcels of land are dealt with in the motion, and as a result of my experience over the years, I have personal knowledge of most of them.

In particular, I shall comment on area No. 5 which involves the excision of four portions of State forest 65, containing 155 hectares, to enable vesting in the Conservator of Forests as quarry reserve.

The purpose of this exercise is to secure future supplies of limestone for roadmaking for adjacent pine plantations. Roadmaking materials are not easy to come by in the area, therefore, it is good sense to ensure they are provided for future use in order that pine plantations may be serviced.

That leads me to ask why pine plantations are necessary in this State. We all know that our indigenous hardwood forests are in somewhat limited supply and we need to have a balance of timbers for commercial use. Therefore, quite deliberately, we are building up our plantations of softwoods.

One of the difficulties in relation to the Government's policy is that since it has taken office it has further depleted the availability of hardwoods for commercial purposes. I refer to the Shannon basin which has been denied to the hardwood timber industry. In addition, there is a reservation of approximately 100 hectares in what is known as the "northern jarrah forest". The greatest tribute which can be paid to the foresters of bygone days is that the northern jarrah forest area is now con-

sidered to be suitable for establishment as a national park. That area has been managed by professional foresters for many years and I suggest that that is a feather in their caps.

Notwithstanding that, because of the shortfall in hardwood timbers and the inability to meet the needs of the hardwood timber industry in this State, by its actions the Government has forced the cutting of hardwood timbers on areas which were set aside for specific purposes. I refer to those areas which protect streams in the south-west which have been left deliberately as buffer zones for fauna and flora, and also for aesthetic purposes. Some of these belts have been designed to assist in fire prevention and control.

Therefore, as a result of the Government's policy we are finding that these areas, which hitherto were reserved for very specific and reasonable purposes, are now being depleted. That saddens me greatly.

I return to area No. 5. Because of the decreasing hardwood forest resources we are obliged to care for our pine plantations. That is why these reserves are necessary in the Wanneroo area.

Under the existing Act, State forests are very deliberately protected. However, as a result of the Conservation and Land Management Act, which I have reason to believe has been assented to recently, the Forests Act will no longer apply. We are marking a very historic moment in Western Australia. Some years ago the Forests Act was deliberately enacted by this Parliament to protect the timber resources of this State. That responsibility is passing now to another authority and no longer in this context will we be acting under the Forests Act to excise portions of State forest as and when necessary. In the future that will come under the Conservation and Land Management Act.

I pay tribute to the foresters of the old Forests Department which has now been disembowelled. They were wonderful servants of Western Australia, despite what has been said by a number of people, especially those associating themselves in terms of conservation. My judgment is that foresters, being professional people in their fields of activity, have been the right people to use their judgment in nurturing the trees, nurturing the timber industry and providing commercial and employment opportunities for our people. The timber industry, of course, was Australia's first export industry after settlement by Europeans and one would hope it would continue to do well in the future.

Having passed the Forests Act specially to protect State Forests, it seems a little curious that Parliament should use its powers to take away part of a forest area for a quarry, bearing in mind that there has been tremendous discussion within the community over recent years in regard to mining in State forests. I refer to the situation of bauxite mining and, to a lesser extent, mineral sands mining and certainly coal mining. In this case we accept the fact that we need to excise portions of forest land to provide ready road building material.

We must always take a balanced view of these matters and in supporting this motion before the House today we as legislators are taking a balanced, commonsense view of the situation for the good of the community and of the industry. I hope that the bulk of Western Australians will see it in that light.

I know we have within our community many very well intentioned people who take a view contrary to the view I have expressed today, and that is their right. I do not deny them that right, but I will take issue with them as to the best way to exercise conservation methods and to preserve our timber industry. It is always the subject of debate, and I suppose it will be an ongoing one. I could refer especially to the fire control regimes that were implemented after the horrific Dwellingup fire in 1957 or 1958. As a result of learning that lesson, we have improved our techniques to protect our timber industry very effectively.

When we compare the fire prevention methods used in Western Australia to those of other States, we find we are well in the forefront, doing a good job. I know that firefighters in other States of Australia have a different situation in regard to handling bushfires. Western Australia has a fairly flat terrain and generally in the evening we get a relatively cool breeze which cools the forest. In a number of Eastern States areas, such as the Blue Mountains and perhaps the hills surrounding Adelaide, the country is very rugged and those areas experience horrific gully fires which create their own tornadoes, resulting in a more difficult situation. Therefore, those States need to employ different techniques. However, in Western Australia our Forests Department has provided excellent protection. I am not forgetting of course, the bushfire brigades which are established throughout almost every district of WA, and local authorities and, private bodies; their assistance to the Forests Department has been in the forefront of protecting out natural assets. We pay tribute to the efficient way they have provided that protection.

The other parcels of land concerned in the motion are logical ones in each particular area and they meet with my approval.

HON. P. H. WELLS (North Metropolitan) [4.45 p.m.]: I rise to speak on this motion, in particular to area No. 5 which affects a total of 155 acres north of the Wanneroo townsite. One of those sites is near Wilbinga Grove, another two, are just north of Smokebush Hill, and one is in the Pinjar plantation which is directly east of Mindarie Lake. I ask the Minister if the local council has been consulted in regard to this area. Did the council give its approval? I notice that the tabled papers only indicate to me that the Department of Mines supports the proposal. I can find no evidence, even after talking to the council, that it has been consulted. Did the council approve of this area? As the Minister would be aware, had this been Crown land and had I been the person pegging a site for a quarry, I would have been required under the Mining Act to send a notice to the owner; secondly, I would have been required to send a copy of the notice to the local government authority; and, thirdly, I would be required to advertise in the district.

My second question to the Minister is: What effort was made to advertise to allow an input of local people in respect of the projected usage of these areas, despite the fact that the indication is that the areas may not be used for 30 years? It may well be justified; and some people may see an environmental problem in regard to having quarries into those areas. I am not saying a problem exists; I am raising the question of why under the Mining Act we have a system whereby—

Hon. D. K. Dans: Do you understand what a revocation is?

Hon. P. H. WELLS: It says here that the areas are required for limestone.

Hon. D. K. Dans: You should have listened to my speech.

Hon. P. H. WELLS: I read the Minister's speech.

Hon. D. K. Dans: The motion is from the Governor.

Hon. P. H. WELLS: I would be happy if the Minister would explain it.

The Government's motion says the Government requires those areas for limestone—80 000 tonnes will be needed by the Forests Department in the Wanneroo district alone. Am I correct that the Government will make quarries out of the forest areas? The land is within a State Forest, and although there is every justification for taking the limestone—I am not objecting to that—we should

make certain that there is an opportunity for public input. It may be a long time down the line before the land is used for quarrying; I am not arguing about that. But the suggestion here is that there is some need for the land to be used for quarrying at some time, and it will be vested in the Conservator of Forests. Therefore, the land is still within the local authority area.

However, the point is that the forests are owned by the people and we are going to use an area for quarrying. I am reminded that already an environmental problem exists in the Mindarie area. All I am asking the Minister is whether we have gone through the process of making certain that people have been consulted to avoid some time down the line somebody saying that we did not do the right thing in terms of those areas.

If we expect other people to use the land for quarrying and to advertise the intended use in local newspapers, we should surely adopt that course of action in this case. Of course—and the Minister can correct me—it could be incorporated into the legislation we are debating, that before forests may be used for quarrying people will be required to go through a certain process. I do not know. I am asking the Minister before making those types of decisions, how much input and consultation the local people will be able to have before those areas are taken over and mined for limestone.

HON. D. K. DANS (South Metropolitan—Leader of the House) [4.49 p.m.]: I thank members for their support of these revocation motions. I remind Hon. P. H. Wells that all the legal requirements under the Act have been met. I also remind him and the House that towards the end of the last session of Parliament the same proposal

was simultaneously laid on the Table of both Houses by myself and by the Premier, as Minister for Forests.

The member is entitled to an explanation. We are talking about State forests. I thought there was a full explanation in my speech, and I know most members who have been here for some time understand what a revocation motion is. Section 21 of the Forests Act provides for the dedication of Crown lands as a State forest. That dedication may be revoked only in the following manner: The Governor shall cause a proposal for revocation to be laid on the Table of both Houses of Parliament; after such a proposal is laid before the Parliament, the Governor, on a resolution being passed by both Houses that such proposal be carried out, shall by Order-in-Council revoke such dedication.

In my experience, when revocation notices are posted in this House, the local authorities are always advised as to what is happening. The member will notice that in some other areas the local authority has been mentioned. On this occasion the Forests Department is setting aside an area in State forest No. 65 and others for the provision of limestone to build roads through the pine plantations.

In reality the proposal would not have to go to the local authority because it is Crown land. The normal procedure is to lay the proposal on the Table of both Houses and at the same time to inform all the local authorities involved. That is why it is a lengthy process. I assure the honourable member that all the relevant requirements of the law have been met.

Question put and passed, and a message accordingly returned to the Assembly.

House adjourned at 4.52 p.m.

QUESTIONS ON NOTICE

663 to 665. *Postponed.*

PORTS AND HARBOURS: FREMANTLE

Passenger Tax

660. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Transport:

- (1) Is it correct that the \$1-a-head passenger tax now imposed by the Fremantle Port Authority is imposed both at the point of embarkation and disembarkation so that weekend cruise passengers pay the tax twice?
- (2) How much has the tax raised since its introduction on 1 January 1985?
- (3) Will the Government give an unequivocal assurance that it will not increase the tax in this year's State Budget?
- (4) Have complaints been received about the imposition of this new tax?
- (5) What response, if any, has the Government made?

Hon. PETER DOWDING replied:

- (1) It is correct that passengers on the so called "cruise to nowhere" voyages are counted both embarking and disembarking in the calculation of the Fremantle Port Authority head tax. However, it has to be recognised that passengers of this type are considerably fewer in number than transit passengers, who are not counted for head tax. It also has to be recognised that as with other port charges, this tax is levied on the shipping company. The passenger does not pay it directly, even if eligible. The passenger tax does not apply to Rottnest passengers.
- (2) \$3 402.
- (3) No. It is appropriate that a charge be made for passengers using the port, just as for freight. The calculation of that charge is a commercial exercise on the part of the Fremantle Port Authority. It is not appropriate that the Government direct the authority in its commercial decision-making process.
- (4) Yes.
- (5) The Government has responded to all of the comments which have been made about this matter and explained the logic behind the decision to impose this charge.

LAND: REVESTMENT

Legislation: Introduction

668. Hon. P. H. WELLS, to the Attorney General representing the Minister for Lands and Surveys:

- (1) Is the Government preparing a Land Revestment Bill, to present to Parliament?
- (2) If so, when will the Bill be presented to Parliament?
- (3) Can local government authorities add additional accessway closure to this Bill?
- (4) If not, on what date did the acceptance of accessways, for inclusion in this Bill, close?
- (5) Which specific accessways are to be closed by the Bill?
- (6) If the deadline for inclusions in the Bill has passed, what will be the next opportunity for accessway closures?
- (7) What will be the deadline date for receipt of closures, under the next Bill?

Hon. J. M. BERINSON replied:

- (1) Yes.
- (2) The Bill is presently being drafted by Parliamentary Counsel.
- (3) No.
- (4) 22 February 1985.
- (5) See list below.
- (6) Spring session.
- (7) This would depend on the timing and the length of the Spring session; the legislative programme; and the evaluation required of any request received.

CLOSURE OF PEDESTRIAN ACCESSWAYS

Local authority	Locality	
Town of Armadale	Westfield	Between Detling and Chasley Courts.
City of Bayswater	Morley	Between Bansked Way and Hamersley Avenue.
City of Gosnells	Gosnells	Off Sturt Close.
Shire of Rockingham	Safety Bay	Between Rae Road and Wallend Street.
City of Stirling	Balga	Between Princess Road and Blackham Way.
Shire of Wanneroo	Girrawheen	Between Burgland Drive and Nanovich Avenue.
Shire of Wanneroo	Greenwood	Near Cupar Place.
Shire of Wanneroo	Warwick	Near Hillwood Avenue.

669. *Postponed.*

PERTH MINT

Preservation

675. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Minerals and Energy:

- (1) Does the Government intend any action that would adversely affect the buildings known as the Perth Mint?
- (2) If not, will he give an assurance that this fine example of nineteenth century colonial architecture will be preserved?

Hon. PETER DOWDING replied:

- (1) No.
- (2) As the Minister for Minerals and Energy has previously stated, the Government recognises the historical and architectural value of the Perth Mint. The central offices of the Perth Mint have been recorded by the National Trust and, as such, the Government plans to preserve them.

676. *Postponed.*

ABORIGINAL AFFAIRS: LAND RIGHTS

Legislation: Surveys

680. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister with special responsibility for Aboriginal Affairs:

- (1) Has the Government employed or engaged any consultants to carry out market surveys on people's attitudes towards the proposed Aboriginal Land Rights legislation?
- (2) If so, will the Minister provide details?

Hon. PETER DOWDING replied:

- (1) As per response to question 672; i.e., no survey has been conducted specifically in relation to the proposed Aboriginal Land Bill.
- (2) Not applicable.

PLANNING

Swan Valley Project Policy Proposals

681. Hon. NEIL OLIVER, to the Leader of the House representing the Minister for Agriculture:

With reference to the Minister's Press release reported on page 2 of the *Midland Reporter* of 5 March 1985—

(1) Was the 18-point package related to the MRPA study group proposals initiated in 1980?

(2) If "No" to (1), are they related to the 24 policy proposals contained on page 8 of the Swan Valley project policy proposals for public comment by the MRPA in January 1984?

(3) Why were members of the Grape Growers Association not advised of the 18-point proposals contained in the Press release?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) See above.
- (3) The 18-point aid package was proposed by the Grape Growers Association of WA (Inc.)

HORTICULTURE: GRAPES

Cuttings

682. Hon. NEIL OLIVER, to the Leader of the House representing the Minister for Agriculture:

(1) How many grape cuttings and rooted vines were ordered from the Upper Swan Research Station for the years—

- (a) 1982;
- (b) 1983; and
- (c) 1984?

(2) How many of these orders were supplied?

(3) Were there any orders that could not be fully supplied, and for what reasons?

Hon. D. K. DANS replied:

- (1) (a) Cuttings 127 000 Rootstocks 82 000
(b) Cuttings 67 000 Rootstocks 64 500
(c) Cuttings 60 000 Rootstocks 70 000
- (2) (a) Cuttings 40 000 Rootstocks 20 000
(b) Cuttings 55 300 Rootstocks 28 000
(c) Cuttings 30 600 Rootstocks 19 000

(3) Yes. Insufficient plant material available. Remaining orders were referred to other sources.

683. *Postponed.*

MINISTER FOR TOURISM

Staff: Personal

684. Hon. G. E. MASTERS, to the Minister for Tourism:

- (1) How many officers does the Minister have on his personal staff?
- (2) Who are they?
- (3) What are their respective classifications?
- (4) What are their titles?

Hon. D. K. DANS replied:

- (1) I have no officers on my personal staff. There are seven officers attached to my office who are all career public servants.
- (2) Edwardes, C. G.
Cole, M. L.
McDonald, L. M.
Vlahov, V.
Hepponstall, T.
Updegrove, J. L.
Kins, I.
- (3) C-II-6/7
C-II-2/3
C-III-4/5
C-III-1/2
C-VI
C-V
A-I-1
- (4) Private Secretary
Assistant Private Secretary
Secretary/Stenographer
Secretary/Stenographer
Clerical Assistant
Typist Relieving
Principal Research Officer

A vacant position titled Executive Officer, C-II-10, has recently been established, but not yet filled.

TOURISM COMMISSION

Chairman: Resignation

685. Hon. G. E. MASTERS, to the Minister for Tourism:

- (1) Why did the Chairman of the Tourist Commission decide to tender his resignation?
- (2) Did the Minister receive any adverse reports relating to the performance of Mr Hitchen in his role as Chairman?
- (3) Were the members of the Tourist Commission aware of Mr Hitchen's intention to resign prior to the Government's announcement of his resignation?

Hon. D. K. DANS replied:

- (1) This question should be addressed to Mr Hitchen.
- (2) Refer to reply to parliamentary question 686.
- (3) I understand members of the commission were not aware.

TOURISM COMMISSION

Price Waterhouse Report: Tabling

686. Hon. G. E. MASTERS, to the Minister for Tourism:

- (1) Will the Minister table the Price Waterhouse report in respect of the operations of the Tourism Commission?
- (2) If not, why not?
- (3) Is it correct that the Price Waterhouse report recommended that Mr Hitchen did not have the qualities to lead the Tourism Commission?
- (4) If it is correct, what qualities did the report recommend that a person had to have to lead the commission?
- (5) Why did the Tourism Commission not act to remove Mr Hitchen in December 1984 when they were in receipt of the Price Waterhouse report?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Not applicable.
- (3) and (4) Refer to (1).
- (5) The commission was, and is still, considering the report.

MR BRETT GOODRIDGE

Employment

687. Hon. G. E. MASTERS, to the Minister for Tourism:

- (1) What was Mr Brett Goodridge's position prior to his appointment as Managing Director of the Tourism Commission?
- (2) What is the relationship between the positions of General Manager and Managing Director at the commission?
- (3) Has Mr Goodridge been correctly reported in *The West Australian* on 15 March 1985 as saying that he was interested in the chairman's position?

Hon. D. K. DANS replied:

- (1) Ministerial Adviser, Tourism.

- (2) Both positions and officers work closely together as a management team.
- (3) Yes.

688. *Postponed.*

TRADE: EXIM CORPORATION

Public Relations: Ward Holt PR Consultants

689. Hon. P. G. PENDAL, to the Leader of the House representing the Premier:

- (1) Has Exim Corporation or WA Floral Enterprises employed Ward Holt PR Consultants to handle their publicity?
- (2) If so, at what cost?
- (3) What is the reason for not using the Government Media Unit?

Hon. D. K. DANS replied:

- (1) No, the only occasion on which Ward Holt PR Consultants were employed was to make arrangements for a meeting between WA Floral Enterprises and growers.
- (2) and (3) Not applicable.

TRADE: EXIM CORPORATION

Consultants: Bittae Ltd.

690. Hon. P. G. PENDAL, to the Leader of the House representing the Premier:

- (1) Has the Government or Exim Corporation employed a firm of consultants—Bittae Limited?
- (2) If so, in what capacity were they employed?
- (3) Has Bittae Limited prepared or presented a report to either the Government or Exim Corporation?
- (4) If so, will the Government table that report?

Hon. D. K. DANS replied:

- (1) and (2) Press release announcing the appointment of Bittae Ltd. is tabled.
- (3) and (4) Bittae Limited provided information to the Government which enabled it to make a decision on establishing the Exim Corporation.

This information was not contained within a single report.

The paper was tabled (see paper No. 515).

WESTERN AUSTRALIAN FLORAL ENTERPRISES LTD.

Mr Phillip Watkins: Employment

691. Hon. P. G. PENDAL, to the Leader of the House representing the Premier:

- (1) Is Mr Phil Watkins employed by WA Floral Enterprises Limited?
- (2) If "Yes", when did he resign from the Civil Service?
- (3) Will Mr Watkins enjoy the same benefits with WAFE as he did with the Government?

Hon. D. K. DANS replied:

- (1) Mr Watkins is seconded to the Department of the Premier and Cabinet from the Department of Agriculture and would have taken up a position with WA Floral Enterprises if Exim had decided to continue with the project.
- (2) and (3) Not applicable.

692 and 693. *Postponed.*

WESTERN AUSTRALIAN FLORAL ENTERPRISES LTD.

Audit: Accountability

694. Hon. P. G. PENDAL, to the Leader of the House representing the Premier:

- (1) As the Government has an investment of \$700 000 in WA Floral Enterprises will it assure the taxpayers of WA that WAFE will be accountable through the Auditor General's Department?
- (2) Is the Government using the system of setting up trading corporations to avoid being accountable to the taxpayers and voters?

Hon. D. K. DANS replied:

- (1) There has been no investment by the Government in WA Floral Enterprises.
- (2) No.

695. *Postponed.*

GAMBLING: LOTTERIES

Net profits

696. Hon. TOM McNEIL, to the Minister for Racing and Gaming:

From the audit of accounts of the Lotteries Commission for the month of October 1984—

- (1) What net profit was derived from the—
 - (a) four standard lotteries conducted;
 - (b) nine lotto draws; and
 - (c) seven instant lotto draws?
- (2) For the more expensive lottery draws (e.g. \$5.00, \$10.00, etc.) what net profit is derived from each category?

Hon. D. K. DANS replied:

	\$
(1) (a)	300 636.44
(b)	1 327 660.14
(c)	956 711.49
	<hr/>
	\$2 585 008.07
	<hr/>

- (2) Approximately 27 per cent.

EDUCATION: PRIMARY SCHOOL

Heathridge

697. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Education:

- (1) What plans are there for the Heathridge Primary School in terms of new buildings and playing fields during the current financial year?
- (2) What is the forward planning of buildings and services for this school?
- (3) What are the current and projected numbers of students expected at this school during the next five years?

Hon. PETER DOWDING replied:

- (1) and (2) None. Heathridge Primary School is fully developed in terms of permanent buildings. The permanent facilities comprise 16 classrooms, a pre-primary centre, a library/resource centre, a covered assembly area, a dental therapy unit and an administration block.
- (3) Enrolments:

March 1985—837 including 108 pre-primary students

March 1986—701 including 100 pre-primary students.

The above will be relieved by the opening of the proposed Eddystone Primary School in February 1986.

March 1987—760 including 108 pre-primary students.

No projections have been made beyond 1987 because of the uncertainty of future subdivision and housing development in the area.

COMMUNITY SERVICES: MEALS ON WHEELS

City of Stirling: Funding

698. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Health:

- (1) Has the Minister seen the report in the *Stirling Times* of 19 March 1985 concerning the dilemma the City of Stirling is in with relation to its application for funding to extend its Meals on Wheels kitchen?
- (2) Has the Minister received a request from the Mayor of the City of Stirling seeking his support for approval of funding for this project?
- (3) When will approval of funding be given for this project?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Yes.
- (3) The Minister for Health is recommending to Senator Grimes, Commonwealth Minister for Community Services, that this project be funded from funds set aside under the States Grants (Home Care) Act for the triennium commencing 1984-85.

It is not known if and when Senator Grimes will approve the funding.

699. *Postponed.*

CRIME: STATISTICS

North Metropolitan Province

700. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) What are the reported crime figures for the Scarborough and Karrinyup areas during each of the past five years?
- (2) What resources in manpower were at local police stations during these periods?
- (3) What were the figures for reported crimes that were not solved in the above

areas during the periods figures are supplied?

Hon. J. M. BERINSON replied:

- (1) Reported crime figures prior to 1 July 1982 for Scarborough and Karrinyup areas are not available.

The following are recorded since that date:

	1982	1983	1984
Scarborough	550	1 203	1 078
Karrinyup	290	649	722

- (2) Scarborough Police Station is responsible for both areas. The strength over the past five years has remained at nine general duties and four CIB officers—a total of 13.
- (3) Not readily available and will require considerable research. Information will be provided to the member when collated.

ELECTORAL: ROLLS

Updating: Discontinuance

701. Hon. P. H. WELLS, to the Attorney General representing the Minister for Parliamentary and Electoral Reform:

- (1) Did the Minister see the report in *The West Australian* of Wednesday, 20 March 1985 where the Electoral Commissioner has cut plans to complete updates of electoral rolls because of Government spending constraints?
- (2) What parts of Western Australia will be part of the doorknock programme?
- (3) What area will be excluded because of funding cuts?
- (4) What effect will these cut-backs have on the updating of Western Australian State electoral rolls?

Hon. J. M. BERINSON replied:

- (1) At the previous election which concluded the period of office of the Court/O'Connor Liberal Government there was an unprecedented number of disappointed electors forced to cast so-called "Section Votes" and there was a scandalous deficiency in State enrolments compared with those for the Commonwealth.

The inaccuracy of the State electoral roll at the time the Burke Government came into office was a matter of serious concern and that situation had been created

by the negligence of the previous Government which allocated practically no resources at all to habitation reviews.

Furthermore, the previous conservative Government, to which the member belonged, obstinately refused to allow the State to co-operate with the Commonwealth on the updating of rolls thereby being directly responsible for the scandalous nature of the State's roll at the time it left office.

I hope this question is a sign that the Opposition is at last beginning to see the importance of electoral matters. We should not forget that the ongoing investment of a realistic level of resources for the maintenance of accurate State electoral rolls began with the Burke Government. The Minister saw the newspaper report to which reference was made in the question.

- (2) I am advised that the 25 per cent of the State not reviewed prior to the recent Federal election will be reviewed by the end of May 1985. Although some divisions have progressed further than others, the area not yet covered is generally across-the-board. This means that the entire State will have been reviewed, either on door knock basis or by the use of electoral agents during the 1984-85 financial year.
- (3) None—because all areas would get some attention. This State requires a further review in the latter half of this year and will be negotiating with the Commonwealth Government to ensure that it is done.
- (4) This is at present not clear although the State rolls, in spite of any such hiccup, will still be immeasurably superior to the disorganised chaos left by the previous conservative Government to which the member belonged.

CRIME: STATISTICS

Warwick Police District

702. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

In each of the past five years—

- (1) What crime statistics are available for the areas under the control of the Warwick Police Station for each of the areas covered by this centre?

- (2) What are the manpower figures for police involved in servicing the area under the control of the Warwick Police Station for each of the last five years that crime statistics are available?

Rockingham	23	2	1
Rottnest	3	—	—
Kalamunda	10	—	1
Lockridge	9	—	1
Midland	72	1	3
Mundaring	5	—	1

Hon. J. M. BERINSON replied:

- (1) and (2). This question requires considerable research and the member will be advised in writing.

704 and 705. *Postponed.*

MULTICULTURAL AND ETHNIC AFFAIRS: COMMISSIONER

Qualifications

706. Hon. P. H. WELLS, to the Attorney General representing the Minister for Multicultural and Ethnic Affairs:

- (1) What is the academic qualification of the new Commissioner for Multi-Cultural and Ethnic Affairs?
- (2) What are the academic qualifications of the—
 - (a) person responsible for community relations;
 - (b) person responsible for research;
 - (c) person responsible for policy development; and
 - (d) persons hired as project and research officers?

Hon. J. M. BERINSON replied:

- (1) and (2)

Station	Police Officers	Clerical Staff	Cadets
Central	166	—	3
City	53	—	1
Armadale	20	—	1
Belmont	16	—	1
Cannington	18	—	1
Gosnells	20	1	1
South Perth	5	—	—
Victoria Park	39	1	1
Bayswater	5	—	—
Inglewood	7	—	1
Maylands	4	—	—
Morley	24	1	1
North Perth	5	—	—
Claremont	11	—	1
Cottesloe	8	—	1
Mt. Hawthorn	18	—	1
Nedlands	4	—	—
Subiaco	11	—	1
Wembley	13	—	1
West Perth	6	—	1
Innaloo	6	—	1
Nollamara	17	—	1
Wanneroo	17	—	—
Warwick	49	2	1
Warwick Patrol	34	—	—
Brentwood	16	—	1
Cockburn	5	—	—
Fremantle	127	3	2
Hilton Park	8	—	1
Kwinana	9	—	1
Mundijong	2	—	—
Palmyra	8	—	1

Hon. J. M. BERINSON replied:

- (1) Commissioner—

Associateship in Social Work (WAIT)
 Degree in Social Sciences (WAIT)
Board and Committee Membership.
 Australian Institute of Multicultural Affairs.
 Museum of Australia.
 WA Women's Advisory Council.
 WA Consultative Committee on Social Welfare.
 CEP Consultative Committee.
 Ethnic Communities Council of WA.
 WA Council of Social Services.
 Migrant Welfare Workers Association.

- (2) (a) to (d)

Acting Director—

Bachelor of Arts (UWA)
 Master of Social Work (UWA)

Acting Assistant Director, Community & Government Relations—

Bachelor of Social Work (WAIT)

Temporary Project Officer—

Bachelor of Arts (UWA)
 Diploma of Education (UWA)

Acting Project Officer—
Diploma of Public Administration
(Perth Technical College)

Assistant Project Officer (Acting)—
Undertaking studies for Diploma of
Public Administration.

Assistant Director Research & Policy
(Acting)—
Bachelor of Arts (Hons) (UWA)
Bachelor of Social Work (UWA)

Senior Project Officer (Acting)—
Bachelor of Science (Hons) Under-
taking Phd. (UWA)

Assistant Project Officer (Acting)—
Bachelor of Arts (Hons) (Murdoch
University)

707. *Postponed.*

QUESTIONS WITHOUT NOTICE

TAXES AND CHARGES

Indexation: Introduction

634. Hon. G. E. MASTERS, to the Attorney General:

- (1) Is it correct that the Government is considering the introduction of a system to index Government taxes and/or charges?
- (2) Who is investigating this proposal on behalf of the government?
- (3) Will the indexing system be introduced this year?

Hon. J. M. BERINSON replied:

- (1) to (3) I have not been involved in any such considerations and I am not aware of any such consideration being given by others.

GOVERNMENT INSTRUMENTALITIES: STATUS

Solicitor General's Inquiry

635. Hon. P. G. PENDAL, to the Attorney General:

I refer the Attorney General to a question I asked him yesterday. Does he have the results of the Solicitor General's inquiry into the effect that the High Court decision on the Franklin River Dam case may have had on the powers of State

Government corporations and statutory bodies?

Hon. J. M. BERINSON replied:

The Solicitor General has considered the implications of the Tasmanian Dam case and other recent decisions for instrumentalities and statutory corporations of the State. He has also discussed the matter with the Solicitors General of the other States.

The majority of the judges in the Tasmanian dam case were of the view that the corporations power of the Commonwealth extends to all or most State instrumentalities and corporations.

At the moment, while that legislative power may exist, it is, by and large, unused.

The approach which has been adopted by the State is to monitor Commonwealth legislative proposals for their potential effect on the activities of State instrumentalities and corporations. The State response to any relevant development will be taken on the basis of the particular circumstances involved.

It is thought that all States are taking a similar approach.

GOVERNMENT INSTRUMENTALITIES: STATUS

Commonwealth Powers: Extension

636. Hon. P. G. PENDAL, to the Attorney General:

- (1) Are there any Western Australian State Government bodies or instrumentalities which the Attorney General now feels, as a result of that advice, are impeded in any way as a result of the presumed extension of Commonwealth power?
- (2) If there are any State instrumentalities in that situation, is there any legislative action the Attorney General could take to correct that?
- (3) If there is any legislative action that can be taken, when will the Attorney General take it?

Hon. J. M. BERINSON replied:

- (1) to (3) In my portfolio as Attorney General I have had no such impediment brought to my attention.

INDUSTRIAL RELATIONS: DISPUTES

Statistics

637. Hon. TOM STEPHENS, to the Minister for Industrial Relations:

What is the present situation in regard to strike statistics in Western Australia in general and in the iron ore industry in particular?

Hon. PETER DOWDING replied:

The latest figures from the Australian Bureau of Statistics, released yesterday, show that the total number of working days lost in 1984 on account of industrial disputes in Western Australia is the lowest figure since 1975 and approximately half the level of the average for the past eight years—119 000 days as opposed to the eight year average of 235 000 days lost. Western Australia recorded the largest decline of any State in the six months to December 1984 as compared to the equivalent period in 1983.

Other figures produced by the Commonwealth Department of Employment and Industrial Relations on the iron ore industry show that working days lost due to disputes between 1984 and 1983 reduced by over 60 per cent. It is also a 69 per cent reduction on 1981 and a 58 per cent reduction on the 1982 figures. Although the ABS statistics for the mining industry will not be available for some months it seems inevitable that in respect of time-loss these will be the best figures for many years.

INDUSTRIAL RELATIONS: DISPUTES

Working Days Lost

638. Hon. G. E. MASTERS, to the Minister for Industrial Relations:

Will the Minister confirm, as he obviously has a large number of figures in front of him, that the working days lost in 1982 through industrial disputes was 162 400; that the working days lost in 1983, the first year of the reign of Hon. Des Dans as Minister for Industrial Relations, were 270 600, an increase of 66.6 per cent over the 1982 figures when I was the Minister; and that the working days lost in the 12 months to October 1984 were 188 600, which is 16.1 per cent above the 1982 figures?

Hon. PETER DOWDING replied:

The member obviously seeks to avoid the central issue; that is, since the Labor Government took office in Western Australia and nationally, the trend of strike statistics is very much in the downward mode. In the years he referred to there were two major periods of industrial disputation—two single issues which because of the depth and coverage of those two single issues put up the statistics for the year. Nevertheless if we ignore the fact that there was such a concentrated effort over a matter of one day or two days, the fact is that the trend, as I indicated in the answer to the previous question, very substantially is below the eight-year average.

The member may wish to take credit or not take credit for a particular window into the statistics. What is being suggested by me is that under the Labor Government members see a marked reduction in the overall trend of strike activity.

INDUSTRIAL RELATIONS: DISPUTES

Working Days Lost

639. Hon. G. E. MASTERS, to the Minister for Industrial Relations:

Obviously the Minister did not pay much attention to the figures. I ask the Minister whether he would consider that the real issue is the working days lost per 1 000 employees? If he does perhaps he could again refresh his memory from the figures which he has in front of him when I say that I quoted figures for 1982 and asked whether he would confirm these as correct.

In 1982 when we were in Government, the days lost per 1 000 employees were 352 for Western Australia and 396 for Australia; that is, Western Australia was 11 per cent lower than the national average.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Please get to the point.

Hon. G. E. MASTERS: In 1983 the figure was 581 in Western Australia and 249 in Australia; that is, 133 per cent higher while Mr Dans was Minister. In the 12 months to October 1984 the figure for Western Australia was 393 and for Australia 245; that is, 60 per cent higher than the national average. Would the

Minister agree that the statement he made that the figures had improved since the Labor party came into office is not correct and the figures I have presented to the House clearly show that?

Hon. PETER DOWDING replied:

I do not confirm the honourable member's figures, and I repeat what I said: Mr Masters knows that he presided over one of the longest strikes in the history of the iron ore industry, and all he did was to open his mouth and extend the period the unions and companies were in dispute.

As I have said, the fact is that one can look at the statistics for 1983-84 and see that they were substantially increased by two short-term events which had a great deal of penetration across the labour movement. If one ignores the fact that those two events took place, one sees a very substantial improvement in industrial relations in Western Australia and across the nation, with the exception of the other State in which pig-headed and obdurate people rule, to wit, Queensland.

INDUSTRIAL RELATIONS: DISPUTES

Working Days Lost

640. Hon. G. E. MASTERS, to the Minister for Industrial Relations:

I should think the Minister is sorry that Mr Stephens asked his first question. Does he agree that the Bureau of Statistics' figures are substantially correct?

The DEPUTY PRESIDENT: Are there any further questions?

Hon. G. E. Masters: "Yes" or "No"?

EMPLOYMENT AND TRAINING: APPRENTICES

Subsidies

641. Hon. P. H. LOCKYER, to the Minister for Employment and Training:

- (1) Will the Minister inform the House of the grants or subsidies available to employers who wish to employ apprentices who left school in 1984?
- (2) Is it correct that a \$1 500 subsidy is offered by the State or Federal Government to subsidise the employment of apprentices who left school last year?

Hon. PETER DOWDING replied:

- (1) and (2) No, there certainly is not a direct State subsidy. I am a bit unclear as to precisely what the honourable member is referring. Of course, there is the CRAFT subsidy, and I know of 17 other subsidies for a variety of people entering pre-apprenticeships, apprenticeships, non-apprenticeship training modes, post-secondary education, and tertiary education. If the honourable member puts the question on notice, I will obtain a detailed response for him.

GOVERNMENT INSTRUMENTALITIES

Status: Government Action

642. Hon. P. G. PENDAL, to the Attorney General:

My question is supplementary to the one I addressed to him earlier, and by way of preamble I mention that in part (4) of the answer he told us that the approach of the Government is to monitor Commonwealth legislative proposals for their potential effect on the activities of State instrumentalities, and he said the State response to any relevant development will be taken on the basis of the particular circumstances involved. I ask—

- (1) Will he not concede that, in fact, the High Court case in relation to the Franklin River Dam represents a relevant development, and that the State Government therefore is required to give some indication of its actions now?
- (2) Will the Attorney General tell us whether we are now within the realms of a hypothetical situation as against the realms of reality as a result of the High Court case and its impact on State trading concerns?

Hon. J. M. BERINSON replied:

- (1) and (2) Part (4) of my earlier answer to Mr Pendal referred to Commonwealth legislative proposals. That involves a question entirely separate from High Court decisions interpreting the width of the Commonwealth legislative power if the Commonwealth acts to exercise its powers to the maximum extent. My answer indicated that the State is now taking the view that no real purpose is to be served by anticipating that the Federal Government may move across the

board to exercise its apparent powers to their full extent and in a way which cuts across all State instrumentalities and statutory corporations. My answer did indicate, and I repeat, that we will look to any positive action by the Commonwealth Government which would seek, by legislative action, to override State interests by the use of the wider powers, and respond in an appropriate way if and when that occurs. I should point out to the honourable member that some preliminary studies as to the disruption which could be caused by attempting to change the structure and nature of all our corporations and instrumentalities into, say, departments raise quite horrendous difficulties which would not be contemplated unless the actual need arises.

GOVERNMENT INSTRUMENTALITIES

Status: Government Action

643. Hon. P. G. PENDAL, to the Attorney General:

In view of his comment that preliminary studies are apparently now under way, which is precisely my point, does he not concede that unless he acts now, the Commonwealth may unilaterally act at some time in the future and it may be too late for the Western Australian or other State Governments to act?

Hon. J. M. BERINSON replied:

All legislative proposals, whether State or Commonwealth, take a certain amount of time; and provided the State has some general idea of the response it might wish to establish, the sort of problem which the honourable member postulates is not regarded as a real one.

GOVERNMENT INSTRUMENTALITIES

Status: Government Action

644. Hon. P. G. PENDAL, to the Attorney General:

Would he not think it a more prudent action on the part of any State Government to complete those preliminary studies as soon as possible and, in fact, embark on any course of action required so that the position in which the Commonwealth may be able to use its extended powers in relation to the State trading concerns will never arise? Surely

it would be better to plan that action and announce it and, if necessary, legislate so that the position as outlined in the Franklin River Dam case be taken up by any subsequent Commonwealth Government.

Hon. J. M. BERINSON replied:

I would think that it follows, from the answers to the honourable member's previous questions on this subject, that the answer is "No".

GAMBLING: TWO-UP

Legalisation: Country Race Meetings

645. Hon. P. H. LOCKYER, to the Minister for Racing and Gaming:

- (1) Is he aware that on 23 February, the liquor and gaming squad mystically arrived at a race meeting at Mt. Magnet?
- (2) Through listening to answers to questions, is the Minister aware that there was a possibility that the liquor and gaming squad suspected that there could have been a game of two-up after the race meeting?
- (3) Taking these matters into consideration, has the Minister made any further progress with his ministerial colleagues in Cabinet as to the possibility of legalising two-up after country race meetings?

Hon. D. K. DANS replied:

- (1) to (3) I am very much aware of the proposition advanced by Hon. Phil Lockyer and of the political advantage to the various parties if the game of two-up could be established for the next wet season. The member can rest assured that I am going flat out to see what can be done.

CRIME: PERJURY

Peter Cotton: Prosecution

646. Hon. I. G. MEDCALF, to the Attorney General:

I ask the Attorney General to cast his mind back to the John Pat case. Did the Attorney General offer any advice, written or verbal, or communicate with the Commissioner of Police in regard to the possible prosecution of Peter Cotton for perjury arising out of the trial of five constables following the death of John Pat?

Hon. J. M. BERINSON replied:

I can recall correspondence on this matter but I cannot recall with whom that correspondence was exchanged.

Hon. I. G. Medcalf: I will put the question on notice.

PORTS AND HARBOURS: FREMANTLE

Passenger Tax

647. Hon. P. G. PENDAL, to the Minister for Budget Management:

I refer the Minister to the disclosure by the Minister for Transport, in answer to question 660 to me today, that the new Fremantle Port Authority passenger tax has raised the princely sum of \$3 402 since 1 January 1985. I ask the Minister—

In view of the well established principle of taxation that a tax should be cost effective, will he investigate whether there is cost effectiveness in the raising of that princely sum of \$3 402 in the space of three months and whether it might be better to abolish it altogether?

Hon. J. M. BERINSON replied:

That is not a question for my attention. It is for the attention of the Minister for Transport and I will bring this to his notice.

MINISTER FOR EMPLOYMENT AND TRAINING

Visit: Itinerary

648. Hon. A. A. LEWIS, to the Minister for Employment and Training:

I have today received a letter from the Minister's acting private secretary stating that the Minister will be in my electorate on Monday 25 March 1985.

As my electorate runs from Popanyinning to Walpole, and from Nannup to Tarin Rock, I ask—

Could he possibly tell me where exactly in my electorate he will be on Monday, 25 March?

Hon. PETER DOWDING replied:

My staff, I understand, follow the long-established practice—established at least during the period of the Liberal Government, if not earlier—that Ministers' private secretaries notify members when the Minister will be in their electorates.

However, I have no problem telling the member that I shall be in Narrogin on Monday.

MINISTER FOR EMPLOYMENT AND TRAINING

Visit: Narrogin

649. Hon. A. A. LEWIS, to the Minister for Employment and Training:

At what time yesterday did the Minister release his Press release to *The West Australian* notifying that he would be in Narrogin when he had told the House that he did not know where he would be on Monday, 25 March?

Hon. PETER DOWDING replied:

The member delights in deviating from the statement that I made yesterday which was that some problems had arisen and I was not sure that I would, in fact, be able to be in Narrogin and that I may well have to delegate someone to represent me at a function.

I do not know when the Press secretary released the Press release but what I told the member last night quite clearly was that the question of whether I went to Narrogin or got someone to represent me had not been finally decided. It was finally decided last night.

MINISTER FOR EMPLOYMENT AND TRAINING

Visit: Narrogin

650. Hon. A. A. LEWIS, to the Minister for Employment and Training:

At what time last night?

Hon. PETER DOWDING replied:

I do not believe that the member has any right to know what I do or at what time. Suffice to say that it was after question time.

GAMBLING: LOTTERIES

Instant: Distributions

651. Hon. PETER DOWDING: I seek leave to table some papers in connection with question 653.

Leave granted.

The papers were tabled (see paper No. 512).

Point of Order

Hon. H. W. GAYFER: I have been looking through the Legislative Council's questions and answers today and I find that when a question is postponed it is very difficult to ascertain when it will be answered. It is possible for the member to miss the Minister's reading when he refers only to a question number and I ask if the Minister could give a name to

the question for the information of members so that they know to what question the paper refers. Could that practice be adopted?

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): I am sure the Government will consider that.

