

Legislative Council

Wednesday, 1 October 1980

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

TRAFFIC: PEDESTRIAN CROSSING

Albany Highway: Petition

THE HON. P. G. PENDAL (South-East Metropolitan) [4.31 p.m.]: I wish to present a petition from residents of Western Australia. It reads as follows—

TO THE HONOURABLE THE PRESIDENT AND MEMBERS OF THE LEGISLATIVE COUNCIL.

We, the undersigned residents of Western Australia, hereby petition that a crossover be constructed over Albany Highway adjacent to the Carousel Shopping Centre.

Your Petitioners will ever pray that their humble and earnest petition will be acceded to.

The petition contains 736 signatures and bears the certificate of the Clerk that it is in conformity with the Standing Orders of the Legislative Council. I move—

That the petition be received, read, and ordered to lie upon the Table of the House.

Question put and passed.

The petition was tabled (see paper No. 282).

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS AND AUDITOR GENERAL

Reports: Tabling

THE PRESIDENT (the Hon. Clive Griffiths): I have for tabling the report of the Auditor General for the year ended 30 June 1980, and the report of the Parliamentary Commissioner for Administrative Investigations for the year ended 30 June 1980.

ACTING PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS

Oath of Office

THE PRESIDENT (the Hon. Clive Griffiths): Honourable members, I wish to advise that the Parliamentary Commissioner for Administrative Investigations (Mr I. M. Evans), who was sworn in on 3 January this year, will be absent from the State from 4 to 24 October, and this morning Mr Speaker was pleased to swear in Mr W. L. Higgins as Acting Parliamentary Commissioner during the absence of Mr Evans.

QUESTIONS

Questions were taken at this stage.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [4.47 p.m.]: I seek leave to move a motion, without notice, relating to the 1980-81 Budget papers tabled in this House today.

Leave granted.

The Hon. I. G. MEDCALF: I move, without notice—

That pursuant to Standing Order No. 152, the Council takes note of tabled paper No. 277—Estimates of Revenue and Expenditure and related papers for the financial year 1980-81—laid upon the Table of the House on 1 October 1980.

As explained on previous occasions the purpose of this motion is to give members the opportunity to debate the Consolidated Revenue Fund Budget in this Chamber prior to receipt of the Appropriation Bill. Naturally this does not limit the right of members to debate the Bill itself.

Each year the task of framing a Budget which maintains the range and quality of services to the public and adjusts to changing community needs becomes more difficult.

This Budget has had to take account of cost pressures caused by award increases to Government employees over and above indexation adjustments and by spiralling fuel costs which affect most areas of Government activity.

Notwithstanding these difficulties the Government has presented a balanced Budget for 1980-81.

Revenue is estimated at \$1 857.3 million, an increase of \$216.1 million or 13.2 per cent higher

than that received during 1979-80. However, some 66 per cent of this increase is required to absorb the additional wage costs impacting directly on the Budget. This requirement covers the extra costs in a full year of award increases granted in 1979-80 plus a minimal provision for likely indexation adjustments in 1980-81.

As indicated by the Premier and Treasurer when delivering the Budget in the Legislative Assembly no provision has been included for wage increases arising from work value cases or any other cause other than decisions of the courts in relation to periodic indexation reviews. Departments and authorities will have to adjust staff numbers to stay within the allocations provided in the event of such increases being granted.

The Budget proposals include some taxation concessions, notably in land tax, reflecting the Government's concern at steep increases in the tax payable.

It is therefore proposed to widen the residential exemption and to cushion the impact of increases in tax as a result of periodic revaluations.

The residential exemption will be extended to include any lot upon which there is a residence occupied by the owner irrespective of the size of the lot, thereby eliminating the inequity of a few householders being still subject to the tax.

It is also proposed to phase in future revaluation increases over a three-year period. Under existing arrangements the full increase applies in the assessment year following the revaluation.

The cost to the Consolidated Revenue Fund in 1980-81 of the land tax concessions is estimated at \$5.5 million.

The retail tobacco licence fee also will be abolished at an estimated cost to revenue of \$47 500 in a full year.

In the light of difficulties encountered in framing the Budget there has been a continuing review of all departmental fees and charges.

The vehicle licence recording fee, which is paid into the Consolidated Revenue Fund to recoup the cost of administering vehicle licensing, will be increased from \$4 to \$6 from 1 January 1981. This fee has remained unchanged since 1975.

The procedure for members of the public seeking a driver's licence is also to be streamlined and a single composite fee introduced.

From 1 January next year a learner's permit will be issued free of charge and will be valid for 12 months in lieu of the present three months.

On application for a licence including examination and testing, a fee of \$20 will be charged. This fee will cover a second test if required; however, a fee of \$10 for each subsequent test will be payable.

Fees for the issuing of licence plates will rise from \$3 to \$5 and the charge for dealer's plates, on which no licence is paid, will be increased from \$20 to \$40.

From 1 December 1980, power boat registration fees will be increased from \$8 to \$10 for boats under five metres and from \$15 to \$20 for boats five metres and over.

The expenditure estimates provide for a total outlay of \$1 857.3 million. Through prudent financial management the Government has been able to introduce a number of new activities this year. Some of these initiatives are as follows—

Introduction of an orthodontic service in the north.

New programme of assistance for new and expanding secondary industry.

Establishment of a unit to deal with sexual abuse of children.

Transfer of Woodman Point quarantine station to Department for Youth, Sport and Recreation for use as an ocean front recreation campsite.

New programme of grants to enable talented young sportsmen and women to gain experience overseas.

Funds for the new Academy of Performing Arts.

Establishment of the new Western Australian Mining and Petroleum Research Institute.

The Government continues to give high priority to training programmes aimed at helping unemployed young people and more than \$1.3 million has been provided for this purpose.

Under the Commonwealth-State training programme special consideration will be given to applicants who have had previous apprenticeships cancelled or suspended. This is an ambitious scheme involving an overall intake of more than 1 000 trainees.

Provision has been made also for a further intake of 125 young unemployed people under the special youth employment training programme.

In a year of tight financial restrictions, with total Budget outlays rising by only 13.2 per cent, the provision for education has been increased by 16.8 per cent which reflects the Government's continued strong support for education.

Funds have been provided for an additional 320 primary and secondary teachers and support staff and will provide employment opportunities for most of the graduates from tertiary courses.

Additional funds and teaching staff have also been provided to further improve the range and quality of education services provided to mentally and physically handicapped children.

Expenditure on medical, public health, and mental health services is another dominant feature of the 1980-81 Budget. An amount of \$440.6 million has been provided for these services—an increase of almost 15 per cent on expenditure last year.

Funds for the community health programme have increased by 20 per cent to \$7.2 million. More than 200 full-time staff are employed under this programme which is a vital link in improving the general health standard of the community.

The Budget also provides for a substantial increase in funds for agriculture. A total allocation of \$33.1 million has been provided which includes staffing and establishment costs for the Animal Breeding and Research Institute at Katanning. Provision has been made also for a wide range of research and extension activities.

As a result of increased activity in gold prospecting and mining there is a need to upgrade batteries to cope with demand. A sum of \$178 000 has therefore been allocated for this purpose. Given the constraints under which the Budget was framed it is necessary to increase charges for the treatment of tailings to provide funds for the improvement programme.

The Budget provision for the Department of Corrections has been increased by \$7 million to \$28.1 million. Recruitment and training of 180 prison officers and the appointment of 17 support staff are proposed. These are needed for the commissioning of the Eastern Goldfields Regional Prison later this year and for the new medium security unit at Canning Vale to be opened in September 1981.

The provision for Crown Law Department includes funds for the introduction of bail hostels on a trial basis. This concept provides for suitable people awaiting trial to be released on bail to stay at the hostel.

In summary, the Budget for 1980-81 is a responsible one, in that expenditure programmes have been contained to the revenue available to the Government. Put another way, the Budget is in balance—and for the sixth consecutive year. It is a record of which the Government can be proud.

In the past, members have expressed their appreciation for this opportunity to debate the Budget prior to receipt of the Appropriation Bill (Consolidated Revenue Fund). I therefore, hope that members will avail themselves of the opportunity to make a significant contribution to the debate on this matter.

Debate adjourned, on motion by the Hon. R. Hetherington.

WILDLIFE CONSERVATION AMENDMENT BILL

Third Reading

Bill read a third time, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), and transmitted to the Assembly.

NATIONAL COMPANIES AND SECURITIES COMMISSION (STATE PROVISIONS) BILL

Third Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [4.59 p.m.]: I move—

That the Bill be now read a third time.

THE HON. H. W. OLNEY (South Metropolitan) [5.00 p.m.]: I rise to comment briefly on a couple of matters which the Leader of the House raised in his reply to the second reading. I do so because, as he said during his speech, this Bill represents an ingenious and unique scheme of legislating on a national basis. Members will recall that the scheme involves the Commonwealth in an exercise of the territorial power to make laws in the Australian Capital Territory which will, by operation of subsequent legislation of this Parliament, apply in this State.

Part of the scheme will be that amendments made to those territory laws will apply in this State and, indeed, in the other States and Territories taking part in the scheme. I indicated earlier that the Opposition supported that scheme. Our view is that this important subject is one proper for regulation on a national basis. In replying to the second reading debate the Attorney General commented, after indicating his pleasure at the support of the Opposition for the Bill—and I am glad we are able to provide some pleasure in this place—he knew we would support the measure because the Governments of New South Wales and Tasmania supported it. Indeed, that statement itself points out a matter of some concern to which thought could be given.

The whole nub of this scheme is the establishment of a ministerial council made up of

the appropriate Ministers of the States and the Commonwealth. Any future amendments, and indeed the original legislation, will have to be approved by the ministerial council. Subsequent amendments will have to have approval of the council before enactment by the Federal Parliament and being applied in the States and the Territories. So, it becomes clear that the ministerial council of executive officers—that is, members of the executive branch of government—will have a significant and virtual legislative role. It seems that situation is inescapable.

It is of some concern that the law-making is to be taken out of the hands of Parliament, except with regard to matters which will be debated in the Federal Parliament. Of course, if amendments are put forward by the Federal Government one would expect them to be carried. The States virtually are to be eliminated from the law-making process. That will be the same as having Federal power exercised under heads of power.

What concerns me—and I have raised this matter in another context when dealing with the Standing Committee of Attorneys General—is that the ministerial council is one on which the Attorneys General from the different States represent Governments of different political persuasions.

I suppose it is fair to say that if the Labor Governments of New South Wales and Tasmania approve something it is fairly certain that the Western Australian Labor Party, in Opposition, would approve. I am concerned at the absence of any real access by an Opposition—and I am not talking only about the Labor Opposition in Western Australia, but also about the conservative Oppositions in New South Wales and Tasmania—to knowledge of what goes on at these ministerial councils. The situation is similar to that of the Standing Committee of Attorneys General. From time to time that committee makes important decisions.

I put it to the Leader of the House that there may be some means whereby the proceedings of the ministerial council, and the Standing Committee of Attorneys General, at least can be made known to the Opposition political parties in the different States so that they are not shut out in the cold entirely, and so that they do not have to go to their colleagues in another State where a party of their political persuasion happens to be in power and try to wheedle out some information. The Attorney General has said that information really is confidential if it is discussed at ministerial council level or by the Standing

Committee of Attorneys General. The proceedings are confidential.

I simply make the plea particularly in the context of this important legislation—which we hope may be the forerunner of other legislation regarding co-operation in important national areas—that in future there may be a greater opportunity, if not of actual participation, at least for Opposition parties to have information made available so that they are not presented for the first time with that information when a Bill hits the Parliament.

I draw these matters to the attention of the Attorney General and hope that in future some response may be forthcoming.

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [5.06 p.m.]: I have listened with interest to the honourable member's comments. He simply repeated what I said earlier, and then he made a plea that there should be some greater divulgence of information. There has been no secrecy with regard to this Bill, or the plans leading up to it. It has been well publicised over the past two or three years. This is not really a confidential matter and, in that respect, it must be distinguished from the proceedings of the conferences of Attorneys General where matters have traditionally been dealt with in confidence because they have not reached the stage of legislation.

Once the plan of the National Companies and Securities Commission legislation was devised it was made public. Indeed, I have attempted to make it public on a number of occasions. It has been publicised in the national Press—more there than in the local Press. On a number of occasions significant articles have appeared in *The Australian Financial Review*, *The Australian*, and other papers outlining the views of different people, including some critics.

For some months prior to the passage of this legislation, the former Federal Minister for Business and Consumer Affairs (Mr Fife) deliberately embarked on a series of lengthy discussions with the Opposition in the Federal Parliament so that members there would be fully informed on the details of the proposals. I understand a committee was set up which had access to the various officers concerned, and full information was made available. Indeed, there never has been the slightest hesitation in making that information available to members of this Parliament. I will be happy to provide any additional information which the Opposition may require.

The Hon. H. W. Olney: I was speaking about the future when matters are discussed in the context of amendments.

The Hon. I. G. MEDCALF: I think the point raised by the honourable member is a good one and is certainly worthy of further consideration. As the member opposite would be the first to appreciate, it all depends on the matter under discussion. There are some matters in regard to which, because of the delicate stage of negotiations—or even sometimes because of the delicate balance of political issues or political forces—it is essential to have a degree of confidence in order to get them off the ground. Whilst it is always possible to discuss these matters in an informal way, it is not always possible to make public statements.

The point made will be borne in mind. I do appreciate that members generally are entitled to inform themselves and, certainly, I would be the first to make information available to members and to the Opposition. I thank the Opposition for its support.

Question put and passed.

Bill read a third time, and transmitted to the Assembly.

FOREIGN JUDGMENTS (RECIPROCAL ENFORCEMENT) AMENDMENT BILL

Second Reading

Debate resumed from 19 August.

THE HON. H. W. OLNEY (South Metropolitan) [5.10 p.m.]: The Opposition supports this Bill. The parent Act, which the amendment seeks to change, provides that final judgments of the superior courts of the United Kingdom, and certain other countries, can be enforced in the Supreme Court of Western Australia, as if they were a judgment of the State court. The Act specifically excludes from the operation of the scheme judgments covering money payable for taxes and other charges of a like nature, and fines and penalties.

The amendment seeks to modify the exclusions in so far as they apply to income tax payable under the law of Papua New Guinea. The justification for the proposal is that the changes are being requested by the Papua New Guinean Government because of its claim that there are a large number of ex-patriot Australians who are evading Papua New Guinea tax by returning to Australia and absconding when they are liable for tax.

The policy of not enforcing revenue judgments of foreign countries is a good policy, and I think it goes back many centuries into legal history. It was generally thought undesirable for one prince to render support to another prince within his own principality. So, with the development of international law it has always been accepted that revenue judgments of one country cannot be collected through the agency of another country.

The idea contained in this amendment is that an exception should be made in respect of Papua New Guinea. Australia has had a peculiar relationship with Papua New Guinea over the years, and although we on this side may say a lot about Australia being a colony, and in many ways still being treated as a colony and conducting itself as though it were still a colony of the United Kingdom, with an imperial Governor and all the trappings, Australia itself is a nation, of course, which has been a colonial master so far as Papua New Guinea is concerned.

We on this side of the House think it quite proper and appropriate that Australia should place Papua New Guinea in a special position, and we support this move. We express some concern that it becomes necessary through the rigmarole of State legislation to give proper effect to what really is a matter of international relationships.

Papua New Guinea is a Sovereign nation, and Australia is a Sovereign nation. The Commonwealth has power under its external affairs power to make treaties with other Sovereign nations.

Possibly it would have been more appropriate for this matter to be handled on the basis of one nation dealing with another. As it is, the situation has developed that it becomes necessary for the constituent States of Australia to pass legislation, and of course, the problem there is that there is a chance that the reciprocal legislation may not necessarily be passed in all States, or having been passed, could be repealed. So there is the potential, under the present sort of scheme, for there to be an absence of uniformity throughout Australia.

In any future dealings of this nature we would like a truly national approach to be adopted. However, we in no way let our philosophical beliefs change our support for the Bill which we believe is a proper step to be taken in support of a friendly neighbouring country.

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [5.16 p.m.]: I thank the Opposition for its support of the Bill, although I gather that the honourable member is indicating

some reluctance at the method adopted. I can say only that I believe it is very desirable that the States should preserve their powers in so far as it means they can safeguard their own revenue. Were the States to become subservient to a central Government which, simply by virtue of an international treaty, used its external affairs power, we do not know how we would finish up in relation to various types of State revenue.

The Hon. R. G. Pike: Hear, hear!

The Hon. I. G. MEDCALF: On this side of the House we take the view that it is necessary to engage in co-operative legislative exercises rather than to encourage the Commonwealth Government to use an external affairs power which is said to have an overriding effect and which would or could, by the addition of one treaty after another—until we had dozens of treaties and international conventions—end up in the dissolution of the State Governments, and so it is naturally not a course which we on this side of the House would advocate. The honourable member has suggested already in the case of the uniform companies legislation that that could have been better achieved through the exercise of Commonwealth power, and he is suggesting similarly in this case.

While appreciating the support the Opposition gives for the principle of the Bill, I must say we could not subscribe to its proposal. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. I. G. Medcalf (Attorney General), and transmitted to the Assembly.

METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.22]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to introduce a system of modified penalties, under the Metropolitan (Perth) Passenger Transport Trust Act, for fare evasions in any form.

Members will, no doubt, be aware that the trust is planning changes to its ticketing and revenue collection system with a view to speeding up boarding times.

The first stage of the system involves the marketing of pre-sold tickets. These tickets will be sold at a discount from selected outlets and will replace the present 28-day periodical ticket. Because they will be readily transferable between persons and will have no expiry date, they are expected to have a wider appeal than the periodical ticket.

Pre-sold tickets are to be validated by the patron by inserting them in a cancelling machine on entering the bus or ferry or on railway stations before boarding a train.

It is expected that the number of cash tickets sold by the driver under this scheme will decline.

It is expected also to have the effect of reducing both the need and the opportunity for driver supervision over passengers entering the bus.

At present, the incidence of fare evasion is fairly low, attributable partly to the level of driver supervision and partly to the zonal fare system, which permits transfer from vehicle to vehicle. With pre-sold tickets, the opportunities for fare evasion will increase and will need to be countered by additional inspectorial supervision.

The trust sees a system of on-the-spot fines as being a strong deterrent to fare evasion. The Bill will introduce such a system.

It will provide for inspectorial staff, appointed by the MTT and Westrail, to be authorised by the Chairman of the MTT to issue infringement notices to alleged offenders at the time of the offence.

The notices will give notice that the recipient may either pay, within a specified time, the prescribed penalty or, alternatively, elect to have the matter dealt with by a court of summary jurisdiction.

Failure to pay the penalty within the prescribed time will be deemed to be an election to be dealt with by a court.

The legislation will permit the withdrawal of an infringement notice within 28 days of its issue and

the refund of the penalty should one have been paid. Once an offender has paid the penalty, no further action can be taken against him for that offence.

Authorised persons will be issued with a certificate of identification which will have to be produced on demand when an infringement notice is being issued.

The Bill contains also provisions for the promulgation of regulations to prescribe offences to be covered by this scheme. It is intended that the penalties will all be related to fare evasions in any form, and penalties for these offences will be a maximum of \$20.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

MAIN ROADS AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.26 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to continue the system of annual road grants made by the State Government to Western Australian local authorities. The previous statutory grants scheme expired on 30 June of this year.

The road grant schemes contained in this Bill cover the period commencing on 1 July 1980, and ending on 30 June 1985. They are generally similar to those in the last triennium.

The only significant change is that it will cover a period of five years instead of three years. This change has been made to avoid administrative problems that have occurred at the expiration of the two previous three-year schemes.

The expiration of previous triennial schemes has coincided with State election years during which State Parliament does not normally sit till late July or August. Interim arrangements, using other sections of the Main Roads Act, have had to be made to continue payments to local authorities after the end of June until such time as new legislation has been passed.

The adoption of five-year legislation will avoid this recurring problem. The period of five years has been selected to coincide with proposed Commonwealth road grant legislation from which

a large proportion of the funds used for these grants to local authorities is derived.

The Bill fixes grant levels for the 1980-81 financial year and matching provisions for three years, and makes provision for subsequent fund levels and matching provisions to be determined by the Minister.

In this regard the House is assured that policies adopted in recent years, and which have been accepted by local authority representatives, will be continued.

It is important to point out that the scheme proposed in this Bill is an extension of the arrangements contained in the scheme which has operated during the past three years.

In referring to the legislation which expired on 30 June last, members will realise that the increases in the annual grants above the basic amount appropriated in the first year of the period were determined annually by the Minister.

In recent years the Government has adopted the policy that statutory grants to local authorities are increased by the percentage by which Commonwealth road grants to Western Australia are increased. It is the Government's intention that this policy will be continued.

The Government has made a practice also of consulting the Country Shire Councils' Association, the Country Urban Councils' Association, and the Local Government Association each time the grants scheme has been reviewed. This policy will be continued also to ensure that these schemes are in tune with local government requirements.

Members will be aware that Western Australia will receive an increase of 11.15 per cent in its Commonwealth road grants in 1980-81. The State Government is most unhappy at this increase which will barely offset the expected rate of inflation in road construction costs.

Repeated submissions have been made to the Federal Government pointing out the vast road needs of Western Australia and requesting increased road funds.

These, together with requests by other States supported by campaigns by local government associations and the Australian Automobile Association, have been disregarded.

In fact, at the last Premiers' Conference, the Prime Minister announced levels of total road funds that will be provided for all the States over the next four years which are unlikely even to keep pace with inflation. The State Government will continue its efforts to obtain increased road funds for Western Australia.

One concession made by the Commonwealth in its 1980 Road Grants Act is in the reduction in the number of road categories from eight to four. While this concession in no way makes up for the general lack of funding, nevertheless, it is most welcome.

One effect on local authority roads in the reduction in categories is that the previous rural local roads and urban local roads have been combined into the single category of local roads.

The Government proposes to maintain the same ratio of funds to country and metropolitan councils in this Bill that was contained in the expired scheme.

The total funds provided in this Bill for grants to country local authorities in 1980-81 amount, in rounded figures, to \$12.374 million, representing an increase of 11.15 per cent on the sum of \$11.132 million in the last financial year.

As in the present scheme which was introduced in July 1977 and which has been well received by local authorities, the total statutory grant funds will be distributed in accordance with population and weighted road length statistics.

At the request of local authorities, secondary roads have been included in the weighted road length statistics used in the formulae for distributing statutory grants to local authorities. Updated population and unclassified road length statistics have been used and these, with the inclusion of secondary roads, will result in some councils receiving greater percentage increases than others.

Eight councils will be worse off under the new distribution. These are generally related to anomalies existing before the present formula system was adopted. It is not proposed to continue the previous supplementary grant system to assist councils suffering a loss, because most of the shortfalls are relatively small. Compensating adjustments have been made to councils with large shortfalls through the Main Roads Department's programme of works.

The proposed grants to individual councils, as shown in the second schedule to the Bill, also incorporate a minimum grant principle applied on a per-kilometre-of-road basis. This principle will benefit some of the low population density outback councils.

With regard to the proposed grants for metropolitan local authorities, a total amount of \$8.989 million has been provided. This is 11.15 per cent higher than the amount of \$8.087 million provided in the previous financial year.

The principle of the metropolitan statutory grant scheme is that every council is entitled to a share of the base grant which represents one-third of the total statutory grant.

The balance is paid into the inner and outer metropolitan urban road funds from which moneys are distributed in accordance with the priority of projects submitted by councils.

In accordance with these principles, which have been successfully applied since July 1974, a sum of \$2.996 million will be provided as the base grant, \$4.104 million for the inner metropolitan urban road fund, and \$1.889 million for the outer metropolitan urban road fund.

A population-pavement area formula is used to distribute the base grant component to individual local authorities. Updated road pavement area and population statistics have been used in determining the new base grants for metropolitan local authorities in 1980-81. Because of faster development in the outer areas of the metropolitan region, and hence population growth, the outer councils will fare better from the distribution.

The only change to the metropolitan statutory grant scheme is that local authorities may spend part of the base grant on maintenance which was not permitted before. This has been made possible by the amalgamation of rural local and urban local road categories under a new category of "local roads", for which Commonwealth funds may now be spent on maintenance as well as construction.

In order to encourage the improvement of local roads, it is proposed that councils be required to spend at least half the base grant on construction. The other half may be spent on maintenance or construction.

This is similar to the country scheme in which councils must spend at least half their entitlement on construction. It should be noted, however, that provision has been made in the Bill to empower the Minister to allow more than half the base grant to be spent on maintenance where he is satisfied that special circumstances exist.

The previous legislation contained matching provisions whereby country and metropolitan local authorities with the lowest expenditure, from their own resources on roads, were required to improve their expenditure effort in order to receive the full amount of the base grants.

This matching scheme has been very successful in providing an incentive to these particular local authorities without being onerous on other councils. Similar principles are contained in this Bill and these have been arranged to require only

those local authorities with the lowest expenditure record to improve their effort.

The previous provision that councils in outback areas are exempt from matching has been retained. Provision has also been made for the Minister to set a lower matching quota if a council can demonstrate that there are special circumstances warranting a reduced quota.

The provisions in this Bill for the submission of programmes by all local authorities for approval of the Minister are similar to the previous legislation.

These statutory grant schemes have been developed in close consultation with representatives of the executive of the Country Shire Councils' Association, Country Urban Councils' Association and the Local Government Association.

There have been considerable discussions between representatives of the executives of the various associations and the commissioner and his senior officers before the Minister had discussions with them to finalise and agree the details.

There are two standing committees, each chaired by an assistant commissioner of the department, dealing with country and metropolitan road funding schemes. Local authorities are strongly represented on these committees, which meet from time to time to discuss local authority submissions and also general details of the statutory grant scheme. By this process, members will appreciate that there is continuing consultation with local government.

This is an important measure to assist local authorities to improve and maintain their road systems. While the total funds allocated in this Bill are linked with the low growth in Commonwealth funds, nevertheless, the grants provided will continue to make a significant contribution towards improving local authority roads throughout the State.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

CHANGE OF NAMES REGULATION AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), read a first time.

Second Reading

THE HON. G. E. MASTERS (West—Minister for Fisheries and Wildlife) [5.38 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to transfer the issuing of change of name licences to the Registrar General subject to any directions given by the Chief Secretary so that these can be dealt with in the same office that is ordinarily responsible for the registration of names and at the same time modify the procedures involved in processing applications.

Approximately 750 persons annually avail themselves of the provisions of the Change of Names Regulation Act in order to be granted a change of name licence to correct mistakes made by parents at registration of birth, to anglicise foreign names, to minimise embarrassment to children with different surnames from a parent, and for various other reasons.

The original intent of the legislation passed in 1923 was to inhibit any change of name of men avoiding domestic responsibilities, thus increasing the burden on the State in supporting deserted families.

Mention was made at the time of the difficulties encountered by the police in tracing men who assumed a different name as, under common law, a man could change his name as often as he liked.

Methods available to the police in tracing persons are now much improved, but the problems of identification have not been eliminated completely.

The usage of the legislation has changed considerably since its enactment in 1923, and policy constraints have progressively relaxed to the stage where a change of name licence is now available at call for reasons already mentioned.

This Bill proposes to limit use of former married names, where there has been a subsequent marriage, and exclude the use of former registered names under licence or deed poll where there is a subsequent licence or deed poll. The registered birth name of all persons would, however, still be available for use.

Prior to 25 May 1977, the procedure required that application be made to the Crown Law Department where, after full examination, a recommendation was made to the Minister and the licence, if approved, was issued.

If the licence was issued in respect of a person born or married in this State, it was necessary for a further application to be made to the Registrar

General to have the change of name responded to on the relevant birth or marriage registration.

In an effort to reduce inconvenience to the public and to speed up the procedures, the function of issuing the licence was delegated to the Chief Secretary and the handling of applications to the Registrar General on 25 May 1977.

It is now proposed to further simplify and speed up the procedure by transferring the authority to issue change of name licences to the Registrar General acting within limits imposed by any direction given by the Chief Secretary. Generally, a licence is required urgently for marriage, passports, or a child commencing school.

Discrepancies or inconsistencies in a person's name often become apparent only when an extract of birth is obtained from the Registrar General for one of the abovementioned purposes.

There would be a rearrangement for processing applications to change name, which would result in more efficient procedures and better service to the public.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Brown.

STOCK (BRANDS AND MOVEMENT) AMENDMENT BILL

Second Reading

Debate resumed from 16 September.

THE HON. J. M. BROWN (South-East) [5.42 p.m.]: The purpose of this amending Bill is of particular significance to the sheep industry, and has been brought about by the increased demand for natural wool products.

The pigment melanin produces in wool the colour of black or dark brown and, on occasions, even a bluish colour. This wool is in great demand, particularly by the home or cottage spinners. In fact, at any local show one will see the women of the district plying the art of spinning wool, and coloured wool is in increasing demand these days.

The legislation has been brought about principally by the efforts of the melanian sheep breeders who have shown a very responsible attitude regarding the matter of distinguishing these types of sheep. Members doubtless would understand and appreciate the importance to Australia of merino wool. It is of great significance to our economy, and I am sure we are all proud of and treasure the white wool which is in such strong demand throughout the world.

There has always been evidence of black sheep in the flock, and this has concerned both the producer and—more particularly—the commercial breeder of sheep. Therefore, the purpose of the Bill is to provide an identification for this type of animal, at the same time continuing to use it to breed within the industry and produce the wool which is in such increasing demand.

Clause 2 seeks to insert new section 53B into the Act in the following terms—

A person who is the proprietor of stock prescribed for the purposes of this section may, and if required by regulation shall, cause it to be marked in the manner prescribed by the regulations.

Usually, the identifying mark on a sheep is two punch holes in the ear. The identifying mark on this occasion will be a three ear punch.

The Hon. G. E. Masters: It sounds dangerous!

The Hon. J. M. BROWN: Someone needs a punch in the ear, and it might be me! A three-hole punch in the ear.

The Hon. G. E. Masters: I liked it better the first way.

The Hon. J. M. BROWN: It is considered also this will be an Australia-wide marking for this type of animal. The Opposition supports this amendment wholeheartedly. We believe it is an advancement for the industry. It is a means of preserving what we treasure very much; namely, the white wool. In addition, it will assist a very important industry throughout the country. It will even assist the commercial weavers of wool because there is a demand by people for natural-coloured fibres.

The other amendment to the Bill is to increase the maximum penalty for breaches of the Act from \$200 to \$500. As was the case in 1973 when the legislation was first introduced, we give the Bill our support.

THE HON. N. E. BAXTER (Central) [5.46 p.m.]: It behoves us to believe that, although this is only a small Bill, it is one of particular importance to the wool industry, not only in Western Australia, but Australia generally. According to the Minister's second reading speech, this is an Australia-wide move to make sure the sheep that do have the genes which produce coloured wool in their progeny are designated by three punch holes in the ear. Members will note that I did not say three punches in the ear; we are discussing an entirely different matter.

I am reminded of my recent drive to Wongan Hills when for the first time I saw in one single flock perhaps 30 black sheep in a paddock on their own. Again I point out for the benefit of members that I am referring to black sheep of the woolly variety. I was travelling at around 90 kilometres an hour and could not detect if there were any white marks on those sheep; there did not appear to be any white sheep among them. It is unusual to see that number of totally coloured sheep.

The wife of the pastoralist would probably own those sheep and have them for the specific purpose of using their wool for weaving. In this area there is a great deal of spinning done with coloured wool.

The Bill proposes also to increase the maximum penalty for breaches of any section of the Act from \$200 to \$500. This is quite reasonable in this day and age when we consider the increased value of the stock and the decrease in the value of the dollar. We support the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.48 p.m.]: I thank members for their support of this Bill. It is undoubtedly a great credit to Mr Mendel who did so much work with plant breeding in the 1860s. He is the person who crossed sweet peas and discovered that animals and plants had hidden genes which they could carry to their descendants.

The Hon. R. G. Pike: He was an Augustinian Friar. He had plenty of time to experiment.

The Hon. D. J. WORDSWORTH: It is interesting to note that he made this discovery in 1866 and yet his work went unnoticed until the turn of the century. Up till then everyone thought that genes were something in the blood. Even Charles Darwin, when he espoused his well-known theory about the same time, had to develop an hypothesis as to how genes were transmitted. He also indicated that small particles carrying hereditary characteristics were incorporated in the blood. But Mendel had proved otherwise two years before. Most people who have been to an agricultural college would remember Mendel well because his principles are easily understood. Regrettably it becomes very hard to fully understand the total knowledge of heredity as recorded today.

The punching of three holes in the ear of a sheep might be a waste of time, although perhaps some farmers might feel that it would do some good. Certainly the people who have black sheep will be able to remember which white ones came from their black sheep. Traditional stud breeders have always knocked on the head any black sheep,

but in spite of that they have continued to be embarrassed when black sheep have turned up generation after generation.

The Hon. H. W. Gayfer: Even in Shakespeare's time they were worried about the black ram tugging the white ewe.

The Hon. D. J. WORDSWORTH: I trust that this legislation will help to protect Australia's wool clip from being contaminated by black fibres. It is something which always has been of great concern to stud breeders. If this measure in any way keeps those sheep which are now being kept for weaving separate from Australia's Merino and other flocks, it will have done some good.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Lands), and passed.

AGRICULTURE AND RELATED RESOURCES PROTECTION AMENDMENT BILL

Second Reading

Debate resumed from 16 September.

THE HON. J. M. BROWN (South-East) [5.55 p.m.]: The purpose of this amending Bill is three fold: It is to retain the present 3c in the dollar rating for pastoral properties; it is to give power to the Commissioner of State Taxation to recover the outstanding rates; and it is to increase the powers in regard to prescribed agricultural products to enable inspectors to search vehicles and premises.

In supporting the amendment I think we should consider the retention of the 3c in the dollar rating on pastoral properties where the revenue is passed to the Agriculture Protection Board for the preservation of controls on vermin and noxious weeds and plants. We do not have the latest figures for 1979-80, but over the past three years there has been something like \$700 000 per year contributed from the Consolidated Revenue Fund. This practice has been in existence since the Act was first introduced in 1976. It is no small

amount to come from that fund to go the Agriculture Protection Board.

It was envisaged that the rate would be increased from 3c to 4.5c in 1980-81 and onwards. However, because of the situation which prevails within the industry and following recommendations contained in the Jennings report, the Government has considered it desirable—and we support the idea—to retain the 3c in the dollar contribution.

In his second reading speech the Minister suggested that the contribution has been on the basis of approximately \$5 : \$2—\$5 from the Consolidated Revenue Fund and \$2 from the revenue collected from the pastoralists. However, in answer to a question asked of him, the Minister for Agriculture said—

Sources of funds are Consolidated Revenue Fund and a rate levied on pastoralists under the Agriculture and Related Resources Protection Act. No breakdown of rates collected from individual areas is available but based on overall expenditure in the Kimberley, Pilbara, Goldfields and Gascoyne/Murchison, this would be in the proportion of \$11 CRF to \$1 pastoral rate.

We really need a breakdown of these funds so that we know whether it is a \$5 : \$2 or \$11 : \$1 ratio. The industry needs to know where it is going in this regard because we are talking in excess of a \$700 000 contribution from the Consolidated Revenue Fund. Further, it needs to be remembered that we are considering a contribution from an industry, the production figures of which are declining.

We know why the figures have been declining over the years: It is because of the poor seasons we have experienced. The Jennings report indicates that wool production has dropped by something like five million kilos from 1972-73 to 1978-79 and this is out of a total production in excess of 13 million kilos. So it is not an inconsiderate request that we should be told what the ratio in fact is.

I was wondering whether the Minister could indicate also whether or not the rate has been applied for 1980-81. Section 60(2) of the Act states that before the thirtieth day of June immediately preceding the financial year the rate will be gazetted.

If that is so, then they have gazetted the rate before it is applicable or it has been struck in anticipation of the Bill being passed in this House.

It is reasonable to expect answers to those questions. We realise the importance of the

pastoral industry and we realise the importance of this Bill, and particularly the importance of the provision to which I have referred.

The Opposition certainly supports the idea of the Commissioner of State Taxation having power to collect the levy. The Opposition also supports the investigation of prescribed agricultural chemicals by inspectors. This will enable the inspectors to carry out their task in a complete way. We all understand what damage these chemicals can do and the purpose of this Bill is to protect the industry. We on this side of the House support the Bill.

Sitting suspended from 6.01 to 7.30 p.m.

THE HON. N. F. MOORE (Lower North) [7.30 p.m.]: I take the opportunity in this debate to say a few words on behalf of my constituents, particularly those who are engaged in the pastoral industry. The decision of the Government which is contained in this Bill to delay further an increase in the vermin rate is most welcome in the pastoral areas. The parent Act requires that the rate be increased from 3c in the dollar to 4.5c in the dollar from 30 June 1980. The amendment extends the 3c levy for another two years; in other words, it delays the 1.5c increase for another two years.

The Government is to be commended on taking this approach; it has realised the pastoral industry is still having a difficult time. Although most pastoral areas have in recent times received good winter rains, they are still very much in need of follow-up rains to re-establish the pastures which were devastated in the drought over the last five years. The industry has suffered extensively in recent years, not only from drought, but also from the effects of the cost-price spiral which commenced in such great earnest in 1973.

Pastoralists, like all other primary producers, cannot pass on their cost increases to consumers. They cannot increase the price of their product in a mandatory way to the consumer to cover their cost increases. They must rely entirely on world markets to determine the price of their product. So, it is very important for the pastoral industry that we continue to try to combat inflation, which is one of the greatest enemies of primary producers and particularly pastoralists who occupy such a large percentage of the land mass of Western Australia. We should be doing all in our power to try to stabilise the costs faced by these people, bearing in mind that their income is stabilised in the sense that it is determined by world markets and is not related to the current economic situation in Australia.

This Bill contributes in a small way towards stabilising the costs of pastoralists, and I therefore support it.

Debate adjourned, on motion by the Hon. M. McAleer.

GOVERNMENT AGENCIES: EXAMINATION BY STANDING COMMITTEE

Inquiry by Select Committee: Amendment

Debate resumed from 30 September.

THE HON. M. McALEER (Upper West) [7.34 p.m.]: I rise to oppose the amendment. I listened with interest to the speeches of the Hon. Des Dans and the Hon. J. M. Berinson in this debate and I was not surprised to find they were sympathetic to the investigation of statutory bodies and other Government agencies; and perhaps I was not even surprised they should have considered it desirable to short-circuit the process suggested in the motion and proceed at once to establish a committee to investigate the many and varied authorities.

What did surprise me was that the Opposition should have chosen a Joint Select Committee as a suitable vehicle to do this. By the time the Hon. Des Dans had dwelt on the number of authorities in question and the Hon. J. M. Berinson had embarked as well on the investigation of the efficacy of the Public Service, it seemed that no Select Committee would be able to conclude its sittings in the life of one Parliament, let alone one session, no matter how many members were included or how wide was the representation from both Houses.

I think it is the essence of a Select Committee, joint or otherwise, that it have a specific task and be prepared to report at a time agreed on. This may be a matter of opinion. Certainly, the Victorian Select Committee, which the Opposition used as a model, does not quite conform to this pattern. But let us look at the terms of reference proposed for this particular Joint Select Committee.

It is to investigate and evaluate all non-departmental and semi-Government agencies in Western Australia, which we are assured number 208, and perhaps in fact 268. As far as the Victorian Joint Select Committee is concerned, at least it was simply given the power to nominate a public body to investigate or review, although in fact all those public bodies which are established under Acts were eligible to be nominated. According to Mr Berinson's account, it might well take the Joint Select Committee at least a whole

month to track down every last one of our public bodies; and having done that the committee is to report on the constitution and structure, the range of services, and so on of each body.

It is to report on—

- (b) The advantages and disadvantages of each body with specific reference to—
 - (i) the special requirements, if any, which justify the establishment of each body as an organisation separate from existing departmental operations.
 - (ii) the social and economic effects of each body.
 - (iii) duplication, waste and inefficiency, in relation to the operations of other bodies and departments and the cost thereof.
 - (iv) whether the existing functions of each body are still relevant to the purposes for which it was established.
 - (v) the degree to which each body is accountable to Parliament.

The Joint Select Committee is also to make recommendations regarding the feasibility and desirability of regular systematic reviews of each agency, the appropriate period of review, the application of sunset legislation, and the necessity for each body to continue as a separate entity. It is further to recommend the most appropriate mechanism to improve the long-term efficiency and performance of each agency, monitor the quality and level of services, ensure each agency is capable of responding to changing needs, ensure greater uniformity and comprehensiveness in each agency's report to Parliament, and improve the accountability to Parliament.

It could be thought these recommendations actually contain the germ of a Standing Committee which would continue to function year after year; but in fact, if anything were needed to add weight to the arguments of the Hon. Bob Pike in proposing a Select Committee to investigate the best way to examine and evaluate the tremendous variety of public bodies we have, this amendment provides it.

I am further surprised that the Opposition should show so little interest in the establishment of a Standing Committee of the Legislative Council. In all the years the Hon. John Williams, for one, has been advocating the establishment of one or more Standing Committees for this House, I thought his suggestions had been very well received by the Opposition. I believed it saw Standing Committees as a natural extension of

the review function of this House, as a permanent means of ensuring matters could be investigated in depth with both sides of the House making contributions to it.

We have had Select Committees of this House which worked very well and presented valuable reports; but they have been infrequent and their success has not led to further use being made of them. On this occasion the Opposition's amendment proposes a Joint Select Committee as an alternative to the Select Committee proposed by the Hon. Bob Pike, but that alternative practically removes the possibility of establishing the Standing Committee which he has in view—

The Hon. D. K. Dans: That was not the intention, of course.

The Hon. M. McALEER: That is how it comes over. In my opinion, a Standing Committee is probably the best way to accomplish the end we all have in view.

I do not believe, however, that the Hon. Bob Pike's motion precludes the possibility of a recommendation for a joint committee such as the Opposition has proposed, whether or not it is on the Victorian model; but I think in setting out to establish what is in essence a permanent committee—a new departure for this House—the Legislative Council should have the opportunity to look at all the models available and not stop short at the first one or two which present themselves. It should certainly look at the feasibility of establishing a committee of its own rather than a joint committee, if only for the purposes of practicability.

I oppose the amendment.

THE HON. R. G. PIKE (North Metropolitan) [7.42 p.m.]: I thank the Hon. Margaret McAleer for her opposition to the amendment, and I declare at the outset that I likewise am opposed to it. I think it should be said in regard to this very important motion about the future of this House that we should not seek the Liberal Party, the National Country Party, or the Labor Party answer, but the right answer.

In the first instance, I need to highlight the difference between the proposal made by the Hon. Des Dans in his amendment and the proposal I have made. My proposal envisages a permanent upper House committee, keeping the Parliament effectually bicameral and thus enhancing the status of the upper House and, I think, providing a forge of leadership for the upper House. I made the point before, and I make it again, that this committee would permit a continuing surveillance of Government agencies and create an awareness within the public and the Public Service that in

this field of government the upper House—the Legislative Council—functions as a watchdog with teeth. It would certainly create within this House a defined area—namely, Government agencies—where there would develop a willing disposition to leave it to the upper House. I think we would do better working together within the upper House than working separately. That is my proposition by way of the substantive motion.

The amendment moved by the Hon. Des Dans is for the appointment of a Joint Select Committee, which I submit in my opposition to the amendment would not enhance the status of the upper House and would not be a practicable way, as would be a Standing Committee of this House alone. I refer to the Public Accounts Committee of the Legislative Assembly. I make the point that the Public Accounts Committee has been clothed with the same type of authority we envisage giving to the upper House Standing Committee on Government agencies.

The Hon. D. K. Dans: I am sure it will operate much better than the Public Accounts Committee.

The Hon. R. G. PIKE: I thank the Leader of the Opposition for the compliment. I think the members we propose from both sides have demonstrated their competence and ability. The rights and authorities of the Public Accounts Committee are similar to those we propose for this committee. So, if the Hon. Des Dans' amendment were proceeded with, we would have the situation where the Legislative Assembly had its Public Accounts Committee plus X number of members on a Select Committee—what I call a "QASO" committee.

To me that is unacceptable. I think it is clear that the Labor Party has thought this matter through and, notwithstanding the fact that it has altered its platform in regard to the Legislative Council, it is trying to introduce a system where it has a political football field with the goals at one end only, and that end is the Legislative Assembly.

The Hon. D. K. Dans: Nothing is further from my mind.

The Hon. R. G. PIKE: I oppose that proposition for that reason.

I pass on to what I think is a very substantive criticism of the amendment moved by the Hon. Des Dans. The first paragraph of this amendment states, "That a joint select committee . . . be appointed . . ." The words in the amendment mean what they say. In submitting his amendment, the honourable member presented a very lucid case from his point of view when he

asked what the purpose of having a Select Committee investigating the proposition as to whether or not we should have a permanent Standing Committee. Then he went on in a very competent way and produced a very well drafted resolution; and I certainly compliment the Hon. Des Dans for the content of his speech and the manner in which it was prepared—so much so that much of his speech is certainly material which should be considered by the proposed Select Committee.

The Hon. D. K. Dans: You would agree that the Select Committee should have a limited life?

The Hon. R. G. PIKE: Yes. I associate myself with the remarks made by the Hon. Margaret McAleer a moment ago. Had the Leader of the Opposition been consistent with the argument he presented to this House—which was: why have a Select Committee to consider the appointment of a Standing Committee?—he would have moved for the appointment of a Joint Standing Committee comprising nine members of the Legislative Council and the Legislative Assembly.

The reason I say that is this: Bear in mind that we have had varying estimates of the existing number of statutory authorities. The number varies from 200 to 268, the latter being the figure suggested by the Hon. John Williams. I am mindful of the contribution Mr Williams has made in the area of committees of this Council, and I go on record as saying that when I entered this place he was consistently advocating that a properly structured committee system should be established in this House. Therefore, I do not doubt his figure.

Let us read what the amendment says. Members must contemplate that this will be done by a Select Committee which, by any Standing Orders of any Parliament, is a committee with a limited life. The limited life of this proposed Select Committee is such that Mr Dans wants it to do the following—

... investigate and evaluate all non-departmental semi-government agencies in Western Australia, including statutory corporations, authorities, advisory committees, boards, commissions . . .

He wants it to report upon—

(a) The constitution and structure of each body including the range of services provided, the number of personnel, the frequency of meetings of the executive if applicable, the annual amount and sources of funds required to finance its operations.

(b) The advantages and disadvantages of each body with specific reference to—

And so it goes on; I do not wish to read the whole of the amendment. However, I do say this to the House, and I hope with clarity: This is excellent material for the Select Committee to consider as some of the charters for a permanent Standing Committee. I say to Mr Dans that although my knowledge of Standing Orders is not as great as his, it is clear to me that an amendment to appoint a Joint Standing Committee would be acceptable as well as one which proposes a Joint Select Committee if he is to be consistent in his argument. But I say to the House that the present amendment is not practical; nor would it be if he substituted the word “standing” for “select”.

Can we begin to consider how a Select Committee of limited life could begin to prepare the sort of report envisaged on every “QASO” that exists in the State? Therefore, I point out that the submission presented by Mr Dans is inconsistent to the degree that it is inconsistent with his argument. He asked, “Why have a committee to investigate another committee?”; but he wants to clothe a Select Committee with the type of authority outlined; and bear in mind we are talking about a Select Committee which would eventually terminate. On the other hand, the guts, the essence, the quintessence of the substantive motion is that hopefully if the proposed Standing Committee is established it would have a continuing life so that when members now present in this Parliament are no longer here, the prestige, standing, performance, and competence of the Legislative Council in this area of endeavour will continue. The Select Committee proposal will not allow that to continue, because a Select Committee has a limited life and must eventually cease to exist.

Let me now make this quick point: I am appreciative of the proposals in the amendment which I think is very much applicable to a probable set of standing orders for the proposed Standing Committee. Therefore, for the benefit of those members of the House who are interested and others who have communicated to me that they are prepared to serve on the proposed committee, I quote to the House my suggested draft of standing orders for the proposed Legislative Council Standing Committee on Government agencies. The suggested standing orders are for the consideration of the proposed Select Committee, and I quote them as follows—

1. The duties of the Standing Committee shall be as follows:
The Committee is authorised and directed—

- (a) to make such examination as it deems necessary and to enquire into the purpose, extent, nature, administrative control, and methods of State Government Agencies, including statutory corporations, boards, and other regulatory bodies not under direct Ministerial control or supervision.
 - (b) to report to the House upon any matter concerning the Government authorities referred to in paragraph (a) or any recommendations for abolition or amalgamation of them, or any findings particularly in regard to the productivity, efficiency, economy, effectiveness, organization and circumstances connected with them to which the Committee thinks the attention of the House should be directed.
 - (c) To inquire into and report to the House upon any question in connection with Government agencies which is referred to the Committee by resolution of the House.
2. (a) Unless otherwise ordered, the Standing Committee shall consist of six members.
- (b) A majority of its members constitutes a quorum of the Committee.
- (c) All members of the Committee shall have access to Committee records, files and materials, but no member shall be entitled to have copies, or make copies of such records, files and materials, or release any material to anybody without the consent of the Committee or its Chairman.
- (d) The Standing Committee shall have power to appoint sub-committees consisting of three members of the Committee, and to refer to any such sub-committee any of the matters which the Committee is empowered to consider. The quorum of a sub-committee shall be two members.
- (e) Each sub-committee of the Committee is a part of that Committee, and is subject to the authority and direction of that Committee and to its rules so far as applicable.
3. The Standing Committee shall elect a member of the Committee as Chairman.
4. The Chairman may from time to time appoint a member of the Committee to be Deputy-Chairman and the member so appointed shall act as Chairman of the Committee at any time when there is no Chairman or the Chairman is not present at a meeting of the Committee.
5. In the event of an equality of voting, the Chairman, or the Deputy-Chairman when acting as Chairman, shall have a casting vote.
6. A Member, though not a member of the Standing Committee may participate in its public sessions and question witnesses, unless the Committee orders otherwise, but shall not vote.
7. The reference to a matter by the Council to the Standing Committee shall be on Motion after Notice. Such Notice of Motion may be given—
 - (a) in the usual manner when Notices are given at the beginning of the business of the day; or
 - (b) at any other time by a Member—
 - (i) stating its terms to the Council, when other business is not before the Chair; or
 - (ii) delivering a copy to the Clerk, who shall report it to the Council at the first opportunity.

Any such notice of Motion shall be placed on the Notice Paper for the next sitting day as "Business of the Council" and, as such, shall take precedence of Government and General Business set down for that day.
8. The Standing Committee shall take care not to enquire into any matters which are being examined by a Select Committee of the Council specially appointed to enquire into such matters and any question arising in connection therewith may be referred to the Council for determination.
9. The Standing Committee or any sub-committee shall have power to send for and examine persons, papers and records, commission reports whenever it may be necessary, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament.

- (a) The Committee shall, insofar as is practicable, require each witness who is to appear before it to file with the Committee (in advance of his or her appearance) a written statement of the proposed testimony and to limit the oral presentation at such appearance to a brief summary of his or her declarations.
 - (b) No evidence or testimony taken in private session may be released without the consent of the Committee.
10. Unless otherwise ordered by the Council, all records and all documents received by the Committee during its inquiry shall remain in the custody of the Council after the completion of the Committee's inquiry.
 11. The Standing Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
 12. Members of the public and representatives of the news media may attend and report any public session of the Standing Committee unless the Committee otherwise orders.
 13. The Standing Committee shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* shall be published of such proceedings of the Committee as take place in public.
 14. The Standing Committee shall, with the approval of the President, be provided with all necessary staff, facilities and resources.
 15. The Standing Committee shall, with the approval of the President, be empowered to appoint persons on a part-time basis, with specialist knowledge for the purpose of particular inquiries with emphasis on persons from the free enterprise, industrial, private and non-Government sectors, in order to provide such services, facilities, studies and reports to the Committee as will best assist it to carry out the function for which it is created.
 16. The Standing Committee shall have leave to report from time to time its proceedings and evidence taken and such recommendations as it may deem fit, and may make reports as to the progress of the proceedings of the Committee.
 17. The Standing Committee may sit during any adjournment or suspension of the Council and may adjourn from time to time.
 18. The Report of the Committee shall be presented to the Council by the Chairman. A reservation by any member of the Committee may be added to the Report.
 19. A measure or matter reported by the Committee to the House, shall not be considered in the House until the fourth sitting day after the day on which the report of the Committee upon that measure or matter was reported to the House.
 20. The Reports from the Committee shall be received by the Council for its consideration and determination.
 21. The Standing Committee has continuous existence until such time as its existence is terminated and its successor is appointed by resolution adopted by the Council.
 22. Except as provided in this Resolution, the procedure to be adopted in the proceedings of the Standing Committee shall be the same as that of Standing Committees excluding Standing Order 37(b) and Select Committees, unless the Council otherwise orders.
- The foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, shall have effect notwithstanding anything contained in the Standing Orders.
- I would like now to make particular reference to the other matter mentioned by the Hon. Des Dans; that is, the Parliamentary Committees (Public Bodies Review) Act 1980 of Victoria. I will not speak further on this—because I think the Hon. John Williams may wish to make a contribution on that subject—except to say again to the House that I am indebted to the honourable member for the contribution he made and the interest he evidenced, and to declare that the submission in respect of the Victorian public bodies review Act is one that I would recommend to the House for consideration. This has been

mentioned already in the first instance by the Hon. John Williams.

I now pass on to mention in particular that portion of Mr Dans' speech to which he asked that a reply be given.

The first point made by the Hon. Des Dans was that the primary purpose of the proposed Select Committee is a determination in respect of the establishment of a Standing Committee to examine only certain Government agencies. It appears that when the Hon. Des Dans went on to quote the section of the proposed Standing Order that is relevant, he quoted from my motion as follows—

- (a) the feasibility and desirability of setting up a Standing Committee of the Legislative Council to examine State Government Agencies,—

To be fair, that paragraph of my motion went on to say—

—including statutory corporations, boards, and other regulatory bodies not under direct Ministerial control or supervision;

It is true that there appears to be a limitation placed upon the motion in the submission of the Hon. Des Dans which in fact does not exist in the words of the motion. It is clear that the Hon. Margaret McAleer has already canvassed this point competently. It is an open go with regard to State Government agencies or "QASOS"; and that determination will be made by the Select Committee. In no way does the motion limit the committee in that area.

The Hon. D. K. Dans: When the Select Committee makes that determination it will not make that determination based on just a few and expand it later on.

The Hon. R. G. PIKE: That is true. I make the next point again, because it is in my notes. It deals with the principle and application of the sunset legislation, as embodied in the Victorian Act, which I have already covered. The Hon. John Williams will, I anticipate, cover that competently, so I will not deal with it.

The next point raised by the Hon. Des Dans was that he said it sounded like double Dutch when Sir Charles Court said the following in answer to a question in another place—

The need for a specific appointment may be partly reduced if the Legislative Council proceeds with the Select Committee proposal listed as Motion No. 2 on its notice paper for today.

All I can say to the Leader of the Opposition, as firmly and as forthrightly as I am able, is that I anticipate this House will, in its own right, make its own decisions, determinations, and recommendations as to what "QASOS" should be investigated and recommended upon.

The Hon. D. K. Dans: Thank you.

The Hon. R. G. PIKE: The next point made by the Hon. Des Dans was as follows—

It is difficult to take seriously the Hon. Bob Pike's motion in view of his Government's penchant for the proliferation of Government agencies.

The Hon. D. K. Dans: That is true, too.

The Hon. R. G. PIKE: I assure the Leader of the Opposition that I am very serious.

The last point made by the Leader of the Opposition, bearing in mind that the structure of his speech generally was such that it was in agreement with the submission made for a set of standing orders, which we certainly will be studying, was as follows—

Clearly there is an urgent need for the entire machinery of Government in Western Australia to be quantified for a positive programme to improve the efficiency of Government.

All I can say to the Leader of the Opposition in relation to that matter is that I agree totally.

I will now deal very briefly with points made by the Hon. Joe Berinson. In his speech, he made this point—

I put it to honourable members that the end aim will be better served by a committee of nine rather than by a committee of three.

Can I say, in a spirit of levity, that the Leader of the Opposition was acquainted something like one and half months ago with the terms of this motion, as it has been on the notice paper for a long time? At that time, I said to him, "Would you please, if you agree to it, let me have the names of two members of the Labor Party who are prepared to serve on the committee?"

The Hon. D. K. Dans: And you got them.

The Hon. R. G. PIKE: There would be no way in the world I would expect this House to believe that the Labor Party would be entitled to two members, and one from the Liberal Party, on a Select Committee with a total of three members only. That indicates a lack of consultation between the Leader of the Opposition and the Hon. Joe Berinson.

The Hon. D. K. Dans: That is based on our interpretation of the Standing Orders.

The Hon. R. G. PIKE: There was never the intention to limit the committee to three. Obviously that would be impractical, and there would be too much work for the members.

The Hon. Joe Berinson said also—

It will be better served by a committee drawn from both Houses rather than from this House only, and it will be better served if it can get down to work at once on the main points of the inquiry rather than spending further time inquiring as to whether such an exercise is desirable.

Other than this point in the honourable member's speech, there was nothing else of substance because he dealt with such questions as the size of the "QASOS", and an insinuation in part, but not in whole, that I thought that perhaps the big "QASOS" could not be dealt with, but the little ones may be eliminated. He was incorrect in that supposition.

The Hon. Joe Berinson fell into the same confusion as his leader did, that a Select Committee as set out in the amendment moved by the Hon. Des Dans would have a limited life in which to look at the proposal. I repeat that if the Leader of the Opposition had moved an amendment calling for a Standing Committee, his arguments would have been correct, proper, and well structured as far as rules of debate are concerned. Of course, that was a competent amendment; but the Hon. Margaret McAleer has already pointed out that the standing orders I have recommended for consideration, and the standing orders recommended by the Hon. Des Dans indicate that "QASOS" need to be looked at, and their structures and the Acts which control them, together with the excellent recommendation that the Hon. John Williams will be making shortly. As far as that is concerned, there is much to be considered in regard to the structure of the standing orders for the Standing Committee; and it would be foolhardy to rush in willy-nilly at this stage without a Select Committee having a very good look at the situation. It is my intention that if the Select Committee is proceeded with, it would carry out its investigations very quickly.

The Hon. D. K. Dans: Do you think it would have been incompetent for me to move an amendment, to turn that into a Standing Committee? I thought of that, but I did not think it was competent for me to do it.

The Hon. R. G. PIKE: I am pleased the Leader of the Opposition asked that question, because it again raises my regard in relation to his ability. The answer to his question is, "Yes". I sought

independent, qualified opinion from three people today; and they said it would be a competent and proper amendment. The substantive motion before the House is for a Select Committee; and an amendment which sought a Standing Committee would be an acceptable and proper amendment.

I ask the House to vote against the amendment moved by the Leader of the Opposition.

THE HON. N. E. BAXTER (Central) [8.08 p.m.]: I have studied the amendment fairly closely. I have considered the effects of the amendment, and how successful a proposal such as this would be. When one looks at the amendment, one sees that it proposes a Joint Select Committee comprising nine members of the two Houses, to be appointed to inquire into and evaluate all non-departmental and semi-governmental agencies. What a gigantic task that would be to be undertaken by a Joint Select Committee in a period when the Parliament is still sitting.

One cannot forget that the Joint Select Committee would have to report to the Parliament during the term of that Parliament. It is now September, and probably we will rise in early December. The committee would take on the gigantic task of inquiring into all the semi-Government authorities; and that is not humanly possible in the time we have.

The Hon. G. C. MacKinnon: How many hospital boards are there?

The Hon. N. E. BAXTER: I cannot remember the exact number, but there are at least 50 or 60. There may be 100. It is hard to remember how many there are. A few hospitals do not have boards.

How in the name of heaven could a Joint Select Committee inquire into those 100 hospital boards, for a start? The committee would have to consider how each hospital operates. Each of those boards is a semi-Government agency; and it is a gigantic task when one considers all the other agencies.

The Hon. D. K. Dans: Mr Pike's Select Committee will have a gigantic task, also.

The Hon. N. E. BAXTER: For instance, the committee would have to examine, say, CBH.

The Hon. H. W. Gayfer: I will vote against this measure!

The Hon. N. E. BAXTER: I am referring to an organisation with very wide ramifications, and very big business interests. How long would it take a committee to examine the details of CBH?

The committee would be still sitting in 12 months' time, if not in two years' time.

The committee would take a long time to examine all the machinations—I should not use that word, out of deference to my colleague, the Hon. Mick Gayfer—of an organisation such as CBH. There is no way a Joint Select Committee could examine these bodies within a period of two months. It is 1 October today, and the committee would have to report by the beginning of December.

The Hon. D. K. Dans: It could be reconstituted.

The Hon. N. E. BAXTER: This amendment is not a feasible proposition. I do not doubt that the House will vote against such a measure.

The proposal referred to Standing Committees. The Standing Committees of the Senate are set up at the beginning of each Parliament, and their powers are established then. I do not want to go into the question of Standing Committees until we are dealing with the major motion. I attended a seminar in Canberra from 24 August to 30 August. The people at that seminar had their ears bashed by the Federal members about how the Federal Parliament operates. Of course, one particular part of the seminar was on committees, and particularly on Standing Committees. A comment on that will be included in the report I am submitting to the Commonwealth Parliamentary Association.

The Hon. D. K. Dans: Did they convince you of the necessity?

The Hon. N. E. BAXTER: One member complained bitterly that the recommendations of the Standing Committees were ignored. No notice was taken of them; so one wonders whether a Standing Committee would be viable. If one has no results with a Standing Committee, would one receive results with a Joint Select Committee on a proposition such as this?

I oppose the amendment.

Amendment put and negatived.

Debate (on motion) Resumed

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.14 p.m.]: Now the amendment has been defeated, I wish to lay a few ghosts to rest. When one mentions a parliamentary committee, immediately into the minds of the people in all walks of life springs the idea of a witch-hunt.

The Hon. H. W. Gayfer: Well, it is a witch-hunt. It gets that way, doesn't it?

The Hon. R. J. L. WILLIAMS: That is precisely the reason that, properly structured as this Select Committee would hope to be, it will

not resort to that. In point of fact, the committee will be its own stricture on a witch-hunt.

The Hon. H. W. Gayfer: So it will not be anything like a witch-hunt?

The Hon. R. J. L. WILLIAMS: I hope it will not be anything like an investigatory committee with punitive measures attached to it.

The Hon. H. W. Gayfer: You sound like a two-handed lawyer now.

The Hon. R. J. L. WILLIAMS: I always go to a one-handed lawyer, because he is cheaper. I am not having two bob each way. What I am saying is this: My original intention in 1972 in an attempt to establish this matter was very simple, but it was taken wrongly by some people who thought it would take power out of the hands of certain people.

The Hon. H. W. Gayfer: The intention might have been right, but couldn't you have been just a little bit pregnant?

The Hon. R. J. L. WILLIAMS: The honourable member may be correct; but there are varying degrees of pregnancy.

The Hon. H. W. Gayfer: I don't know about that.

The Hon. R. J. L. WILLIAMS: I thought, being a farmer, the Hon. Mick Gayfer would have observed the fact that there are varying stages of pregnancy.

However, the idea and intention of this type of committee—in an aside to the Leader of the Opposition, I say a committee which I hope would become a Standing Committee of this House—would be to investigate and submit a report to the House. Too many people think that a committee and its chairman can act as judge and jury. If that is to be the case, I want no part of it. I want the committee to elucidate the facts, compile them into a report, and let the Parliament see the situation and decide for itself.

The Hon. R. G. Pike: That is quite right.

The Hon. H. W. Gayfer: But some set themselves up as Caesars.

The Hon. R. J. L. WILLIAMS: I agree with the remark made by the Hon. Mick Gayfer. I shall even go so far back and say that, if one watched the dreadful exhibition given by a Standing Committee of the Senate of the United States of America in the 1950s, one would have been horrified at the situation. Indeed, it put a new word into our vocabulary. We have to safeguard against that sort of thing.

As the Hon. Robert Pike has suggested, the strength in a Select Committee of this nature is

that matters can be discussed adequately by the committee in regard to how it will operate, where it will operate, and when and why it will operate.

Although we have appointed a Select Committee which will compile a report and present it to the House, it does not mean the process will be adequate for us to say that, in view of the recommendation that a Standing Committee be set up, we must establish one. We do not have to accept that recommendation. We can say that we do not wish to work that way.

The ultimate power rests with this Parliament. Some Ministers of the Crown are frightened that their powers may be usurped. I shall put it another way: Some Ministers of the Crown are frightened that their authority within their departments may be usurped. Consequently they tend to shy away from committees of this nature; but when we look at the Victorian set-up we can see the parliamentary Public Bodies Review Committee is established in such a way that it avoids any hint of what I have mentioned.

In fact I can tell members that the first time the Victorian committee sat, the first person to appear before it at his own request was the Minister for Water Supplies, who wanted the committee to investigate something that was going on in the country water boards.

The Hon. D. K. Dans: That would be a good place for us to start.

The Hon. R. J. L. WILLIAMS: The Leader of the Opposition is pre-empting the fact that we will have a Standing Committee. The proposed Select Committee is designed to investigate whether or not we should have a Standing Committee. I am merely pointing out that it would be of assistance to Government.

A great deal of nonsense is talked also about sunset legislation which is regarded as being the greatest thing that has ever happened in regard to parliamentary legislation since sliced bread. However, sunset legislation is a rather simple device. If it is inserted in a Bill which later becomes an Act of Parliament, all it does is throw up that Act at the correct time, as is stated in the Act, and make provision for Parliament to have one year in which to consider whether or not the particular body should continue to operate.

There is no striding down the terrace with a sabre, slicing off the heads of statutory bodies and saying, "That is another few 'QANGOS' gone!"

The Hon. H. W. Gayfer: Eventually that is what will happen.

The Hon. R. J. L. WILLIAMS: It is true, that may happen if we do not build in the proper safeguards.

The Hon. D. K. Dans: You are not suggesting all the "QANGOS" should remain, are you? We do not even know how many there are.

The Hon. H. W. Olney: We have 100 more today than we had yesterday.

The Hon. R. J. L. WILLIAMS: I am not suggesting anything. The whole point of this committee is to "inquire into the ways and means". The Leader of the Opposition by way of his amendment has already supplied this embryonic committee with a set of material to examine. The Hon. Robert Pike, by reciting what he sees as the standing rules of the committee, has given it further material to examine. There is material of a world-wide nature which the committee could look at and there are also Australia-wide rules and regulations which should be examined.

By the same token, there is no need for that committee to be a long-winded and drawn out affair. It is only a committee with the power to sit, investigate, and report back to this House where the full-scale debate should occur as to whether the House should have a Standing Committee, as recommended by the Select Committee. We would have to make sure that members, such as the Hon. Mick Gayfer, gave us the benefit of their thinking.

The Hon. H. W. Gayfer: You have had it now!

The Hon. D. K. Dans: What do you mean by that, Mr Gayfer?

The Hon. H. W. Gayfer: At least I am not reading a speech that someone else has written.

The Hon. R. J. L. WILLIAMS: I am not doing that.

The Hon. H. W. Gayfer: I am not referring to you.

The Hon. D. K. Dans: I hope you are not referring to me.

The Hon. H. W. Gayfer: No—never!

The Hon. R. J. L. WILLIAMS: When a report is finally brought to the House by the Select Committee, the debate will take place.

I do not commend the Victorian legislation. Victoria is Victoria. I do not commend the Canadian legislation. Canada is Canada. Neither do I commend any other legislation in any other State or country in the world. We are the legislators for the State of Western Australia and we were elected on that basis. We were not elected to ape or plagiarise anything which has

occurred elsewhere in the world. Certainly we shall take the best we can find and, if possible, amalgamate it to give our State the best. As I see it, that is the idea behind the setting up of this committee.

I support the motion. I should like to add I am delighted something positive will be done in this respect. I cannot pre-empt the result of the vote in the House, but I implore members to vote in favour of the motion, because it will be the first positive step towards putting authority—not power—where it belongs; that is with the elected representatives of the people in Parliament assembled. That is the message which has to go out loud and clear to the whole population.

As an aside, I should like to conclude on the following note: A remark was made by someone about buildings in the city being lit up with fluorescent lighting at night. I wonder whether the member who made that remark is aware of the fact that in Toronto, as a result of legislation passed by the Ontario State Parliament, it is an offence to switch off the lights in a building at any time. The reason for this is based on energy saving principles. Fluorescent lights tend to maintain a certain temperature within a building. If all the lights are extinguished, the temperature drops. The air-conditioning unit begins to operate in an endeavour to either raise or lower the temperature. The very fact that the air-conditioning unit has commenced to operate in a building of a certain size, results in the wastage of more electricity in that short period of time than the wastage involved in a 14-storey building being lit up 24 hours a day.

The Hon. D. K. Dans: We do not have that problem in Western Australia.

The Hon. R. J. L. WILLIAMS: We certainly have a problem in the heat. However, that is a law which was passed by the legislators in Toronto, Canada.

The Hon. H. W. Gayfer: As a result of a Select Committee recommendation?

The Hon. D. K. Dans: That may be one of the first jobs of the committee—it might make us keep the lights on!

The Hon. R. J. L. WILLIAMS: I do not think so.

I ask the House to support the establishment of this Select Committee so that our job may be made easier and may be carried out in a proper manner.

THE HON. G. C. MACKINNON (South-West [8.28 p.m.]): I intend to take the role of devil's

advocate, partly because I believe somebody should do so, and partly because I am not a great believer in this particular motion.

I am not a great believer in the motion, because I believe, if a Select Committee is established, it will hold authority beyond the proper scope of a House of Parliament. It will be just too powerful to serve a proper purpose.

The other reason I believe a Select Committee ought not to be established is that it would remove the proper role of a Minister. I do not mean a Select Committee would do so, but it would lead to that situation if a Standing Committee were established.

Everyone is speaking as if "State Government agencies including statutory corporations, boards, and other regulatory bodies not under direct Ministerial control or supervision" are bad. Indeed, I should like to know exactly what that means.

I heard a few murmurs to the effect that no-one believes they are all bad; but it is fashionable on a world-wide basis to talk of "QANGOS" in terms of derision. It is an expression which has grown up and the connotation applied to it is simply not true.

As I said yesterday by way of interjection, "QANGOS" are the legitimate progeny of Parliament, designed for the specific purpose of ensuring community involvement in Government activities. I do not care whether one is referring to a hospital board, charitable collection agency, board of visitors to various institutions, or tertiary colleges. Whatever they may be, they are important in that they bring community involvement into Government organisations.

It would be all of 12 years ago that a political writer from the Eastern States came here to write on the Western Australian Parliament for the specific reason that it did not have much indication of community participation in its affairs. The criticism of the Western Australian Parliament at that time was that, unlike other Parliaments, it had no committee system. That is quite a valid criticism. The writer had worked out a basis for argument. However, when he visited the then Department of Public Health, we were able to show him that at that time, apart from hospital boards, there were 30 committees under the Minister. We had the chiropractors' board, the physiotherapy board, the clean air board, and the noise abatement board.

The writer had investigated only the then Department of Public Health for two days—where he started—when he admitted that the whole of the basis for the book and the

criticism of the Western Australian Parliament had fallen because community involvement was apparently through the committee structure set up from one end of government to the other. It was working very well indeed: working extremely well. That was the end of that particular matter.

Statutory authorities are not necessarily bad. It seems that even in politics we go through fashions. It was the fashion, not long ago, to separate the authority of the Minister from the day-to-day affairs of much of his department. It is not so long ago that the late Sir David Brand introduced the Metropolitan Water Board legislation, amidst acclaim from all sides. That move was to establish an organisation completely separate from the Government. In the case of the Metropolitan Water Board, it has not worked for the simple reason that the board has to raise charges, and Cabinet always has a say about that. Not only does Cabinet have a say, but so does the party room. That occurs, whichever party happens to be in power. So that particular instance has not worked, and it has not worked in a number of other cases either. But at the time it was held as a great thing.

As far as my personal views are concerned, I am opposed to that sort of legislation. I have always believed, in my heart, that a Minister ought to be responsible and ought to be seen to be responsible. The public can change the system by changing the Minister. If an autonomous authority is set up which is not sufficiently under the control of a Minister, of course, the system is not necessarily changed by changing the Minister because the system carries on if it is run as an independent authority.

There is historical reason that the Forests Department is almost separate from the authority of the Minister. Indeed, so is the Main Roads Department. There is good historical reason for those situations, and I do not think they ought to be changed.

I would like to know just precisely what is meant by "not under direct Ministerial control or supervision", because I do not know of any committee which is not under the control of a Minister, and which is not allocated by the Premier to a particular Minister. There may be some, but I do not know of any because they all work under an Act. That does not mean the Minister should chair the committees. Any Minister who did chair a committee would want his head read; he ought to have other things to do. I would like to know what is meant by that expression.

I am not too sure of what is meant by "the purposes and nature of the various Government agencies in existence in the State." Perhaps when Mr Pike replies he might explain that to me. If one is to inquire into the purposes and nature of various Government agencies in order to determine what sort of agencies called for examination by a Standing Committee, I am inclined to agree with Mr Baxter that the investigation will be carried out over an awfully long time. In that definition would have to be included groups such as hospital boards, which might come into the realms of possibility. It would not be a realistic way to do it because the difference between, say, the Royal Perth Hospital Board, and the hospital board at Yalgoo is profound. I can recall at one time asking the two local members whether there was a hospital in Yalgoo and they both replied, "No". Of course, there is a hospital there. There is also a hospital board at the Queen Elizabeth II Medical Centre. They are different in all aspects. If classes of boards are to be examined there will be some difficulty in that too. They could be broken down further to those chaired by departmental officers and those chaired by outside persons. Again, that would run into some difficulties.

I am wondering whether such an inquiry would get tied up with legalities, bearing in mind that we could not avoid having at least one lawyer on the committee.

Another matter to be considered by the committee is an investigation of the Constitution and effectiveness of any committees or bodies, whether parliamentary or otherwise, having similar functions to the proposed Standing Committee in other Australian States and the Commonwealth. I think that is possible; indeed, I think it has been done already so the committee would be half-way through on that one.

I come back to the point I wanted to make: Despite the odd comment now and again and, indeed, the murmured response to my statements, it has been indicated that everybody is not opposed to statutory bodies, boards, or organisations. Nevertheless, I firmly believe in my heart we are going through a phase. It is purely a phase that these things are unpopular. Indeed, I would almost use the term in a derogatory way and say that they are unfashionable.

The mere fact that they happen to be unfashionable or unpopular does not mean to say that they ought to be approached in the sort of critical manner I have heard bandied about, and which I have read in the newspapers. They do cause a tremendous community involvement.

In this State statutory authorities have worked exceptionally well and have brought the community into many aspects of their operations. Indeed, I do not know of any time when Ministers have not asked members for the names of people of integrity and intelligence who could take their place on boards and serve a useful purpose. A great many people have done that work and have been of tremendous advantage to Western Australia.

I believe I tend to take the position of "devil's advocate".

The Hon. Peter Dowding: That is not a new position!

The Hon. G. C. MacKINNON: It is one I think people ought to take from time to time. The honourable member said it is not a new position. I have found in my experience, from the time when I was even younger than the honourable member who just interjected, that one has to become the devil's advocate in order to encourage people to debate a subject. I suppose that is really the basis of jurisprudence.

Just by the way, if I might pre-empt other people, may I congratulate the member who has just interjected, on the addition to his family?

The Hon. R. G. Pike: Hear, hear!

The Hon. G. C. MacKINNON: I understand the addition is a bonny bouncing boy. Congratulations, Mr Dowding, to you and your wife.

It is my intention at this stage not to support the motion, but I leave my mind sufficiently open to allow the rhetoric of the Hon. Bob Pike to convince me that the committee is required.

THE HON. P. H. WELLS (North Metropolitan) [8.40 p.m.]: I support the motion. The Hon. Des Dans mentioned that perhaps the Hon. Bob Pike did not develop and explain his motion. We should be thankful that he gave us the really interesting part of the motion, and allowed enough leeway for other people to add their comments. He seems to have the added weight of the news media, and many other people. Indeed, he seems to have the support of the Leader of the Opposition because of the research which he carried out. His comments indicated the importance he placed on this motion. I believe it is a motion which should be taken with a fair amount of importance.

In my limited knowledge of this House, I see the possibility of this motion as being far-reaching. I do not agree with everything put up by the Hon. Bob Pike. For instance, I would have thought that the charter and the responsibility of

this type of committee was, in the main, to look at the ground rules. He certainly gave some ground rules to indicate the thoroughness of his research, and he put forward something which members of a Select Committee could start working on immediately.

There was some comment earlier about the four reports of the Senate.

The Hon. D. K. Dans: I had three of the reports, as I said. I have the fourth in front of me now.

The Hon. P. H. WELLS: Select Committees handling this matter reported in December 1978, October 1979, January 1980, and May 1980. I have copies of the four reports with me tonight.

The Hon. D. K. Dans: I have agreed there are four reports.

The Hon. P. H. WELLS: The reports provide a very strong basis and the groundwork which would be the responsibility of any committee set up in this State to look into this problem. Senator Peter Rae is to be congratulated on the success of his five-man committee. The Hon. Bob Pike indicated that he was well aware of the research carried out by that committee.

We have more than just four reports, and the success of the Senate Standing Committee. In 1975 there was a Royal Commission into Australian Government authorities. No doubt that particular inquiry could well have been worth looking at. I believe it had nowhere near the same success as the Senate Standing Committee on statutory authorities of the Commonwealth.

The Victorian Act has already been mentioned, and that is one of the areas of which the committee could well take notice. The Hon. John Williams spoke at length and said we should look at the Victorian Act. A definition of a "public body", as set out in that Act, was "any public body established by or appointed pursuant to an Act or established by or appointed pursuant to any rule, regulation, by-law, order, Order-in-Council, proclamation or other instrument of a legislative character."

That definition is worth noting because the Senate Standing Committee indicated that one of the problems it found when it sought to establish a list was the wide range of authorities which could be formed under existing regulations.

I know that the Hon. Graham MacKinnon mentioned something like 156 hospital boards and committees which may come into this inquiry. Certainly they are within the system and they are a far-ranging possibility.

The regulations may well be a means by which, for such a short period, one of these bodies might be formed. So the committee would certainly have a wide range of issues to take as precedents.

We should look firstly at the ground rules. I was surprised at the Hon. Des Dans' suggestion. I would rather the suggestion put forward by the Hon. Bob Pike, which was "Let us use the best resources available in this House; that is, members of the Labor Party, of the Country Party, and of the Liberal Party. By studying all that is available, let us work out the best ground rules." That seems to me to be a sensible approach.

The Hon. Peter Dowding: We keep telling you and you never listen.

The Hon. P. H. WELLS: By the amendment proposed earlier Opposition members have said that they do not want that approach. Obviously tonight the House has decided that we should not go ahead with the approach suggested in the original motion. However, we should consider the sensible idea of "Let us get together, examine the proposed committee, and listen to contributions from all sections of the House." For instance, I believe we should look at the situation in other places. Despite the fact that I am pretty certain the Hon. Des Dans would not agree to accept the Victorian legislation in its entirety after reading it—

The Hon. D. K. Dans: No, I said that was the best one available to us.

The Hon. P. H. WELLS: I do not think we would accept that legislation in its entirety for Western Australia because I have read the debates that took place in the Victorian Parliament. We must find out what is best for Western Australia, whether we follow the Victorian example, the Australian Senate example, or some other example.

The Hon. D. K. Dans: The success of this Standing Committee, if we set it up, will depend on its own record.

The Hon. P. H. WELLS: The success of the committee will not depend on the ability of the Hon. Bob Pike to create new words such as "QASOS". The success of the committee will depend on its ability to achieve goals. Certainly with members like the Hon. Bob Pike behind it and members from both sides of the House, the committee will achieve its goals. We have seen what can be done in that particular area.

The experience of overseas countries was referred to, and the Hon. Bob Pike told us that he had examined other systems when he was overseas. I do not have that type of experience; I

was born and bred in Australia and I have not travelled overseas. At this stage I would like perhaps to sound a note of caution: Just because something works successfully in an overseas country, it does not mean it can be transposed successfully into our situation. For instance, John Robbins of the Department of Politics of the University of Adelaide had this to say in the *Australian Journal of Public Administration* of December 1977—

There are obvious dangers in comparing systems of government, even when they are closely allied, or one is derived from the other.

Further on he said—

However, despite the difficulties and the warnings, comparisons can be fruitful in suggesting lines for further investigation or in revealing weaknesses in long-held explanations, even if they cannot provide firm conclusions.

Although I believe the committee as proposed should cast its net wide and examine all relevant available material, I do not really believe we can just transpose something from another place into our legislation. The essence of any system should be its relevance to Western Australia.

One of the most important challenges is to examine the accountability of each of these groups and to make a determination on their places in the overall system. Unfortunately I will not have time to read the whole report of the Senate Standing Committee. In recommendation 1.20(c) it is stated that the authorities were created to relieve Ministers of the responsibility of day-to-day administration of detail and self-containing tasks.

That is throwing back the accountability to Parliament. Very often, with the large numbers of organisations that are set up by the Parliament, it is quite possible that accountability could well be overlooked. For instance, the Canadian Royal Commission on Financial Management and Accountability in its final report of 1979, from a charter it was given in 1976 incidentally, states—

Accountability is the essence of our democratic form of government. It is the liability assumed by all those who exercise authority to account for the manner in which they have fulfilled responsibilities entrusted to them.

Further on the report reads—

Accountability is the fundamental prerequisite for preventing the abuse of delegated power.

I believe a major part of this committee's task will be to see that there is this accountability, and when looking at other types of Standing Committees, such an approach will ensure that there is such accountability.

The Hon. H. W. Gayfer: You frighten me.

The Hon. P. H. WELLS: I agree with the Hon. Des Dans that the committee itself needs some accountability, and one thing I favour in the Victorian legislation is that the committee is required to report to the House within 30 days of making a decision.

An interesting point is that the Senate committee said it did not have a list, although I believe it would be the responsibility of a Standing Committee not only to find a list, but also to publish that list.

Although I and the Hon. Bob Pike may differ on this point, I believe it would be the responsibility of a Select Committee to take a sample of those groups and to discuss the ground rules with representatives of those groups.

As my last comment I would like to refer to the late Sir David Brand's remarks when he moved to establish the Public Accounts Committee in another place. Sir David pointed out that that committee would require the confidence and the good wishes of Government, of the Public Service, of members of the House, and of the Executive. In other words, a good rapport is necessary. I do not believe that the committee as proposed should go on a witch-hunt. We have some tremendous public servants who are doing a very good job.

Certainly we will find some problems. The Senate committee found that the legislation itself was causing some of the backlog. In one case it was found that the legislation provided for two means of accounting. Probably we will find that in some cases our legislation needs correction.

Different groups have been given tasks, and those tasks must have initiated from this Parliament. Therefore, it may well be that the groups are carrying out the tasks set for them and doing a good job. It will be for the committee to draw to the attention of the House any instances where the purpose for which that group was formed no longer exists. Certainly it will need to have some respect for the many workers within the public sector who take pride in efficiency of management. I believe such workers will welcome the type of inquiry envisaged in this motion.

THE HON. N. E. BAXTER (Central) [8.55 p.m.]: The proposal in this motion is to consider and to inquire into the feasibility of setting up a Standing Committee to examine State Government agencies, including statutory

corporations, boards, and other regulatory bodies not under direct ministerial control or supervision.

If I were to support the motion, and that is doubtful, I would like added to paragraph (a) the following words—

... which are referred to a committee of the Legislative Council.

Part (3) of the motion reads—

To report to the Legislative Council with such recommendations as may be considered appropriate.

Part (2) of the motion would come into consideration if a Standing Committee of this House were appointed. Of course, Sir, as you know, before that can be done, the Standing Orders would have to be amended and the constitutional powers, rules, and procedures of the Standing Committee would have to be agreed upon. That will take quite a considerable time, and probably this session of Parliament would be ended before it was accomplished.

Recently I attended a seminar in Canberra. I was told about the setting up of the various committees of the Senate and of the House of Representatives. I would like to quote from this pamphlet which is entitled *Senate Committees*. It states—

COMMITTEES OF THE SENATE

The various types of committees and brief notes of their functions are set out below:

Standing Committees

1. *Domestic Committees*. The Senate has a number of long-standing domestic committees which are concerned with the affairs of Parliament itself, rather than public affairs. They include: Standing Orders, Privileges, Library, House, Publications, and Disputed Returns and Qualifications.

2. *Legislative and General Purpose Committees*. These comprise a group of eight committees, appointed at the commencement of each Parliament to inquire into and report upon matters referred to them by the Senate.

So these committees do not have *ad hoc* powers to inquire into anything except matters referred to them by the Senate. I do not believe any Standing Committee of any Parliament should be given the power to institute an inquiry, as suggested in this motion, into all the statutory corporations and other regulatory bodies as set out in the motion. It would be going a bit too far to allow a committee to dig into everything. Many of these statutory corporations, boards, and regulatory bodies are going along quite well; there is nothing wrong

with them. I believe the only time an inquiry should be instituted is when it is believed something is wrong with a particular body. We should not have a wholesale witch-hunt into every organisation into which the Standing Committee believes it should inquire. In my opinion the mover of this motion ought to have second thoughts about what he is getting into.

The report of the Senate committees goes on to say—

They normally operate by publicly seeking written submissions and holding public hearings at which witnesses attend, give evidence and answer questions. The matters referred for investigation may be specific subjects, proposed laws, estimates or statements of expenditure, messages, petitions or papers.

The eight committees are currently named—

The Standing Committee on Constitutional and Legal Affairs,

The Standing Committee on Education and the Arts,

The Standing Committee on Finance and Government Operations,

The Standing Committee on Foreign Affairs and Defence,

The Standing Committee on National Resources,

The Standing Committee on Science and the Environment,

The Standing Committee on Social Welfare, and

The Standing Committee on Trade and Commerce.

As will be seen by the names of these committees, it is intended that they should collectively bear a relationship to the whole range of Government activities. These activities are not limited to examination of past actions of Government, but also deal with important issues of the day where, following inquiry, recommendations can be made for Government action.

Since they were first established in 1970 the committees have presented approximately 90 reports to the Senate.

That is in eight years. This document was presented in 1978. To continue—

These have covered such diverse subjects as pollution, overseas trade, handicapped persons, aboriginal affairs, the refugee

problem, the woodchip industry, solar energy, the Family Law Bill and drug abuse.

In recent years the practice has developed of referring some Bills for committee consideration. It appears likely that this will become an increasing aspect of the work of these committees.

The reference of citizens' petitions to the standing committees is a significant development in parliamentary procedure, reflecting a recognition of the trend towards more public participation in the consideration of national issues.

Each standing committee consists of six Senators, with provision for the representation of all Parties. A feature new to Australian practice is that any Senator, though not a member of a committee, may participate in its public sessions and question witnesses, but may not vote. Other features include power to appoint sub-committees and to issue a *Hansard* report of a committee's public proceedings.

3. Regulations and Ordinances Committee.

A regulation is a rule made by the Governor-General with the advice of the Government and under the authority of a statute. This is known as delegated legislation, the theory of which is that principles go into an Act of Parliament and the administrative details necessary to give effect to those principles are left to regulation. . .

The Senate Regulations and Ordinances Committee scrutinises regulations and ordinances to ascertain:

- (i) that they are in accordance with the statute;
- (ii) that they do not trespass unduly on personal rights and liberties;
- (iii) that they do not unduly make the rights and liberties of citizens dependent upon administrative and not upon judicial decisions; and
- (iv) that they are concerned with administrative detail and do not amount to substantive legislation which should be a matter for parliamentary enactment.

The Committee reports regularly to the Senate and may recommend to the Senate the disallowance of any regulation or ordinance.

The document then goes on to discuss the function of the Estimates committees in the following terms—

Estimates Committees

Until 1970 the annual Estimates of Government expenditure had been examined by the Senate sitting as a whole. Following a practice in many other countries, the Senate decided in 1970 to refer the Estimates to Estimates Committees. The purpose was to enable a more orderly and effective examination of the annual Estimates of expenditure by departments.

The document then goes on to discuss joint committees and the powers of committees. The powers of a committee are established by the Standing Orders of the Senate.

I do not believe I can support this motion in its present form; I think it goes a little too far in that its purpose is to establish the feasibility and desirability of setting up a Standing Committee with all the powers laid down in this motion. I believe that if a Standing Committee were established under our Standing Orders as agreed to by this House, it should investigate only those matters relating to the particular bodies referred to it at the time by the Council; it would have the same function as any Standing Committee.

At this stage, I cannot support this motion.

THE HON. R. G. PIKE (North Metropolitan) [9.03 p.m.]: I thank the Hon. Norman Baxter for the point he has made; it is a very real and important one. However, I point out to him that, in fact, the motion before the House to appoint a Select Committee does not provide the authority he says it does so that eventually, the Select Committee which it is proposed to establish will be able to make recommendations in its own right, as well as in an investigative way. I believe the honourable member is confusing that section with a copy of the draft standing orders I gave him relating to the standing orders for the Standing Committee, when it is formed. Those standing orders deal with the point he made.

The Hon. N. E. Baxter: I am not confusing it at all.

The Hon. R. G. PIKE: I make the point again that in no way does paragraph (a) impose upon this House a Standing Committee proposal. Members should bear in mind it deals only with a Select Committee which will eventually recommend to this House a set of standing orders for a permanent Standing Committee.

The Hon. H. W. Gayfer: You said, "which will".

The Hon. R. G. PIKE: I said, "may".

The Hon. H. W. Gayfer: You did not say, "may"; you said, "which will eventually". That is the part I do not like.

The Hon. R. G. PIKE: I take the honourable member's point, and I stand corrected. I thank him for his interjection because it allows me to illustrate the point. Mr Gayfer pointed out that I said, "will" while in actual fact the word should have been, "may". The real point is that when the Select Committee brings down its report, this House will say, "Yea" or "Nay" as to whether the Standing Committee may initiate an inquiry into a State Government agency without reference to this House.

I stand on record quite openly as saying that I am not opposed to the honourable member's proposition. I see it as being reasonable and relevant. When the decision is made in this place on the formation of the Standing Committee, that is the time for Mr Baxter to raise his objection.

However, I make the further point—and I breach no confidence here—that the Hon. N. E. Baxter has indicated he is prepared to serve on and be a member of the Select Committee. Given the honourable member's lucidity in presenting his argument, I would see considerable difficulties in the committee even making a recommendation along those lines!

So, adequate protection can be built into the standing orders of this Standing Committee when it comes to this House.

I say also by way of information to the honourable member that the power to which he refers was taken by me in the structuring of the suggested draft standing orders for the Standing Committee—note, not a Select Committee with which I believe Mr Baxter, in all sincerity, is confused—from the standing orders laid down for the Legislative Assembly Public Accounts Committee. It was from there I took those words, which have the effect of giving the Public Accounts Committee the power in its own right to initiate investigations. Mr Baxter has put forward the strong contrary point of view that no investigation into any "QASO" can commence, except by the authority of this House.

That particular standing order states that the Public Accounts Committee may make such examination as it deems necessary of the accounts, showing appropriation of sums, and so on. In other words, the Public Accounts Committee of the Legislative Assembly has the power to initiate its own investigations.

I go on record in answering the honourable member's point that indeed, that is one matter the Select Committee will be examining. However, I

repeat that in no way does paragraph (a) give any such authority, and neither could it, because it must come back to this House for approval.

The Hon. N. E. Baxter: You should read paragraph (b), which refers to the point I made. It has nothing to do with feasibility.

The Hon. R. G. PIKE: It also aims at the very real question raised by the Hon. G. C. MacKinnon when he appointed himself—I might say, a very competent—devil's advocate. I have here a report by Martin Forrest which deals with State Government agencies in Western Australia. It is very clear that one of the functions of the Select Committee is to determine the degree of ministerial authority which prevails over the State Government agencies and which State Government agencies should be the subject of an investigation by a Standing Committee of this House.

I am best able to answer that question by quoting from the Royal Commission into Commonwealth Government Administration in 1975. I thank Mr MacKinnon for raising this question, because it is a very real one. He made the point that it takes away the proper role of the Minister in considering a proposition of this nature. The Royal Commission's report stated as follows—

When a Parliament entrusts statutory powers and functions to a Minister, the normal intention is that he should be accountable to the Parliament for the exercise of the powers and, in his administration, should be amenable to influence through parliamentary processes.

The creation by Act of Parliament of non-Ministerial agencies represents a departure from this mode of safeguarding against the abuse of public power. Taken to extremes, it could represent a substantial modification of the constitutional system through the addition of what would amount to a fourth branch of Government, separate from the executive branch and largely exempt from the operation of the constitutional conventions which harness the Executive and the Legislature.

The Hon. G. C. MacKinnon: Whose opinion was that?

The Hon. R. G. PIKE: I am quoting from the 1975 Royal Commission into Commonwealth Government Administration; however, I am not sure whose remarks I am quoting.

The Hon. G. C. MacKinnon: If it was Nugget Coombs, you cannot have it two ways.

The PRESIDENT: Order! Will the honourable member direct his remarks to the Chair?

The Hon. R. G. PIKE: This is a quote I produced tonight at very short notice as a consequence of the question raised by Mr MacKinnon. I do not know who the Royal Commissioner was, but I believe it answers the question raised.

The Hon. G. C. MacKinnon: It was not formulated by God, so it is just another man's opinion.

The Hon. R. G. PIKE: To go on to the other point made by Mr MacKinnon, he asked for a definition as to what was really meant by the words "not under direct ministerial control or supervision". The very purpose is that the Select Committee should make that determination. It is quite impractical for me, making reference to the organisation of government in Western Australia and the various types of authorities which exist to begin to list or go into the degree of control exercised by Ministers over the statutory authorities.

However, the point at issue is that, as Mr MacKinnon would know from his vast experience, there are varying degrees of control. I associate myself with and support his comments when he said there is a belief amongst the public that "QANGOS" or "QASOS" are automatically bad; that is clearly not so.

However, it is clearly correct that Parliament needs to have some scrutiny and authority over the organisations which in fact it has created.

The Hon. G. C. MacKinnon: I do not believe these organisations exist. I have already pointed out we cannot name one in Western Australia.

The Hon. R. G. PIKE: Just from memory, I give the example of an organisation known as the "Emu and Grasshopper Advisory Board".

The Hon. G. C. MacKinnon: That is under Government control.

The Hon. R. G. PIKE: As the Royal Commissioner pointed out, any statutory authority is responsible to a Minister; there is no question about that in legislation, as I understand it. The question at hand for this Parliament to consider is the degree of responsibility and control which should be exercised.

The Hon. G. C. MacKinnon: What you are talking about I have already discussed at great length with Mr Jenkins, who is the man in control of this matter.

The Hon. R. G. PIKE: If Mr MacKinnon will excuse me for interrupting him whilst he is interrupting me—

The PRESIDENT: Order! If the honourable member would direct his comments to the Chair, perhaps he would not get so many interruptions.

The Hon. R. G. PIKE: I have answered the questions raised by Mr MacKinnon.

In summary, I make the following point: It is axiomatic that any State Government agency is responsible to the Parliament and to the Act which gave it its being. That responsibility and accountability vary in degree from Government agency to Government agency.

It will be the function of this committee to determine the degree of that supervision and to recommend accordingly. I come back to the point that I consider to be the most substantive point made and which was made by the Hon. Norman Baxter, which is this: This motion for a Select Committee in no way or in no place proposes that which the honourable member has put forward, which is that it may, willy-nilly, decide as regards what statutory authority will or will not be the subject of the Standing Committee's investigation. I repeat, because I believe the honourable member is sincere in his request, that he misunderstands the point, which is that when this committee has completed its function, it will recommend to this House a set of standing orders which may or may not have within them the right of a committee to initiate investigations in its own right or on the other hand it might recommend a standing order which says that the Standing Committee can initiate inquiry only into "QASOS" by direction of this House.

That has nothing to do with the proposal for a Select Committee which is before us, and as this is my motion, I obviously support it.

Question put and a division taken with the following result—

Ayes 21

Hon. J. M. Brown	Hon. N. McNeill
Hon. D. K. Dans	Hon. J. G. Medcalf
Hon. Peter Dowding	Hon. N. F. Moore
Hon. V. J. Ferry	Hon. O. N. B. Oliver
Hon. T. Knight	Hon. P. G. Pental
Hon. R. T. Leeson	Hon. R. G. Pike
Hon. P. H. Lockyer	Hon. I. G. Pratt
Hon. G. E. Masters	Hon. P. H. Wells
Hon. F. E. McKenzie	Hon. R. J. L. Williams
Hon. T. McNeil	Hon. D. J. Wordsworth
	Hon. M. McAleer

(Teller)

Noes 3

Hon. N. E. Baxter	Hon. G. C. MacKinnon
Hon. H. W. Gayfer	

(Teller)

Question thus passed.

Appointment of Select Committee

THE HON. R. G. PIKE (North Metropolitan)
[9.20 p.m.]: I move—

That the Hons. N. E. Baxter, R. J. L. Williams, J. M. Berinson, R. Hetherington, and the mover, be appointed to serve on the committee and that any three members shall form a quorum.

THE HON. N. E. BAXTER (Central)
[9.21 p.m.]: As I opposed the motion I am not prepared to serve on the committee.

Amendment to Motion

THE HON. R. G. PIKE (North Metropolitan)
[9.22 p.m.]: I move an amendment—

That the name "N. E. Baxter" be deleted and the name "P. G. Pental" be substituted.

Amendment put and passed.

Motion, as amended, put and passed.

Debate (on appointment of Select Committee) Resumed

THE HON. R. G. PIKE (North Metropolitan)
[9.23 p.m.]: I move—

That the Committee have power to call for persons, papers, records and documents, commission reports whenever it may be necessary, and adjourn from place to place; that the Committee may sit on days over which the Council stands adjourned; that the Committee be authorised to function notwithstanding the adjournment of Parliament; and that the report be presented to the Council during the Second Session of the Thirtieth Parliament.

Question put and passed.

ADJOURNMENT OF THE HOUSE

THE HON. I. G. MEDCALF (Metropolitan—
Leader of the House) [9.24 p.m.]: I move—

That the House do now adjourn.

The PRESIDENT: Before I put the question, I take this opportunity on behalf of myself and all members present to extend our congratulations to the Hon. Peter Dowding and Mrs Dowding on the birth of a son.

Members: Hear, hear!

Electoral: Election Propaganda

THE HON. PETER DOWDING (North) [9.25 p.m.]: I am most grateful for the kind words of the President and members of this House. I rise not simply to convey my thanks, but to draw to the attention of the House a most serious situation. I am sorry that it happens to take away the sense of *bonhomie* and goodwill expressed by Mr President.

I wish to refer to comments which were made on a Channel 7 television programme last Tuesday. The transcript of those comments is as follows—

A Fremantle man believes he may have been the subject of an attempt to buy his vote in the federal election. He says he and other people were paid \$10 each to take part in the exercise. Paul Jenkins reports.

Last Friday afternoon a woman walked up to the door of this house in Helen's Street, East Fremantle. She told the owner, a Mr Ian David, that she was conducting a market research survey but refused to give her name or the name of the company involved. Mr David said she was interested only in swinging voters. When she found he was undecided on which way to vote in the federal election she asked if he would attend a research session at the Sheraton Hotel yesterday. Mr David says she told him he would be paid for the 1 hour session. He was told to ask for the Quantum group at the hotel, but he was given no more information. At the hotel the man in room 819 had introduced himself as George, but refused to give his surname.

He then proceeded with a series of suggestions and innuendos to the effect that the Labor Party was conspiring to bring down the democratic state of the nation.

What sort of reaction did that bring from people at the session?

Well, initially most people were incredulous I think, and then afterwards with his laboured points over a period of about half an hour he started to get through to a fair number of the people.

To continue—

... what was interesting was that if it was a market research exercise, after half an hour he stopped taking notes—

In fact the notes he did take would not have added up to more than half a page.

What sort of impression did you come away with then after the session?

Well I think at the very least it was an insidious attempt to buy a vote. It was pretty obvious the slant that he had, apart from the personal rumours that he tried to spread about certain politicians, which don't bear repeating. I think basically he was trying to start a cell of people who would spread a vicious rumour against the Labor Party.

Channel 7 News attempted to contact the man occupying the room, however, he checked out this morning. Left for Melbourne declining to comment on his research programme.

Members opposite may be interested to know that there was at the Sheraton Hotel, on the relevant days, a Mr George Cammakaris who is a member of an organisation called Quantum Research. Quantum Research is one of the two research organisations employed by the Liberal Party.

The incident that occurred at the Sheraton Hotel can be construed in one of two ways. The credulous people of the community may take the view that this was an attempt to select a cell of people to spread rotten, vicious untruths about the Labor Party and Labor Party politicians. That is one view of the matter.

The other view of the matter is that it was a qualitative research project inspired and paid for by the Liberal Party, the purpose of which was to see how a rotten, vicious smear campaign would result with swinging voters. There can be no other interpretation of this matter. The matter has been raised publicly and it reveals that the Liberal Party, once again, is involved in what may be described as a plan to interfere with the democratic processes of this country.

The Hon. I. G. Pratt: What evidence have you of that?

The Hon. PETER DOWDING: The evidence is that Mr George Cammakaris was conducting qualitative research on behalf of the Liberal Party.

Several members interjected.

The Hon. PETER DOWDING: The fact of the matter is that George Cammakaris is employed by Quantum Research, and Quantum Research does pre-election research on behalf of the Liberal Party.

Several members interjected.

The PRESIDENT: Order! Members will refrain from interjecting.

The Hon. PETER DOWDING: Mr Pratt said that there are no facts. The facts are that the gentleman who was identified as a swinging voter said that he had been drawn into a web of

scurrilous attempts to spread rotten, filthy, vicious matters about the Labor Party and Labor Party politicians. The organisation concerned was called "Quantum Research", but the organisation was not prepared to justify its activities on Channel 7. The organisation was at the Sheraton at the behest of the Liberal Party.

The Hon. N. F. Moore: You are worse than Peter Walsh.

Several members interjected.

The PRESIDENT: Order! I ask members to refrain from interjecting, and I ask the honourable member who is speaking to temper his language.

The Hon. PETER DOWDING: If members opposite could bring themselves to read a book written by David Woolman and Laurie Oakes called *Grab for Power* which refers to previous Federal elections, they would ascertain the close relationship which was stated to exist between Mr Leggoe and Mr Cammakaris. Mr John Leggoe, as we all know, has now a costly job in the public relations extravaganza which the Premier has set up in this State to try to manipulate the media.

*Several members interjected.

The Hon. P. G. Pendal: The member is searching for an issue because his party has not a leg to stand on in the Federal election.

Several members interjected.

The PRESIDENT: Order! I ask members to cease interjecting, and I again suggest to the honourable member speaking that he should temper his language.

The Hon. PETER DOWDING: The Hon. Phil Pendal is so desperate he has to rake up an issue and interject with something which is obviously fallacious. The Labor Party is ahead on the polls; one has only to read the papers to realise this. I know that members on the other side do not read the media. However, the media make clear the position of the opinion polls. Members opposite know the terrible truth; the lack of policy of the Federal Liberal Party has become apparent to the people of Australia.

The fact of the matter is that Mr Cammakaris was involved in most scurrilous activities. Are members opposite prepared to investigate this matter and give this House an assurance that Mr Cammakaris did not involve himself in an exercise designed to seek out the swinging voters of this State and put to them a positive smear campaign against the Labor Party? Are members opposite prepared to say, after investigating the matter, that Mr Cammakaris was not operating for the Liberal Party? The fact is members opposite

would not be prepared to take that action because the honest and decent members opposite would hate to think they were involved in such a scandalous activity.

This is a most serious matter which has been raised in the Press and I draw attention to it in this House during the adjournment debate because it is clear from the evidence available, and from the history of this matter, that John Leggoe has had a close past association with Mr Cammakaris. Through research, he has done a number of jobs for the Liberal Party and this appears to be a scandalous attempt, as an interviewee said on Channel 7, to spread malicious lies to the swinging voters in our community.

Several members interjected.

The PRESIDENT: Order!

The Hon. PETER DOWDING: This is a scurrilous attempt to spread a rotten smear campaign amongst the swinging voters.

Several members interjected.

The PRESIDENT: Order! I ask members to cease their interjections and allow the member who is speaking to get on with what he is attempting to say.

THE HON. I. G. PRATT (Lower West) [9.33 p.m.]: I believe we owe a debt of thanks to Peter Dowding for publicly exposing to this House a flimsy web of half truths on which he has built an attack against people against whom he is not game to go outside and complain.

We are used to having Peter Dowding challenging people across the floor of this House to step outside and make accusations. Let him show the value of his judgment; let him do the same thing himself.

Several members interjected.

The Hon. I. G. PRATT: I say strongly that if this accusation is true—if it is proved—it should be condemned.

Several members interjected.

Withdrawal of Remark

The PRESIDENT: Order! I ask the Hon. Peter Dowding to cease interjecting, and to withdraw his last remark.

The Hon. Peter Dowding: Which remark?

The PRESIDENT: The remark you made in connection with a member of this House. I ask you to withdraw it now or I will take the appropriate action.

The Hon. PETER DOWDING: I withdraw the remark.

Debate (on adjournment motion) Resumed

The Hon. I. G. PRATT: If the sort of action referred to by the honourable member has occurred, or has been taken by a political party, it should be condemned whether it was taken by the Liberal Party or the Labor Party. But let me remind members of this House that many instances of this kind occurred during the last State election. We did not get to our feet and throw around people's names.

The Hon. H. W. Olney: What did you do during the State election?

The Hon. I. G. PRATT: If the honourable member would like me to mention some statements, we will see some red faces over there.

Several members interjected.

The PRESIDENT: Order! The honourable member is endeavouring to indicate why we should adjourn the House. I would like him to proceed.

The Hon. I. G. PRATT: Actually, I am not endeavouring to point out why we should adjourn

the House, but why we should not adjourn it until this question has been discussed. The suggestion is that this man is involved in a business association with the Liberal Party. To identify his activities with the Liberal Party is ridiculous. It is just as ridiculous as suggesting that because some members of trade unions and councils are involved in illegal activities, all members of the ALP are a bunch of crooks. I do not suggest that because I know some honest and responsible people in the ALP.

I take strong exception to this young gentleman standing up and claiming that because someone has done something unsavoury and has had some connection with the Liberal Party, and knows someone appointed by a Liberal Government, the Liberal Party is responsible for the whole thing. What a flimsy web he expects us to stick to. But, we do not stick to it any more than we do to the case that he has failed to establish.

Question put and passed.

House adjourned at 9.37 p.m.

QUESTIONS ON NOTICE

CONSERVATION AND THE ENVIRONMENT

Conservation Reserves: Recommendations

256. The Hon. W. M. PIESSE, to the Minister for Conservation and the Environment:

- (1) How many recommendations did Cabinet accept in the two environmental protection red books on conservation reserves for Western Australia?
- (2) How many recommendations did it reject?

The Hon. G. E. MASTERS replied:

- (1) 275.
- (2) No recommendations were rejected, but obviously the reports are kept under constant review.

The Hon. G. E. MASTERS replied:

- (1) To link the effluent disposal of the police station and quarters with the nearest manhole of the existing State Housing Commission effluent disposal scheme.
- (2) 250 metres from the police station boundary.
- (3) Approximately \$35 600.
- (4) \$10 500 for excavation of rock.
- (5) \$208 050.
- (6) (a) No.
(b) No.
(c) No.
- (7) Has not been resolved yet.
- (8) Not applicable.
- (9) Yes.

260. *This question was postponed.*

MINING ACT

Appeals

257 and 258. *These questions were postponed.*

POLICE STATION

Kulin

259. The Hon. H. W. GAYFER, to the Minister representing the Minister for Works:

- (1) What is the purpose at Kulin of the deep trench on the road from the new police station complex extending in a westerly direction?
- (2) How far will this trench extend?
- (3) How much will this part of the new police complex cost?
- (4) How much will be the cost of any associated, but unplanned extras, incurred in the digging of the trench?
- (5) How much is it expected will be the total cost of the whole project?
- (6) Was this trench allowed for when—
 - (a) planning was done;
 - (b) estimates were made; and
 - (c) tenders were called?
- (7) Will other houses in front of which the trench passes, be entitled to couple up to the trench?
- (8) If "Yes" to (7), how will a cost be arrived at?
- (9) Has the shire been kept informed of purpose and progress of this part of the construction of the police station complex?

261. The Hon. H. W. GAYFER, to the Minister representing the Minister for Mines:

With reference to the new Mining Act, as yet to be proclaimed, in every decision that could be made within the terms of the Act by a warden, in each case to whom or where has—

- (a) the prospector or miner; and
- (b) the landowner;

got the right of appeal, if any?

The Hon. I. G. MEDCALF replied:

- (a) An applicant for a permit to enter private land may appeal to the Minister if the warden refuses to grant the application or imposes conditions the applicant considers unreasonable—section 32 (2).

An applicant for a prospecting licence may appeal to the Minister if the warden refuses his application or imposes conditions the applicant considers unreasonable—section 56 (2).

An applicant for a mining tenement may appeal to the Supreme Court if the warden rules that a landowner's refusal to consent to access to or mining on private land is reasonable—sections 147 and 151. There is no right of appeal to the Minister if the warden refuses an application for a prospecting licence on these grounds.

- (b) A landowner may appeal to the Supreme Court if a warden rules that his refusal to consent to access to or mining on his land is unreasonable—sections 147 and 151.

It should be noted that the whole Act is subject to the Minister, and any person may approach the Minister regarding any provision in the Act.

QUESTIONS WITHOUT NOTICE

FUEL AND ENERGY: ELECTRICITY

Capital Costs

73. The Hon. H. W. GAYFER, to the Minister representing the Minister for Fuel and Energy:

In this morning's city edition of *The West Australian*, at page 22 the Prime Minister in his Liberal policy speech is reported to have said his Government would "provide tax concession costing \$5 million for capital costs incurred in connecting mains electricity in rural and remote areas".

- (1) What is meant by this statement, and how would it be applied?
- (2) What would be the estimated proportion of that \$5 million that would be available to Western Australian consumers?

The Hon. I. G. MEDCALF replied:

I am indebted to the member for furnishing details of the question

without notice. The answer is as follows—

- (1) and (2) As the member is aware, the policy speech was given only last night and thus far there are no details available as to the specific proposal mentioned by the Prime Minister, nor the impact that it may have on Western Australia. He can be assured that the Government will ensure it is fully informed when the details of the new policies are known.

PRIME MINISTER

Policy Speech

74. The Hon. H. W. GAYFER, to the Leader of the House:

This question is definitely without notice. Would it not be customary for the Prime Minister to consult with the various departments before making any statement in any policy speech which may affect that department?

The Hon. I. G. MEDCALF replied:

I am not in a position to answer that question, not having occupied the illustrious position of Prime Minister. Perhaps I can ascertain the answer and let the member know.

The Hon. H. W. Gayfer: I did ask the question of the Leader of the House about any department, not just the one.