

Legislative Council

Wednesday, 9 July 1986

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

HEALTH ACT (CARAVAN PARKS AND CAMPING GROUNDS) REGULATIONS

Disallowance: Motion

Debate resumed from 2 July.

HON. KAY HALLAHAN (South-East Metropolitan—Minister for Community Services) [2.35 p.m.]: I ask members to vote against the motion before the House on the basis that I believe the regulation, as published, has been misunderstood.

In moving the motion, Hon. John Williams said that the regulations seek to propose that the distance between en suite facilities and caravans, which is now 4.5 metres, should be reduced. The regulation before the House deals only with the question of en suites and the regulation does, in fact, allow for them to be closer than the existing requirement of 4.5 metres. That is what the regulation is seeking to rectify.

For the information of members I advise that a general review of the regulations relating to caravan parks is being considered because many people have invested in caravans and en suites and it is a particularly worrying matter. A decision was made that, rather than draft a range of regulations, it would be more advantageous to bring this regulation forward in order to overcome the anomalous situation where people have built en suites closer to their caravans than the regulation states. Therefore, they are in breach of the regulation as it exists.

I hope that the matter is a little clearer for Hon. John Williams. I have spoken to him and told him that I thought the regulation was going along the direction he was seeking. I have not had the opportunity to speak to the honourable gentleman today, but I would be interested to hear his response. My position is that the regulation as it stands should remain and that the motion should be defeated.

HON. JOHN WILLIAMS (Metropolitan) [2.38 p.m.]: I thank the Minister for her explanation and, as she indicated, I spoke to her yesterday evening. It is not a question of my misunderstanding the regulation; it is a question of the Caravan Parks Association mem-

bers being bamboozled by rather sloppy drafting.

I accept the Minister's assurance that the entire caravan park regulations will be revised and redrafted and presented to this House.

I asked the Minister if she would seek the assurance from her colleague whom she represents in this House that when the regulations are being revised representatives from the Caravan Parks Association, associated bodies, and possibly members from this side of the House, hold discussions to make sure that once and for all the regulations are drafted properly. I will not go into the illegality of what has occurred in the past. We certainly do not want a witch-hunt into this matter.

I do not wish to proceed with the motion and seek leave of the House to withdraw it.

Motion, by leave, withdrawn.

ADDRESS-IN-REPLY: THIRTEENTH DAY

Motion, as amended

Debate resumed from 8 July.

HON. MARGARET McALEER (Upper West) [2.39 p.m.]: In supporting the motion, as amended, I join with other members in welcoming new members to this House. I have enjoyed listening to the maiden speeches which I have had the opportunity to hear and I have read with interest the other speeches which I missed due to my absence from the House because of parliamentary duties.

Many years ago I heard it said by Sir Charles Court that one can often discern the interests which will dominate the career of new members in their maiden speeches. I can think of a number of cases where this has held true. So in the maiden speeches made in this debate I see happy auguries for various electors, for this House, and for Parliament.

In welcoming the new members I would also like to offer my congratulations to Hon. Kay Hallahan on her election and appointment to the Ministry, and I wish her well.

Like Hon. Robert Hetherington, perhaps more so or perhaps less so, I prize traditional practices. I regret the loss of one of our small traditional practices in this House. When I first came to Parliament, and until recent years, it was not our practice to express our appreciation of speeches by clapping, although this was always done in the Legislative Assembly. I always felt that the "Hear, hear!" from members of the House was far more thrilling than applause by clapping of hands.

Hon. D. J. Wordsworth: Hear, hear!

Hon. MARGARET McALEER: It was a unique sign of appreciation in this place. I regret that it has gone. More importantly, I value the expressions of appreciation which are extended across the Chamber regardless of the party to which individual members belong. Many of the speeches we have heard are very good evidence of that.

Not so long ago I was listening to a tape on which Harold Wilson was speaking about Winston Churchill. In the course of that speech he was lamenting the loss of traditional courtesy in the House of Commons which he felt had occurred at the time when Churchill was ending his parliamentary career. He referred to the loss of basic or fundamental camaraderie between members of the House which transcended all barriers even when the most bitter battles were being fought. Some of those battles were very bitter indeed.

Whatever impression the public have about members of Parliament, and despite the Premier's recent much publicised letter, I would like to record my belief that in all my time in this House the members have shown fundamental courtesy and forbearance and they have extended a great deal of good humour to one another. It is not something that *Hansard* can record except in the very sketchiest way; it is not something that listeners would be easily able to pick up if debates were broadcast; and it would not be easy to see if debates were televised. However, it does exist and it is of great credit to the House.

Many people in the community denigrate the party system and feel that we would be much better off if members were, generally speaking, more independent and formed and reformed themselves into groups. I strongly believe in the party system because, even with all its drawbacks, it provides a necessary discipline in politics and it is a factor for stability, especially for Governments. It is true that the existence of political parties can lead to the perpetration of some very horrid mistakes. This occurs sometimes because, when there is a great deal of pressure and decisions must be made quickly, too many members may have their minds on other things; they are carried away by some energetic argument; and when it is too late they have locked themselves in. More seriously, I think it occurs because parties tend to have the conviction that they alone know best what is good for the electorate and that they alone can provide correct Government for the country.

Just as a sense of righteousness is dangerous for individuals, so is it for political parties because in both cases it fosters another conviction that the end justifies the means. We all know that even the most important objectives, the ends, are not always simple or clear cut and certainly the way to attain them, the means, is often not very obvious. To illustrate my point, all of us here would wish to have a just society but I suppose we differ almost as much between individuals as we certainly do between parties as to what constitutes a just society. We certainly differ very much in the way in which we should attain it. For instance, whether we need something like a Bill of Rights to help us on the way to attain our ideals for a just society and whether we need the particular Bill of Rights that the Federal Government is proposing is very much a matter of controversy. I think it should also be a subject for very close and considerable scrutiny.

First of all, it should be scrutinised by the public, the people in the electorate who are the ultimate receivers of this legislation. Certainly I think it should be scrutinised by the Federal Parliament; it has been in the Senate but the scrutiny was denied in the House of Representatives. It is important that it be scrutinised by State Parliaments and State Governments.

I am supporting the motion as amended because I know that the Bill of Rights has had very little attention in our Parliament and I doubt very much whether it has had much attention from our Government. I say this because last month the Minister for Local Government, Hon. Jeff Carr, the member for Geraldton, was involved in a challenge made to the Bill of Rights by a group of concerned people in Geraldton. He was reported as saying that the State Government was preparing its own proposals for the Bill of Rights to be put to the Commonwealth Government and that he himself would most strenuously oppose any provisions which denied individuals the right to private ownership of land. It seems pretty plain from this report that, firstly, Hon. Jeff Carr has only the haziest notion of what the Bill of Rights says or does not say. Secondly, if the Minister was correct in saying that the Western Australian Government was formulating proposals to put to the Federal Government to be incorporated in the Bill of Rights, it is plain that the State Government has quite failed to grasp that the only way that Bill of Rights could be made to apply nationally is by use of the external power; and, that to use that power, its provisions had to

follow closely, or be couched in terms of, the international covenant.

We all know that very well, and I acknowledge that the Attorney General would understand that. It is pretty plain that not only was Hon. Jeff Carr grasping at imaginary straws but also the Government itself has given very little attention indeed to the Bill of Rights and it has no intention of doing anything about it.

I hope this amended motion will change the course the Government is following in this matter.

Before I conclude I would like to express my appreciation of some of our former colleagues who have retired or who were defeated at the last election. I will certainly miss Hon. Lyla Elliott. People who came into contact with her, either in Parliament or outside it, liked her and appreciated that she was dedicated, hardworking, and very sincere. Hons. Ian Medcalf and Graham MacKinnon, in their different ways and with their very different styles, both served the Parliament and Western Australia well over a long period and made the best of the many opportunities that came their way.

Other members—Tom Knight, Ian Pratt, and Peter Wells—did not have the same good fortune. They all worked hard in the interests of their electorates, and as far as Peter Wells is concerned I have never known anyone in my time here who equalled him in his capacity for work, both in the electorate and in the Chamber.

Hon. P. G. Pental: Hear, hear!

Hon. MARGARET McALEER: But politics is a hard game, not least because talent, courage and hard work do not always get the reward they deserve.

I support the motion, as amended.

HON. D. J. WORDSWORTH (South) [2.51 p.m.]: I use this occasion to congratulate the Labor Party on being re-elected at the last election.

The PRESIDENT: Order! As I understand it, the honourable member has spoken already in this debate.

Hon. D. J. WORDSWORTH: Mr President, I assure you that I did not tick my name off your list of speakers.

The PRESIDENT: Somebody did. Please proceed.

Hon. B. L. Jones: We do not mind being congratulated twice.

Hon. D. J. WORDSWORTH: Again, I would like to congratulate the Labor Party on its re-election, Hon. Des Dans for continuing as Leader of the House, and Hon. Joe Berinson for continuing to occupy that rather hazardous position with the Treasury.

Hon. G. E. Masters: He fought tooth and nail for that job.

Hon. D. J. WORDSWORTH: He must have. I also congratulate Hon. Kay Hallahan on her elevation to the Cabinet and for taking on her difficult portfolio, one which I think few would envy her. I know that from the backbench one looks at a portfolio with great envy but when one gets it one realises there is a lot more to it than a backbencher ever thought. I am sure Hon. Kay Hallahan will do her job well.

Mr President, I welcome your continuing steady hand in the Presidential Chair. I regret that you will no longer be Chairman of the House Committee and therefore guiding the running of Parliament House itself, but on your retirement from that position I thank you for the contribution you have made to the House and the added comforts which I and other members are enjoying, especially the worthwhile changes which have been instituted recently.

I wish the Whips, Hon. Fred McKenzie and Hon. Margaret McAleer, every success in their tasks. I think our new sitting hours will make it more difficult for them, especially for them to be able to muster Cabinet Ministers to the frontbench. At that, one walks in! I was not in any way criticising Hon. Joe Berinson. Ministers will find things very hard under our new sitting hours because most of their time on Tuesdays, Wednesdays, and Thursdays will be taken up in this House and, as others realise, Monday is the Cabinet day; and that really only leaves Fridays for Ministers to get back to their departments and get them running as smoothly as they would like. The new sitting hours will therefore be harder on Ministers than on backbenchers.

Hon. P. G. Pental: We are very sympathetic.

Hon. Kay Hallahan: I bet. You would like to relieve me of the problem.

Hon. D. J. WORDSWORTH: We have had a few additions to the Opposition frontbench, and I assure Hon. Phillip Pental that if he can contain his interjections he will make a very good frontbencher.

Hon. P. G. Pental: I stand admonished.

Hon. D. J. WORDSWORTH: As will Hon. Bill Stretch, who is not able to be with us today because he is ill. Hon. Mr Stretch has the distinction of being the first Liberal shadow Minister for Agriculture. He is a first-class farmer and I am sure that his knowledge of the industry itself will be of benefit not only to us but to those in the rural areas.

Hon. John Williams has taken on the party secretaryship, which will give him something with which to occupy himself adequately during the next three years. I also congratulate Hon. Gordon Masters for continuing as Leader of the Opposition. I have been here for five terms of three years, as you would be aware, Mr President; and in that time Hon. Gordon Masters is the only person to have been given that post for two terms. In other words, I have seen four leaders in five terms, so he is doing a good job.

We have lost some good members, including two former Leaders of the House, both of whom I have had the honour of working with as a frontbencher, and I cherish that association. Both men were quite different and both made major contributions to the State; one in a rather flamboyant way and the other with a lower public profile, in a more gentlemanly and quiet manner.

Other members have sung the praises of those two long-standing members and I do not propose to cover the same ground. However, I recall that I shared an office with Hon. Graham MacKinnon. When he was at the height of his career he was cut down. I refer to the fact that he was a very successful Minister in the Brand Government when John Tonkin won Government. Perhaps few realise the frustration an ex-Minister suffers when suddenly he finds himself locked up in a little study up here, unable to work in the same manner as he had in years before.

As a Minister he did some very major things. He started off with the Fisheries portfolio, into which he introduced not only conservation but regulation which ensured the future of the industry. He then took over the Health portfolio, including hospital management, and made the difficult social innovation of introducing a trace element into the water supply. He then suddenly found himself as a backbencher, locked up with a new member. From my point of view it was almost like being locked up in a cell with a wild animal, or an overfit athlete.

In any event, after three years he returned to the Treasury benches, took over the Education portfolio, and went on to develop and administer most ably our State's 150th celebrations which included the Miss World beauty competition; and the 150th celebrations of the Legislative Council. Looking back over many years, we have perhaps forgotten what a great time it was for the State and the many magnificent events that we witnessed and participated in, whether they be yacht racing, sporting or cultural events, the military tattoo, or a host of other spectacles.

Hon. Graham MacKinnon went on to become Leader of the House and was honoured with a CMG. In his latter days he was a most colourful father of the House—the father being the most senior member—and could always be counted upon to make a humorous or cutting speech, depending on the occasion.

The other senior member to retire from the House was Hon. Ian Medcalf, a man of low profile, always the gentleman and quietly spoken. When he spoke, all knew he was speaking with authority, knowledge, and sincerity.

He always managed to treat the subject in an apolitical way, using sound arguments. He made some rather major changes to the laws of the State, not only by means of amending Bills as they passed through this House, but also in his role as Attorney General. With the skills of a surgeon, Hon. Ian Medcalf used the addition of a word here or the deletion of a word there to emasculate a Minister's Bill without the Minister feeling any pain. As Attorney General, Hon. Ian Medcalf set out to review the legislation of this State. Even now, four years later, Bills with his stamp are coming before the Parliament. Usually Hon. Ian Medcalf was able to produce his Attorney General's file as evidence that he knew more about the subject than perhaps did the Minister handling the Bill.

Hon. J. M. Berinson: He was kind enough to say as much!

Hon. P. G. Pandal: We could tell that he hurt your feelings.

Hon. D. J. WORDSWORTH: Behind the scenes, Hon. Ian Medcalf was a major force in the Government of Sir Charles Court. He was probably the first person to whom the Premier turned for advice. If Hon. Ian Medcalf decided that his advice was not being heeded, he could be most forceful; and that was particularly obvious when, as party leader, he went into battle in defence of the Legislative Council.

Finally, I shall say a few words about my former colleague, Hon. Tom Knight. All members who come into this House have something to offer the Parliament, because they bring with them the benefit of experience in their trades or professions and the knowledge of the areas they represent. Hon. Tom Knight gave us the benefit of all of those. Not only was he able to speak on builders' registration or the underdog being adversely affected by the Public Service, but also he gave us door-to-door calls around his electorate. Hon. Tom Knight was never frightened to say what he believed was right, even if at times he made us all flinch. He was an extremely hard working and ambitious member. He rewrote our party's sport and recreation policy as well as our policy for the aged. He always claimed that the Labor Party stole a good deal of those policies for its next election campaign, and he was probably right.

Hon. Tom Knight will be missed in the electorate. It is one of the quirks of our electoral system that a member can lose his seat to someone who gets little more than half his vote. However, I congratulate Hon. John Caldwell on winning the seat and I am sure he will give the job his very best.

I congratulate also the other new members opposite. Each will bring his or her own expertise to this House and I am sure we and the State will be all the better for it. We have listened to some very good maiden speeches which are indicative of the sorts of contributions those new members will make in the future.

With the proroguing of the Parliament, we were not able to thank those who helped us during the previous year. Therefore, I take this opportunity to thank you, Sir, personally, and your staff for the considerable help given to me as Chairman of Committees. I thank the Deputy Chairmen of Committees, in particular Hon. Lyla Elliott who has retired. She made a great contribution to this House, particularly when we were debating social issues. Hon. Lyla Elliott became quite emotional at times and was able to illustrate various issues in a manner which others could not do.

I also thank Hon. John Williams for jumping into the breach on occasions; Hon. Bob Hetherington who filled the position of Deputy Chairman of Committees with dignity; and Hon. Philip Lockyer who added strength and authority to the position.

With the change in party representation, changes have occurred to those who take positions as Deputy Chairmen of Committees. I welcome Hon. Mark Nevill and Hon. Garry Kelly to that position and I am sure they will fulfil their tasks most admirably.

During this debate I usually take the opportunity to speak on the state of the nation, which I believe is the way the President of the United States puts it. On this occasion I shall try to examine where the nation is going. Usually in this debate I have been very critical of the financial direction in which our country has been taken. However, the situation has changed greatly in that at last the economic problems of Australia have been recognised. Indeed, just recently the Prime Minister made a major statement on the subject.

I am concerned that, now that the Prime Minister has given recognition to the nation's economic problems, Australians generally seem to have adopted a very light-hearted approach to the difficulties. I do not know whether Australians think they can shrug off our economic problems. However, unfortunately the Prime Minister's speech was not received by the general population of Australia in the manner that he, along with others, would have hoped.

For the last two years at least businessmen, farmers, and economists have been telling us about the hazardous direction in which Australia has been travelling. Unfortunately the unionists have not accepted the direction in which the Prime Minister and former President of the ACTU has attempted to guide Australia in respect of wage increases, working conditions, and superannuation.

The only person who seemed to take note of what the Prime Minister said was our Premier. He used the occasion of the Prime Minister's statement to launch a series of increases in State taxes and charges and to bring about some changes in the Public Service. I congratulate Mr Burke on being a great tactician, because he managed to hide those increases in taxes and charges behind a little bit of Public Service bashing, much of which was shadow boxing anyway. Eventually, when we see the changes which take place in the Public Service, we will find that with the exception of flexitime, in fact very little has changed at all.

However, that does not lessen the need for this country to do something about wages, in particular, and I hope that in future the Premier will be more forceful when dealing

with this issue. Certainly the 17 per cent loading on annual leave is something which the wage earners of this country can relinquish. It is a benefit which is not enjoyed by workers in overseas countries. It is interesting to note that a former Treasurer of Australia, Clyde Cameron, introduced the annual leave loading federally. He has since admitted that he made a mistake, because it was really intended to be paid to those who worked considerable overtime so that, when they went on holiday, their pay would be equivalent to that which they received when they were at work. However, the matter got out of hand and everyone, regardless of whether or not overtime was worked, was paid the 17 per cent annual leave loading. That loading, together with the granting of four weeks' holiday to workers, has caused considerable difficulties for management, as well as adding greatly to costs.

I point out that the general public have now seen the Federal Treasurer for what he is. I was somewhat amused recently to read the headlines at a time when a slight rift had occurred between Mr Keating and the Prime Minister.

Mr Keating made this great remark, referring to the public, when he said—

They look at me and the Prime Minister—if I can say with appropriate humility—as the greatest partnership of economic achievement in half a century.

I wondered why he said "half a century". I took 50 from 80 and got 30, and realised he was trying to refer to the period a little after the last depression. I am not sure whether a famous Treasurer got us out of the last depression or whether Mr Keating was frightened of being associated with causing a depression.

Hon. A. A. Lewis: Is there any truth in the rumour that Mexico's Treasurer was the Treasurer of the year before Mr Keating?

Hon. D. J. WORDSWORTH: I will leave that to Mr Lewis.

We saw only yesterday the announcement of the \$825 million blow-out in the Budget deficit. That is on top of the Budget deficit of \$5 744 million, and it was pointed out in yesterday's paper that this blow-out will make the task of formulating the 1986-87 Budget even more difficult. It is interesting to see what has been blamed for the blow-out in the deficit. The Finance Minister, Senator Walsh, announced that one-third of the blow-out could be linked to a failure to provide for wage discounting. He and the Treasurer said the increased outlays were mainly due to lower exchange rates and

higher interest rates. Public debt interest was \$329 million more than estimated.

That is indicative of what happens to a country when the national debt escalates in the manner in which Australia's debt has; we have doubled the debt in the last two years. In other words, in the last two years we have borrowed as much as this country has borrowed in its whole history. That has brought about higher interest rates and more interest on the higher borrowings, and even the increase, let alone that which was expected, was \$329 million.

This is having a dramatic effect on the Australian dollar, and we see today it has reached an all-time low. I refer to an article in today's *The West Australian* which states—

THE dollar fell to a new closing low against a firm U.S. dollar in nervous foreign exchange trading yesterday.

It finished at US62.65-72c, from Monday's US64.25-35c and last Thursday's US63.70-90c previous low.

More significantly, the Reserve Bank's trade-weighted index also set a new low—52.3 from Monday's 53.4 and last Thursday's 52.6.

They are terrific falls—over one per cent. One usually refers to a fall of one point which is one-tenth of one per cent; we are seeing a one per cent fall in a day! The newspaper report went on to say that foreign exchange analysts said the market lacked direction ahead of the June balance of payments figures and concern over any unexpected announcements from the ALP conference. That shows the significant part that politics is playing in this and, more importantly, the left wing of the Labor Party. That is obviously what the analysts are referring to, and we saw that yesterday at the ALP conference when the left moved one pace closer to taking over this country, and certainly into a position where it is able to influence the Prime Minister.

On the same page of the newspaper was an article headed, "Interest rates on the rise". It stated—

THE fall in the value of the dollar is pushing long-term interest rates to their highest levels in six months, according to bond analysts.

In the uncertain interest rate climate, analysts have set a wide range on the size of the first 1986-87 bond tender—\$500 to \$900 million.

The tender announcement is expected tomorrow, with bidding to close next Tuesday. The issue of T-bonds by the Federal Government is one of the main ways of financing the Budget deficit.

According to one analyst, the collapse of overseas confidence in Australia could not have come at a worse time.

"But anything less than \$900 million would be seen as the Government 'squibbing it' just when it needs to demonstrate its resolve to properly finance its big budget deficit," he said.

Another trader said the market was so nervous that 10-year bonds could go back to 14 per cent.

After the last tender on May 20, November 1996 bonds—which had an average yield of 12.85—traded for some weeks at 12.5-13 per cent. They closed on June 30 at 12.8.

They have since hit 13.65 per cent and closed yesterday at 13.52-13.56.

In other words, trading in those previously issued bonds would indicate that the only way the Federal Government has of successfully achieving the present sale of T-bonds would be to have an interest rate up near 14 per cent. If gilt-edged T-bonds are at 14 per cent, goodness only knows what the farmer and the businessman will have to pay by way of interest. We have been told that interest rates are coming down. Alas, there is absolutely no hope of interest rates coming down; they can only continue to rise.

I refer now to an article in *The Australian* of 28 June headed "Export prices suffer worst decline in year", and written by John Short which stated—

Prices paid for Australian goods and commodities sold overseas fell by 4.6 per cent in April, as measured on the ABS export price index.

That is 4.6 per cent for exports overall for the year. This was the worst drop, needless to say, for many years. Prices received for agricultural exports fell 7.7 per cent in the 12 months to April, and the figures for mining and manufacturing exports were down 4.7 per cent and 3.7 per cent respectively. So it is not only agriculture which is affected; and unfortunately we cannot rely on minerals to get us out of our difficulties as we have in the past. Even if we had a successful manufacturing industry, which regrettably we do not have, prices for our

manufactured goods sold overseas are falling, too. This is having a disastrous effect upon the rural community.

Hon. Fred McKenzie: Wouldn't you be getting a better price now for commodities?

Hon. D. J. WORDSWORTH: Perhaps I will have to explain again to Hon. Fred McKenzie what devaluation has done to me. I thought I had explained it once; it cut my capital in half. To save going through it all again I will simply say that my capital in my farm is less than one-third of what it was four years ago expressed in US dollars.

Hon. Tom Stephens: Is your capital out of the country?

Hon. D. J. WORDSWORTH: I wish it were.

I hope I have given honourable members a better understanding of what is happening not only to farmers' incomes, but also in regard to their assets. After all, the sale price of their assets does reflect the opportunity that those assets have to earn an income.

I shall quote from an article headed, "Rural values depressed", in today's *The West Australian*—

There is not a lot of good news in sight for ailing rural property values, according to Colliers International.

But the decline could see interest from more overseas investors once they are convinced that the slide of the Australian dollar has bottomed out.

Colliers latest research figures on the rural scene show a 70 per cent drop in property values in the light rainfall areas and 30 per cent in the more reliable heavier rainfall areas.

I feel that that probably answers Hon. Fred McKenzie. How am I doing any better with devaluation—my land values have dropped by 70 per cent? The article continues—

The firm's rural valuer Taffy Davies said that on a worldwide scale the drop was more dramatic because of the depressed dollar against other major currencies.

The comparison between the Australian dollar and the United States dollar is bad enough, but when one compares the Australian dollar with the Japanese yen it is even more frightening. In fact, the breakthrough figure is 100 yen to the Australian dollar. At the moment I think the Australian dollar is worth 104 yen, but it is expected to drop below 100 yen very soon. The Australian dollar has dropped to such an extent that it is worth only half as much in Japanese

yen as it was worth four years ago. The article continues—

"This may encourage overseas investors to buy Australian farm land once they perceive the depreciation of the dollar is near the bottom," he said.

As I have already pointed out, it is not much point saying that the Australian dollar has reached the bottom. Hon. H. W. Gayfer interjected earlier and said that the Australian dollar could go down to 50c in comparison with the United States dollar—it is currently 62c. The overseas investors are a long way off from coming to our aid. The article continues—

"The relaxation of the Foreign Investment Review Board requirements would be a further incentive for them to invest."

I refer now to comments made in the same newspaper about the Foreign Investment Review Board by the Chairman of Richard Ellis, a real estate agents firm in the Eastern States. He said—

"This straggler from the sacred herd of regulation must be shot," Mr Sallmann said.

"Mr Keating knows it and Mr Howard promises it, but by the time Howard has the chance it will be too late.

I am afraid he is probably right. In some way we must get stability into the agricultural scene.

Mr President, other members have brought to your attention the depressed state of our rural industries which are being affected by the fall in land values. I have already stated that some land values are down by 70 per cent in the light rainfall areas and in the high rainfall belt they are down by 30 per cent. This is eroding the confidence of those people who have lent funds to the rural industry and so many of our farmers are being sold up because their equity in their properties has been effectively removed by falling land prices. Farmers are concerned not only about that, but they are also concerned about the fact that if they borrow 50 per cent of the purchase price of their farm and land prices fall by 50 per cent they no longer have any equity in the land and it could be sold up.

Another difficulty experienced by farmers is the falling price they are receiving from overseas for their commodities, especially when one takes into account the increasing cost of inputs they pay to produce those commodities. That is a problem in itself. I know that America and

the EEC countries can afford to subsidise their rural producers because they export only 20 per cent of their produce. In Australia we export about 80 per cent of our produce and I cannot imagine the Commonwealth Government being in a position to subsidise the Australian rural producers. However, it does not hesitate to increase costs to the producer.

We must get stability back into the land market. While none of us likes to see land being sold to overseas investors, at least it may be one way in which we can get some stability into the market. Once a few overseas investors invest again in Australia perhaps some of the Australian investors may realise that there are some advantages in holding land. I must admit that in days gone by there were some advantages and the investors were very secure, but that does not seem to apply today.

It is a great indictment of the Federal Government to read the two page advertisement by the Advance Australia Party in *The Australia* which is headed, "Wanted. The next Prime Minister of Australia". I will quote some of the things that were said—

There was a time, not so very long ago, when we enjoyed one of the highest living standards in the world.

We were indeed "The Lucky Country". Inflation was under control. Jobs were plentiful. Pay packets were healthy. Australia had a stability the world envied.

What's gone so tragically wrong?

Further on it states—

We believe we need policies that will enable our great potential to be reached. We need to address our mounting problems, now.

Our country has a potential and capacity that is unmatched anywhere.

We simply need to recognise it and build a better Australia.

Unless something is done immediately, Australia will soon be a third-world country. We will be owned by foreigners on distant shores.

We have to address overseas borrowings immediately.

We have to rebuild Australia into a debt-free situation just as it was in the 1960's.

We have to encourage industry, investment and exporting and include every person and business.

The article gives an indication of how that organisation feels about making Australia a better place. Individuals have gone to great expense to advertise in local newspapers and to point out how they feel about the country and to suggest what they feel should be done.

Another article inserted in *The Weekend Australian* dated 21-22 June by the Australian Free Enterprise Foundation was headed, "It's War".

We have never seen this country in such a state before. It has taken a long while to reach this state, but the problems have been looming for some time and we have sat back and not done a thing about them. At least Australians have begun to realise the predicament Australia is in and I certainly hope that there will be a change in attitude.

On the lighter side we have a benign State Government which is doing a lot for the farmers! Members may have seen an article in the local paper which was headed, "Now it's legal to keep a pet rabbit". A pair of pet rabbits today are worth \$50. Perhaps farmers will find pet rabbits for people in the city who want to keep them. I understand from the local kangaroo shooter at Esperance that the current rate for pet rabbits is \$50 a pair. Perhaps the farmers have a little affluence left!

Another problem which is occurring in the rural areas, particularly in the Eastern States, and which is of concern to me, refers to the shearing industry. Those members who have read *The Weekend Australian* would have seen, apart from a half-page article on Hon. Des Dans, a half-page article on the front page about a shearing group called the "Muttaborra Mob".

It is a group of New Zealand shearers working in Queensland who have won a sizeable portion of the market. The shearers use wide combs and perhaps relax on some of the niggly little conditions in the shearers' award. I was somewhat afraid when I saw the article that perhaps it would cause difficulty and it was followed a week later by another article from Queensland in the same newspaper headed, "Violence brewing in Qld woolsheds". The article stated—

QUEENSLAND pastoralists fear a return to the violence and industrial problems of the wide-comb dispute as the Australian Workers Union (AWU) seems set to smash a Queensland-based New Zealand shearing outfit known as The Muttaborra Mob.

The Muttaborra Mob's five shearing teams have won extensive shearing work at the expense of staunch AWU teams. The New Zealanders have a reputation for hard work, co-operation rather than confrontation, and flexibility rather than rigidity in the interpretation of the AWU award.

AWU officials rushed to Muttaborra, 120 km east of Longreach, to confront the contractor for the New Zealand teams, Mr Buck Little, after a report of the Muttaborra story appeared in *The Weekend Australian*.

The article brought to a head AWU rank and file dissatisfaction with the union's performance, particularly its inaction over the New Zealand issue.

"*The Weekend Australian's* article has created havoc."

Publication of the New Zealand shearers' work practices, particularly their readiness to ignore finicky areas of the award, had been "a red rag to a bull", Mr Baker said.

One reason that the Muttaborra Mob has stolen work from the Longreach-based crews is that their shearing rates per sheep are considerably cheaper.

"Thirty cents or more a sheep is one hell of a saving when you have 30,000 sheep going through the shed," one Longreach district pastoralist said.

That is an indication of what can happen when strongarm unions move in on otherwise peaceful workers.

Hon. T. G. Butler: You have been listening to Mr Masters.

Hon. D. J. WORDSWORTH: I have been doing so but Hon. Tom Butler will find that he will get a certain amount of electoral work in his job and this is an indication of what is happening in the electorate.

I bring to the attention of the House some work that was being handled by my predecessor, Hon. Tom Knight, in connection with an elector, Mr Robin Bloor. Mr Robin Bloor, now 40, was one of five Western Australian men attacked in a New South Wales hotel three years ago by a mob of louts. All five were seriously injured, being knocked to the floor and repeatedly kicked. One man lost all his teeth which were broken off at gum level, and another had a broken arm and broken ribs.

Mr Bloor received a fractured skull, a jaw fractured in two places; he was partially blinded and received other injuries requiring a stay of many weeks in hospital.

Mr Bloor was an innocent bystander. He is a Western Australian who has a small farm in Mt Barker. He went to Queensland with a team of contractors from Newdegate to do shearing work. The men had completed one job and were told to wait in Kobbies Hotel at Lightning Ridge where they would be collected and taken to the next shed. These louts, as they have been described, came in and knocked them to the floor, kicked them about and caused all these injuries. In spite of the fact that extra police had been rushed to this area, and it was well known that this sort of conflict could take place, no action was taken. Some of the headlines in the local papers at the time included the following:—"Union Men Hunt Rebel Shearers"; "Wide-Comb Shearers Run Off Stations"; "Union Bid To Restrict N.Z. Shearers"; "Walgett Clashes Violently With Kiwis"; "Collarenebri Pub Turned Prison"; and "Walgett Ready For Violence—Extra Police Brought In".

In spite of those headlines the police failed to act. One party, on finding out that there was a chance that the AWU members would beat up the Western Australians, rang the police one hour before it took place and also rang twice more before the mob arrived to do the lynching. However, the police remained outside in a car. They had obviously been instructed not to take action. When a report was lodged the next day after the contractor saw the damage that had been done to these people the police said that they had a witness and they would prosecute.

Members will probably realise that there is no way in which my elector can get compensation for these damages unless the people who attacked him are taken to court. He is still suffering from brain damage and is unable to shear. He does light work which is as much as he can do and financially there is no way that he can lay charges.

Hon. Tom Knight wrote to the late Paul Landa who at that time was Attorney General of New South Wales. He explained the difficulties faced by the Western Australian because no charges had been laid. To give Mr Landa his due, an amount of \$8 000 was found for Mr

Robin Bloor, and I quote from Mr Landa's letter—

In this regard, Section 437 of the Crimes Act provides, *inter alia*, that:—

"Where a person is convicted of any felony or misdemeanour the Court in which he was tried, or any Judge thereof, may, on such conviction or at any time thereafter direct that a sum not exceeding \$10 000, or sums not exceeding, in the aggregate, \$10 000, be paid out of the property of the offender to any aggrieved persons in such proportions as may be specified in the direction by way of compensation for injury, or loss, sustained through, or by reason of such felony or misdemeanour . . ."

I am not quite sure how that money was made available. However, of the 13 people who attacked Mr Bloor, 11 were Aborigines. Perhaps the money came from an Aboriginal fund but certainly Mr Bloor has been paid \$8 000 which was supposed to tide him over until such time as these people were taken to court.

I understand it is now no longer the intention of the New South Wales Government to take these people to court. My constituent is left with the situation where he has received as much compensation as he is going to get. He has been beaten up and is no longer able to work. It is a very sad state of affairs.

My secretary rang the Attorney General's office recently and she was told an application had been made to the Attorney General for a "no bill"—that is, that the case will not be taken to court to charge 11 of the accused. I am not quite sure of the law in this respect but I am sure the Attorney General opposite understands what that means. In other words an application can be made for these people not to be prosecuted. If the Attorney General of the State thinks that they should not be prosecuted, then they need not be. It would seem from the opinions we have heard that that case will never be taken to court.

I thought the Attorney General might endeavour to do something about it. I have certainly written back to the present Attorney General in New South Wales.

This is indicative of the violence that can take place when a union mob becomes involved.

When electioneering, I was surprised, on walking into a panel beater's shop in Katanning, to see a car that I presumed had

rolled over. I said to the panel beater that he would have a big repair job to do and he agreed. He said the person was rather foolish to stop in Wagga Wagga in New South Wales. He left his car in the street overnight and the fact that it had a Western Australian number plate was enough to cause it to be smashed. They assumed the owner was a Western Australian shearer. This is the sort of thing that is happening and it will get worse. Not only have we a sick economy but we are sick in many other directions.

I support the Address-in-Reply, as amended.

HON. J. M. BERINSON (North Central Metropolitan—Deputy Leader of the House) [3.43 p.m.]: In the absence of Hon. Des Dans I take the opportunity to thank all members who have contributed to this debate.

I congratulate in particular the new members in the House who took the opportunity of this debate to make their maiden speeches. It follows from the unlimited scope of debate which is permitted by the Address-in-Reply that a detailed response to the many matters raised is not practical. I assure members however that all comments have been referred to the appropriate Ministers for attention and in some cases responses have already been directed in respect of individual queries.

The Government has previously indicated its opposition to the amendment which was carried to the Address-in-Reply. There is no point in covering that ground again. The wide-ranging nature of the Address-in-Reply does provide a good opportunity for members to raise many matters which might not be conveniently debatable otherwise and in that sense this debate has served a useful purpose.

Question put and passed; the Address-in-Reply, as amended, thus adopted.

Presentation to Governor

HON. J. M. BERINSON (North Central Metropolitan—Deputy Leader of the House) [3.44 p.m.]: I move—

That the Address-in-Reply be presented to His Excellency the Governor by the President and such members as may desire to accompany him.

Question put and passed.

Sitting suspended from 3.45 to 4.00 p.m.

INDUSTRIAL RELATIONS AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.00 p.m.]: I move—

That the Bill be now read a second time.

This Bill is the first step in a legislative package aimed at modifying, finetuning, and improving industrial relations in Western Australia. The Government will also bring before Parliament a special Bill to enable the enactment of a code of conduct on the State registered Builders Labourers Federation.

The legislation proposed reflects the Government's intention to ensure that the legislative aspects of industrial relations in Western Australia are not only relevant, but up to date and in keeping with the needs of the State, its industry, and the people within industry.

The present Bill will remove from the Industrial Relations Act part VIA, which is titled "Protection of Members and Non-Members of Employee Organizations." In addition and as a consequence of that removal it is necessary to modify the jurisdiction of the commission by an amendment to section 23 to remove the prohibition on the commission from granting preference to unionists. Furthermore, the regulation-making powers of the commission will be amended to enable the registrar to issue certificates of exemption from union membership which will be recognised and have equal status with union membership.

The Government believes that a number of considerations should be taken into account in the framing of industrial relations legislation. These should include an evaluation as to whether the legislation is relevant to the industrial reality of the workplace; is capable of being implemented; and will assist in better regulation of relations between workers, unions, employers and Government in the workplace. Part VIA has not satisfactorily met the above criteria.

We all recognise just how crucial those factors are for all participants in ensuring that our society grows and develops a capacity for healthy competition in the marketplaces of the world. Employers would agree that in dealing with general matters relating to employees it is

easier and more efficient to deal with those who can claim fair and proper representation of these employees than disparate, ad hoc, unorganised groups or individuals. The Government believes that a system of preference is superior in terms of getting uniform and enforceable standards at work with respect to acceptable work practices, the implementation of proper occupational health and safety practices, industrial democracy, and vocational training.

Thankfully our society has graduated beyond the dark ages when these sorts of issues were ignored in employer-employee relationships. Thankfully, society now realises the inherent value to society and the individual of a harmonious and meaningful relationship between an employer and employee. Experienced practitioners in industrial relations will tell members opposite that because part VIA is an ill-conceived and bad law, it cannot be implemented effectively.

As a consequence industry has therefore ignored part VIA.

In short, part VIA has proved a farce. This was predicted by my party at the time of its introduction; and I understand it caused a genuine concern amongst some Government, now Opposition, members at the time. It has been demonstrated that since its inception, part VIA has given rise to industrial disputes rather than assisting moves towards better industrial relations. It has not improved relations in the workplace; rather it has led to friction and irritation and caused some disputes.

Part VIA is a bad part of law and should be removed from the Act. The Government believes that the question of union membership is better handled by the Industrial Relations Commission in an independent and fair manner.

The effects of the present amendments to the Industrial Relations Act are to remove part VIA and to return to the commission the jurisdiction to deal properly with matters related to membership or non-membership of unions. It was a system put forward by the commission itself in the first instance.

What the Government is trying to do is to reflect the situation that applied from 1964 when the commission in court session found in the following terms—

The jurisdiction lies with this commission to prescribe conditions relative to the subject matter of employment to unionists or non-unionists.

Following that finding, the standard preference clause became a feature of State awards. Those standard clauses contained the checks and balances necessary to ensure that those who did not wish to join unions were accommodated and supported by provisions under section 61B of the then Act.

Under the present Bill, it is proposed that the matter of how membership or non-membership of an organisation is provided for be within the authority of the commission. This will be done by the amendment to section 23 to remove this matter from the list of areas for which the commission may not make provision in its awards and orders.

The Bill is a reflection of industrial reality and relevance and will make for better industrial relations and remove an inconsistency with the Federal Act. It is therefore fundamental to the Government's objectives to enable a rational and sensible approach to union membership in the industrial relations arena that part VIA of the Industrial Relations Act is removed.

Also the commission's authority to make regulations contained in section 113 of the Act is modified to enable the commission to make regulations to require the registrar to issue certificates of exemption to individuals not wishing to be union members, and for the recognition of those certificates in industrial places where the commission has issued awards or orders relating to unionism to ensure that certificate holders are not prejudiced. The issuing of certificates of exemptions will adequately deal with the problems of those people who have objections to joining a union. It is just and proper that these people are given the consideration as proposed in this Bill.

It should be noted here that in 1976, when the Opposition was in Government, it recognised this and amended the Act to allow workers to obtain exemptions as a matter of course and not on any grounds that needed to be proven. The Government's intention is to do exactly that. Put simply, those who do not want to join unions will get a certificate of exemption.

Part VIA did not adequately meet the needs of these people. On the contrary it tended to put them in the invidious position of being in the centre of disputes when an exemption certificate would have resolved the question of their non-union membership to the satisfaction of all parties. It is also essential that the com-

mission have the power to award or to take away preference to union members.

It is pointed out that this Bill is part of the package of industrial relations legislation which will be placed before this Parliament both in this session and in the spring session. In this particular case the Government is concerned that the matter of enabling the Industrial Relations Commission to deal with union membership matters is of paramount importance and is therefore proposing to Parliament that it should be dealt with separately and quickly.

The Bill proposes amendments to the Industrial Relations Act which make not only industrial sense but also commonsense and which will enable the Industrial Relations Commission to operate more effectively in matters which are at times the source of irritation in the work force.

The Bill is representative of the approach the Government has taken in industrial relations and reflects the attitude that those in the workplace can properly sort out their own affairs with the assistance of the Industrial Relations Commission where and when necessary.

I commend the Bill to the House.

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

GENERAL INSURANCE BROKERS AND AGENTS ACT REPEAL BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.10 p.m.]: I move—

That the Bill be now read a second time.

In 1984 the Commonwealth Government passed the Insurance (Agents and Brokers) Act which provided for control of the insurance broking industry and insurance intermediaries. That Act has now been substantially proclaimed from 1 January 1986, although numerous provisions have been operative since 25 June 1984. During the period the State General Insurance Brokers and Agents Act continued to operate for the purpose of licensing insurance brokers and for the registration of insurance agents.

Advice has been received which indicates that the constitutional effect of the proclamation of the Commonwealth Act leaves intact only the shell of the State Act, although it would continue to provide for registration of insurance agents. There are also a number of inconsistencies between the State and the Commonwealth Act which render the State Act inoperative in a substantial way.

The Commonwealth legislation effectively regulates the activities of insurance brokers and other insurance intermediaries. To continue the operation of the State Act would therefore only impose additional burdens and costs upon insurance brokers and agents.

In view of the effective regulation of the insurance broking industry under the Commonwealth legislation, it is desirable that the Western Australian Act be repealed. This Bill effects the repeal of the General Insurance Brokers and Agents Act and provides in respect of insurance agents a provision which will enable the pro rata refund of registration fees which have been paid by insurance agents for the registration for a three-year period. The Bill provides for the level of refund to be prescribed. It is intended that the percentage figure of refund be reflective of the vast number of insurance agents who last renewed their registration in October 1984, and whose registration would otherwise expire in 1987.

This Bill reflects a clarification of the State position and the recognition of the responsibility of the Commonwealth role in insurance matters through the passage of the Commonwealth legislation.

I commend the Bill to the House.

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

WHEAT MARKETING AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.12 p.m.]: I move—

That the Bill be now read a second time.

Under the Wheat Marketing Act 1984 a Western Australian Wheat Board is established for the primary aim of nominating wheat grower representatives to the Australian Wheat Board.

The Commonwealth Government has recently passed amendments to its legislation which authorise a new structure and method of selection for the Australian Wheat Board. These changes mean that the State board no longer has the sole responsibility for selection of grower representatives. As a consequence, the State board no longer has a legislative function and it is recommended that the board be disbanded.

The Primary Industry Association, Pastoralists and Graziers Association, and Western Australian Wheat Board support this view.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. C. J. Bell.

PEARLING AMENDMENT BILL*Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.14 p.m.]: I move—

That the Bill be now read a second time.

The Pearling Act is an old Act from 1912 and contains various provisions for the charging of fees. To amend those fees requires that an amending Act must be enacted. This is a cumbersome process for what is generally accepted as being an action to be taken administratively.

The last review and increase in fees was in 1965. Such a long lapse between reviews was no doubt caused by the necessity for any change to be by way of Act amendment.

This Bill very simply provides that fees may be prescribed by regulation. It will enable fees to then be reviewed on a regular basis.

I commend the Bill to the House.

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

BUILDERS' REGISTRATION AMENDMENT BILL*Second Reading*

Debate resumed from 2 July.

HON. N. F. MOORE (Lower North) [4.15 p.m.]: The Opposition does not oppose the proposed amendments to the Builders' Registration Act. The legislation in effect extends the jurisdiction of the Builders' Registration Board to cover certain local authority areas within the south-west—the City of Bunbury and the Shires of Busselton, Collie, Dardanup, Harvey, and Murray. This is, of course, in line with the Government's view that the jurisdiction of the Builders' Registration Board should extend throughout the whole State. This Bill is part of a continuing exercise to extend that jurisdiction.

Members will be aware that the jurisdiction of the board, which originally only covered the metropolitan area, was extended, I think in 1983, to cover Mandurah, and now following pressure from the south-west, particularly from Labor members of Parliament who represent south-west regions, it has been extended to encompass the local authority areas I just mentioned. It is interesting, of course, that certain local authorities within the same area have opted out of the scheme and have sought not to have the board's jurisdiction cover their regions. That in itself, of course, shows a weakness in the Government's argument that the board's jurisdiction should be extended. It does that, on the one hand and, on the other hand, allows some shire areas to opt out and allows the board to not have any responsibility within certain regions.

However, I understand that in due course the board's jurisdiction will be further extended and that the Government is looking to extend it to the goldfields, Geraldton, and Albany; and if this Government remains in power for a long time, I guess eventually it will cover the whole State.

People have made various comments about the capacity of the Builders' Registration Board to carry out its functions in a meaningful way, and one hears many criticisms of the board from the point of view of its seeming to have insufficient powers, that it is too slow in achieving things, etc. Members of Parliament could provide many examples of cases where the Builders' Registration Board has been unable to achieve any satisfaction for complainants who believe that for some reason or other

builders have caused circumstances which are costing them money.

It seems that the Builders' Registration Board perhaps has reached the stage where we should not consider the extension of its jurisdiction but should consider an alternative means of providing consumer protection for people who have a house or some other building constructed by a builder.

As I said at the beginning, while the Opposition does not oppose this legislation, it sees it as an attempt by the Government to extend the consumer protection aspect of the board to the south-west where it has been requested that its jurisdiction be extended. The Opposition is of the view that we should be looking at a different means of providing the protection that the board presumably now provides and consequently during the lead-up to the next election, when we are formulating our policy in these matters, we will try to find a completely different form of protection which may encompass the principle of self regulation whereby the industry itself could, through a variety of mechanisms, provide insurance schemes or indemnity funds which would be administered by the industry and which would provide the sort of consumer protection that people need when they are spending the sums of money that they have to spend on building a house.

It is fair to say that most people would find that the largest item of expenditure in their lifetime would be the purchase of their home. It is a considerable capital investment and probably the biggest they will make. It is therefore important that they receive protection when they spend that sort of money.

We believe, however, that a board such as the one this legislation covers may not be the best mechanism for providing that protection. We consider that we should look at alternative methods of self-regulation and the provision of indemnity funds and things of that nature.

While I do not want to go into detail about what we might seek to do in the future, I make the point that we believe there is a better way of providing the sort of consumer protection that people demand and are entitled to receive. Hon. Neil Oliver has done a great deal of work on this subject over the years. I understand he will be making a contribution to this debate this afternoon. I therefore leave my comments at that point. We can find no real reason why we should oppose the legislation, bearing in mind that it has been demanded by the people in the south-west. I give notice, however, that

we do not support the general principle of setting up boards of this nature and hope eventually to be in a position to do something about their removal and to replace them with something that is more effective, more efficient, and more responsive to the needs of the people.

With those remarks, we do not oppose the legislation.

HON. A. A. LEWIS (Lower Central) [4.22 p.m.]: As this legislation affects part of my electorate, I feel bound to comment on the second reading speech, if not on the Bill. I think the House is aware of my views about these sorts of Bills. I have opposed them in the past.

I wish to highlight a few statements in the Minister's second reading speech. She said—

It will also ensure that consumers are properly protected against faulty and unsatisfactory building work by reason of the powers vested in the Builders' Registration Board to order rectification of faulty or unsatisfactory work.

It has not worked in the city before so why, after adding a few more shires, would it work now? The situation has been that one seldom gets anything out of the Builders' Registration Board when one has a problem. Will this legislation cure that? Of course it will not. Those of us who have been in this place for a few years have run up against this problem of failing to get faulty work rectified time and time again. The Builders' Registration Board has not been very useful, to use a time-honoured expression.

Hon. T. G. Butler interjected.

Hon. A. A. LEWIS: It is a matter of powers within the Act. However, there are powers within many Acts.

Hon. H. W. Gayfer interjected.

Hon. A. A. LEWIS: It does usually hinge around the painter's work. I am not sure what the member is talking about. The Minister also said—

It has become apparent that while it is the Government's intention not to prohibit bona fide builders now currently operating within the area, certain difficulties in relation to qualifications for registration may arise.

That was where I began to get the shivers because people have been building first-class buildings, for example, in Collie for 20 to 30 years. The Builders' Registration Board will now be quite happy to impose city standards on those people. That would not be a bad thing if the city standards were first-class; however,

we will now have a lowest common denominator effect and that worries me. The Minister continued—

In examining this proposed extension, it is important to preserve the integrity of registration and to maintain high standards of competence for builders.

In the previous paragraph the Minister spoke about the way they were registered. Further, the Minister said—

Accordingly, it is proposed, therefore, that when a person seeks to gain registration based upon experience, which was obtained in an area outside the board's jurisdiction, the board will be able to impose conditions to that grant of registration.

The PRESIDENT: Order! Members are well aware that it is completely out of order to consume food in this House. I have never imposed the rule by suggesting that members should not consume some sort of confectionery for medicinal purposes. However, I draw the line when a member begins to consume food. Without suggesting who that member is, I recommend that he cease.

Hon. A. A. LEWIS: It worries me that conditions will now be imposed. I wonder whether the Government has set up two types of registered builder. If a builder does a jerry-built job and a complaint is made to the Builders' Registration Board, are any conditions imposed on his future registration? I understand that does not happen. Yet, because these builders have been working for a number of years in country areas they will have these ALP conditions imposed on them. It sounds like this Government is conditioning things all the way along.

Are these just sounds? With this Government everything is conditioned by something else. As I understand it, people now in the fabrication and shed building business will have to have a registered builder to build those sheds.

Hon. H. W. Gayfer: Provided they are not on a farm.

Hon. A. A. LEWIS: As I understand it, a registered builder must build the shed even on a farm unless the shed is built by the farmer.

Hon. H. W. Gayfer: I am against it, in any case.

Hon. A. A. LEWIS: I will not get into an argument with Mr Gayfer on the matter. As I understand it, people who build shearing sheds for farmers will have to be registered builders. What will the additional costs be? The

Australian Labor Party does not give a damn about rural areas. It has proved that year after year with its additional charges and regulations being applied to the bush.

Hon. T. G. Butler: I thought the rural areas asked for this.

Hon. A. A. LEWIS: Hon. Tom Butler has made a very good point. Bodies such as the greatly vaunted South West Development Authority, which knows nothing about anything, in an expression of genius probably said, "Why don't we have builders down here registered?" I will leave Hon. Vic Ferry to tell the stories about Bunbury and what has happened in Bunbury under this Government and the edifices being built.

Hon. B. L. Jones: The tower block is a good thing.

Hon. A. A. LEWIS: That is a matter of opinion. Quite frankly, I think that the tower block will cost the Labor Party the seat of Bunbury, but that is another matter. I am dealing with the Builders' Registration Amendment Bill.

With respect to conditions that would be imposed on country builders, the Minister in her second reading speech said—

It is currently proposed that the nature of these conditions could extend to imposing geographical limits on registration,—

Again, anti-bush. To continue—

—the type of building construction that may be engaged in, the number of building projects which might be engaged in at any one time, with the power of the board to monitor these conditions by the provision of returns.

Why are we singling out the bush for returns? Either the people are capable of building or they are not capable of building. Here we have again another set of socialistic forms to be filled in and sent away, probably in quadruplicate. It horrifies me just thinking of it. Three advisers would probably be required to get it before the board; one who is still a member may even look at the painting specifications. I do not know.

I have read some claptrap in Ministers' second reading speeches in my time here, but this second reading speech is one of the least impressive. It continues—

It is envisaged that where conditions are imposed, progress of the builder will be monitored to ensure that the standard

required for registration is achieved and maintained with such conditions being ultimately removed.

Why do we not do exactly the same with all the presently registered builders?

Hon. T. G. Butler: Why not?

Hon. A. A. LEWIS: Hon. Tom Butler would agree that that is a good idea. When I move my amendment, I am glad that he will join with me.

Hon. T. G. Butler: Are all builders going to be registered?

Hon. A. A. LEWIS: I did not say that. I said that the same conditions should be imposed on city builders and Hon. Tom Butler said, "Why not?"

Hon. T. G. Butler: I did not say that.

Hon. A. A. LEWIS: The member did say that. He can try to get out of it, but that is what he said. *Hansard* will provide the true and accurate record of that.

We want to know what city builders will have imposed on them. They will have nothing imposed on them, although the jurisdiction of the Builders' Registration Board is to extend to the country at the whim of the Government. That is all it is. I understand that Albany has many registered builders and nobody has told me that the registered builders in Albany are complained of less frequently than are the unregistered builders in Collie.

Hon. V. J. Ferry: Or Kalgoorlie.

Hon. A. A. LEWIS: Or Kalgoortie, or the wheatbelt.

Hon. E. J. Charlton: They don't have any builders left.

Hon. A. A. LEWIS: They do not have much left at all.

If the Minister had come to this place and said that there were X number of complaints about unregistered builders in Collie, Bunbury, and Busselton, and that there was only one-tenth that number of complaints in Albany or in the city, there would be some reason for bringing in this type of legislation. However, there has been absolutely no attempt to justify the legislation. The second reading speech consists of many high flown words, mainly about regulations that will apply to people in the bush. I do not think that that is good enough. The Minister should either take the legislation away and bring it back to us, or in reply to the second reading debate she should tell us why the Government finds it necessary to bring in

the legislation. The Opposition has been extremely lax, because it has a habit of allowing Ministers to bring legislation into this place and treat the second reading speech as nonsense. It is about time that habit stopped. It is about time this House was told why legislation was being brought in.

The dogma of the ALP is such that it must follow these sorts of regulatory lines; if that is the reason for bringing in this legislation it would provide a better explanation than the claptrap of the second reading speech. The second reading speech gives no reason for imposing this legislation. It does not detail the complaints against the builders and their sources. I will let the Minister into a secret. Certain people in Collie are not very worried about it because they think they have enough power over this Government now because Labor went so badly in Collie at the last election that this Government will do what it is told or lose the seat of Collie at the next election. That is fairly certain in view of the 14 per cent swing against the Labor Party in Collie. It is becoming a marginal seat. Perhaps for the first time, Collie may receive the benefit of some of the promises that the Labor Party made to it. I say "may" because this party is not very good at fulfilling its promises. I am sure that you, Mr President, would agree with that. On numerous occasions we have seen that with respect to taxes and charges.

From the Minister's second reading speech, I understand that nobody has given any backing to bring this Bill forward. Nobody of any consequence has backed it or, if someone has done so, we have not been told about it.

I again say that if the Minister intends to bring in a Bill like this she should apply the same restrictions to city builders as she does to country builders. All she has to do is to say that the standard required for registration is to be maintained; otherwise some provisions are imposed on city builders' registration.

Where the Builders' Registration Board receives a complaint, the same inspector who looks at country builders should look at city builders and say, "This is not up to scratch. Certain conditions will be laid down for obtaining your builder's registration." Any member of the Labor Party who believes in consumer protection would have to go along with that.

Why has it not been done? Why has the bush been singled out for these registrations and awkward regulations? Why can they not also be

applied to these brilliant examination passers who happened to be registered in the first place but whose standards may have slipped?

Hon. Kay Hallahan: I will explain.

Hon. A. A. LEWIS: I am glad the Minister will explain. Then we can decide. Even if the Minister thinks it is amusing, I happen to think it is deadly serious. I happen to think that the increase of three per cent or four per cent on building a shearing shed, a dairy, or a hays shed, is something the rural community today cannot bear. The Minister may know better than I.

Has the Government thought of that? I bet it has not thought about it at all. I would be extremely interested to hear the Minister's reaction. I know some members have a fair bit to say on this so I will cut my speech short to allow them to put their points.

As it stands, with this piece of paper and the Bill, there is no way any sane Legislative Council could pass it. There is no way to segregate builders—first-class citizens in the city and second-rate citizens in the bush. I know that is the Government's attitude but we will not put up with it.

HON. NEIL OLIVER (West) [4.43 p.m.]: I was interested to hear the honourable member who has just resumed his seat asking what this will do for the country areas to which it has been extended, and what its purpose is. I would be interested in her replies.

In essence—I know country members will not disagree—any builder who is resident in a country town, or is known and has a good reputation, will always get the job and will always be there because he will attend to the maintenance.

Another element affects the bush builder, and that is the person who comes in, undercuts him, and does a shoddy job. When the time comes to find him he is not there. This legislation does nothing at all for this situation.

If one traces a builder and finds that he has become insolvent, or that the company has gone into liquidation, no satisfaction is achieved. All the Government is doing with this new legislation is extending bureaucracy. In fact, in the name of consumer protection, it might almost be called an operation of the closed shop; the lobbying of interests of certain people who are registered.

I know Hon. Tom Butler will agree that sometimes one meets people of ethnic origin who are excellent tradesmen, particularly people of Italian or—

Hon. N. F. Moore: British.

A Government member: German.

Hon. NEIL OLIVER:—of German origin. They are absolutely first-class builders—excellent tradesmen. When one asks them to pass five subjects on paper and write a 2-hour examination paper they will probably fail, while the students beside them who have had the benefit of a TAE education and who have the ability to express themselves and study books will pass. They will be registered while the other people who cannot speak the English language and express themselves on paper fail. What I call a closed shop develops.

In actual fact this closed shop situation seems to suit the Labor Party. It is almost part of its policy. It has a fixation about it which I cannot understand. There may be some reason for it, but the party basically has an idea of licensing anything that moves.

Hon. P. G. Pandal: You are not wrong.

Hon. NEIL OLIVER: Anything that moves must be licensed. We have pest control people licensed, and insurance brokers licensed.

Hon. P. G. Pandal: There will be licences for pests next.

Hon. NEIL OLIVER: I am not being disrespectful, but the late Herb Graham had painters licensed.

Hon. T. G. Butler: The Master Painters Association put on that licence, not the Labor Party.

Hon. NEIL OLIVER: I ask Hon. Tom Butler to refer to my speech about three paragraphs back. He has just told me about the painters and paperhangers. He can read three or four paragraphs back to find out what I had to say.

The point I am making is that for some unknown reason—I have not gone into a great examination of it—Hon. Herb Graham convinced Hon. Crawford Nalder, who was a Minister at the time, to license painters. The Master Painters Association asked for it, and that is what occurred.

The bureaucracy goes on. In those days painting was a very specific art which required mixing of paints, and special paints which involved acids. Today, with new technology, the paints just come ready-mixed. I am not detracting from the apprentice painters and the professional painters. They are to be

commended, and they must also be protected from the fly-by-nighters, but not to the extent of a deputation I had from them about six years ago. They were upset that the apprenticeship for painters was only, I think, four years; and they wanted to extend that period to six years.

I asked the President of the Painters and Decorators Union why they wished that, and he said that they trained the young painters, and then they became registered, left, and started up in competition. I told him that I could understand his concern but that the industry had to train young people under the apprenticeship system. I said they had a duty to take them on, because if they wanted certain Government contracts they had to have a certain number of apprentices. I also told him that they had an interest in the trade and were proud of it and should therefore want to see the standards of that trade continued.

After six years a person is allowed to extract an appendix at a hospital and become a registered medical practitioner of the State. A person should not be required to undertake an apprenticeship for the same length of time just to paint a wall in a house. I am just drawing a parallel to illustrate the system.

Where does this piece of legislation actually take us? The Government appears to want to license everybody, from driving instructors probably to horse riding instructors, and over the next three years I do not know how many other areas of registration the Minister may have in her mind. I would be very interested to know.

I have spoken on this subject in the House on several occasions now and will not take it much further. However, what I cannot understand about the legislation is that, as it stands now and as the Government will extend it into country areas, the Act has to do with registered builders and registered builders' performances. The Government calls that consumer protection.

Those registered builders, be they in the State or the country, will always perform and will not skip the State or the country if they are in the business for a future, but the fly-by-nighters will come and go. The Government will never find them and will never provide the consumer protection it is setting out to provide by this legislation.

Hon. T. G. Butler: They would not be registered anyway. If you had any experience in the industry, you would know they would not be registered.

Hon. NEIL OLIVER: I will not get carried away by that. Taxpayers' money has been expended for me to examine the national house builders' insurance scheme in the United Kingdom. I have been to Washington to examine the scheme there also. I have travelled to Victoria to examine the home builders' liability fund there; and I have also examined the disastrous situation in New South Wales—and the legislation before the House is about to start down that same track.

I point out to the Minister that the New South Wales legislation was taken up by a Dr E. Siper of the Australian National University for his thesis. He canvassed the whole of Australia and each State in Australia to examine the areas of bureaucracy and the costs to the purchaser. He covered the width and breadth of this continent to find out just where lay the greatest bureaucratic monster to batter the consumer. And do members know what he did? He chose the New South Wales builders' registration Act on which to base his thesis.

In New South Wales it is costing hundreds of dollars to administer each house—and that means of hundreds of dollars extra to the purchaser. We all know that the average price of a domestic home in Sydney costs in excess of \$72 000 today. We know that New South Wales has the highest first mortgage rate of any State in Australia, and that it has the lowest level of home ownership. We know that many people in New South Wales have little likelihood, even in the dim dark future, of owning a home.

The legislation before the House will start us forward down that track. Hon. A. A. Lewis referred to the number of forms involved. Irrespective of whether a builders' registration inspection will be carried out, houses under construction are subject to inspection by the lenders, the owners, the local government authority, the electricity authority, the gas authority, the health authority, the sewerage authority, and the drainage authority. Some people employ architects who also inspect the properties. In addition to that, as progress payments are made, valuers inspect the properties. Before the houses are built surveyors are called in to ensure that the boundaries are properly set and the buildings correctly spaced. In addition, qualified members of the Institution of Engineers, Australia inspect it to ensure that the foundations are satisfactory.

This whole army is called consumer protection, but I call it battering the consumer, to the extent that the consumer cannot buy and will

never be able to buy his dream home. That is what this Government is setting out to do, and it is a shame. By this legislation the Government is setting out to take itself down this path. So be it.

In Victoria the licensing of builders was initially undertaken by two groups—the Master Builders' Association Liability Pty Ltd and the Housing Builders Association Pty Ltd. Both were recognised under an Act of Parliament, their boards of directors were approved by the Minister, and their accounts audited by the Auditor General; but they have now merged into one body corporate.

[Questions taken.]

Hon. NEIL OLIVER: A builder wanting to enter into a contract to sell or construct a home must provide a guarantee against his own financial failure and defects due to his bad workmanship for a period of six years. In order to provide this a builder must be registered with a guarantor body and be subject to industry regulations.

In Western Australia and in New South Wales the builder must first be licensed by a Government agency; and then in NSW, where required, he must provide some form of insurance cover.

A major consideration for the introduction of this type of scheme and its expansion is that it would cost the Government absolutely nothing to run, as well as being more effective and within the ambit of the Government's legislation. The Government legislates so that the industry regulates. That is the path we should follow rather than the path outlined in this legislation.

During the break for questions without notice it was brought to my attention that I had made an error in referring to Sir Crawford Nalder. In fact it was Hon. Gerald Wild who was the Minister for Works and Water Supplies and responsible for administering the Builders' Registration Act and the Painters' Registration Act.

I trust that the Government will refer to previous speeches I have made on this matter and be prepared to embrace the system which a UK Labour Government found no difficulty in accepting, a system which from memory has guaranteed over one million homes against defects and insolvencies for periods of six years. It is unfortunate that the Government should be continuing on this line. I hope the Minister will be able to show flexibility and initiative and look past all the generalities and make a

substantive move in the direction of consumer protection.

HON. H. W. GAYFER (Central) [5.08 p.m.]: This Bill seeks to do several things, and one which has not been mentioned is to provide for a country registered builder to be on the Builders' Registration Board. It provides also for registration to be given to persons who have some difficulty in complying with the living requirements that are currently within the Act. The main feature of the Bill is the extension of the geographical region of the board to cover the City of Bunbury and the Shires of Busselton, Collie, Dardanup, Harvey, and Murray. This will require the registration of builders carrying on the business of building within those shires' geographical limitations.

I think it wise that we consider the definition of a building because some lack of understanding has been apparent in this debate. The Builders' Registration Act has the following definition of "building"—

"Building" means any building of a permanent nature used or intended to be used for residential, professional, manufacturing, trading, commercial, hospital, institutional, assemblage, or public purposes, but does not include a farm building, and the term used as an abstract noun means the erection of structural alteration of any such building.

A farm building is defined as—

any building of a permanent nature, other than a building used or intended to be used for residential purposes, that is—

(a) constructed or to be constructed, on land used primarily for agricultural purposes; and

(b) itself used or intended to be used for agricultural purposes.

I read that out to prove that I was fairly right in my interjection.

I now want to agree with a point raised by Hon. Sandy Lewis. Over the years I have always opposed the extension of the boundaries of the Builders' Registration Act. I have done this for reasons that were raised very adequately by Hon. A. A. Lewis and by Hon. Neil Oliver. We in the country believe a lot in our local builders—the same builders who may have adequately erected a shed, farm building, or whatever. That person may not be registered, but we have great faith in him; he lives in our town, and we believe he does a better job on a house or dwelling we may want

to occupy purely and simply because he is always living near us.

I agree that the standards reached by some registered builders that I am aware of are not good. That does not mean to say those standards will improve if a district becomes part and parcel of the geographical area in which only a registered builder may operate. One may say that there is a power of reprisal as far as the builder is concerned. If he does not do a good job one can appeal to the Builders' Registration Board which will summarily make him answer. But, as Hon. Sandy Lewis pointed out, that does not happen in the metropolitan area. Even withholding 10 per cent for contractual purposes and maintenance and completion of work is not enough in this day and age.

Many cases come to our attention in the city and other areas where builders are very reluctant to set foot on a building site again because the job is not worth it. When they come back and complete the job it is never done satisfactorily. I do not say that applies to all builders, but some builders I know of are registered. This Bill relates only to an area around Bunbury, but it is the second time I have seen the geographical area of coverage extended. There is no doubt that the aim is to extend it throughout the length and breadth of Western Australia, and that is what we in the sticks are frightened of. We were in Government once and we remember the supplications that were made to us in those days to have the Act extended on the basis that people in agricultural areas would be protected by such a move. We say they will not be protected.

The people who are now building houses for us—stone houses and other craft-like buildings that are still built—are resident farmers who are not registered. They are quite capable of building those houses, and if anything so they tend to overbuild. One only has to look at the type of material that goes into the construction and the mix of the cement to see that they are overbuilt. We do not want to stop those people operating in agricultural areas as they have since time immemorial.

We do not want a situation where if we employ a builder on a block in town to which we intend to retire, or on our farm if we intend to build for a second son, the whole family of the person who wants the building constructed cannot help the builder. It is the only way we can exist, otherwise we might as well go back and put a couple of sheets of corrugated iron against a tree.

That is the normal way of doing things. My brother-in-law spent the whole of last week helping a man who is not a registered builder make some sleep-out alterations to a house in town for his mother. When our locality finally comes under the board's geographical control and only a registered builder can operate, and the shire can only give a permit to a registered builder to create living quarters, the position will be untenable for country people.

Members may say that I am getting right off the track and this Bill does not intend to go that far, but the boundaries are stretching further each time this measure comes before us. The shires covered in this legislation and the City of Bunbury are a long way from the country I am talking about. Nevertheless I believe the same situation would apply. I remind members of the soldier rehabilitation scheme that took place in some areas; I am sure some farmers who struggled in those days would not have liked to think they had to get a registered builder to put up a house for them when they could not afford it and their neighbour had the ability to build it.

Hon. T. G. Butler: They would not have to do that.

Hon. H. W. GAYFER: They would if they were going to live in it.

Hon. T. G. Butler: They can build their own house without having to do that.

Hon. H. W. GAYFER: That is right, but they cannot get in somebody to build it for them and then act as labourer for that builder. I refer to the definition of "farm building" which says that it is any building of a permanent nature other than a building used, or intended to be used, for residential purposes. A person cannot get in a builder and then act as labourer if he intends to live in the house.

Hon. T. G. Butler: That is stretching a long bow.

Hon. H. W. GAYFER: It is not. We can see the time when all this work will have to be done by union labour. That is the point that is upsetting most people, and the self-help system will no longer operate, whether one is building in town or wherever. The operations of the Builders' Registration Act will cut across that system.

Hon. T. G. Butler: You know it has nothing to do with the Act at all.

Hon. H. W. GAYFER: Mark my words! Once this State is covered by the Act members will not be able to find one place where a

registered builder can be employed to put up a house without having to employ union labour—it may not happen now, but it will happen.

Hon. G. E. Masters: As soon as they can—it will happen.

Hon. H. W. GAYFER: It will happen little by little, but they will be there tomorrow.

Hon. T. G. Butler: You are becoming a little paranoid.

Hon. H. W. GAYFER: I wonder if the honourable member can spell that word.

We have a fear of the Builders' Registration Board taking control in the agricultural areas; we have a fear that the Bill will stifle the type of building we currently enjoy; we have a fear that it will affect the people we currently employ and the people domiciled in the town because of the custom we give them—that is the most important feature. I am referring to people of ethnic origin and many of them will not be in a position to be registered by the Builders' Registration Board. Perhaps their sons will be in that position; I believe that some of them are applying for builders' registration.

With reference to the extension of the area under the control of the Builders' Registration Board, it would be far better if it were outlined more simply in the schedule. Perhaps it could be described in exactly the same way as the Minister referred to the area in her second reading speech. She made reference to certain local authorities. If one reads the Builders' Registration Act and tries to decipher it to ascertain the area controlled by the board one finds that reference is made to the road leading to the north-west and adjoining a road which is 27 minutes and 23 seconds to the south, and adjoins another road at 115° and it becomes very confusing. If the area was described shire by shire it would be much easier for people to understand the schedule.

HON. V. J. FERRY (South-West) [5.22 p.m.]: I have never been enamoured of the Builders' Registration Board and if one cares to check the records one will find that is so. In previous years I have been opposed to the Builders' Registration Act being extended into country areas. Hon. H. W. Gayfer and Hon. A. A. Lewis have given some examples to illustrate that the reason it has not been extended in the past is that it would have disadvantaged the people living in the areas concerned. The Builders' Registration Board would have imposed all sorts of conditions which would

have prevented many people having residences or buildings constructed for them.

People in the country have guarded jealously their right to erect buildings of their own choice without being inhibited unduly by other regulations. That is the way in which the country has been built and it is not necessary to extend the Act to other parts of the State.

The Bill before the House will extend the Builders' Registration Act to a number of local authorities. It so happens that most of the areas outlined in the Bill are in my province and they include the City of Bunbury, and the Shires of Busselton and Dardanup.

Hon. H. W. Gayfer: I suppose you received a flood of letters.

Hon. V. J. FERRY: I did not receive any letters.

Hon. H. W. Gayfer: That is amazing.

Hon. V. J. FERRY: I made it my business to speak to representatives from local authorities in my area to ascertain their desires, and the local authorities I have mentioned have indicated that they want the Act to apply to their areas. I do not dispute their desire in any shape or form. However, I do not necessarily agree with their reasoning. The Shire of Capel has indicated that this legislation is not for it and it is wedged between the Shire of Busselton and the City of Bunbury. In the fullness of time I am sure it will be prevailed upon to agree to come under the umbrella of the Builders' Registration Board. I do not know whether that will be for better or for worse.

The way in which the Act has been applied in the past leaves a lot to be desired. It is designed to be to the benefit of consumers and I wonder, from the cases which have been brought to my attention over the years, whether it has really done its job.

When the Bill was debated in another place a member said that it was better to have something rather than nothing. As far as I am concerned that is a poor way to legislate to assist the community of Western Australia. It would have been far preferable for the Government to have investigated the total State scene in order to have workable and viable legislation. The Government is hoping that this legislation will improve the situation.

I have no doubt that some builders will be brought into line as a result of an approach by the Builders' Registration Board, but many others will not be able to satisfy its demands. The owners of the buildings will not receive the

satisfaction they desire. I am certain of that. It has not happened in the metropolitan area, or at Mandurah, so why should it happen in the proposed new areas?

I understand the Government is undertaking a complete review of the method by which greater protection can be given to people having buildings constructed for them. I do not know how long that review will take. I may stand corrected, but I understand that the review is in train. However, would it not have been preferable for that review to have been undertaken before we dealt with this legislation, which is like a patchwork quilt?

It would have been far more appropriate had the Builders' Registration Act been amended in order that the board had control over high-rise buildings. To illustrate my point I refer to the new office tower in Bunbury which will not come under this legislation—it is a pity it will not. Members who have followed the construction of that building will understand that there has been a great deal of trauma associated with it. I understand that a concrete floor or two were not constructed properly and the builder was put to great expense to rectify the problem.

Hon. Doug Wenn: How many floors?

Hon. V. J. FERRY: I suggest that Hon. Doug Wenn investigate the situation.

Hon. Doug Wenn: I have and that is the reason I am asking you to be specific.

Hon. V. J. FERRY: This Government was hoping to open the building months ago, but the Builders Labourers Federation said, "It will open when we are ready."

Hon. P. G. Pandal: They are true to their word.

Hon. V. J. FERRY: That is right. It would have been far better if the Government had saved the taxpayers' money.

Hon. P. G. Pandal: It is a scandal.

Hon. V. J. FERRY: Absolutely. It is costing the taxpayers money and the Government will be faced with problems when it comes to filling the building.

This legislation is certainly far from satisfactory. I ask the Minister who will give dispensation to owner-builders under this legislation? Owner-builders have certain rights under this legislation and they need dispensation to continue to operate. Will the Police Department, Homeswest, or the local health inspector be delegated the power to grant dispensation to owner-builders?

An additional board member will sit in judgment on a number of cases to carry out the administration of the Act. It will be interesting to see how that works. I am a little concerned about the costs of representatives of the board travelling to areas to investigate complaints of previous work. I would like to know what the intention is; whether somebody will be based in Bunbury or in Perth to do this work. If this person is not based in Bunbury, I would like to know why not. The object of "Bunbury 2000" is to attract public servants and departmental people to Bunbury.

Hon. P. G. Pandal: They are having a bit of trouble doing that.

Hon. Doug Wenn: It has nothing to do with "Bunbury 2000".

Hon. V. J. FERRY: That is a peculiar comment. One would have thought the idea was to give a service to people in the Bunbury region. Giving a service means providing satisfaction. Why not have someone based in Bunbury to do that? He need not be based full-time there; he may be associated with another department and delegated to do that work.

If that person is not there, he could be transferred from another part of the State to do that work in association with some other departmental work. That would add to the picture of building up a Government presence and service to the people in the south-west, but Hon. Doug Wenn does not agree with that.

Hon. Doug Wenn: You are saying it is associated with "Bunbury 2000". It is not.

Hon. V. J. FERRY: It is associated with Government work in Bunbury. "Bunbury 2000" is a development plan for the region. If this does not fit into the plan, something is wrong. I think the member's argument is a little astray.

Hon. Doug Wenn: I don't think so.

Hon. E. J. Charlton: You do not see members of Central Province arguing about that.

Hon. V. J. FERRY: I would be interested in the response of the Minister. She has a number of points to respond to as a result of members' contributions to this debate.

I shall return to the main thrust of what I was saying. It is unfortunate that the Government has brought in an amending Bill when it has in mind a complete review of the system. This is brought in as a stopgap measure in a patchwork way. It will not resolve the difficulty. If the board's jurisdiction is to be extended to places like Busselton, Bunbury, Murray, and Pinjarra,

why not extend it to Geraldton and other places? It is making a mockery and a nonsense of it.

While I shall not vote against it, I am not terribly enthused about this Bill. I place on record the hope that the people who expect us to help them in these areas are not disappointed. The proof of the pudding is in its eating.

HON. KAY HALLAHAN (South-East Metropolitan—Minister for Community Services) [5.35 p.m.]: I have been very interested in the debate on this Bill, and I appreciate the contributions of members. A number of concerns expressed can be answered adequately. One or two members may like to bring up queries again in the debate. Many of the concerns are very easily answered in terms of the second reading speech.

What we are looking at here is a Bill which clearly extends the jurisdiction of the board. While I take on board the criticisms made by some members about the adequacy of protection provided by the board, nevertheless it is a protection.

An interesting point was made by Hon. Sandy Lewis. If there is any second-class citizenry, it is to be found among our country people who do not have the benefit of that protection. I would have thought country members would welcome the additional protection which they do not at present enjoy. One may say we are not sure all complaints are satisfactorily dealt with. That might be an area we can talk about later. Nevertheless protection, which is currently not enjoyed by people living outside the metropolitan area is offered by the board.

The question of cost was raised by two or three members. I refer to Hon. Norman Moore and his question about the cooperation of shire councils. That was really very important in extending the areas of the board's activity, and cost is a factor. Nobody wants to lump additional costs onto the board, and therefore onto the builder and the buying public. For that reason negotiations have been arranged with those shires which are willing to participate in this scheme.

It is true at this stage the Shire of Capel has declined to be part of the scheme, and that is its prerogative. The scheme will be fairly cost-effective because of the cooperation of those other local government authorities.

In response to Hon. Vic Ferry, it is not envisaged that inspectors will travel from the metropolitan area per se to the area where a

complaint is made. The local government authority would cooperate in respect of a complaint, and therefore minimise vast amounts of travelling.

I accept the travelling will be an expensive business; that is why the cooperation of local shires has been significant in the expansion of the board's activities.

With regard to an officer being placed in Bunbury the board will now use as a contact point the office of the Department of Consumer Affairs in Bunbury, so that regional office will seek to serve this expansion of service. That is a good and integrated way to go.

Hon. Vic Ferry referred to the way the board operates. It is true to say that the board is examining its legislative base in conjunction with the Department of Consumer Affairs. A fairly full overhaul is being done. The reason that this legislation is moving forward is that members, particularly those opposite, would know that going through legislation and revamping it is a time-consuming process. When principles which need to be improved administratively are identified, there will be wide consultation with the industry, and we all know that that takes time. We all hope that matter will be before the House next year.

Like the matter we dealt with earlier today, it is a question of dealing with a particular area where there is a particular demand, and that does not stop us from having a comprehensive look at the legislation. While I accept the point made by Hon. Vic Ferry, he is quite right when he says that the whole legislative base is being examined.

When we talk about protection we need to talk about protection in relation to buildings. We are talking about builders whose occupation is to trade as builders. We are talking about people who build our homes. Hon. Norman Moore is quite correct; if one is talking about the cottage building industry, in all probability one is talking about the most significant investment in a person's life. It may be this is a point of difference between the Government and the Opposition on which we can never agree, I do not know, but it would seem logical to have that investment protected. One must set standards.

The fact that we are now extending those standards into the south-west—into those shire areas where there is a willingness to cooperate and to make the system work—is a good thing.

The question of going State-wide is one of those things that I envisage will happen at some time. The fact is that the south-west is the area outside the metropolitan area where most building is taking place. There has been demand from that area. Also, in relation to expanding further the jurisdiction of the board, there have been requests from the Master Builders' Association in Geraldton and in Kalgoorlie. That is, interest is coming from the industry itself. It is not being imposed by the Government but the Government is being asked to expand the jurisdiction.

Hon. H. W. Gayfer: That does not mean to say that the Government agrees with it. Parliament makes up its mind on these matters, not the Government.

Hon. KAY HALLAHAN: I agree with Hon. Mick Gayfer, and the Government, in responding to the requests made to it, is bringing this legislation before the House, as it would if it complied with the requests to go into the Kalgoorlie and Geraldton areas as well.

Hon. H. W. Gayfer: Little by little.

Hon. KAY HALLAHAN: I think we need to look at that. If this model in the south-west area is a workable one, with the board working alongside the local shires, and if the cost is containable and manageable, maybe that is the model we should adopt for places like Geraldton and Kalgoorlie. Quite frankly, I have no difficulty with the little-by-little formula in life.

Hon. H. W. Gayfer: Would you like to take over licences? Once you do, it will change the ground rules.

Hon. KAY HALLAHAN: Hon. Mick Gayfer seems to talk today in inordinate terms of fear.

Hon. H. W. Gayfer: I have not said I will oppose the Bill.

Hon. KAY HALLAHAN: I noted very carefully that Hon. Mick Gayfer did not say he would oppose the Bill. I was mindful of that, but I think fear is a crippling thing and I say to the member that if the system is workable it will be accepted by the community. If it is not, it will be rejected, and the Government will take notice of that.

With regard to the workability of the board in the city, it seems to me that a number of us, as members of Parliament, have at some time or other dealt with complaints and have felt that our constituents did not get real satisfaction. However, that does not mean to say that many other people have not had satisfaction,

and neither does it mean that the board does not afford real protection.

Again I bring members back to the point that the legislative base is going to be examined. There is some thought that in fact the board does not need more powers but that it needs a better process by which to enforce the powers it already has. At present there are some restrictions on the existing legislation which hinder that smooth and more effective process. If that is the case, I endorse the action of the Minister in having that carefully looked at.

I do ask members for support, and appreciate the support that has been indicated for the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Hon. Garry Kelly) in the Chair; Hon. Kay Hallahan (Minister for Community Services) in charge of the Bill.

Clause 1: Short title—

Hon. NEIL OLIVER: I do not recall hearing in the winding-up comments of the Minister any remarks in relation to guarantee funds. Perhaps she made some and I missed them. As well, the matter of owner-occupiers was raised. As the Act has a limitation of six years, how does it provide consumer protection to the purchaser of an owner-occupier's home after two years?

Hon. KAY HALLAHAN: The guarantee funds to which the member refers are not part of the Bill. All I can say is that I will refer his comments to the Minister for consideration. It is not something with which I am familiar at all. Perhaps over the tea suspension I will be able to ask the Minister about the owner-occupier question raised by the member which, off the top of my head, I cannot answer.

Hon. NEIL OLIVER: I thank the Minister for her cooperation in that regard. I would like to elaborate on the point, which is that in Western Australia we already have a voluntary scheme operating through the Housing Industry Association, and I am disappointed that some consideration was not given to enabling that body to be recognised in some way as a guarantor in order to provide the consumer protection that the Government obviously wishes to introduce.

The Minister referred to owner-occupiers, and she may agree to clarify that matter with the Minister for Consumer Affairs during the

tea suspension. If one enters into a building contract with a registered builder, such things as subsidence or structural problems are covered under the Act for six years. Where an owner builds his own home as an owner-occupier and then sells it, if a consumer buys that home in, say, two years' time, it leaves him down the tube.

Hon. KAY HALLAHAN: That point is simply not covered by this amendment to the Act, but would be looked at in the overall review of the legislation which is at present being undertaken. I will make sure that it is taken up by the Minister and included in the review. It is not really relevant to this amendment.

Hon. NEIL OLIVER: I do not wish to prolong the matter any further because I have already spoken about it on previous occasions. The guarantees I have referred to in the national house builders' scheme, the American scheme, and the Victorian scheme are all transferable. They continue for the life of the home and provide total consumer protection.

Hon. A. A. LEWIS: I was a little disappointed in the Minister because there were absolutely no answers to any questions posed about the complaints, the need for this legislation, and all things I dealt with, admittedly in a very short speech because I was trying not to take up the time of the House. There was absolutely no logistical backing for what the Minister said in her second reading speech. Surely she should have been given some of the detail.

Who did ask for the legislation? We have not been told. How many complaints have there been in the south-west? We have not been told. We have not even been told how many complaints there were in the city, and what a good job the Builders' Registration Board is doing. We have been told absolutely nothing.

As I said before, the Minister is not going to get away with it. No Minister is going to get away with it. Until we are given some logical explanation for the introduction of the Bill, it should not go through this place. Hon. Mick Gayfer raised some questions and they were just forgotten. Do we get answers?

I believe it is the Minister's job to report progress, get those answers for us, and give them to us in the debate. I am not trying to be hard on the Minister, but I am trying to be absolutely fair, because I dealt with my own Ministers in exactly the same way. I am being absolutely fair in trying to get some answers.

This Chamber deserves the answers. I honestly recommend that the Minister should report progress. If we do not do so we will continue for a long time going backwards and forwards. We will go all over the whole lot again. I will have to work on my questions again.

It seems that either the Minister has not been briefed properly or this Chamber has been treated as a nonsense, as just a rubber stamp to pass legislation which the Government wishes passed, without any explanation. When the Government was the Opposition it used to make loud, long screams about exactly the same thing most of the time. As a matter of fact, today I was reading some of the speeches when Hon. Joe Berinson was Deputy Leader of the Opposition. Hon. Mick Gayfer, Hon. Graham MacKinnon, and I crossed the floor and voted with him because we thought that the Government was not giving the Opposition a fair go. I cannot see that I should be any more lenient on the present front bench.

The DEPUTY CHAIRMAN (Hon. Garry Kelly): Order! The honourable member might confine his remarks to the Bill instead of going back into history. It is very interesting, but we are here to debate this Bill.

Hon. A. A. LEWIS: With due deference to you, Mr Deputy Chairman, if you wish me to start speaking on the title and to go through all the queries I have in regard to the Minister's second reading speech which have not been answered, I will do so, but surely the title is the place to start. No matter how much we want to get the Bill passed and no matter how uncomfortable it is administratively, the short title is where members of this Chamber have the chance to force the Minister into giving us the answers to our questions. Mr Deputy Chairman, if you read the Standing Orders in a different way, please tell me, but my comments cannot be made on any clause unless I deal specifically with that clause. As I understand the Standing Orders of this place I should make my remarks on the short title.

The DEPUTY CHAIRMAN: That was not the point I was making. I was just drawing the member's attention to the fact that we are dealing with a Bill on builders' registration and the honourable member was dealing presumably with facts related to other happenings in the Chamber which have nothing to do with this Bill. That is all I was saying.

Hon. A. A. LEWIS: I will not argue with you, Mr Deputy Chairman, because I never argue with the Chair and I do not attract unruly interjections either. I admit I did bring in one example of what has happened in the past.

The DEPUTY CHAIRMAN: I know the member did.

Hon. H. W. Gayfer: It was a very good example, too.

Hon. A. A. LEWIS: I thought it was a good example, Mr Gayfer. It is drawing a little bit of a long bow to pick me up for wavering from the subject, with due deference, for giving one example. If the junior members of Parliament with grey hair wish to speak, let them get to their feet, but keep unruly interjections out of it and my speech will finish a lot sooner.

Hon. Tom Stephens: Hear, hear!

Hon. A. A. LEWIS: How Hon. Tom Stephens would know, I do not know. I am sorry to have to start all over again, but the Minister has been asked, firstly, who asked for the Bill? We have not been told. Secondly, who laid the complaints? We have not been told. Thirdly, how will the differential in registration between the city and the country be applied? We have not been told that. The Minister's answer was as airy-fairy as her second reading speech. I am not blaming the Minister for that; I am only suggesting that it would be sensible to now report progress so the Minister can obtain all the answers so the Chamber is properly informed, before the legislation is passed. That is all I ask.

I implore the Minister to report progress, obtain the information and come back to us with it. I am sure the Government has the answers and if it has not, why the blazes has it introduced this Bill? Is there anything drastically wrong with letting the Independent member, and members of the Liberal Party and the National Party, know what the conditions are and why the Bill was introduced? Surely that is part of our jobs. I implore the Minister to try to get that information for us so that we can handle this legislation properly.

Hon. KAY HALLAHAN: I regret that Hon. Sandy Lewis did not identify his complaints in regard to the answers I gave in response to his questions. I think he has a complaint about two of them, but I did answer his remaining questions. Perhaps I omitted to mention to Hon. Sandy Lewis that I have great regrets at this time.

Hon. G. E. Masters: I am sure you have.

Hon. KAY HALLAHAN: I make it clear that the Master Builders' Association made the request for the extension of the board's activities and subsequently the MBA in Geraldton and Kalgoorlie has made similar requests. The shires in the areas that have been approached have also been very keen to have the extension of the board's activities to the degree that they are willing to have their staff actually assist in the implementation of the board's activities. So there was no desire on my part to not provide the information to the member. I thought I had done so.

The question about complaints is a difficult one because, there being no particular structure, some people may have gone to the Master Builders' Association and some to private lawyers. No current structure provides details of that. Hon. Sandy Lewis is correct in asking for some statistics. I have sought them myself and have been assured that the last annual report of the board which covers the period to December 1985 will be tabled in this Chamber in the next week or so.

Hon. A. A. Lewis: That will help us deal with this legislation!

Hon. KAY HALLAHAN: I am keen to have the statistics available for the member, but that is rather irrelevant to the fact that people see a need for this legislation and are experiencing difficulty in having to endure private court cases to get satisfaction in the south-west. The tabulation that the honourable member will get in the annual report is not available for other areas outside the metropolitan area, and that is the problem we are faced with, because there is no structure. The community wants some protection and standards.

The other point which the honourable member did mention and which I failed to address—I thought I was being kind to him by missing it—is the Collie builders about whom he is so concerned, especially in regard to the different conditions that will apply to their registration, simply to protect them. We acknowledge that there are many experienced builders who have been registered as builders in the country area but who have not completed a registration examination. It is not fair to penalise them in that way. That is why a conditional grant of registration is planned under this Bill to cover that situation to ensure that people who are now building will not be disadvantaged by the legislation.

If Hon. Sandy Lewis has further questions I have no doubt he will make them known to me, but I rather hoped we were getting to the end of them at this stage.

Hon. A. A. LEWIS: I make my points quickly because unfortunately I cannot be present after the tea suspension.

Hon. D. K. Dans: Good God, I am mortified!

Hon. A. A. LEWIS: The Leader of the House will no doubt be very pleased about that.

Hon. D. K. Dans: Mortified!

Hon. A. A. LEWIS: It is typical of the Labor Government not to want to debate anything. The Master Builders' Association asked for the Bill. How many builders in the south-west are members of the MBA? If the MBA in Perth is imposing its will on the builders in the south-west, I want to know why. The Minister says she will table the board's annual report in a week or so, so why cannot we leave the Bill for a week or so and debate it after we have seen the statistics? Are the statistics too worrying? How many private court cases have been waged in the south-west? If the Minister knows there have been many court cases, surely by going through the correct procedures she could find out exactly how many were waged in the south-west.

Because of the time that is all I want to say. Really, the Minister is making a nonsense of this Chamber by not reporting progress and delaying debate on this Bill until the report is tabled in a week's time.

Sitting suspended from 6.01 to 7.30 p.m.

Hon. C. J. BELL: Hon. Sandy Lewis has raised various points about this clause. I would like to know the number of complaints that have been received by the Builders' Registration Board and the court costs which have arisen because of action taken by the board. In addition, I would like to know the number of successful applications which have been made by the board in the metropolitan area. This information would give members of the Opposition a guide when voting on the clause. To date the questions have not been answered and I hope that during the dinner suspension the Minister was able to obtain the information which has been sought by Opposition members.

Hon. FRED McKENZIE: After listening to the comments made by Hon. Sandy Lewis in the second reading stage of this Bill, I was tempted to take part in that debate to advise

members that there is such a thing as an annual report of the Builders' Registration Board.

Hon. G. E. Masters: Did you read it during the tea suspension?

Hon. FRED McKENZIE: After listening to the questions raised by Hon. Sandy Lewis, I wondered whether an annual report is tabled in the Parliament.

Hon. D. J. Wordsworth: You should have passed it to the Minister so that she could answer the questions.

Hon. FRED McKENZIE: I did not do that and perhaps it was remiss of me.

Hon. G. E. Masters: You kept it to yourself.

Hon. FRED McKENZIE: I wanted to keep it to myself to show that I am a smart one. I was preoccupied before the suspension because I thought we had a chance of rising at 6.00 p.m. and, therefore, decided not to take part in the second reading debate.

The 1983 annual report of the Builders' Registration Board has been tabled in the House, and I understand that the 1985 annual report will be tabled within the next few weeks. The information contained in the report relates to the metropolitan area and it indicates that the board has one senior inspector, four other inspectors, office staff, and a registrar.

Contained in the report is a heading, "Schedule of 'Orders and Notices to Remedy' issued", and it shows that the following orders were issued in the respective years—

1983—247

1982—262

1981—255

1980—242

The above figures show that there has been a steady pattern in relation to the number of orders and notices to remedy which have been issued for faulty work.

The report shows also a schedule of orders for payment and a schedule of fines and costs imposed. In 1980 the board received \$3 213 by way of fines and costs which were imposed; that is, approximately \$2 000 in fines and \$1 000 in costs. In 1983 an amount of \$1 360 was received in fines and \$843 was received in costs.

Other headings in the report include, "Board Enquiries", and "Amendments to the Act 1983". A balance sheet, a list of the members of the board, and the number of builders who are registered with the board are also included. Mention is also made about the 1983 courses and examinations which were held. Members

are aware that all this information can be updated by way of questions.

What interests me about the Builders' Registration Board is that it provides an outlet for me when I receive complaints from my constituents. Country members may not receive complaints, but it does apply to city members. I am able to refer my constituents to the board; and I have received telephone calls from them stating that the board has been able to assist them.

Members have made great play about wanting this type of information on the spot and I appreciate the fact that the Minister would not have such information at her fingertips.

I do not see any reason for delaying the Bill. I have given members some information and have advised that the 1985 annual report will be tabled in the House in a few weeks' time. I am sure I have given sufficient information to members to allow the Bill to be passed through this Chamber.

Hon. MAX EVANS: If this legislation is passed, the administration costs of the board will be increased when one takes into account labour costs. I appreciate the fact that the Government is trying to control costs.

Hon. H. W. GAYFER: Hon. Fred McKenzie has given this Chamber a great deal of information about the 1983 annual report and has advised that the 1985 report is due any day. He has raised another argument. The Minister has her adviser at the Table tonight, and surely the information to be published in the report, which is due any day, is now available to the Minister. We should be given the up-to-date figures which must be available now, especially if the report is about to be tabled, if we are to take heed of Hon. Fred McKenzie's comments. No doubt the Minister has the information we require.

Hon. KAY HALLAHAN: I come back to why we are proceeding with this Bill and why the Opposition has indicated its support for it.

Hon. G. E. Masters: We might change our minds unless we are given the information.

Hon. KAY HALLAHAN: The Bill has the support of Government members, and I hope they do not have the problem experienced by the Opposition. Figures are available from the 1985 annual report. I make the point that it is not a feature of the Statute at present that the board is obliged to table its report in this Parliament; and I see that as a shortcoming. The Standing Committee on Government Agencies should be committed to rectifying this situation.

It is an historical circumstance and in spite of the fact that it is not a requirement for the report to be tabled, it will be tabled.

Members must keep in mind that to date the activities of the board have been confined to the metropolitan area. The 1985 figures show that there has been a disturbing increase in the number of actions taken by the board. For example, the schedule of notices of faulty or unsatisfactory work issued in 1983 listed 232; in 1984, 357; and in 1985 the number was 485. We have a significant increase. With regard to the schedule of orders and notices to remedy issued, in 1983 the number was 16; in 1984 there was a drop to 12; and in 1985 there was a substantial increase to 52. Again, that is a dramatic increase over three years.

The schedule of orders to pay as distinct from those to remedy, indicates that in 1983 three were issued, in 1984 three were issued, and in 1985 there was an enormous increase to 15.

I hope that paints a picture for members of what is happening in the documented cases in the metropolitan area. I am advised that in the country areas many people do not know where to go with their complaints and many go to the Department of Consumer Affairs. I understand the office in Bunbury receives many complaints and has a high caseload of building problems. That again is indicative of the problem which occurs when people do not have the structures which make a remedy available to them.

Hon. Max Evans raised the point, which I thought I had clarified, that cost is a factor. The cost will be minimised because the local authorities will carry out the inspection work. That will eliminate the problem of people travelling around the country making inspections. Where a conflict of interest arises the board's examiners will be used, but again that aspect will be monitored. As I have said, a request has been received from Geraldton and Kalgoorlie to extend the legislation to those areas. However, we shall not be in a position to offer that until we know how this model works out. Cost will be a significant factor in monitoring this exercise.

I hope that together with complaints that have been made through the Department of Consumer Affairs that indicates to members the level of complaints and the increasing nature of complaints with regard to the building industry.

With regard to the court cases on which Hon. Colin Bell asked a particular question, I advise that no data is available on these cases because they are the subject of private actions.

Hon. C. J. BELL: The fact remains that we are extending the provisions of the Act to a number of shires in the south-west region. A bland statement that a group of persons with a vested interest has asked for this extension does not answer my question. I sought some indication as to whether consumers have asked for this legislation to be extended.

I know the area reasonably well, having lived there for some 40 years, and development in the area is growing. However, it seems strange that the Capel Shire, which is in the middle of the region, is not participating. It is one of the growing areas with regard to development because it is close to the perimeter of Bunbury, yet the council has opted not to be involved. Perhaps it has not received complaints, although that would be strange if it is supposed to be a high complaint area.

I understand from Mr McKenzie that the number of staff would be one plus four, and from the Minister's response I gather that there were approximately 67 successful actions on behalf of the authority last year, 52 to rectify and 15 to pay. Let us look at whether there is a need for it. Where is the efficiency?

I have some concern to make sure that the consumer is protected but not at any cost. Let us make sure that the cost is reasonable and consider whether there may be a better way of doing it. For instance, what about the self-insurance scheme which operates in Victoria? We need to justify taking this legislative action on the basis of protection and to consider the possibility of approaching the matter differently. Unless we have facts and figures on the areas talked about, rather than an application from a group of people with a vested interest, it does not make sense. I pursue the point made by Hon. Sandy Lewis; the Minister should give us the reasons for extending the scheme.

Hon. V. J. FERRY: The further this debate goes, the more interesting it becomes. This Chamber has been denied a great deal of information which the Government should have supplied at the outset, particularly during the second reading speech. It is apparent that the Chamber is short of facts and the Government has been negligent in not supplying them. It is also apparent from the debate on clause 1 that

there is dissatisfaction with the handling of this legislation.

During the second reading debate I referred to the fact that there is to be a review of the Builders' Registration Act, as the Minister has acknowledged, yet we still have this mess. The Minister has endeavoured to provide information at this stage, but it is not appropriate at this hour to consider these bits of information which have been dragged out one by one rather like a dentist pulling teeth. It is not good for legislation to be handled in that way.

In order to assist the Government and the Minister I suggest she report progress until the next sitting day to allow further information to be presented to members. Members require a great deal more information, the replies are not satisfying the queries; the Minister is coming up with odd bits of information which are being researched at the moment. It is not fair; we deserve a better response from the Government. To be fair to the Minister and the Government, the Minister should consider reporting progress.

Hon. KAY HALLAHAN: I wonder whether Mr Ferry wants to go back to his electorate and say that he does not believe the people in his area need protection in the building industry. That is what we are facing. There is no question that people believe that the Builders' Registration Board provides a measure of protection for people and a forum for them to go to.

Contrary to what Mr Bell said, 552 complaints were dealt with in 1985. The number of faulty or unsatisfactory work orders issued was 485, there were 52 orders to remedy, and 15 orders to pay. That makes a total of 552 actions as a result of the board's ability to pursue matters.

We seem to have this glorious way of ignoring the third level of government, and I stress that those shires participating believe it would be of such benefit to the people living in their areas that not only have they agreed to the extension of the scheme but also they will be actively involved in implementing it.

Hon. N. F. Moore: Did they initiate it or the Government?

Hon. KAY HALLAHAN: Does it matter? They are saying that it is significant. Has the member ever tried to get shire councils involved in putting in their resources if they do not believe a scheme is worthwhile and necessary?

In fact, it was initiated by the Government.

Hon. N. F. Moore: They did not come rushing to you to implement the legislation?

Hon. KAY HALLAHAN: I do not know whether that is particularly significant. It is significant that they are prepared to have their staff involved in assisting with the complaints procedures. Therefore, it must be a worry to them. It would provide some structure whereby they could redress those problems.

I personally do not see the point in reporting progress as the matters raised with regard to statistics from that area are not available because the mechanism has not existed. We have complaints to the Department of Consumer Affairs. The Housing Industry Association and the Master Builders Association are supporting the extension. I would have thought those things were significant in themselves.

I do not understand the tack that members are now taking when they say this is not significant, is not required, and will not be an added protection for people living outside the metropolitan area. I am amazed that country members are not pleased to have some added protection for their constituents.

Hon. V. J. FERRY: The Minister has just said I am likely to go back to my electorate and tell my constituents that they cannot or should not have protection. I did not say that at all. If she likes to check my speech she will see that I said I would not vote against the legislation and I still will not be voting against it. I remind the Minister and the Chamber that in my province some of the local authorities are in favour of the change. I respect their judgment. There are some others who will not have a bar of it. I respect their judgment.

Hon. Tom Stephens interjected.

Hon. V. J. FERRY: That is a peculiar comment. I am relating the situation to the province I represent. It is factual; it is not a figment of my imagination. I am putting the proposition that some local authorities are for it and some are not. What is wrong with that? Is someone very sensitive?

Hon. T. G. Butler: It is not being forced on those who say they do not want it.

Hon. V. J. FERRY: If the honourable member wishes to contribute, he is welcome. All members have a chance to say something. It would be very refreshing to have some new members contribute to the debate now and again. I hope that will be the case. This is perhaps an opportunity for them to do that.

I remind the Committee that the legislation is not universally accepted. There are remedies for some building misdemeanours. Hopefully, this will be effective under the legislation when it goes through. The Minister need not have any worries that the legislation will not go through. The Committee has indicated it will support it; but it is the way the legislation is proceeding that concerns us. This Chamber has been provided with little information. It is not unreasonable that members of Parliament be supplied with appropriate information. Irrespective of what local authorities, private individuals, master builders, or the Minister think, this is the Parliament and we have a responsibility to look at it our own way. No-one will deny us that.

In view of the late information which the Minister is endeavouring to supply, it is difficult to fully comprehend all the facts. I thank her for trying, but with all the facts and figures it is not easy to make a thorough assessment. I am sure more information could be supplied. I suggest, the Minister report progress, and adjourn the debate.

Hon. NEIL OLIVER: I am interested in the comments the Minister made regarding the participation of local authorities. That is the essence of the Victorian legislation and the entire national housing scheme in the United Kingdom. It operates totally through local government. In this State, the industry is in disarray because the building by-laws under which housing in Western Australia are constructed is administered by the Local Government Act. At the same time, we have consumer protection administered by the Builders' Registration Act.

I refer to the A.B.S. figures. One has to take them in perspective. I can understand the figures escalating because the Premier is proud of the amount of new housing commenced. I have been told many times by the Premier how well we are doing. It does not matter whether one is talking about financial years or calendar years. I refer to the A.B.S. financial years from 30 June 1983 to 30 June 1985 in the Perth statistical region. I prefer to deal with housing commencements rather than with approvals because, after being approved, some housing may not be commenced. In the year commencing 30 June 1983, 7 844 houses were commenced. I do not know what the percentage of complaints was at that point. The Minister now brings us up to date with her figures. Housing commencements in 1984-1985 were 13 096. That is an 80 per cent increase. I hope the Department

of Consumer Affairs would not go out and say there is a tremendous increase in complaints in the building industry based on the statistics when one takes into account there is an 80 per cent increase in housing commencement. The figures would be distorted otherwise.

The building industry is not like the Ford Motor Company's assembly line. The subcontracting system, as some members would know, means that greater hours are worked or greater distances travelled. Productivity increases and then declines. It goes backwards and forwards depending upon the level of activity. In an area of high level activity the amount of skilled labour would deteriorate. I would not want the Press to even take the figures the Minister is quoting because they could give a wrong impression.

I am also interested as to whether the Minister has consulted with the Housing Industry Association.

Hon. Kay Hallahan: Yes.

Hon. NEIL OLIVER: I refer to the country areas. I quoted figures for the Perth statistical area but the whole of Western Australia, for the years 1984-1985, only includes about 25 per cent of dwellings from the north of the State—including the private sector, public sector, and flats—that is, 4 700. We know that the permanent country builder has to perform to stay in business. It is the guy who flies in and flies out whom we need to control. That is the reason the local government authorities are approaching the Government. They are not worried about their permanent people and their fathers before them. I know of at least two or three building companies in Bunbury in which the third generations are now the principals of companies.

There could be a problem here, but I would return once more to bureaucracy. I put it to the Minister that local government is going to undertake the inspection, but local government already has building surveyors and inspectors. Local government inspectors are responsible for making sure the footings are properly installed and the raft and the compaction test is satisfactory. Now I presume that is going to continue.

In addition to that, an engineer's certificate is required for compaction. Every house built in Western Australia will require that certificate under the building by-laws. At this stage building surveyors and inspectors are looking at roofs being pitched prior to cladding, bricks being laid, and so on. They are wandering

around checking sites while sewerage inspectors, health inspectors, drainage inspectors, and the State Energy Commission inspectors do their respective jobs. In the case of the SEC, all the electrical wiring is tested in the house before a certificate of occupancy is issued. I do not know how many more inspectors are involved, but I am quite certain there are.

I just want to know where we are going in respect of this matter. The figures quoted are very interesting, but I would like to know the percentages involved because I am disturbed that they are escalating. I wonder, however, whether they have escalated in relation to commencements or completions.

Hon. C. J. BELL: I return to the question which Hon. Vic Ferry asked quite fairly: What are we working on? These shire councils have made the decision, and that is their right. On receipt of a communication from the Government they have decided they will seek to join the area covered by the Builders' Registration Act.

Surely the councils must have some basis on which to make that decision other than the fact that it is just a good idea. I would like to know because the Shires of Capel and Waroona and peripheral Shires of Boddington and Augusta-Margaret River have decided not to join in. I would have thought one or two of those shires would have been more likely to have had problems than some of the shires which have recently joined.

There are some areas in which one could well see some undesirable activities. I would have thought the shires would have had some basis for joining. I hope the Minister has had some communication with the shires as to why they are dissatisfied with the current situation.

I would like to know whether that is indeed the case. Secondly, I would like to know what other areas have been reviewed. The Minister has indicated that there will be some further review of this Act at a later time. However, we already have the Department of Consumer Affairs, in addition to this Act, and yet we are now looking at doing something differently at some future time. I would like to know some of the answers to the matter. There must be some figures somewhere which indicate why shires should join in this, other than just keeping the department's officers occupied. I am sure, knowing most shires, that their officers can be kept so busy that they will not do something for no good purpose.

Hon. KAY HALLAHAN: I thought the point raised by Hon. Neil Oliver was quite valid and interesting. The increase in the schedule of notices of faulty or unsatisfactory work issued is in the order of 33 per cent over 1984 to 1985. On the schedule of orders to remedy issued over 1984 to 1985, there was a 400 per cent increase. On the schedule of orders to pay there was a 500 per cent increase.

These are valid figures. Personally, I think the level of complaints is small. However, in respect of faulty work, it is significant because it is 33 per cent up. In fact from 1983 to 1984 there was a 100 per cent increase and then it climbed another 33 per cent in 1985. Hon. Colin Bell made reference to some other local government areas which may have been included and were not. A geographical area was designated, and out of those shires that were approached, Boddington, Capel and Waroona chose not to be in the extended area, so the other areas to which Hon. Colin Bell referred to were not considered for this particular extension.

Probably we are looking at Boddington and Watheroo having lower building rates compared with the other shires. It is interesting that the shires which decided to join in generally have the higher building activity. That indicates that they are getting complaints and that it was worth their while going into it. I have never known local government authorities to go into something without a fairly hard-nosed appraisal of the worth of the resources that would be used in going into it. It is an interesting point that Hon. Neil Oliver has made in respect of local government in other places. Maybe this will set a trend in Western Australia too, but again that is why it is an interesting model to monitor, and to see whether it will be a workable one.

I come back to the principle of the Bill. There has been wide consultation. I did make the point that it does have the support of the Master Builders Association, the Housing Industry Association and the local government authorities, and it does have the support, needless to say, of the Department of Consumer Affairs. These organisations are the ones which receive a lot of the complaints at present. While one can say that there is a vested interest here, and I think Hon. Colin Bell referred to that, it lies in maintaining standards. That is, it is in the interest of our constituents and consumers getting better quality products. As has been said, it is not just an ordinary product we are

talking about probably the largest investment that most people make.

I would say to members there is no desire on my part to withhold information on why this is being proceeded with. It is certainly an area of activity which is attracting a lot of complaints in the metropolitan area. The complaints from the country areas suggest that there is a demand there and we are being asked to consider—and members no doubt will be confronted with that next year—the coverage of other country areas. There is no question of it being an idly conceived or ill-conceived notion. It is a matter of the very gravest concern to people who have a shoddily built house. There is nothing more devastating for a family than to have a building that is shoddily built because it will give them heartache for the next 25 years or so. We are not dealing with something that is a very light issue in our community.

Hon. NEIL OLIVER: I asked a question of the Minister before the tea suspension and possibly she is now in a position to answer it. It deals with owner-built homes and I ask whether they are encompassed in this current legislation? What actually occurs? I know the Australian Taxation Office is naturally interested in people who are building homes which they call "Owner-occupied" but which they sell in a short space of time. How is this covered now under the six-year limitation under the Act?

Hon. KAY HALLAHAN: The existing Statute will continue to apply under this amendment, which does not interrupt it at all. It applies as it stands.

Clause put and passed.

Clauses 2 to 4 put and passed.

Clause 5: Section 5A amended—

Hon. N. F. MOORE: This provides for the increase in the size of the board by an additional member, and that person is to be nominated by the Minister to represent the interests of builders within the new area to be covered by the board. The Master Builders Association has written to the Opposition and suggested it should be able to nominate the person to go onto the board rather than the situation in the Bill where the Minister simply appoints a person to represent the interests of qualified builders. The MBA has suggested it should make the nomination, and the person should be a registered builder.

My first question is whether the Government is prepared to accept the MBA's view that the person ought to be a registered builder and that he should be nominated by the MBA or the Housing Industry Association—it may have the same view, but this request came from the MBA. If it is intended to expand the board's jurisdiction to places like Kalgoorlie and Geraldton will those areas also have a representative; or, alternatively, will the Minister reconsider the whole question of representation of country areas and have a person who will represent all country areas covered by the legislation? My final question is: Has the Government already decided who the person is going to be, and if so, who is he?

Hon. KAY HALLAHAN: The Minister has given thought to the issues raised by Hon. Norman Moore, and he no doubt has also been approached by the MBA. The Minister is not inclined to go along with its request because the MBA already has one person on the board. It is a small board, and it would perhaps give the association an undue influence in the discussions. The Minister has said he is committed to consulting widely in the housing building field beyond the MBA. He made the point that the HIA may have some thoughts about this matter, too. I can see the point the Minister has raised; it would be inappropriate to have one body with two representatives on a fairly small board.

There would certainly be a recognition that the additional person from the country should be a registered builder. Nobody is in mind for the position at present, but the Minister has undertaken to consult widely on it. With regard to the legislation being extended to other areas, it is not envisaged that the board would be expanded, but rather that a person on the board would have a representative view and interest and knowledge of building in country areas. That is the Government's view at present.

Clause put and passed.

Clauses 6 to 8 put and passed.

Clause 9: Section 10 amended—

Hon. N. F. MOORE: This clause talks about prescribed conditions which should be attached to the registration of a person in a country area that is to be covered by the board's jurisdiction. The Minister said in her second reading speech that it is currently proposed that the nature of these conditions could extend to imposing geographical limits on registration, the type of building construction that may be en-

gaged in, and the number of building projects which might be engaged in at any one time, with the power of the board to monitor these conditions by the provision of returns.

The legislation simply refers to "such prescribed conditions", and does not specify the sort of conditions that are referred to in the second reading speech. Can the Minister give a guarantee that the sort of conditions that can be attached to somebody's registration will be those referred to in the speech and that the Government does not have in mind other conditions not referred to?

Hon. KAY HALLAHAN: The conditions that are envisaged and have been raised with the MBA and the HIA are contained in a letter sent to the Builders' Registration Board. The first is the geographical limit of registration. That is envisaged because in the metropolitan area we have had a registration system for a long time and we will now be registering people who have not been registered under the system and they will perhaps not comply with the standards set by examination. It is a measure so that people who are registered in this extended area cannot necessarily come into the metropolitan area and build here. The second point made in this letter refers to the type of building projects; the number of building projects engaged in at any one time; and the power to require returns for the monitoring of those conditions. That is what is envisaged, and they are simply commonsense approaches to what will be the position in an area where registration has not applied.

Clause put and passed.

Clauses 10 and 11 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon. Kay Hallahan (Minister for Community Services), and passed.

STATE ENERGY COMMISSION AMENDMENT BILL

Second Reading

Debate resumed from 8 July.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [8.20 p.m.]: I thank the members who have participated in

this debate. I will attempt to meet the points of concern which have been expressed by the respective speakers.

Hon. Neil Oliver asked in the first place why there should in the future be an office within the Public Service to advise the Minister in respect of State Energy Commission matters. The answer to this depends, in the first place, on the recognition of the fact that the Minister is responsible for the commission, and, indeed, has become more responsible than previously with the implementation of the Financial Administration and Audit Act. In addition to that, the SEC has now reached a scale of operation of enormous significance to the State and in these circumstances the Minister is entitled to the benefit of a situation where the commission, in advocating certain courses of action to him, is not at the same time his only source of expert advice.

The scale of the SEC's operations will in general be understood by all members. I think I am right in saying that the turnover of the commission's activities is now \$1 billion per annum or will shortly reach that figure. There have been years when loan raisings by the SEC have actually exceeded the loan raising for the purposes of the State's own General Loan Fund. These are indications of the significance of the commission's activities in the affairs of the State and an indication why the Minister, given his responsibility, should have more advice, and independent advice, available to him apart from that emanating from the commission itself.

Much the same considerations apply to the different questions raised by Hon. Neil Oliver, and I think also by Hon. Mick Gayfer and Hon. Sandy Lewis which related to the new explicit authority proposed for the Minister in respect of the commission. That change, by the way, is probably not as great as it may appear at first sight. True enough, the SEC does have substantial independence from ministerial direction in formal legal terms. In practice, however, it is also true that that formal independence is substantially modified by a number of practical considerations. In particular, the review of the SEC tariffs is subject to Government approval and the enormous SEC capital works programme is, of course, dependent on State Government guarantees.

Hon. H. W. Gayfer: No ministerial approval?

Hon. J. M. BERINSON: The point I am trying to make as quietly and subtly as I can is that it is difficult to get a State Government

guarantee without the Minister giving not only approval, but also a certain amount of impetus.

Hon. H. W. Gayfer: I am sorry to interfere with the flow of your remarks.

Hon. J. M. BERINSON: Those matters aside, and as a matter of general principle there is no reason why the responsible Minister should not have the authority and capacity to exercise his responsibility. As I mentioned a moment ago, that view is now fortified by the increased responsibility placed on the Minister by the new Financial Administration and Audit Act. There is no reason to fear that that authority would be exercised other than responsibly.

In response to a question by Hon. Sandy Lewis I make it quite clear that there is no question that the amending Bill will authorise the Minister to intrude at any level of the commission's operations. Under proposed new section 10 the Minister's authority would only be exercised through the commission itself and not at any lower point in the line of authority.

Hon. H. W. Gayfer: It states that the commission "shall" give effect to that direction.

Hon. J. M. BERINSON: That is quite right, but I was responding to the question by Hon. Sandy Lewis who asked whether this amendment would permit the Minister to give directions on what one might call the operational level; that is, to instruct people down the scale as a Minister is able to do in the course of the administration of ordinary departments.

I am simply putting the point that the involvement of the Minister is at the commission level and can be expected, in the normal course of events, to relate not only to general questions and principles, but also to large projects and, on the other hand, not to the day-to-day administration of the commission's activities.

Hon. Sandy Lewis also asked whether the associate commissioners would be appointed in the same way as previously or whether it is proposed to appoint them on some sort of representative basis. The answer is that the proposal and indeed the terminology of the Act is to free up the discretion of the Minister and to leave that discretion at large.

In the course of my second reading instruction I did refer to the Solar Energy Research Institute and indicated that a review of that institute was under way. Hon. Neil Oliver asked me a number of questions arising from that comment and among other things he was interested to know the structure of that review and its anticipated date of completion. I can

respond to him by saying that I understand the review is under way. It is an internal review authorised by the Minister and there is no firm date yet established as to when the results of that review might be complete.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clauses 1 to 9 put and passed.

Clause 10: Section 12 amended—

Hon. H. W. GAYFER: At the close of the second reading debate the Minister gave an explanation of the need for more authority by the Minister. He said that this is what one should expect to lie in the realm of a responsible Minister. I have no objections to its lying in the realm of a responsible Minister; rather, I appeal to the Minister on the ground that the essence of the original State Electricity Commission Act was political pressure or weak ministerial direction. That caused the proviso giving utmost authority to the commission to be brought in.

The Minister tonight said that the Minister would not be instructing down the line and certainly not on the day-to-day operations of the commission. However, clause 8, designed to amend section 10, clearly states—

The Minister may, in writing give to the Commission a direction . . .

and the Commission shall give effect to the direction.

Thus the Minister may give any direction and the commission is obliged to give effect to that direction. Section 10 (5) of the existing Act is to be deleted. It states—

Where the Commission refers a question or matter to the Council for advice, the Commission may act notwithstanding that the advice has not been received, and where advice is received from the Council the Commission is not bound to act on or give effect to it.

In other words, the commission has the power under the existing Act to make up its mind as to where it will exercise the direction of its authority. The Minister does not have that power; it is left entirely to the commission.

That provision is in accordance with the 1945 speech made by Hon. A. R. G. Hawke. This is not the section I quoted the other night. The speech can be found on page 1344 of Hansard volume 115, dated 16 October 1945. I would like all members in the Chamber to listen to this, including the Leader of the Opposition, because I think it is very important. Mr Hawke said—

I hope there will not be any attempt made in Parliament in connection with this Bill to reduce the authority of the commission to such an extent as to place handcuffs on it, as it were, and thus give it no chance of functioning in the effective and successful way in which it will, I have no doubt, if given a full measure of the authority required.

That statement is as true today as it was then. I point out to the Minister that this is a specialised area. It is not something that should be thought up by some adviser or some other counsel, then be adopted by the Minister as a good idea. The Minister should not then use it as a political platform or for some other reason. This was laid down for the benefit of the State. Hon. A. R. G. Hawke, as Minister for Works, gave a very masterly speech in 1945 on the setting up of the State Electricity Commission. Similarly, that same Minister made another such speech a year later on the extension of the contributory water scheme. Thus he acted in a statesmanlike manner in putting forward the view that by no means should authority be taken away from the State Electricity Commission. Authority was vested in the commission in the best interests of the State. He had Dumas, I think it was, working for him at the time; he had the best man available and handed it over to him. We are now proposing to take away that sort of authority and give it back to the Minister. It is back in the political arena.

I am strongly opposed to placing authority in the political arena. I do not believe that the Minister has given me any reason why section 10 of the existing Act should be altered.

Hon. J. M. BERINSON: Many things have changed since 1945. In 1945, for example, I had a full head of hair and was happily engaged in studies which I enjoyed. I was not subject to pressures at this hour of night by people with a good memory and the research capacities of Hon. Mick Gayfer. That is only one example of the things that have changed. Many other things have also changed. The State is a different State; the SEC is a different SEC. Its scale

of operations is out of all proportion to anything that would have been conceived in 1945. Its draw, and its potential to draw, on the State's financial capacity has grown out of all proportion. Over that same period questions of accountability and responsibility have come to be magnified and the position we now have is that we have a Minister who is responsible both in principle under the system by which we operate and by Statute, and with a limited capacity to exercise those responsibilities.

In the course of the second reading debate, Mr Gayfer referred to the SEC and the Main Roads Department as two prime examples of authorities with a very high degree of independence. That is one way of describing them.

Hon. H. W. Gayfer: But it is true.

Hon. J. M. BERINSON: Of course it is true. One way of describing the truth of their situation is that they are prime examples of that.

Hon. H. W. Gayfer: Well, why destroy them?

Hon. J. M. BERINSON: There is another way of looking at that situation and that is to regard them as exceptions proving the rule. The rule currently is that there has to be a higher degree of accountability at the political level, and that carries with it a higher degree of responsibility. That should not be reflected by maintaining a position which may, for all I know, have been the ideal for 1945, but which does not apply generally over the whole range of Government activity, whether departmental or by way of statutory authority; rather, the position is that the general rule applying elsewhere should apply also to the State Energy Commission. That is the point that we have reached and that is the point of this amendment. We need very much more than the support of the history of the current position, in my view, to oppose the view that it is now time for a change.

I clarified a point I made about the Minister's line of authority in respect of the commission. I was not attempting to say that his authority would be limited. I stress that I was responding to the question by Mr Lewis who was asking about the commission's contact with the authority. He asked if the contact would be as it is now, or would there be a capacity to go down the line of authority and issue instructions at the operational level.

Hon. H. W. GAYFER: In passing this clause we will get into an entirely new era as far as the administration of the SEC is concerned. District offices could be closed and other district offices in other places could be altered purely

and simply by direction of a Minister for political reasons. This is happening now with the Water Authority.

I am fearful that fairness will disappear from the arena. This amendment can only bring about a worsening of the system as we know it. Once this is placed under ministerial control and direction, and the commission shall give effect to that direction, then we are on a downward path.

I am amazed to find that this is happening, and I want to know why. I do not accept anything that I have been told so far. Hon. A. R. G. Hawke was a very wise and crafty man—I pay homage to him—but I have no great respect for this Government which seeks to alter the original intent to keep it out of that ministerial direction and out of the political arena. Whether we like it or not, what we do tonight will give this power back to ministerial and political control, and I disagree entirely with the amendment in the clause.

Clause put and a division taken with the following result—

Ayes 18

Hon. C. J. Bell	Hon. Garry Kelly
Hon. J. M. Berinson	Hon. B. L. Jones
Hon. J. M. Brown	Hon. G. E. Masters
Hon. T. G. Butler	Hon. N. F. Moore
Hon. D. K. Dans	Hon. Mark Neville
Hon. Graham Edwards	Hon. P. G. Pandal
Hon. Max Evans	Hon. Tom Stephens
Hon. Kay Hallahan	Hon. Doug Wenn
Hon. Tom Helm	Hon. Fred McKenzie (Teller)

Noes 9

Hon. J. N. Caldwell	Hon. P. H. Lockyer
Hon. E. J. Charlton	Hon. Neil Oliver
Hon. V. J. Ferry	Hon. D. J. Wordsworth
Hon. H. W. Gayfer	Hon. Margaret McAleer (Teller)
Hon. A. A. Lewis	

Pairs

Ayes	Noes
Hon. Robert Hetherington	Hon. W. N. Stretch
Hon. S. M. Piantadosi	Hon. Tom McNeil

Clause thus passed.

Clauses 11 to 16 put and passed.

Clause 17: Section 28 amended—

Hon. NEIL OLIVER: I presume this clause is relevant to the Energy Advisory Council. I am still somewhat confused, because I realise what the Minister has said, and that is by removing this from the commission, the Minister takes on this responsibility and has an advisory body. At the same time where is the commission left in regard to its energy and research position?

The Act provides for energy advisory and related matters. That is now removed because the Minister must be advised so that he is in a position to know what the commission is about. Surely there must be some replacement to enable the commission to continue its research—or is that an ad hoc arrangement?

The DEPUTY CHAIRMAN (Hon. John Williams): Order, please! There is far too much audible conversation.

Hon. J. M. BERINSON: This is a general provision which empowers the commission to provide financial or other assistance to any committee or body established by the Minister to provide recommendations on energy-related policy and planning matters. Such bodies can be established in a number of ways and for a variety of purposes.

Hon. Neil Oliver: You gave me the reply when you concluded the second reading debate.

Hon. J. M. BERINSON: I was intending to refer to that. It seems I need go no further.

Clause put and passed.

Clauses 18 to 24 put and passed.

Clause 25: Section 61 amended—

Hon. NEIL OLIVER: This clause deals with a matter which has been a considerable problem for local authorities in my province, and Hon. Gordon Masters previously introduced a private member's Bill to try to overcome the matter. I refer the Minister specifically to lines 27 to 32 of the clause. Where does the responsibility now lie? Is a local authority to undertake the works on behalf of the commission and then be paid accordingly, or is it still to go through the situation where the commission lumbers through an area logging everything right and left? I know of examples where in a subdivision the surveyors have pegged the centre line of a road but then, in order to save some excellent vegetation, perhaps some saplings, the centre line of the road has been resurveyed to retain those saplings. However, after the road kerbs and so on have been completed, the SEC workers arrive and put up their poles and immediately remove the saplings in the process. What is now intended?

Hon. J. M. BERINSON: I am not sure that this clause addresses the problem to which Mr Oliver has referred. I will indicate the purpose of it and then perhaps he will be able to suggest whether he wants to take the matter further.

This amendment is regarded as necessary to remove legal doubts as to the commission's obligations to deal with vegetation interfering

with special systems. The amendment attempts to remove this doubt and place the obligation on the commission. This reflects commission practice regarding SEC lines. Agreements made prior to 1979 under the old legislation are also covered by this amendment.

In other words, the clause goes to the obligations of the commission in certain circumstances, whereas I understood the member to be raising a problem of a different sort.

Clause put and passed.

Clause 26 put and passed.

Clause 27: Section 67 amended—

Hon. J. M. BERINSON: I move an amendment—

Page 17, lines 9 to 19—To delete the proposed subsection (4) and substitute the subsection following—

- (4) Where upon any complaint brought pursuant to subsection (1) in relation to any premises or any part of those premises it is shown—
 - (a) that there was present in or about any relevant service apparatus any means enabling, or capable of enabling, any offence alleged in the complaint to be committed; and
 - (b) that the alleged offender is the person liable to the Commission for the payment of the charges relating to those premises or that part of those premises,

an inference exists that the offence was committed and that the offence was committed by the alleged offender, but the alleged offender shall be at liberty to show that the inference in the particular circumstances should not be so drawn, and in considering the weight to be given to the evidence the Court shall regard such an inference as raising a presumption of law.

During the Committee stage of this Bill in the Legislative Assembly the Minister gave an undertaking to consider clause 27 as originally drafted to see whether it could be better expressed. Parliamentary Counsel has therefore now prepared the new provision which retains the substance of the amendment but as clarified from a drafting point of view in terms of this amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 28: Section 67A inserted—

Hon. NEIL OLIVER: I interpret new section 67A (1) as follows: If a person leases a property to a lessee and that lessee proceeds to become a customer of the State Energy Commission, accounts are rendered to that person who pays the accounts and continues to enjoy the use of that property. Suddenly the lessee leaves the premises, does a midnight flit—incidentally, it happens a lot in private enterprise and people have to accept—

The **DEPUTY CHAIRMAN** (Hon. John Williams): Order! Would the honourable member address his remarks to the clause, please, and not make asides?

Hon. NEIL OLIVER: Thank you, Mr Deputy Chairman. I was just pointing out that it happens in private enterprise that people vacate premises without honouring their commitments and become "address unknown" and their bills constitute a doubtful debt which may become a bad debt.

This clause states that the SEC, a monopoly in its own right, can say to any owner or lessor, "Good luck to you, fellow, but if your lessee should ever leave without paying his or her account we will come to you for payment of that account." If the intention of the legislation is to promote and make the commission somewhat independent so that it operates in a more commercial manner, the owner should not be liable for expenses incurred by the occupier. Like many of us, the Minister is a lessor and he would not like to be placed in this situation.

I experienced a similar situation with Telecom. I went to pay the Telecom account which was in the name of a lessee and was told, "Sorry, we do accept a few bad debts. It is not your obligation to pay the account." I have not drafted an amendment, but I find that proposed section unsatisfactory. I ask the Minister to comment on it because he would have had experience in these matters. I certainly do not believe he would like to be placed in a situation of having to meet the commitments of tenants.

Hon. J. M. BERINSON: Hon. Neil Oliver is not giving proper weight to the qualifying clause, namely the words, "unless the name of the occupier of the premises or of the relevant part of the premises has been notified to the Commission". This does not mean, that the mere fact that a lessee leaves premises in debt makes the lessor liable to pay that debt; it re-

quires that the lessor should adopt the quite normal practice of requiring the SEC account to be put in the lessee's own name.

Hon. H. W. Gayfer: If he complies with that part there is no obligation to go back to the owner?

Hon. J. M. BERINSON: It is clear. The qualifying clause could not mean anything else.

Hon. NEIL OLIVER: If that is the case, in law how does the Minister relate section 67A (1) separately, because there is no obligation? The occupier of that part of the premises shall be liable to the commission in respect of any damages, so I presume that in that case even if the lessee cannot be found the commission will take full responsibility for the apparatus which is the property of the commission irrespective of whether the commission has been notified. This will be covered under new section 67A, so are they to be taken separately or jointly?

Hon. J. M. BERINSON: I am sorry. Would the member mind repeating that? I am not sure if I got the point of the honourable member's question and it would help me if he could put it to me again.

Hon. H. W. GAYFER: The Minister is quite right. The matter is clearly spelt out in the Bill and I withdraw my previous objections.

Clause put and passed.

Clauses 29 to 31 put and passed.

Clause 32: Section 72 substituted—

Hon. J. M. BERINSON: I move an amendment—

Page 23, lines 5 and 6—To delete "or a prescribed Act" and substitute the following—

a prescribed Act or a prescribed Commonwealth Act

Line 21—To delete "or".

Line 23—Delete "divulged." and substitute the following—

divulged; or

After line 23—To insert the following paragraph—

(e) producing a document, or divulging information, that is relevant to those proceedings in any industrial tribunal established under an Act or Commonwealth Act.

As a result of representations made by the Municipal Officers Association of Australia, the Minister for Minerals and Energy has, on advice, accepted that the provisions as to

secrecy of information contained in clause 32 of the Bill have the potential to make a person liable for prosecution if he were to divulge information or produce a document to an industrial tribunal established under Commonwealth legislation. This was not the Government's intention. Accordingly, the amendment to overcome this potential problem has been prepared by parliamentary counsel.

Amendment put and passed.

Hon. NEIL OLIVER: My interest lies in the first words of the clause:

Subject to section 31, the principal Act is amended by inserting a new section 72 as follows—

This relates to secrecy and unauthorised use of information.

I refer specifically to line 18 of clause 32. The words "a person who is or has" appear on the next four pages of the Bill which relate to court proceedings, tribunals, divulgence of information, etc. Is it reasonable to apply this clause to any employee who has been associated with the commission in any way? How far-reaching is this clause when it includes officers who have served with the commission in the past?

Hon. J. M. Berinson: Are you asking how far it goes in terms of being retrospective?

Hon. NEIL OLIVER: Yes.

Hon. J. M. BERINSON: This clause could only be retrospective in a rather unusual sense of the term in that it applies to people who have previously been appointed to one or other of the listed positions. In other words it is designed to catch not only members of the commission or employees of the commission who are appointed in the future, but employees and members of the commission who have previously been appointed. I am not even sure if one can regard that as involving retrospectivity; I think that is probably misusing the term.

It does not apply retrospectively to information improperly divulged so that, although it applies under proposed new section 72(1) to persons who have previously been members of the commission, it only makes an offence of the act of recording or divulging from the operation of this Act.

Hon. C. J. BELL: This clause concerns all of us. I accept the points made by the Attorney General. Nevertheless, there is no limitation on it. A person of 30 years of age who has just been appointed to the position could be tied to this provision for the next 30 years. He would

be debarred effectively from releasing any information which may be decreed to be unauthorised information and subject to the secrecy provisions decided by the commission.

Hon. J. M. Berinson: What is wrong with that?

Hon. C. J. BELL: There has to be some sort of limitation. It is almost worse than the Nuremberg trials, which had a 70-year limitation.

Hon. J. M. Berinson: I do not understand that point. You are aware that public servants are required to maintain information that comes into their hands as confidential for an indefinite period.

Hon. C. J. BELL: I accept that. This case is somewhat different. There is a community acceptance that, after a period, some things are disclosed. Governments are often embarrassed by disclosures. However, those disclosures do not seem to be covered by the same penalties as are provided for in this clause, which includes a fine of \$2 000 or imprisonment for 12 months or both.

Hon. J. M. BERINSON: I confess that I am taken by surprise by this objection. It is a well-established principle that officers of the Public Service are required to maintain the confidentiality of information indefinitely until it is determined that sufficient time has passed for the archives to be opened or for records to be made available. There is nothing draconian or Nurembergian about this proposal. I regard it as a proposition in the normal course of events for this institution.

Hon. NEIL OLIVER: I could understand this provision applying to an employee of the commission. I could also understand it applying to employees of the Public Service. However, I often wonder where this goes when related to the Freedom of Information Act and whether it contravenes that Act. The provision could refer to advisers. Does it apply to consultants such as Price Waterhouse?

Hon. J. M. Berinson: Why should they be exceptions to the rule?

Hon. NEIL OLIVER: For how long does it apply? Advisers could be asked to assist in solar research, for example. Are those advisers subject to this provision? Where do they stand in relation to information that may have been obtained from the commission which used their knowledge and their research to develop a commercial proposition?

Is there some indemnity that people could sign when the commission or consultancy is completed under which they will be released? It is almost like having a limitation on the building of a service station for six years if a person has already been involved in the sale of a service station on the opposite corner. Under this arrangement I do not know how long the limitation will last.

Hon. J. M. BERINSON: Every day professionals such as lawyers and accountants, and I include Price Waterhouse among them, face the situation that one member of the firm may have information that would create a conflict of interest were he to undertake other work. I understand that there are very well developed procedures for quarantining certain sections of larger firms from the activities of others to add to the precautions against that occurring. That does not mean, however, that these people regard themselves as free to share confidential information which has come to their knowledge in the course of their professional activities.

This new section is seeking to prevent the improper disclosure of information. It does not prevent that disclosure, for example, in the specific instance where the prior permission of the Minister has been obtained. It is looking to the protection of confidential information and it is doing so in the same way as the Public Service does regularly and, indeed, as the Companies Code itself provides in respect of commercial activities.

There is nothing out of the ordinary here nor is there anything to suggest that there will be an indefinite barrier on the sharing of information which can properly be shared. This is directed solely to the improper disclosure of confidential information and is in keeping with practices which I suggest to the Chamber are very well understood.

Hon. C. J. BELL: I have one quick question to ask the Attorney General. On page 21, line 30 what does the word "terajoules" mean?

The DEPUTY CHAIRMAN (Hon. John Williams): It is a measure of electrical power.

Hon. J. M. Berinson: It is a measure of electrical power.

Clause, as amended, put and passed.

Clauses 33 to 42 put and passed.

Schedule put and passed.

Title put and passed.

Bill reported with amendments.

LAND AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon. Kay Hallahan (Minister for Community Services), read a first time.

Second Reading

HON. KAY HALLAHAN (South-East Metropolitan—Minister for Community Services) [9.25 p.m.]: I move—

That the Bill be now read a second time.

Under part V of the Land Act, farm leases should be fully fenced on surveyed boundaries before being eligible for freehold title. There is limited ministerial discretion to waive this requirement when a boundary fronts a river or other natural feature.

Prior to 1972, internal fencing of cleared and cultivated areas was also required under the Act. These requirements were removed from the Act in 1972 leaving boundary fencing as the only fencing requirement for freehold title. Under the present legislation, fencing must be on surveyed boundaries and there has been increasing pressure from farming communities and organisations, and conservation groups to amend this requirement. In fact, such representatives have been supported by the Department of Agriculture.

The need to revise the requirement has increased through the introduction of initial development plans for new land farms which encourage the lessee to leave windbreaks and shelter belts adjoining property boundaries. Land Act and initial development plan requirements can conflict and lead to either expensive double fencing or a reluctance by the farmer to observe windbreak-shelter belt recommendations.

The need for the continuance of these prescribed fencing provisions can be questioned considering that a lessee is not compelled to boundary fence a property until freehold title is sought. In some cases, it could be up to 25 years from the commencement of the lease before freehold is sought. It should also be noted that once freehold is granted there is no statutory jurisdiction under the Land Act to ensure the maintenance of that fencing. To overcome the problems in adhering to the present fencing requirements under part V of the Land Act, I commend the Bill to the House.

Debate adjourned, on motion by Hon. D. J. Wordsworth.

LITTER AMENDMENT BILL*Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [9.28 p.m.]: I move—

That the Bill be now read a second time.

The Bill seeks to amend the Litter Act by increasing the membership of the Keep Australia Beautiful Council from 12 to 15 and by providing two amendments to the enforcement powers of the KABC.

The Government is of the view that the membership of the KABC should be increased to provide for a wider representation from the community as well as from industry, local government, and departmental sectors. To achieve this, the Bill provides for the replacement of a nominee of the Tourism Commission by a person nominated by the Department of Conservation and Land Management, and the addition of members from the Trades and Labor Council, the Conservation Council of Western Australia, and a person representing the interests of persons as consumers. All other industry, local government, and departmental representation will remain unchanged.

The Bill also includes an additional power for an authorised officer to require the owner of a vehicle to identify who the driver of the vehicle may have been at the time a littering offence has been committed. This new power will assist the KABC in carrying out enforcement action where litter is seen to be ejected from motor vehicles.

A further minor amendment is to extend the period in which the KABC can take action to issue an infringement notice.

At present the council has only 14 days from the time an offence is alleged to have occurred to carry out its investigations and issue an infringement notice. A period of 30 days is considered more reasonable, which is in line with the present time period for the issue of parking infringement notices.

The final amendment is a small change to the definition of "litter" to improve its application. This makes it clear that litter includes any material abandoned or unwanted by the owner or person in possession of it and that

litter can also include products which are produced as a result of industrial operations.

Honourable members may remember previous statements the Minister for Local Government has made in relation to the controlling of junk mail deposited in letterboxes. It had been the Government's intention to legislate this session to give some protection to persons who erect "no junk mail" signs. This action has now been deferred as it has proved difficult to draft satisfactory legislation. It would also appear that distributors are now generally refraining from putting this type of material in letterboxes where they see these signs. The Government is hopeful that the distribution industry will continue to respect the right of individuals who do not want this material, and it will continue to monitor very closely the success of this self-regulation.

I commend the Bill to the House.

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

HOUSING LOAN GUARANTEE AMENDMENT BILL*Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. Kay Hallahan (Minister for Community Services), read a first time.

Second Reading

HON. KAY HALLAHAN (South-East Metropolitan—Minister for Community Services) [9.33 p.m.]: I move—

That the Bill be now read a second time.

The Housing Loan Guarantee Act, since its inception in 1957, has played an important role in making it possible for people of moderate means to enter into home purchase arrangements. By means of a Treasurer's guarantee, institutional loan funds which otherwise may not have been available for housing have been obtained by terminating building societies.

Apart from the institutions such as banks and insurance companies being guaranteed against any loss, the societies making loans to individuals are also indemnified against any loss as a result of foreclosure action taken should a borrower not be able to continue to meet the monthly repayments.

This indemnity provision, which was introduced long before the advent of mortgage insurance through the Housing Loan Insurance Corporation and other private insurers, falls short of mortgage insurance inasmuch as

accruing interest after foreclosure, and costs relating to the sale of a property, are not covered in the indemnity.

Provisions in the Bill before the House rectify these anomalies and ensure that the same cover is provided under the indemnity as is given by mortgage insurers. The Bill also allows for this extended cover to be given for both new and existing indemnified loans.

The additional cost to the Government is expected to be minimal, and especially as the State, in believing that it had a moral obligation to meet losses incurred in good faith by the building societies, has effected payments by way of *ex gratia* payments.

Since 1957 the cumulative total of guarantees issued is \$102 million, and during the same period \$30 369 has been paid out to meet indemnity claims.

As a means of reducing ingoing costs to home purchasers with loans advanced through the home purchase assistance scheme administered by terminating building societies, the indemnity cover under the Housing Loan Guarantee Act was extended by the State Government during 1985-86 to assist a further 520 low to middle-income families. This form of mortgage insurance given free of cost to the home buyers provided a saving of up to \$400 for each purchaser.

A further innovation of the State Government using the indemnity provisions of this Act was the deferred repayment loan scheme arranged with the permanent building societies at the beginning of 1986. This low-start scheme allows home seekers to borrow substantially more than is available for a standard loan, and provides loans to people who otherwise would not be able to enter into home ownership. To date more than 400 applications under this scheme have been received by building societies to assist in financing new or existing homes, and 285 loans have received final approval.

Further provisions in the Bill to make the indemnity cover equal to that given by mortgage insurers allows for terminating building societies to make loans on both new and previously occupied homes, and deletes the limit of a loan being confined to 95 per cent of the value of the house and land being financed.

In operation it is expected that only isolated loans will be made where the valuation-to-loan ratio exceeds 95 per cent. There will, however, be special cases where a higher ratio loan would be acceptable to house a suitable low-income

family. Similar high ratio loans with mortgage insurance are from time to time made by permanent building societies.

Provided the Treasurer first approves of the issuing of a guarantee or an indemnity, provisions within the Bill allow for the Treasurer to delegate his authority for the signing of guarantee and indemnity documents to the Under Treasurer or any other officer of the Treasury. This delegation of authority to execute documents is similar to the delegation provisions contained in the Industry (Advances) Act.

I commend the Bill to the House.

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

LOCAL GOVERNMENT AMENDMENT BILL

Second Reading

Debate resumed from 8 July.

HON. P. H. LOCKYER (Lower North) [9.36 p.m.]: I say at the outset that the Opposition generally supports this Bill.

I am very pleased to see this Bill coming before the House. In my opinion the provisions embodied in this legislation are long overdue, and their inclusion in the principal Act will do much to remove the minor anomalies which have existed for so long.

I am sure most members will agree that despite the difficulties which the Bill seeks to adjust, this Act has been a valuable Statute to have on the books. Its scope has been wide, and it has had extensive effects on most members of the community—lasting and beneficial effects—and over the years there have been few complaints.

In a State such as ours we must, at this time, look ahead and take into account the progress and development which is apparent all around us. We live in an affluent society, and it is up to us, as responsible legislators, to ensure that where anomalies and difficulties exist, those ills are remedied, and remedied as speedily as possible.

Hon. J. M. Berinson: This is the best speech I have heard all night.

Hon. P. H. LOCKYER: We all know that in some cases there is reluctance to make changes, but these are times of change, and if we are to have a functional flexibility we must be prepared to accept changes which are compatible with our policy concept, and which are to the benefit of all.

We must be prepared to meet the challenge. We must be prepared to accept criticism if the changes we propose may not at first glance appear popular.

I might say here that I consider we are in a better position to appreciate the full effects of this legislation than are those people who are without daily contact with these problems. It is necessary to have this continuing contact with the problems and with the people affected, in order to know just what all this means, and I can say that the effect is widespread and the complications many; but I also emphasise that in the long term the benefits will be far-reaching and will be welcomed by those on the receiving end.

Hon. H. W. Gayfer: What is the benefit of it?

Hon. P. H. LOCKYER: There are knockers in every society, Mr President, and this place is no exception. I am sure the majority of members will recall the occasion last session when a most unpopular Bill was being debated and all sorts of fears were expressed about what would happen if the Bill were allowed to pass. As members know, it went through after a very stormy passage, and what happened afterwards? It was accepted, even welcomed, and the effects can now be appreciated.

I consider the Minister is to be congratulated on bringing this matter to the House, and I have pleasure in supporting the Bill.

Members: Hear, hear!

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

LEGISLATIVE COUNCIL: COMMITTEE SYSTEM

Select Committee Report: Motion

Debate resumed from 8 July.

HON. V. J. FERRY (South-West) [9.43 p.m.]: I appreciate the support the Government has given in placing this motion on the Notice Paper. I look forward to a debate on the committee system at a later stage. I point out that the matter refers to an improved committee system for the working of this House. It is not

to be confused with electoral reform or to be associated with electoral matters. It is a case of improving the system of the workings of this House. I thank the Government for its support.

Question put and passed.

CONSTITUTION AMENDMENT BILL

Second Reading

Debate resumed from 2 July.

HON. G. E. MASTERS (West—Leader of the Opposition) [9.45 p.m.]: Although this Bill is very small and comprises half a page in substance, nevertheless it is a very important Bill and one that the Opposition strongly opposes. The Opposition will oppose it through all stages.

There has never been a more inappropriate time to increase Government spending, to increase bureaucracy and the size of the Government than the present time. If one looks at the newspapers, particularly this evening's *Daily News*, one can see from the cries and pleas of the Prime Minister of Australia, supported by all members of political parties across Australia, that there is a need for restraint.

Mr Burke, the Premier of this State, only a few days ago called for restraint from the private sector when he said that all people from the public sector, unions and the work force generally would need to tighten their belts, cut back and work together to improve the economy. That is very good as long as the Government of the day is prepared to accept those same restraints. If it means he is calling for restraint from everyone except his own Government, then people cannot take him very seriously. Those calls have been supported by his Ministers and by ALP members in this State.

Mr Berinson, the Minister for Budget Management, has made it quite apparent that the Government intends to exercise restraint in Government areas, yet at this time one would expect the Government to lead by example. Instead, it is introducing legislation which will impose more bureaucracy, more regulations and, above all, more cost to the overburdened taxpayer.

I find it surprising, after referring to *Hansard* of 1980, that Mr Dans should be handling this legislation. I was rather hoping that the Attorney General would be handling it. I know he is absent on Government business and has had a heavy night, but I wish he was here to listen to the comments I intend to make. One might see him scurrying to his office to seek refuge.

Hon. D. K. Dans: You know Mr Berinson is not like that.

Hon. G. E. MASTERS: I know that. It is worth reading some of the statements made by Hon. J. M. Berinson in 1980 about increasing the size of the Ministry. Those statements ought to be repeated to Hon. Joe Berinson and members because already times have changed and it is quite extraordinary to see what people say in the heat of the moment, which then comes back to roost. These statements, made by Hon. Joe Berinson on 4 September 1980, have come back to haunt him tonight.

Hon. J. M. Berinson: I have retracted them publicly on many occasions.

Hon. G. E. MASTERS: I am relieved to see Hon. Joe Berinson is here. I quote from *Hansard* of 4 September 1980 when Hon. Joe Berinson was most incensed when making his speech. I quote—

This is a Bill to increase the number of State Ministers from 13 to 15. The proposal is opposed by the Opposition, on four main grounds—firstly, that the increases are not necessary; secondly, that it will be costly and wasteful; thirdly, that it will increase the existing dominance by the Executive of the Parliament; and, fourthly, that it will lead to a further imbalance of advantage as between Government parties and Opposition parties in respect of the support received from the public purse.

Hon. Tom Stephens: He did not persuade you then.

Hon. G. E. MASTERS: He then went on to say—bearing in mind this is 1980—

Population has been relatively static, and all the other measures of economic activity have been either sluggish or in positive decline.

No-one could possibly suggest things have improved since 1980, because the economy is in positive decline. We are certainly going backwards with those socialist governments right across Australia. To continue—

... Wherever we look, we see that we have had a sluggish period of economic activity...

... Moving aside from the arguments put forward in the second reading speech, I believe the House is entitled to ask whether even some of our existing Ministers are fully occupied.

Hon. D. K. Dans: That was a good question considering the result of the next election.

Hon. G. E. MASTERS: Considering we now have 15 Ministers rather than 13, it is interesting to see that Mr Berinson doubted at that time whether 13 Ministers were properly employed. I wonder what comment he has to make now.

Hon. J. M. Berinson: I was wrong.

Hon. G. E. MASTERS: It is marvellous how these things turn around.

Hon. Fred McKenzie: Isn't he an honest man!

Hon. G. E. MASTERS: To continue—

I suggest it is impossible to go through the list of administrative duties of the 13 Ministers we now have, acknowledging that some of them have very great burdens, and not arrive at any conclusion other than that there is better scope within the existing number for a more even distribution of responsibilities, which would obviate any need for an increase in the Ministry.

These comments need to be repeated because they show the feelings of the Minister at that time.

How times have changed, even when the economic situation is very serious indeed. On page 1034 of *Hansard* he goes on to say—

The very weakness of the arguments advanced in the second reading speech are as clear an admission as could be found that this Bill is not a Bill to provide for the better administration of this State; it is a Bill to keep the troops happy and never mind the condition of the army.

I ask members in the circumstances of today to reflect on what Mr Burke is doing and to be reminded of the number of officers in the Burke army now compared with the number of troops. He goes on to say—

All of this sleight of hand and manoeuvring might not be unacceptable if not for the fact that it is all done by way of a burden on the public purse. It is the public who will pay for the proposal. The cost will not be insignificant.

That statement made about the public purse has come back to haunt Mr Berinson who is now Minister for Budget Management. He is the man who is responsible for controlling public expenditure and he should be more concerned than anyone about the difficulties we have in our economy at this time. I will be very interested to hear Mr Berinson's response during this debate because I am sure, in the light of

the comments I may make, he is bound to leap to his own defence at some stage or other and explain away some of these statements. He cannot simply get away with it by saying, "I was wrong that time". He is the Minister for Budget Management and he has made that sort of statement.

Hon. D. K. Dans: He has not got a closed mind, you see. That was 1980 and it is now 1986.

Hon. A. A. Lewis: He doesn't mind spending the money now.

Hon. G. E. MASTERS: It is so rare to be able to grab Mr Berinson by the collar I just could not resist it tonight. He goes on to say—

The first of them is the effect of this Bill on increasing the dominance of the Executive over the Parliament.

I remind Mr Berinson of the number of Ministers at that time. On Thursday, 4 September 1980 he goes on as follows—

Democracy is not just a question of everyone having a vote. There must be some sort of equality also between the abilities of opposing parties to present their respective views. To the extent that private support for one party or another leads to imbalance, that is part of the ordinary political process and is acceptable.

He goes on to say—

Every time we add a Minister, we extend the capacity of the Government parties, to present their views to the public in an effective way whilst denying that same capacity to members of the Opposition.

I wonder what Mr Berinson thinks about that statement now. He goes on to say—

That is not just bad for the Opposition parties; it is bad for the government of the State, because in the end what we are doing is depriving those sections of the public with a potential interest in supporting the Opposition parties, of a proper understanding of the policies of the Opposition as they relate to and are opposed to the policies of the Government.

He goes on to say—

... 11 Ministers—

He is talking about the situation in 1980. He goes on as follows—

—of a total of 29 Government members is almost a dominating force ...

My basic position is that even 10 Ministers in the Legislative Assembly constitute a dominating force, and that any increase in the number is undesirable.

Hon. D. K. Dans: Who said this?

Hon. G. E. MASTERS: Mr Berinson.

Hon. D. K. Dans: That is one of the best speeches I have heard.

Hon. G. E. MASTERS: That shows how very careful one has to be in the sort of statements one makes and even though at the time Mr Berinson persuaded some members, and at least one member on our side of the House, that right was on his side, his indignation at the time and the eloquence of his remarks perhaps impressed a number of people. I wonder how he will explain his position today when everything he said then is thrown right back at him. I have no doubt we will have the opportunity of listening to his explanation sooner or later.

It is sheer hypocrisy to come forward as a Government after saying those things and to present a Bill to this House which will increase the Ministry once again, but more particularly at a time when we know it will increase the burden on the taxpayer. I accept that it may be a fairly small figure in the overall Budget expenditure, but it must be in the region of \$500 000 to \$1 million. Let us say it could be up to \$1 million because lots of other things come into the creation of two new Ministries—more office accommodation, fairly large and extensive staff, travelling arrangements, transport, and so it goes on. We know the cost is quite exceptional and yet the Government through the Minister for Budget Management presents to this House a further taxation bill of \$1 million at a time when he can least afford it, at a time when Australia is facing decline and when the eyes of the world are on our performance. I know people will say what happens in little old Western Australia will not make much difference, no-one will take much notice of us; but people do take notice because it demonstrates to the public and to the other States that we are not exercising the restraint that the Prime Minister of this country is calling for. We know the Government has already increased some Government taxes and charges quite substantially and it may be that Government taxes and charges could increase this year by more than 10 per cent. We have only heard of some increased charges.

Hon. A. A. Lewis: Liquor tax has increased by 50 per cent.

Hon. G. E. MASTERS: Yes, liquor tax has increased, but there are a number of other taxes which will be increased. We can expect substantial tax increases, yet we are presented with this Bill. We know that the Government is quite astute and is able to create a smokescreen to cover up its performance and to try to cover up the appointment of two new Ministers. Public statements that the Government will reduce the size of Government, cut down the size of the Public Service, etc., we know very well are all for naught. We have seen it all before.

I remind members that in 1983 the Premier increased Government taxes and charges by 20 to 30 per cent in some cases, and at the same time he sought to create a smokescreen by reducing the salaries of members of Parliament and senior public servants by 10 per cent. The Press took the bait and he got away with it. He is trying to do the same thing this time, and the Opposition is trying to get the message over to the media and the public that this is really what is happening—that in fact no restraint is being exercised by this State Labor Government.

Over the last three years we saw a great increase in the Public Service. Approximately 1 700 or 1 800 new people were appointed to the Public Service—not general Government employment, but to the Public Service alone. Many advisers and support staff have been provided. The Opposition has requested Ministers to make their advisers available. Look at what they are being paid. The whole of this matter is building up gradually. We have Government excises and increases in Government employees together with the smokescreen to hide what is really going on.

This Bill provides for the appointment of two new Ministers, and that will add to bigger government. Regardless of what the Government says, we are heading towards bigger government. This action is against every call that the public is making at this time; it is against every Press statement and every comment that is made, yet we will have bigger government from the very day the Bill is passed. The Bill is all about better government and greater bureaucracy.

In 1980 the Labor Party office was vigorously cut down the line. They did everything they could to create a block so that the Liberal Government of the day could not increase the Ministry. I think the legislation went through Parliament in September 1980. I must say that at that time even I supported the increase, but on reflection now I personally think—it is not an Opposition official view—

that the number of Ministers need not have been more than 13 even though the State may have grown a little. I really think 13 is an ample number of Ministers and I would rather see a reduction than an increase in the numbers. I would support that reduction, as I am sure Mr Gayfer would, given the opportunity. I do not think the Ministry should be increased.

The Labor Party, in Opposition at that time, even took us to the Supreme Court and walked out of Parliament in the process. In so doing, it demonstrated its objection very strongly to that increase in the Ministry. It is now attempting to justify an increase in the Ministry at a time when we can least afford it.

I was most interested to listen to and read the speech of introduction of this Bill by Hon. Des Dans. Mr Dans has made a number of very bad second reading speeches in this House, but this one takes the cake. It will go down in history as a classic piece of understatement and hypocrisy.

Hon. D. K. Dans: What is this about?

Hon. G. E. MASTERS: What is it about, indeed. That is a good question. I am referring to the speech that Hon. Des Dans made in introducing this legislation. In that speech, Hon. Des Dans said—

We live in an age where electors demand—and should receive—a far greater degree of accountability from their elected representatives than was the case when the State Constitution was framed.

He continued—

It is also a recognition that the needs of remote areas should not be subsumed under the ever-increasing demands of the more populated regions.

We have been saying that for years. We have been saying that isolated areas should be properly represented.

Hon. D. K. Dans: Well don't argue with it; agree to the Bill.

Hon. G. E. MASTERS: This Labor Government, over the last four years, has been desperately trying to reduce representation in country areas. It now has the audacity to make that sort of statement. It is sheer hypocrisy. The second reading speech makes a number of other comments including—

We have taken the accounting procedures of the Public Service from the practices of the 1900s to those perceived to be needed, going into the twenty-first century. We have striven also to ensure that

public instrumentalities become far more accountable.

The Government is boasting about efficiency in government and bringing procedures up to modern day standards. What does it do? It does not reduce the size of government; it increases it. It says we will have two new Ministers and more departments.

Hon. B. L. Jones: We have increased the services.

Hon. G. E. MASTERS: A private enterprise company would improve its efficiency and planning and still maintain existing services. The Government has boasted about its increase in efficiency and practices but has increased the bureaucracy and the Ministry. If the Government continues with these efficiencies and modern day techniques, instead of the Federal, State, and local governments employing 35 per cent of the work force they will employ 50 per cent. All of these changes are increasing the size of Government. Here we are not talking about smaller government; we are talking about bigger government. It is no use our talking about increased efficiency and modern accountancy techniques if the size of government is increased. We should be going the other way. Our changing practices and more modern techniques should reduce the size of government and not increase it. In his second reading speech, the Minister continued—

Honourable members would know from their own experience that the demands and the tasks and responsibilities expected of Government are likely to increase rather than diminish.

He is saying the Government will get bigger as far as the Labor Party is concerned. All the calls for smaller government are negated in that statement. Government will get bigger under a Labor Government. The Minister continued—

The first three years of this Government have produced an increase in economic activity, population and employment.

In 1980 there was far more economic activity than there is today. I can see an unprecedented increase, under this Labor Government, in the number of workers and in the amount of Government spending. Charges will also increase. We are also seeing this Government's Federal counterparts bringing this country to the edge of bankruptcy. The Australian dollar is a very serious matter. All the Labor Govern-

ment can do is to introduce more disincentives to the private sector which will discourage investment and set us back further. The second reading speech continues—

During the last nine years of Liberal-Country Party Administration, not only was the Ministry increased by three—or by one-quarter—but also the number of parliamentarians was increased by 10—a far more costly decision than the modest expansion of the Ministry proposed by this Bill.

The Labor Party knows and we know that this Government has considered and may still be considering an increase in the number of members of Parliament. Indeed, a Cabinet minute presented at Geraldton showed clearly that there was a strong possibility that the Government would increase the number of members of Parliament. The Government knows it is planning that increase and so do we. The Minister continued in his speech—

The paper shows also that neither the proposed increase in the size of the Western Australian Ministry nor the resultant total of Ministers is disproportionately large compared with other States.

That is not true. New South Wales, with a population something like four times Western Australia's has 20 Ministers.

Hon. H. W. Gayfer: Are you sure?

Hon. G. E. MASTERS: Yes, 20 Ministers and four delegates, as I understand it. Victoria, with a population three times Western Australia's has 18 Ministers. Queensland with a population substantially larger than Western Australia has 18 Ministers. South Australia which has a smaller population than Western Australia has 13 Ministers. When the Premier was confronted with that statement he said, "It is not just to do with populations; look at the size of Western Australia compared with Victoria." There again the Premier recognises all the arguments that we have put forward in the past. We know the State is very large. We have always said that remote areas should have proper representation. However, we believe that that representation should be by an increase in the number of members of Parliament and not by an increase in the size of the Ministry.

I repeat that the Labor Party seems intent on reducing country representation rather than increasing it. On almost every page of the second

reading speech, two or three times on each page, there are statements that are sheer hypocrisy, sheer humbug. It is a very bad second reading speech and does nothing at all to justify or substantiate the need for an increased Ministry.

One of the real reasons for an increase in the number of Ministers is simply to buy Caucus control, to make sure that the Premier, Brian Burke, increases his strength in the Caucus. That means more and more power. We all know that there are many loyal socialists in this House, whom we greatly respect. They will have no chance at all for promotion to the Ministry. They are not the mates of the Premier; they dare to criticise quite often, so they will be left in the lurch and will not be in line for any promotion, no matter whether it be to the Ministry or to some of the other jobs that have been allocated. They have no prospects at all. All they are told to do is to sit out their time here and pick up their pensions when it is time to go, with no prospects at all. The Ministry is to be increased simply to make sure that the people who are prepared to support the Premier in Caucus will be given a job where they have some influence and where they owe allegiance to the Premier. Caucus is then totally controlled by the Premier. Seventeen Ministers will all be beholden to the Premier; the holders of parliamentary positions will be beholden to the Premier; the people benefiting from cars and perks such as we have never before seen, will also be beholden to the Premier.

We said earlier that there are more captains now than troops, and that is dead right. A statement that Hon. Joe Berinson made has come home to roost, because there are more captains than troops in the Labor Party field and the troops do not matter any more. Only the mates of the Premier and those people closely associated with him are getting the jobs; he is well and truly in control. That is what this Bill is all about. It is intended simply to boost the Premier's control and to build up his strength. I am surprised that that was not picked up strongly by the media, because it is not possible to argue at this time that there is a need for an increased Ministry. There is no growth in the economy. There is no real need for increased Government services, because we cannot afford much more. We have to cut back; those are not my words, but those of the Premier. He said that both the private and public sector had to cut back and exercise restraint.

I will be surprised if National Party members support this Bill. Before Hon. Tom McNeil

went away, he said that he was strongly opposed to an increase in the Ministry. National Party members certainly know that the rural community is now literally bleeding to death and some farmers are walking off their farms. Increases in the fuel franchise levy and other Government charges and taxes are crippling not only the people in the metropolitan area, but also farmers and people in country towns. We have had Government charge after Government charge. Any imposition of a further Government charge must be resisted at all costs. I am sure that members of the National Party understand that far better than I do, as they represent country areas.

It is no good for any of us, from whatever side, to say that we will support the Bill now but if circumstances change or the Government changes the party which then governs the country will reduce the number of Ministers. The time is now. We cannot possibly afford to increase the Ministry, and there is no justification for it. When members come to vote on this Bill, they will be called upon to divide. We will have to demonstrate physically whether we support smaller government or bigger government, more regulation and more bureaucracy. That is the question we will be asked when the vote comes.

Hon. Tom Stephens: If you are ever in Government again, will you assure the House that you will reduce the Ministry?

Hon. G. E. MASTERS: I cannot so assure the House. What I can say is that I would support a reduction. I cannot do any more than that. I may not be in a position to reduce the Ministry.

It is a very serious matter and great care and thought need to be given to it before members from any political party vote on the Bill. I suggest that if there were a large number of people in the gallery tonight, whether from metropolitan or country areas, the vote could be a little different because the public would be there to see what is happening. They would make a judgment on how we vote. Now is the time to declare ourselves quite clearly with respect to whether we believe in bigger or smaller government, whether we believe in Government restraint as well as private sector restraint. A "Yes" vote can be interpreted only one way and if we are looking for more Government taxes and charges that is the way we would vote.

We have estimated that the increase in the Ministry will cost an extra expenditure of half a

million dollars or, more likely, \$1 million when everything is taken into account. I understand that that is a very small amount of money when considered as part of the \$3 billion Budget that the Government anticipates. Nevertheless, \$1 million means a lot to the community. For example, \$1 million could provide 20 farmers with a loan or even a gift of \$50 000 a year. It could supply 10 country towns with \$100 000 in aid every year. It could offer 40 small country businesses a \$25 000 loan or that amount as a gift every year. That might not sound significant to this House, but to country towns, even if we pick them off individually, it could be the difference between make and break. Thus, I urge members very seriously to think carefully before they support this Bill.

I ask the Government not to proceed with the appointment of two more Ministers because the Government must demonstrate to the public that it has a genuine desire to show Government restraint, to reduce the size of Government, and to reduce the level of taxes and charges. If this Government does not exercise that restraint, how the devil can we expect private enterprise to take us seriously? How can we expect the trade union movement to take our calls for restraint seriously, and how can we expect the public to show any respect for us?

I very strongly urge members to oppose the Bill.

HON. P. G. PENDAL (South Central Metropolitan) [10.18 p.m.]: Given the position in which Hon. Joc Berinson put himself in 1980 and which was quoted back to him tonight, I am tempted in some respects to hedge my bets. However, I will not do that. I intend to oppose the Bill and to vote against it. Anyone who took the trouble to read with some care the second reading speech given to the House last week by Hon. Des Dans could be forgiven for coming away with the impression that the Government was doing the community some sort of favour by deciding to increase the Ministry to the extent of two Ministers. That act of generosity on the Government's part is shown up in a number of comments made by Hon. Des Dans, one of which has been quoted by the Leader of the Opposition in his remarks.

I want to refer to a couple of those remarks which Hon. Des Dans used as his justification and which the Premier used in another place as his justification for an increase in the size of

the Ministry from 15 to 17. One remark read as follows—

As our State has developed there has been a growing awareness that its people are entitled to know that their concerns are being given the full attention they deserve.

As a comment on the public life of this State, I doubt that anyone could dispute that. The Minister continued—

The demands placed on Government by today's society are becoming increasingly diverse. It is not possible to turn back the clock to the days when Government told the community what to do without question.

On the face of it, that is a perfectly reasonable observation. The Minister continued with the following remarks—

We live in an age where electors demand—and should receive—a far greater degree of accountability from their elected representatives than was the case when the State Constitution was framed.

It is hard to argue against that statement. However, I put it to the House and to members opposite and, if necessary, to the members of the National Party, that those are not reasons to increase the size of the State Ministry. As I have already admitted, they are in themselves reasonable observations about the conduct of the public life of this State. However, by no stretch of the imagination can it be suggested that comments like that in any way seek to justify the increase in the size of the State Ministry.

It may well be argued that those arguments could justify an increase in the numbers of members of the State Parliament and, indeed, if we listen to them in that light we would make more sense. I invite members to listen to one or two of the arguments as if they were to be used as arguments to increase not the size of the Ministry, but the size of the Parliament. One argument reads as follows—

As our State has developed there has been a growing awareness that its people are entitled to know that their concerns are being given the full attention they deserve.

That is more akin to the arguments to be used in favour of increasing the number of members of Parliament. Another argument reads as follows—

The demands placed on Government by today's society are becoming increasingly diverse. It is not possible to turn back the

clock to the days when Government told the community what to do without question.

Finally, and perhaps most appropriately, we are told—

We live in an age where electors—

It is electors that we are now talking about, not civil servants, not the executive managers of the Government who need to carry out the policies and the wishes of the Ministers of the day, but electors. To continue—

—demand—and should receive—a far greater degree of accountability from their elected representatives than was the case when the State Constitution was framed.

They are arguments which Hon. Des Dans brought into this House and which would be quite easy to use in justifying the increase in the number of members of Parliament. I suggest that the interests of democracy in this State may well be served by going down that path rather than the path down which the Government has chosen to go. Another justification that has been used—perhaps one of the less sane comments in a document that is not very heavy on sanity—reads as follows—

We have formed portfolios of Defence Liaison, The South West, Women's Interests, Parliamentary and Electoral Reform, Aboriginal Affairs, Communications, The Family, Budget Management, The Aged, Employment and Training, Youth, and Technology.

If I remember correctly, the Minister went on to point out with some considerable degree of pride that there was even a portfolio for the America's Cup.

Hon. A. A. Lewis: A senior Minister.

Hon. P. G. PENDAL: A Minister in charge of that area. My point in raising this is to ask members whether we ought to be having all those disparate little umbrella groups catering for almost every conceivable piece of human activity in the Western Australian community.

Members will be aware that in the United States of America, one of the largest, if not the largest democratic nations on earth, the Federal Cabinet—

A Government member: What about India?

Hon. P. G. PENDAL: That is why I said it was one of the largest. I saw the Deputy President nod to me because he reminded me of that the other day. The point I am making is that the United States of America, with several hundred millions of people, was for years

administered by the US Federal Government, and it managed to get by apparently with something of the order of 12 Cabinet Ministers. That is one democracy on this earth which has resisted the temptation to create new portfolios.

Hon. D. K. Dans: Appointed from outside the Parliament.

Hon. P. G. PENDAL: Indeed. If we are to have a debate one day about the pros and cons of that, we will; but that, of course, as Mr Dans would know, is even more irrelevant to this debate than many of the points used to bolster the Government's arguments in introducing the Bill.

My point here is that those countries do not proceed down that path of creating a new portfolio area every time some new interest group pops its head above the horizon. Perhaps we in Australia ought to be referring to what we once had in this country, both at a State and Federal level, and that is a smaller group of umbrella portfolio interest areas.

For example, in this State that would include tourism, and as most people know, it would cater for Rottnest Island and for such things as the America's Cup, which it should have done in the first place, without getting into one of those interest areas which I remind members is one of the generalisations used by the Minister as to why we need another two people in the State's Ministry.

That aside, I think legitimately there are several considerations which we should take into account. It is not surprising that we have heard a number of them referred to tonight by the Leader of the Opposition, in respect of that famous speech Hon. Joe Berinson managed to make in 1980 when he thought this sort of thing was just not on. The Minister is aware of all the financial implications of this Bill.

It is astonishing to me, as another private member, that at the very time the Government is exhorting everyone in this State, in both the public and the private sectors, to do his bit to help restore the economy to some measure of good worth, the Government also seeks to impose what Hon. Gordon Masters has repeatedly pointed out to be a figure of somewhere between \$500 000 and \$1 million, all in the name of keeping two extra people in the Labor Caucus at bay and raising them to ministerial status.

I put it to members that perhaps there was another way in which the Government could have proceeded if it did not want to proceed

down the path of increasing the number of members of Parliament and thereby achieving what is suggested it wanted to achieve in those early quotations I used.

Most members of this House—I guess we have a vested interest—would agree that all members of Parliament work long and hard hours. Notwithstanding that it is a popular pastime in the community to poke fun at members of Parliament, the fact is that most members work long hours both in and out of Parliament—mainly out of Parliament—and they work under very difficult conditions. Members of Parliament are denied the most basic forms of back-up, for example, in the form of research assistance. I suggest that is an area at which the Government ought to have looked before it decided to spend its precious money on expanding the State Cabinet.

I am the first to admit that it is not only this Government which has been parsimonious in dealing with backbench members of Parliament in relation to the provision of research facilities; but also successive Governments, both Liberal and Labor alike, in my short time in Parliament have been guilty of that. Once a Government gets to power, it is intent on doing its best to keep its backbench members on either side of the House in a state of almost perpetual ignorance by not providing them with the sorts of facilities which would not only make their jobs easier, but would also enable them to play a more effective role in the community.

I shall put forward a third point which has been canvassed also by Hon. Gordon Masters. It was a cynical and irreconcilable action on the part of the Premier to, on the one hand, demand, as he did, in his white paper in respect of the Public Service only a week or two ago that we bring about, by a variety of measures, a leaner and more economically responsible Public Service while, on the other hand, creating new Government departments such as those which I have mentioned previously. I refer to the new Department of The Arts which will cost at least an additional \$250 000 and the new Department of Administrative Services and Property. The latter department certainly will not cost as much as the former, but it will be responsible for a substantial increase in expenditure. While the Premier is calling on us to show a new level of management within the public sector, as Hon. Gordon Masters said, we are being faced with extra costs for the new Ministers.

Having said that, I turn to the point which is far more important than the issue of mere money; that is, the effect that the new appointments will have on the operations and functions of Parliament itself. There is no doubt that this place is becoming top heavy and lopsided in terms of the number of executives here. During the week I took out some figures which indicate that, for example, of the membership of the Federal Parliament, 12 per cent are Ministers. If this measure is passed by this Parliament, the percentage of members of this Parliament who will be Ministers will not be 12 per cent as it is federally, or even 15 per cent; it will be 20 per cent. Therefore, after the passage of this Bill, one in five members of this Parliament will form part of the Executive. That is consistent with one of the arguments put by Hon. Joe Berinson when he was on this side of the House a mere six years ago.

While it can be said that considerations of finance and public administration are at stake here, those issues are relatively minor when one considers the impact of the increasing dominance of the Executive. If Mr Berinson was concerned about that increase in the dominance of the Executive six years ago, I put it to him that tonight he is being party to, as he was in the Cabinet, increasing the level of dominance which he so roundly and trenchantly condemned and criticised only six years ago.

I put it to you also, Sir, that there is another matter at stake in all of this which will further denigrate the role of the backbench members of this Parliament; that is, recently the Premier had the audacity to criticise the number of questions asked by members of the Opposition in this and the other place. I suggest that the way in which those remarks were reported at the time indicated that those in the media joined unconsciously in that process of putting down backbenchers and, as a result, had become unwitting allies not of the Government or the politicians of the day, but rather of the Executive Government of the day.

When people in the media, commentators and the like, applaud the actions of the Premier because allegedly he is trying to prune the public purse by reducing the number of questions asked in Parliament, it goes to the very heart of the matters that we have before us tonight.

You, Sir, would be aware that the asking of parliamentary questions is one of the few facilities available to private members to obtain quick answers from the Executive of the day. I might add that facility is used by many members of Parliament, including me, because they

lack the research capacity which, I repeat, could have been given to them had the Government not decided to go down the path we are considering tonight.

Were the Government really concerned about serving the public in the best possible way, were it concerned about our increasingly diverse society and the demands being made by it, to which reference was made in the second reading speech, I suggest it would have made a conscious decision to the effect that 15 Ministers was enough. It could have said, "After all 15 Ministers puts us well ahead of the position in the Federal Parliament", and it would have proceeded down that path.

Perhaps it is not widely known that the passage of this Bill will make us one of the most top heavy Parliaments in Australia. I understand that Queensland is the worst offender where approximately 22 per cent of the members of Parliament are in some way associated with the Executive. As I mentioned previously, with the passage of this Bill, we shall be well on the way towards that figure, because 20 per cent of the members of this Parliament will be in the Ministry.

I shall make a plea to the Minister. I do not expect that it will be acted on tonight or that miracles will happen. However, I am the first to acknowledge that the provision of electorate offices to members of this Parliament came about only with the election of a Labor Government in 1971. That facility, along with the provision of secretarial and stenographic assistance to members, was one of the most important breakthroughs in this area.

Hon. H. W. Gayfer: Weren't electorate offices provided during the days of Sir David Brand?

Hon. D. K. Dans: No, it occurred during the days of the Tonkin Government.

Hon. P. G. PENDAL: I would love to be able to say that a conservative Premier took seriously enough the role of the backbencher to do that, but that is not the case. In approximately 1973 the Tonkin Government provided electorate offices. At a later time I think the Court Government expanded the secretarial assistance available to members so that they did not have to live in the days of the horse and buggy.

Hon. A. A. Lewis: John Tonkin did both, because I had the first one.

Hon. P. G. PENDAL: Thank you, Mr Lewis. I am trying to appeal to the Minister's better nature, if in fact he has one.

Hon. D. K. Dans: Which Minister?

Hon. P. G. PENDAL: The Leader of the House himself. If the Government is to succeed in getting this legislation through, and I suspect it will be, I ask that he takes seriously to Cabinet the requests that have been put to him by me and by other people long before me to provide some research assistance. If the Government cannot find its way clear to provide a research officer to be attached to each member—and I assure the Government that I could use one full-time—then could it at least be prepared to allocate some modest funds, certainly far more modest than the figure we are talking about with the increase in the size of the Ministry, some sort of legislative research facility which, as a starting point, could be located within the Parliamentary Library?

It is a serious matter to increase the size of the Ministry for all the reasons the Leader of the Opposition has mentioned tonight. It is a serious matter that we are being asked to vote on because of the reasons I have outlined. It is not good enough for the Government merely to put off until another five years down the track even the consideration of those very important research facilities.

What a spectacle it is when a member of Parliament such as myself, in a submission to the Salaries and Allowances Tribunal, must ask not for a pay increase—I think we are pretty adequately looked after in that respect—not for an increase in electorate allowance, but for a few extra postage stamps. That is how pathetic it has got for a non-Executive member of this Parliament. I think it was Hon. Peter Wells who used to remind us so often that a member of Parliament received in postage allowance the equivalent of 17 letters a day. That has not altered, and indeed that will go down once Australia Post has its way in a few weeks and increases the price of a postage stamp to 36c. How pathetic and petty it is that members of Parliament must go cap in hand to the tribunal and ask whether it might see its way clear to convince the Government we are worth more than 17 stamps a day. Postage is a pretty fundamental and basic requirement of members of Parliament. I do not know of anyone in the medium or upper range of the executive group in the private sector who takes his own postage stamps to work and then has to look after that side of things forever and a day. Our job is unique in that respect.

In conclusion I appeal to the Government, if it is to persist with this demand for two extra Ministers, to give consideration to the points I

have raised which are intended to be of some benefit not just to members while they are in Opposition—because being in Opposition does not last forever and neither does being in Government, as we found out to our cost in 1983—but to all members in both Houses if they are not members of the Executive. They have not only a vested interest but also a very serious interest in seeing the Government accept my suggestions if the parliamentary system is to be of any consequence.

This Bill to increase the size of the Ministry is not necessary, certainly not in the scheme of things at present. I oppose it and will vote against it.

HON. V. J. FERRY (South-West) [10.44 p.m.]: I oppose the Bill and intend to vote against it. It has been truthfully said that when the previous Government increased its Ministry from 13 to 15 it was opposed most vigorously by the Labor Party and opposed also by the then National Party. Now the Labor Party has reversed its thinking and wants to increase its own Executive. It is worth noting and emphasising that when the Court Government endeavoured to increase its Ministry, the Labor Party headed by the present Premier took its case to the Supreme Court where a protracted legal case lasting almost two years saw the delay in the implementation of the Court Government's attempt to increase its Ministry.

I am very mindful of what this Government has done for the south-west of the State.

Hon. A. A. Lewis: It sacked the Minister.

Hon. V. J. FERRY: It sacked its only south-west Minister. I note he has the use of a Government car, something which is most unusual for a backbencher and something which is not saving costs for the people of the State. The present Ministry contains no member representing the south-west.

It is very pertinent to understand, and worth recording, the number of south-west representatives who have served as Ministers of the State exceptionally well. Sir Stewart Bovell served as a representative of the south-west for 24 years and served as a Minister for 12 years; Hon. G. C. MacKinnon served as a Minister for many years as well as serving as Leader of the House for a time; Hon. Neil McNeill also served as a Minister and as Leader of the House; Hon. June Craig and Hon. Richard Shalders served as Ministers; Sir Ross McLarty served as a Minister and a Premier of the State.

I can go back further to the first Premier of this State, the man who became Lord John Forrest. He served the people of the south-west and Western Australia with great distinction. He also served in the Federal Parliament and unfortunately died an untimely death when he still had a lot to offer the people of Western Australia and Australia generally. He came from the Bunbury area. Another Premier, Sir James Mitchell, came from Bunbury. His old home is now the site of the new office of Australia Post in Bunbury. He was a great advocate for the south-west and much of the development of the area can be attributed to his efforts. Certainly some mistakes were made and with hindsight one or two things could have been done differently. Nevertheless he served the people of the area and the State with great distinction. Another Premier, Sir Newton Moore, came from Bunbury. So three Premiers have come from the south-west of this State. However, this Government cannot see fit to have a south-west member in its Ministry.

Hon. H. W. Gayfer: We have had three from the town of Northam.

Hon. V. J. FERRY: We cannot get any from the south-west at the moment. We have a Minister for The South West, but he comes from the goldfields and rural area of Esperance-Dundas, some 100 miles from the south-west. The Government pays lip service to its pre-election promise to have an office of the Minister for The South West in Bunbury. The problem is not the fault of the Minister; he was given the job by the Labor Party. He has one man in the Bunbury office, and he may now have a stenographer as well.

Until recently there was one man in that office. What an insult to the people of the south-west. The Government went to the people and said "We will create a Ministry of The South-West, and it will be based in Bunbury." What a hollow sham it is—a scurrilous sham. Then of course the Government dismissed the only Minister who came from the south-west, Hon. Dave Evans.

Some people in the Labor Party are capable of holding the ministerial appointment for the south-west. One man has been overlooked, and he deserves greater consideration and thought on the part of the Labor Party. I refer to the member for Collie, Mr Tom Jones. He is a tried and true Labor man, and he is trusted. He has given his life to the Labor movement and has represented Collie in Parliament with great distinction. Yet he was overlooked and bypassed, and cast into the wilderness. The Government

boasts about having a Minister for The South West, but it dragged him all the way from the Goldfields and Esperance. What an insult! Now the Government wants to increase the size of the Ministry and it does not have anyone from the south-west to fill either of the two positions.

Another good Labor man, the longest serving member of this Parliament, Hon. John Tonkin tried to start his parliamentary career in the south-west. He was teaching at a school called Forest Grove and stood, I think, for the seat of Sussex. He did not succeed on that occasion, but he did so a few years later and served for 43 years, and became Premier.

Hon. Mark Nevill: Sir John Kirwan started in the goldfields.

Hon. V. J. FERRY: There have been many great members of Parliament. He may have started in the goldfields, but he did not start in the south-west.

It is not a question of saving money because this Government does not care about money. If it does not have money it syphons it out of people's pockets. The Government said in 1983 it would not increase taxes, but of course it really hit the people of Western Australia hard. It introduced the financial institutions duty, and the Commonwealth introduced the BAD tax and the fringe benefits tax. I know they are Commonwealth taxes, but they have all been introduced by the Labor Party. There have also been increases in fuel tax, liquor tax, and wine tax. People in my area are screaming. I was there on Monday with the Minister for Tourism, Hon. Pam Beggs, and she got a serve from the wine people about what the tax is doing to the industry and to the tourism industry for which she is responsible.

This Government has no compunction about whacking taxes on people. It does not worry at all about the costs of another couple of Ministers. We know it is not just the cost of the Ministers but their staff, cars, offices, telephones, and the whole range of expenses. Let us look at the situation: The Australian Labor Party wants to have 17 Ministers, including the Premier. It has a Whip in each House, a party secretary, the Chairman of Committees and the Speaker in the Lower House, the Chairman of Caucus and the Chairmen of the Public Accounts Committee and the Standing Committee on Government Agencies. That makes a total of 25 members who are Ministers or office bearers out of a total of 48 ALP members in this Parliament. In other words, 52 per cent of

ALP members are in the executive bracket, so to speak. That means the other 48 per cent do not matter because the Executive can get together, presided over by the Premier, and it can hold sway and brush aside the backbenchers. The Government's backbenchers should be very concerned.

Hon. Graham Edwards: That is absolute nonsense.

Hon. V. J. FERRY: It is not, because the figures are there. When one looks at the Executive in that context against the total number of members of Parliament—91—one finds that almost 27.5 per cent of members are in the executive bracket and are associated with the Labor Party. This means the Premier and the Executive are seeking a stranglehold on the affairs of Parliament. Parliament is supposed to be for the people, and under the Westminster system no representative of the Sovereign is allowed to encroach on the deliberations of representatives in the lower House. Yet this Government is endeavouring to impose its will unmercifully on the people of Western Australia and push aside the backbenchers. No matter what party they belong to, the weight of numbers is such that the Executive will carry the day. The Government's main objective is to stay in office and wield power, irrespective of whether it is good for the country.

There is no need for me to go on at length because it is clear-cut that this Government is only concerned about feathering its nest. It has no compunction about taxing people. We will wait on the Budget with great interest. The Government has already increased some charges and has announced some tax measures, and I have no doubt others will follow. The money it will syphon out of constituents' pockets will go to further its political aims, which will not necessarily be in the best interests of the people of Western Australia.

I oppose the Bill.

Debate adjourned, on motion by Hon. A. A. Lewis.

ADJOURNMENT OF THE HOUSE: SPECIAL

HON. D. K. DANS (South Metropolitan—
Leader of the House) [10.57 p.m.]: I move—

That the House at its rising adjourn until
Tuesday, 15 July at 3.30 p.m.

Question put and passed.

ADJOURNMENT OF THE HOUSE: ORDINARY

HON. D. K. DANS (South Metropolitan—
Leader of the House) [10.58 p.m.]: I move—

That the House do now adjourn.

Liberal Party Member: Resignation

HON. P. G. PENDAL (South Central Metropolitan) [10.59 p.m.]: I feel the House should not adjourn for a couple of minutes until I have an opportunity to say one or two things about an article which has appeared in the early edition of tomorrow's *The West Australian*, I think on page three. It relates to a certain Mr Peter Bacich who unfortunately has held, and continues to hold, the position of State campaign chairman of the Liberal Party in Western Australia.

Mr Bacich makes a number of claims and assertions which are despicable in their nature and which lead me to the belief that the only honourable course open to him—and I doubt that he could possibly take it since I do not believe he is an honourable man—is to resign his position, not only as chairman of the State campaign committee of the Liberal Party, but indeed to resign from the Liberal Party itself.

Mr Bacich has made unsubstantiated attacks on the characters of a number of members of Parliament including, I might add, going to the extent of naming people such as one of my colleagues in my electorate, Hon. Clive Griffiths and the member for South Perth in another place, Hon. Bill Grayden.

It has been a matter of some considerable sadness that in the last 10 months I have had cause on many occasions to cross swords with this individual. It is a great pity because Peter Bacich and the type of individual and character he is does not represent in any shape or form the vast majority of good and decent people who spend many hours, days, weeks, months, and even years in the service of conservative and Liberal politics in this State. He is an aberration, but an aberration, unfortunately, who has managed to climb to fairly high positions within the Liberal Party of Western Australia.

If members in this House and anywhere else, including members of the Liberal Party who do not know him as I do, feel that the words I have said about him are a little harsh, I would refer them to some of the words a Supreme Court judge in this State used to describe an individual who now has the disloyalty and the temerity to speak as he does about people who have spent many years in the service of the

Liberal Party and the Parliament. I refer to a judgment which was handed down in the Supreme Court in May 1979 regarding a case in which Peter Barry Bacich, the individual to whom I refer, was the first defendant. If anyone has any doubts about the character and the bona fides of this individual, it is worth referring to some of the judgment that was made by the judge. I think the judge on that occasion was Mr Justice Jones. On page 8 of his judgment he says among other things—he refers to an early part of the judgment to which I do not have time to refer—

(This letter puts paid to Bacich's contention that he had rescinded the plaintiff's contract of purchase 33 months before, and, incidentally, is a good illustration of the peculiar shifts and stratagems which Bacich was prepared to employ to implement his devious designs.)

I wonder how much more strongly a Supreme Court judge needs to speak without totally reflecting on the character, honesty and the integrity of someone like Mr Bacich. Further on the judgment states—

The purported but fictional service of the "Notice of Default" on 1st June 1973 was a device by Bacich to enable him fraudulently to oust the plaintiff from his land.

On page 9 the judgment continues—

When on 21st January 1975 Bacich transferred Lot 66 to Mrs Bacich he did so in fraudulent breach of trust and as a further step in his design to oust the plaintiff from his land.

They are words of a judge about a man who has the temerity to go public as he did tonight—it is not the first time—and to use as his target people who have served not only the Liberal Party, but also the Parliament of this State with great distinction.

It grieves me to stand in this place and say these things and reveal those things about him. However, I do so for a reason. I repeat it is not the first time Mr Bacich has lowered himself to the sewers of this country to besmirch the names of people who have done far more for the political causes that he purports to represent.

Only some weeks ago that individual went on the public record of this state in *The West Australian*, if I remember correctly, and referred to the fact that four Liberal members of Parliament were at the heart of all the division and divisiveness in the Swan Division of the

Liberal Party. At that time those members were under the most intense pressure possible from a number of media people to make some sort of a response. They did not do so because their belief was that dirty linen should be washed behind closed doors. They believed that when allegations of that kind are made and when people's characters are besmirched as they were by that individual, the matter should be dealt with in the appropriate place.

Mr President, I say to you with a great deal of sadness that by taking that argument to very senior people in the Liberal Party in this State and saying we would not respond in kind to those despicable attacks on the part of this man Bacich, nonetheless we sadly received no support for any method those people would take to discipline that individual. I therefore totally reject the comments made by Mr Bacich in today's *The West Australian*.

It gives me no pleasure whatsoever to have even now chosen to stand on my feet because I repeat that most people, from whatever political party they belong, can see the sense of getting rid of dirty linen behind closed doors and not in public.

A number of important things are happening within the Liberal Party in this State. There will be a bit more bloodshed before the day comes when the Liberal Party is restored to its

former greatness. I believe that is not a long way down the track and I personally hope to see Mr Barry Payne removed as the President of the Liberal Party of this State and I hope to see in his place a man of the character, fortitude, backbone, calibre, and experience of Mr Keith Simpson. It grieves me to say that publicly as well because Barry Payne is a good and, I think, a decent individual; but I do not believe he has shown the sort of leadership the Liberal Party requires in this, one of its darkest hours. One of the ways in which he could have shown that leadership would have been to protect his members of Parliament against this man who only 10 months ago was appointed the State campaign chairman of the Liberal Party.

I hope that people, most particularly the Liberals, around the State will come to understand that the Liberal Party has great difficulties. However, they are difficulties surrounding a very small clique of people who are not representative of true liberalism and the sooner that that cancer is cut out the better the Liberal Party will be.

Question put and passed.

House adjourned at 11.08 p.m.

QUESTIONS ON NOTICE

HERITAGE: COSSACK

Termites: Barracks

256. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Planning:

- (1) Why, two months after the Minister's announced intention to act to preserve Cossack's heritage from termites, has no action been taken to treat the barracks?
- (2) Will he list what action has been taken to treat other buildings?

Hon. KAY HALLAHAN replied:

- (1) The delay in treating the barracks building in Cossack has been caused because the premises were occupied until immediately prior to the Cossack fair. As a result, for health and public safety reasons, preparatory work started on 5 June was stopped. The barracks building will be fully sprayed and other treatment will be completed by the end of July.
- (2) All other major buildings have been fully treated. The Galbraith store was completed on 20 May 1986; the courthouse on 26 May 1986; and the bond store on 27 May 1986. Of the other buildings, their condition had deteriorated to the point where the contractors, Flick Pest Co., advised that treatment should not commence until restoration work had been started. Termite-infested trees in the surrounding area have been powdered and will shortly be chemically injected.

WA DEVELOPMENT CORPORATION

Cossack Township: Plans

257. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Planning:

- (1) What plans or proposals, if any, have been formulated by the Western Australian Development Corporation in relation to the historic township of Cossack?
- (2) What body is intended by the Government to be the governing authority for a restored Cossack?

Hon. KAY HALLAHAN replied:

- (1) and (2) A task force is in the process of being established. It will incorporate representatives from bodies such as the WA Development Corporation, the WA Tourism Commission, the Building Management Authority, the State Energy Commission, and the Water Authority. The purpose of the task force is to work with the Cossack Restoration and Development Association in re-establishing the town. The Government expects that plans and proposals will be formulated once the task force is formally convened.

SPORT AND RECREATION: CYCLES

Complex: Midland

275. Hon. G. E. MASTERS, to the Minister for Community Services representing the Minister for Sport and Recreation:

- (1) Has a decision been made on the location of the proposed cycling complex at Midland?
- (2) If "Yes", which site has been chosen?
- (3) Were there any other sites under consideration?
- (4) What is the estimated cost of the proposed complex?

Hon. KAY HALLAHAN replied:

- (1) Yes, as has been widely publicised through the various media outlets.
- (2) Local authority land situated adjacent to the Midland recreation centre. The site is bounded by Morrison Road, Roe Highway, Toodyay Road, and Midland College.
- (3) Yes.
- (4) \$5 million total; \$3.8 million State Government contribution and \$1.2 million Shire of Swan contribution.

MR MATHER

Visit: Sponsorship

276. Hon. G. E. MASTERS, to the Leader of the House representing the Minister for Employment and Training:

- (1) Is the Department of Employment and Training involved in the sponsoring of the visit of Mr Mather, the Director of the Apex Charitable Trust in England?

(2) Who is paying the cost of bringing Mr Mather to Western Australia?

(3) What is the cost?

Hon. D. K. DANS replied:

(1) to (3) See answer to the same questions in question on notice 220 of 25 June 1986.

A reply has been prepared and is being forwarded in writing to the member.

TOURISM

Travel Agents: Commission

280. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

(1) Have Eastern States travel agents in the past been paid commission for travel written on behalf of Holiday WA?

(2) If so, has this practice now been discontinued?

(3) If "Yes" to (1) and (2), could he say why this has occurred?

Hon. D. K. DANS replied:

(1) Past policies provide for agents transacting business through the Holiday WA Centres to have the commission entitlements of that business passed on to them.

(2) Yes.

(3) To remove an unnecessary middle-man administrative role which was no longer appropriate as a marketing strategy to increase sales of the Western Australian tourism product. With the introduction of modern communication technology, such as telex, inwats 008 numbers, facsimile and the like, it is more appropriate that such business now be transacted direct between agent and principal.

The commission continues to maintain its support of the accredited agency network on the basis of direct dealings with operators and, in this regard, has undertaken specific marketing campaigns which will benefit operators.

TRANSPORT

South African Airways: Landing Rights

282. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

(1) Has the Minister received or made any representations in relation to the landing rights in Perth of South African Airways?

(2) If not, what action does she propose to protect those landing rights, and the subsequent income they produce for the Perth economy?

Hon. D. K. DANS replied:

(1) No.

(2) This is a foreign policy matter for the Federal Government. Should it be necessary, the State Government will explore any alternative measures available, to minimise the impact on Western Australia's tourist economy.

TOURISM COMMISSION

Publication: "The Visitor"

284. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

(1) Is the publication "The Visitor" subsidised, backed or endorsed by the Tourism Commission?

(2) Does the commission assist with its distribution?

(3) Is the Minister aware of the advertisements of Perth brothels which appear in the latest issue of "The Visitor"?

Hon. D. K. DANS replied:

(1) The commission's involvement with this publication has only been in the form of provision of editorial material, as is common practice with a number of tourist-related publications.

(2) No.

(3) The Minister advises that recent Press coverage of this matter has been brought to her attention.

QUESTIONS WITHOUT NOTICE

TOURISM COMMISSION

Publication: "The Visitor"

70. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

Does he have a reply to the question on notice relating to the Minister for Tourism and a publication called "The Visitor"?

Hon. D. K. DANS replied:

- (1) The commission's involvement with this publication has been in the form of assistance in preparation of editorial material.
- (2) No.
- (3) "The America's Cup Visitors Guide" being produced by Telecom has been endorsed by the commission. From time to time the commission has contributed towards the cost of producing regional travel association publications and, in some instances, wholesaler product brochures.

COMMUNITY SERVICES

Ngal-a Mothercraft Home and Training Centre: Funding

71. Hon. P. G. PENDAL, to the Minister for Community Services:

I refer to her weekend Press statement regarding the future funding arrangements for Ngal-a Mothercraft Home.

- (1) When did she decide that Ngal-a's funding would not be disturbed and would be maintained into the new financial year?
- (2) When did she convey that decision to Ngal-a's management?

Hon. KAY HALLAHAN replied:

- (1) and (2) Some time ago, when contacted by Ngal-a, I indicated that there would be a review of the services

it was providing but that there would be no need to be fearful of its funding being discontinued. They were fearful of that but that is the advice I gave them.

COMMUNITY SERVICES

Ngal-a Mothercraft Home and Training Centre: Funding

72. Hon. P. G. PENDAL, to the Minister for Community Services:

Given her answer to my previous question, why did she find it necessary to answer in the way she did to my similar question of a week ago?

Hon. KAY HALLAHAN replied:

I am not sure what the member is referring to. There was no ambiguity about the statement that a review would be undertaken. The article that appeared in yesterday's *The West Australian* did not indicate that the funding arrangements for Ngal-a would be subject to the outcome of the review and also to the Budget constraints that would face any programme going through the budgetary process. I will be visiting Ngal-a this Friday and will go through the matter with its management; but they would be clear about the situation from my previous discussions with them.

The question of their funding being discontinued is not a reality and I have sought to reassure them on that.

Have I answered the honourable member's question?

Hon. P. G. Pendal: Thank you.