

Legislative Council

Tuesday, 26 May 1987

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 3.30 pm, and read prayers.

FAMILY COURT AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Hon. J. M. Berinson (Attorney General), and transmitted to the Assembly.

ACTS AMENDMENT (ELECTORAL REFORM) BILL

In Committee

Resumed from 21 May. The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clause 1: Short title—

Progress was reported after the clause had been partly considered.

Hon. G. E. MASTERS: There are many amendments to this Bill which the Government has presented. This could be the most complex piece of legislation I have ever had to deal with. I took the point of the Attorney General last week when he said there have been Bills with as many amendments, but they were nowhere near as complex. One was the workers' compensation legislation, on which there was a great deal of agreement between the parties prior to the Bill coming before the House.

To make members aware of the present position, this Bill has 104 clauses covering 69 pages, and it seeks to amend six Acts of Parliament. It is a proposal designed to change completely the electoral system of Western Australia. If that is not tough enough to deal with, we now have 36 amendments introduced by the Liberal Party, and 14, near enough, by the National Party.

We are addressing well over 100 amendments to a Bill which, I repeat, will totally change the electoral system in Western Australia. Some of the amendments from the Government side represent complete departure from the Bill itself. The task before this Legis-

lative Council—the task we are being asked to perform by the Government today—is to publicly redraft this complex Bill. I put it to the Chamber that the complexity is such that it would be a daunting task for even the most skilled of draftsmen.

Once again I call on the Government to consider very seriously rewriting the legislation, because quite clearly there are many areas of common ground, and although in some cases there are differences within that common ground—if that makes sense—a number of issues could be resolved in a rewriting of the legislation, with consultation.

I was interested to watch the television, listen to the radio, and read some of the newspapers last week after the Liberal Party had introduced a brand new proposal, which admittedly the Government did not have time to consider, and it was quite obvious it would report progress last Wednesday. It was obvious the Government would have to study and consider the new proposals; and it was interesting to note that only two or three hours after we introduced the new amendments Mr Bryce, the Minister responsible for this piece of legislation, was reported on the radio and on television as saying that the Liberal Party's new proposals would ensure that the ALP never gained control of the Legislative Council.

During the debate I intend to make reference to a computer analysis of our proposals which demonstrates quite clearly that what Mr Bryce says is wrong, and that the result of our proposals would be a fair result. Again, I do not propose to argue across the floor backwards and forwards, saying "You are wrong, I am right", but I am prepared to quote figures that will substantiate the claim I have made.

I ask the Government: Is it saying it will accept a deal only if it ensures a Labor victory at the next election? I mean "ensures", and it may be in the Labor Party proposal, which certainly is biased and to the Government's advantage.

I put it to the Chamber very seriously that the figures I will produce will demonstrate that our proposal is a fair proposal which ought to be considered seriously, rather than the responsible Minister saying it will give the Labor Party no opportunity to gain control of the Legislative Council. We must face the situation where the next election, under the present arrangements—and reflecting the 1986 Bill which led to the 1986 election results—would result in the Labor Party gaining control of the

Legislative Council. Maybe it is to the advantage of the Labor Party to retain the present situation for the time being; I do not know. However, I feel our proposal is fair and proper and can be substantiated by the figures I will present.

I also put to members that if they think this debate will have any impact on the Government if it were to be returned at the next election with a majority in the Legislative Assembly and the Legislative Council, they are deluding themselves. I refer to the comments made by Mr Berinson last Thursday; namely, that the Labor Party had not changed its views at all on one-vote-one-value and indeed had the same objections, I assume, to one-vote-one-value in the Legislative Assembly, and in the Legislative Council in the long term.

Hon. Tom Stephens: We are constantly being attacked one way or another. You cannot have it all ways.

Hon. G. E. MASTERS: I am not attacking; I am merely saying that Mr Berinson made it clear. Hon. Tom Stephens should shut up before Mr Berinson comes over and slaps his hand.

Hon. Tom Stephens: He may well do.

Hon. G. E. MASTERS: What I am saying is that Mr Berinson made it clear to the Chamber that that was in fact the Government's objection, one way or another. It was quite obvious the Government would be hell-bent on gaining control as soon as possible; and, almost from the day the Labor Party gained control in both Houses, one-vote-one-value would be introduced for both the Legislative Assembly and the Legislative Council.

Hon. Tom Stephens: You would support that.

Hon. G. E. MASTERS: I do not support it—I do not support one-vote-one-value, and I have said I do not. But I said we must not delude ourselves over this matter. We must understand that when the Labor Party gains full control—if it does—this power would be of no consequence at all. If we debate the Government's Bill today, we would ensure its proposals are effectual. At the same time it is, in the Government's view, a step forward in the direction I have talked about. At the end of the day all of those measures that the Labor Party has sought to impose and introduce into the Legislative Council in the last few years would come in in one fell swoop. We must understand that that is the Government's intent. The Federal policy dealing with upper Houses, which

has never been changed, says in effect that the upper Houses in Australia should have their powers greatly lowered with a view to their ultimate abolition. That is a Federal policy, and although the State Government says it is not this State's policy at this time, if it were genuine in its comments that it has changed its mind now, surely there would be a move on the Federal scene to rewrite that policy; but that is not the case.

So at the end of the day, when the Labor Party gains control a number of things will happen. There will be no recognition of country weighting and one-vote-one-value in the Legislative Assembly or the Legislative Council. There will be voting tickets in both Houses. We will talk about those later, and there is common ground between ourselves and the National Party that there be voting tickets in the Legislative Council only. However, there would be voting tickets in both Houses if the Labor Party gained control. There would be no metropolitan boundary—there would be no need for one—and optional preferential voting would be introduced immediately.

Hon. J. M. Berinson: What will happen if the Liberal Party wins the next election? You have such a record on this that you cannot point at us. You have a terrific record on this.

Hon. G. E. MASTERS: My short answer is that I should be very pleased if we won the next election.

Hon. Tom Stephens: You would also be very surprised.

Hon. G. E. MASTERS: I would not be surprised at all. In answer to the Attorney General's question, what we are doing is discussing a piece of legislation where there are some very genuine and straightforward amendments that we and the National Party have put forward. We have come a long way down the line. I am one of those people, whether the Attorney General believes it or not, who thinks it should have been changed, and I have been pressing for that for a long time.

I will produce figures that will demonstrate that what we are proposing is fair. I say in all sincerity that we have come a long way down the line and that there are some things many of the members of my party have bitterly opposed, but they have come into line. There has been a certain amount of pressure from the Government side; I am not arguing about that; but I favour changes so far as the structure and the voting pattern of the Legislative Council is

concerned, and have done so for a long time. My colleagues in the party room know I have been advocating that for several years.

However, at present some genuine proposals have been put forward by all sides, and we believe we have a policy that can be sold and easily understood, and that is fair. We must take this debate carefully and slowly. If changes in wording are needed there is a requirement from our side that we report progress and consider those changes. We will fight very vigorously for our proposals, believing strongly as we do that it is the proper course of action which has evolved over a period of time as a result of our continual investigation, analysis, and computer work, much to the credit of one or two of our backroom boys. We believe we have a better computer programme set-up for dealing with these options than perhaps has the Labor Party, with all its resources.

I am absolutely fed up with people trying to draw lines for boundaries—as I have done in the past—and I am as guilty as anyone.

Hon. J. M. Berinson: More guilty than most.

Hon. Kay Hallahan: Hear, hear!

Hon. G. E. MASTERS: If the Labor Party says I am guiltier than most, I would ask the Attorney General to look at the Liberal Party's proposition right now. I will not argue this matter in any depth because we will deal with clause 8 soon.

The Liberal Party is putting forward a simple option. The Labor Party is proposing—and it seems the National Party is also—a jigsaw puzzle, in which lines have to be drawn around country towns and areas. Some members are shaking their heads—

Hon. J. M. Berinson: They are shaking their heads because what you are saying is not true.

Hon. G. E. MASTERS: We will deal with that on clause 8.

Hon. T. G. Butler interjected.

The DEPUTY CHAIRMAN (Hon. John Williams): The member will ignore the interjections and continue with the debate—which promises to be a long one.

Hon. G. E. MASTERS: The Liberal Party is putting forward a genuine proposition which I hope the Government will not dismiss and put away in its entirety. The comments of the Attorney General indicate that he is intending to do that; he has pushed this away with some unkind comments in the very early stages of the debate.

I ask members to think carefully during the debate and I will listen with great interest to all sides of the argument. However, I hope that at the end of the day something will come out of it.

Hon. E. J. CHARLTON: I would briefly and broadly outline the National Party's stand. Everything I could say on this matter has already been said. The Leader of the Opposition clarified the Liberal Party's position and the only point I want to make is that the National Party is very keen indeed to see some changes made to the Electoral Act.

There is no question that the present set-up has gone on for a long time and many Governments have been out of kilter with reality and have not laid a foundation plan for the proper representation of people across the State. I know the anomalies that are inherent in the present Act are understood by members of all parties, and all members are aware that changes should be made. However, I want to place on the record the fact that the National Party wants to see some of the basic problems associated with the present Act rectified. People should have the opportunity to elect their representatives on a practical and reasonable basis.

There are a number of areas where criticism could be made; one such area is the fact that the present system does not allow particular groups to be represented in a manner which is satisfactory to them. Members, no doubt, will not all agree with some of the conclusions reached during the course of this debate. However, over the years, whenever the media has reported the facts about the anomalies in the electoral system—with its extreme weighting in some areas of the State—people have agreed that this sort of thing should not be continued. At the same time, members here have the responsibility to come up with something that will give, this Chamber in particular, the opportunity to have members elected to it in a different way; in other words, by proportional representation. There needs to be a definition whereby the present anomalies can be rectified and a fair assessment adopted.

During this debate, I hope that the amendments listed will be dealt with clearly and specifically so that there can be no question of doubt in anyone's mind. That is, so that every member, the media and the public know exactly where the parties stand in respect of the amendments now before the Chamber.

Hon. J. M. BERINSON: I will restrict myself at this stage to a single comment, and that is in response to a question asked by Hon. G. E. Masters. He asked whether the Government was saying that it would accept only a proposal which ensured a Labor victory, and the answer to that is, "No." However, neither will the Government accept a system which guarantees a Labor defeat. We are looking for a fairer electoral system and, as I will indicate in greater depth as we proceed with this Bill, we believe that there are objective measures by which reform proposals can be judged. The long and the short of it is that the proposed amendments, as listed by the Liberal Party, do not meet that measure.

Clause put and passed.

Clauses 2 and 3 put and passed.

Clause 4: Section 47 repealed and a section substituted—

Hon. G. E. MASTERS: Would the Attorney General explain to me what exactly this new section means. It reads—

47. Upon any general election the Legislative Council shall be competent to proceed to the despatch of business, at the time appointed by the Governor for that purpose, notwithstanding that the electors shall have failed to elect the required number of members to serve in the Legislative Council.

I assume then even if they could not all have been elected, the Council could go about its business. However, if, for example, there were three or four members who were not elected for whatever reason, is there a limit to how many members must be elected before business can proceed?

Hon. J. M. Berinson: Are you referring to the present section 47?

Hon. G. E. MASTERS: I am asking what is meant by this clause. I would guess, having read the Bill, that it is saying that should there be a shortfall in the number of members elected to the Legislative Council for one reason or another, and that no matter how great that shortfall is, the Council can sit and can conduct business.

Hon. J. M. BERINSON: Clause 4 has to be understood against the current provision of section 47 of the Constitution Act. This provides that following an election, the Legislative Council shall be competent to proceed to the despatch of business, notwithstanding that any of the writs, not exceeding two, shall not have

been returned. This contemplates that following the general election, say, for 17 members, 15 writs have been returned but for one reason or another, two have not. The view of the Government is that this concept no longer retains whatever purpose it had when we deal, not with a large number of writs—that is, one for each province—but with no more than six writs altogether for the new regions.

In these circumstances, the concern of the existing section 47, in the Government's opinion, no longer has application.

Clause put and passed.

Clause 5: Section 73A inserted—

Hon. A. A. LEWIS: Last week the Attorney told us the Labor Party was doing this as an act of compromise and there was a lot of goodwill. How many speeches have we heard in this Chamber about one-vote-one-value? Has Hon. Garry Kelly changed his mind, or Hon. Doug Wenn, Hon. Kay Hallahan, or my friend Hon. Tom Stephens changed theirs? Have they all changed their minds?

Hon. T. G. Butler: Not at all.

Hon. A. A. LEWIS: So members of the Government are prepared to vote against the Government's amendment, is that right? Let us put it in clear terms.

Hon. J. M. Berinson: No.

Hon. A. A. LEWIS: Is it not fascinating how these people rant and rave? They had stickers all over their cars saying "Let the people decide". Oh dear! Now what has happened to Hon. Doug Wenn and other members on the Government side? They are compromising themselves right down the line.

Hon. P. G. Pandal: You don't see too many of those stickers now.

Hon. A. A. LEWIS: It is fascinating to see the mess the Australian Labor Party has got itself into.

Hon. Garry Kelly: People in glass houses!

Hon. A. A. LEWIS: Mr Kelly should not interject in those terms because he was one of the blokes who made me change my mind. Members can laugh and grin, and the Attorney General can smile, but when this Bill came into this place I was an Independent, and the Minister for Parliamentary and Electoral Reform was dealing with me in relation to certain matters. This was one of them, and I said, "Yes, I think that sounds reasonable with a 15 per cent variation. I can see nothing wrong with that." Let members laugh that one off! There is not a

word now from these people who have been conning the public. Why do they not want one-vote-one-value?

Hon. Doug Wenn interjected.

Hon. A. A. LEWIS: Is that an offer to vote against the Government's amendment? Of course, Hon. Doug Wenn will not vote against it.

Members of the Government must accept it one way or another. I made a commitment to the Deputy Premier, and I am not like some people; I did not leak papers or talk about what I was going to do and then back off fast. The Government has changed this Bill because it knows it will lose seats under one-vote-one-value. Anybody like my truthful friend Hon. Fred McKenzie knows that; he is the only one I can name because he is the only member who has not gone on at such length in this Chamber with all the nonsense about one-vote-one-value. I am waiting for Hon. Robert Hetherington to talk about this clause and oppose the Government's amendment. The Attorney can put on his Shakespearean style—

Hon. J. M. Berinson: You can talk!

Hon. A. A. LEWIS: That is what I am paid to do; I am not just a pretty face.

We heard the answer the Attorney gave to the Leader of the Opposition in which he said he was going to make sure the Government would not lose.

Hon. J. M. Berinson: I did not say that. I said it should not be guaranteed to lose; that is, that it should never have a chance to win.

Hon. A. A. LEWIS: I thank the Attorney for that interjection; that is what the Government is doing. The Government was guaranteed of losing if it had stuck to one-vote-one-value.

Hon. J. M. Berinson: Rubbish!

Hon. A. A. LEWIS: The Attorney knows that perfectly well; the Government has all the figures and he knows the Government would be done like a dinner with one-vote-one-value.

Hon. J. M. Berinson: Get your colleagues to agree to one-vote-one-value and we will join you, no risk.

Hon. A. A. LEWIS: I just said I would put the Government to the test and the Attorney said "No". It does not matter about my colleagues.

Hon. T. G. Butler: Are you going to move an amendment on one-vote-one-value?

Hon. A. A. LEWIS: I do not have to; it is already in the Bill. That is how much Hon. Tom Butler knows about the Bill. The Government is going to amend the Bill and the only reason is that the Labor Party would lose six seats if it did not. That is the rub. It is called "numbers", and the Attorney is pretty good at numbers.

Is it not fascinating that the Labor Party has flogged this business of one-vote-one-value and equal opportunity, and everybody having his say? As Hon. Phillip Pendal said, one does not see too many stickers on the back of their cars now—only those of the lazy ones who have not pulled them off. The rest have chickened out because they know they are going to lose seats. I challenge this great Australian Labor Party here and now to defeat the amendment its leader has on the Notice Paper. Not one of them will accept the challenge. Not one of them can come into this place and talk again about electoral systems. Let them not try again to con the public.

Several members interjected.

Hon. A. A. LEWIS: I am proud to represent some fairly solid Labor areas. I will be telling the people of Collie and Manjimup how much this clause meant to members of the Labor Party in this Chamber. I will be going on the air everywhere I possibly can to tell the people of Western Australia.

Hon. Tom Helm: Tell the truth.

Hon. A. A. LEWIS: I will the truth; it is so easy because one does not have to have a good memory to tell the truth—one has to know what one is talking about. Hon. Tom Helm is another of those blokes during whose speech I had to get up and walk out because he gave us a blast on the electoral system and one-vote-one-value. Members of the Government are throwing every ideal the ALP ever had down the drain.

Hon. Tom Helm: You will not support us, will you?

Hon. A. A. LEWIS: Who said that?

Hon. G. E. MASTERS: Members need to understand exactly what question we are debating. On the Notice Paper is a Government amendment seeking to delete clause 5. I would like a direction from you, Mr Deputy Chairman (Hon. John Williams): I do not think we are debating the amendment as such. I believe the question before the Chair is that clause 5 stand as printed.

Members of the Labor Party will be asked whether they support clause 5 and will be required to vote "Yes" or "No". If a number of members vote "Yes" and a division is called members will be in a position to see whether there are any other supporters of clause 5 apart from Labor Party members. This is the opportunity for members of the Labor Party to say whether they support one-vote-one-value.

Every Labor Party member sitting in this Chamber will be asked by you, Mr Deputy Chairman, whether clause 5 will stand as printed and they will be required to answer "Yes" or "No", or to remain silent. If they vote "No" so be it, and we will understand where they are.

Regardless of what the Attorney General says, the Liberal Party is prepared to compromise because it wants progress to be made in order that the Bill can pass through this Chamber. The question to members on the other side of the House is whether they will vote for one-vote-one-value.

I suggest that Hon. Sandy Lewis was right in his comment; that is, that the Labor Party has suddenly decided that this clause does not suit its purposes.

Members from this side of the Chamber have seen stickers on cars driven by Hon. Kay Hallahan and Hon. Fred McKenzie promoting one-vote-one-value and that everyone's vote should be equal. A number of Labor Party members were strolling around this Chamber wearing badges stating one-vote-one-value. Mr Stephens was one of those members and, as I have said, Mr McKenzie had a sticker on his car as did Hon. Kay Hallahan. Hon. Robert Hetherington has spoken about one-vote-one-value for many years and he will now be asked by the Chair whether he supports one-vote-one-value.

Members from this side of the Chamber will listen and watch carefully when the question is put. We will see whether members opposite have the guts to vote for it or whether one-vote-one-value was just a catchcry while it suited their purposes.

If members have any doubt about the sincerity of the Labor Party I will quote again from a letter written by Mr Arthur Tonkin. It was his crusade in life to bring about one-vote-one-value to the Parliament of Western

Australia and everyone knows it. Members should not forget the reason why he resigned from Parliament. He said—

To hear my colleagues say, as they did in Geraldton on Sunday night, that we must make absolutely sure that the bill, which will contain the promises we had made to the people at the election, is defeated . . .

Why did he say that? It was because Cabinet at a meeting in Geraldton looked at the clause and said, "We suppose that we have to include it, but we must make sure it does not go through."

Hon. T. G. Butler interjected.

Hon. G. E. MASTERS: Mr Butler will be asked the question also and we will have a division. The Labor Party might get it through. Is it not worth a try?

Members opposite have been involved in things like this in the past and that is the reason Arthur Tonkin resigned. He knew that his own party members would renege on the one promise he held most dear; and they have sold out. We must ask ourselves whether the Government has gone back on the proposition of one-vote-one-value. Has it changed its mind, or has it got cold feet? Or perhaps it is purely hypocritical. I suggest that the last comment is correct.

I put it to the Chamber again that very soon Labor Party members will be asked a question by the Chair and members of the Liberal Party will see whether they have the guts to vote "Yes" or "No". The clause states that there should be one-vote-one-value in the Legislative Assembly in Western Australia. Do members opposite support that?

Hon. B. L. Jones: I think your record is broken. You keep repeating yourself. You are hiding behind a smokescreen.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! This record will not be broken. Conversations between members are disorderly. I ask members to speak to the question before the Chair.

Hon. G. E. MASTERS: Labor Party members, including Hon. Robert Hetherington, will be asked a question. I suspect that as Hon. Robert Hetherington has made his position clear in this Parliament many times he will vote for one-vote-one-value. He will now have the opportunity to vote on this question in the parliamentary forum.

I support the clause and if members opposite do not vote for it also they will be branded as hypocrites, which I think they are.

Hon. E. J. CHARLTON: We have reached clause 5 and the Committee stage has turned into playtime about where we are going.

While there has been toing-and-froing between the Liberal and Labor Parties about the so-called one-vote-one-value I place on record that there is not one member in the National Party who will support such a proposal.

The situation is simply that if such a proposal is introduced in Western Australia a lot of people who live outside the metropolitan area will have one-vote-no-value. It is an impossibility to have such a situation in Australia because of its size. We have extremes of densely populated areas and sparsely populated areas and we must implement a system which will suit everyone.

The Federal seats of O'Connor and Kalgoorlie illustrate the difference that can arise between seats. In this example there is one Labor held seat and one seat temporarily held by the Liberal Party and they are different situations compared with some of the metropolitan seats.

The National Party would never support—I should not use the word “never” but it applies for as long as the nation is structured in the way it is at this particular time—the so-called one-vote-one-value. It is most inaccurate terminology.

It is most inaccurate. Over the years it has distorted the situation of how people should be represented in the Parliaments across this nation.

Hon. J. M. BERINSON: The amendment standing in my name will have the effect of deleting clause 5.

Point of Order

Hon. A. A. LEWIS: If the Attorney General votes against the clause, it is then deleted. I should think that by Standing Orders the member has only one choice: He does not have to move his amendment; he has to vote against the clause.

The DEPUTY CHAIRMAN (Hon. John Williams): The Attorney does not have to move the amendment; by voting against the clause, he will be successful in what he is seeking to do.

Committee Resumed

Hon. J. M. BERINSON: There have been three speakers on clause 5 so far, and one of them was an honest man, Hon. E. J. Charlton. The other two speakers, Hon. Sandy Lewis and Hon. Gordon Masters, gave an exhibition of apparent enthusiasm which was all froth and bubble and contained no reality or honesty. In saying that I am not relying on some vague impression of their attitude but on the record, on the fact, that when the Government first tabled this Bill and before it listed any amendments of its own, the Liberal Party listed amendments which made it transparently clear that it would not have one-vote-one-value at any price. That is the truth of it.

Messrs Lewis and Masters now think they can goad some response from the Government on the basis of these absurd propositions about the Government reneging on one-vote-one-value. At the risk of repeating the comments I made earlier, I again put the position clearly on the record. The Government's position has always been one of support for the principle of one-vote-one-value. Over and above that is the Government's determination to push for electoral reform now as far as it can in practical terms. It is only in the face of the clearest indication from both the Liberal and the National Parties that one-vote-one-value will not be implemented in this State that the Government has moved along the lines of the package of amendments listed in my name.

One cannot just start plucking out individual sections of these proposals and putting challenges to the Government. If one wants to go back to the period which existed before this Bill was drafted, one has to give the Government some commitment to one-vote-one-value in the Assembly and in the Council and do a proper job of it. Why not test the Government? I am not suggesting that could be done as a matter of instantaneous decision now, but why not give the Government a commitment that the Liberal Party will support both those propositions and—

Hon. N. F. Moore: I do not support one-vote-one-value and will again say so on the record.

Hon. J. M. BERINSON: This must surprise Hon. Gordon Masters because he is the Leader of the Opposition and one would think he would have been aware, before he tossed these empty challenges—

Hon. G. E. Masters: The Attorney is getting upset.

Hon. J. M. BERINSON: Hon. Gordon Masters should have been upset at the attitude of his own shadow Ministers, but it appears that he could not have been since he was attempting to lead the Government into paths that his own shadow spokesman would not follow him into. The sorts of arguments advanced by Hon. Sandy Lewis and Hon. Gordon Masters might have a place in some sort of kindergarten debating society where cheap points are at issue, but members are dealing with matters that are much more important.

Hon. G. E. Masters: It is a matter of principle.

Hon. J. M. BERINSON: Members are dealing with the democracy of this State, and that deserves and requires a more serious approach than members have had from these two speakers on this clause. I put it to the Chamber that members cannot just be chopping and changing as they come to debate individual clauses. They must look at the pattern of the Bill and at the pattern which emerges from the package of amendments listed on the Notice Paper by each of the parties in this Chamber.

The Government made it clear that the amendments which it has listed do not represent its first preference; they represent a move to go as far as it can in order to search out and achieve some reasonably acceptable compromise. The Government has said that is the position a dozen times, and by the way debate is going it will need to be said a dozen more times yet. This is not the Government's preferred position. It is one which it has reached in a genuine attempt to accommodate to the maximum extent possible the objections which were put to this Bill over a period of six months. Over that period there were intensive negotiations outside Parliament with a view to achieving some positive action instead of all this empty talk.

The proposition before members now is a simple one. I urge the Chamber to agree to this amendment and get down to some real business.

Hon. A. A. LEWIS: I take exception to Hon. J. M. Berinson calling me dishonest. If the Attorney General wants to treat other people as he acts himself, that is all right; but the Deputy Premier has a letter which I sent to him last year, when members first started talking about this matter, which said that I went along with one-vote-one-value. The Attorney General can verify that, and I take strong exception to his getting up in this place and accusing me of

dishonesty. Members all know who the dishonest person is: One who will give assurances to this place and then go back on them; one who will leak bits and pieces to the Press. If the Attorney General was a gentleman, he would verify my letter with the Deputy Premier, and apologise to me. I have not changed my view, so let the Attorney General look me in the eye and say that he did not know what my stand was on the matter.

Hon. J. M. Berinson: What is the view of your party? You are not an Independent now.

Hon. N. F. Moore: Members are all individuals.

Hon. A. A. LEWIS: The Australian Labor Party mentality is shining through. Members can cross the floor. The Attorney has seen me do it. Members have not seen the Attorney do it very often. Members have not seen the Attorney move out of his Caucus situation.

I will not accept the Attorney getting up in this place and accusing me of being dishonest. He knows how he has double-crossed me in this place.

A member interjected.

Hon. A. A. LEWIS: The member was not here during the debate on the WADC Bill. The Attorney General has plenty of witnesses.

Hon. J. M. Berinson: You may be as provocative as you like. The fact remains I am interested in your party's position, and not yours. You are no longer an Independent.

Hon. A. A. LEWIS: Is the Attorney General not interested in my vote?

Hon. J. M. Berinson: I am interested in your party's vote.

Hon. A. A. LEWIS: But individuals in this place do not matter?

Hon. J. M. Berinson: Of course they matter.

Hon. A. A. LEWIS: Of course they do not matter. The Attorney General has just admitted it.

Hon. J. M. Berinson: Would you like to discuss the Bill?

Hon. A. A. LEWIS: The Attorney General started all this with his dishonest bit, not I. He still has not asked the Deputy Premier whether he had that letter.

Hon. J. M. Berinson: It is an irrelevant consideration.

Hon. A. A. LEWIS: The Attorney General will see what happens when this Bill is voted on and which way I will vote. I will see how he votes. I think the dishonesty of people will be

shown up just by the vote itself. I know the Attorney General has other things to consider, but I have never been so horrified as when I heard him accuse people of being dishonest. It may be that he did not know that the letter had gone to the Deputy Premier. He may have known, but he wanted to put on his Shakespearean act again. If he did know he is culpable. If he did not know, he should have gone and asked. It is disgraceful for a leader of this place to perform like that. It is bad enough trying to get a Bill like this through without people being told they are dishonest. I challenge the Labor Party to stick to its principle.

Several members interjected.

Hon. A. A. LEWIS: The Liberal Party has a free vote on any matter. Hon. Robert Hetherington knows that at times I have supported his Bills because I have a free vote on any matter and always have had.

I believe the Labor Party will be shown for what it is when we vote on this matter.

Hon. NEIL OLIVER: I am surprised by this plucking-out-of-the-air change of policy by the Attorney General because I understood the thrust of the Labor Party in the Legislative Assembly was for one-vote-one-value and in the Legislative Council it was for proportional representation. I heard the Attorney General put forward an argument for one-vote-one-value for both Houses. I do not know whether I misunderstood him, but that was the way I heard his remarks.

What does surprise me is that when this Bill was introduced by Arthur Tonkin he took some 80 minutes to introduce the Bill in another place and 73 minutes of that speech was devoted to the one-vote-one-value principle. I have heard speeches and interjections by almost every member, including Hon. Kay Hallahan, that their platform is very clear. It is for one-vote-one-value. The same thing has been said by Hon. Garry Kelly who went on to say that the question will be decided by the people. It has always quite clearly been said what the mandate of this Government is. It is contained in the two parliamentary and electoral reform documents presented by the Premier in 1983 entitled "Parliamentary and Electoral Reform—Restoring Democracy to Western Australia" and "Parliamentary and Electoral Reform—Creating a Democracy and Modern Parliamentary System". Throughout the documents, in the Premier's speech and in the Australian Labor Party's Western Australia branch policy speech of 7 February 1983 and in

speeches made in this place, including those of the former Minister for Parliamentary and Electoral Reform, 90 per cent of those speeches have been devoted to the proposal of one-vote-one-value.

I now hear the Attorney General is presenting the same proposition to the Legislative Council—one-vote-one-value—and not proportional representation. Obviously, I have missed the point.

Hon. J. M. Berinson: Yes, you have.

Hon. NEIL OLIVER: Page 2 of the document relating to parliamentary and electoral reform states that in the Legislative Council—which has a lesser role and which is supposed to be a reform Legislature—a system of proportional representation can be used to ensure that every significant aspect of public opinion is recognised.

If it is a fact that the Labor Party has a clear mandate, I am surprised that this amendment is now brought forward. The only reason I can see for it being brought forward is that it will cost the Australian Labor Party votes. Therefore, the Government found that unacceptable. I do not know whether the Attorney General has taken it on his own bat to propose one-vote-one-value for the Legislative Council but I do not think it should be the policy of an upper House, including the Senate of the Australian Parliament, to have one-vote-one-value.

As I understood it, the one-vote-one-value principle was for the Legislative Assembly. Apparently, I am incorrect and it applies to both Houses. I am disappointed because I have listened to speech after speech from members like Hon. Garry Kelly who have presented the first and second editions of their speeches in the past and I am yet to hear his third edition. The next edition will obviously be different from the first two.

Hon. J. M. Berinson: Before you sit down, would you vote for one-vote-one-value?

Hon. NEIL OLIVER: To be quite honest, I see quite a lot of merit in it.

Hon. J. M. Berinson: Will you vote for it?

Hon. NEIL OLIVER: I possibly could vote for one-vote-one-value but I wish the Attorney General to clarify whether it will be for the Legislative Assembly or the Legislative Council.

Hon. J. M. Berinson: Give your opinion on each?

Hon. NEIL OLIVER: It may be worthwhile to have the one-vote-one-value principle in the Legislative Assembly but I know of no upper House in the western world—and I have studied many countries—where the same parallels apply to the election of members in the upper House and the lower House. For some reason it was decided by the wise men of the past that that should be the system.

I am not suggesting there is no need for change. I agree there is a need for parliamentary change. Frankly, the Liberal Party and the National Party believe, like the Government, there is a need for electoral change. We have all put forward ideas for electoral change. The Leader of the Opposition here has put forward a very simple and fair electoral change, one which the people of the State can understand. The Liberal and National Parties have been among the few groups that have come forward with reasonable electoral change.

Several members interjected.

Hon. NEIL OLIVER: The electoral change that came before the House some time ago that allowed voting by 18-year-olds to be provided for in the Constitution, faced a situation where there was no-one in the House to count the Noes. That legislation introduced by Dr Hislop was a Liberal initiative. The Labor Party thought it would gain an advantage because of the legislation and so it supported it—but it was wrong. Afterwards it screamed "Gerrymander!"

Hon. ROBERT HETHERINGTON: I never cease to be amazed by the smug, self-satisfied, pseudo-self-righteous, point-scoring position adopted by the Leader of the Opposition. I certainly witnessed some of that this afternoon.

I want to make my position quite clear: I intend to vote against the clause, but I believe in one-vote-one-value. I remember saying in my maiden speech that, although I came here in the hope that I might reform the Parliament when some members came here breathing fire but did not always succeed, I would patiently try to achieve the reform. Certainly I have been doing that ever since I have been here. If, during negotiations that have gone on between the Deputy Premier and both Opposition parties, we had heard any indication that one-vote-one-value would be supported for both Houses, or even supported for the lower House with some kind of reasonably fair system for the upper House, we would not be trying to delete this clause from the Bill.

Hon. P. G. Pental: Not true. Your own Cabinet meeting in Geraldton repudiated what you say.

Hon. J. M. Berinson: Look at the Bill.

Hon. P. G. Pental: We are looking at the facts.

Hon. ROBERT HETHERINGTON: If I believed that this Government was deliberately trying to prevent one-vote-one-value from being introduced into the Parliament, not because it had to reach a compromise with other parties but because it was a deliberate plot as the honourable member has suggested, I would resign from the Labor Party. I do not believe what the honourable member says; he keeps making the accusation, but I do not believe it.

Hon. P. G. Pental: Are you talking about me?

Hon. ROBERT HETHERINGTON: Yes.

Hon. P. G. Pental: It's not my accusation; it's Arthur Tonkin's.

Hon. ROBERT HETHERINGTON: I have known the Deputy Premier, Mal Bryce, for many years; I shared an electorate with him from 1977 until my former electorate was abolished. I know him as a person of honour and I believe what he says. I know he is working for electoral reform and I know he would be only too happy were we able to get a Bill passed which enshrined in our Constitution one-vote-one-value for both Houses. I have no doubt about that. The member can read the Tonkin letter to me as much as he likes.

Several members interjected.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! This is going to be a long debate and I intend to allow only one speaker at a time. If Hon. Phillip Pental and Hon. Tom Stephens want to hurl abuse at each other across the Chamber, they might find themselves doing it outside the Chamber.

Hon. ROBERT HETHERINGTON: I believe that Hon. Arthur Tonkin is an honest and straightforward man. I believe it is possible for him to be mistaken; and because other people who were at that Cabinet meeting have told me, I believe he misread the situation. I believe this Government is still committed to electoral reform and to one-vote-one-value if it can get the numbers in this place. If I really believed we could do this, I would be very happy.

It gives me no pleasure at all to vote against this clause at this time, but then it never gives me pleasure to vote for part-reform when I believe that full reform is necessary. From what I

have been given to understand of negotiations that have gone on, I believe that by removing this clause now we can take a step towards reform, although not an ultimate step; it will be one small, timid step towards reform and democracy in this place. I am therefore prepared to postpone voting for my principle—not to give it up—in order to achieve that reform.

One of the basic things we need in this State is an electoral system which will give any party that gets a majority of the votes in either House a majority in that House. If we can get that, I am prepared to postpone the ultimate achievement of one-vote-one-value. I believe it will eventually come, because it is a proper democratic principle; and unless the New Right ultimately gets control of the conservative parties—Heaven forbid, and I do not believe it will happen—we will eventually become a democracy in this State. We have not done so yet and we are not going to become a democracy if we allow one-vote-one-value for the Legislative Assembly while denying the right of the Labor Party, if it gets over 50 per cent of the vote, to get a majority in this Chamber. That is what the proposals put forward by the Liberal Party would do and for that reason I do not accept the challenge that has been given to me to vote for this clause.

If two or three Liberal Party members will cross the floor and vote for this clause and give me a guarantee that they will vote for one-vote-one-value in this place—and I notice Hon. Norman Moore has been honest enough to say he does not believe in it—I might stay over here and vote with them. But I see no evidence of this. I see no evidence that we will get one-vote-one-value by voting for this clause right now. I see some evidence that by deleting the clause we will get some way along the road to reform. For this reason, although I dislike doing it intensely—it hurts—I will vote against the clause in the hope that we will take a real step along the road to the ultimate attainment of reforming this Parliament. That is what I think of the Leader of the Opposition's challenge. If he is going to accuse me of hypocrisy, let him do so.

Hon. J. M. BERINSON: Hon. Sandy Lewis was upset about my suggestion that he was not the one of the three speakers to whom I referred who was prepared to advance an honest argument on this matter. I was not, by that comment, suggesting that Mr Lewis, when he was an Independent, had not made some statement or sent some letter along the lines to which he referred. I was referring to the

honesty of an argument which seriously suggested to the Government at the twelfth hour that it should abandon the whole of the package which results from six months of consultation with the other parties and respond to his goading on this single question on clause 5. Political realities apply here and I am sure that Hon. Sandy Lewis understands them as well as everybody else. He understands, for example, that even if he could persuade two of his Liberal colleagues to vote for this clause, the result would be so unacceptable to the National Party that the rest of the Bill would go. He knows that as well as I and other members of his party know it.

That brings me back to the basic point. Are we interested in achieving a package which has some realistic prospect of obtaining the agreement of sufficient members of this Chamber or are we not? We will never get the answer to that by coming up with fancy suggestions on individual clauses. We need a commitment to one or other of the packages represented by the Bill and by the list of amendments.

Hon. P. G. PENDAL: My first point on this matter relates to an argument put forward a few minutes ago by Hon. Robert Hetherington who was at some pains to persuade the Committee that his former colleague, Mr Tonkin, resigned as a result of a misunderstanding or misbelief on his part. That is palpable nonsense when one refers to the facts. The second paragraph of his letter of resignation began with two words, "To hear". He said, "To hear my colleagues talk like that in Cabinet ..." Mr Tonkin's position was not based on any misbelief or misunderstanding. He heard with his own ears the fact that the Labor members of Cabinet wanted the Bill defeated. Does any member of the Labor Party challenge that? Mr Tonkin has no misunderstanding about what happened.

Hon. W. N. Stretch: He was hardly a new chum.

Hon. P. G. PENDAL: That is quite right. He was one of the most experienced parliamentarians who had been here for 15 or 16 years. One cannot, therefore, accept his resignation from the Ministry, and then from Parliament for the reason that the poor fellow did something and only woke up later that he misunderstood the situation. It was not a misbelief at all. He heard with his own ears the Labor Cabinet, including this Minister handling the Bill, say that they had to defeat their own Bill.

Hon. Garry Kelly interjected.

Hon. P. G. PENDAL: That is germane to the matter we are debating now. We are talking about one-vote-one-value in the Assembly. Mr Tonkin could not stand to hear his own colleagues sell out every principle that allegedly the Labor Party held.

My second point relates to a remark that the Attorney General made when he responded to the Leader of the Opposition. He used words to the effect that he, as the Minister handling the Bill, relied on the record to determine the Liberal Party's view of these matters. He went on to say that the Labor Party was relying on the record by reading in *Hansard* what had been said in the past by the Liberal Party on electoral reform.

The Opposition is entitled also to look at the record about what the Labor Party said. Only four years ago the Labor Party went to the polls with a bible of electoral reform that was unchangeable. There would be no deviation on the part of the Labor Party about its so-called electoral reform! Let us look at the way the Labor Party not only compromised, but also sold out every inch of the way on that reform.

In 1983, the Labor Party promised to reduce the number of members of this House by 12. It soon changed its mind when it realised how that would affect some members on its side. It reneged on that promise. Another promise was to introduce State-wide proportional representation in order to achieve the treasured objective of one-vote-one-value. It has reneged on that. It introduced some mechanisms allegedly to resolve the deadlock situation between the two Houses. That was dealt with but is no longer part of Labor's so-called electoral package. It reneged on that. That is half of the Labor Party's 1983 policies thrown into the rubbish bin because it was not prepared to compromise. Members of the Liberal Party and National Party were prepared to compromise. The Labor Party has not compromised; it has sold out.

That is the reason the Labor Party is being challenged today to spell out why its treasured belief of six months ago is so expendable.

[Questions taken.]

Hon. N. F. MOORE: I want to make sure that it is on record that I, as a member of the Liberal Party, have not been wishy-washy about one-vote-one-value. I am opposed to it, and I have always been opposed to it. I believe that because of the way in which population is

distributed in Australia, if we are to have equality of representation we must have a system of weighted votes in the country.

The Federal seat of Kalgoorlie in the House of Representatives is a classic example of how one-vote-one-value does not work. The people in that electorate are not well represented and cannot be because the electorate is too big. A House of Representatives seat in Sydney covers 17 square miles and it has the same number of electors as the Federal seat of Kalgoorlie which covers 900 000 square miles. There is no way in the world that a system of one-vote-one-value can work in Australia where the population is sparsely spread in the country or concentrated in the city.

I am opposed to one-vote-one-value on the ground that people are entitled to equality of representation and they are entitled to see their member of Parliament from time to time. The system in Western Australia allows that to happen to some extent.

The move by the Government to delete this clause is made because it wants to ensure that the clause is defeated. It could have put up the clause and allowed the Chamber to make a decision about one-vote-one-value. If my assessment of the numbers is the same as that of the Attorney General, the clause would have been defeated, and that would have had the same result as the Government hopes to achieve by the amendment. The Government is ensuring that one-vote-one-value does not go into the Bill because it is frightened that the National Party will not support the rest of the Bill if it does.

I want the National Party to be aware when it votes on the third reading that the Attorney General is saying that it does not represent a change in Labor Party policy. It is an expedient measure to ensure that the Bill is passed. The Government wants the Bill to be passed because it believes that the Bill will improve its electoral chances at the next election and improve its chance of winning control of this Chamber. If that happens, the Government will go back to the hallowed principle of one-vote-one-value.

I am sure that point has not been lost on the members of the National Party; they know that this is a matter of expediency. If we believe Hon. Joe Berinson's statement that the policy has not changed, and if we give the Labor Party a better chance of winning Government, we have a better chance of one-vote-one-value being introduced.

I agree with Hon. Eric Charlton that one-vote-one-value is totally unacceptable in Western Australia and to allow this Bill to go beyond the third reading will ensure that that happens. I will vote against the clause because of the one-vote-one-value provision, but I find it hard to accept the way the Government has gone about this; that is, it has gone against its principles when it could have voted on the clause to find out what the Chamber wanted. It was not necessary to propose an amendment to make sure the clause is defeated.

Clause put and negatived.

Clauses 6 and 7 put and passed.

Clause 8: Section 6 repealed and a section substituted—

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

Page 3, lines 20 to 26—To delete subsections (2) and (3) of the proposed section 6.

Amendment put and passed.

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

To insert the following subsections—

(2) The electoral region known as the North and East Region shall return 3 members to serve in the Legislative Council.

(3) The electoral regions known, respectively, as the Agricultural, Mining and Pastoral Region and the East Metropolitan Region shall each return 5 members to serve in the Legislative Council.

(4) The electoral regions known, respectively, as the North Metropolitan Region, the South Metropolitan Region, and the South West Region shall each return 7 members to serve in the Legislative Council.

I am sure it will be clear to all members that in clause 8 we have come to a crucial point in the Bill, and one which is of the greatest significance in remedying the current gross imbalance—one might say corruption of the system of representation—which now applies in the Legislative Assembly.

I go back to some comments by the Leader of the Opposition towards the end of the second reading debate when he made great play of the fact that the amendments which the Liberal Party had listed offered a simple solution to the need for reform. According to Mr Masters

under his new proposals on the Notice Paper, the setting of the province boundaries would be simple; the setting of Assembly electorates would be simple; the voting system would be simple. Just about everything would be simple, on his view of the system.

The problem with approaching this exercise as though it were designed merely to achieve greater simplicity in our electoral system is that we already have a simple electoral system. It is not one which gives anybody any trouble in understanding it. Its problem arises from the fact that while it is simple, it is also grossly unfair.

I have used the word "corrupt", and I do not think that is an exaggeration. It is certainly wholly undemocratic. The reason that we are coming to this Bill and to the Government's own package of amendments is that we regard it as essential that we move to an amendment of our electoral system which will remedy the imbalances which now exist and produce something fairer in their place.

Mr Masters attitude as expressed in the same speech seemed to suggest that fairness in electoral systems is something like beauty being in the eye of the beholder: It all depends, as he sees it, on the point of view. He carries that forward by saying that no party would be interested in a system which did not positively advantage it. Put another way, he was saying one cannot have an objective test of fairness of an electoral system; it is all wholly subjective; it just depends on which party one is in and where one expects the votes to come from.

I do not believe that that reflects the reality. It is the view of the Government, which we have expressed consistently during our repeated attempts at electoral reform in the past four years, that an objective test is available. The objective test of a fair electoral system is that it should be capable of ensuring that a party which achieves a majority of votes should expect to gain a majority of seats. That applies to the Assembly and to this Council alike.

This brings us to the question of representation in the Legislative Council. I refer here both to the provisions of the Bill itself and to the amendments listed by the Government. While we are not dealing at this stage with the amendments on the Notice Paper by the Liberal and the National Parties, those proposals are well known and are part of the comparison which needs to be made.

The starting point is that at the moment we have a vote weighting between non-metropolitan and metropolitan provinces which averages over 3:1. In the case of Lower North Province we have an imbalance of almost 11:1 compared with North East Metropolitan Province. It is no good talking about the size of electorates and the differences between the Federal electorate of Kalgoorlie and the Federal electorate of East Sydney.

Several members interjected.

Hon. J. M. BERINSON: The fundamental truth is that we cannot have a democratic system where one man's vote is worth 11 times that of another.

Hon. N. F. Moore: You have just voted against one-vote-one-value.

Several members interjected.

Hon. J. M. BERINSON: I am not going to be distracted any longer by those crazy arguments which have nothing to do with what we are about.

Several members interjected.

The DEPUTY CHAIRMAN (Hon. John Williams): Order!

Hon. J. M. BERINSON: What I was about to give the Opposition credit for was the fact that both Liberal and National Parties have themselves at least come to the point of accepting that an imbalance of 11:1 is not a proper balance; is not democratic; is in need of reform. That is an advance. It is something that they have not been prepared to acknowledge over the 97 years since this State gained its independence.

I want to pay every respect to that, because they have really come a long way down the path to recognising what everyone else in this State has recognised for the last 96 years; but still, they have arrived at this point and that represents an advance of sorts. Having achieved that much, we must get down to the nitty-gritty and decide that since the current system is rotten—the current system, by which Mr Moore sits in this Chamber, is indefensible—

Hon. N. F. Moore: I am not the only one.

Hon. J. M. BERINSON: Having reached that agreement, we must take the further step and say: What can we do about it? How can we replace this rotten, unrepresentative, undemocratic system with something which is somewhere near fair? That has brought the Government to the point that is reached by the amendment which I am now moving. As

opposed to the present system, where there is an average voting imbalance of 3:1 between metropolitan and non-metropolitan seats in this House, the Government's Bill proposed a division of 21-13 seats representing a continuation of vote-weighting but in proportions of 1.4:1. Through the lengthy process of negotiation, to which we have referred many times, the Government came to understand that that proposal had no prospect of receiving the support of an absolute majority of the members in this Chamber, and it has therefore taken the further step of reducing the metropolitan seats by two and increasing the non-metropolitan seats by the same number so that the respective numbers which are proposed by the amendment are 19-15.

Hon. G. E. Masters: What is the ratio?

Hon. J. M. BERINSON: The vote weighting here is 2.2:1 and it took a very serious decision by the Labor Party to come this far. We have come this far on the basis that we have already explained innumerable times; that is, that we can no longer allow the present system to continue and that we must bend over backwards if necessary to try to reach a reasonable sort of compromise. The compromise based on 2.2:1 must be accepted by this Chamber as not only representing the Government bending over backwards but almost doing double backward somersaults. We are going an enormous distance, and we cannot go further. It is not reasonable to ask us to go further, nor to expect us to go further; and that is why the proposals that have been advanced by the Liberal and National Parties are not acceptable to us.

The Liberal Party's proposal would implement a vote-weighting of 2.4:1; that is, by providing a division of 18 metropolitan and 16 non-metropolitan seats. The National Party's proposal is for 17 seats in each of the metropolitan and non-metropolitan areas and would have the effect of a voting imbalance of 2.75:1. Interestingly the Liberal proposal, though it might appear at first sight to be a bit closer to the one-vote-one-value principle, has been structured so as to make it at least as bad as, but probably worse than, the system we now have and certainly much more unfair than the proposal the National Party is advancing.

Hon. G. E. Masters: What absolute rot!

Hon. J. M. BERINSON: The trouble with the Liberal Party is that it has tried to be too clever by half. It has tried to give the impression of sweet reasonableness with the 18-16 division, but there is a twist in the tail. The twist is that,

unlike both the Labor Party and National Party proposals, which would have all 34 members going out at each election, the Liberal Party would retain the current system of sending only half the members out each time.

Hon. P. G. Pandal: Like the Senate. It has been consistent with that for years.

Hon. G. E. Masters: You have not done your homework.

Hon. J. M. BERINSON: The Leader of the Opposition says we have not done our homework. The problem for him is that we have done our homework and can see through his party's subterfuge.

Hon. G. E. Masters: Are you prepared to table your documents and allow me to table mine?

Hon. J. M. BERINSON: The effect of this Liberal twist in the tail is that at each election only nine members would go to the election in the metropolitan area, and only eight in the non-metropolitan area. I will be interested to see Mr Masters' computer print-out, but I do want to say that one thing that really ought to be acknowledged on all sides—by both Opposition parties—is that the Government, to the maximum extent available to it, has made openly available to all parties the services and the assistance of the Electoral Office and the statistics that are relevant to this exercise.

The long and short of it is that if we cannot say with any certainty what the position would have been for the last 50 years we can certainly say that the pattern of voting as between metropolitan and non-metropolitan areas in this State in the post-war years would have the effect that the Government, even in the best circumstances—namely, the record majority that it had in 1983—could not look for better than a majority of one seat in the metropolitan area at the half-election, nor could it look for better than a minority of two seats in the non-metropolitan area. The reason that all these superficial comparisons with the Senate, for example, have to be rejected is that the Senate works on State-wide constituencies. It does not have the division which we have between metropolitan and non-metropolitan areas.

Hon. P. G. Pandal: No, it has big States and small States, with a 13:1 disturbance.

Hon. J. M. BERINSON: I have said innumerable times in this Chamber that I have no complaint against the pattern of voting in the non-metropolitan areas and the extent to which, historically, that has not favoured the Labor Party; but what is a source of complaint

is that that traditional pattern should be consciously linked by conservative Governments for almost a century in order to ensure to the maximum extent possible that the Labor Party could not have a majority in this Chamber. Only once at an election did we reach a stage where we actually gained a majority in the half-election, and that was at the last election.

The DEPUTY CHAIRMAN (Hon. John Williams): There seems to be some confusion with this amendment. There is a typographical error in the amendments to clause 8. If I do not direct that it be changed, it will not allow the National Party members to move their amendment. Amendment 8(b) says, the Attorney General to move "Page 3, lines 18 to 26"; it should be "lines 20 to 26". Similarly, amendment 8(C), Hon. G. E. Masters to move, "Page 3, lines 20 to 26", it should be "lines 18 to 26".

Hon. J. M. BERINSON: The long and short of the Government's analysis which has been made available to all parties is that under the National Party's proposal, we could not hope—under the historic pattern of voting in metropolitan and non-metropolitan areas—to do better than 17 seats each in the Legislative Council, and that is even assuming a repetition of the support, which the Labor Party attracted in 1983, of something of the order of 54 per cent. Even then, we could not expect to do better than 17-17.

Under the Liberal proposal, with the same level of support, we could not realistically expect even equal numbers. We would be looking at 16-18. What is the difference between those two and the proposal that is embodied in the amendment which I am now putting? The difference is that the system, based on the pattern of my amendment, would provide a Labor majority in this Chamber when we received a majority of votes and would ensure a minority of Labor seats when we did not achieve that. Either way, the result would go according to the number of votes received.

I said earlier that there is an objective test of fairness available. The test is the ability of a system to ensure that a party—any party—which receives a majority of votes, receives a majority of seats.

We have three proposals in prospect here by way of amendment, and there is only one that meets the objective test. That is the one in my amendment. The Government looks to the Chamber to support this amendment on the basis of figures that it has shared with all par-

ties which show that it will not produce an unfair result for the Labor Party or for any other party.

Hon. G. E. MASTERS: The Attorney General quite rightly said that the Liberal and National Parties have come a long way over recent years to move towards electoral change. He was a little uncharitable when he said it has taken us 96 years to work that out. When times have suited the Labor Party, under existing electoral arrangements when they held some of the mining seats, they did not want to do much about it.

All parties now accept and support some type of regional system, whether it be six regions, four regions, or two regions, and that there be proportional representation within those regions. There is an area of common ground which no-one can argue about.

The Attorney General said that the Liberal Party's proposal was entirely selfish and is directed to guaranteeing us a majority in the Legislative Council. What we are saying is that the Labor and National Parties' proposals simply create a jigsaw puzzle—that is, whether we have six regions or more. Someone has to be given the task of drawing up boundaries along set guidelines. Both parties have attempted to create guidelines to gain some political advantage. In the process, they have made it very complicated. I am sick and tired of people trying to draw lines all over the State map. We cannot be accused, in our proposition, of complicating the problem.

We are saying that the Labor Party's proposal has resulted in the situation, and they would say it is perfectly fair, that on the 1986 Legislative Assembly's figures—it is no good working on anything but the Legislative Assembly for this—we are now talking about a voting ticket which will mean people will vote according to the party direction. They will follow the voting ticket almost invariably in a State election. Most people faced with the problem of 20 or 30 people voting will say, "Put the tick in the appropriate square." We have to look at the Legislative Assembly results to be realistic. Surely, the Labor Party proposal of 19-15 of the 1986 Legislative Assembly results would give the Labor Party in this House 18 seats, the Liberal Party 14 seats, and the National Party two seats. I admit circumstances change, but those were the figures as they applied in 1986 in the Legislative Assembly.

The Labor Party will say that is quite proper because it got that majority of votes. But let us look further at what the Government has done in this exercise. It has created a situation in which the National Party and the Democrats, or any other Independents, will find it absolutely impossible to win a seat anywhere in the metropolitan area. The quota the Labor Party has set in the north metropolitan region is 12.5 per cent. It may be that the National Party would hope to get that sort of vote in the metropolitan area, but it would be hard pressed. The Democrats are unlikely to get that, and other people who may wish to stand would have no hope.

Hon. J. M. Berinson: You are showing remarkable sensitivity for parties towards which you have shown no sensitivity before. Is your real problem now that you are worried that the system will not allow the Democrats in?

Hon. G. E. MASTERS: The Attorney and his party have paraded themselves as being the champions of the Australian Democrats, wooing them at the last election and persuading them to hand over their preferences on the understanding that they would be given an opportunity to win a seat in the metropolitan area. I am drawing attention to the absolute hypocrisy of the Labor Party when it suits it. We have seen that hypocrisy once already, and this is another example.

In the south metropolitan region the Labor Party has set a quota of 12.5 per cent, and in the east metropolitan region it is even harder, at 16.66 per cent. If the Labor Party were dinkum about giving the Democrats or the National Party an opportunity to win a seat in the metropolitan area it would not have come up with this arrangement. They are not my figures; they have been extracted from a computer, and the Attorney is welcome to have a copy when I have finished with them and to discuss them with me. I am not hiding anything. The Government was good enough to give us figures and details; I do not know whether it has more recent figures—I do not think we have seen figures on the 19-15 split.

In the south west region under the Labor Party's proposal there is a quota of 12.5 per cent. I guess the National Party would say it would be easy for it to win there, but it would be difficult for anyone else. The Labor Party's proposal is for a quota of 16.66 per cent in the agricultural area, and I would suggest the National Party, on an examination of the figures, would find it difficult to pick up another seat. Maybe its spokesman, Hon. Eric

Charlton, would say the party is going well and it would expect to pick up at least a seat. He may be right, but it will take a bit of doing to get a 17 per cent vote across the areas. In the north the quota will be 25 per cent.

We say the Labor Party's proposal sounds reasonable and seems as though it will give everyone a fair go, but it will not. It will set up a jigsaw puzzle system under which it will be almost impossible for people to draw the lines in a satisfactory way. I ask the Attorney, because obviously he has done the work, to explain where he and his party think the northern boundary should go. He said there would be a northern region with three Legislative Council members.

Hon. J. M. Berinson: That would be up to the commissioners.

Hon. G. E. MASTERS: If the Government has not done the exercise—and nothing in the world will convince me of that—

Hon. J. M. Berinson: You could not engage in anything other than guesswork.

Hon. G. E. MASTERS: If the Attorney looks carefully at the quotas and the number of people in a region he will see that one can pretty well draw the line where one thinks it should be. The Attorney says we are only guessing; all right, let me guess and suggest where the boundaries will go. We have done our homework, and we are not trying to pre-empt the commission, but the Attorney has to recognise that when he puts forward proposals like this he must take account of people in various areas and districts. It is no good putting forward a proposal which cuts Geraldton or Kalgoorlie, for example, in half. The numbers must be got from somewhere in order to fill a quota.

In the north under the Labor Party's proposal 5 113 electors would have to come out of the Gascoyne area. In Greenough it is possible that more than 5 000 electors—5 117 to be exact—would be taken out. In the Kimberley there are 7 918 electors. No-one will argue about that. In Murchison-Eyre 3 702 electors will be taken out, and in the Pilbara, something like 15 000 or more. Various computations can be done; one could say that the electors would not come out of Greenough. Where would they be taken from? The numbers have to be made up. A line must be drawn somewhere on the map. One option would be to draw it through the middle of Kalgoorlie, but again that defeats the Government's argument. It makes an ass of what the Government has been talking about. I can go right through the Kalgoorlie area and

the south west and all the other areas, but what is the point? Why not have one region and say that is the end of it? There would be no weighting except as between metropolitan and country.

On our figures there are 233 659 people in the country, and it must be borne in mind that this would be outside the MRPB boundary. I think we are working our figures on the assumption that that boundary would apply. That takes into account all the seats and the numbers of voters from the last election. There are 15 Legislative Council country members, so in order to have even numbers throughout the region one divides 233 000 by 15. There are 22 Assembly members, so one divides 233 000 by 22, and immediately one gets some difficulties with relation to balance. The northern region would have a quota for the Legislative Council of 15 577 and in the Legislative Assembly the figure would be 10 620. Under the Labor Party's proposal one would have in the northern region—and this is not conjecture, it is based on fact and figures—three members representing 46 731 people. In the Legislative Assembly there would be four members representing 42 483 people.

I guess the Attorney General will say "Look, we are not worried about whether the Legislative Council figures balance; we will make our judgment on the Assembly, and it does not matter if the Legislative Council numbers get out of kilter and vary from one region to another." That is what would happen according to our calculations. The Government has said its objective in any change is to have equality in the number of voters represented by members. I would like the Attorney General to explain how this disparity occurs, but more particularly, if the Government has not done any work on possible boundaries, how on earth can it expect the commission to do other than draw lines through major areas such as Geraldton or Kalgoorlie? One has to work these things out in order to do the exercise properly.

I intend to go through the same procedure with the National Party and explain why its proposal is a bit more difficult, although not as much as the Labor Party's proposal, in terms of balance. I put it very sincerely that the Labor Party proposal is not fair to smaller parties, and it promised publicly at the last election that that would be the case. It has not done sufficient work on calculating the possible boundaries, and that must be done.

I am sure that Professor Hawkes has done a lot of work on this subject, because he is an expert in the area. We are creating a regular jigsaw puzzle. There will always be arguments about whether Kalgoorlie should be in the agricultural area, or the mining and pastoral area, or in what area Geraldton should be. I will provide a copy of the calculations to the Attorney General to demonstrate to him that the Liberal Party is not fiddling the system.

I put it to members of the Labor Party that the Liberal Party's proposal is much fairer than the existing system, and that it will give smaller parties a better opportunity. It should be considered by the Legislative Council as the proper course of action.

Should the Attorney General find, after listening to other arguments, that he has some doubts about the Government's amendment, he should report progress in order to allow the parties to discuss the matter and reach an agreement. We do not want to bury the Bill; and there is not much point in continuing with the Committee stage if this amendment is not passed.

Hon. E. J. CHARLTON: The National Party does not accept the Government's amendment for a number of reasons. I will not discuss all those reasons in detail, but the fact is that while the National Party acknowledges and respects the Government's amendment in moving from a ratio of 21-13 to 19-15, it all depends on what we want to achieve in relation to the election of members to the Legislative Council. We certainly will not achieve a 100 per cent response to the amendments.

If we come down to six regions, the point that will outweigh any other regarding the election of members is that there will be a possibility of members being elected to represent a number of different types of areas. Members will be tied to a given area and not to a province. Under a proportional representation system, a member will have a particular area for which he is responsible. The National Party is opposed to the ratio of 19-15. While we acknowledge and congratulate the Government for moving from a ratio of 21-13 to 19-15, there is no question that this clause is the guts of the whole Bill. The other amendments are only minor in comparison with this amendment.

We must acknowledge that in spite of the lengthy discussion that has already taken place, there is still a long way to go towards reaching a decision that will be acceptable to everyone.

The National Party is not happy with this amendment, but it has almost reached a point where it will allow for proportional representation and provide a system whereby members are elected to this place to represent a given area.

The amendment put forward by the Government refers to an agricultural region, and a mining and pastoral region. The preference is for elected members to represent an area which will have something in common across that given area. For example, if the non-metropolitan area is divided into three areas, agricultural, mining, and pastoral, I guess that in reality the Kalgoorlie area will come under the agricultural area.

Hon. G. E. Masters: Under the Labor Party's proposal it will come under the agricultural region.

Hon. E. J. CHARLTON: Yes. That is one of the reasons the National Party is opposed to the amendment. The agricultural, mining, and pastoral regions would involve the entire State. Obviously, that is not the point; but the National Party would not accept that sort of situation.

The Leader of the Opposition has already outlined the other points that concern the National Party. The figures he gave were clear and precise. It is an exercise in trying to determine the number of electors who will comprise a region, and obviously that will depend on where the boundaries will be drawn. At the moment, everyone is guessing. Even when the results of the 1983 and 1986 elections are used in forecasting the results of future elections under this proposal, there is still a lot of guesswork.

The implementation of proportional representation would be a fair system even though the voting pattern might not be related totally to previous elections or tied to Assembly seats in past elections.

The National Party cannot support the Government's amendment in its present form.

Sitting suspended from 6.00 to 7.30 pm

Hon. NEIL OLIVER: I agree with Hon. Eric Charlton that these amendments are here for the long road, that they are long-term proposals for the benefit of all political parties. But I wonder about the aim of the Government, specifically about the manner in which it is seeking to divide the State into regions, because previously this was never its intention.

Hon. Garry Kelly: Its called compromise.

Hon. NEIL OLIVER: This clause completely repudiates four major electoral reform proposals by the Government, but specifically it repudiates one which is highlighted in an ALP document "Parliamentary and Electoral Reform—Restoring Democracy to Western Australia". I refer to paragraph 4 on page 5 as follows—

4. Determine that the system of election for the 11 Members who retire in each (normally) three year period shall be a statewide proportional representation list system similar to that which applies in New South Wales and South Australia and, within each State, to the States' House in the Commonwealth Parliament—the Senate.

This Chamber is to be reduced by 12 members, although that is not relevant to this clause. But here we have another example of the Government's acting mysteriously in seeking to have three metropolitan regions—north, south and east. The State is also to be divided into electoral regions in a way contrary to the proposal outlined by the Government. Why this change?

The proposal put forward by Hon. Gordon Masters is somewhat for the whole of the State—a metropolitan area and a country area—and that is fairly close to what is contained in this ALP policy document. Were the Government to be looking for a compromise, I would have thought Hon. Gordon Masters' proposition was much closer to the Government's stated policy than the proposition that it is now putting forward for three electoral regions. What mysterious figures have the computers printed out to convince the Labor Party to rearrange the State in this way and to repudiate the mandate it said it had on being elected?

We are yet to know what the boundary of the metropolitan region will be, because it will be set by the Electoral Commission.

Hon. J. M. Berinson: Not in the Bill.

Hon. NEIL OLIVER: The Government has been talking about the Metropolitan Region Planning Authority boundary.

Hon. J. M. Berinson: A fixed boundary which is known now and which cannot be played with.

Hon. NEIL OLIVER: Who fixes the MRPA boundary?

Hon. J. M. Berinson: It has been fixed for years.

Hon. NEIL OLIVER: No doubt in years to come it will need to be changed.

Hon. J. M. Berinson: But the Bill will still leave the electoral dividing line as the current MRPA boundary, irrespective of whether it is changed.

Hon. NEIL OLIVER: Perth is not a semi-periphery development; it is, in town planning terms, a strip development along the lines of most major cities in the world which are situated on a coast or along an internal water system. The Attorney need only think of all the cities he has visited in the world to realise that they follow the shoreline of development, be it a line north or south, east or west. That is very similar to the manner in which the towns of Italy have developed. Periphery growth has not been seen in Moscow, even in places where Governments have tried to have their citizens use a ring-road system.

What is the east of the metropolitan area? Not much of Perth is "east". I suppose it might include the electorates of Kalamunda and Darling Range, because they are on the escarpment and they have come to be considered no longer as rural but as suburban areas. Northam has become something of a suburban development, as has Bunbury. This will extend to Albany and Geraldton in the years ahead.

I presume an east metropolitan region would be west of the MRPA boundary and would involve my electorate. People out there are not very happy with the Government's proposal. We have farms out there in the vicinity of 1 200 hectares, or 3 000 acres to use the old size. These are fairly reasonable size rural properties. People in Gidgegannup and surrounding areas can be found producing mohair and following other rural pursuits.

So I find it somewhat strange that the east metropolitan region has crept in as another region. I would have thought that at best this Government could have come up with a north and south region stretching from Rockingham to developments at Mindarie. If one region goes to the east, and I presume the Government is doing this, then it will include the Swan Valley and the vigneron of that valley, and some of those properties are quite considerable. In the Bullsbrook area, there are properties which are well into the 500 hectare to 800 hectare range.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! The member's time has expired.

Hon. N. F. MOORE: I was surprised earlier to hear the Attorney General say that he did not know where the boundaries of the region would be. I think someone asked him about the north and east region and he led the Chamber to believe he did not know and that that would be decided by the commissioner, and therefore he could not give any indication of what was likely to happen.

I draw the Attorney General's attention to a question by Hon. David Wordsworth on 11 November 1986 in which he asked what local authority areas would be contained within the regions as set down in the Government's original Bill. Rather than give a list of the local authorities, the answer showed the actual existing Legislative Assembly seats and indicated which regions it was expected they would go into. Listed under the north and east region are the Assembly seats of Esperance-Dundas, Kalgoorlie, Gascoyne, Murchison-Eyre, Pilbara and Kimberley. That was the north east region, as I understood it to be, under the Government's original clause. When one looks at the Government's amendments one sees that the north east region still retains the same name but the agricultural region of the original Bill has been changed to agriculture, mining and pastoral region. The Government must have made a conscious decision to change the name of the agricultural region to agriculture, mining and pastoral region because it had come to the conclusion that its changes, which are contained in the amendment, would involve some mining areas and pastoral areas being added to the agricultural area.

That leads me to conclude that the Government does know where the boundaries are likely to be within a certain generalised locality. It is my suggestion, therefore, that the north and east region will probably contain the seats of Esperance-Dundas, Gascoyne, Murchison-Eyre, Pilbara and Kimberley; Kalgoorlie, as the mining sector, will probably go into the agricultural, mining and pastoral region. That is surmise on my part and maybe the Attorney General, when he reconsiders his previous comments, will be able to give some better indication as to where he believes the boundaries will be located.

It is important that members know where these regions are likely to be. For a long time I have been arguing in this place that because my electorate covers about 500 000 square miles, I deserve to have fewer constituents than someone else whose electorate is much smaller. I still

hold to that view. If the current Legislative Assembly electorates of Esperance-Dundas, Kalgoorlie, Gascoyne, Murchison-Eyre, Pilbara and the Kimberley were to become the north and east region, that would be an enormous part of Western Australia. As I explained during the second reading debate, that region currently has six Legislative Council members representing it. Under the Government's proposition, that number will be reduced to three.

Hon. Garry Kelly: Then it is over-represented.

Hon. N. F. MOORE: It is not over-represented at all and Hon. Garry Kelly's comment is typical of a city-based member of Parliament who does not realise that Western Australia extends beyond Midland Junction. I am sure that members such as Hon. Mark Nevill and Hon. Tom Helm who represent this vast region might find that their present electorate has become part of the north and east region and that three members have to go. They might start to reconsider the consequences of the Government's proposition. Maybe they know more than I do; maybe they know that Hon. Mark Nevill is actually going to the agricultural area, while Hon. Tom Helm and Hon. Tom Stephens might hang on to their seats and the Government would only have to get rid of a couple of Liberals to make it work the way the Government wants it to work. I do not know these things; that is why I am asking this question of the Attorney General, bearing in mind that I believe the Government knows where the electoral boundaries are likely to be because of the way in which it has changed the name of the agricultural region to the agricultural, mining and pastoral region.

Therefore I would be impressed—

Several members interjected.

Hon. N. F. MOORE: Do I really have to start to explain it again because it is really quite simple. The Attorney General has indicated he does not know where the boundaries are likely to be, yet he has in his amendments changed the name of one region from agricultural to agricultural, mining and pastoral, which indicates to me, and perhaps to members opposite, that it is not just going to be agricultural any more, it will now take in some pastoral areas, which are different—and members opposite might not understand this—and it will also take in some mining areas which are not agricultural.

The penny is now being dropped that in order to change the name in the amendments, it is self-evident that the Government knows where the boundaries are roughly going to go in and what sorts of places are likely to go to different regions. I ask the Attorney General: Is the answer given on 11 November 1986 correct in relation to the new amendment; or, if it is not, what is the new region called north and east? It is important to me, and I am sure to Hon. Tom Stephens, that we know just how big these regions will be because bigness and vastness of distance are important as far as I am concerned in making decisions about representation. If it covers an area the size of the Federal seat of Kalgoorlie, I would suggest it is an unmanageable sized area if only three members will be looking after it. The proposition put forward by the Liberal Party means that the area will be a little bit bigger, but considerably more members will be needed to look after the region—16 as opposed three in this particular instance.

Hon. T. G. Butler interjected.

Hon. N. F. MOORE: I suggest the member put that up and he will see what will happen. In this new spirit of compromise, Hon. Tom Butler might find that it would be looked at again. We have put forward a compromise—which I am not entitled to discuss because we are not talking about our amendments; we are talking about the Government's amendments—which I believe is a step in the direction which the Government would be seeking to go, and so the way in which it has been dismissed out of hand interests me considerably.

Anyway, coming back to my point, I wonder whether Hon. Joe Berinson could indicate to me, bearing in mind the argument I have just been pursuing, where the boundaries are likely to be, particularly for the north and east region, which is my personal area of concern. If Hon. Joe Berinson is able to do so, maybe he could also tell the Chamber where the other regions are likely to go so that we can make better judgments about this clause.

Hon. C. J. BELL: This matter is extremely important. I find it difficult to accept the Attorney's comments that he does not know where the boundaries will be. If not, how could he say that the north and east regions will return three members? Something would have had to be done to determine approximate boundaries.

There is no doubt that the Liberal Party has come a long way in accepting proportional representation for this Chamber. However, the Liberal Party has always insisted on a country weighting and a difference between metropolitan and non-metropolitan seats. In fact, the Government has also accepted that in this Bill, albeit unwillingly.

There are some classic gerrymanders in Federal electorates in Western Australia. Brand and Forrest are two electorates which have been drawn up quite clearly to maximise the Labor votes in those two seats. One electorate which, in old times, was a safe Liberal seat has been restructured to become a marginal seat. The Federal seat of Forrest included the area within five kilometres of the Albany Post Office. O'Connor runs up to the edge of the Town of Albany which is seen to be the business centre for the lower great southern. There is no question that the people in that area are not represented by a common interest.

The Federal seat of Forrest cuts off at Australind and sneaks around the bottom of the coast, and includes Kwinana, Rockingham, and those areas which have no common purpose whatsoever with the south west coastal farming areas. That happens when people draw lines on maps to suit themselves.

Hon. Garry Kelly: They do not.

Hon. C. J. BELL: They do, as I have illustrated. I can name two or three other electorates where the same thing has happened.

Hon. Garry Kelly: Are you suggesting that the boundaries are not in accordance with the guidelines for the Federal redistribution?

Hon. C. J. BELL: They have been drawn up to suit the Labor Party.

Hon. Tom Stephens: That is a reflection on the members of the commission.

Hon. C. J. BELL: I suggest it is a reflection on the directions they were given to draw up the boundaries. They receive rules and they are political rules.

I do not believe that electors in electorates containing up to 100 000 people have any common interest, and that is an important principle in any parliamentary process. I believe that electoral boundaries could be drawn up in a much more honest way.

I believe that it is very important that the Bill should provide for a metropolitan region because our State comprises two regions, metropolitan and non-metropolitan. We then have to begin drawing lines to specify representation

which then leads to difficulties because sometimes these lines are not drawn to advantage the electors.

Hon. J. M. BERINSON: Mr Masters dealt with the basic contest between the views of the respective parties on the division of seats between metropolitan and non-metropolitan areas. In particular, he disputed the analysis which the Government has made to the effect that the Liberal proposal of 18 metropolitan and 16 non-metropolitan seats with only half going to election each time would preclude the possibility of a Labor majority.

Mr Masters approached that with an interesting sidestepping of the relevant figures. Rather than look at the Legislative Council figures on which any realistic analysis would have to be based, he looked at the Legislative Assembly figures and he said that those could be relied on for a couple of reasons which he gave. Neither of the reasons will stand analysis.

In the first place, we are all aware of their historical pattern of voting in this State by which Assembly voting figures are by no means uniformly reflected in Council voting figures. The pattern in the non-metropolitan areas is to the contrary. That is the first fact that has to be faced.

Hon. G. E. Masters: Are you going to mention the voting ticket?

Hon. J. M. BERINSON: Of course I am. Mr Masters would not expect me not to when he placed so much emphasis on it.

Hon. G. E. Masters: You have a convenient memory. I thought I would jog your memory a bit.

Hon. J. M. BERINSON: I think I have a fairly good and fairly reliable memory. In any event, I will not ignore the question on voting tickets.

Mr Masters suggested that any historic differences in voting patterns, such as those to which I have referred, would be overcome by the voting ticket. By that I assume he means that anyone who wants to vote for one party in the Legislative Assembly will automatically want to vote for the same party in the Legislative Council.

I would have thought that goes in the face of our actual experience. Hon. Gordon Masters is saying that the non-metropolitan voters on the whole do not know how they want to vote, so there is a hit and miss method—sometimes they vote Labor in the lower House and non-Labor in the Legislative Council. It is a matter

of luck. If he says that, he is asserting an absence of judgment by voters in that area. If on the other hand we are saying votes for different parties in different Houses reflect a judgment by the voters, those voters will have the same judgment and reflect it in the same way under this legislation.

It can be seen from the Bill that although it is proposed that ticket voting be available in both Houses, it is open to electors to pick and choose as they wish—that is, it is open to voters to vote the ticket in both Houses or in either House. Having voted a ticket in one House, there is no commitment to vote that ticket in both Houses.

The force of Mr Masters' argument in this respect is further weakened by the fact that both his party's amendments and the National Party's amendments are in any event seeking to preclude a ticket vote in the Assembly. Whichever way it is looked at, ticket voting does not meet the problem to which I have referred—the problem of trying to change the course of history retrospectively by ignoring the different voting patterns in respect of Assembly and Council seats.

Mr Masters also expressed some concern for the smaller parties. He said that the regional proposal which the Government has advanced would require the National Party or the Democrats, for example, to secure 12.5 per cent of the votes in a metropolitan region before they could get a member in. We only need reply that under the current provision, introduced by Mr Masters' Government, the National Party and the Democrats need 51 per cent of the vote. Whatever else can be said, the position of the minor parties in the metropolitan area is very significantly improved by the Government's proposal.

Hon. G. E. Masters: Are you saying it is better than our new proposals?

Hon. J. M. BERINSON: No, I am not; I am saying it is a helluva lot better than the provision in the current legislation, which is the Liberal Party's legislation.

I can go further and say that I for one do not see it necessarily as a virtue in an electoral system to produce results where the balance of power is held by single members. That is the effect of taking too far this notion of accommodating minor parties. That situation exists in the Senate and in South Australia where totally disproportionate power is put in the hands of people who represent a tiny fraction of the public. I do not think it is a virtue. Nonetheless,

since people are suddenly getting very concerned for the Democrats, I can assure members that the Democrats are quite satisfied with the Government's proposals, as indeed they should be. It should not be a matter of getting one per cent of the vote and gaining a seat, but of getting sufficient votes to indicate significant public support.

I move to Hon. Eric Charlton's comments, and again he started with a basic area of disagreement—the division of seats between metropolitan and non-metropolitan areas. Mr Charlton says that the National Party does not accept the Government's proposal for a 19-15 division. There were two significant things about Mr Charlton's speech, both of them significant for their omission. I did not understand Mr Charlton to deny the claims I have put to the Chamber that the 19-15 division proposed by the Government would produce a result where a majority of votes would result in a majority of seats. That is the basic justification for the Government's stand on this matter.

In the second place, I did not understand Mr Charlton to deny my earlier assertion that the division of seats proposed by the National Party—17 metropolitan and 17 non-metropolitan in the Legislative Council—would result in a situation in which even on the best conceivable election figures the Labor party and the Liberal Party could do better than 17 each.

That brings us to the heart of the principle that should be applied when we decide our attitude to clause 8. The difference between the parties on this clause amounts to the National Party proposal leading to a situation where the Labor Party could not look to do better than 17 each in this Chamber; the Liberal Party proposal looking to a situation where we could not expect to do better than 16-18 in this Chamber; and the Government proposal, and only the Government proposal, providing a basis on which any party getting a majority of the votes can reasonably look to a majority of the seats in this Chamber.

Mr Charlton also raised a question about the nature of the regions and the terminology applied to the various proposed regions. He referred in particular to the agricultural, mining, and pastoral regions, and asked for a separation between agriculture on the one hand and mining and pastoral on the other. The proposal we are now putting to the Chamber by way of amendment does nothing more than reflect the

terminology of the present Bill and the names of the present regions. There is no retreat from that and no loss in that factor.

Hon. Neil Oliver took up the theme, which has been advanced previously in this debate, of going to the Labor Party's 1983 election platform and quoting it. We did not need that quote; we are well aware of what it said, as we are of the statements in our 1986 election platform. Our 1983 platform stated in respect of this that we should have a State-wide electorate voted for by proportional representation. Mr Oliver says that it is a mystery as to why the Labor Government should retreat from that position. It is a mystery to Mr Oliver alone; I am sure that the rest of us—

Hon. P. G. Pental: And to Arthur Tonkin as well.

Hon. J. M. BERINSON: I am sure that the rest of us, and Hon. Arthur Tonkin, will recall that far from retreating from this proposal, the Labor Government was prevented from pursuing it. The Labor Government put up a Bill in 1983 which precisely reflected the election platform and called for a State-wide electorate on proportional representation. The Government did not retreat from that. The Opposition would not give the Government Bill a second reading when the Government put it up; and now that the Government is not putting it up, the Opposition asks why. Members opposite cannot have it both ways, and neither can Hon. P. G. Pental when he referred earlier in the debate to election platforms that were not reflected in this Bill. They were reflected in the Government's previous Bills. Every previous electoral reform measure advanced by this Government had been rejected at the second reading stage.

Hon. P. G. Pental: And by your own Cabinet in Geraldton. That is why Arthur Tonkin resigned.

Hon. J. M. BERINSON: That is why the Government is moving from that position. I am told some people enjoy hitting their heads against brick walls for the relief they have when they stop. The Labor Government sees no point in continuing to put forward proposals which the Opposition has made perfectly clear in this Chamber will not get anywhere.

That brings me back to the question of compromise, which I will not go into again in detail, suffice to say that whatever else members want to advance in the course of this debate as it continues, I wish they would get away from the Government's 1983 and 1986 plat-

forms. They are no longer relevant, and they have been made irrelevant, not by the decision of the Labor Government, but by the abuse of the majority power in this Chamber of people who are elected under the present rotten electoral system that the Government is trying to change.

Hon. P. G. Pandal: The only rotten thing about it is that it puts you in government.

Hon. A. A. Lewis: And all those people who stoop to the ideals of the Labor Party.

Several members interjected.

The DEPUTY CHAIRMAN (Hon. John Williams): Order!

Hon. J. M. BERINSON: Hon. N. F. Moore wants to know where the boundaries of the regions which the Government is proposing are likely to be. I cannot accommodate him on that. It was either by way of interjection or an earlier comment during the debate, but I tried to remind the honourable member that the decisions in these matters are for the independent discretion of the Electoral Commissioners. That is the bottom line, and I cannot go far beyond it.

It might pay to consider in greater detail the question and answer at page 3947 of the 1986 *Hansard*, which Hon. N. F. Moore quoted and which he felt should put me in the position of having to answer the question he asked. As Hon. N. F. Moore explained, the questioner asked the Government to indicate which shires were grouped together for each of the districts listed. They were the north and east region, the agricultural region, and the south west region. Hon. N. F. Moore went on to say that an answer was given which, although it did not get down to shires, did give some indication of electoral district boundaries. To the extent that Hon. N. F. Moore's answer indicated what I have just said, I think that was a fair summary of the situation. However, it did not go far enough.

What I am trying to explain will be indicated if I refer to the answer to question 174 in greater detail. The answer was in the following terms—

Under the Acts Amendment (Electoral Reform) Bill 1986, all electoral boundaries will be drawn by independent Electoral Distribution Commissioners.

So at the outset that basic point was made. The answer goes on—

In preparing the answer to Assembly question without notice 308, the Government made its calculations based on possible interpretations of the definitions of the proposed regions.

That was put as no more than a possibility. The answer goes on—

The Electoral Distribution Commissioners will no doubt produce different interpretations of the definitions of each region.

So there was nothing definitive about this answer.

Hon. N. F. Moore: I was asking you to give the same answer in this case.

Hon. J. M. BERINSON: There was nothing definitive about this answer. What there was was an indication of the way in which the Government had made certain of the calculations for itself and for members on the other side.

Hon. N. F. Moore: Can you do the same again now?

Hon. J. M. BERINSON: The position the Government has now reached is that it is no longer dealing with the original divisions in the Bill but talking about the proposed amendments to change the names of the regions in order to reflect other significant changes in the Bill. Firstly, the amendments propose to change the Bill by including three additional Assembly districts in the non-metropolitan area. The amendments also propose to change the number of MLCs in the non-metropolitan area by two. So there will be more electors, more Assembly districts, and more members of the Legislative Council; and that is reflected in a wider description of the increased area which now has to be covered.

No real purpose would be served in going into the assumptions, as Hon. N. F. Moore did, and either disputing them or providing alternatives. The bottom line is that it will be left to the Electoral Commissioners. To again quote the relevant part of answer to question 174, it says—

The Electoral Distribution Commissioners will no doubt produce different interpretations of the definitions of each region.

I refer finally to Hon. Colin Bell's comments, which dealt largely with questions of community of interest and the difficulty of drawing

boundaries. He referred to Federal boundaries in a way which I think was grossly unfair to the Commonwealth Electoral Commissioners. However, I put that aside for present purposes. I would suggest to the member that, if he really has a serious concern about electorates reflecting communities interest, no matter how widely drawn, he ought to go for the Government proposal, which provides six regions, rather than his party's proposal, which provides only two regions. Unless the member is purporting to put a case that the people in Albany have a community of interest with the people in Port Hedland, because all of those and many more are going to be covered by his party's proposal, then he ought to accept that his own arguments about the difficulties of drawing boundaries do not take this discussion very far.

I said when introducing my amendment that clause 8 was a crucial measure, and that the way we approached the division of Council seats as between metropolitan and non-metropolitan areas was at the very heart of our proposals. I say again: There is only one proposal, either before the Committee or contemplated by anyone in the Committee, which produces the basic democratic standard which ought to be the objective test by which we proceed—an ability in an electoral system to ensure that the party with a majority of votes will secure for that party a majority of the seats in this Chamber.

Hon. N. F. MOORE: The Attorney's answers to the matters I raised have not satisfied the questions I asked. When the question was asked last year by Hon. David Wordsworth of the Minister for Parliamentary and Electoral Reform, the Government was prepared to give an indication of the sorts of regions it thought would result, and it was prepared to give a fairly detailed answer indicating the areas it thought would comprise the regions. It even said that within the Assembly seat of Katanning-Roe in the agricultural region, the Shires of Ravensthorpe, Lake Grace, Kent, and Gnowangerup would be in the agricultural area, while the Shires of Katanning, Broomehill, Tambellup, and Cranbrook would be in the south west region. The Government was able to be that specific; it was able to divide one electorate into parts. If it was able to do that last year based upon its original clause, I cannot see why it cannot do the same with this clause. I cannot see why the Government cannot give a rough estimate at least under this new clause. Were it able to do so it would

increase my understanding of what the Government is seeking to do, because I do not exactly know what it is seeking to do. It would be better were Opposition members to have a rough indication of where the region would be located.

The north and east region could go anywhere. East of Western Australia goes right down to the Great Australian Bight. Is that going to be part of the north region? The north of the State goes beyond Wyndham. That is a long way; it is a huge part of the world.

Hon. J. M. Berinson: Do you support the Bill.

Hon. N. F. MOORE: I would have less difficulty deciding were the Government to provide the sort of information the Minister for Parliamentary and Electoral Reform provided last year.

Hon. Graham Edwards: Before you supported it you would want the names of the people in the electorates.

Hon. N. F. MOORE: That would help! The Minister might even know the names; after all, his Government knew about the split of the Katanning-Roe electorate.

Hon. J. M. Berinson: We said precisely the opposite; we said this was how the calculations had been made. But we would expect them to be quite different by the time the commissioners apply themselves to the job.

Hon. N. F. MOORE: The Government made a calculation on the possible definition of the proposed regions, and that is all I am asking it to do again. It will appoint the commissioners, and they may have some consideration for the point of view the Government is putting.

Hon. Tom Stephens: We appoint judges, but that does not mean they give consideration to our views.

Hon. N. F. MOORE: We are asked to support the Bill, which the honourable member supports, yet he does not know what it involves. The Attorney could have been more helpful by providing the sort of information provided last year by the Minister for Parliamentary and Electoral Reform. That would have made it easier for members on this side to decide on this clause.

Hon. J. M. BERINSON: It was perfectly clear in the answer to question 174 last year that the Minister for Parliamentary and Electoral Reform was indicating the basis on which the Government's calculations had been made without purporting to give them any authority

at all. They could not have any authority then, and different calculations made now could not have any authority now.

By way of interjection earlier I suggested to Hon. N. F. Moore that he could make his own calculations and his own proposals as to how these regions might fall. What I meant to suggest was that he could compile his assumptions and I could compile mine and both of them could be completely different from and bear no resemblance to what the commissioners actually do. There is nothing in a calculation by the Government on a set of assumptions on this point that would have any authority in respect of the commissioners.

A little earlier in this debate we had some very unfortunate reflections cast upon the Commonwealth Electoral Commissioners. I do not want to put words into the mouth of Hon. N. F. Moore, but he came very close in the course of his last comments to condemning in advance the commissioners who would be appointed under this Bill. These commissioners will not be individuals selected on some whim by the Government of the day. They are selected on the basis of the official positions they hold, and these are specified in the Bill as the Chief Electoral Officer, who in future would have a different title; the Chief Justice of the State; and the Government Statistician. To talk about officers of this rank and responsibility and standing in the community in a way which suggests that either they or their successors would be manipulated by the Government is really not just wrong but improper. In whichever other directions this debate goes, I hope we do not have a repetition of that aspect of it.

Hon. N. F. MOORE: To the extent that I may have been improper in my comments about some yet to be appointed person, I withdraw the imputation. Nevertheless, I recall that some time ago the Government was about to appoint someone from the University of Western Australia to be head of the Electoral Department when that person's politics were well known to everyone. Members on this side did not consider him to be a proper person to be in charge of that department.

Hon. Tom Stephens: His politics were never clear to anyone but himself.

Hon. N. F. MOORE: His politics were clear enough to me to be concerned about his intended appointment to a job requiring a person of absolute and total impartiality.

Hon. Tom Stephens: You should withdraw that.

Hon. N. F. MOORE: The member should mind his own business. He continually snipes away without ever getting to his feet to make a speech, even when his electorate is about to disappear. His constituents will be disadvantaged by this Bill, yet he says nothing. He sits and argues the point with me, but he does not make a speech.

Again, I withdraw any imputation I may have made against any person to be appointed.

Hon. J. M. Berinson: What about the present people?

Hon. N. F. MOORE: I cast no reflection on them.

Hon. J. M. Berinson: You should make that clear.

Hon. N. F. MOORE: I made no reflection on them; that is understood. I was talking about any independent commissioner the Government might seek to appoint in the future. Some of the appointments the Government has made could lead a person such as me to make that sort of statement—which I withdraw, however.

But to get back to the argument, the Government has actually given names to these regions and it has changed the names from those contained in its original Bill. The new amendment indicates quite clearly that the Government knows now that the boundaries are to be different. Why is "mining" now in "agricultural"? I believe it is because the Government has decided that some mining areas are to go into the agricultural areas.

Which mining areas will go into agricultural areas? The Attorney must have some idea, otherwise he would not have changed the titles.

Hon. J. M. Berinson: We changed the title for the reasons I have referred to—there are more districts and more members.

Hon. N. F. MOORE: How does the Attorney know they will be mining or pastoral if he does not know where the lines will be. Mining is very specific; there are only certain mining areas. Pastoral is much broader. I could understand it if the Attorney had only said pastoral, but he put mining into the agricultural area, so he must have some idea where it is going to go. His answer was unsatisfactory. He could have done what he did before and provided more detailed information to enable us to make a decision.

Hon. D. J. WORDSWORTH: It has often been said by the Labor Party that the boundaries set by Parliament in the metropolitan area were nothing less than immoral. What the Government is proposing now by dividing the metropolitan and non-metropolitan area into regions will have even worse effects on the electoral system than the previous boundary had.

The interesting thing is that when one gets out the map and works on it, one can forecast which shires will be in each area. I can tell the Attorney now that the boundaries for the future seat of Esperance will include Ravensthorpe, Jerramungup and portion of Lake Grace Shire. It will no longer include Boulder, so it will not be a Labor seat. Mr Grill will have to look somewhere else. When one looks at the map one sees that there is no other choice about splitting it; it falls that way.

I have a lot of sympathy for the Electoral Commissioners who have to try to split up the State into electorates.

Hon. J. M. Brown: You should have some sympathy now.

Hon. D. J. WORDSWORTH: Government members when in Opposition accused me of getting together with the Surveyor General, at that time head of my department when he was also an Electoral Commissioner, but he actually cut me out of my seat. It was rather amazing; I was a resident of Esperance and had my political power base there, and he cut Esperance out of my seat, and members opposite had the nerve to get up in this Chamber and accuse him of being influenced by me. I never discussed the matter with him, but I sympathised with what he had to do because one finds that boundaries just fall into place.

By the very nature of what we are doing with the Legislative Council boundaries we are determining the Assembly boundaries as well, because the commissioners will have to try to split them into the number of seats required, and the subdivisions will be forced upon them. The north will go from Kununurra to Esperance. It is all very well to say that Esperance could not fall in the definition of the north and that it is not the Government's intention to include Esperance in that region, but if one has to put a given number of people into the northern region, one has to go to Esperance to make up the numbers. It is as simple as that; one adds on the numbers as one adds the towns. It does not take a Rhodes scholar to work it out. If the Government wants to stand by the argument that the Liberal Party

gerrymandered previous elections by drawing the metropolitan boundary in the way it did, it will get a lot of accusations in future if it sets the regions in the way it proposes.

Hon. NEIL OLIVER: I refer to the agricultural base, which I presume will be in the east metropolitan area. The eastern boundary of the metropolitan area will be the MRPA boundary, which is north of Bullsbrook and east of Woorlooloo. It is an area of the Swan Valley which cannot be subdivided under the Government's policy, and one cannot add additional houses to a vineyard. It is the Government's policy to ensure that the Swan Valley is retained as an agricultural and viticultural area.

On that basis it expects the people of the Swan Valley and the agricultural areas contained in the eastern corridor to become part of the metropolitan area. They are less metropolitan than the people of Albany. Bullsbrook and many areas in the eastern corridor are owned and used by farmers from the north, east, and south of the State to bring their stock up to market quality. If members wander around those areas they will see they are farming areas and nothing like Dianella or Mt Lawley, where the Attorney lives.

Hon. J. M. Berinson: Can you provide a rough estimate of the number of electors in the position you are discussing?

Hon. NEIL OLIVER: There are about 230 in the Gidgegannup area, about 86 in Woorlooloo, and probably 350 in Bullsbrook. Their properties average 1 000 acres, and there would be a few thousand people in total in that area following agricultural pursuits. Many of them have taken up residence in that area purely because of those agricultural pursuits. They are unable to sell their properties and get out because of the Government's policy that these areas must remain agricultural areas. Why are they to be excluded from the agricultural area?

Hon. J. M. BERINSON: It is in the nature of things that every time a dividing line is drawn there will be borderline cases. As I understood Mr Oliver, on his rule-of-thumb calculations—and I accept that is all that can be asked at this stage—we are looking perhaps at 2 000 or 3 000 electors. If we go elsewhere and look at seats like Dale, Kalamunda, and Mundaring, for example, there are about 30 000 or 40 000 electors who are by any measure urban, but who have been treated as non-metropolitan voters because of the quite artificial line previously imposed. That situation is substantially redressed by the current measure.

Hon. Neil Oliver: I have already admitted that.

Hon. J. M. BERINSON: I am saying we will never have a line which totally separates one class from the other.

We are dealing with a metropolitan area that will have something between 600 000 or 700 000 electors. I would say if there is a proportion of something less than one per cent—and that would be doubling Hon. Neil Oliver's estimate—constituting people in that category, then we can still fairly say that the dividing line is a reasonable one.

Hon. NEIL OLIVER: That defeats the Attorney's own argument. It shows us that a number of people are following agricultural pursuits in what is called the east metropolitan area. I do not know what the boundaries will be for Kalamunda or Lesmurdie, but they contain suburban-type properties, just like Northam, Albany, or Bunbury. I am talking about hitching in the Swan Valley, which is an agricultural area the same as Pickering Brook is in relation to the metropolitan area.

Hon. G. E. MASTERS: The Attorney General has moved for the deletion in clause 8 of proposed subsections (2) and (3), which propose certain things in the regional system, and the Government has proposed that there be 21 metropolitan and 13 country members. As I understand the amendment before the Chair, the decision to be made by the Committee is that we delete the Government's proposals dealing with regions and members representing regions. If we support the Government's amendment, we delete from the Bill proposed subsections (2) and (3) in clause 8. If that is the case, the Liberal Party has a different proposition and would support that amendment. I guess the National Party will go the same way. Indeed, the Labor Party does not want that proposal any more. All we are dealing with is the deletion in clause 8, of proposed subsections (2) and (3).

The DEPUTY CHAIRMAN (Hon. John Williams): At this point, I call upon Hon. Eric Charlton to move his amendment (D), which will be an amendment to the Attorney General's amendment because it is a like amendment, that lines 20 to 26 be deleted. This will enable us to debate Hon. Eric Charlton's amendment on the amendment, decide on that, and then move on to Hon. G. E. Masters' amendment.

Point of Order

Hon. G. E. MASTERS: Do I then later move an amendment on the amendment on the amendment, or is it a completely new amendment?

The DEPUTY CHAIRMAN: Your amendment will stand on its own.

Hon. G. E. MASTERS: The Attorney General has an amendment; Hon. Eric Charlton is moving an amendment on the amendment. If Hon. Eric Charlton's amendment is unsuccessful, we then vote on the Attorney General's amendment. If that is unsuccessful, then I am in a position to move my amendment?

The DEPUTY CHAIRMAN: Yes, that is right.

Committee Resumed

Hon. E. J. CHARLTON: I move an amendment on the amendment—

Page 3, lines 20 to 26—To delete subsections (2) and (3) and substitute—

(2) The electoral regions known, respectively as the North Metropolitan Region and the South West Region shall each return 7 members to serve in the Legislative Council.

(3) The electoral regions known, respectively as the South Metropolitan Region, the East Metropolitan Region, the Agricultural Region and the Mining and Pastoral Region shall each return 5 members to serve in the Legislative Council.

I wish to advise the Committee how the National Party arrived at the combination of six regions. As stated, the two regions—the north metropolitan region and the south west region—will have seven members; and the remainder—the south metropolitan, the east metropolitan, the agricultural region, and the mining and pastoral region—will have five members. It does not differ greatly from the Government's amendments except in two areas. The total numbers add up to 17-17 compared with 19-15. There are three metropolitan regions, with which there will be no argument. More importantly, the non-metropolitan areas are spelt out and should not leave a great deal of doubt as to where the proposed boundaries are or the proposed number of electors who will make up the various regions.

The south west region will have seven members. The agricultural region will incorporate that area which is north and east of the south

west area and run to the pastoral and mining areas. The pastoral and mining areas are a great portion of the State. They will take in Kalgoorlie because it is a mining area. The pastoral area surrounds Kalgoorlie which goes through to a number of areas including many hundreds of mining developments to the north of the State.

Hon. D. J. Wordsworth: Will it take in Esperance?

Hon. E. J. CHARLTON: It does not take in Esperance at all. Esperance will be part of the agricultural area. When putting forward these proposals, someone may point out that the numbers will not be there so it will not work out. As I understand the proposal, we have three metropolitan regions, as I have stated previously.

As soon as a member quotes figures, he is told that he is incorrect. I know there will be some disagreement with the figures that I will quote. Under the National Party's proposal there will be approximately 635 000 electors in the metropolitan area; 260 000 electors in the north region; and 175 000 electors each for the south and east regions. With the ratio of the number of members, it will mean approximately 37 000 electors per member. In the mining and pastoral region, there will be approximately 60 000 electors—approximately 12 000 electors per member. In the agricultural and south west regions there will be a total of approximately 170 000 voters—100 000 in the south west region and 70 000 in the agricultural region. They are approximate figures, and obviously one cannot be specific, but the Electoral Commissioners will be correct with their figures.

Hon. G. E. Masters: They will make it as even as possible. You have already suggested that there will be an imbalance and they will not take it into account.

Hon. E. J. CHARLTON: What does Hon. G. E. Masters mean by, "There will be an imbalance"?

Hon. G. E. Masters: Between the number of electors and the number of members.

Hon. E. J. CHARLTON: It is not possible to divide the State into six regions and have an equal number of voters in each region.

Hon. G. E. Masters: The whole system falls down, and that is the point we are making.

Hon. E. J. CHARLTON: The Liberal Party has its reasons for the action it wishes to take, and I can understand the principle behind it.

As I said, under the National Party's proposal there will be approximately 635 000 electors in the metropolitan area, and in the country area there will be approximately 220 000. I emphasise that in the metropolitan area there will be approximately 37 000 electors per member, in the mining and pastoral area there will be about 12 000 electors per member, and in the agricultural and south west regions there will be approximately 14 000 electors per member.

It is worth mentioning the point the Attorney General made earlier when referring to the figure he put forward. He said there would be 17 members appointed to represent the metropolitan area and 17 members to represent the non-metropolitan area. By splitting the non-metropolitan area up as has been suggested there will be a ratio of 2.5:1 in the south west region and 3:1 in the mining and pastoral area.

Hon. J. M. Berinson: We are back where we started.

Hon. E. J. CHARLTON: It is a well-known fact that the mining and pastoral areas are where the Labor Party has its strongest support. The National Party's proposal will result in an increased ratio of loading of 3:1; it is not 11:1 or 7:1. While it might not be acceptable to the Government, it certainly does go a long way to improving the situation.

Hon. Garry Kelly interjected.

Hon. E. J. CHARLTON: No, it will not. I agree with the comments of the Attorney General that based on the 1986 figures it allows the Labor Party to have equal representation.

Hon. Garry Kelly: Do you think that is fair?

Hon. E. J. CHARLTON: Obviously it is not considered fair by the Government. The National Party's proposal is based on a ratio of 17:17, and it incorporates the Labor Party's desire to have six regions. The National Party has agreed to that.

History shows that under the provincial system there is an equal number of members from each area. Members must accept that if the boundaries are drawn in a way that will mirror what takes place in the Legislative Assembly, there will be a different ratio of voters in the metropolitan area compared with the non-metropolitan area. All we are doing is repeating the debate that took place when a similar Bill was debated in this Chamber; and it will make the Legislative Council a rubber stamp.

I accept the Government's point of view that the Labor Party can win control in the Legislative Assembly but not in the Legislative Council. I remind members of the Attorney General's comments when he said, "You cannot have small parties with single member representatives because it would not be good government." The alternative is to have groups of members who follow party lines, whether conservative or socialist. That system has not worked. Members do not like that, except when the National Party has to make up its mind whether to support the conservatives or the non-conservatives. I suppose members would agree that it is a better situation than that which prevailed earlier.

The National Party has examined every piece of legislation that has been brought forward and has made a decision on its merits. It has been accused of being unpredictable. It demonstrates that the National Party is genuine in looking at legislation on its merits and how it will affect the people of Western Australia.

Hon. B. L. Jones interjected.

Hon. E. J. CHARLTON: The National Party has been prepared to look at all legislation on its merits, and it is genuine about electoral reform.

Hon. Garry Kelly: It is not democratic.

Hon. E. J. CHARLTON: Nothing is democratic if a person cannot put himself in the position of satisfying the majority of people who elected him.

Hon. Garry Kelly: That was rejected in 1983.

Hon. E. J. CHARLTON: That is not what is wanted.

Hon. Fred McKenzie: We have already tried that.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! Order! I will say it for the last time. Two or three debates are going on while the speaker is on his feet. He and every member of this Chamber are entitled to get up and give their own point of view, but they can only do that as long as members sitting down do not interject.

Hon. E. J. CHARLTON: Thank you, Mr Deputy Chairman. Obviously some members have more than an average interest, but they are not going to make a contribution through a speech but in some other way.

To recap on the contents of the amendment put forward by the National Party, obviously the Minister fully understands the reasons for

doing it in this way. It seems it will not be acceptable to members of either the Liberal Party or the Government. It should be acknowledged that for the very first time, although it may not go as far as the Labor Party or the Government wants, a commitment is given. It appears that the Government and the Liberal Party have come to the same conclusions. If the Government repeats the 1986 result, the numbers will equate.

I am not certain about this point, I have not read it, but it has been related to me. There are only a few occasions on which the Government has had more than 50 per cent of the vote. Is that right?

Several members interjected.

Hon. E. J. CHARLTON: It is not right? It does not matter.

Several members interjected.

Hon. J. M. Berinson: It seemed important at the time.

Hon. E. J. CHARLTON: I understand it is not important.

Putting forward a proposal based on the implementation of proportional representation, it will be structured in the proportion of 19-15. Kalgoorlie is included with Kondinin, going from the north of the State down to Esperance. I do not know where it is intended to go. If that is not cooking the books what is?

Hon. Garry Kelly: For whom?

Hon. E. J. CHARLTON: Obviously it must be cooking the books for the Government.

The point is made that the National Party is not genuine. We have followed a simple proposal which gives the non-metropolitan area the opportunity to elect as many members as the metropolitan area. That appears to be the only reason that the Government cannot get a majority in the Legislative Council. If that is not the situation, it is because the non-metropolitan area has elected as many members. The Federal Government will attract a few more votes out of the non-metropolitan area.

Take the six regions which the Government wants, and change one of the country regions to determine a community of interest in that region. It will not be some mishmash of agricultural, mining and pastoral interests. Pastoral and mining are intermingled.

The only impediment to the Government accepting that—I do not know about the Liberal Party; it may accept it—is the fact that on

those figures it cannot get the numbers. I wonder how anyone can justify being opposed to this proposal of 17-17.

The National Party could not win a seat in the metropolitan area. We could not because we could not get enough people to vote for us in the metropolitan area. The situation might be different in the future, but that has been the position in the past.

Hon. G. E. Masters: They will if you accept our proposal.

Hon. E. J. CHARLTON: If the Leader of the Opposition sees the light of day he might agree to this. The National Party's proposal of 17-17 has three regions with specific areas which will give a community of interest. The non-metropolitan area is made up of the south west corner of the State, which is more heavily populated and which has a community of interest. Moving into the agricultural area, that has a community of interest. From there one moves into the mining and pastoral areas; they are more sparsely populated and should be given a little extra vote-weighting to take that up to 3:1 in comparison with 2.5:1. There can be very little criticism of that as being a fair and equitable means of implementing proportional representation and giving people in both the metropolitan and non-metropolitan areas an opportunity to elect members.

Several members interjected.

The DEPUTY CHAIRMAN: Order!

Hon. E. J. CHARLTON: Some people seem to have difficulty in accepting and understanding whether a system is fair and equitable. These are physical facts of life in Western Australia: We have a metropolitan area which is densely populated; there will be small anomalies there. Then we have the non-metropolitan area. People must accept that we must elect equal numbers from both those areas. The National Party arrived at this decision last year. Unlike other parties which tried to make changes to facilitate and come to terms with the problem, the National Party has been able to stick to its original proposal as far as numbers are concerned because it can be substantiated that it was a fair and equitable thing to do. The Government cannot accept that it is fair and equitable.

Several members interjected.

Hon. E. J. CHARLTON: Hon. Tom Helm will never accept anything because his comments since he has been in Parliament demonstrate that he believes the majority of people are gathered in a small area and they should be

given all the privileges under the sun while the people in the non-metropolitan area—and I happen to represent them—are denied them. I never set out to be a member of Parliament, but the further I go down this track of representing people in the non-metropolitan area the more I am convinced that what has taken place in the non-metropolitan area of Australia, particularly in Western Australia, has caused the highest economic problems of the nation.

Several members interjected.

Hon. E. J. CHARLTON: Members opposite might not like it or accept it, but it is a fact of life. They do not have to take my word for it but can find out for themselves. These people must have an opportunity to elect an equal number of members to represent an area many times the size of the small, say 50-kilometre, area around the metropolitan area. I do not know how anyone can have the gall or the audacity to argue against that; or want to erode further the possibility of their electing those members.

Members opposite are not subjected to the same difficulties as are the country people from whom they want to take away representation. Those people do not have water, telephones, or any of the everyday things that city people expect. Indeed, city people will not even move into a house unless they have all those things, as well as the wall-to-wall carpets. They expect that situation. Members opposite are not prepared even to allow those who occupy thousands of square kilometres across the State to elect a number of members equal to those elected in the metropolitan area.

That in itself is really something that every member in this place should take on board. They should work out how they would do their best for their party, to make up the balance of whatever they want to get. If they are in Government in the Assembly and believe that should flow over into this place, let us do it. We have seen in the May mini-Budget and elsewhere the further imposition on country people by proposed increases in charges by Telecom, and so on; and they are the sorts of things that affect non-metropolitan people far more than they do people in the metropolitan areas of Australia.

To return to the point, it is proposed that the 635 000 voters in the metropolitan area of Western Australia should have three regions, one with seven Legislative Council members and the others with five each. That represents

approximately 37 000 electors per member. In the non-metropolitan area there are approximately 220 000 electors—a ratio of 2.5:1 or 3:1 in the two specific areas of the south west region, and the agricultural, mining and pastoral region. Again, the break-up of the 17 members is seven, five, and five.

I really cannot see how members can then say, "It is not fair because we, the Government, or we, the Liberal Party, cannot on that basis get control of the Legislative Council."

To conclude, I point out that in all of this the National Party is worse off, yet right from the outset it has agreed that proportional representation is something it supports. We have gone a fair way down the track, and members cannot question the fact that we are genuine; we put our proposals very early on and have not wavered from them. The only area which presents a problem concerns the fact that the proposal for a 17-17 ratio does not allow the Government on one hand to control the Legislative Council on the previous voting figures; and on the other hand, from the Liberal Party's point of view the number of regions involved does not allow the numbers of elected members to come from the spread of the various electors who make up the metropolitan and non-metropolitan regions.

Hon. J. M. BERINSON: Once already tonight I have said that Mr Charlton is an honest man. I say that again, because he has shown it again. He has shown it with the frankness with which he has approached the likely results of implementing the National Party's proposal.

Mr Charlton said three things which I only wish *Hansard* had the capacity to print in italics. The first thing he said was that he agreed that under the National Party's proposals there would be an average vote weighting of 2.75:1 as between non-metropolitan and metropolitan voters. The second thing he said was that there would be some thousands of voters in the non-metropolitan area who would have a vote weighting three times that of voters in the city. The third thing he said—and this is an area in which I might wish that the italics could also be printed in capitals and underlined—was that he agreed that under these National Party proposals the Labor Party could never have a majority of seats in the Legislative Council. At its best the Labor Party could never look to more than 17 seats in this place.

How can we realistically look to the acceptance of a proposal which would preclude that possibility as definitely as we believe, and as I think Mr Charlton indicates he believes, would be the case? It would be to make a mockery of the system. Members should please remember, when we are invited to consider the virtues of an even split of seats as between metropolitan and non-metropolitan areas, that the split of population is 73 per cent to 27 per cent. It is being seriously proposed that in this situation, where 73 per cent of the voters live in one area and 27 per cent live in the other, they should have an even number of representatives in this Chamber. That would have been bad enough, but what makes it even worse is that the nature of the division as between the various proposed regions ensures that the Labor Party could never have a majority in this place.

One has only to consider the proposition to know how unacceptable it is, and not just to the Labor Party. It is an unacceptable proposition in principle. It is impossible to suggest or construct a principle which can accept a proposition that one party, and one party only, should be precluded from ever obtaining a majority in the upper House in this State.

This brings me to an aspect we have not discussed before, given the concentration on the current position of Government and Opposition in this State; and that is that the converse does not apply. It is not as though Mr Charlton is saying, "Here is a fair system. It is one that will never give more than 17 out of 34 seats to the Labor Party, but it will never give more than 17 out of 34 seats to the anti-Labor parties either." There would not be much virtue in that system—a system of perpetual deadlock is not one to be approached with any enthusiasm either. However, we do not have that prospect but only the prospect of working in one direction. It will work by precluding Labor from ever having a majority in this place, but not precluding the anti-Labor parties.

The figures I have in respect of the last four elections bear this out. All members know that the Labor Party had historic support in the last two elections in 1983 and 1986. On the basis of the National Party's proposals, the Labor Party would have achieved not more than 17 out of the 34 seats available in this Chamber in 1983 and not more than 17 out of 34 seats in 1986. Compare that with the elections in 1977 and 1980 when the Labor Party did not do all that well.

In 1977, the Liberal and National Parties would have had 20 seats out of 34 and in 1980 they would have had 19 out of 34, so there is no equality in that proposition. There is not even the virtue of saying, "OK, we are just going to have this Chamber as a Chamber of review and not one that can tip Governments of any complexion out of office"; we have a straightout proposition which says, "Heads we win and tails we draw." There is no offer of a situation where one can actually lose. The theory of elections is not that the best that any given party can do is to draw. It may seem unsporting; it may seem as though that is really what it ought to be directed at, but that is not what politics and government and Parliaments are about.

I do ask the National Party to look at this proposal again and not to pursue it to the point of defeating the Government's proposition. There is nothing I think more easy to support as a principle than the one I have enunciated many times in this debate already. That is, that the party with the majority of votes ought to be able to look for a majority of seats, and if that is a reasonable proposition in the Assembly, where the Government is formed, it is equally a proposition which we ought to apply in this Chamber.

I will make one final point: There is a serious element of unreality in the National Party's proposition because what it is really inviting the Government to do is not only to refrain from pushing reform but actually to accept a system worse than the one we presently have. As we demonstrated in 1986, even the present system, rotten as it is, can allow, as a result of an extraordinary effort, a majority of members to the Labor Party. That is why we have 9.8 as a result of the 1986 election. Why on earth should anyone expect a Government looking for reform to actually take several steps backwards? I do not think anyone could realistically accept that.

That is why I put it to the National Party that its proposal is not only wrong—I believe it is wrong—but it is really suffering from a lack of reality. If the National Party's amendment is carried, I think we all understand that the Government's proposal will fall. I think that will get this Chamber nowhere. Certainly those of us who are interested in electoral reform will see that as a very negative step. I know it is very late in the day to be urging the National Party not to pursue this amendment, but I believe that its proposals are of a nature that ought not only to be rejected but indeed should not be pursued by the National Party itself.

Hon. G. E. MASTERS: I want to add my comments to those already made on this proposal.

One of the obvious reasons the Liberal Party cannot support the National Party's amendment is that the National Party is using odd numbers. The Liberal Party has a firm commitment to a split term for the Legislative Council. We are absolutely committed to that course of action. We believe that this is the proper way to go and at a later stage we will debate the virtue of that proposal. I do not intend to delve into that area now; suffice it to say the Liberal Party will not support a proposition which uses odd numbers for the simple reason that there cannot be split terms.

Having said that, I wonder whether the National Party has done as much work as it should have done on this proposal. I agree that at the end of the day, based on the figures the Attorney General used for the Legislative Assembly, there is a ratio of 17 for the combined National Party-Liberal Party and 17 for the Labor Party. That is on the 1986 figures, but if one looks at the proposal one sees that the split would probably be 17 for the Labor Party, 14 for the Liberal Party, and three for the National Party. It is possible that the National Party will say its fortunes are on the improve and so it can expect a fourth seat.

Let us look again at what has been put to the Chamber. We are starting to argue about whether the boundary will go to Boulder-Dundas, to Katanning, or whether it will come up to Geraldton; we are starting to get into a mishmash about where the boundaries will be located. It is all very well for Hon. Joe Berinson to say that it is none of the Opposition's business and that the Electoral Commissioners will decide the boundaries; but this is our business. The way this Chamber structures the legislation will provide the commission with guidelines.

Hon. D. J. Wordsworth was quite right when he said that in looking at the proposal it is not difficult at all to see where the boundaries will go. The National Party has proposed that a quota in one of the metropolitan areas be 12.5 per cent, which seems to me to make life very difficult for it to win a metropolitan seat, although it might pick up 12 per cent. In the other two regions, the south metropolitan and the east metropolitan, they would need 16.6 per cent to gain a seat. It seems to me that the National Party is pricing itself out of the market. The National Party would have great difficulty in getting a metropolitan seat under Hon. E. J. Charlton's proposal.

Later, when this Chamber is considering the very important Liberal Party proposition, I will demonstrate to the National Party that it has every opportunity of gaining one or two metropolitan seats. Nevertheless I make the point now: The National Party is making life very difficult for itself. If one looks at the other areas, in the south west the National Party would need 14.5 per cent to gain an extra seat over and above the one it has estimated it will pick up. In the agricultural area it will need 20.6 per cent to pick up an extra seat. I am saying to the National Party that if it gets 20.6 per cent more votes, it will gain a third seat. The National Party is making life difficult for itself and I suggest that the proposition put forward by Hon. E. J. Charlton is not good for his party and I believe that the National Party should reconsider it.

Hon. Eric Charlton talked about the boundaries and where it was likely the lines would be drawn. Perhaps the one which interests most people is the northern boundary, and that is very easy to demonstrate here. The National Party is proposing that there be five northern seats.

I seek leave, Mr Deputy Chairman, to put a map up on a board to demonstrate my point.

Leave granted.

Hon. G. E. MASTERS: The Liberal Party believes that its calculations are fairly accurate and that the boundaries for the areas that are likely to be included in the National Party's proposition, and the votes that are required, will mean that Esperance-Dundas will need to be taken in, and there are 11 694 votes in that area. If that is not taken into account there, it must be taken into account somewhere else, either Katanning or through to Geraldton.

A total of 5 113 electors will have to be taken out of Gascoyne, and 2 558 out of Greenough. Will Greenough be taken in, as well as some of the agricultural area in the southern region, to obtain the right number of votes? A total of 3 800 will be taken from Katanning-Roe, 17 900 from Kimberley, 3 780 from Murchison-Eyre, and 15 834 from Pilbara.

It is no good Hon. Eric Charlton saying there will be X number of votes in one region and a different number of votes in a different region. The guidelines are clear for a plus or minus 15 per cent calculation. As far as it is able, the commission will take an even number of votes, make some allowance for isolation, and then use a plus or minus 15 per cent calculation.

Hon. Eric Charlton assumes that what he said will be in the commission's mind. That is not the case. There are 230 000-plus voters in the country area. Seventeen members divided into that gives an average of 13 744 voters for each Legislative Council seat. By the same token, there would be 10 159 voters for each Assembly electorate. The fact is that the commission will be looking for that number of votes across the board, and it will not be prepared to look at differences. Its intention will be to have an evenness of voters in all electorates. That is the beauty of our proposal.

Under the National Party's proposal, the Federal seat of Kalgoorlie will be represented by five members of the National Party, or that is how we have worked it out. All we are saying is that the whole of the country area of Western Australia should have sixteen members. Admittedly there is a greater population in the agricultural and south west corner of the State. I believe it is unrealistic for five members to be asked to represent such a huge area. Our proposal is a far better one. It allows for sixteen members to represent the whole of the Western Australia country area.

Hon. Eric Charlton's proposition is unrealistic. In many ways, members representing the north of the State will be in a worse position than the Labor Party members. I urge members to think seriously about the Liberal Party's alternatives.

We should reject Hon. Eric Charlton's proposition. Our proposal for representation in the Legislative Assembly gives country people a far better representation than either the National Party's proposition or the Labor Party's proposition.

I recognise that our proposition for a ratio of 18-16 is a better proposition. We have attempted to compromise. The Minister has made it clear he will not accept a 17-17 proposition. He says that is improper. We are saying, therefore, that members should look at our proposition and see if we can make it work. I believe the Committee should vote against the 17-17 proposition put by the National Party, and also should defeat the Labor Party's proposal, which I believe is just as bad.

Hon. E. J. CHARLTON: I believe the Attorney General has given the impression that the Government of the day would decide how the proposed amendment by the National Party would work. I remind the Attorney General and everyone else that the Government is appointed from the majority of members of a

party elected to seats in the Legislative Assembly. This place is a House of Review. I wonder how genuine and how accurate the Attorney General would be in putting forward his reasoning against the proposal by the National Party for a 17-17 system. As I said, the Government is decided by the number of members of a party elected to seats in the Assembly. The members in this place are elected from specific regions. I believe the Labor Party is hung up on this 17-17 proposition to a large extent.

Our proposal also means that no party would get control in its own right in the Legislative Council.

Hon. J. M. Berinson: When was the last time that the Liberal and the National Parties had the opportunity to come together for Government and did not do so?

Hon. E. J. CHARLTON: Government is demonstrated by the number of members in the Assembly.

Hon. J. M. Berinson: Consider the fact that when they get together in the Assembly, they invariably get together in the Council.

Hon. E. J. CHARLTON: Whether or not they get together in Government, when legislation comes into this Chamber it will be dealt with just as the second reading of this Bill was dealt with a few days ago. The decision made by members of the National Party on that occasion enabled this debate to take place tonight.

Hon. J. M. Berinson: That is not so. The member should look at *Hansard* and find a single electoral Bill put forward by the anti-Labor parties on which members of the National Party have crossed the floor. There is no such case.

Hon. E. J. CHARLTON: I accept that, but that is in the past. We are talking about introducing a complete change in the way members will be elected to this place—not tied to two or three seats but covering a wide area in which each party will have an opportunity to have members elected. If they are not tied to the historical facts, they will be in a much better position to be independent.

I do not think the comments made by the Attorney General stand up, however well founded, if he is prepared to take the point of view that this place is a House of Review. If the Government does not want it to be a House of Review, it should introduce a proposition to get rid of it. If this place becomes a rubber stamp for the Assembly, it may as well not be here. If that were the case the Government

should do what the Labor Party did in Queensland years ago—that is, get rid of the Council and have more members from the Assembly electorates.

The National Party is intent on seeing changes made to the manner in which members are elected to this place. I have been reminded several times since I have been a member of Parliament of my right to consider the legislation and vote accordingly. If or when we are part of a coalition Government, the legislation in the other place will have an input from various members constituting that coalition Government, just as members in this place have an input into current legislation. However, members elected on a proportional representational basis will not have a responsibility to respond to the legislation and act accordingly. I am amazed that members of the Liberal Party and anyone else should want to put in place a system which virtually guarantees that that will take place, especially when there has been so much criticism about the party structure, how members vote, and members crossing the floor.

The Government is not determined by this place; this is a House of Review. The Attorney General did not relate his comments to that point. The fact that the National Party's proposal means that no party would have control of this Chamber in its own right should in itself make the proposal acceptable to individual members and organisations. Surely the members of the National Party have indicated by their recent performance in this place how legislation will be responded to.

As far as the comments of the Leader of the Opposition are concerned, if the boundaries are to be drawn by commissioners we shall not know what is going on; and it is better to treat the whole of Western Australia on a metropolitan and non-metropolitan basis. If the National Party's proposal is to be opposed on the basis that we do not know where the boundaries will be drawn, it does not have much chance. There can be no argument over the three regions in the metropolitan area, or the variation of 3 000 or so votes, or a street or two, because that is specified in the provisions. Small details will not change things because community of interest is also taken into account.

In the three country regions—the non-metropolitan regions—if one of the regions were designated mining and pastoral, Kalgoorlie would come into that area; it would not be linked with the agricultural or the south west regions. That is different from the Govern-

ment's proposal. I am sure that the people of Kalgoorlie would not want to be linked as far as representation is concerned with someone with whom they have no affinity. The Attorney General and the Leader of the Opposition appear to have problems with the question of where the boundary lines will be drawn. It should be accepted that although we do not know exactly where the lines will be drawn, we have a pretty clear picture of their location.

Hon. J. M. BERINSON: It is some time since members have gone through the form of these amendments. Mr Deputy Chairman, could you clarify which amendment is before the Chair?

The DEPUTY CHAIRMAN (Hon. John Williams): Members are now dealing with the amendment (D) which appears on page 2, and with Hon. E. J. Charlton's amendment to the Attorney General's amendment. The question is that the words to be substituted be substituted; in other words, if members agree with Hon. E. J. Charlton, they vote Aye, and if they disagree they vote No.

Amendment on the amendment put and a division taken with the following result—

Ayes 6

Hon. J. N. Caldwell	Hon. W. N. Stretch
Hon. E. J. Charlton	Hon. D. J. Wordsworth
Hon. H. W. Gayfer	Hon. Tom McNeil

(Teller)

Noes 26

Hon. C. J. Bell	Hon. B. L. Jones
Hon. J. M. Berinson	Hon. Garry Kelly
Hon. J. M. Brown	Hon. A. A. Lewis
Hon. T. G. Butler	Hon. P. H. Lockyer
Hon. D. K. Dans	Hon. G. E. Masters
Hon. Graham Edwards	Hon. Margaret McAlcer
Hon. Max Evans	Hon. N. F. Moore
Hon. V. J. Ferry	Hon. Mark Nevill
Hon. John Halden	Hon. Neil Oliver
Hon. Kay Hallahan	Hon. P. G. Pandal
Hon. Tom Helm	Hon. S. M. Piantadosi
Hon. Robert Hetherington	Hon. Tom Stephens
	Hon. Doug Wenn
	Hon. Fred McKenzie

(Teller)

Amendment on the amendment thus negatived.

The DEPUTY CHAIRMAN (Hon. John Williams): Members are now referring back to amendment (B), and the question now is the words proposed to be inserted be inserted.

Hon. G. E. MASTERS: My understanding is that if members vote for the amendment before the Chair, they are then voting in favour of Hon. J. M. Berinson's position, and if this amendment is defeated, members will then discuss the Liberal Party amendment.

The DEPUTY CHAIRMAN (Hon. John Williams): That is correct.

Amendment put and a division called for.

Bells rung and the Committee divided.

The DEPUTY CHAIRMAN (Hon. John Williams): Before appointing the tellers, I cast my vote with the Noes.

Division resulted as follows—

Ayes 16

Hon. J. M. Berinson	Hon. Robert Hetherington
Hon. J. M. Brown	Hon. B. L. Jones
Hon. T. G. Butler	Hon. Garry Kelly
Hon. D. K. Dans	Hon. Mark Nevill
Hon. Graham Edwards	Hon. S. M. Piantadosi
Hon. John Halden	Hon. Tom Stephens
Hon. Kay Hallahan	Hon. Doug Wenn
Hon. Tom Helm	Hon. Fred McKenzie

(Teller)

Noes 17

Hon. C. J. Bell	Hon. Tom McNeil
Hon. J. N. Caldwell	Hon. N. F. Moore
Hon. E. J. Charlton	Hon. Neil Oliver
Hon. Max Evans	Hon. P. G. Pandal
Hon. V. J. Ferry	Hon. W. N. Stretch
Hon. H. W. Gayfer	Hon. John Williams
Hon. A. A. Lewis	Hon. D. J. Wordsworth
Hon. P. H. Lockyer	Hon. Margaret McAlcer
Hon. G. E. Masters	

(Teller)

Amendment thus negatived.

Hon. G. E. MASTERS: Members now come to the Liberal Party amendment which I put to the Chamber in all sincerity as the one which should be supported. Members have heard a great deal of debate on the virtues of regions: Three regions in the metropolitan area; three regions in the country area. I put to members again, if I may do so without interruption from Hon. Garry Kelly, that the Opposition is putting forward a proposition that everyone can understand. It is a very simple, straightforward proposition and one that I commend to the Chamber very sincerely.

Despite the comments by the Attorney General, our proposal would give the Labor Party an opportunity to win control of this Chamber if the 1983 and 1986 elections were repeated.

Hon. Tom Stephens: Not true.

Hon. G. E. MASTERS: I am talking about two half-elections.

Hon. J. M. Berinson: And based on Council voting figures?

Hon. G. E. MASTERS: No, the Assembly. The Government knows very well that if at an election in a regional situation, particularly under our proposition, we were to have 18 members in the first election and then nine after that, we could have a ticket with 18 candidates trying to win a seat in the metropolitan

area. The Labor Party could put forward 18 candidates, as might the Liberal Party, the National Party could put forward 10 candidates, and the Democrats could put forward six, which would leave us with a score card of candidates for whom the public would have to vote. Of course they would vote according to the cards; they would say, "We are Labor supporters, so give us a Labor card." The Assembly voting pattern, in that circumstance, would be repeated.

Hon. Tom Stephens: Not necessarily.

Hon. G. E. MASTERS: It will be, and the member knows it. There is no other proper way of calculating the situation. No-one here can tell me that when we have a voting card with 30 or 40 squares for 30 or 40 candidates, the public will take the trouble to mark each square when they have the choice of voting according to the party ticket.

Hon. J. M. Berinson: Why shouldn't they vote differently in the Council as they have done before?

Hon. G. E. MASTERS: We are changing the system. Assembly members have a personal vote when only three or four people are on a ticket. That situation applies also here when only three or four members are contesting a seat. That is reflected in voting patterns, where people vote for members who have represented them well over a number of years. Those members get a three or four per cent advantage over new candidates. This personal vote applies to all the parties. The Labor Party's proposal gets rid of the personal vote. We do not argue with that, but our proposition is that there will be a large number of potential candidates on a voting ticket and therefore the voting-intention square will be used on almost every occasion. I defy anyone to deny that would be the case. Experience shows it is the case.

Hon. Garry Kelly: Did you do a score with the Council figures?

Hon. G. E. MASTERS: I told our fellow that it had to be done on Assembly seats.

Hon. J. M. Berinson: Can you tell us how the seats divided up in metropolitan and non-metropolitan areas?

Hon. G. E. MASTERS: If there were a half-election, and using 1986 figures—and we are anxious to make sure there are half-elections—in the metropolitan area the ALP would have won 56.47542 per cent of the vote, and that would have entitled it to a 5.6 quota or 5 seats. The Liberal Party would have got a quota of 4.15 and it would have got four seats. In a

moment I will explain how those circumstances could change for good reason, perhaps not to the Government's or to our benefit.

In the agricultural area the Labor Party would have got—

Hon. J. M. Berinson: In the non-metropolitan area?

Hon. G. E. MASTERS: Yes. Under our arrangement, with a total non-metropolitan area for the country area, in 1986 the ALP would have got 43.4 per cent of the vote, the Liberal Party 40.9 per cent, the National Party 13.8 per cent, and others 1.1 per cent.

Hon. J. M. Berinson: How would the seats divide?

Hon. G. E. MASTERS: They would divide 9-7-1.

Hon. J. M. Berinson: Just in the non-metropolitan area.

Hon. G. E. MASTERS: In that case 4-3-1. If we turn to the 1983 results the result would have been the same—9-7-1. The break-up would be 5-4 in the metropolitan area in favour of the Labor Party and it would be 4-3-1—Labor-Liberal-National Party—in the country. That is for the whole country electorate based on the 1983 Assembly figures; that would include the north and everywhere.

Let us consider another possibility, that of the National Party picking up a seat in the metropolitan area. In the first election the National Party would need only five per cent of the votes, and it could do that standing on its head and could probably do better. That would be for a full election in the first election. Then we can turn to the half-elections, and we are saying there should be half-elections. In the present circumstances in the metropolitan area the National Party would require 10 per cent to pick up a metropolitan seat, where it certainly would not under its own proposition. In the agricultural area the quota would be 11-11. In fact under our proposition the National Party would probably pick up two or three seats. It has the runs on the board when we consider the recent by-election—and bear in mind it has never contested the whole of the country area; so it must pick up a significant percentage of the votes. It would need to pick up only an extra seven per cent to gain one seat and then 14 per cent to pick up another two seats.

My proposition is this: It is quite obvious that, under our proposition, the party which gets the votes will get the seats. The Labor Party proposition, on our calculations in the

1986 elections, was that in the metropolitan area it would have picked up 56 per cent of the vote. Under the arrangement we have already discussed and defeated it would have picked up 58 per cent of the seats. In the country and using the 1986 figures, it would have got 37 per cent of the vote; under its proposition which has just been defeated it would have picked up four seats. Under the Liberal proposition, if the Labor Party had got 56 per cent of the votes in 1986, it would have got 58 per cent of the seats. Had the other proposal applied it would have picked up 55 per cent of the seats. Not much difference. On the 1986 figures I have already said that the Labor Party said that it would have picked up 37 per cent of the votes in the country. It is obvious that the popular party of the day gets the votes, and it will pick up the seats.

Hon. J. M. Berinson: You just said 37 per cent—I don't think that is the same figure you indicated before for the Labor vote in the non-metropolitan area.

Hon. G. E. MASTERS: That is what it would have gained if we take it that everything outside the metropolitan area is country, under our arrangement.

Hon. J. M. Berinson: How do you make four quotas out of 37 per cent when you have just said that one quota is 11.1 per cent?

Hon. G. E. MASTERS: I will read the figures out in detail. Under our proposal for the agricultural area, the 1986 results for country areas would mean that the Labor Party would pick up 43 per cent. I did say 37 per cent; I am sorry. The figures I am reading from are the right ones. There are four quotas there. The Labor Party would pick up 43.401 per cent, the Liberal Party 40.914 per cent, and the National Party 13.868 per cent. Under those figures the Labor Party would have a quota of four, the Liberal Party a quota of three and the National Party a quota of one.

Hon. Garry Kelly: Are those figures worked out on Assembly figures?

Hon. G. E. MASTERS: Yes.

There will always be an argument about where the boundaries should go and whether there should be a north, south west, or an agricultural area. I think it is reasonable to suggest that if there is to be a large country area, it should be represented by a large number of members in the Legislative Council. Sixteen members should be elected by the country

areas of Western Australia to give them as good a cover as we could expect and not to impose an unduly heavy load on three of four members as would occur under the National Party's proposal.

Hon. Fred McKenzie: On those figures, less than two per cent goes to other parties in country areas.

Hon. G. E. MASTERS: That is an important point. There is a possibility that the Australian Democrats may pick up a seat in the metropolitan area under our proposal, and it would expect to.

Hon. Joe Berinson seems to be incensed with the idea that that should be allowed to happen and that a minor party may hold the balance of power in this Chamber. When the Labor Party went to the last election, it did not seem to worry when he was exchanging preferences for support.

I put it to the Committee again that our proposal is a much fairer one. It will give minor parties an opportunity to pick up a seat, although 10 per cent takes a bit of getting.

Hon. Fred McKenzie: They would be struggling.

Hon. G. E. MASTERS: They would, but they would have more chance under our proposal.

I ask members earnestly to accept our proposition. It is a fairer and more easily understood proposition. Up until now, every party has been trying to set up guidelines to manipulate the setting of boundaries. It is no good our saying that the Electoral Commission will make up its own mind because the Labor Party's proposal was directed to include Kalgoorlie in the agricultural area. Hon. Eric Charlton picked that up, and we are talking about the Federal seat of Kalgoorlie in the agricultural area. It is obvious that the Labor Party has put words in its proposal that would result in that proposition. It is obvious also that the National Party has attempted to exclude the Esperance area and to include other areas. I am saying that we should get the whole mess sorted out. Let us introduce an idea so that everyone knows what we are talking about. The boundary between the country and the city areas should be drawn up by the commission if the Chamber so decides. If it is decided that it will follow the MRPA boundary, we will not dispute that. That is fair.

The Government has given an indication that if it fails on this clause it will proceed with the debate on the rest of this Bill to extract as much information as it can and then seek leave

to recommit this clause and put forward another proposition to the Chamber. I do not accept that that is the right way to deal with this. Our proposition is a sensible one. I have shown that the Labor Party, under our proposal, could have gained control of the Legislative Council in the 1983 and 1986 elections based on the Legislative Assembly results.

I therefore move an amendment—

Page 3, lines 18 and 19—To delete the lines and substitute the following—

6. (1) The state shall be divided into 2 electoral regions under the Electoral Distribution Act 1947.

(2) The electoral region known as the Metropolitan Region shall return 18 members to serve in the Legislative Council.

(3) The electoral region known as the Country Region shall return 16 members to serve in the Legislative Council.

Hon. J. M. BERINSON: Hon. G. E. Masters has presented the Chamber with an appalling proposition, devoid of any argument in principle to support it. In the first place, he approaches his analysis of the likely result of implementing his amendment on the basis of irrelevant figures. I have said already tonight that we have a history in this State in which voting patterns in the Legislative Council have been significantly different from voting patterns in the Assembly. Mr Masters, however, insists on continuing to advance an analysis based on Assembly figures and ignoring the Council realities. He cannot do that; at least he cannot with any semblance of reality. He also says that ticket voting will make a difference.

Hon. G. E. Masters: It will make a huge difference.

Hon. J. M. BERINSON: There is not the slightest reason that it should. Ticket voting will simplify the vote for people who might otherwise have to fill in 15 or 20 boxes. It will not change their position in relation to the party they want to vote for. If, in the past, they have sometimes voted for the Labor Party in the Assembly and the Liberal Party or the National Party in the Council, there is nothing to suggest that ticket voting will lead them to do anything different. Once they do decide to vote for the Liberal Party or the National Party in the Council, the process is made very simple by the ticket voting system.

There is nothing in any of this to suggest that the analysis that Mr Masters has offered supports the general argument that he is putting. There is something worse about his argument than that; even if the Government were to accept all these false premises, the conclusion comes out differently if we look at the figures he gave to the Chamber. The position was that in the non-metropolitan area the voting quota for a seat would be 11.1 per cent. He said that Labor would have 43 per cent of the vote giving it four seats, the Liberals would have 40.9 per cent of the vote giving it three seats, and the National Party would have 13.13 per cent of the vote giving it one seat.

Although there does not seem to be a very great gap between the actual Labor vote of 43 per cent and the 44.4 per cent that Labor would need before the quotas, one must ask where the difference of 1.4 per cent will come from. There is only one place from which it can come, and that is the surplus of votes from the National Party. If the National Party had 13.13 per cent of the vote and we deduct the quota of 11.1 per cent, we are left with 2.03 per cent. Mr Masters' proposition would require that of the 2.03 per cent of surplus National Party votes the Labor Party has to get 1.4 per cent. In other words, it would have to get 70 per cent of the National Party preferences. When has that ever happened in the history of this State? Mr Masters is smiling now. He is not even being subtle about it.

Hon. G. E. Masters: I am smiling at you.

Hon. J. M. BERINSON: This will require the Labor Party to get 70 per cent of National Party preferences—an achievement which has never been recorded in the history of this State. Not only would it have to achieve that record, but it would also require that remarkable proportion of preferences under the ticket voting system. All one has to say is, "I want to vote for the National Party", and he is shot.

Hon. G. E. Masters: You are admitting that it makes a difference now. A little while ago you said that it didn't make a difference.

Hon. J. M. BERINSON: I am prepared to argue any single proposition Mr Masters likes to advance, but I would like to argue them one at a time. He knows very well that the proposition I am now putting is the correct proposition, and that even on his analysis, the situation is that the break-up he is providing absolutely guarantees a Labor minority—not even an equivalent number of seats—in the Legislative Council, even if Labor did as well as

it did in 1986, and even if we use the figures from the Assembly rather than the relevant figures from the Legislative Council. Whichever way one looks at it, this is an argument that should be beneath the dignity of even the Leader of the Opposition to advance.

If all of that is not bad enough, we are proceeding on an assumption that the Labor Party will get a majority of four out of the nine seats proposed in the metropolitan area. That will involve a bit of magic under Mr Masters' analysis, because he is not looking at a 5:4 break-up between the Labor and Liberal Parties. He quite rightly says that once we reduce the quota to 10 per cent, there is a realistic prospect of the National Party picking up an odd seat in the metropolitan area. I think it would be battling, and if I were a member of the National Party I would not want to count on it. He also says that it is much more realistic for the Democrats to pick up one seat in the metropolitan area. Where will that seat come from? Will it come from the Liberal Party's quota? Where people want to vote for the Australian Democrats, or whichever party, will it come from the Labor Party's quota? I have news for Mr Masters; that will not happen.

I have another bit of news. Mr Masters believes that it will not happen. What he is looking at is a position where the Labor Party is guaranteed to be down at least two seats in the non-metropolitan area and to not be guaranteed a majority at all in the metropolitan area. It is a flagrant, transparent travesty; and that he should continue to argue this as though he is really serious about it is a disgrace.

Some members might think that that is all that is wrong with Mr Masters' proposition; but so as not to leave the case incomplete, attention ought to be drawn to the other feature of the Liberal proposal which, unlike the Labor Party and National Party proposals that all members should go to election each time, suggests that should be staggered, with only half the members going to election each time. There is a lot to be said against that proposition, and it comes back to the analysis I have given.

It is the staggering of the vote under the Liberal proposal which ensures that Labor would have an absolute guarantee of a minority in this Chamber. Members will have noticed that the Liberal Party does make one exception to the proposition of staggered elections—that at the next election we should not have staggered elections and that every member should go out then, but that it should happen only on that occasion. Why? Mr Masters did not bother to

explain the reason for that. What he wants to do is not only to foul up every future election, but he wants to cancel the result of the last election. He is concerned that in 1986 the Labor Party, for the first time in history, won the majority of seats available in this House at a general election. He wants to cancel that and he says, "Let us wipe the slate clean and start again. Only after that will we have staggered elections." It is not only a wrong argument that we are getting from the Liberal Party, but in this case it is a disgraceful argument. It is in keeping with the worst features of their historical attitude on the election issue in this State, and we should not contemplate for a moment that it be accepted.

Hon. G. E. MASTERS: I guess we have seen a few performances by Hon. Joe Berinson, but this one probably takes the cake. I will deal first with the last point he made.

The Labor Party's proposal is that the whole of the Legislative Council retire at the next election. It is reasonable to do that if we are to have a completely new system.

Hon. J. M. Berinson: Will we start again on a fair basis?

Hon. G. E. MASTERS: Is the Labor Party accepting the proposition that if only half the House retired—

Hon. J. M. Berinson: Of course we are not.

Hon. G. E. MASTERS: The Labor Party cannot have it both ways. Firstly, the Labor Party objects because the Liberal Party's proposition is that all members retire at the next election; and when I suggest that half the members retire the Government says, "We do not support it." There is only one thing the Labor Party supports; that is, a guarantee that it has a majority of members next time, and when that happens it will change the whole system. It will be the last time that the Liberal Party or the National Party will have any victory in this Chamber because it will change the whole system. The traditions we have had for many years will be destroyed.

Let us get back to the Federal Labor policy of undermining the Legislative Council by reducing its powers and by abolishing preferences. That policy has not changed since I have been in this Parliament.

Hon. J. M. Berinson: What are you talking about? Why don't you get back to your own figures which condemned you?

Hon. G. E. MASTERS: I am warning the Chamber that the only proposition that Hon. J. M. Berinson and his historical argument would contemplate is a proposition which guarantees control of the Legislative Council.

If we come back to the figures that I gave to Hon. J. M. Berinson and look at the metropolitan area, the Labor Party would have 56 per cent of the vote and would take five seats, and the Liberal Party with 41 per cent of the vote would take four seats.

Hon. J. M. Berinson: What happens if the National Party gets a vote?

Hon. G. E. MASTERS: If members look at the figures they will see the Liberal Party only needs to lose 1.5 per cent of our vote to lose a seat. The Government needs to lose 6.475 per cent.

Hon. J. M. Berinson: I have read them and they condemn you.

Hon. G. E. MASTERS: Let me start again. Under the proposal I am putting forward, if the Labor Party were to hold five seats and we were to hold four, and the National Party were to come onto the scene and take 10 per cent, it is almost certain that the Labor Party would maintain its five seats and we, the Liberal Party, would lose one of ours. That is what the figures spell out. If the Democrats came onto the scene, they may well take some of the Labor Party votes—not necessarily all of them. The end result would be that the Liberal Party would be the losers, not the Labor Party. I cannot be fairer than that. I have given the figures.

No matter how much Hon. J. M. Berinson performs, no matter how much he shouts, he is obviously trying to take away from the Liberal Party the understanding that most people now have that we are putting forward a fair proposition. Even the Press has backed it up and said it is not bad. My party has put forward a proposition trying to do the right thing. There must be some progress towards changes to the electoral system. We have put forward a proposition, and everyone understands what we are saying tonight. The facts are there; the percentages are there. The Government must not start trying to pull the wool over my eyes and the eyes of the Press. Anyone who wants can have these documents.

Hon. Fred McKenzie: You have convinced yourself, nobody else.

Hon. G. E. MASTERS: I suggest that the Government should be looking at the different attitude in the media. It has realised that we are

putting forward a reasonable proposition. It has recognised that we are making some progress. The Labor Party does not want it; it is too simple. It may well be they will not get the big majority they are looking for. I urge members to support this proposal.

Hon. E. J. CHARLTON: Split elections will be debated later. It is difficult to accept that we will have a proposal which will genuinely receive the support of the people of Western Australia if we are forced into accepting that part of the Legislative Council is to be elected at each subsequent election. Under the Liberal Party proposal, as I see it, the first election will not achieve a satisfactory conclusion, as first and second-class members are to be elected.

I think it is fair to summarise this by saying that, stripped of all the innuendo, the proposals for proportional representation mean that each party will receive fewer votes than it has done in the past. A number of people will be faced with the voting ticket procedure for the election of members for the Legislative Council. The votes must come from somewhere. All parties—certainly the two major parties—will suffer a percentage loss of votes. Preferences should be redistributed.

With the multiplicity of candidates for a particular region under the Liberal Party's proposal, a greater number of votes will go in that direction. The National Party would not accept the figures of 18-16 as the basis for split elections.

For a number of reasons, eight years is too long for anyone to be elected to Parliament. I would not like to be a party to a situation where I or anyone else am elected to Parliament for eight years. Few people would seek a second term. It is not fair or equitable.

Hon. N. F. MOORE: I am now absolutely certain that the letter Arthur Tonkin wrote is correct, and that the Government is seeking today to have the Bill defeated. I am now convinced of that. The Government's amendment has been defeated, and so has the National Party's amendment.

We have seen the National Party amendment defeated and now we have a situation where the Liberal Party amendment may be defeated because the Government is certainly opposing it and there are some indications that the National Party is opposing it as well. Clause 8 will not exist if all propositions are defeated. That will leave us in a situation where there is so little left that we retain the existing electoral

system—the system to which Arthur Tonkin opposed and he thought was being supported by his Cabinet colleagues.

I am disappointed that the Labor Party, now that we are in the position of debating the last potential situation in respect of clause 8, is not prepared to accept the Liberal Party position. Ever since I have been here I have opposed any change to the existing system because I believe the weighting system that applies in the Legislative Council should be retained. Over the years however, I have been taking a great deal of interest in the way the Senate operates. It is a House we could do well to emulate in many ways. The way in which that House operates with its system of committees and the rather detached view it takes of the way the Government operates is something that should be commended and we should be looking at doing the same here.

I have come to the conclusion over the 10 years I have been here that we ought to be going in that direction. The Labor Party has put up one electorate for the upper House with proportional representation on a State-wide basis. That is its policy position. I oppose that because it means every member would represent the whole State and would not have a particular area of some substance to represent in the same way that Senators represent a State. There are 12 Senators for each State. It does not matter how many electors are in each State, they elect the same number of Senators.

The Liberal Party proposes a country and city region with each region electing a certain number of members to this Chamber. That could result in this Chamber being similar to the Senate. The Labor Party does not want to go as far as that but where it wants to go is not in the best interests of Western Australia. There has to be a weighting for country people. The Liberal Party proposition is a move in the direction that the Labor Party seeks to go, but it does not go all the way because it takes into account the arguments that I and members on this side of the Chamber put forward in respect to weighting for country people. I do not know why the Government is not giving more consideration to what we have put forward, unless it has decided the whole thing is to be defeated anyway. It seems to me that what we are proposing is a move in the direction in which the Government is seeking to move. The Chamber has already defeated the Government's proposition and if the Government is in a mood to compromise it will have to take into account that the Chamber will not accept its

position. The compromise has to be somewhere between what the Government has put forward in its amendment to the clause and the existing system, because that is the alternative if the Government defeats what we are doing. We are in the middle which is another compromise.

Hon. J. M. Berinson: You know you are not in the middle. You are right off the edge.

Hon. N. F. MOORE: It is between the existing position and the position put forward in the Government's amendment.

: Hon. J. M. Berinson: No, it is not.

Hon. N. F. MOORE: Is the Government arguing that it would be better off under the existing electoral system—the one Arthur Tonkin found so hard to come to grips with—than it would be under the proposition put forward by the Liberal Party in its amendment tonight?

Hon. J. M. Berinson: I am arguing that both systems are rotten but the one you are proposing is worse because it guarantees a minority in this Chamber to the Labor Party.

Hon. N. F. MOORE: I am now absolutely convinced that what Arthur Tonkin said was correct. He foresaw this situation and realised that the Government had worked out the only way it could go was to stick with the existing system.

Hon. J. M. Berinson: That is utter nonsense.

Hon. N. F. MOORE: I have had to bend my views quite considerably to come to this position. My personal position has changed dramatically because I am prepared to accept a change to this Chamber which is more in line with the Senate. I would argue strongly that we should retain the Senate practice of having half-elections.

Hon. J. M. Berinson: You cannot take that aspect of the Senate system in isolation.

Hon. N. F. MOORE: I am arguing for a Senate-type situation in this Chamber where there are two regions in lieu of States. It does not matter how many voters there are in the States. They all have the same number of representatives. I make the point to Hon. Eric Charlton about the eight-year term. I personally think we should have an eight-year term for upper House members. In New South Wales there is a 12-year term. That has been reduced by the current Labor Party Government to eight years and it has caused no-one any great concern. I do not believe it is an argument we should concern ourselves with.

I ask the Labor Party to consider what we are putting forward in the light of their ultimate objective, which is to have proportional representation across the State, and see it as a move which also takes into account the consideration we have; that is, the country people who need to have a weighted voting system in order that their position may be properly represented and their views taken into account. I genuinely ask Labor Party members to think about the point of view I have put and to extend their minds beyond the simple mathematics that Hon. J. M. Berinson seeks to shove down their throats by saying because they cannot win they should not go for it. The Labor Party cannot win because its proposition has been defeated. It should be looking at another proposition. It should look at our proposition or stick to the system we have. I do not believe one system to be more rotten than the other. The system we are putting forward at least goes some way towards the Labor Party's ultimate objective. It goes much further than the existing electoral system even though the Labor Party believes it cannot win under the proposition I am putting forward. I accept the argument of my leader that the Government could win, but when I first heard it I thought we must have made a mistake!

I hope the Labor Party will reconsider its position and realise that there are only two alternatives—our proposition or a continuation of the existing situation. In my view, a move towards our position is a move towards the Government's ultimate position, which is proportional representation across the State.

Hon. D. J. WORDSWORTH: Could I point out the obvious to the National Party? It appears that the Labor Party has made up its mind against this clause. The National Party has the option of voting for or against it.

Hon. J. M. Berinson: And half of its own representation.

Hon. D. J. WORDSWORTH: If we vote for it here the Labor Party has the last say because it controls the Assembly.

Hon. H. W. Gayfer: You do not approve of this yourself because you made it another proposition a while ago.

Hon. D. J. WORDSWORTH: We did not win that! If it gives the National Party members pleasure that they can knock it out here or leave it to the Labor Party to knock out the Liberal Party proposal in the other House.

Hon. G. E. MASTERS: So that everyone understands the position, an indication of support for this amendment will mean that those calling "Aye" will be supporting the Liberal proposition I put forward. Those calling "No" will be opposing it. Is that right?

The DEPUTY CHAIRMAN (Hon. John Williams): The only thing they will support if they say "Aye" is the deletion of lines 18 and 19. The next vote is to substitute your other amendment.

Amendment put and a division called for.

Bells rung and the Committee divided.

The DEPUTY CHAIRMAN (Hon. John Williams): Before appointing the tellers I cast my vote with the Ayes.

Division resulted as follows—

Ayes 13

Hon. C. J. Bell	Hon. Neil Oliver
Hon. Max Evans	Hon. P. G. Pandal
Hon. V. J. Ferry	Hon. W. N. Stretch
Hon. A. A. Lewis	Hon. John Williams
Hon. P. H. Lockyer	Hon. D. J. Wordsworth
Hon. G. E. Masters	Hon. Margaret McAleer
Hon. N. F. Moore	(Teller)

Noes 20

Hon. J. M. Berinson	Hon. Robert
Hon. J. M. Brown	Hetherington
Hon. T. G. Butler	Hon. B. L. Jones
Hon. J. N. Caldwell	Hon. Garry Kelly
Hon. E. J. Charlton	Hon. Tom McNeil
Hon. D. K. Dans	Hon. Mark Nevill
Hon. Graham	Hon. S. M. Piantadosi
Edwards	Hon. Tom Stephens
Hon. H. W. Gayfer	Hon. Doug Wenn
Hon. John Halden	Hon. Fred McKenzie
Hon. Kay Hallahan	(Teller)
Hon. Tom Helm	

Amendment thus negated.

Hon. G. E. MASTERS: So that we can make the Chamber clearly understand the situation, as a result of the defeat of the amendment I put to the Chamber it is quite obvious that I am not in a position now to move the regional proposal which is on the Notice Paper.

The DEPUTY CHAIRMAN (Hon. John Williams): You cannot introduce the regional concept now because the clause stands as amended. It now reads, "The State shall be divided into 6 electoral regions under the Electoral Distribution Act 1947."

Hon. G. E. MASTERS: My point is that I am not in a position to move the remainder of my amendment even though it is on the Notice Paper.

The DEPUTY CHAIRMAN: No, it makes a nonsense of it.

Hon. G. E. MASTERS: Thank you.

Point of Order

Hon. N. F. MOORE: Mr Deputy Chairman, can you give me some guidance here? Can that clause as you have read it out stand alone or does it need something else to go with it to make it a part of the legislation? It seems to me at a cursory glance that it may be able to stand alone.

The DEPUTY CHAIRMAN (Hon. John Williams): Yes, the clause can stand alone as amended.

Hon. N. F. MOORE: Are we now debating the clause?

The DEPUTY CHAIRMAN: The question now is that the clause stand as amended.

[Pursuant to Sessional Orders, progress reported and leave granted to sit after 11.00 pm.]

Committee Resumed

Hon. N. F. MOORE: I would have to oppose the clause as it now stands because what it says is that the State shall be divided into six electoral regions under the Electoral Distribution Act 1947.

I do not have the Electoral Distribution Act before me, but from my cursory examination of this clause—cursory because I did not realise when we were debating that this part would be left in—it seems to me that what we intend to have is six regions which will be somehow determined, and because proposed subsections (2) and (3) have been removed we now do not know where the six regions will be. They could be anywhere. I am saying this without the benefit of the Electoral Distribution Act 1947 being in front of me—and while I am talking perhaps someone can find it—but my assumption is that if we retain this clause and it allows for six electoral regions to be determined, we are not giving any guidance as to how those six regions should be decided. I think that would be a gross dereliction of duty on our part. Certainly we had enough trouble earlier trying to find out where the Government proposed the boundaries should go, even though it set guidelines.

We could have a situation where there are no guidelines, and we would be giving the Electoral Commissioners the power to divide the State into six electoral regions. It would be left to their discretion as to where those regions go. I do not believe this Chamber has any intention of giving them that discretion, and I hope that if the Government does not support me the

National Party will make sure we get rid of this clause. It is an untenable position to put the commissioners in, and for a political party to take, when we have just gone through the exercise of looking at what the three parties want. I strongly oppose the clause, and I hope it will be tossed out.

Hon. E. J. CHARLTON: I accept the points raised by Hon. Norman Moore. That is how the National Party views the situation. We did not support the previous move to delete the words relating to the six regions because obviously we supported the concept of six regions. The fact is that all other parts relate to the six regions and, having agreed not to substitute certain words, the reference to six regions is a nothing. We are opposed to clause 8 as it now stands.

Hon. J. M. BERINSON: It must be clear to all members that whether or not the remaining part of clause 8 was passed, it would be necessary, if we are to pursue the Government's programme, to seek to come back to clause 8 and consequential clauses at a later stage. I signal that now for the purpose of indicating that in the Government's view these two lines could be carried, but whether they are or not it will be necessary to come back to clause 8, together with other clauses which depend on it, at a later stage of the proceedings.

Hon. N. F. MOORE: My view is that it would be an unacceptable situation for us to retain that part of the clause even though the Government may be intending to return to it at some other time. I would not be interested in taking the risk of leaving it there with the expectation of some recommittal further down the track. If the Government wants to recommit the division of the State into six electoral regions, it is not prevented from doing so by virtue of the fact that we defeat this clause now. I hope the Attorney General's views will not be accepted by the Chamber.

Hon. ROBERT HETHERINGTON: I suggest to members of the National Party that they vote for the clause as it stands because of the kind of argument advanced by Hon. Norman Moore earlier when he said that by rejecting our proposal the Committee had made a decision. The Committee should now make a decision that there be six regions. This is the one point in common with the majority of members of the Committee. The fact that it would leave the clause in an untenable position would mean the Committee had instructed its

members to go away and look at what sort of compromise they could come to on a six-region system.

For that reason, I suggest Hon. Eric Charlton should vote for the six regions so we at least make clear that the Committee has come to some decision about the nature of the system that will be in place—that the Committee has rejected the Liberal proposal for two regions and has instructed members of the Government and others to go away and think about what is an acceptable six-region system. As the Attorney General has pointed out, we will have to return to this clause, and he has given a commitment that this will be done. By leaving this clause in, we make a statement that there will be a system of six regions whose composition is still to be determined.

Hon. N. F. MOORE: That was a very interesting argument, but it presupposes certain things will happen. The argument I put forward initially was that if we leave the clause there and for some reason do not have a recommitment, or something happens which causes clause 8 to remain as it is, we will get the problem I talked about before—the Electoral Commissioners could divide the State into six regions without any guidelines set by Parliament. The removal of this clause in no way prohibits the Government from recommitting it at the next opportunity. We should take no risks at all with respect to how the State is divided. We should toss this out. If the Government wants to bring it back in a recommitment, it is entitled to do so, and we will argue it then.

Hon. E. J. CHARLTON: It is six of one and half a dozen of the other. We need to be clear in our minds what we are setting out to do. If we accept we are going to debate the rest of the amendments on the Notice Paper, we should get on with it so that the debate is put on the record and our views are clarified.

As far as this clause is concerned we have to remove any doubts anyone has and take away the six regions. It is no good saying that we have agreed on six regions as though it is a package deal and it depended on this and that. Although members have demonstrated they prefer six regions, it does not mean that is the way to go if something else is associated with the formation of those regions. We should make a decision on clause 8 with an understanding, and I am seeking guidance here. Can we have an agreement that clause 8 will be reinstated later if it is voted out now?

Hon. J. M. BERINSON: I attempted to make that clear. If this clause is rejected, I will be seeking a recommitment at a later stage.

Hon. H. W. GAYFER: I fear getting into this matter, but reference was made to the State being divided into six electoral regions under the Electoral Distribution Act 1947. Is the Attorney General sure he is referring to that Act, or would he by any chance be talking about the Electoral Districts Act of 1947? We have been searching for the Electoral Distribution Act and have had some difficulty finding it.

Hon. J. M. BERINSON: This is really quite a simple situation, but it might not appear so on the surface. Hon. H. W. Gayfer is half right in what he is saying. Namely, he is correct in suggesting to the Chamber that there is at the moment no Act known as the "Electoral Distribution Act". However, by the same Bill we are now dealing with, it is proposed—

Hon. H. W. Gayfer: Then it would not be the Electoral Districts Act 1947, if it is coming in in 1987.

Hon. J. M. BERINSON: No, clause 86 of this Bill provides that the Electoral Districts Act should be renamed the "Electoral Distribution Act".

Hon. H. W. Gayfer: Can it still be 1947? It should be 1987.

Hon. J. M. BERINSON: No. That will not be necessary because all that is happening is that the word "Districts" is proposed to be amended by the deletion of the word and the substitution of the word, "Distribution". The date and so on remain as they are now.

Hon. H. W. Gayfer: Instead of retrospective legislation, it is prospective.

Hon. J. M. BERINSON: It is in reasonable anticipation of it.

Hon. G. E. MASTERS: I urge members to vote against what is left of this clause. It has already been mentioned that the clause can stand on its own and no-one seems able to relate what we understand as the Electoral Districts Act to this little bit of the clause that is left. The Electoral Districts Act refers to dividing the State into certain areas—the metropolitan and north west, the agricultural, mining and pastoral, and so on, and it then refers to the metropolitan area.

If there is any doubt—and there certainly is as far as the Opposition is concerned—it would be better not to leave this clause in because quite frankly I do not know what the relationship is and I am not prepared to take the risk.

There might be some technical device or some legal move which would allow the Government to move in a direction that our side of the Chamber would not want to move. If the Minister is saying that he intends to bring the debate on clause 8 back to the Chamber at a later stage—I assume after we finish the rest of the Committee debate—surely we can then debate the inclusion of new subsection (1) which we are talking about now. We can debate whether the words—

“ 6. (1) The State shall be divided into 6 electoral regions under the *Electoral Distribution Act 1947*.

should be included. That is a very simple matter. It is far too risky for us to contemplate leaving that in when it may not be our wish and it may be used for purposes which members on this side of the Chamber would not like.

Clause, as amended, put and negatived.

Hon. J. M. BERINSON—by leave: I want to follow up the brief indication I gave to Hon. Eric Charlton earlier by pointing to the way in which it is proposed to proceed, in spite of the defeat of clause 8 of the Bill. We effectively have no provisions now on a quite essential element of the legislation. There is a significant number of clauses still to come which are consequential on clause 8 and, as I understand the position, these will automatically fall by the way.

In other circumstances, the importance of a provision like clause 8 could lead to the abandonment of the whole Bill. On this occasion the Government has come to the conclusion that the Bill ought to proceed so that the Chamber can be tested on the other significant measures in it. Depending on the result of the consideration of those further provisions, the Government will then consider whether any useful point would be served by moving to recommit clause 8 and the consequential clauses on the basis that yet another attempt ought to be made to secure the agreement of an absolute majority of the Council.

I understand, Mr Deputy Chairman, that you are already aware of the clauses which hinge on clause 8 and with the agreement of members I suggest that we proceed on that basis.

Hon. H. W. GAYFER: Exactly what are we voting on? There is a certain amount of confusion.

The DEPUTY CHAIRMAN: Clause 8 disappeared under the voices. The clause has been negatived.

Hon. H. W. GAYFER: If the clause disappeared, how can we possibly discuss it again at a later date?

The DEPUTY CHAIRMAN: You cannot; but the Bill can be recommitted.

Hon. H. W. GAYFER: How can we recommit a clause that has already been deleted from the legislation by the Chamber?

The DEPUTY CHAIRMAN: Although the clause has been defeated, it is quite in order for it to be recommitted at the end of the Bill after the motion to adopt the report.

Hon. G. E. MASTERS: As far as I can see, all that exists is the figure 8. Does that stand? Are you saying, Sir, that because a number is there, clause 8 is there, with a full stop and no words at all? The Government is able to recommit the Bill to reconsider clause 8?

The DEPUTY CHAIRMAN: It can recommit to consider the insertion of a new clause 8.

Hon. G. E. MASTERS: Any new clause in a Bill going through the Committee stage is debated after all other clauses have been debated. If I were now to move a new clause, would that be considered after all other clauses have been dealt with?

The DEPUTY CHAIRMAN: In this Committee, yes.

Hon. G. E. MASTERS: To get it clear in my mind, if the Government wishes to introduce a new clause 8, it can do so at the end of the Committee stage, not before?

The DEPUTY CHAIRMAN: Yes, on the motion to adopt the report.

Hon. G. E. MASTERS: At the end of the Committee stage and at no other time?

The DEPUTY CHAIRMAN: Yes.

Hon. H. W. GAYFER: A new clause means just that, does it? In other words, a reintroduction of the present clause 8 would not be a new clause; it would have to be something entirely different from the clause as we have it now, otherwise the arguments would become tedious repetition. If it is to be a new clause it must be a completely new clause, I would think.

The DEPUTY CHAIRMAN: No. It can be the same clause.

Hon. H. W. GAYFER: Then it is not a new clause.

The DEPUTY CHAIRMAN: It is.

Hon. H. W. GAYFER: We have taken that clause out.

The DEPUTY CHAIRMAN: It is a new clause for the Committee.

Hon. H. W. GAYFER: What a crazy world this is!

Hon. NEIL OLIVER: How do we deal with clauses which are consequential to clause 8?

The DEPUTY CHAIRMAN: We will not be dealing with consequential clauses relating to that one. I will draw to member's attention Standing Order No. 261, which says—

No new clause or amendment shall be proposed which is substantially the same as one already negatived by the Committee or which is inconsistent with one that has already been agreed to by the Committee unless a recommitment of the Bill shall have intervened.

That is what will happen. A recommitment will intervene.

Hon. H. W. GAYFER: Should notice of recommitment not have been given before the clause was thrown out?

The DEPUTY CHAIRMAN: No.

Hon. H. W. GAYFER: Mr Masters may have thought it had been given, but it was not until the clause was thrown out. The intention to recommit surely would be given before the clause was removed on the presumption that if the clause was removed it was intended to recommit the Bill to discuss it again. After it is thrown out we are talking about bringing it back again.

Hon. Graham Edwards: It was not mentioned before.

Hon. H. W. GAYFER: No, it was not.

The DEPUTY CHAIRMAN: Standing Order No. 271 then comes into operation. It reads—

On Motion for the adoption of the Report, the Bill may be recommitted either in whole or in part.

There is no question of prior notice being required.

Clause 9: Section 8 repealed and a section substituted—

Hon. J. M. BERINSON: On a strictly literal reading, clause 9 could be proceeded with, in spite of the defeat of clause 8. At the same time we would need to be conscious of the fact that the Leader of the Opposition has listed amendments to clause 9 which could only sensibly be considered, given some provision under clause 8.

This seems to lead to a situation where clause 9 does not fail because of the previous decision on clause 8, but it would make sense at least to defer its consideration until general attitudes to the remainder of the Bill became clear.

For that purpose I move—

That consideration of clause 9 be taken after consideration of clause 104.

Hon. G. E. MASTERS: It is already quite evident that clause 8 has been defeated and no longer exists. Things will become more and more difficult as the debate goes on. This is just one of a number of clauses which will relate to a regional system, and I guess that by far the most important parts of the Bill will relate to clause 8.

I wonder how on earth we will go through a complex Bill like this, just taking odd bits out as we go through and ignoring or missing some of the other very important parts such as clause 9. To my mind that is one of the key areas as far as the Opposition is concerned.

Although I take the point of the Attorney General, we are still talking about a split term for the Legislative Council, whether it relates to clause 8 or to any other clause which may or may not be included. I wonder if there is any point in proceeding much further with the Bill. I am at a loss to see where we are to go from here.

Hon. J. M. BERINSON: I do not pretend that the situation is simple, but it is far from impossible. On my count, 12 or 13 clauses will be set aside because of the defeat of clause 8. That will still leave something like 90 clauses and a number of significant provisions which can usefully be proceeded with. The suggestion is that we do that. Very many of these will not give rise to a great deal of contention and they should not be all that difficult to dispose of.

Question put and passed; clause postponed.

Clause 10: Section 8A repealed and a section substituted—

Hon. G. E. MASTERS: The proposed new subsection (2) states—

Notwithstanding section 5 or 6 the members immediately before the commencement of the Electoral Reform Act shall, until the close of 21 May 1989, continue to be members and to represent the electoral provinces by which they were returned.

As the Act now stands, half of the MLCs will continue beyond 1989 because there is no provision for them to do otherwise. The members

elected to serve until 1989 will continue, but those members elected under the present arrangements to continue for another three years should continue to serve in the Legislative Council for the time they have been elected.

Perhaps the Attorney will explain how this clause prevents members from doing that.

Hon. J. M. BERINSON: It seems to me that clauses 10 and 11 raise the same difficulty as clause 9 in that it would be possible to discuss them in isolation but not in a way which would allow Mr Masters' amendments to be considered.

I move—

That further consideration of the clause be postponed.

Having reached this stage, it might be helpful, if you, Mr Deputy Chairman, were to leave the Chair for a short time with a view to coming back with an itemised list of clauses which members can strike out now to avoid the need for further consideration as we go. I do not believe it should take more than 10 minutes, if that is convenient.

Hon. G. E. MASTERS: Clause 8 has been defeated; we have moved to clause 9, and immediately find there is a difficulty. We shall run into the same problem all the way through the debate on this Bill. The Attorney said that that is not true, and that only two or three clauses will be affected.

Hon. J. M. Berinson: I said 12 or 13.

Hon. G. E. MASTERS: There are a number. Already we have decided that it is not possible to debate clauses 9 and 10. We should report progress, even though we had arranged to go through and sort it out once and for all. If we come back in a few minutes with a list so that we can work on a number of clauses, but a few dozen remain that we cannot deal with, it will make a complete and utter farce of the whole thing. As I go through my notes I see a number of references in clauses to regions, and these clauses cannot be debated.

I point out that I warned the Chamber of the complexity of the legislation and said that because there were more than 100 amendments the Bill should have been rewritten. I despair at the way we are handling it; I do not think I have ever seen a Bill handled in this way before. I am not criticising the Attorney; it is an impossible task. I do not think we shall make any realistic progress tonight.

Hon. H. W. GAYFER: Would it not be fair comment that the Bill is emasculated? It is really of no consequence any more. The key clause has gone, and yet for the sake of the exercise—which nobody has justified—we shall go on and talk about other clauses that may have some bearing on a future Bill that may be introduced. I would have thought that this is entirely speculative and that the new Bill would come from the comments made in the second reading rather than from discussion on clauses that may have some bearing. It is entirely irregular. It would be all right if it were based on fact, but it is not.

Hon. G. E. MASTERS: While Hon. Mick Gayfer spoke for a few minutes, I went through the Bill and looked at some of the key amendments to be debated and considered. I shall refer to some of them to demonstrate the impossibility of the task we are being asked to carry out.

With regard to voting tickets, the Government proposes that there be a registered voting ticket for both Houses. Both the National Party and the Liberal Party propose that there be a voting ticket for a region; it is a key amendment which refers to regions but we cannot debate it because there will be no regions.

I turn over the page to the reference to Independents on ballot papers. With regard to informal and formal ballot papers, reference is made to the regions. We cannot debate the question of a voting ticket on the ballot paper, which covers several amendments. The National Party has produced what it says is a ballot paper suggestion similar to that used in the Senate. We cannot discuss that because it hinges totally on whether there will be a voting ticket. My amendments contain an example of what should be a typical ballot paper, and I do not know what else is left to debate. Again, we cannot debate clause 99 at the end of the Bill because reference is made to a regional system.

Sitting suspended from 11.40 to 11.53 pm

Hon. J. M. BERINSON: It has become apparent that a reasonable length of time would have to be given to the consideration of the procedures that the Government hoped to go on with tonight.

Progress

Progress reported and leave given to sit again, on motion by Hon. J. M. Berinson (Attorney General).

House adjourned at 11.55 pm

QUESTIONS ON NOTICE

TOURIST BUREAUS

Grants

148. Hon. P. G. PENDAL, to the Minister for Sport and Recreation representing the Minister for Tourism:

- (1) What is the maximum grant available to tourist bureaus on an annual basis?
- (2) What amount was allocated for this purpose in the last year for which figures are available?
- (3) What is the maximum grant available to tourist information centres?
- (4) What amount was allocated for this purpose in the last year for which figures are available?
- (5) What other grants are made by the commission to community-based tourist groups such as regional travel associations, and will the Minister give details?

Hon. GRAHAM EDWARDS replied:

- (1) The maximum annual grant available to tourist bureaus is made up as follows—

Base grant	\$ 6 000
\$1 for \$1 grant matching contribution from Local Government Association	6 000
Opening hours incentive	6 760
Total	\$18 760

- (2) The Budget allocation for grants available to country tourist bureaus in the 1986-87 financial year was \$543 000.
- (3) The maximum annual grant available to tourist information centres is made up as follows—

Country tourist information centres—	\$
Base grant	1 500
\$1 for \$2 grant matching contribution from Local Government Association	1 000
Total	\$2 500

Metropolitan tourist information centres—

	\$
Base grant	1 000
\$1 for \$2 grant matching contribution from Local Government Association	1 000
Membership grant payable on \$1 for \$2 basis	1 000
	\$
Total	\$3 000

- (4) The Budget allocation for grants available to country and metropolitan tourist information centres in the 1986-87 financial year was \$112 000.

- (5) The Budget allocation for grants available to regional travel associations in the 1986-87 financial year was \$254 000. Details of maximum grants available for regional travel associations are as follows—

	\$
Administration grant	7 000
Essential marketing grant	5 000
Travel-related expenses	800*
Brochure production	5 000
Promotional manager— \$1 for \$1 incentive grant	10 000
Total	\$27 800

* An additional \$700 is available for travel associations in the north west and goldfields areas, bringing the total maximum grant available to these associations to \$28 500.

The Western Australian Tourism Commission can also assist with grants for tourist facilities and/or projects on the basis of local government contributions in which land or facilities are vested in local government.

In special circumstances only, grants are available to non-profit organisations for tourist purposes.

WILDLIFE

Big Swamp Bird Park: Financial Assistance

149. Hon. V. J. FERRY, to the Minister for Sport and Recreation representing the Minister for Tourism:

- (1) Has the Minister received any request for financial assistance to maintain and/or expand the Big Swamp Bird Park, Bunbury?
- (2) Will she consider requesting the Western Australian Tourism Commission to assist the South West Avicultural Society to maintain and/or expand the Big Swamp Bird Park, Bunbury?
- (3) If funds or other assistance cannot be provided to meet the above needs, why cannot this be done?

Hon. GRAHAM EDWARDS replied:

- (1) No formal request for financial assistance has been received.
- (2) and (3) The Western Australian Tourism Commission provided a tourism development grant of \$27 000 toward the establishment of Big Swamp as a tourist facility in the last financial year. It is not commission policy to provide maintenance funding for tourism projects. However, the commission would give consideration to an application for funds to expand the project. Requests of this nature are assessed on an individual basis.

EDUCATION: HIGH SCHOOLS

Agricultural: Fees Increase

153. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Is it the Government's intention to increase the fees charged at residential agricultural secondary schools in Western Australia?
- (2) If so—
 - (a) what is the expected increase in the fees;
 - (b) how does the Government justify this increase in view of the many hardships currently facing the rural community?

Hon. KAY HALLAHAN replied:

- (1) Yes.
- (2) (a) and (b) Pursuant to section 55 (b) of the Financial Administration and Audit Act 1985, all fees and charges are to be reviewed at least annually. The Education Department has reviewed these fees. However, the actual rate will be set during the forthcoming Budget process.

TOURIST BROCHURES

Funding

157. Hon. P. G. PENDAL, to the Minister for Sport and Recreation representing the Minister for Tourism:

- (1) Does the Tourism Commission enter into any joint funding arrangements with the private sector for tourist brochures?

- (2) If so, will the Minister give details of any such arrangements of funding carried out in the current financial year?

Hon. GRAHAM EDWARDS replied:

- (1) Yes. Funding for this purpose includes assistance with brochure production and marketing activities to support brochures.

\$ c

- (2) Ansett WA—

Contributions to Green Season programme—	
November 1986-March 1987	15 000.00

Jetabout—Qantas subsidiary—

Single destination Perth programmes from—	
South East Asia	14 000.00
New Zealand	14 000.00

America's Cup—

Gastaldi Italy—to support America's Cup product brochure	14 500.00
Motive Tours—America's Cup brochure production and marketing	7 500.00

Great Aussie Holidays—

New Zealand brochure and marketing	7 500.00
------------------------------------	----------

Brochure distribution assistance—

Great Aussie Holidays	1 493.00
Golden West Travel	1 314.59
Australian Tour Masters	1 833.45

ARTS

Theatres: Use

160. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for The Arts:

- (1) How many weeks in the year are the following venues in use—
 - (a) Concert Hall;
 - (b) His Majesty's Theatre;
 - (c) Playhouse;
 - (d) Hole in the Wall Theatre;
 - (e) The Quarry;
 - (f) any other venues controlled by the Perth Theatre Trust?
- (2) What staff numbers are on the trust's permanent staff?
- (3) What staff numbers are permanently employed at the venues?

Hon. J. M. BERINSON replied:

- (1) (a) Concert Hall, 1986-87, 52 weeks;
- (b) His Majesty's Theatre, 1986-87, 52 weeks;
- (c) Playhouse, 1986-87, 48 weeks;
- (d) Hole in the Wall Theatre, 1986-87, 44 weeks;
- (e) The Quarry, 1986-87, 16 weeks—seasonal—NB: This venue is in its first year of operation;
- (f) any other venues controlled by the Perth Theatre Trust—nil.

(2) 39.

(3) 22.

GAMBLING

TAB Agencies: Closing Time

170. Hon. FRED MCKENZIE, to the Minister for Sport and Recreation representing the Minister for Racing and Gaming:

- (1) Is the Minister aware that TAB agencies were advised by the TAB at approximately 4 pm on Saturday, 9 May, that they were to close their doors to the public between 5 pm and 6.30 pm?
- (2) Is the Minister further aware that as Fairplay cards and notices displayed at TAB agencies had advised punters that agencies would be open throughout this period, TAB patrons were seriously inconvenienced because of the closure?
- (3) As the TAB has a complete monopoly on off-course betting on races, trots, and greyhounds, and there was a Melbourne trot meeting scheduled to commence at 5 pm, will the Minister take the matter up with the TAB to ensure agencies remain open as advertised when a race, trot, or greyhound meeting is in progress?

Hon. GRAHAM EDWARDS replied:

- (1) The Minister has been advised that all TAB agencies were informed of the unscheduled dinner break at 2.48 pm on 9 May 1987.

- (2) Yes. The Totalisator Agency Board received several complaints from agents.
- (3) The board has revised its policy, and the agency hours on Saturdays will not be altered, provided there are race meetings to complete.

LAND

Burswood Hotel Site: Status

173. Hon. P. G. PENDAL, to the Minister for Sport and Recreation representing the Minister for Racing and Gaming:

- (1) What was the status of the land on which the Burswood Island casino hotel is being built, at the time the project proceeded?
- (2) Has the status of the hotel in any way altered as a result of the sale of the hotel?

Hon. GRAHAM EDWARDS replied:

- (1) In compliance with the agreement scheduled to the Casino (Burswood Island) Agreement Act 1985, the land on which the Burswood Hotel is constructed became freehold on the issue of a Crown grant on 22 July 1985.
- (2) The hotel is still situated on freehold land.

CRIME

Break-ins: South Perth

174. Hon. P. G. PENDAL, to the Minister for Sport and Recreation representing the Minister for Police and Emergency Services:

- (1) What statistics are kept to indicate the number of house break-ins in the South Perth area?
- (2) What are comparable figures for, say, the 1985 and 1986 calendar years?

Hon. GRAHAM EDWARDS replied:

- (1) The statistics kept are for those offences which have been reported to the police.
- (2) 1985, 237; 1986, 384.

EDUCATION: SCHOOLS

Vandalism: Cost

176. Hon. N. F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Is it correct that schools are required to pay the first \$200 towards the cost of repairs which are necessary due to vandalism?
- (2) If so, how are schools expected to raise this money?

Hon. KAY HALLAHAN replied:

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

CENSORSHIP

State Authority: Membership

177. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for The Arts:

- (1) Who serves on the State's censorship authority?
- (2) What is—
 - (a) the date of their appointment;
 - (b) the date of expiration of each?
- (3) Does their work extend to printed and film or video material?
- (4) What work do they do over and above the Commonwealth classification?

Hon. J. M. BERINSON replied:

- (1) and (2) Members of the State Advisory Committee on Publications and their appointment and expiry dates are—

	Appointed	Expiry
Dr R. W. Kirkham Chairman	21/6/83	20/6/88
Dr R. Coates	7/8/84	20/6/88
Ms R. M. Quin	21/6/83	20/6/88
Mrs R. Nicoll	25/2/85	20/6/88
Mr J. C. Doogue	4/9/84	20/6/88
Mr W. J. Savell	9/11/78	20/6/88

- (3) Yes.
- (4) Reports to the Minister for The Arts as required by the Minister on other matters arising out of the administration of the censorship legislation.

EDUCATION: PRIMARY SCHOOL

Waroona: Future Use

178. Hon. P. G. PENDAL, to the Minister for Community Services representing the Minister for Education:

I refer to approaches to the Minister from the Waroona Shire Council relating to the proposed future use of the primary school site and buildings for community use.

- (1) Has a decision been reached on this request?
- (2) If so, with what result?

Hon. KAY HALLAHAN replied:

- (1) and (2) The matter of re-use of the buildings for educational purposes at schools where accommodation pressures are great is being investigated. If such proposals do not prove economic, consideration will be given to the council's request.

TAXES AND CHARGES

Increases: Assurance

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

Will the Premier give the business community and consumers of Western Australia an unequivocal assurance that increases in State taxes and charges will not exceed CPI increases for the past 12 months?

Hon. J. M. BERINSON replied:

It is the Government's objective to contain increases in the rates of principal taxes and charges in 1987-88 to the inflation rate or less, and I hope that objective can be achieved, though this will depend on the completion of a detailed assessment of economic and financial circumstances.

WA EXIM CORPORATION

Shares: Transfer

181. Hon. MAX EVANS, to the Minister for Budget Management representing the Treasurer:

- (1) Have the shares in WA Exim Corporation Ltd been transferred from WA Government Holdings Ltd to Exim Corporation?

(2) If so—

(a) at what value;

(b) on what dates?

(3) What is the net worth of each company transferred?

(4) What was the date of transfer?

(5) If no to (1), will any transfer be made before 30 June 1987?

(6) If no, why have they not been transferred?

Hon. J. M. BERINSON replied:

This question has been addressed incorrectly to the Premier. It has been directed to the Minister for Economic Development, and he will answer the question in writing.

WA EXIM CORPORATION

Assets and Liabilities: Transfer

182. Hon. MAX EVANS, to the Minister for Budget Management representing the Treasurer:

(1) Have the assets and liabilities of any subsidiaries of WA Exim Corporation been transferred or vested in Exim Corporation?

(2) If yes, what are the names of the companies?

Hon. J. M. BERINSON replied:

See reply to question 181.

WA EXIM CORPORATION

Payment

183. Hon. MAX EVANS, to the Minister for Budget Management representing the Treasurer:

(1) Has the Government paid to Exim Corporation the \$7 million mentioned in the Bill?

(2) If so, on what date?

Hon. J. M. BERINSON replied:

See reply to question 181.

WA EXIM CORPORATION

Assets and Liabilities: Transfer

184. Hon. MAX EVANS, to the Minister for Budget Management representing the Treasurer:

(1) Have the assets and liabilities of any subsidiaries of WA Exim Corporation been transferred or vested in Exim Corporation?

(2) If yes, what are the names of the companies?

Hon. J. M. BERINSON replied:

See reply to question 181.

QUESTION WITHOUT NOTICE

COMMUNITY SERVICES

Adoptions: Placements

52. Hon. JOHN HALDEN, to the Minister for Community Services:

(1) Can the Minister advise the House of the number on adoption placements since the gazettal of the Adoption of Children regulations 1986 on 24 October 1986?

(2) Have there been any delays in adoptions since 24 October 1986, and if so, why?

Hon. KAY HALLAHAN replied:

(1) Since the proclamation of the new regulations, there have been 39 children for whom an adoption consent has been signed, and of these, 22 children have been placed with adoptive parents.

The rise in the number of children available for adoption has been quite unexpected. In 1985-86 there were 34 children, and in 1984-85 there were 41 children for adoption in Western Australia. Seventeen children are at different stages of the adoption process at present. Of these, five children are within the 30-day revocation-of-consent period.

Of the remaining 12 children, five are ready for placement with adoptive parents subject to the natural parent selecting a suitable placement for the child. There are another four children with special needs, and three children who have yet to be medically cleared before the adoption process can proceed.

(2) Some delays have occurred because—

- (i) there has been an unexpected rise in the number of children offered for adoption since the new regulations were proclaimed;
 - (ii) assessments of possible adoptive parents have had to be carried out taking into account the provisions of the new regulations; assessments have been contracted out to suitably qualified people to increase the number of couples assessed as suitable for the placement of children;
 - (iii) a departure from past practice is that under the new adoption procedures the department will normally provide at least three profiles to the natural parent, taking into account the conditions which the natural parent believes are important for the wellbeing of the child;
 - (iv) while the changes to legislation enable adoptees over 18 years to have access to their birth certificate, the adoption centre has been responding to an enormous number of inquiries in this regard.
-