

# Legislative Assembly

Tuesday, 10 June 1986

## MEETING OF THE ASSEMBLY

The Legislative Assembly met at 11.30 a.m.

### PROCLAMATION

The Clerk of the Assembly (Mr B. L. Okely) read the proclamation of His Excellency the Governor (Prof. Gordon Stanley Reid, AC) summoning the first session of the Thirty-second Parliament.

### OPENING PROCEEDINGS

#### *Message from the Governor's Commissioner*

A Message from His Excellency's Commissioner (His Honour Mr Justice Smith) requested the attendance of members of the Legislative Assembly in the Legislative Council Chamber. Members accordingly proceeded to that Chamber; and, having heard the Commission to do all things necessary for the opening of Parliament, returned to the Legislative Assembly Chamber.

### SWEARING-IN OF MEMBERS

His Honour Mr Justice Smith, Puisne Judge of the Supreme Court of Western Australia, having been commissioned by His Excellency the Governor, entered the Chamber to administer to members the Oath of Allegiance to Her Majesty, or the affirmation required by law, and was conducted to the Chair. The Commission to swear in members having been read, the Clerk produced the writs for the general election, held on 8 February 1986, and the by-elections, held on 7 June 1986, showing the names of the members returned. These members—with the exception of Mr Thompson, Kalamunda—took and subscribed the Oath, or made and subscribed the affirmation required by law, and signed the Roll.

The Commissioner then retired from the Chamber.

### ELECTION OF SPEAKER

**MR BRIAN BURKE** (Balga—Premier) [12.09 p.m.]: The House being duly constituted, I move—

That Mr Michael Barnett do take the Chair of this House as Speaker.

**MR BRYCE** (Ascot—Deputy Premier) [12.10 p.m.]: I have pleasure in seconding that motion.

**MR BARNETT** (Rockingham) [12.11 p.m.]: I submit myself to the will of the House.

[There being no other nomination, Mr Barnett was conducted to the Chair by the mover and seconder of the motion.]

**THE SPEAKER** (Mr Barnett): I thank honourable members for the signal honour that they have conferred upon me, and I now assume the Chair as Speaker of the Assembly.

### PRESENTATION OF SPEAKER

**MR BRIAN BURKE** (Balga—Premier) [12.13 p.m.]: I desire to announce that His Excellency the Governor will be pleased to receive the Speaker-elect and such members as desire to accompany him at 12.20 p.m. today.

In informing the House of that, I take the opportunity to congratulate you, Mr Speaker, on your election to the high office that you now occupy and to say that without doubt from this side of the House your colleagues have absolute confidence in your capacity and impartiality, and we expect that you will demonstrate your capabilities in the discharge of your high office. Congratulations from this side of the House are heartfelt.

**MR HASSELL** (Cottesloe—Leader of the Opposition) [12.14 p.m.]: Mr Speaker on behalf of Her Majesty's Opposition I have pleasure in supporting the remarks of the Premier in congratulating you on being elected Speaker of this House, and wish you well in the performance of your duties.

As I see it, Mr Speaker, the task of the Speaker in any Parliament is not easy, but in a Parliament that is strictly aligned on party allegiances it can on occasion be particularly difficult. In the House of Commons the role of Speaker being assumed results in the Speaker's dissociating himself from party allegiance, and by convention, the Speaker is not challenged in his electorate by those who oppose him politically. In that way the Speaker is, and is seen to be, totally independent of party commitment.

However, that is not the case here, and you, Mr Speaker, like your predecessors, have the difficult task of maintaining the order and respect of the House with the alignment of party discipline still involved.

We sincerely wish you well in that very difficult task. We look forward to having a successful session of the Parliament under your guidance and control as Speaker. With great respect

to you, your predecessor was one who trod the difficult path with great care and earned the respect of the House. We feel sure that you will do the same and we wish you well.

**MR COWAN** (Merredin) [12.16 p.m.]: On behalf of the National Party, may I also wish you success in your position and congratulate you on being appointed to the position of Speaker.

**THE SPEAKER:** Just before leaving the Chair I would like to take this opportunity of thanking the Premier, the Leader of the Opposition, and the Leader of the National Party.

I am very proud today to be elected to this position, but I am also very humbled by it. I give my commitment to the House now that to the best of my ability I will rule on the Standing Orders in this House in a fair and impartial way. I hope members will allow me that opportunity over the next three years.

*Sitting suspended from 12.17 to 3.00 p.m.*

**THE SPEAKER** (Mr Barnett): Members, I desire to report that this afternoon, accompanied by the members for Canning, Murdoch, and Mt Marshall, I submitted myself to His Excellency the Governor, and on behalf of the House laid claim to its undoubted rights and privileges, and prayed that the most favourable construction be placed upon its proceedings. His Excellency has been pleased to express his satisfaction at the choice of the Assembly in the following terms—

Mr Speaker,

It is with much pleasure that I learn that you have been elected by the members of the Legislative Assembly to the high and honourable office of Speaker of the House.

I congratulate you upon your election and wish you every success in fulfilling your new responsibility.

Gordon Reid,  
Governor.

### **SPEAKER'S COMMISSION**

**THE SPEAKER** (Mr Barnett): I also wish to report that I have received from His Excellency a Commission to swear in honourable members and this I hand to the Clerk to read to the House.

The Commission was read.

### **SUMMONS FROM THE GOVERNOR**

The Speaker and members, in response to summons, proceeded to the Legislative Council Chamber and, having heard His Excellency de-

liver the opening Speech (see Council report preceding), returned to the Legislative Assembly Chamber.

### **EDUCATION: NORTH WILLETTON HIGH SCHOOL**

#### *Site Disposal: Petition*

**MR MacKINNON** (Murdoch—Deputy Leader of the Opposition) [3.40 p.m.]: I have a petition to present which reads as follows—

To:

The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned request that the decision to dispose of the North Willetton High School Site in the Rostrata Estate be deferred for a minimum period of two years.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 247 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

**THE SPEAKER:** I direct that the petition be brought to the Table of the House.

(See petition No. 1.)

### **ROAD: MORNINGTON ROAD**

#### *Maintenance: Petition*

**MR BRADSHAW** (Murray-Wellington) [3.41 p.m.]: I have a petition to present which reads as follows—

To:

The Honourable The Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

As regular users of the Mornington Road we, the signatories of this petition wish to draw your attention to the scant maintenance work performed on this road and the resultant hazards we are faced with perennially.

The relevant authorities are aware that unsealed roads require more maintenance than sealed ones and yet we have a situation where this road is constantly allowed to reach a state of disrepair which is not only costly in terms of damage to vehicles

travelling on it daily, but more importantly it poses a danger to the safety of personnel involved.

We would like to remind you that this road serves as an artery between Harvey (and its surrounds) and the Worsley Refinery which has enhanced the economy of this area and the South West significantly. Therefore it is logical to focus attention on the priority Mornington Road deserves.

Further, work on the road is carried out only on the whims of the powers-that-be or occasionally when a complaint is lodged.

We urge you therefore, to take the necessary steps that will see the potential of this road exploited to the fullest extent while ensuring a more enjoyable and less hazardous experience for those motorists who use it.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 25 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 2.)

## ENVIRONMENT: SWANBOURNE HOSPITAL BUILDINGS

### *Demolition: Petition*

MR COURT (Nedlands) [3.43 p.m.]: I have a petition to present which reads as follows—

To:

The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned:

- respectfully draw the attention of the House to the historic buildings comprising Swanbourne Hospital;
- deeply regret the decision of the Government on the future of the Hospital, which will see the majority of the buildings demolished;
- point out the eminent suitability of the buildings and the surrounding land as a headquarters for community groups, and to house a technology museum, a conference centre and a nature reserve; and

- call for the Swanbourne Hospital complex to be preserved, thereby enabling a science centre unique to Australia to be established, as well as preserving a part of Western Australia's heritage.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 700 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 3.)

[Questions taken.]

## TREASURER'S ADVANCE AUTHORIZATION BILL

### *Leave to Introduce*

MR BRIAN BURKE (Balgownie—Premier) [4.20 p.m.]: In order to assert and maintain the undoubted rights and privileges of the House to initiate legislation, I move—

That leave be given to introduce a Bill for "An Act to declare the purposes for which the Treasurer's Advance Account may be applied and to specify a limit for the advances that may be authorized from that account in the financial year commencing on 1 July 1986."

Question put and passed; leave granted.

### *Introduction and First Reading*

Bill introduced, on motion by Mr Brian Burke (Premier), and read a first time.

## MINING (VALIDATION AND AMENDMENT) BILL

### *Standing Orders Suspension*

MR PEARCE (Armadale—Leader of the House) [4.21 p.m.]: I move, without notice—

That so much of the Standing Orders be suspended as is necessary to enable the Mining (Validation and Amendment) Bill to be introduced without notice and to pass through all its stages in one sitting and to enable this business to be entered upon and dealt with prior to the consideration and adoption of the Address-in-Reply.

Although the motion is worded in those terms the intention is to take the Bill only to the second reading stage.

**MR MacKINNON** (Murdoch—Deputy Leader of the Opposition) [4.22 p.m.]: On behalf of the Opposition, I indicate to the Parliament that after discussions with the Leader of the House, the Opposition parties have agreed to this motion to enable the Bill to be introduced. The Minister for Minerals and Energy has given me a private briefing on the legislation, but the Opposition parties will now have the opportunity of examining the legislation and the reasons for it so that they can then determine a position on it and debate on it can proceed as a matter of urgency, as is the Government's wish. We have agreed to accede to that request.

The **SPEAKER**: In order to be successful, this motion requires the support of an absolute majority of the whole number of members of the House. If, when I put the question, there is a dissentient voice, I will have to ring the bells and divide the House.

Question put.

The **SPEAKER**: There being no dissentient voice and having satisfied myself that there is an absolute majority present, I declare the motion to be carried with the concurrence of the absolute majority of the whole number of the members of the House.

Question thus passed.

#### *Introduction and First Reading*

Bill introduced, on motion without notice by Mr Parker (Minister for Minerals and Energy), and read a first time.

#### *Second Reading*

**MR PARKER** (Fremantle—Minister for Minerals and Energy) [4.24 p.m.]: I move—

That the Bill be now read a second time.

The Bill has as its prime purpose a proposal to confirm and validate the renewal of certain mining leases which were approved under the old 1904 Mining Act and which were deemed to be mining leases under the Mining Act 1978 on the coming into operation of that Act on 1 January 1982.

Under the transitional provisions of the 1978 Act those deemed leases continued in force subject to the covenants and conditions under which they were granted—provided those covenants and conditions were not inconsistent with the 1978 Mining Act—and, otherwise, were subject to the 1978 Act. This meant, as I see it, that they otherwise assumed all the

liabilities, requirements, and privileges of the 1978 Act, including a right of renewal which had existed under the 1904 Act.

The subject mining leases were—

- (I) Gold mining lease 2329W, Paddington gold mine, on the Broad Arrow mineral field of which the lessee was Pancontinental Gold Mining Areas Pty Ltd;
- (II) Coal mining lease 533 at Collie River mineral field of which Western Collieries Ltd was the lessee;
- (III) Gold mining lease 1342Y at Bulong in the East Coolgardie mineral field of which Charles Barton Cecil Jones was the lessee; and
- (IV) Gold mining lease 5798Z at Comet Vale in the North Coolgardie mineral field of which Robert James Donovan, deceased, was the lessee.

In each of the subject instances an application for renewal of the lease was made after its expiry on 31 December 1985 and there was good and sufficient reason why the lease should be renewed in that the lessee had substantially observed the requirements of the lease and there was no valid reason to assume that the lessee would not continue to do so.

The Pancontinental case involving the Paddington gold mine—gold mining lease 2329W—was of course the most notable of these and received widespread coverage in the newspapers.

Members will recall that gold mining lease 2329W was the centrally located lease of the Paddington gold mine's operations and, had I not taken prompt action in approving its renewal, the jobs of some 100 employees would have been at stake and the operations of this major mine would have ceased in the meantime. As it is, my action, as Minister, in renewing the lease is subject to challenge in the Supreme Court because another party, Wingate Holdings Pty Ltd, believes that renewal cannot be legally substantiated.

It is significant to say that this lease, even though it was subject to ongoing mining operations, was pegged by no less than six persons within a matter of seconds after midnight on the dates on which those persons believed the lease expired.

In all cases, application for renewal of the subject leases was made after the expiry date of the lease. These dates are—

- (A) Pancontinental 3 January 1986;

- (B) Western Collieries 16 January 1986;
- (C) Charles Barton Cecil Jones 15 January 1986; and
- (D) The Public Trustee for Robert James Donovan deceased 17 January 1986.

The prevailing authority to effect such lease renewals in legal terms under the Mining Act is not clearly put. In fact, there are opposing legal views as to whether the Minister has such authority.

One of those views was that the subject leases which were all granted under the 1904 Mining Act and which were deemed to be mining leases under the 1978 Act could be renewed under that Act on expiry in accordance with provisions of section 78 and regulations 29 and 104.

Section 78, as it then was, merely stated that the Minister may, from time to time, upon receipt of due application in the prescribed form, renew a mining lease for successive terms of 21 years.

Regulation 29 reads—

Application for renewal of a mining lease shall be made in the form No. 9 in the first schedule and lodged at the office of the mining registrar, together with the duplicate instrument of lease (if issued) at any time within the final year prior to the expiry date.

The notable part of this regulation, of course, is a requirement that an application for renewal must be lodged prior to the expiry of the lease. However, to my mind, regulation 104 provides a discretion to alter this requirement. It reads as follows—

- (1) The time required by these regulations for any act to be done by the applicant for, or holder of, any mining tenement may be extended by the Minister or a warden, as the case requires, for reasonable cause, proof of which lies on the applicant or holder.

The opposing view which is reiterated in the Supreme Court proceedings is that there is no authority under the Mining Act to renew the leases which had already expired and the use of regulation 104 is precluded because it is inapplicable as respects an application for renewal of a lease.

The Bill is designed to remove any doubts as to the validity of my action and to place beyond doubt the facts that the renewed titles to

the leases remain valid, that any property such as minerals derived therefrom remain vested in the respective lessees and any action in continuing to mine the land as a result of the renewal of the leases is valid and legal in terms of the Mining Act.

Further clauses have been inserted in the Bill which propose to give the Minister power to refuse future mining tenement applications when he considers that those applications comprise recently expired leases for which an application for renewal has been lodged and should be granted, or that, in the public interest, the mining tenement application in question should not be granted.

In order to achieve positively the objectives mentioned it has also been found necessary to include in the Bill a provision which will prevent any action at law in any court by parties other than the lessees of the renewed leases to obtain a mining tenement of the land in those leases or to obtain property in any mineral mined therefrom. It is proposed that any application for such a mining tenement will be devoid of any effect under the Mining Act and will, as a consequence, lapse.

This matter proceeded during the course of the election. It is always very difficult to get anything dealt with on a bipartisan basis at such a time. I very much appreciate having received the support of the Opposition for the action I took at that time. That action was certainly for the benefit of the industry. I also appreciate the support of the Opposition in facilitating the rapid progression of this Bill which, of course, will have a direct effect on the ability of the mining operation to continue.

Debate adjourned, on motion by Mr MacKinnon (Deputy Leader of the Opposition).

## GOVERNOR'S SPEECH

### *Distribution of Copies*

**THE SPEAKER** (Mr Barnett): Accompanied by the honourable members of this Chamber I attended His Excellency the Governor (Prof. Gordon Stanley Reid, AC) in the Legislative Council Chamber to hear his Speech which His Excellency was pleased to deliver to members of both Houses of Parliament. For the sake of greater accuracy, I have caused printed copies of the Speech to be distributed among members of this Chamber.

**ADDRESS-IN-REPLY: FIRST DAY***Motion*

**DR LAWRENCE (Subiaco)** [4.30 p.m.]: I move—

That the following Address-in-Reply to His Excellency's Speech be agreed to—

May it please Your Excellency: We, the Legislative Assembly of the Parliament of the State of Western Australia in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to address to Parliament.

I am deeply honoured to have been asked to move this motion in reply to His Excellency's Speech. I am also pleased to be one of the first in this Chamber to have the opportunity, Mr Speaker, to congratulate you on your appointment to that position. It also gives me pleasure to formally congratulate the Government on its re-election for a further term and to thank the electors of this State for their support and acknowledgment of the substantial achievements of the Burke Labor Government.

As the new member for Subiaco, a seat which has not been held by the Labor Party for 30 years, I am conscious of my obligation to represent all the electors in my district to the full extent of my energy and ability. My thanks go to all those who supported me and worked so diligently to ensure my election and the re-election of the Government of which I am proud to be a member.

As a member of Parliament I am particularly sensible of my obligation to give voice to and further the aspirations of all citizens, regardless of their status, wealth, sex, race, creed or disability. Today, I wish to draw members' attention to the plight of a group in our community which is frequently without an effective voice, whose members are unseen, unwanted and ignored: I refer to those people who suffer from mental illness.

Too often, debates within our community are restricted to a few glorious issues which become sacred emblems for one or other of the articulate pressure groups attempting to influence policy and public opinion. Despite the fact that mental disorder is one of the nation's most serious medical and social problems, it attracts little media attention and rarely provokes sustained analysis of the strategies which might improve the position of the mentally ill and alleviate the severe pressure placed on them and their families.

Mental disorders in Western Australia account for more hospital in-patient bed-days than any other major category of illness. In 1984-85, the hospital admission rate for mental illness was more than 130 per 10 000 adults. It has been estimated that up to 10 per cent of the population will, during their lifetime, spend time in a psychiatric unit or hospital. A significant proportion of those people will be involuntarily detained; that is, committed or certified, and it is about these people that I wish to address my remarks.

In discussions of the treatment of mental illness, it is likely to be asserted that services to the mentally ill have been improved dramatically during this century. Examination of the history of mental illness reveals a variety of exotic, bizarre and fantastic views about the causes of mental illness and a catalogue of correspondingly inhumane and brutal methods to manage those afflicted. While there have been significant changes in our attitudes, there are some disturbingly-constant features of our thinking about and behaviour towards the mentally ill which make any simple theory of enlightened progress suspect.

I would not deny that there are obvious differences between the ancient practice of expelling mad men and women from the community like lepers and the relatively recent policy of committing them to mental hospitals. However, this should not blind us to the similarity of the ultimate goals of both these practices: To cast the mad out of the community and separate them from family and society. We are still made uneasy by odd behaviour and thinking, frightened by the—unlikely—possibility of dangerous and unprovoked assault, and suspicious, one might even say superstitious, that close association with those with mental illness will result in moral contagion.

There are those who would assure us that the coercive incarceration and enforced treatment of those with mental disorders has declined markedly and that mental hospitals are no longer the punitive dumping grounds they once were. Nonetheless, there are still numerous patients forcibly detained in our State psychiatric hospitals. Of the nearly 2 000 patients admitted to approved hospitals under the Mental Health Act during 1984-85, 60 per cent were admitted as involuntary patients.

We need to re-examine the usual assumption that involuntary detention is an inevitable component of any mental health service. Commitment to mental hospitals is a civil and not a criminal procedure. Directed towards persons suffering from illness, rather than those

charged with a crime, its purpose is alleged to be therapy, not punishment; but when mental hospitalisation continues in large measure as a coercive process, we must ask: What professed social needs and aims will justify this involuntary detention? Does the practice of involuntary hospitalisation and treatment actually protect society or the individual in the way intended?

I believe that in this area we should always invoke the principle of "the least restrictive alternative". This phrase, common to legal debate, is based on the moral premise that when the State has a legitimate communal interest to serve by regulating human conduct, it should use methods that curtail individual freedom to no greater extent than is essential for securing that interest. To put it colloquially, "One should not use a cricket bat to swat a mosquito".

This principle places an obligation on the State and its agencies to explore alternatives to compulsory in-patient care. It also requires that they clearly articulate the interests the State seeks to serve through the relevant law or regulation. Commitment should be assessed in terms of whether it provides the needed protection or rehabilitation, not in terms of simply screening from sight those who make others in society feel uncomfortable.

With respect to the question of liberty and civil rights, it is instructive to contrast the position of law-abiding mentally-ill patients with murderers. The latter will almost certainly have access to legal assistance. If they dispute the allegations of law breaking, their guilt will have to be proved beyond reasonable doubt and if convicted they may again have legal help to mount a series of appeals. By contrast, there is no provision in the current Mental Health Act for any type of independent inquiry during the committal process. It seems to be assumed that the State, through the agency of its medical practitioners, will always act in the patient's best interests and that the benefits of enforced hospitalisation and treatment invariably outweigh the costs, even if this is not always appreciated by those affected.

Apart from their loss of liberty, involuntarily-committed patients also lose other rights. For example, they may not enter into binding contracts or vote and, if they are migrants, they may be deported if hospitalised in a mental institution within five years of entering the country. Clearly, the consequences of committal are serious. It is expected that many of these impediments to patients' rights will be re-

moved in an Act to be introduced some time during this Parliament.

Two major questions inevitably arise when one considers the issue of involuntary detention: First, what is the rationale for such treatment, and secondly, are provisions for such hospitalisation and treatment justified?

Without going into the details of the rationale and justification, I think at this stage it would be fair to say that very few of us can actually assess the extent to which people are likely to engage in behaviour which is injurious to themselves or to others, and that professionals in the field would be the first to agree that it is almost impossible to make such an assessment. However, we are prepared in our Statute to detain people against their will on the basis of an assumption about what might occur.

The decision to commit someone may be something of a lottery. There are considerable differences among psychiatrists in both the frequency with which they commit patients and the grounds on which they make such decisions. Recent research has shown that doctors rarely agree about the criteria which should be used in making the decision to admit patients. Even when there is agreement about the desirability of admitting certain types of patients, for example, the potentially dangerous, psychiatrists vary considerably in their definitions and tolerance of these behaviours.

Despite these shortcomings in the accuracy of predictions about who will engage in behaviour harmful to self and others, some still argue that it is better to err by wrongly detaining some who are unlikely to engage in such behaviour in order to prevent those who might. However, where involuntary hospitalisation is abandoned in favour of comprehensive community-based services, there have been no obvious changes in community levels of assaultive and suicidal behaviour. In Italy, where since 1981 it has been extremely difficult to compulsorily hospitalise people who are mentally ill, there has been no increase in either suicides or assaults by such people. Similarly, in New South Wales a recent trial found no difference in the frequency of assaultive or self-destructive behaviours between those hospitalised in the usual manner and those offered genuine community treatment.

It is likely that many patients would choose voluntary status if the options were routinely explained to them. There is little evidence that treatment is likely to be more successful if the patient is coerced rather than cooperative. In some cases, the lack of an efficient and readily

available community service may lead to delays in seeking help which result in exacerbation of the symptoms to the point where the family or immediate community is unable to tolerate the disordered behaviour and requests committal as a last resort. In many cases, they may not be fully aware of the consequences of committal or of other options which may be available. Given a choice, families and patients both prefer voluntary, community treatment, especially if backup support and counselling is provided.

It is also likely that many patients and their families delay in seeking help because of the stigma associated with psychiatric hospitalisation. Paradoxically, this may result in the outcome they most feared, under circumstances which make it unlikely that the patient will cooperate in voluntary treatment. There is substantial literature which shows clearly that, apart from the indignity and sense of stigma suffered by the patient, the effects of being hospitalised are often prejudicial to later adjustment. Staff often reward dependent, help-seeking behaviour rather than independent moves toward readjustment. Procedures adopted in the hospital, which may be necessary for the security of those who have committed offences, may be damaging to other detained patients. They often have little control over the daily routine of their lives and are deprived of many rights, either by law, or because they are not informed about the rights they do have. Treatment in a large institution may also lead to benign neglect, particularly when services are low status and poorly funded compared with other hospitals, as they frequently are.

There is considerable evidence that mentally-ill persons need far less protection than is commonly believed and that protective segregation may undermine a person's ability to look after himself or herself in the future.

While it may be anticipated that the provisions of the new Mental Health Act planned by this Government will result in fewer people being involuntarily detained, there is no reason to suppose that the proportion will decline dramatically unless alternatives to hospitalisation are offered. In South Australia, whose 1977 Mental Health Act has been suggested as a model for WA, the number of patients detained increased by almost 40 per cent from the last full year of operation of the old Act to the first full year of operation of the new Act.

A large proportion, over 80 per cent of the psychiatric services budget is spent on in-patient care in the approved hospitals. As long

as such a high proportion of expenditure is on institutional care, there is little possibility of developing the community-based alternatives needed to support a policy of reduced compulsory hospital treatment.

Conversely, the continued availability of compulsory detention as an easy treatment option may thwart attempts to develop services which emphasise early intervention, emergency care and community-based out-patient treatment. The medical fraternity and law enforcement agencies are likely to find it more comfortable to stick with their established habits and dispose of difficult cases into the State asylums. Even a deliberate policy of de-institutionalisation is unlikely to be successful unless community facilities are substantially upgraded. In the United States the move toward community treatment has not been an unqualified success, mainly because inadequate resources were diverted into providing high quality alternatives to hospital care.

My own view is that it is desirable to make it exceedingly difficult to involuntarily detain those suffering from mental illness except in cases where the person has actually committed or is charged with an offence under the Criminal Code. This legislative change would need to be accompanied by radical reallocation of resources and money away from hospital treatment and in favour of regional services which include 24-hour emergency psychiatric teams; small, short-stay residential facilities for patients during the acute phase of any illness; home-like residential units for the chronically disabled; and comprehensive after-care in which the emphasis is on rehabilitation.

I believe such changes are consistent with the principles of a democratic society such as ours which values individual and civil liberties and which abhors the unnecessary use of authoritarian, State-sanctioned power. Severely limiting coercive detention of the mentally ill and providing suitable alternatives would almost certainly result in substantial benefits to the whole community. It is a clear case where, as der Rohe puts it, "less is more".

I support the motion.

[Applause.]

**MR THOMAS** (Welshpool) [4.42 p.m.]: I formally second the motion.

**MR HASSELL** (Cottesloe—Leader of the Opposition) [4.43 p.m.]: I intend to address the House briefly in relation to this motion before seeking leave to continue my remarks at a later

stage. I want to take the opportunity to table a paper in the House, and I would ask leave to do that later.

I have obtained the opinion of a Queen's Counsel, Mr Daryl Williams, in relation to the payments made by the Government to members of the Legislative Council who became members on 22 May but who won their seats originally in February at the election. Those payments were made on the basis of an inadequate opinion given by the Crown Law Department, an opinion which did not really address itself to the issues, and I have seen it.

As I say, I have taken the advice of Queen's Counsel, and that advice, put in a nutshell, is that the payments were illegal. Mr Williams stated the following in his opinion—

... the Salaries and Allowances Act does not authorise payment of remuneration to persons elected to the Legislative Council at the general election on the 8th February, 1986 before those persons have taken up their seats on the 22nd May, 1986. I am not aware of any other legislative authority for the payments and assume that there is none. On that basis the payments from the Consolidated Revenue Fund to the members-elect are made without legislative authority and are therefore illegal and *ultra vires*... The State may recover the payments from the members-elect to whom they have been made...

That opinion indicates that some \$90 000 of taxpayers' money has been paid out illegally, which is a singular comment on the attitude of this Government—that it should have been done in such a fashion.

The fact of the matter is that the taxpayers of Western Australia have been asked to support a number of people as members of Parliament additional to the total number of members of Parliament provided for under the Constitution. It is in fact a sign and symbol of the attitude of the Government to the taxpayers' money, and there is a heavy obligation on the Government to take some action in the matter.

Mr Brian Burke: Why did you not advise your members not to accept the pay?

Mr HASSELL: I would point out that one Liberal member affected by this matter has, since the payments commenced, put his money received into a separate trust account and is in a position to pay it back.

Mr Brian Burke: You have an opinion from a failed Liberal candidate.

Mr HASSELL: That is right—attack the man.

Mr Brian Burke: I will back the Crown Law Department any time.

Mr HASSELL: The Premier is talking of an eminent Queen's Counsel in this State. He shows his true colours. He has been caught out making illegal payments on the basis of a partial opinion from the Crown Law Department, an opinion which related to only half of the issues. His Attorney General made a statement that the payments followed the recommendations of a report of this Parliament. When one examines that report one sees there is no indication of any proposal that people not in their seats be paid.

Mr Taylor: You cast a slur on the Crown Law Department.

Mr HASSELL: The member should read the Crown Law opinion before saying that.

A Government member: You should sit down and stop wasting our time.

The SPEAKER: Order!

Mr HASSELL: I would be far quicker were members prepared to listen instead of interjecting.

I seek leave to table a copy of Queen's Counsel's opinion.

The SPEAKER: Unfortunately Standing Orders do not permit members to table papers. I suggest you seek the leave of the House to place the paper on the Table of the House for the balance of today's sitting for the information of members only.

Mr HASSELL: I seek leave accordingly.

Leave denied.

Mr HASSELL: It is obvious that the Government is running scared, having been caught out in illegal activities.

I will now seek leave to continue my remarks at a later stage. If the Government does not want to grant that leave, I shall have no option but to continue my remarks, and I have a considerable number of remarks to make.

Mr Pearce: You had better get ready.

Mr HASSELL: I seek leave to continue my remarks at a later sitting.

Leave denied.

Mr HASSELL: I shall continue my remarks. I remind the House that the predecessor of the Premier spoke in the Address-in-Reply on opening day on 31 July 1980. The predecessor of the then Leader of the Opposition was

afforded the usual courtesies as it was opening day. The House listened in silence to his remarks on that occasion. However, as the Government does not want to face up to dealing with just one issue at a time, I shall proceed to deal with some other issues.

Mr Bryce: You give it chapter and verse.

Mr HASSELL: I shall give it chapter and verse. If members want to sit here all night they will. It is the Government's choice.

Let me point out to the House that we have today witnessed an address by His Excellency the Governor (Prof. Gordon Stanley Reid, AC) outlining the programme of this Government which is simply shameful to the Government. It is an address which indicates that the Government has nothing of substance to offer and will not be putting forward a proper programme at all. It has not addressed the key issues facing the nation. It has not dealt with such matters as the Bill of Rights, the deteriorating economy and the industrial relations system.

We heard the member for Subiaco in her maiden speech, when moving the Address-in-Reply, speak of matters of principle of considerable importance relating to her concern that people with mental illnesses should be treated in such a way that their rights are protected. That was an important statement and it was made on the very day on which this Government announced it intended to move legislation to take away people's rights by introducing compulsory unionism in this State. It is a disgrace that the Government should come to this Parliament and present legislation aimed at introducing compulsory unionism in Western Australia.

The reality is that compulsory unionism will cause more industrial disputation. It will take away the rights of more people and will reduce those very rights of which the member for Subiaco spoke today when she referred to the mentally ill. On the day the member for Subiaco made that statement we have been presented with this appalling piece of legislation.

The other aspects of the Government's programme relate to a number of incidental and trivial issues and not to the real substance of what is occurring in Australia today. This Government is not facing up to a Federal Government which has set up a tax regime designed to damage the nation, take away incentive, and remove the capacity for people to succeed. This Government has failed to take

cognisance of the fact that the Bill of Rights should protect and enhance the rights of people rather than reduce them.

Government members are walking out.

Mr Bryce: You will be called the chambermaid before you finish this speech!

Mr HASSELL: The Government has created a situation in which it is not prepared to take the medicine that has been dished up to it as a result of its illegal activities and monumentally bad policies. In reality, the Government in this State has supported every one of the economic policies introduced by the Federal Labor Government. We are now reaping the rewards and benefits of those policies in the form of the economic disaster which has befallen Australia and the situation is going from bad to worse.

We have a smart alec Leader of the House who wants to spoil the opening day of Parliament.

Mr Pearce: I had an arrangement with you and you broke the arrangement.

Mr HASSELL: The Leader of the House did that, because he did not want even for a few minutes to hear what the Opposition had to say. Everything is run in such a way that it suits the Government and when somebody points out that the Government's activities in relation to these payments are illegal, members opposite do not want to hear about it. As a result, they refused to grant leave to table the relevant paper and for the continuation of my remarks in this debate.

As you, Sir, know, the Deputy Leader of the Opposition and I have spoken to you and to the Leader of the House with a view to ensuring that this session is effective and constructive both for the Government and the Opposition. However, we see the spectacle today of a Government which is not prepared to allow this Parliament to be used as it should be used; that is, to bring forward issues and to raise matters which must be dealt with.

The key aspect in relation to this Government which must be understood is that not only has it acted illegally and with total cynicism and disregard for the people of this State, but also that it continues to beat these different drums at different times. Prior to the election the Government told us one story about taxes and charges. I am sure you, Mr Speaker, have seen the story that was published in *The West Australian* before the election where the Premier said, "I am going to keep increases in taxes and charges down to the rate of inflation." I am sure also, Sir, that you have seen

the ALP policy document issued prior to the State election setting out the economic strategy which would be followed in order to keep down taxes and charges.

I ask you, Sir, what has happened after the election? We have seen banner headlines saying, "Charges will rise—Burke". Prior to the by-elections the Premier had said for four months on end that he would keep increases in taxes and charges in line with the rate of inflation, but the day after the by-elections he indicated he wanted to hold increases in taxes and charges to a maximum of 12 per cent, although he hoped most increases would be lower and in line with the inflation rate.

We have seen one misrepresentation after another and the Government has issued one set of stories after another. However, when we in the Opposition, on behalf of the taxpayers, raised the issue of the payments made to Legislative Councillors who had been elected, we were scorned; but when we obtained professional advice on the matter, we found that our view that those payments were never authorised was correct.

Mr Parker: That was according to your failed Liberal candidate.

Mr HASSELL: The Minister is attacking an eminent QC. He is a respected member of his profession. The Minister is attacking him, because he has given the Opposition an opinion. The Minister is a ratbag. Let us face the fact that he has no standards at all.

Mr Brian Burke: The member for Fremantle conducts himself with a great deal of decorum. Don't call people "ratbags".

#### *Amendment to Motion*

Mr HASSELL: I move an amendment—

That the following words be added to the motion—

But regret to inform His Excellency that Her Majesty's Government of Western Australia has failed to curtail Government spending, and has made extravagant promises to the electorate as consideration for its return to office which, if fulfilled, will result in unfair and unnecessary increases in State taxes and charges to the detriment and great burden of the ordinary working people and pensioners of Western Australia.

#### *House to Divide*

Mr PEARCE: I move—

That the House do now divide.

Question put and a division taken with the following result—

#### *Ayes 30*

Mrs Beggs	Mr Tom Jones
Mr Bertram	Dr Lawrence
Mr Bridge	Mr Marlborough
Mr Bryce	Mr Parker
Mr Brian Burke	Mr Pearce
Mr Terry Burke	Mr Read
Mr Burkett	Mr D. L. Smith
Mr Carr	Mr P. J. Smith
Mr Peter Dowding	Mr Taylor
Mr Evans	Mr Thomas
Dr Gallop	Mr Troy
Mr Grill	Mrs Watkins
Mrs Henderson	Dr Watson
Mr Gordon Hill	Mr Wilson
Mr Hodge	Mrs Buchanan

(Teller)

#### *Noes 24*

Mr Blaikie	Mr Lightfoot
Mr Bradshaw	Mr MacKinnon
Mr Cash	Mr Mensaros
Mr Clarko	Mr Nalder
Mr Court	Mr Rushton
Mr Cowan	Mr Schell
Mr Crane	Mr Spriggs
Mr Grayden	Mr Stephens
Mr Hassell	Mr Trenorden
Mr House	Mr Tubby
Mr Laurance	Mr Watt
Mr Lewis	Mr Williams

(Teller)

#### *Pair*

<i>Aye</i>	<i>No</i>
Mr Tonkin	Mr Thompson

Question thus passed.

#### *Amendment to Motion Resumed*

The SPEAKER: The question now is that the amendment moved by the Leader of the Opposition be agreed to.

Amendment put and a division taken with the following result—

#### *Ayes 24*

Mr Blaikie	Mr Lightfoot
Mr Bradshaw	Mr MacKinnon
Mr Cash	Mr Mensaros
Mr Clarko	Mr Nalder
Mr Court	Mr Rushton
Mr Cowan	Mr Schell
Mr Crane	Mr Spriggs
Mr Grayden	Mr Stephens
Mr Hassell	Mr Trenorden
Mr House	Mr Tubby
Mr Laurance	Mr Watt
Mr Lewis	Mr Williams

(Teller)

Noes 30

Mrs Beggs	Mr Tom Jones
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Mr Evans	Mr Thomas
Dr Gallop	Mr Troy
Mr Grill	Mrs Watkins
Mrs Henderson	Dr Watson
Mr Gordon Hill	Mr Wilson
Mr Hodge	Mrs Buchanan

Pair

No

Aye

Mr Thompson

Mr Tonkin

Amendment thus negatived.

*Motion Resumed*

Debate adjourned, on motion by Mr Pearce  
(Leader of the House).

**ADJOURNMENT OF THE HOUSE:****SPECIAL**

**MR PEARCE** (Armadale—Leader of the  
House) [5.05 p.m.]: I move—

That the House at its rising adjourn until  
Wednesday, 11 June at 2.15 p.m.

*(Teller)* The **SPEAKER**: Order! I have not as yet left  
the Chair. Members should show this Chair the  
courtesy it deserves. Please resume your seats.

Question put and passed.

*House adjourned at 5.06 p.m.*

# QUESTIONS WITHOUT NOTICE

## GOVERNMENT EMPLOYEES

### *Wage Increases*

1. Mr HASSELL, to the Premier:

- (1) Given that the Government made a substantial allowance for wage increases in the 1985-86 Budget, why has the Premier instructed that—

... in analysing expenditure options an increase of 11 per cent should be assumed for salaries and wages; (that is, wages and salaries for 1986-87 should be 11 per cent higher than the actual amount spent in 1985-86 including wage increases but on the basis of no new staff)?

- (2) In view of the Premier's dire warnings to the public about increases in State taxes and charges this year, is it reasonable to expect the public to bear the cost of paying Government staff, not increased in numbers, 11 per cent more?
- (3) Is this approach consistent with the Prime Minister's call for restraint at all levels of Government and in the private sector?
- (4) Can the Premier assure the House there will be no increases in Government staff in 1986-87?

Mr BRIAN BURKE replied:

- (1) to (4) I am not able to answer the substance of the question without any notice whatsoever. All I can say is that the Government's policy in this State is to comply absolutely with the terms of the accord which has underpinned the economic recovery from which all sections of our community have benefited.

Several members interjected.

Mr BRIAN BURKE: Do members deny that that is the case?

Mr Bradshaw: It appears that way, doesn't it.

Several members interjected.

Mr BRIAN BURKE: We had nine years of Malcolm Fraser and we were reduced to penury.

Mr Clarko: Why didn't you raise Alfred Deakin?

Several members interjected.

Mr BRIAN BURKE: This interjection has come from a man who has blamed Gough Whitlam for everything from starting World War II to the polio-myelitis epidemic.

I remind the member that Malcolm Fraser's vintage is somewhat more recent than is Alfred Deakin's or Gough Whitlam's.

Regardless of whether members want to argue about the accord, it has underpinned and delivered the stability from which we have all benefited. The State Government's policy in respect to wages is to comply with the terms of the accord.

I cannot answer the question as it is posed without any notice whatsoever because, quite obviously, I do not have with me the reference to which the Leader of the Opposition has recourse in asking the questions. However, I will undertake to obtain details of the Treasury advice—

Mr Hassell: Here it is.

Mr BRIAN BURKE: I do not doubt that the Leader of the Opposition has it.

Mr Hassell: Do you need it?

Mr BRIAN BURKE: I do not need it now, because the Leader of the Opposition did not give any notice of the question whatsoever. If he is serious about requiring answers—

Mr Hassell: It is questions without notice!

Mr BRIAN BURKE: If members opposite are serious about requiring detailed answers to their questions, the Government will require some notice. If they are not serious, I will talk about the accord and the member for Karrinyup will talk about Alfred Deakin.

I will undertake to obtain for the Leader of the Opposition the Treasury advice on which was based that minute and the Leader of the Opposition can be guaranteed that the Government will be frugal in discharging its responsibilities and that it will attempt, as it has attempted in the past three years, to maximise the potential of this great State without imposing the burdens of government on the people who are lucky enough to reside in this State.

**TRANSPORT: AIR***Bunbury-Perth: Avior Airlines*

2. Mr P. J. SMITH, to the Minister for Transport:

- (1) Is the Minister aware of the imminent withdrawal of Avior Airlines from the Bunbury-Perth air route?
- (2) If so, would he advise what action he has taken to rectify the situation?

Mr TROY replied:

- (1) and (2) I thank the member for Bunbury for the question because I have been confronted with similar questions from other representatives in that area.

Representatives of the Department of Transport are at this moment holding urgent negotiations with the two operators with a view to having an airline operating between Bunbury and Perth in the near future. I anticipate that those negotiations will conclude either this evening or tomorrow.

I remind the member for Bunbury that there have been difficulties in operating the Bunbury-Perth service and that is the reason the original operator withdrew the service five weeks ago. It is also the reason that the current operator is having difficulty.

I do understand the concern that has been shown by the people of Bunbury and I assure the member that the Government's full attention will be given to resuming that service as quickly as possible.

**TAXES AND CHARGES: FRINGE BENEFITS TAX***Mining Industry: Subsidised Housing*

3. Mr MacKINNON, to the Minister for Minerals and Energy:

- (1) Is the Minister aware that the Commonwealth Government has now passed the fringe benefits tax legislation which does not exempt mining companies from paying the cost of subsidised housing and other benefits necessarily provided to their workers?
- (2) Is it correct that the likely cost to the industry of the tax as indicated by the State Government's study will now be \$2 000 per annum per employee for housing accommodation?

- (3) If so, what action does the State Government now plan to take to assist mining companies, including non-north-west mining companies, which will be adversely affected by the fringe benefits tax at a time when, more than ever, Australian export industries are in need of support rather than hindrance in the form of new taxes?

Mr PARKER replied:

- (1) to (3) I thank the Deputy Leader of the Opposition for his question. When the Federal Government announced the fringe benefits tax legislation last year, the Western Australian Government decided that it should make representation immediately in relation to that tax insofar as it affected the mining industry and other industries operating in remote areas. There are quite different implications for remote area employees in regard to the fringe benefits tax, those with which the Federal Government has said it wishes to deal in regard to the metropolitan area.

Mr MacKinnon: The Government's submission was, therefore, specifically applying to remote area mining activity.

Mr PARKER: No. By remote areas, I mean the Government included all non-metropolitan mining activities. Before I was interrupted I was going to say that two submissions were presented to the Federal Government.

The first submission was a tripartite submission from my department which was, to its credit, endorsed by all the people involved in the iron ore industry and sent under the aegis of the Iron Ore Industry Consultative Council, of which I am chairman. Last Christmas that submission was sent to the Federal Treasurer. As I said, it received the endorsement of all parties concerned and it concentrated specifically on the impact of the tax on the iron ore industry.

The second submission by this Government was more general and dealt with the impact of the fringe benefits tax on industry in non-metropolitan areas, including both the mining and agricultural industries, as well as those areas outside the north-

west region; that is, the south-west and the goldfields regions, which were also affected.

The issue of the precise cost of the tax to the industry is hard to determine at this stage. I am not aware of the cost per employee and I have not seen the figures extrapolated by the industry in this regard.

Substantial modifications were made to the Commonwealth Government's fringe benefits tax as a result of a number of representations made to it not only by this Government, but also by the Australian Mining Industry Council and other bodies. The meetings which were held with the Federal Treasurer and his staff resulted in substantial improvements, but the result was not what this Government would have desired. However, substantial improvements were made to that tax.

Mr MacKinnon: That's very arguable.

Mr PARKER: I will give an indication of the substance of the improvements. For example, the improvement in relation to remote area housing as it applies to the iron ore industry meant that there was a change in the rate which was to be used by the Taxation Office to assess properties for rental accommodation and which had been estimated by the Taxation Office as ranging from \$120 to \$180 per week. And anything less than that would be taxed, given that most people in those remote areas are paying \$30 or so a week.

As well as that, the costs of water, electricity, and air conditioning were to be separately taxed. And that was changed to a system in which the mining companies are now taxed on a rental of \$76 per week, including any subsidies for water and electricity. This is a substantial decrease.

The mining industry has indicated that the overall reduction in the costs is from something in excess of \$25 million, which it would have cost the mining industry if the original proposal had been pursued, to around \$16 million, which is the current cost.

The Government is not satisfied with that, and it has been campaigning fairly actively against it; nevertheless the Commonwealth Parliament has seen fit to pass that legislation. The Western Australian Government will continue to make representations to the Commonwealth Parliament to amend the legislation, particularly in relation to certain specified problem areas. For example, in relation to single person accommodation, air fares over and above the normal annual leave fares that enable people to be brought to the metropolitan area, and so on, will be continued as they are at present. Representations will continue until the specific impact of this tax on these remote area employers, whether they be mining industry employers, agricultural employers, or small business employers, in those areas is eliminated.

#### TAXES AND CHARGES: FRINGE BENEFITS TAX

##### *Effect: Industry*

4. Mr COURT, to the Minister for Industry and Technology:

- (1) Has the Minister's Department of Industrial Development studied the effects of the new fringe benefits tax and capital gains tax on industry in Western Australia?
- (2) If "Yes", what effect will it have on local industry, and in particular on this State's export industries?
- (3) As a result of this study, does the State Government still support the tax package introduced by the Federal Government?

Mr BRYCE replied:

- (1) to (3) I asked that the report be prepared for me and I have been advised that it is virtually finished. I look forward to receiving the report and conveying a copy of it to the member for Nedlands, when I have received it.

## NATURAL DISASTER: DROUGHT

*Relief: Distributions*

5. Mr COWAN, to the Minister for Agriculture:

As less than one-third of the \$36 million fund which was made available to the Rural Adjustment and Finance Corporation from the Commonwealth-State natural disaster and rural aid agreements has actually been forwarded to the accounts of successful applicants, and none of the \$40 million made available from the State's own resources for interest rate relief has been distributed, can the Minister advise when it is likely these funds will be fully utilised?

Mr GRILL replied:

In respect to drought relief, it is unlikely that any further funds other than those which have already been allocated will be allocated. As I hope to explain to the member when we have more time, it is much more expensive for the State Government to expend drought relief funds than to use the special carry-on loans system. Where it has been applicable, rather than put people into drought funding we have put them into special carry-on loans. Nonetheless, they have received support, hopefully, at an adequate level and at a lesser cost to the State.

I might add that the guidelines for special carry-on loans are of a less stringent nature than those given for drought relief. Thus we have been able to be more generous in that regard than we would have needed to be when using drought funding. Drought funding is more expensive to the State because even after we reach the necessary \$6 million threshold or the trigger point for that funding, we still have to contribute directly from our own resources one-quarter of the funds while the Commonwealth contributes the other three-quarters. In respect to the \$40 million made available to farmers for interest rate relief, it was not contemplated at the time that money was advertised as being available under the second scheme that the Government put forward that it would be taken up by a large number of farmers. It was directed at

farmers in accordance with our practice of directing funding right across the board to a whole range of farmers—whether they were viable, whether they were in a state where they were falling into unviability, or whether they were unviable. That particular \$40 million was actually mooted and announced when interest rates were over 23 per cent, approaching 24 per cent.

Since that time we have seen interest rates, especially for the people who are borrowing sums of money over \$100 000, fall to 18 and three-quarter per cent or 18 per cent. The funds that the Government is making available under the \$40 million scheme are at concessional interest rates—at 15 per cent, which is something like three per cent below the current commercial market rate. Nonetheless the farmers in that particular area—those who are either viable or in a position in which without some help they could fall into unviability—are not particularly attracted to that funding, even though they would have an interest concession of three per cent. This is largely because they have, no doubt for many years, dealt with a particular financial organisation and they would be locked into these Government funds for two years with the prospect that interest rates during that two-year period might fall further. Given the inertia or reluctance of farmers to leave their traditional sources of finance, the Government did not contemplate that a large number of them would take advantage of that scheme. Nonetheless the availability of such a large sum of money and the concessional rates of 15 per cent indicate that the Government is prepared to act in this area.

I think it also indicates that the present rates are not the critical factor for viable farmers. Farmers who are viable are in fact prepared to bear that further three per cent and remain with their traditional suppliers of finance rather than take advantage of a Government scheme which would lock them in for two years and possibly see them miss out on further falls in commercial interest rates.

## ENERGY

### *Fuel Franchise Levy: Increase*

6. Mr LAURANCE, to the Minister for Transport:

In view of the extremely difficult state of the Australian economy, made worse in recent times by the Federal Government's tax package, how can the Minister justify any increase in the fuel franchise levy and vehicle licence fees at a time when business and motorists generally are struggling under the burden of additional taxes and charges?

Mr TROY replied:

I think at this time of the year, as the member for Gascoyne would recall—although three years has been perhaps a particularly long time for members on that side of the House—it is the function of every Government to review its taxes and charges. That is the process which this Government is undergoing, and I am quite prepared to look at any charges that come under my portfolio at this particular time.

Subsequent to those reviews I will be quite happy to answer the member with more detail on the specific point that he has raised.

## MEMBERS OF PARLIAMENT

### *Number: Increase*

7. Mr MENSAROS, to the Minister for Parliamentary and Electoral Reform:

Is the Government considering increasing the number of members of Parliament as part of its consideration of parliamentary and electoral change?

Mr BRYCE replied:

I am sure that all the people present in the Chamber today will be delighted to know that the Government is not contemplating increasing the number of members in the Legislative Assembly or the Legislative Council in respect of the Electoral Reform Bill of 1986, which we sincerely hope will receive the whole-hearted support of members on both sides of the House.

