

Legislative Council

Wednesday, the 20th September, 1978

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

HEALTH: GERIATRIC FACILITIES

Armadale-Kelmscott Shire: Petition

THE HON. G. E. MASTERS (West) [4.32 p.m.]: I wish to present a petition from the citizens and ratepayers of the Armadale-Kelmscott Shire expressing serious public concern at the acute shortage of geriatric facilities in the Armadale-Kelmscott area. I move—

That the petition be received.

Question put and passed.

THE HON. G. E. MASTERS (West) [4.33 p.m.]: The petition contains 440 signatures, and bears the signature of the Clerk of the Legislative Council certifying that it is in conformity with the Standing Orders of the Legislative Council.

I move—

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

*Question put and passed.

THE HON. G. E. MASTERS (West) [4.34 p.m.]: The petition reads—

To the Honourable the President and Honourable Members of the Legislative Council.

The Petition of Citizens and Ratepayers of Armadale/Kelmscott Shire sheweth:

serious public concern at the acute shortage of geriatric facilities in the Armadale/Kelmscott area, a situation which will further deteriorate as local expansion continues.

Therefore, we, the undersigned, petition the Western Australian State Government to urgently consider the provision of funds to enable the construction of a geriatric wing at the Armadale/Kelmscott Memorial Hospital.

Your Petitioners, therefore, pray that your Honourable House will introduce such legislation as to your wisdom may seem proper to ensure adequate geriatric facilities are available and your Petitioners will ever pray.

The petition was tabled (see paper No. 315).

QUESTIONS

Questions were taken at this stage.

STANDING ORDERS COMMITTEE

Consideration of Report (No. 2)

THE HON. V. J. FERRY (South-West) [4.51 p.m.]: Mr President, I seek leave to move without notice three motions concerning the Standing Orders Committee.

Leave granted.

The Hon. V. J. FERRY: I desire to present a report from the Standing Orders Committee which has recommended certain further amendments. These are included in the report together with reasons for such amendments in a schedule appended to the report.

It is also proposed to recommend that, in view of the considerable number of amendments which have been made to the Standing Orders since 1969, the volume should be reprinted.

At this juncture it is proposed to submit three motions to the House, the first of which will be that the report be received, the second which will provide that it shall be printed and distributed to members for consideration by the Council at a subsequent sitting, and the third which will authorise the Clerk to arrange for the reprinting of the Standing Orders and the volume *Acts, etc. Relating to Parliament*.

I move—

That the Report be received.

Question put and passed.

THE HON. V. J. FERRY (South-West) [4.53 p.m.]: I move—

That the Report be printed and its consideration in Committee be made an Order of the Day for the next sitting.

Question put and passed.

THE HON. V. J. FERRY (South-West) [4.54 p.m.]: I move—

That the Clerk be authorised to arrange for the reprinting of the Standing Orders and the companion volume *Acts, etc., Relating to Parliament*.

Question put and passed.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

THE HON. G. C. MACKINNON (South-West—Leader of the House) [4.55 p.m.]: Mr President, I seek leave of the House to move,

without notice, that the Council take note of a tabled paper relating to the Estimates of Revenue and Expenditure for 1978-79.

Leave granted.

The Hon. G. C. MacKINNON: I move, without notice—

That, pursuant to Standing Order No. 151, the Council take note of tabled paper No. 312 (Estimates of Revenue and Expenditure and related papers) laid upon the Table of the House on the 20th September, 1978.

I am sure that by now, all members have formed their own appreciation of this procedure by which means the Consolidated Revenue Fund Budget is debated at length in this Chamber. It is interesting to note that last year 22 members contributed to the debate on this motion over a period of nearly two months. This is a far cry from previous times when the Appropriation Bill was received and debated, sometimes in the dying hours of the session.

While this does not automatically take away the right of members to debate the Bill itself at length, it has had the effect of reducing the need to do so which is evident by the fact that only three members spoke on the Bill last year.

Mr President, I believe it is fair to say that this Budget is something of a classic in its field.

Since the present Government was elected to office in 1974, the parameters within which a Budget has to be framed have never been so tight.

Some of the outlines were imposed on us from outside, most notably by the Commonwealth Government. One of the most significant, however, we imposed upon ourselves—and with good reason.

This Government has come to the firm opinion that taxation levels, not only in Western Australia but also throughout the nation, are too high, and that the population is at—or close to—the limit of its tolerance in this regard.

In compiling this year's Budget, therefore, the Government chose to shun the imposition of still higher taxation as a means of overcoming some of the restriction in the funds available to us from other sources.

But in accepting the severe reining-in of revenue growth—although not without protest at some of the decisions imposed by the Commonwealth—we have still found ways of allowing for significant growth in the essential areas.

The need to provide employment opportunities, particularly for young people, was a key factor in

the choice of areas where expansion is to be above the average.

Education is the most outstanding of these choices. In a year of extraordinarily tight finance, with total Budget outlays rising by only 10.7 per cent, the provision for education has been increased by 14.6 per cent.

The increase allows for the employment of 427 additional teachers in the primary, secondary and technical divisions, plus the equivalent of 145 additional full-time staff in support jobs such as aides and laboratory assistants.

The latter figure conceals the true story to some extent. Since many of these appointments will be part time, the number of people actually employed will be much higher—in fact, it will be in the order of 240.

In another important area of State employment, however, the prospects of improvement raise difficulties which I will not attempt to minimise.

I refer to hospital services, where the difficulties have been imposed by a clear breach on the part of the Commonwealth of its agreement with the States to share equally the approved net operating costs.

Without any concurrence from the States, the Commonwealth has decreed that this agreement applies only to existing services, and that extensions and expansions are not included.

This unilateral action is intolerable to Western Australia. It has been applied to additions which were irrevocably under way before the decision was announced.

There is no capacity within the State to bear the total cost of staffing and equipping these additional facilities, which include the new wing of the King Edward Memorial Hospital.

We have provided in the Budget sufficient funds to meet the State's 50 per cent share of running costs. But, as the Premier and Treasurer has made clear, this new wing will be neither staffed nor equipped—and no new staff will be appointed elsewhere in the hospital system—until the Commonwealth undertakes to honour its obligations.

Western Australia also faces a substantial cost burden in the relief of natural disasters as a result of the commonwealth decision to reduce its level of contribution towards relief measures.

This reduction also has an element of retrospectivity, in that it applies to relief measures already in train because of disasters which occurred before the Commonwealth announced its

decision. We have protested about this, and will continue to do so vigorously.

The real effect of decisions by the Commonwealth in the fields I have mentioned, and also in the provision of general-purpose grants and other forms of finance, has been to restrict most severely this Government's scope for new initiatives and programmes. Nevertheless, by careful housekeeping we have found a little elbow room in some areas.

The \$4 million allocation for a supplementary programme of minor works throughout the State to provide employment is an example.

I do not seek to make this allocation seem larger than it is. It is, in fact, the same amount as was provided last year for a similar programme and is thus a reduction in real terms.

However, considering the situation the Government had to contend with in drawing up the Budget, it is quite an achievement that any such allocation could be made at all.

In the field of agriculture there are also some minor but significant initiatives—in control of blue-tongue disease, assistance to apple growers hit by cyclone "Alby", experiments on biological control of fruit fly, and evaluation of carpet wool production as an alternative to dairying in the Denmark area.

Adequate provision has also been made for the celebrations of the State's 150th anniversary next year, which is, of course, a subject of particular interest to me.

In summary, by bringing down a balanced Budget, the Government has managed to avoid mortgaging any of next year's funds in advance, despite the most difficult and challenging circumstances.

It has avoided inflicting further imposts on the public and the business sector, it has been able to consolidate previous achievements, and it has found ways to prevent shrinkage in its employment and services. It has, above all, been responsible.

I think that members have shown over the last few years a very real appreciation of the opportunity which is now afforded them to discuss the Appropriation Bill (Consolidated Revenue Fund) in some detail. I sincerely hope that members who wish to make significant contributions will avail themselves of this opportunity, and I look forward to an interesting debate on this matter.

Adjournment of Debate

THE HON. R. HETHERINGTON (East Metropolitan) [5.04 p.m.]: I move—

That the debate be adjourned until later in the session.

Point of Order

The Hon. H. W. GAYFER: Mr President, would you clarify for me what the term "later in the session" means? It is a most unusual motion, and I am wondering what it means exactly.

The PRESIDENT: The item will be on tomorrow's notice paper, and will continue to be on the notice paper until the item is debated.

Debate (on adjournment motion) Resumed

Motion put and passed.

Debate adjourned until later in the session.

SALARIES AND ALLOWANCES TRIBUNAL ACT AMENDMENT BILL

Standing Orders Suspension

THE HON. G. C. MACKINNON (South-West—Leader of the House) [5.05 p.m.]: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Salaries and Allowances Tribunal Act Amendment Bill to be taken on receipt of a message from the Legislative Assembly, and to be passed through all stages at any one sitting.

Question put and passed.

INDUSTRIAL LANDS DEVELOPMENT AUTHORITY ACT AMENDMENT BILL

Third Reading

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

HONEY POOL BILL

Receipt and First Reading

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

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.07 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to repeal the Honey Pool Act, 1955-1970, and to introduce a new Act to establish the Honey Pool of Western Australia to provide for the marketing of honey and for related purposes.

The Honey Pool goes back very many years and had its origin in May, 1926, as the result of meetings of beekeepers who were dissatisfied with the marketing arrangements for honey at that time.

The resultant organisation of participating producers was offered financial support by the Westralian Farmers Co-operative Ltd., which also assisted with the provision of premises for packing honey.

From those beginnings the Honey Pool has progressed successfully and is now the largest packer of honey in Western Australia with modern packing facilities in Bayswater.

The Honey Pool was given legal status in 1955 through the provisions of the Honey Pool Act, and in 1977, the latest year for which statistics are available, the pool handled 66.6 per cent of Western Australia's production of honey and had a turnover of almost \$2 000 000—making payments to producers of \$1 110 000.

In addition to the local market the Honey Pool is the largest exporter of jarred honey in Australia. In 1977-78 the pool exported 28 per cent of all Australian exports of honey to world-wide markets.

Through its own efforts, the Honey Pool has acquired modern equipment and packing facilities and the participants of the pool now number 127, a substantial proportion of all Western Australian producers.

This Bill now before the House has, as its general aim, the updating of the legislation in the interests of increasing the efficiency of the operations of the Honey Pool of Western Australia.

Participation in the pool arrangements will continue to be on a voluntary basis, but other aspects of the existing Act will be repealed and re-enacted in updated form, using as a basis similar provisions in the Grain Pool legislation.

An important aspect of the Bill relates to the proposed election of trustees to the Honey Pool. The Act currently provides for an appointed trustee as chairman, and three elected trustees. The trustees can also co-opt persons known as "associate trustees" who may attend meetings but do not have the power to vote.

It is now proposed—following a recommendation to this effect from the Honey Pool—to provide for an appointed trustee as chairman and five elected trustees, and to delete the existing provision which permits the co-opting of associate trustees. Trustees are in future to be

known as "directors" and the governing authority of the Honey Pool will be the board of directors.

Provision is also made to appoint directors for a period of not more than five years and, by staggering the appointment of the elected directors, this will ensure a continuity of experience among the board of the Honey Pool.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. H. C. Stubbs.

YOUTH, SPORT AND RECREATION BILL

Second Reading

Debate resumed from the 19th September.

THE HON. A. A. LEWIS (Lower Central) [5.11 p.m.]: I shall not hold up the House for any length of time on this Bill. Yesterday the Hon. Tom McNeil had a few words to say on how fortunate his province was to receive a telecast of the football finals. I, myself, have had in the past a few words to say in this House about the televising of the football finals. I would like it recorded that it might have been my outspokenness which caused the whole of my electorate, and the electorate of the Leader of the House and of yourself, Mr Deputy President, to be the only places in the country areas of this State which are not to receive a telecast of the football finals.

The Hon. D. K. Dans: You would not want a telecast of last week's match.

The Hon. A. A. LEWIS: The electorate of Mr Knight and most of Mr Gayfer's area are covered.

The Hon. O. N. B. Oliver: I thought this was a hardy annual of yours.

The Hon. A. A. LEWIS: It is a hardy annual.

The Hon. H. W. Gayfer interjected.

The Hon. A. A. LEWIS: I think the honourable member, having heard the introductory speech of the Minister on the Honey Pool Bill, is getting confused.

I can see no reason that an area, like Walpole, should not be provided with a telecast of the football finals, while Gnowangerup and Albany receive this advantage. It is not because of the location of the translators that the people in the bush are prevented from being provided with a telecast of the football finals. I am glad Mr Gayfer agrees with me.

The Hon. H. W. Gayfer: Most emphatically.

The Hon. A. A. LEWIS: There are some areas in the State which are not covered by the

televising of the football finals. We in this House have put up a rather bi-partisan approach to the televising of the football finals; and Mr Stubbs, Mr Leeson, Mr Tom McNeil, and others have spoken at length on this subject.

The Hon. H. W. Gayfer: And in a very fair manner.

The Hon. A. A. LEWIS: Most of us agree on this; and even Mr Leeson and I agree in supporting the same football team. However, we do not agree very often on agricultural matters, but we do agree in supporting the same football team.

Despite the interjection of the Leader of the Opposition, I would have liked to see a telecast of last week's football match.

The Hon. D. K. Dans: I said that you would not want a telecast of last week's match.

The Hon. A. A. LEWIS: I believe that the football followers in my electorate should be given the privilege of seeing a telecast of the football finals. I shall not desist in my pleas to the WANFL until all the country areas are provided with a telecast of the football finals, just as they receive telecasts of the ordinary football matches throughout the year.

THE HON. G. W. BERRY (Lower North) [5.15 p.m.]: I rise to support the Bill. It repeals the Youth, Community Recreation and National Fitness Act, 1972. If we look at that Act we find it repealed the National Fitness Act, 1945, the amended Act of 1959, and the Youth Service Act, 1964. This will be the fourth Statute on the books in relation to this matter. These Statutes have been passed in an endeavour to get national fitness, sport, and junior recreation on the proper rails. Exactly what the proper rails are, of course, is a good question.

In the Minister's second reading speech the following comments appear—

The Bill acknowledges that clear ministerial responsibility and accountability for the State's recreation service should be established.

The functions of the new committee will be to advise the Minister on matters pertaining to community recreation, which includes sport and youth activities, and will examine and report to the Minister on any matters referred to it by the Minister.

The Minister's second reading speech did not spell out the disabilities and shortcomings of the previous Youth, Community Recreation and National Fitness Council of Western Australia and did not give the reasons that it was not

functioning in the manner in which it was intended to function. I appreciate it might have been a very unwieldy organisation, because it consisted of four senior public servants and not less than 15 or more than 20 other persons appointed by the Minister.

I must agree with the Opposition that the Minister's second reading speech did not contain a very good explanation regarding the real reasons for the introduction of this Bill.

The Hon. R. Hetherington: It never does.

The Hon. G. W. BERRY: I will not say the Minister's second reading speech never contains a good explanation; at times it does.

The Hon. R. Hetherington: It is getting rarer.

The Hon. G. W. BERRY: The Hon. Robert Hetherington may not have been able to understand it; but I was able to understand the reasons set out in the Minister's second reading speech. However, on this occasion I am of the opinion the information was insufficient. I should like to hear more about the shortcomings of the statutory body which is to be repealed.

The new body which is to be set up does not have as many members as the previous body. The proposed youth, sport and recreation advisory committee has only seven members. That is a much smaller number of members than we had on the council. As a result, fewer people will have to function under this Act. The advisory committee will have the power to appoint a subcommittee or subcommittees. That proposal may streamline the situation and may make it easier to achieve the aims of the Government. It should result in matters being referred to the youth, sport and recreation advisory committee in a more efficient manner than has happened in the past in the operations of the council.

With those few remarks and with the explanation of the Minister, I support the Bill.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.19 p.m.]: I thank members for their contribution to the debate. I was somewhat disappointed that members opposite were not able to support the Bill completely; but we must all agree that leisure is of growing importance not only economically, but also physically. I think we were all somewhat amazed to find a sum of \$400 million had been attributed to recreation in Western Australia; but this figure is probably quite small when we view it in relation to the effect on our health through lack of physical exercise. We should look also at the situation in regard to hospitals where one bed is required for every 5 000 people. The cost of keeping our community healthy is very high. I

cannot help feeling, as many other members must feel, that we would be much healthier if we took part in more physical exercise, sport, and recreation.

With this in mind, the Government felt it should be doing more to encourage physical exercise. It felt also that the body which had been set up under the Act would not prove suitable for the expanded role required of it.

The Hon. R. F. Claughton: Was it proving suitable or was it not?

The Hon. D. J. WORDSWORTH: It was felt the body was not suitable in view of the expanded needs of the community.

The Hon. R. F. Claughton: In what way was it being shown not to be suitable?

The Hon. D. J. WORDSWORTH: The member should give me time, because I am coming to that point. When the council was set up it was a new idea. At that time we were reluctant to have an Act of Parliament to cover the field of recreation. The council has made a major contribution. We have had time to watch its activities. Certainly in my electorate, in the town of Esperance, a large contribution has been made. One of the major projects is a heated swimming pool which has been of undoubted benefit to the town.

The expansion of the original council into a department is indicative of its success, rather than of its failure. I feel that, had there been any reservations on the part of members, they might have been in relation to the fact that we were setting up another department, rather than to any other reason.

The Hon. R. F. Claughton: I did make some objections along those lines and "expansion" does not seem to be the right word to use. It is supposed to be a small department.

The Hon. D. J. WORDSWORTH: It is certainly expected to be a small department. I know all members will join with me in the hope that it remains that way. The present Minister has found the organisation, as it stands today, is not really suitable for an expanded role. One of the problems experienced with the present Act is the ambiguity of the roles of those it covers. It does not seem to differentiate sufficiently between the responsibilities of the Minister and the statutory body itself. Members will appreciate the new structure proposed, under which the department is responsible to the Minister and an advisory committee is set up, will definitely place the responsibility fairly and squarely on the Minister.

Comments have been made on the reduced size of the advisory committee. There will be seven members only. It is felt it is better to have a smaller organisation which is able to reflect the feelings and needs of the community, rather than to have a larger body representative of various organisations. In other words, the members of the council represented different organisations, whereas it is expected the members of the advisory committee will reflect the diverse needs of the community to a greater extent. Undoubtedly times have changed in relation to leisure, work, the unemployment situation, and youth in its associated spheres since the original Act was introduced.

The new committee will have an advisory role. It will advise the Minister and the department. The current 24-man body has a dual role. Not only is it an advisory body, but it has also an executive responsibility. This resulted in difficulties and held up a certain amount of the decision-making which was required.

It is worth noting that over 50 per cent of those employed by the present council—and the situation will be the same in relation to the new department—are located within the community. It is felt they too should be able to reflect the feelings and the needs of the community.

Members opposite asked in what manner Western Australia would be represented on the Commonwealth National Fitness Council. For the information of the House, the Commonwealth National Fitness Council is no longer in existence.

We seem to have had a number of debates on football and the televising of finals for country areas. While this is a good venue in which to voice such matters, I feel perhaps members have not had time to watch a very good television series which has been shown recently. That series relates to the various means by which we should keep healthy. I thought the programme tended to encourage one to turn off the television and take the dog for a walk; but I imagine that is not applicable as far as football finals are concerned. I hope the points which have been made will help to obtain a better service for the more remote country areas.

I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. D. W. Cooley) in the Chair; the Hon. D. J. Wordsworth (Minister for Lands) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Repeal—

The Hon. R. F. CLAUGHTON: I had hoped the Minister would give more substantive reasons for the action taken by the Government in repealing the existing legislation. The closest the Minister came to providing such reasons was in his explanation in respect to the seven-member committee which is to be established.

The Minister suggested the existing council members were representative of particular groups in the community, whereas the members of the proposed committee would be representative of the community in general, if I understand correctly what he said.

The Hon. D. J. Wordsworth: Yes.

The Hon. R. F. CLAUGHTON: I could accept that as something of a reason until I look at the list of members of the council in the 1976-77 annual report. If members check through that list they will find not a great deal to support the view put forward by the Minister. I have no doubt some of the members are representative of specific groups but the majority are people with a broader interest.

The chairman was Mr Dettman, who is well known to members. The deputy chairman was Professor Bloomfield, and the director was Mr Graham, who I presume will remain a director in the new organisation. The statutory members included Dr Mossenson, the Director General of Education, and Mr Maine, the Director of the Department for Community Welfare, who will continue to be a member. The councillors were Mrs Chester, and I am not sure whether she represents a specific organisation; Mr Coffey, who holds a Diploma of Local Government from the Perth Technical College; Mr Ken Colbung, who would be representing Aboriginal interests; Mrs Craig, MLA, and I am not sure who has replaced her; Mr G. J. Crisp, who has qualifications in pharmacy and whose term expired in 1977; Mr B. H. Durston, who is a Master of Education and who obviously has wide interests in education and could hardly be considered as being representative of a specific sporting or recreational group; and so on. The persons on the council are of a type the Minister is suggesting would be on the smaller body.

All I can say is we would be inevitably losing much of the value to be derived from these very competent people, so I cannot see that the proposal put forward by the Minister would be an improvement.

I do not think the Government would claim that the Museum Board, for example, had

prevented the expansion of the Museum. It has been developed with a great deal of integrity and has achieved high international standard.

The Hon. D. J. Wordsworth: Does it have 24 members?

The Hon. R. F. CLAUGHTON: No.

The Hon. D. J. Wordsworth: How many does it have?

The Hon. R. F. CLAUGHTON: Seven.

The Hon. D. J. Wordsworth: It is a coincidence, is it not?

The Hon. R. F. CLAUGHTON: The purposes of the two bodies are quite different. I am talking about the Minister's claim that the replacement of the council with an advisory committee would expand the role of the permanent officers. I do not think that is correct. I am pointing out that the existence of the Museum Board has not prevented the expansion of the Museum. The Museum has expanded considerably and has achieved recognition for the quality of the work its staff has performed. It has very high standing internationally and also, of course, within Australia. The Minister was labouring hard to make a point with that kind of suggestion. When we look at the experience with boards elsewhere, in no way can that be accepted as a reason for the change the Government has proposed.

I can see from the responses of Government members who have spoken that the Bill will go through. That is a shame. We can only assume the Government has decided to take this step because someone has had what was thought to be a bright idea, or the Government has taken exception to a member of the council and said it would fix that by getting rid of the council. I am not suggesting that is the reason but it is all we are left with. No substantial reasons have been given for the change. We have only to look at the annual report to see the scope of the work that has been done under the present arrangement.

The Hon. Tom McNeil: That does not mean to say it will diminish under the new set-up.

The Hon. R. F. CLAUGHTON: It does not mean to say it will improve under the new set-up. If we are making a change we would expect to be given some reason for it. I am not one who says, "That is the way it has been and that is the way it should always be." The Labor Party is not like that. We take some pride in the fact that it is a reformist party, and we like to see things improved. But we cannot see that there will be any improvement under the set-up proposed here.

The Hon. Tom McNeil: Just because some people on the council are being lopped off.

The Hon. R. F. CLAUGHTON: That is not the reason.

The Hon. Tom McNeil: That is the point you are making, that a committee of seven cannot perform as well as the bigger council.

The Hon. R. F. CLAUGHTON: I turn it around. I think the Government has an obligation to provide us with reasons for lopping them off.

The Hon. Tom McNeil: It sees a benefit in the situation.

The Hon. J. C. Tozer: And it is an advisory body, not an executive body.

The Hon. R. F. CLAUGHTON: The Government has some obligation to explain precisely how it will be done. It is one thing for the Government to say it intends to streamline an organisation, and another thing for it to say that will be an improvement.

The Hon. Tom McNeil: We will not know until we try it.

The Hon. R. F. CLAUGHTON: I would hope the Government's reasons are more substantial than just change for the sake of change, as the honourable member is suggesting.

The Hon. G. E. Masters: There will be benefits from it. That is the purpose of it.

The Hon. R. F. CLAUGHTON: It is one thing to make that assertion, but I hope we have given the Minister an opportunity to demonstrate to us that those improvements will take place. I have suggested that members look at the record of the body, study the annual report, and see what it is doing. They must admit it has been a very progressive body.

The Hon. Tom McNeil: Were you one of those who opposed the formation of the existing council when the number of people serving in an advisory capacity was reduced?

The Hon. R. F. CLAUGHTON: I do not want to repeat all that was said in the debate in 1972. Had the honourable member checked through it he would have seen a report was made to the Government at that time by the pre-existing bodies, with recommendations that the change be made. Those people were already operating the pre-existing organisation, so we had good reason to support it. I did not oppose it.

In this particular case the council has warned us to be aware of the onset of institutionalisation and bureaucracy. I would have thought the present arrangement was the best safeguard against that and presented a strong argument against doing what the Government proposes.

I will not say any more because it is obvious from the speeches made by members opposite that the Bill will be passed; but I am disappointed the Government has not had the courtesy to provide real reasons for the Bill. It has every appearance of being change for the sake of change, or else there has been some conflict between the Minister and the council and the change is being made out of spite. I hope that is not the reason.

The Hon. D. J. WORDSWORTH: I think I have adequately covered the reason that the size of the advisory board is being reduced. There is a changing role. The Minister has indicated that he is agreeable to a suggestion by the Hon. Tom Knight that local government be represented and is willing to have the Local Government Association submit a panel of three names from which he will select a member. Undoubtedly local government will have an important part to play.

I do not think it is necessary for me to go through the members of the present council individually to see what their leanings are. The new body is expected to be advisory, whereas the present 24-member council has had an administrative function. Obviously it is very difficult for a body like that to be responsible for day-to-day administration. When the Government department is established it will make the day-to-day decisions, and referrals back to the Minister will be made more quickly. Any tendency towards bureaucracy will certainly be outweighed by a bit of quick decision-making.

Clause put and passed.

Clauses 5 to 10 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

ACTS AMENDMENT (QUALIFYING AGES ALTERATION) BILL

Second Reading

Debate resumed from the 19th September.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [5.46 p.m.]: We support this Bill. We think it is quite reasonable that people, who are able to enter the professions of physiotherapy, optometry, and chiropody earlier than the age of 21 by virtue of the fact that they are able to graduate at a younger age, should be able to do so. In addition, there is the fact mentioned by the Minister that the Age of Majority Act, 1972, reduced the age of majority from 21 to 18 years. Therefore it is a reasonable proposition that the three Acts should be amended in this way.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.47 p.m.]: I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

SMALL CLAIMS TRIBUNALS ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 19th September.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [5.49 p.m.]: The Opposition agrees with this Bill. The proposed amendments tidy up some small areas of legal conflict, and we see no reason to delay its passage.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Sitting suspended from 5.51 to 7.30 p.m.

PUBLIC SERVICE BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [7.34 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to repeal the Public Service Act, 1904, as amended, and to provide a new Act to regulate the Public Service. The Bill is a significant step forward in the re-appraisal and upgrading of the administration and operation of the Public Service.

Since 1904, when the current Public Service Act was enacted, the Public Service has had to accept responsibility for a wide and diverse range of functions. To carry out these functions effectively and efficiently the service must be capable of employing modern management and personnel practices to the fullest possible extent.

Under the existing legislative framework there are some deficiencies and restraints in this regard.

The major emphasis of the current Public Service Act is on a rigid oversight of departments by specific direction, by detailed approval, and administrative control. In many instances the Act prescribes in detail the forms of such control, resulting in the necessity to deal with many matters administratively, in a cumbersome way.

Public Service management has much in common with commercial business management. In both cases the essential features are the ability of the organisation or group of organisations to adapt readily to changed circumstances and to react in a quick and decisive fashion to the requirements and directives of the controlling authority—in this case, the Government.

The Government holds the view that these fundamental aims can best be attained by utilising a flexible charter, under which a Public Service Board is responsible for fostering managerial and personnel techniques which stress the setting of standards of efficiency, and for monitoring performance of departments by comparing achievements with objectives. At the departmental level a much closer matching of authority with accountability is envisaged.

This Bill provides for a new Act incorporating these concepts. A deliberate attempt has been made to avoid lengthy and repetitious provisions which are a feature of the existing Act, but are only ancillary to the prime function of promoting the effective, economical, and efficient operation of the Public Service.

The Bill is the outcome of extensive investigations and research by the Public Service Board. There has been an examination of Public Service legislation of the Commonwealth and other States. A close study has also been made of reports and recommendations of the several commissions and committees of inquiry that have examined the structure, management, functioning and staffing of Public Services of South Australia, Victoria, the Commonwealth, and New South Wales.

From time to time consultation with the Civil Service Association has been undertaken by the Public Service Board and the association has on a number of occasions presented its views on legislative requirements to the Government and the Public Service Board. The basic concepts and principles of the Bill have been discussed with the association and a number of suggestions made by that organisation have been incorporated in the Bill.

Other suggestions and representations relating mainly to conditions of services which will be covered by administrative instruction are being considered by the board and will be discussed with the association before the Bill is proclaimed.

The principal features of the Bill are—

- (1) Elaboration on the general powers and duties of the board in relation to promoting efficiency and economy in the Public Service.
- (2) Provision for the Governor on the recommendation of the board to create, abolish, and amalgamate departments and for the board to make all consequential changes in the management, personnel, structure, etc.
- (3) Definition of the general responsibilities of a permanent head with greater powers to the Governor and the board to transfer permanent heads or replace them in cases of sickness or incapacity, etc. It is also intended to make term appointments for permanent heads and senior officers wherever deemed necessary.
- (4) Reduction of the volume of Executive Council papers by extending the power of the board in relation to personnel matters of less significance.
- (5) Redefinition of the powers of the board to recruit and appoint persons to the Public Service. This will give the board a discretionary power to either waive standard conditions of appointment or to impose special conditions in particular cases.
- (6) Provision for the board to monitor ministerial appointments in Public Service departments.
- (7) Abolition of seniority with all promotions being determined solely on the basis of merit and efficiency.
- (8) Inclusion of promotional appeal rights in the Public Service Act.
- (9) Extension of the types of Public Service employment to include casual, contract, and part-time.
- (10) Correction of some defects in the disciplinary sections of the existing Act.
- (11) The publishing of Public Service notices in a gazette apart from the *Government Gazette*. It is also intended to use this inter-service notice paper for training, general advice and general information purposes as well.

- (12) Abolition of the requirement for married women to seek approval to continue in Public Service employment upon marriage.

- (13) Operational requirements of the board to be promulgated and implemented largely by administrative instructions.

The Bill provides for the continuation of the existing Public Service Board comprising three commissioners, one being appointed as chairman and another as deputy chairman. The term of appointment for the chairman remains unchanged at seven years, and for the other two commissioners at five years. In all cases the commissioners are required to retire on attaining the age of 65 years unless the Governor approves of an extension of services beyond that age.

The prime function of the board is to promote and maintain effective, efficient and economic management and operation of the Public Service. The board will have the power to create, transfer, and abolish offices, to appoint, promote, transfer, retire, and dismiss officers, and to determine salaries, allowances, and certain conditions of service. The board is also empowered to conduct such inspections, inquiries, and investigations as it considers necessary.

Consistent with the basic concept of a flexible business charter, the board's powers are broadly stated so as to enable it to act positively and in a meaningful manner to changes in circumstance or requirements of Government.

An important tool in the fostering of the highest possible level of efficiency and economy is the power vested in the board to issue administrative instructions. These instructions will enable quick and effective changes to be made as required. They will also enable the Public Service to take up on an ongoing basis management skills and operational techniques most suited to current needs. It is intended that the administrative instructions be published in the Public Service notices gazette.

There is also provision for the Governor on the recommendation of the board to make regulations. It is anticipated that the regulations will be confined to areas which are not subject to frequent alteration and which relate to matters of Government policy; for example, conditions covering leave of absence.

The Public Service will continue to consist of departments and sub-departments and the Governor on the recommendation of the board may establish, amalgamate, divide, or abolish departments and sub-departments.

The board is empowered to specify the disposition of offices and officers and to make such other consequential changes necessary to give effect to a change in departments or sub-departments.

There is provision for any Government organisation outside the existing Public Service to be constituted as a department or sub-department, and for the staff of any such organisation to be appointed under the Public Service Act.

A feature of the Bill is the new arrangement in relation to permanent heads and senior officers. It is clearly stated that the permanent head is responsible for the general management of his department and is required to work with the board for the purpose of achieving the most effective and efficient result.

In addition to the present system of normal career appointments there is provision for permanent heads to be appointed for a term not exceeding seven years.

Another feature is the establishment of a new designation called "Senior Office". The occupants of these positions will undertake the more responsible administrative and/or professional functions of the Public Service. Senior officers, like permanent heads, will be appointed by the Governor and may be appointed for a term not exceeding seven years.

There are further provisions which enable the Governor on the recommendation of the board to terminate the services of a permanent head or senior officer or transfer the officer concerned to another position if the board is satisfied that the officer is not discharging his duties efficiently.

The aggregate effect of these provisions should ensure that only persons who possess the requisite skills to manage departments effectively are appointed as permanent heads and senior officers. If, for any reason, these officers lose those skills the way is open for their redeployment or replacement.

The board's power to staff the Public Service has been made more flexible and the routine machinery associated with this activity will be contained in administrative instructions.

The existing Public Service Act is unnecessarily restrictive in that it operates on the premise that persons are employed full time in a permanent capacity with a limited number of temporary engagements. Because of the nature of demands made on the Public Service of today, and bearing in mind existing social attitudes, there is a need to employ persons, especially those possessing particular skills or expertise but who are not

available for full-time employment. Provision has therefore been made for persons to be engaged on a full-time, part-time, or casual basis, or under contract.

It is anticipated that the numbers of part-time, casual, or contract appointments will not be large. Overall the concept of a career Public Service will be maintained, but a greater degree of flexibility in the nature and type of appointments than currently exists is essential for the well-being of the Public Service.

For a number of years the board has been concerned that some appointments of salaried staff in departments have been made outside the Public Service Act. An interdepartmental committee on appointments to public offices was appointed some years ago to inquire into the matter. The committee recommended that all appointments of salaried staff of or attached to departments be made under the Public Service Act. The Government fully endorses this recommendation and provision has been accordingly made in the Bill so that where it is appropriate, appointments will be made under the Public Service Act.

The Government believes that there should be a consolidation and reduction in the number of Acts relating to public servants. With this in mind promotional appeal rights for public servants have been incorporated in the Bill and on the legislation being passed consequential amendments will be required to abolish such rights under the Government Employees (Promotions Appeal Board) Act.

This brings me to another major step in the upgrading of the Public Service. I refer to the elimination of seniority ratings. Promotions will be made on the basis of merit and the capacity to perform efficiently the duties of the vacant higher office. Seniority will no longer be a specific ground on which an officer may appeal against the recommendation to promote an applicant to a particular vacant office, and the grounds of appeal have been widened to provide for any claim whereby superior merit may be established.

No change is made in the constitution of the Promotions Appeal Board. The chairman continues to be the Public Service Arbitrator and there is an employer representative nominated by the Public Service Board and a representative of the appellant to an appeal.

Disciplinary aspects of the Public Service have been reviewed and recast. The Bill clarifies and restates the acts of commission or omission that constitute an offence. It also specifies various penalties ranging from reprimand to dismissal.

In line with the general tenor of the Bill there is an emphasis on flexibility with different options being open to a permanent head or the board to deal with disciplinary matters. The board is given a monitoring role in that it can confirm, reverse, or otherwise vary any disciplinary action taken by a permanent head against an officer of his department.

Another change relates to minor offences which under present circumstances can be dealt with only by suspending and charging the officer concerned. The Bill allows a permanent head to reprimand or to fine an officer up to a sum of \$25 without laying a charge. The officer has a right of objection to this procedure and if he exercises that right the permanent head shall charge the officer with the offence. The procedures regarding offences would then apply, including the right of appeal by the officer.

Provisions have been drafted to deal with charges against permanent heads. These provisions enable either the Minister or the board to charge a permanent head with an offence and for the board to furnish a report to the Governor, such report to include a recommendation as to the penalty or penalties to be imposed which may range from a reprimand to dismissal.

All officers, including permanent heads, have in disciplinary matters a right of appeal to the Public Service Appeal Board. Officers, except with the express permission of the board, will not be allowed to undertake work or hold positions not associated with their official duties.

Officers should not find themselves placed in a conflict of interest situation, or be distracted from the proper performance of their duties by outside interests. Therefore the board has been given a discretionary power to determine the circumstances under which non-Public Service employment may be undertaken.

The Bill includes basic long service leave and annual leave entitlements and public holidays, it being considered that in these matters authority to effect any variation should lie with Parliament. The day-to-day machinery and procedural aspects of leave of absence will be governed by regulation or administrative instruction.

Appropriate transitional provisions have been incorporated in the Bill to ensure continuity of all offices, appointments, actions, etc. dealt with under the old Act, which is to be repealed.

This measure to upgrade Public Service legislation is an integral part of the review of the structure and machinery of the Public Service initiated by this Government and is aimed at enhancing total government performance by the

utilisation of modern and positive Public Service administrative processes.

It is my intention to move an amendment to clause 36 of the Bill during the Committee stage to cover a possible situation in appeal cases which was raised during debate on the Bill in another place.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

ACTS AMENDMENT (PUBLIC SERVICE) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [7.52 p.m.]: I move—

That the Bill be now read a second time.

This Bill is consequential to the Public Service Bill, and incorporates amendments to the Government Employees (Promotions Appeal Board) Act and to the Public Service Arbitration Act.

With the proposed inclusion of promotional appeal rights for public servants in the new Public Service legislation, this Bill deletes all references to such rights from the Government Employees (Promotions Appeal Board) Act.

The amendments to the Public Service Arbitration Act are, firstly, a matter of updating all references to the Public Service Act to conform with the new legislation and, secondly, to ensure that rights of appeal for public servants against dismissal are preserved.

This is a long-standing right that was originally contained in the Public Service Appeal Board Act, now repealed, and is currently included in the Public Service Arbitration Act.

I commend this Bill to the House.

Debate adjourned, on motion by the Hon. R. F. Cloughton.

VALUATION OF LAND BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MACKINNON (South-West—Leader of the House) [7.58 p.m.]: I move—

That the Bill be now read a second time.

This measure is the first of three Bills to give effect to recommendations made by the committee of inquiry into rates and taxes attached to land valuation.

The committee was appointed in conformity with an undertaking given by the Government to conduct the inquiry.

The committee of five, chaired by Mr Gerald Keall, conducted the inquiry over a period of eight months during which it received and considered over 120 submissions from individuals, associations and organisations, local authorities and departments, as well as studied a great deal of statistical and other information.

In addition, approximately 50 individuals, either on their own account, or representing organisations, gave verbal evidence to the committee.

The completed report, which contained 37 recommendations, was submitted to the Government and in 1976 was made publicly available and specifically forwarded to all the rating and taxing authorities for comment on the recommendations.

This Bill for the enactment of a Valuation of Land Act, embodies a number of the recommendations made by the committee of inquiry.

These are—

the placing under the control of a valuer general the recording, co-ordination and making, as far as is practicable, all valuations for rating and taxing purposes;

defining the various types of values to be used;

providing for the application of values;

making provision for the production of valuation rolls;

providing for a uniform procedure of objections; and

appeals against the valuations determined.

The following comments are provided on each of these proposals.

Currently most of the valuation work is carried out by the Commissioner of State Taxation and the various rating and taxing Statutes empower him to perform this duty and lay down the valuation procedures to be followed.

There are other provisions which permit, under certain conditions, local authorities to either employ their own staff valuers or employ private valuers to determine valuations. Further comments on these provisions will be made at a later stage.

Although, in fact, the commissioners, both past and present, have never arbitrarily instructed their officers, who are qualified valuers, to reduce or increase values, nevertheless, it has been pointed out that as the law now stands the commissioner, as a revenue collector of, for example, land tax, could do this.

In the interests of ensuring that valuations used for tax and rating bases should be completely unbiased, the Bill contains a provision to create the office of valuer general and place under his sole control the determination of values.

Thus, the function of determining values, dealing with objections to values and defending appeals against values, will be completely divorced from the commissioner's functions of tax collection.

In other words, the commissioner, like any other rating or taxing authority, will be supplied with values by the valuer general and have no authority in respect of their determination.

The creation of a new valuation section separated from the State Taxation Department was considered, but deemed to be undesirable in view of added costs which would need to be borne by the ratepayers and taxpayers.

The Bill provides for the valuer general to have the general administration of the Act and specifically provides that in valuing land he shall exercise independent judgment and not be subject to direction from any person.

Mention was made earlier to local authorities employing their own staff valuers and their use of private valuers.

The City of Perth is the only local authority employing its own staff valuers and, in discussion with its representatives, advice has been received that the council wishes to continue the employment of its own staff for City of Perth rating valuations.

One of the reasons given is that the council is able, because of its relatively small area in the State, to revalue each year.

The valuer general who will have to supply values for the whole State, including the City of Perth area, will not be able to meet this requirement from the physical resources which will be available to him.

He will carry out a revaluation every three years of the City of Perth area.

However, under the provisions in the Bill, each time the valuer general revalues the City of Perth area, the valuations of the city valuer and the valuer general will be brought into line.

In response to the request from the Perth City Council, legislation will be introduced at a later stage containing special provisions to permit the council to continue with its existing employment of valuers and determination of values.

In respect of the employment of private valuers, the Bill contains provisions firstly, for the valuer general to engage private valuers for specific assignments, if required, but under his direction and, secondly, to permit the employment of private valuers by local authorities under specified conditions determined by the valuer general and set out in this Bill.

In all of these requirements the valuer general, under the proposed provisions, will retain full access to the valuations and maintain his co-ordination role.

Under the definitions in the Bill and its provisions the various types of valuations—namely, capital value, gross rental value, site value, assessed value, and unimproved value—are described and the methods of determination set out.

One of the principal changes in the bases of valuation is the adoption of "gross rental value".

Currently a value described as an "annual value" is determined in accordance with various Statutes. This is done by assessing a "gross rental value" based on ruling rentals and then deducting varying statutory percentages.

The revised proposal will remove the deduction step and produce a figure which is readily understandable by ratepayers. Although this means the figure will be higher, it does not follow that the rate payment will be higher.

"Gross rental value" is only used for rating and in every case the rating authority has power to vary the rate applied to the valuation base. Variations in valuations do not have any influence on the amounts paid. This is determined by the rate struck.

As well as producing an easily understood rating base, the "gross rental value" will remove the additional work associated with a statutory deduction.

Provision is made in the Bill for the valuer general to make general valuations of rating or taxing districts and to publish in the *Government Gazette* and local newspapers the valuation

district to which the valuation is to apply, together with the date on which it is to come into force.

The valuer general is also required to publish which rating or taxing authorities will be using the valuations, the place or places where the valuation is open for inspection, and the time within which an objection to any valuation may be made.

Under these conditions ratepayers and taxpayers will be given ample notice of the valuation and time to object. In addition, the rate or taxpayer may object, within the stipulated time, after receipt of his assessment provided, of course, only one objection is lodged annually.

In the event of a person not receiving the notification or, for some other reason is unable to lodge an objection in time, the valuer general, for reasonable cause being shown, has the power to extend the time for lodgement.

Provision is made for the valuer general to make interim values for rating or taxing purposes such as for new subdivisions or new improvements taking place between general revaluations. In these cases the values determined will have to be related to the values ruling at the last general valuation.

Included in the Bill is power for the valuer general to produce valuation rolls for each valuation district. These rolls, when produced, will be available to the public. However, they will not be immediately available but will be brought into use as early as arrangements for their production can be made.

It is intended, in due course, to take advantage of computer processing and to this end a number of studies are currently being undertaken in various areas concerned with land and valuation records.

Important provisions in the Bill now before members are the proposed arrangements for objection and appeal. Currently, no rating or taxing Act, which imposes a rate or tax based on valuations, other than the Land Tax Assessment Act, contains provisions for a ratepayer or taxpayer to object.

In addition, these Acts all set up a variety of appeal conditions which generally require the appellant or his representative to appear before the particular board, court, or a Minister. This procedure is time consuming for the appellant and sometimes costly.

Under the Land Tax Assessment Act it has been proved that, except in a very few cases, a simple objection procedure has settled the

disputed valuation at minimum cost in time and money.

Under the proposed arrangements any ratepayer or taxpayer will be able to make a simple objection by letter and, if he wishes, discuss his objection with the valuer responsible for the valuation.

If, however, he is dissatisfied with the decision of the valuer general he may direct the valuer general to submit the dispute to an appeal tribunal to be specially set up to deal with valuation matters.

A contentious matter in existing procedures has been the inability of an appellant to make comparisons of his valuation with other valuations in force to attempt to prove that the valuation determined for his land is unjust.

Provision is made in the Bill to allow this comparison as a ground for objection.

Generally the provisions relating to objections and appeals are welcomed by those concerned because they will simplify and cheapen the procedures and provide a uniform approach to all valuation disputes.

The other provisions in the Bill relate to administration, transition, inspection of land, buildings, documents, supply of information, concessional valuations, and secrecy. In respect of the last two matters, the power to make concessional valuations is to preserve certain rights of ratepayers which appear in the Local Government Act.

Secrecy is necessary to keep on a confidential basis information obtained from individual taxpayers or ratepayers about their own affairs relating to land owned by them. However, certain information can be supplied with the Treasurer's approval if it is in the public interest to do so.

The proposals contained in this Bill have been discussed with all affected departments, the Local Government Association, and the Australian Institute of Valuers, and are generally acceptable to all concerned.

It is proposed that the legislation will come into effect on the 1st July, 1979. This will give time to make the necessary preparations and set up appeal tribunals.

The Bill is designed to give this State uniform provisions for making valuations for rating and taxing purposes, removing anomalies in the existing law, simplifying procedures, and enabling improved efficiency in the control and co-ordination of values, together with common objection and appeal procedures. It is the product

of a great deal of thought by those concerned both inside and outside Government.

While understandably it does not contain every suggestion put forward, it gives a sound base on which to build an improved valuation service to Western Australians.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

LAND VALUATION TRIBUNALS BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MACKINNON (South-West—Leader of the House) [8.08 p.m.]: 1 move—

That the Bill be now read a second time.

This is the second of the measures which are the result of recommendations made by the committee of inquiry into rates and taxes attached to land valuations.

When introducing the Valuation of Land Bill, reference was made to the introduction of a simple objection procedure which would provide that if a taxpayer or ratepayer is dissatisfied with the decision of the valuer general, on his objection the disputed valuation could, at the taxpayer's or ratepayer's direction, be referred to a special tribunal for determination. The object of this Bill is to authorise the establishment of these tribunals, and detail their powers, procedures, and jurisdiction.

Under the current law there are no fewer than 20 boards and courts which are involved in hearing and determining valuation disputes. They are set up under nine Acts and are by no means uniform in jurisdiction or procedure. All of these arrangements are somewhat confusing to ratepayers and taxpayers.

For example, an individual follows one procedure to object to and appeal against the valuation determined for his land tax, and another with a different court to appeal against the same valuation for his land used for local authority rating purposes. There are other boards dealing with valuations for water supply purposes.

In order to simplify procedures, reduce appeals, and thereby expense, this Bill provides for establishing tribunals to deal with all appeals on valuations and associated rating and taxing matters. Provision is made, if necessary, to set up

more than one tribunal. However, with the introduction of an objection system instead of the current direct appeal system it is confidently expected that the number of appeals will be markedly lower.

A tribunal will consist of three members. The chairman is to be a legal practitioner of at least eight years' standing and practice. One member is to be a qualified valuer and one member is to be a person who will represent the rate and tax paying public. He will be nominated for appointment by the Minister for Consumer Affairs.

There is one obvious stricture in the Bill on the qualification for appointment of a member of a tribunal; that is, no person employed in the Public Service or a rating or taxing authority is eligible for appointment. The disqualification of public servants will ensure that no person employed by the valuer general can be involved in deciding appeals against valuations made by the valuer general.

There are the usual provisions relating to the term of office, vacancies, dismissals, resignations, meetings, quorums, and remuneration.

Attention is drawn to one special provision; that is, the provision which requires the chairman to sit alone where any matter not dealing with land valuation is before a tribunal. This is because these matters generally will be of a legal interpretation nature and the chairman will be the only legally qualified person on the tribunal.

Any decision involving a question of law may be appealed to the Supreme Court, if the appellant is dissatisfied with a tribunal's decision.

A registrar is to be appointed to maintain records and carry out duties to facilitate the work of a tribunal. Provision is made to appoint any other officers required.

A tribunal is to hear any appeals properly brought before it, and the procedure for making appeals is detailed in the Bill. The procedure and practice for hearing appeals which cover notices, witnesses, representation, and powers to obtain evidence are detailed in this measure.

There are three points of interest in these provisions. These are—

That although persons are compelled under penalty to supply to the tribunal relevant information, a person is not obliged to answer questions or produce written material which would tend to incriminate him.

That the proceedings will be public unless the tribunal otherwise determines.

That the tribunal has to give the parties written advice of its determination and in appropriate cases will publish its decision and the reasons for that decision.

The Bill has been examined by representatives of the rating and taxing authorities, including the Perth City Council, and is supported.

Coupled with the objection system it should make proceedings easier for ratepayers and taxpayers, provide a uniform system, and reduce costs.

The legislation is intended to come into effect on the 1st July, 1979.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

ACTS AMENDMENT AND REPEAL (VALUATION OF LAND) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. G. C. MacKinnon (Leader of the House), read a first time.

Second Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [8.15 p.m.]: I move—

That the Bill be now read a second time.

This Bill is complementary to proposals to introduce a uniform valuation of land system and a uniform system of objections and appeals for all rating and taxing authorities. In the main the amendments contained in the Bill are consequential for the purpose of uniformity in the terminology describing the valuation bases.

Currently a number of the Acts describe unimproved values as "unimproved values", "unimproved capital values", "capital unimproved values", and the other valuation base is severally described as "annual values" and "estimate net annual values".

These various descriptions will now become uniform in all Acts and be described as "unimproved value" and "gross rental value".

There are no fewer than 14 Acts which require valuations of various kinds to be amended. In addition, there are many amendments to be made to provide for the uniform application of the objection system and the appeal system to land valuation tribunals.

Currently in the existing legislation there are numerous separate boards and appeal courts of one kind and another, many with slightly differing

procedures, and some Acts allow objections before appeal, whereas others have no such procedure.

Again, many of the amendments in this Bill are for the purpose of providing a completely uniform approach based on a system of uniform objections and appeals.

There are, however, two matters contained in the Bill to which I would direct members' attention. The first is—

The special provisions for the Perth City Council which were outlined when introducing the Valuation of Land Bill.

As explained, the Perth City Council is the only local authority which employs its own valuation staff, and because of the relatively small area it serves, it provides an annual revaluation for its rating base.

The amendments to the Local Government Act provide for the Perth City Council to continue with its existing system, subject to the valuations coming into line with those of the valuer general each third year. The second matter is—

A provision which will limit the use of interim values by local authorities for rating purposes.

The Department of Local Government has made a survey of local authorities and as a result recommended that where a local authority has an interim valuation made, it does not apply this valuation for rating purposes to the remaining portion of the ratable year in which it receives these interim valuations, but that it be applied in the next rating year.

All of the provisions which affect the various Government departments and authorities have been discussed with those departments and authorities and are acceptable to them.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Grace Vaughan.

House adjourned at 8.17 p.m.

QUESTIONS ON NOTICE

RAILWAYS

Stations: Cycle Facilities

311. The Hon. R. F. CLAUGHTON, to the Minister for Lands, representing the Minister for Transport:

Would the Minister advise the level of use of the sheltered bike facilities on railway stations at—

(a) Midland;

(b) Fremantle; and

(c) Armadale?

The Hon. D. J. WORDSWORTH replied:

	Capacity	Regular usage
(a) Midland	16 Bikes	1
(b) Fremantle	15 Bikes	Nil
(c) Armadale	15 Bikes	6

TRAFFIC LIGHTS

Orrong Road-Wright Street Junction

312. The Hon. F. E. McKENZIE, to the Minister for Lands, representing the Minister for Transport:

- (1) Has any consideration been given for the provision of traffic lights at the Orrong Road-Wright Street, Carlisle, intersection?
- (2) If so, when is installation likely to be effected?
- (3) Will the lights be provided with "Walk" signs?

The Hon. D. J. WORDSWORTH replied:

- (1) No.
- (2) and (3) Answered by (1).

ASSISTANCE AND SECURITY CORPORATION

Flour Millers' Dispute

313. The Hon. D. W. COOLEY, to the Leader of the House, representing the Premier:

- (1) How many trucks were hired by the Government from the Assistance and Security Corporation during the flour strike?
- (2) For how many hours were the trucks used by the Government?
- (3) Was a quote given for the hire of the trucks?
- (4) (a) If the answer to (3) is "Yes", were any other firms or organisations asked to quote, and if so—
(b) what were the prices quoted?

The Hon. G. C. MacKINNON replied:

- (1) None.
- (2) to (4) Not applicable.

TRANSPORT

Public: Expenditure

314. The Hon. F. E. McKENZIE, to the Leader of the House, representing the Treasurer:

- (1) What percentage of the State's total operating expenditure has been allocated to public transport over each of the last two financial years?
- (2) In terms of annual capital expenditure, what percentage has been spent on public transport?

The Hon. G. C. MacKINNON replied:

The true import of the member's questions is not fully understood and it is therefore difficult to be certain that an answer is sufficiently comprehensive or fully discloses the total commitment to public transport.

However, in an effort to interpret the questions in their present form, the following information is supplied—

- (1) Expenditure by Westrail and operating losses on other transport undertakings met from Consolidated Revenue amounts to 14.2% of recurrent expenditure in 1976-77 and 1977-78.
- (2) The percentage of General Loan Fund spent on public transport was—

1976-77 18.6%;

1977-78 12.7%.

TRAFFIC

Patrols: Brand Highway

315. The Hon. D. K. DANS, to the Leader of the House, representing the Minister for Police and Traffic:

How many traffic patrols, either road or air, were on Brand Highway—

- (a) on the 1st September, 1978, between 8 a.m. and 12 noon; and
- (b) on the 5th September, 1978, between 11 a.m. and 3 p.m.?

The Hon. G. C. MacKINNON replied:

- (a) 2 patrol cars.
- (b) 3 patrol cars, 1 air patrol.

The answers apply to rostered vehicles only.

EDUCATION

Teachers: Holiday Pay

316. The Hon. R. HETHERINGTON, to the Minister for Lands, representing the Minister for Education:

As the Minister's answer to question No. 304 of the 14th September, 1978, refers to a teacher not forfeiting pay from the 1st January after failing to return to school on the first day of the first term, will the Minister now answer the question I asked, namely:

If no records are kept of teachers who have forfeited pay for failing to attend school on the first day of the first term, on what evidence does the Minister assert that teachers in the last ten years have in fact forfeited such pay?

The Hon. D. J. WORDSWORTH replied:

Question 252 on Wednesday, the 6th September, asked the Minister whether, in the last 10 years, the regulation whereby a teacher who is not back at school on the first day of term forfeits all holiday pay from the 1st January, had been enforced.

His answer was "Yes", because he was aware of the appeal to him, personally, by a teacher in this situation.

He did not need formal records to know that the regulation was being enforced when a specific case was drawn to his attention.

This should have been apparent on Thursday, the 14th September, in answer to question 304.

The Hon. R. Hetherington: What a lot of nonsense! I will ask a few more questions after that.

EDUCATION

High Schools: Farm Work Courses

317. The Hon. R. F. CLAUGHTON, to the Minister for Lands, representing the Minister for Education:

- (1) Is the Minister aware of a report in *The Sunday Times* of the 10th September, 1978 headed "High School Courses on Farmwork"?

- (2) Would the Minister advise whether the Government allowances referred to in the article are means tested?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
(2) No means test is applied.

TRANSPORT

Public: Submission to Federal Government

318. The Hon. F. E. McKENZIE, to the Minister for Lands, representing the Minister for Transport:

Will the Minister table the submission document presented by the State Government to the Australian Government in its effort to obtain the 1978-1979 grant for urban public transport improvement?

The Hon. D. J. WORDSWORTH replied:
No.

RAILWAYS

City Arcade and Central City Railway Station Booking Offices

319. The Hon. F. E. McKENZIE, to the Minister for Lands, representing the Minister for Transport:

- (1) Referring to the answer to question No. 306 on the 14th September, 1978, is it the intention of Westrail to eventually close the City Arcade booking office?
(2) If so, when is it to close?
(3) Will the Minister explain why a general purpose booking office will not be established at the City Station building when revenue collected at the City Arcade booking office continues to increase, indicating that the public requires such a facility within the Central City area?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
(2) On present indications, December, 1980, when the lease of City Arcade premises expires.

- (3) Because booking facilities will still be available through the Government Tourist Bureau and accredited travel agents in the central city area.

QUESTIONS WITHOUT NOTICE

TRANSPORT

Taxi Drivers

1. The Hon. R. F. CLAUGHTON, to the Minister for Lands representing the Minister for Transport:

Further to my questions of the 19th September, 1978, re taxi drivers, will the Minister advise what is the average increase in costs to a full-time driver as a result of petrol price increases?

The Hon. D. J. WORDSWORTH replied:

I thank the honourable member for giving notice of this question to the Minister's office. The following answer has been prepared—

The average increased cost due to petrol price increases since the fares were last reviewed, taking into account reduction in economy due to the use of emission control anti-pollution devices, is approximately \$533 per annum.

CIVIL RIGHTS

National Human Rights Commission

2. The Hon. R. F. CLAUGHTON, to the Attorney General:

Yesterday I asked a question without notice, and the Attorney General advised me to give notice of it. I now advise that the Attorney General's office was informed this morning of the following question—

- (1) Will the Minister confirm that Senator Durack had held long talks with this State to ensure active participation between Federal and State Governments as is suggested by the Senator's statement in *The West Australian* newspaper dated the 16th September?

- (2) (a) Were talks held between the Minister and Senator Durack?
(b) If so, will he give details of—
(i) the number of meetings held,

- (ii) what topics were discussed at these talks,
- (iii) were any of these topics what is generally referred to as civil rights?
- (3) Will the implementation of the Federal Government's proposal for a human rights commission require complementary State legislation?

The Hon. I. G. MEDCALF replied:

I thank the honourable member for giving my office notice of this question. The reply is as follows—

- (1) This is not what was said. In his Press release, Senator Durack said, " . . . there had been lengthy consultation with the States so that the proposed national Commission would have the active participation of the Commonwealth and State Governments."

The matter was discussed at the Standing Committee of Attorneys General in July and it was agreed that there would be meetings of officers to consider various proposals to be put forward by the Commonwealth. It is intended that the officers will report back to the next meeting of the Standing Committee of Attorneys General scheduled to be held later this year.

- (2) (a) and (b) Answered by (1). The subject loosely referred to as human rights is also sometimes referred to as civil rights.
- (3) There is not as yet any firm proposal on which such a decision could be made. The need or otherwise for State legislation will be considered at the appropriate time.

TRANSPORT

Public: Submission to Federal Government

- 3. The Hon. F. E. McKENZIE, to the Minister for Lands representing the Minister for Transport:

Can the Minister for Lands advise me why the submission document will not be tabled?

The Hon. D. J. WORDSWORTH replied:

I am afraid I am unable to say, because this answer was supplied by a Minister in another place. However, I am sure that, if the honourable member would like to place his question on notice, the information will be obtained for him.

ASSISTANCE AND SECURITY CORPORATION

Flour Millers' Dispute

- 4. The Hon. D. W. COOLEY, to the Leader of the House:

My question follows question 313 on today's notice paper. The Minister replied that no trucks were hired by the Government from the Assistance and Security Corporation during the flour strike. Can the Minister advise who did supply the trucks to shift the flour?

The Hon. G. C. MacKINNON replied:

I understand the Government approached a party with a request. I think this has been in the newspaper; I have an idea it was Mr New who was approached and asked for help with trucks, but I am not sure about that. I am going only on my recollection of what was in the newspaper; I was not involved. The Government certainly did not hire the trucks. If anyone did, I guess it must have been Mr New. If Mr Cooley had asked his question on notice in a different form, perhaps that information would have been made available by the Minister. However, he asked, "How many trucks were hired by the Government from the Assistance and Security Corporation?" and the answer was "None".

The Hon. R. F. Claughton: Then why did the Government pay that company?

The Hon. G. C. MacKINNON: That came out later, and it has been explained quite clearly in the newspaper.

The Hon. R. F. Claughton: If the Government did not hire the trucks, it should not have to pay for them.

The Hon. G. C. MacKINNON: Why not? It is proper. Who is asking this question, Mr Cooley or Mr Claughton?