

# Legislative Council

Thursday, 10 May 1990

THE DEPUTY PRESIDENT (Hon J. M. Brown) took the Chair at 2.30 pm, and read prayers.

## MOTION - BILLS

### *Restoration to Notice Paper*

Debate resumed from 9 May.

**HON GEORGE CASH** (North Metropolitan - Leader of the Opposition) [2.36 pm]: We are again debating a motion moved by the Leader of the House for the reinstatement of business, a motion which we were debating yesterday one hour after the business of the House commenced. At that time I made a number of general comments on whether it was proper to reinstate legislation en bloc and I referred to the Standing Orders, which clearly provide for this House to give consideration to such a proposal should it come forward. I also made a number of points about the time that had elapsed since the Bills were introduced last year. This House rose on 21 December 1989 and did not resume sitting until 1 May 1990 after it had been prorogued. The effect of prorogation was to cause the Bills to lapse and that, no doubt, is the reason for the motion moved by the Leader of the House. I suggested that, apart from the time that had elapsed since the introduction of those Bills, there had been a considerable and significant change in the circumstances in which the Bills were introduced in the other place.

Hon Garry Kelly: All the Bills?

Hon GEORGE CASH: I said a number of Bills. Hon Garry Kelly sits on the other side of the House and invites me to spend the rest of the afternoon going through those points, but clearly that will not suit the convenience of the House. The Tobacco Bill has been significantly changed since this House rose on 21 December 1989. It had reached the second reading stage but Opposition members did not have the opportunity to debate it. One of the reasons I can advance as to why the Government should not restore this Bill is that the Federal Government has recently passed legislation which will affect the print media which tobacco companies are able to use in advertising their product. Another reason is that the Martin committee, a Federal committee, has reported in respect of sports sponsorship by tobacco companies and has made a number of recommendations which this Government should consider in view of the wording of this Bill. Another reason that the Government should consider reintroducing the Tobacco Bill is that in spite of the recommendations made to it in the Legislative Assembly the Bill is in need of some considered legal drafting. Some members have had the opportunity to read the Bill in the form it was when it left the Legislative Assembly and they have described it as a dog's breakfast. The way in which the Government handled this Bill in the lower House left a lot to be desired and there is a need for the Government to consider the wording of it.

Hon Graham Edwards: It is not the view of the sports association in this State.

Hon GEORGE CASH: Which sports association is the Minister referring to?

Hon Graham Edwards: The Western Australian Sports Federation.

Hon GEORGE CASH: Is the Minister saying that the Sports Federation considers the Bill is adequate in its current form and it does not want it amended?

Hon Graham Edwards: It supports the general thrust of the Bill, but if the changes it wants made to it cannot be made it is happy to accept the Bill as it stands.

Hon GEORGE CASH: The Minister has assisted me in my argument; he has acknowledged the Western Australian Sports Federation wants certain amendments made to the Bill - amendments which it has conveyed to the Opposition and to the Government and which the Government should make before reintroducing the Bill.

In Victoria a foundation already exists and recent reports in that State would give this Government reason to consider further changes to the existing legislation. Significant changes have been made to tobacco legislation generally in Australia since this House rose

last year and that, in itself, is sufficient reason that the Tobacco Bill should not be restored to the Notice Paper, but should be reintroduced by the Government.

The State Employment and Skills Development Authority Bill is another Bill which should not be restored to the Notice Paper because a significant shift of attitude to this Bill has occurred in the community since the Bill was debated in the other place and introduced into this House.

Hon Bob Thomas: Which parts of it?

Hon GEORGE CASH: I accept that Hon Bob Thomas is probably not aware of the clauses of the Bill which are causing concern to the industry and to the community. I advise him to enter into discussions with industry and community groups in order that he can be brought up to date with the changing circumstances in relation to the Bill. The Government owes it to the community to reintroduce this Bill rather than restore it to the Notice Paper in its present form.

During the period between the time the House rose in December last year and resumed this year the circumstances surrounding the Mining Amendment Bill (No 2) have changed and the Government should give consideration to reintroducing it instead of restoring it to the Notice Paper. Community feeling has changed in respect of the Criminal Code Amendment (Incitement to racial hatred) Bill. The Opposition had the opportunity of meeting with the Minister assisting the Minister for Multicultural and Ethnic Affairs during the parliamentary recess and the Government has indicated to the Opposition that it is prepared to consider changes to the Bill to allow it a speedy passage through the Parliament. I indicated to Hon Gordon Hill at a meeting to discuss some potential changes to the Bill, that the Opposition was quite happy to agree to about 95 per cent of the Bill and it appeared unjust to hold up the Bill because we could not agree on a couple of words. The Minister said at the meeting, which was very cordial, that he would convey my comments to the responsible Minister and expected that certain changes would be made.

Rather than go through the remaining Bills I will refer to other matters which must be considered in respect of the question of automatic restoration of Bills. First is the changes which have occurred in respect of the Government. When the Parliament rose on 21 December 1989 Hon Peter Dowding was the Premier -

Hon P.G. Pandal: Even if he did have a few knives in his back.

Hon GEORGE CASH: - and Hon David Parker was the Deputy Premier and for reasons best known to the Labor Party it has since dispatched Mr Dowding and Mr Parker.

Hon Graham Edwards interjected.

Several members interjected.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! I have been very tolerant of members this week in regard to interjections. If members want to interject I suggest the interjections be relevant and reasonable. The member on his feet is entitled to be heard and I seek the indulgence of members in this respect.

Hon GEORGE CASH: I think the question asked, by way of interjection, by Hon Graham Edwards was why the Opposition should have some concern for Hon Peter Dowding. This morning I attended a function to unveil plaques in respect of the Forrest Place development and Hon Kay Hallahan and Hon Peter Dowding were in attendance also. I was interested and delighted to see Mr Dowding in attendance at the function and as I walked away from the function I noticed a huge poster advertising the *Daily News* with a headline to the effect that, "Dowding predicts the State to fall into a great hole". He is predicting a great downturn and that is the reason the Opposition has an interest in what Mr Dowding is doing because it is obvious he has the same line of thinking as the Opposition.

Hon Garry Kelly: Read the whole article.

Hon GEORGE CASH: Members opposite start to chirp when I refer to comments made by the former Premier and to what he is saying about them - one can imagine how the people in Maylands must be feeling. A former member for Maylands, Mr Harman, was also in attendance at the function and I saw him speaking to Mr Dowding. He was probably asking Mr Dowding what other jewels he will drop before the by-election for that seat on 26 May.

Hon Mark Nevill: Members opposite always tell the half of the story that suits them.

Hon P.G. Pandal: Did Hon Mark Nevill listen to the broadcast in which Mr Dowding gave the Government a bucketing?

Hon Tom Stephens: Mr Dowding has denied the banner in the *Daily News*.

Hon GEORGE CASH: Anything that Hon Tom Stephens says I doubt, so he starts at a huge disadvantage.

Hon Tom Stephens: We have seen what the Press thinks about Hon George Cash's contribution in this place.

Hon GEORGE CASH: I know that when I talk about the changes that have occurred in the Government it causes some consternation to Government members; perhaps it is because they can still see the blood dripping from their hands. Either way, there has been a change in the Government since the House rose on 21 December last. We have a new Premier, Deputy Premier and Ministers in Cabinet and a reshuffle of some ministerial responsibilities, which indicates to me that the new Government may have new policies now it has changed some of its players.

On the other hand, it could be said that there are a few new players but no new policies. However, that is a matter for the Government to decide. Apart from the fact that a change has occurred in the Government, and according to the Premier a change in the Government's attitude in respect of a number of its policies, I make the point that automatic restoration of Bills to a Notice Paper can create a dangerous situation, especially when a number of those Bills have reached a certain point in their passage through the House; for instance, a Bill at the second reading debate stage, if restored, could not be commented on by a member who had spoken previously and who wished to comment on changed circumstances or had modified his view in respect of a particular subject.

Hon Mark Nevill: Except by leave.

Hon GEORGE CASH: It is true that a member would have an opportunity to comment during the Committee stage, but it seems totally wrong to deny members an opportunity to comment on legislation as it passes through this House. That, again, would in my view be improper.

My objection to the restoration of the Bills as proposed by the Leader of the House is a matter of principle and of protecting members' rights. If this House is to function in a proper way, at no time should we diminish the rights of members to speak on a matter. It seems to me that the motion moved by the Leader of the House is no more than one of administrative convenience - it suits the Government to nominate certain Bills and to get them up because it wants to forget the fact that this House has not sat for the past five months. That is an unsatisfactory situation. It is also likely to create a precedent; for instance, if this Government decided not to sit for a longer period, closed the Parliament and walked away and then prorogued the House prior to coming back and demanding that those Bills be reinstated for its convenience, that would be an improper action. Standing Orders provide for the motion moved by the Leader of the House and I put to him and the Government that it would be wrong to set this precedent and that we must be consistent.

Hon J.M. Berinson: Consistently inefficient?

Hon GEORGE CASH: Rather than nominating one or more Bills and saying that we like one and not the other, it is proper for the Government to reintroduce its legislation, as I suggested earlier. The Opposition and the National Party have demonstrated a commitment to the comments I have just made. The Leader of the House invited me to nominate which Bills the Opposition wanted restored to the Notice Paper and I made clear that I did not intend following that course of action and would make my comments relating to the matter at an appropriate time during a debate. Little time will be lost by the Government reintroducing this legislation. In fact, given the fact that we spent five hours the other day talking about the inane motion moved by Hon Tom Stephens which was later withdrawn, it is clear to me that the Government is not desperate to bring on business in this House.

Hon J.M. Berinson: Members opposite did most of the talking and took most of the five hours.

Hon GEORGE CASH: Only because Government members would not support the Leader of the House.

Hon J.M. Berinson: Make up your mind!

Hon GEORGE CASH: If the Government were dinkum and wanted this legislation brought on urgently it could have raised these matters days ago and probably we would already be into some of the second reading debates. For the reasons I have given, and for the sake of consistency, we oppose the motion.

HON E.J. CHARLTON (Agricultural) [2.56 pm]: Some members may find it surprising when I say the National Party will not support this motion, either.

Hon J.M. Berinson: I am shocked!

Several members interjected.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon E.J. CHARLTON: I have a couple of reasons for saying this. First, there are good reasons why much of the legislation listed in the motion moved by the Leader of the House should not be reinstated because of the legislative process and its history. The obvious example is the Director of Public Prosecutions Bill, which was bogged down during the whole period it was debated in this House last session. Federal legislation is now in place which will affect the Tobacco Bill. The situation that existed when this Bill was introduced into the Assembly last session bears no resemblance to the present situation. The Occupational Health, Safety and Welfare Amendment Bill is subject to ongoing development and problems.

A number of months have passed since we last sat because of activities beyond the control of members on this side of the House. As the Leader of the Opposition said, it seems that not only does the Government change leaders but also it changes deputy leaders at the same time. Mr Taylor is no doubt wondering what his future is because history dictates that this Government's leaders and deputy leaders depart at the same time. I will not go into further detail, but the National Party opposes the motion and will not be viewing any legislation, either reinstated, or introduced by other means, with much sympathy until the Government gets its priorities right.

HON GARRY KELLY (South Metropolitan) [3.00 pm]: I support the motion, but we should read what it says. The effect of it is that the Bills listed should be restored to the Notice Paper at the stage they had reached in the previous session. It might be instructive for the House to bear in mind what stage we had reached in the last session.

Hon E.J. Charlton: They have changed - it is not accurate.

Hon GARRY KELLY: This is my speech; the member has already given his. The second reading of the Racecourse Development Amendment Bill was given on 28 November. The Director of Public Prosecutions Bill had reached the Committee stage and we were discussing clause 15. The Criminal Law Amendment Bill had its second reading given on 28 November. The State Employment and Skills Development Authority Bill came from the Assembly and the second reading speech was given in this House on 19 December. The Criminal Code Amendment (Incitement to racial hatred) Bill had the second reading speech given in this House on 7 December. The Tobacco Bill had its second reading on 7 December. The Government Railways Amendment Bill was given a second reading on 18 October; it was at the Committee stage and we were debating clause 12. The Occupational Health, Safety and Welfare Amendment Bill had the second reading speech delivered on 6 December, as had the Mines Regulation Amendment Bill, and the Mining Amendment Bill (No 2) had its second reading speech delivered on 12 December. This motion seeks to reinstate those Bills at those stages.

Much has been said about the need for the Australian community and the Australian economy to become more productive and more efficient. We are told that the Australian economy is in dire need of improving its productivity.

Hon Barry House: Mr Dowding did say so.

Hon GARRY KELLY: Mr Dowding did say so. Many other people said that too, even people on the Opposition's side of politics, at least in the Federal arena. Apparently

members opposite do not think it applies to the political sector of the work force. We are sitting here contemplating our navels, reinventing the wheel and putting these Bills back to be debated again through the stages they have already gone through. Members opposite think that is all right, but they tell the waterside workers and the airline pilots -

Hon P.G. Pental: You told the airline pilots.

Hon GARRY KELLY: - and other groups that they should get their heads down and work harder in the interests of more efficiency. However members opposite do not seem to think that this should apply to the members of this Parliament. What is the point of going through the debates again? Most of those Bills have already been canvassed. What is the point in repeating those second reading speeches? Most of the Bills were at the second reading stage, but members opposite want the Ministers to get up and repeat their second reading speeches.

Hon P.G. Pental: Do a bit of work!

Hon GARRY KELLY: The second reading speech is on the record. All members opposite have to do is to exercise their fingers and flip through *Hansard* to read the debates. It is worse than that, because part (b) of the motion refers to Bills which originated in the Legislative Assembly. If this House refuses to accept this motion, those Assembly Bills will have to go back through all their stages in the Legislative Assembly again and be reintroduced into this House some time later. No-one could describe that as anything but an example of gross inefficiency; a dereliction of duty. It is an abuse of the parliamentary process.

Those who wrote the Standing Orders and inserted the provision allowing the reinstatement of Bills did it precisely for the purpose of ensuring the more efficient running and functioning of the parliamentary system. We make rules and laws, not only in this place but in society at large, for the better and more efficient functioning of the institution of society in general. We should not become slaves to those laws; as there is no point in reinventing the wheel, as Mr Cash wants us to do, we should avail ourselves of the provisions of the Standing Orders made in the early part of this century.

I can see no point in going through the content of each of these Bills, but it would be instructive to consider the implications of some of them. One Bill is the Criminal Law Amendment Bill, which proposes to increase a number of penalties in the Criminal Code. The Attorney General delivered his second reading speech on that Bill on 28 November last year. The Bill was brought in near the end of that session so that it could lie on the Table during the parliamentary recess and there would be time for public and professional comment. Hon Joe Berinson has delivered the second reading speech, the Bill has lain on the Table, the Law Society and those operating in the legal field have looked at it, and the general public have also had an opportunity to read the second reading speech, look at the Bill and see what is intended. What is to be gained by going back to square one and having the second reading speech all over again?

Hon P.G. Pental: One thing is that your members would know what we were dealing with.

Hon GARRY KELLY: I would like members opposite to consider some of the provisions of the Criminal Law Amendment Bill. Among other things, it increases the maximum penalties for a wide range of offences.

Hon Mark Nevill: We can't have that!

Hon GARRY KELLY: The penalty for the general offence of stealing is to be increased from three to seven years' imprisonment. It provides for increased penalties for threats to persons, property or buildings to a maximum of 14 years' imprisonment; an increase from three to five years in the penalty for corrupting jurors; an increase from three to seven years in the penalty for unauthorised use of motor vehicles; an increase from seven to 10 years in the penalty for attempted robbery with wounding or in company; and an increase from seven to 14 years for attempts at extortion by threats.

Several members interjected.

Hon GARRY KELLY: By refusing this motion, the enactment of these provisions is delayed. One might ask whether Mr Cash has gone soft on crime. He is not prepared to debate these issues.

Hon George Cash: I have not, but I am worried about your new Minister.

Hon P.G. Pandal: The fifth in four years. I give him a couple of months.

Several members interjected.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon GARRY KELLY: Another Bill which affected the Criminal Code was the Criminal Code Amendment (Incitement to racial hatred) Bill. Yesterday Mr Cash said it was interesting that comments on racial hatred should be published in the *Maccabean*. He said the Government, with the support of the Opposition, is keen to see properly framed legislation which will prevent racial discrimination in Western Australia. I think we all agree on that, but I cannot see how delaying consideration of this legislation will hasten the development of that framework. Mr Cash referred to cordial discussions with the Minister assisting the Minister for Multicultural and Ethnic Affairs, Mr Hill. If amendments come forward as a result of those discussions, so much the better, but how does making everyone go back to square one hasten that process?

Certain things happened during the break which might have changed the whole groundwork. The Government has considered this legislative program, but it did not just look at the Notice Paper. It has decided to continue with this legislation, but it has not done that without thought. Despite the Government's having a new leader, it decided to proceed with this legislative program. It is efficient and productive to recommence the debate where it was left off. The other day, the Leader of the House tried to reduce the number of Standing Committees from three to two. That attempt was rejected. A legislation committee is in place. If Mr Cash has any faith in the committee system about which he likes to speak - I do not want him to get carried away with this issue - perhaps he will refer the odd piece of legislation to that committee.

Mr Cash also said that, because of changed circumstances, members who spoke during the second reading debates on those Bills would be denied an opportunity to speak in the second reading debates on the reinstated Bills. By and large, that is quite true, but if a member wanted desperately to raise matters of which he was unaware at the time the previous debate was in progress, he could, by leave, be given an opportunity to comment on those matters.

Hon Mark Nevill interjected.

Hon GARRY KELLY: I thank Hon Mark Nevill for his interjection. Ministers have already given their second reading speeches on most of the Bills that I read out. That cuts the ground from underneath Mr Cash's argument. This is an example of the Opposition's bloody-minded attempt to slow down, frustrate and undermine the processes of this House. It is part of the Opposition's attempt to blockade legislation to achieve a result in another area. In the interests of efficiency and productivity, I call upon the House to act sensibly. Politicians, above all, should lead the community by example. I call upon the House to support the motion.

HON TOM HELM (Mining and Pastoral) [3.12 pm]: It is appropriate that my comments follow Hon Garry Kelly's remarks. I want to speak about a Bill that will help Australia to become a more productive, efficient and effective force in today's world. I support that Bill, the State Employment Skills Development Authority Bill, which is referred to in paragraph (b)(i) of the motion, which I support. Members are aware that this Bill was introduced last year in the lower House.

Hon N.F. Moore: And not debated.

Hon TOM HELM: If the member refers to *Hansard*, he will see that it was debated for some time. I am pleased Hon N.F. Moore brought to my attention the fact that the Opposition is seeking an opportunity to take this Bill to the other place to begin debate on it all over again.

Hon E.J. Charlton: You have a new leader down there which might bring about a different point of view.

Hon TOM HELM: It has been debated once and agreed to and it now awaits the Opposition's amendments. However, it seems that no amendments will be made to it. We should be made aware of any changes that have taken place in the four months since the Bill was last dealt with so that we can discuss them fully and, if need be, legislate appropriately.

The suggestion is that, in the four months since the Bill was introduced, the changes are so significant that the Bill is insignificant. We should be made aware of that, if that is the case, but we have not been made aware of anything. This senseless Opposition will not allow us to debate the Bill and it is telling us it will block this motion ad hoc. I do not understand all the Bills in this motion but I understand this one fully because I have been following it since before its introduction. Are members aware that this Bill was three years in the making? Three years of discussions took place with industry groups, the State and Federal Governments, and the trade union movement. The drafting of the Bill involved a lot of work by public servants. It has been debated in the other place and has been presented for this House's comments, but the Opposition plans to block it. Perhaps some Bills should be blocked, but I suggest -

Hon P.G. Pental: We could have had all the Bills introduced in this time rather than put up with this claptrap.

Hon TOM HELM: I understand - and would be very surprised if he did not - Hon Phil Pental intended to cross the floor and allow this motion to proceed. However, he will not do that because his leader has told him not to. His leader has told him to block all legislation and motions. Therefore, if Hon Phil Pental intends to cross the floor, let him indicate that, so that we know where we stand.

Hon P.G. Pental: I will cross the floor to chuck you out of Government.

Hon TOM HELM: The Bill refers to everybody in our community.

Hon E.J. Charlton: We will all cross the floor before long if you don't put up the Royal Commission.

Hon TOM HELM: If members do not cross the floor and if they block legislation, they should not receive any wages. Australians recognise the need to work smarter, but not necessarily harder. That is no better emphasised than by an extract from a paper on the comparisons between the Australian and Japanese economies. I will quote from it to illustrate to the House the need for this Bill to be debated.

Hon Peter Foss: We are going to debate it.

Hon TOM HELM: After it has been to the lower House and after another three years or another four months, perhaps.

Hon Peter Foss: We won't debate anything until you get on with it.

Hon TOM HELM: This paper refers to the differences in trade and technology-based products in Japan and Australia. In all the time I have been in this place, the Opposition has never said anything constructive about downstream processing or value added processes.

Hon P.G. Pental: You have never been here.

Hon TOM HELM: The member may as well not be here if he is going to support the blocking of legislation. In fact, he should not be here and paid a wage. The article reads -

Another rough measure of technological capability relates to trade in technology-intensive products. (It is perhaps fair to assume that those countries which are not involved in producing a technology-based product competitive on the export market are not current in the state-of-the-art for that product.) An examination of OECD trade returns in 15 "high technology" product classes (including, among others, office machines, telecommunications equipment, electrical machinery, scientific apparatus, medicinal products, and inorganic chemicals) indicates that Australia performs very poorly in this area. Australia's position in regard to technologically-based exports to imports declined from 1978 to 1980, -

Who was in Government then?

- and had declined further by 1982.

That is not my opinion; that is a report from a working paper on the comparisons between an Australian and Japanese -

Hon E.J. Charlton: This nation depends on its exports for all the do-gooders -

Hon TOM HELM: It depends on exports for everything.

*Point of Order*

Hon PETER FOSS: The member is straying well away from the motion and is wasting the House's time.

The DEPUTY PRESIDENT: There is no point of order.

*Debate Resumed*

Hon TOM HELM: For the benefit of Hon Peter Foss, I will repeat how I began this debate: The motion which I support seeks to have 11 Bills reinstated, some of which have passed through the second reading stage and some of which were presented in the lower House. The Leader of the Opposition has instructed his supporters to block these Bills.

Hon P.G. Pental: We will block you in a minute.

Hon TOM HELM: The member will block not one or two, but all of them. That is a demonstration of the mindless actions of the Opposition. It is a demonstration of perhaps the most stupid action ever seen. The people of Western Australia, particularly those in Maylands and Fremantle, should hear this. The Opposition will not allow one piece of legislation to go through, a Bill infinitely important to the restructuring process of this nation - never mind our State! That matter is to be discussed.

Several members interjected.

Hon TOM HELM: Eleven pieces of legislation are being blocked. Let us return to the reason why.

An Opposition member: If you want to be a blockbuster, go to Robe River.

Hon TOM HELM: Let us talk about that. I will relate the Robe River incident. I recently met with the Managing Director of Robe River Iron Associates for two hours because I was concerned about the social structure of the towns of Wickham and Pannawonica. I said to him that I did not want to discuss industrial relations issues because I have been out of the work force and had been in the Parliament for four years.

Hon P.G. Pental: It seems like 10 years to us.

Hon TOM HELM: At the end of the two hours I asked him why he was continuing to do what he did. He said, "Because I can." The Opposition is doing its thing because it can. The Opposition is negative and plans to block everything. Because it can! The Opposition knows that it cannot govern this State, and the people of Maylands and Fremantle will demonstrate that. That is why the Opposition is taking this action - it wishes it were in Government, it wishes it were good enough to be in Government but it knows it is not.

Hon Reg Davies: Did you ask the managing director why they are achieving 40 per cent more productivity with half the staff?

Hon TOM HELM: That is a good interjection. Everyone knows why that company achieved 40 per cent more productivity. It has taken less interest in the safety and wellbeing of staff -

Hon Peter Foss: The member will regret this speech!

The DEPUTY PRESIDENT: Order!

Hon TOM HELM: More and more contract employment is used, and less and less permanency of employment is offered. That is how a higher productivity rate is achieved. People are frightened into working harder perhaps because the wages are not as high elsewhere in the iron ore industry.

*Point of Order*

Hon PETER FOSS: The member is straying from the motion before the House.

The DEPUTY PRESIDENT (Hon J.M. Brown): I wish to make perfectly clear to members that some latitude has been allowed in this debate. That will continue.

*Debate Resumed*

Hon TOM HELM: Thank you, Mr Deputy President, I will return to the motion. Members should read the report to which I have referred to see how poor Australia is, and to realise how fast Japan has improved its economic status through productivity and trade.



I return to the Bill which I think should be debated by this House. We should not be bluffed without reason; the Bill should proceed.

Hon P.G. Pental: The member is blocking; he is a blockhead.

Hon J.M. Berinson: The Opposition Leader spoke for three quarters of an hour. What was he doing?

Hon P.G. Pental: It was an excellent speech.

Hon J.M. Berinson: Mr Helm is discussing the merits of the Bill; let him do so.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon TOM HELM: I will sit down if the Leader of the Opposition is prepared to allow some of the Bills to be debated. If that is the case, I will sit down now.

Hon P.G. Pental: All of them will be!

Hon TOM HELM: I will just carry on and concern myself with the State Employment and Skills Development Authority Bill. This is a Bill which is vitally and infinitely important to the wellbeing of Western Australia. It could result in this nation's becoming a force to be reckoned with in the world.

Hon T.G. Butler: Keep it up, Tom. The Opposition does not like discussion on its motions.

Hon P.G. Pental: We cannot understand him, anyway. We need a translator.

Hon TOM HELM: I will try to speak a little slower, if people cannot understand me. I need to refer to the second reading speech of the State Employment and Skills Development Authority Bill.

Hon Graham Edwards: Perhaps you should go over it again, if the Opposition cannot understand.

Hon TOM HELM: I may touch on some things which I have mentioned before. I will outline how important it is to consider what the Government is attempting to do, with the help of the community, industry and the trade union movement. The Government is attempting to increase skill levels and productivity in the work force so that it can create an economy based on value-added production. We have the resources - gas, salt, iron ore and coal - but these things all go elsewhere, are added to in value and we buy them back at 10 times the price. In my view, that should not be allowed. It has been agreed that we need a smarter work force, and we need value-added production through our primary resources. We can no longer live on the sheep's back. We will end up with no sheep, the land will be degraded, and only holes in the ground will remain where the iron ore or coal used to be. The Bill is not only about making a smarter work force but also about amalgamating the awards by which the work force in Western Australia is bound. Seven hundred awards are in force, some affecting training and reskilling.

The DEPUTY PRESIDENT: Order! The honourable member should be aware he is not to debate the legislation. I make that point to other members intending to speak, as well as the member on his feet. The motion before the Chair should be debated.

Hon TOM HELM: Thank you for the advice, Mr Deputy President. As I have explained, the Bill is to do with retraining and increasing the skills of workers who are part of awards in this State. This is something that will not be done by arbitration. The commission will have a minor role to play in allowing for training programs to be put in place - those that are acceptable in the work force. The work force has already proved that it can increase productivity. It has proved it can moderate its wage rises below the CPI wage increases.

I ask members to cast their minds back to the recent Federal election when one of the major planks of the Opposition's platform was similar to that of the Opposition in Western Australia. The negative side was that the reason workers should not vote for the ALP was that their standard of living had been reduced. The argument was that the standard of living had been reduced as part of the accord and reduction in living standards, and job opportunities would be increased. Therefore, productivity in this nation would be increased and has increased. We are asking people to build on that basis.

Hon P.G. Pendal: How long does Mr Berinson want you to stonewall? Until four o'clock?

Hon TOM HELM: Only until the Opposition is bored, and it is not bored yet. The Opposition is enjoying every minute of this debate.

Hon P.G. Pendal: Don't bet on that, brother!

Hon TOM HELM: I am attempting to tell the House that compared with other nations our skills are not what they should be. We do not reap the benefits from primary resources. An attempt is being made in this State, indeed in this nation, to increase skills training. To enable this State to become a major competitor in the high technology industry an attempt is being made to place value-added products on the world market. The State Employment and Skills Authority Development Bill will provide for that and if there are to be amendments to the legislation, let us debate them. Let us not have this mindless Opposition stopping the Government from doing what it needs to do. I support the motion.

[Resolved that the time for the moving of motions be extended to question time and following question time until 5.00 pm.]

HON P.G. PENDAL (South Metropolitan) [3.31 pm]: I congratulate Hon Tom Helm and Hon Garry Kelly for embarking on a classic case of stonewalling the Government's progress in this House.

Several members interjected.

Hon P.G. PENDAL: I find it remarkable that the Leader of the House has more support on this silly little procedural motion than he received to a motion of no confidence in himself last night.

Hon Tom Stephens: There was little to respond to.

Several members interjected.

Hon P.G. PENDAL: I will explain the absurdity of what the Government is doing in treating one session of Parliament as an extension of another. To illustrate how absurd it is I refer to the heritage Bill which was introduced into the other place late last session. The Government is seeking to restore that Bill to the Legislative Assembly's Notice Paper but, as Hon Eric Charlton pointed out, we have a new Government and the Minister in charge of the Bill is now in this House. How absurd can that be?

Hon J.M. Berinson: It is not the first time a Bill has been introduced into a House other than the House with the Minister in it.

Hon P.G. PENDAL: The Leader of the House knows that the reason for that has to do with dealing with money Bills. It shows how ragtag this bunch of members on the other side of the House have been in the last few weeks. Since this Parliament resumed more time has been spent on nonsensical motions moved by the Government, including the motion moved by Hon Tom Stephens, which backfired on him. I suggest the House proceeds to a vote and the Opposition will do exactly what Hon Tom Helm wants it to do; that is, debate matters thoroughly. It may not mean they will progress through this House, but the hope he has expressed will eventuate. I ask Government members to stop stonewalling the Government's progress and vote on the motion.

HON FRED McKENZIE (East Metropolitan) [3.33 pm]: I will not take very long to express my point of view and I am sure that will please Hon Phil Pendal. I have been in this House for a long time and similar motions have come before it on many occasions. I ask Mr Cash to tell me when a similar motion was rejected by the coalition parties when they were in Government. It is easy for the Opposition to carry on in the way it is because it has the numbers. I remind members that the Labor Party has never had the numbers in this House when it has been in Government. We have reached a ridiculous situation. I advise Hon Phil Pendal that there were ample speakers to support the motion of no confidence in the Leader of the House yesterday.

Hon P.G. Pendal: Why didn't they speak?

Hon FRED McKENZIE: Because they did not want to waste the time of this House.

Hon P.G. Pendal: Supporting your leader? Don't be pitiful.

Hon FRED McKENZIE: The Government wanted to do something positive, but the

Opposition is acting in a negative way and the Government cannot get on with its legislative program. I hope it rebounds on the Opposition, and I think it will.

Mr Lockyer will be very interested to hear what I have to say about the Race Course Development Amendment Bill and the proposed trust. The Government has changed the rules applying to the development trust fund to allow it to receive all unclaimed dividends instead of 25 per cent of them. The amendment to the Act will provide the development trust with the power to distribute funds not only to country areas but also to the metropolitan area.

Mr Lockyer placed on the Notice Paper an amendment to the Bill which has been considered during the parliamentary recess. He may be surprised about what will happen at the end of the day.

Hon J.M. Berinson: A welcome surprise!

Hon FRED McKENZIE: Yes, it may be a welcome surprise.

The DEPUTY PRESIDENT (Hon J.M. Brown): I reiterate that we are debating the restoration of Bills. I ask the member to exercise caution because he is debating the contents of a Bill and he is referring to amendments.

Hon FRED McKENZIE: I take your point, Mr Deputy President, and I apologise - it was not my intention to refer to the Bill in the way I have.

The Bill to which I have referred had only reached the second reading stage, but it created sufficient interest for an amendment to be placed on the Notice Paper. There is no doubt in my mind that there has been a new-found friendship between the coalition parties and they have embarked on the course of blocking everything. On several occasions they have spoken about workers going on strike and that is precisely what they are doing in this House. The Government is not being given a fair go. It is not necessary to retread old ground.

Hon E.J. Charlton: I ask you to consider - none of your colleagues has - that you got rid of your leader and deputy leader because they were an embarrassment to you politically. You want to disregard that and not talk about it at all. You are trying to make out it has not had an effect.

Hon J.M. Berinson: What has that got to do with the process of legislation?

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon FRED McKENZIE: The issues have been dealt with by the Government and it has determined that the Bills be restored to the Notice Paper. Let us be honest with the public.

Several members interjected.

Hon FRED McKENZIE: Hon Peter Foss is the greatest actor we have in this place.

We should be honest and let the public know what is happening. The public think that this is the place where changes are made to legislation. Members opposite know as well as members on this side of the House that nearly all the decisions are made in the party rooms and not in this place, which is a theatre where the act is played out. Hours are spent in the party room debating legislation and members come into this theatre to act out their parts in an endeavour to score the most points.

Hon Garry Kelly spoke about productivity; surely this Parliament should provide a lead instead of blocking legislation. Quite often I go around the Government benches to tell members -

Hon P.G. Pental: To shut up.

Hon FRED McKENZIE: Yes, because the Government wants to pass legislation and it does not want to listen to the mumbo jumbo of Opposition members. That was the case yesterday in that motion to censure the Leader of the House.

Hon P.G. Pental: Which you refused to support him on.

Hon FRED McKENZIE: Government members did not refuse to support him. Did the member see the vote? Government members did not want to be part of it.

I support the motion.

Question put and a division taken with the following result -

Ayes (11)		
Hon J.M. Berinson	Hon Tom Helm	Hon Bob Thomas
Hon T.G. Butler	Hon B.L. Jones	Hon Doug Wenn
Hon Graham Edwards	Hon Garry Kelly	Hon Fred McKenzie
Hon Kay Hallahan	Hon Tom Stephens	(Teller)
Noes (14)		
Hon J.N. Caldwell	Hon Barry House	Hon R.G. Pike
Hon George Cash	Hon P.H. Lockyer	Hon W.N. Stretch
Hon E.J. Charlton	Hon N.F. Moore	Hon D.J. Wordsworth
Hon Max Evans	Hon Muriel Patterson	Hon Margaret McAleer
Hon Peter Foss	Hon P.G. Pental	(Teller)
Pairs		
Hon Sam Piantadosi		Hon Derrick Tomlinson
Hon John Halden		Hon Reg Davies
Hon Cheryl Davenport		Hon Murray Montgomery

Question thus negatived.

## MOTION - STANDING COMMITTEE ON GOVERNMENT AGENCIES

### *Reappointment*

HON J.M. BERINSON (North Metropolitan - Leader of the House) [3.44 pm]: I move -

That the Honourables Tom Stephens, N.F. Moore, John Halden, Murray Montgomery, Doug Wenn and Barry House be appointed as members of the Government Agencies Committee.

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

## MOTION - SELECT COMMITTEES

### *Reappointment*

HON J.M. BERINSON (North Metropolitan - Leader of the House) [3.45 pm]: I move -

That the following Select Committees be reappointed with the same terms of reference and membership as they had in the previous session -

- De facto Relationships;
- Aquiculture and Mariculture Industries;
- Parole;
- Land Use in the Darling Range, Escarpment and Foothills;
- Repeal of certain obsolete imperial and other Acts,

and that unless otherwise ordered, the date before or on which each of the committees is to report be Thursday, 5 July 1990.

*Sitting suspended from 3.46 to 4.00 pm*

[Questions without notice taken.]

HON P.H. LOCKYER (Mining and Pastoral) [4.31 pm]: Prior to the afternoon tea break, I was about to indicate to the Leader of the House that I would support this motion. However, I bring to his attention a serious matter which needs to be swiftly dealt with by the Government. I understand that at the moment no funds are available for allocation to these committees, and it appears that no funds have been made available since the prorogation of Parliament. I refer in particular to the inquiry into the aquiculture and mariculture industries. In order for that committee to carry out its business it is necessary to visit the south west of

the State to inspect aquiculture and mariculture facilities and to speak to people in the industry. However, it is not possible to do so if no money is available. The Clerk has advised me that the situation is no different for other Select Committees, and it is possible that things will not change until after 30 June. The committee simply cannot carry out its rightful business under those circumstances. Select Committees carry out a most important part of this Parliament's business, and a committee such as the aquiculture and mariculture committee, which is apolitical and from which no political points will be scored, is doing a worthwhile job for the State. However, insufficient funds are available to the Parliament to enable the committees to carry out their duties. No doubt if this situation applies to one committee, it applies to all.

Although I am very pleased to support the motion to reappoint these committees, it is pointless to do so if no funds are available to the Clerk of the Legislative Council for allocation to them. The secretary of the committee, Mr Allnutt, performs his duties very well and every day he receives calls from people in the industry who are anxious to make their views known to the committee; I refer to people from the south of this State and from the Eastern States from whom we could receive much information. However, it is impossible to proceed at the moment. It may be difficult for the Leader of the House to deal with the matter this afternoon but it is important that the Government examine the funding situation as a matter of urgency so that the committee is able to properly carry out the duties of this House. I am not talking about WA Inc, I am referring to an anomaly which has arisen. At times three or four Select Committees are operating and the meagre funds allocated to the Clerk of the Legislative Council are quickly used. Some mechanism should be put in place so that this properly constituted, elected House of Parliament is able to carry out its Select Committee duties. I have spoken to members of other Select Committees who have the same problem, and I ask the Leader of the House to deal with this serious situation which is inhibiting the progress of committees.

I support the motion.

**HON J.M. BERINSON** (North Metropolitan - Leader of the House) [4.36 pm] - by leave: The point raised by Hon Philip Lockyer must be taken seriously and it is impossible to do other than agree that it is hardly worth appointing committees if they do not have the capacity to perform their functions. The current position is not typical, nor should it be regarded as long term. In view of this year's stringency, there has been a cross Government application of the rule that no further call should be made on supplementary funds; that is, funds above previously approved budgets. The Parliament or Legislative Council must attempt as best it can to comply with that as do all other departments. That is part of the program the Government has announced for reigning in expenditures and for allowing a proper review of forward commitments and capacities to be met. Certainly, Hon Philip Lockyer's fears that funding may never emerge are wrong, because we are approaching the end of this year and commencing from the start of the new financial year quite different considerations will apply.

**Hon P.H. Lockyer:** Does that mean for the next six weeks insufficient funds will be available?

**Hon J.M. BERINSON:** I have not had a chance to become fully aware of that but it could well be that work by committees which is not budgeted for and which would require expenditure between now and 30 June will need to be deferred, with the committees continuing their work during that period in ways that do not make calls on funds. I would be surprised if it were not possible to rearrange the programs of committees to accommodate that.

I am aware that the Premier has been invited to give attention to special arrangements and new arrangements are to be made with respect to the funding of the parliamentary committee system. In that respect, the establishment by the House of the new Standing Committees is especially relevant and raises entirely new questions and imposes new demands. They must all be considered on their merits and evaluated, as all other demands by departments and authorities are. That certainly will be done. Without knowing what conclusions will flow from that, I know that the Premier has accepted that this issue requires her attention and the Deputy Premier's attention.

Question put and passed.

## COMMITTEES FOR THE SESSION

### *Reappointment*

On motion by Hon J.M. Berinson (Leader of the House), resolved -

That the members appointed in the previous session to serve on the Standing Orders, House, Library, and Printing Committees be, and are hereby, reappointed to those committees.

### MOTION - SMITH, MR ROBERT

#### *Select Committee of Privilege - Telephone Tapping Evidence*

HON N.F. MOORE (Mining and Pastoral) [4.43 pm]: I move -

That -

- (i) the Attorney General consider evidence given by Robert Smith to a Committee of Privilege of this House relating to Smith's denials of having unlawfully intercepted or recorded certain telephone conversations;
- (ii) not later than six sitting days from the date on which this resolution is passed, advise the House whether, in light of Smith's subsequent conviction for an offence arising from the same or similar facts, the Attorney General is of the opinion that grounds exist for laying a charge against Smith under section 57 of the Criminal Code for perjury; and
- (iii) if the Attorney General is satisfied that an offence has been committed by Smith in terms of section 57, the Attorney General is hereby directed in terms of section 15 of the Parliamentary Privileges Act 1891, to prosecute Smith accordingly.

This motion results from a series of events that occurred over the last couple of years. One event in particular was the formation of a Committee of Privilege to investigate certain events that occurred in relation to a Select Committee of this House. During the sittings of the Committee of Privilege, certain evidence was presented by a number of people, one of whom was Mr Robert Parker Smith, a licensed inquiry agent of South Perth. Mr Smith gave evidence to the committee at some length. Since then, Mr Smith has been charged and found guilty of an offence in relation to tapping Mr John Samuel's telephone. As a result of those charges, certain transcripts were made available to members of the Select Committee inquiring into Burswood Management Ltd. During his evidence to the Committee of Privilege, Mr Smith was asked questions about those tapes and transcripts. In answer to those questions, Mr Smith said -

The CHAIRMAN: ... Do you, in your investigations, use any devices for seeking information from telephones?

Mr SMITH: No. Unequivocally no.

Further on in evidence Mr Smith said -

If the tapes were recorded illegally I have no idea who did it.

Further down, Hon Tom Stephens asked the following question -

This is a repeat question [inaudible] it needs to be made very clear to the committee. Have you ever been involved in illegal phone tapping?

Mr SMITH: No.

Hon TOM STEPHENS: Have you ever been involved in phone tapping?

Mr SMITH: No.

Hon TOM STEPHENS: Do you possess equipment that would enable you to conduct phone tapping?

Mr SMITH: No.

He then went on to say that his company did not possess that sort of equipment. He also said -

Certainly, there is no phone tapping equipment in our office; there never has been. I do not possess any.

That was the sort of evidence given by Mr Smith to the Select Committee of Privilege set up by this House. The phone tapping and transcripts referred to by Mr Smith related to the trial which subsequently found Mr Smith guilty of tapping telephones. Therefore, Mr Smith may have perjured himself before that committee. I cannot make that judgment; I have simply related what the transcript said and remind this House of the offence of which he was found guilty in a court.

The motion directs the Attorney General to consider the offence for which Mr Smith has been found guilty and report to the House on whether he believes that grounds exist for charges to be laid against Mr Smith, pursuant to section 57 of the Criminal Code, which refers to the giving of evidence and states that witnesses must not tell lies to a committee of the Parliament, otherwise an offence is committed. I ask the Attorney General to report to the House on whether he believes a case exists against Mr Smith under section 57 of the Criminal Code. The motion then directs the Attorney General to prosecute Mr Smith if the Attorney finds that there is a case to be answered. In other words, if the Attorney General reported to the House that he did not believe a prosecution should be instigated, it would be for the House to decide on that one way or another.

The intent of this motion is to bring to the attention of this House a perjury which may have been committed before a committee of this Parliament. The Attorney General, as chief law officer in Western Australia, should investigate this matter and report back to the House. I am not making any judgments, although I have my own views about the situation. I have no particular attitude towards Mr Smith. I do not know the man and have met him for only about half an hour when he gave evidence to the committee. He is currently serving a sentence for an offence for which he was found guilty. It is incumbent on this House to ensure that, if a person perjures himself before a committee, the House takes the appropriate action. If this House does not take any action on this matter, people will assume that committees of the Parliament are not worth two bob and that witnesses can say whatever they like with impunity. I ask in all sincerity that this matter be investigated in a proper way by the Attorney General; I am not suggesting that he would do it in an improper way. This is not a political argument but a question of whether this House will insist that people treat its committees in the proper way.

The motion requests that a report be made available to the House within six sitting days of the motion being passed.

Debate adjourned, on motion by Hon Fred McKenzie.

## MOTION - SELECT COMMITTEE INTO BURSWOOD MANAGEMENT

### *Files and Documents Evidence - Privilege Removal*

HON N.F. MOORE (Mining and Pastoral) [4.47 pm]: I move -

That the House grant the prayer of a petition tabled on Tuesday, 8 May and grant leave for the files and documents in the possession of the Clerk and produced by the Commissioner of Corporate Affairs as evidence in the course of an inquiry conducted by a Select Committee inquiring into decisions made by the commissioner not to prosecute persons in relation to the issuing of a prospectus for the construction of the Burswood Casino and subsequent costs overruns, to be used for the purposes described in the petition.

Members will be aware that during the investigation of the Select Committee into Burswood Management and the cost overruns associated with it, certain evidence was provided to that committee by a number of witnesses. I will not go into detail because it is a long, drawn out story. When certain evidence was provided to the committee in the form of a file and documents from the Corporate Affairs Department, it examined that evidence and subsequently made its own decisions about the questions before it. In other words, the committee made its decisions based on the terms of reference. That committee has reported to the House. That matter is not being investigated and the file and documents that were provided in evidence are privileged. In fact, they are the documents which were allegedly "lost" and then "found" in the Clerk's office. They were documents from the Corporate Affairs Department.

A number of people are launching court cases in the Federal Court which will be heard in August. Farnel Pty Ltd and Mr Stephen Lund are the applicants in this case. They are taking action against a number of respondents in connection with cost overruns at the Burswood Casino and in relation to the prospectus issued at the time. They believe that the information contained in those files would be useful in their case in a Federal Court. In order to use this evidence it is necessary for them to have the consent of this House to in effect remove the privilege attached to those files. It is my view that as the files are no longer required by this House and as there is no necessity for them to be privileged - and, if they were not privileged, they could be subpoenaed by the complainants' solicitors - we should make them available to these people.

If we were to deny access to this information we would be removing some of the evidence that they need to gain a fair and just solution to their case. I put to the House that there is nothing sinister about this request. As Select Committee evidence it is privileged, but had it not been they could have used the subpoena process to get it; therefore, we should not impede their access to these files. Farnel Pty Ltd petitioned the House to make this evidence available and as a result of that petition I moved the motion to which I now ask the House to agree.

Debate adjourned, on motion by Hon Fred McKenzie.

### ADDRESS-IN-REPLY - THIRD DAY

#### *Motion*

Debate resumed from 9 May.

**HON MAX EVANS** (North Metropolitan) [4.54 pm]: I will bring to the attention of this House a number of facts that many members of the public are not fully aware of and the questions that they are asking about WA Inc. Was WA Inc for profit or for power? Losses to date to this State are about \$850 million and more if claims for damages lodged are successful against the Government.

Amounts have already been paid out of Consolidated Revenue Fund towards this loss, as follows -

1987-88	\$
Teachers Credit Society	18.8 m
Swan Building Society	12.0 m
Total	30.8 m

1988-89	
Teachers Credit Society	110.4 m
Swan Building Society	4.6 m
Petrochemical Industries Co Ltd	38.8 m
Rothwells	22.5 m
Total	176.3 m

Grand Total	207.1 m
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In 1987-88 Teachers Credit Society was paid \$18.8 million and Swan Building Society \$12 million, a total of \$30.8 million for that year. In 1988-89 Teachers Credit Society was paid \$110.4 million, Swan Building Society \$4.6 million, Petrochemical Industries Co Ltd \$30.8 million and Rothwells \$22.5 million, a total of \$168.3 million, or a grand total, including the amounts I mentioned previously, of \$199.1 million already spent out of Consolidated Revenue Fund towards the losses of WA Inc. That left the surpluses generated by this Government over six years at only \$12 million. There is, therefore, a balance of about \$650 million still to be found. Where will those funds come from?

Before I turn to that question, I ask another question that many people have been asking, "Where have those funds gone?" The Teachers Credit Society loss of \$129 million has been



paid by this Government; I believe wrongly. The Government should have allowed a liquidator to be put into Teachers Credit Society to sort out its position, rather than giving a guarantee that it would cover Teachers Credit Society's losses. Where has that money gone? It has gone to the big four; Rob Martin, for El Caballo Blanco, Brockley Investments and many of his other business deals; to Keith Turner for the Westos Hotel and the Mosman Park Hotel; to Laurie Potter for Tradewinds and an airline company etc; and to Peter Tilli for the Bunbury development, the ironing machine company and other deals. Those four people got over \$150 million of Teachers Credit Society's money, nearly all of which has been lost. That is where this State's money has gone - to reimbursing the Teachers Credit Society for losses incurred by those four people plus many smaller operators.

What is that \$129 million relative to? The easiest example I can give is that of the R & I Tower building, which cost about \$110 million. Therefore, the Government could have had that for nothing. The Westrail electrification for the northern suburbs appeared in the 1989-90 Estimates as costing \$119 million, so the Government could have had that for nothing if money had not been wrongly spent on Teachers Credit Society. Expenditure by the Water Authority this year will be \$210 million, so that would have been partly covered. There were also smaller amounts for last year. There was an amount of \$24 million for corrective services and prisons; \$54 million for education; \$82 million for health; and \$22 million for TAFE, a total of \$128 million in capital expenditure in four departments which was technically wiped out by one stupid decision made by former Premier Brian Burke to rush in and save Teachers Credit Society when that could have been done rationally and much better. However, \$120 million was drawn out almost straight away by the big financial institutions. An amount relevant to those just mentioned is the grants to independent schools for the year of \$16 million.

Where else did the money go? It went to Swan Building Society. The Government guaranteed its debts when it was taken over by Home Building Society. Where did that money go? An amount of \$2 million to \$3 million was lost through the fraudulent actions of the manager at Mandurah. Debts of Connell, Povey etc, and some amounts we saw outlined in the papers recently - a total of \$16 million - were picked up by this Government. That was almost equivalent to the total surplus of this Government for six years of \$12 million. So \$16 million went down the drain. An amount of \$14 million for capital expenditure was required for the police for 1989-90, so that the equivalent of that is gone, along with \$10.6 million from the Consolidated Revenue Fund for sport and recreation. The total cost of running this Parliament is only \$6.8 million, yet Swan Building Society's decision cost the Government \$16 million.

Where else has the money gone? It went to the Bell Group of companies through the Bell Group investments made by the State Government Insurance Commission. The Bell Group companies were in deep financial trouble after the crash so the Government paid \$285 million cash for BHP shares and \$208 million for city properties. That money has gone to international and overseas banks and probably to repay loans from local financial companies. It is all gone! This was financed by the State Government Insurance Commission to an amount of \$400 million in borrowings from banks and by increasing its overdraft by \$100 million. It made a \$30.1 million profit on BHP shares and \$37.4 million on the sale of properties. That profit is subject to repayments of outstanding debts on the properties of \$180 million which have now been extended to 1995; they were interest-free and due to be repaid \$90 million last December and another \$90 million next December, but the Government chose to extend that period at the option of the purchaser to 1995 at the favourable interest rate of 16.87 per cent, which is well below the overdraft rate of other people. That is a total of \$493 million which has gone to banks from this Government's funds.

In April-May money went to Mr Robert Holmes a Court's company Heytesbury Holdings Ltd and to other companies to buy Bell shares amounting to \$160 million and Bell bonds totalling \$140 million. That also went to pay his debts to local and overseas banks and other loans. That money has disappeared to repay the losses he made. The story in relation to the Bell shares is different. They cost \$160 million and have earned no money for nearly two years; of that figure, \$155 million has been lost.

Last year the value of the Bell bonds, which were purchased for \$140 million, was written down by \$32 million; and Mr Brian Steggall, of Coopers Lybrand, told the Pike committee

that the value of those bonds should be written down by a further \$96 million. So that loss of \$128 million means that a total of \$283 million has been lost from that \$300 million investment, in addition to the loss of revenue from interest not earned on the funds for two years.

WA Government Holdings Ltd borrowed \$175 million from the State Government Insurance Commission to purchase a 43.75 per cent interest in Petrochemical Industries Co Ltd. Part of that money was used to take up \$350 million worth of non-performing debts of Rothwells, and \$150 million of that money was used to repay the National Australia Bank. The investment in PICL now has no commercial value because the company is worthless. Treasury will have to pick up that loss.

**The Consolidated Revenue Fund Estimates indicate that in 1988-89 WA Government Holdings Ltd received \$38 million, and in 1989-90 it was to receive \$62 million.** That money was used by WAGH to pay off some of the debts which have been mentioned in the Pike report. Those debts were incurred by PICL for consultants' fees, the purchase of the land, engineering costs and materials. The petrochemical project has no commercial value today so we will never see any return from that \$100 million investment. A loss of \$100 million from Treasury funds means that a further \$18 million of interest on the short term money market, at an interest rate of 18 per cent, has, technically speaking, been lost to this State.

The SGIC had \$90.3 million in Rothwells. We will wait and see how much of that loss will be recovered. The SGIC had \$30.5 million in Spedleys. That makes a total loss of over \$1 billion, and the Government contributed towards that shortfall by attempting to reduce the losses. At that time the Superannuation Board Investment Trust became involved in major share trading deals. The Superannuation Board could not trade in shares because they were not authorised trustee investments, so the Superannuation Board Investment Trust was used for this purpose. The trust lost about \$55 million in its share dealings in companies in which any prudent fund manager would not have invested. The trust was hoping to making a quick profit. It purchased some hotels, but paid too much for them, and made a \$7 million loss. That money has gone into the pockets of the sharedealers, who lined their own pockets at the expense of the Superannuation Board, and into the pockets of the hoteliers, who did very well.

The State Superannuation Board also paid \$11.6 million to purchase a half interest in the old David Jones site from Bond and Connell, for which they had paid \$6 million. The SSB paid \$33.5 million for the Perth Technical College site. There was a round robin of cheques from the Superannuation Board back to the Government and Western Australian Development Corporation to give Bond and Connell each a quarter interest in that site, for nothing.

At the end of the day, the R & I Bank is a creditor of Rothwells for \$7.4 million. The bank was at one stage exposed for a larger amount. We will be waiting a long time to recoup that \$7.4 million. The total expenditure of the Government so far is about \$1.45 billion. The Government has recovered approximately \$670 million from the sale of the BHP shares and the central business district properties, and a partial recovery of moneys as a creditor of Rothwells and Spedleys. So the net loss to the Government is about \$800 million, plus the interest which is still accruing on that amount. An amount of \$207 million has been paid out of the Consolidated Revenue Fund but \$600 million has still to be found by this Government to recoup those debts.

I introduced my subject as "WA Inc for profit or power". At first WA Inc was all about making a profit. In 1983 the former Premier, Brian Burke, said to the Western Australian Chamber of Commerce and Industry and the Confederation of Western Australian Industry that he was going to be a new style of Premier and would use the latent assets of the Government to earn profits for the State. He would better manage the State's assets, and save taxpayers a lot of money. I think he honestly believed at the time that it was not difficult to make a profit. However, as people who go to the races or the stock exchange will know, one needs to be accompanied by a bank of funds. Mr Jack Walsh, a friend of the Premier's, proposed a deal whereby the Government could get some funds. The Argyle diamonds joint venture was to pay prepaid royalties to the Western Australian Government of \$51 million in exchange for its not building a townsite, which would have cost \$70 million. So the Argyle diamonds project received a full tax deduction of \$51 million

whereas the cost of building the townsite would have been subject to depreciation of about 20 per cent per annum and written off over five years.

The State Development Fund was the beneficiary of that \$51 million, and it had to look at ways of using that money to make a profit. Laurie Connell suggested to Brian Burke that the State invest in Northern Mining NL. That company was owned by Alan Bond, and it had a five per cent interest in the Argyle diamonds joint venture. The Government received two different valuations, which both comfortably came out at \$42 million, when the shares could have been bought on the market for \$22 million. The great outcry at the time about the Government's having paid too much for the shares was accepted by the Press because the purchase price was confirmed by the Government's valuation. That valuation was very superficial, and over valued the shares by \$20 million.

Mr Burke then sought John Horgan's advice about asset management, and John Horgan told him to get rid of the shares because far too much had been paid for them. He suggested that Mr Burke set up a Diamond Trust. That trust was set up at the same time as the WADC was put in Mr Horgan's charge. The first profit made by the WADC was the purchase of the Northern Mining NL shares from Treasury for \$42 million. They were on-sold to the Diamond Trust for \$45 million, resulting in a \$3 million profit, which was referred to by John Horgan, and later by Mr Burke, as being "good business".

The next major deal, which again hit the headlines suddenly last week, related to Fremantle Gas and Coke Co Ltd. This was a big scandal at the time, and so many things have happened since then that I have had to go back to my notes. Yosse Goldberg did a deal with Laurie Connell to buy Fremantle Gas and Coke for \$23.92 million. He borrowed that money from Standard Chartered Bank. Goldberg was introduced to the deal by Connell, who had been consulted by the board of Fremantle Gas and Coke.

He received a quick fee or commission of \$225 000 for introducing them. Later the Minister, David Parker, approved a bonus share issue in May 1986 when the company was owned by Western Continental. They also approved changes to the legislation which, according to the valuers, doubled the value of the shares to \$39.75 million, the price paid by the State Energy Commission of Western Australia 13 months after its purchase. Fremantle Gas and Coke Co Ltd has been around for years. If the State Energy Commission thought it was worth buying, it could have bought it long ago and not given Yosse Goldberg a profit of \$20 million as a result of the Government's making changes to the legislation and approving a bonus share issue by Fremantle Gas and Coke to enhance its investment. Major maintenance costs were pending for Fremantle Gas and Coke, and many of the suburbs down there have found their gas prices going up to cover these costs. Buying that company was a bad deal. If the SEC had wanted to buy the company, it could have bought it for \$18 million less some 13 months earlier, because it had been around for some time. Robert Holmes a Court had tried to take it over some 12 months earlier. The deal was designed to make profits for WA Inc.

Going further into Western Australian Development Corporation, the next big deal was to help the IBJ Bank to obtain a licence in Australia. The objective was to have a foreign bank here, and the State Government Insurance Commission, WADC and Town and Country Building Society were to be shareholders; they had 50 per cent of the shares. As a result of help from the Premier, Brian Burke, and John Horgan, the bank obtained a licence, and a fee of \$15 million was charged for obtaining it. The \$15 million was invested in the initial capital of the IBJ Bank by the WADC.

Coming to June 1985, John Horgan discussed with Premier Brian Burke the idea of taking over the old Perth Technical College site. The Crown grant title was to freehold title in December 1985 and a sale was concluded for \$33.5 million to the State Superannuation Board, which fully financed the purchase with a quarter interest in Laurie Connell and Bond Corporation at no cost to them - a quick profit of \$13 million.

FundsCorp then took the opportunity to run the Government money book. Stuart Gregory was brought in with all his computers to take on the Government money on a day-to-day basis. They were to pay the going rate and work hard to make a profit. After some time, according to the Burt Commission on Accountability, this deal was changed because the WADC could not make a profit. The WADC then received a straight fee, and FundsCorp was to charge Government departments and statutory corporations for handling their funds.

The State Government Insurance Commission and the State Superannuation Board decided that they could manage their funds better, they did not want to pay a fee up front. WADC got into GoldCorp to make a profit. The Perth Mint was taken over to refine gold and to make gold coins. In the first full year a magnificent \$800 million turnover in GoldCorp was announced for a net loss of \$1.4 million. We were told that it was a five year venture. Since then half the business has been sold to the Rural and Industries Bank. It will be interesting to see what result what is left of GoldCorp will show next year.

LandCorp was the next profit making venture to be entered into by WA Inc through the guise of Western Australian Development Corporation. LandCorp was the responsibility of David Hart, a director of Western Australian Development Corporation. He went to the Urban Lands Council, later Landbank, to find out how things operated. On 31 December 1986 all the books and records were brought to Western Australian Development Corporation, and LandCorp became a wholly owned part of WADC. Twelve months later we found that all the land sold by LandCorp was sold virtually at cost; there was no huge profit shown in the Landbank books. The land was sold under contract of sale with no interest accruing. As a result LandCorp made a huge profit of \$5.4 million, compared with the \$10.5 million profit of WADC, for a six month period in that year. All those profits have come from Government money involved with WADC.

Then WA Inc got brave. It really believed all the Press releases being issued; the Government believed it was making great profits. Just before the 1986 election there was a Press release announcing a Western Australian Development Corporation profit of \$34 million for the first six months. Where was that from? There was \$13 million from the sale of the Perth Technical College site from the WADC to the Superannuation Board. Any mug can do that. There was \$15 million for a fee to obtain a licence in Australia for the IBJ Bank. That was as a result of direct Government intervention; it was no great success for WADC. At the end of the day I presume the IBJ Bank wished it had not moved here because it had to take outside shareholders whereas the other banks do not have outsiders. The outside shareholders were later bought out for a profit to them.

WADC thought it was easy to make a profit, so it went into Underwater World at Hillarys. That has been making a loss so the Government has been trying to sell it but with great difficulty. An Underwater World was built at Sentosa in Singapore. I understand that is still in difficulties; it is still not finished and it will result in a major loss.

Port Kennedy was another joint venture. I understand that the land has been rezoned there, and that may enhance its value. If it does it will only be as a result of ministerial intervention for the benefit of WADC.

Cable Beach was hailed as a great investment by WADC in this north west venture. We are told now that the contribution towards the development was \$22.9 million. This contribution was sold. A cash component was paid up front on 8 September last year, and we are looking at a profit of \$1.6 million. That would not even cover the loss of interest during the two years. What is more, it has been sold to the other joint venturer, Lord MacAlpine, for \$24.5 million; cash up front, \$7.6 million, \$7.6 million on 8 March 1991, and \$9.3 million on 8 September 1992, all interest free. That is a further loss to the revenue of this State. Imagine \$50 million invested in Cable Beach at the present time! Unfortunately the loss was made a lot worse as a result of the airline strike. That is just under half the cost of the R & I Bank tower building. That money is up in Broome, and this Government told us what a good deal it had done. Unfortunately half the time the Government believes what it says.

EventsCorp is mentioned as another successful part of the Western Australian Development Corporation. What is overlooked here is the cost to the Government. John Horgan and EventsCorp did not undertake a community service for the sporting community; they were fully reimbursed for all their direct costs and they were paid extra fees for services.

In 1986-87 the actual amount was \$349 197; in 1987-88 it was \$3 084 644; in 1988-89 it was \$1 644 000. Those amounts were paid by the Treasury to Western Australian Development Corporation to cover the cost of EventsCorp's operations. I agree with and support many of the functions that EventsCorp has organised, but it has been the subterfuge and covering up of this great contribution that has been a cost to the taxpayer.

LandCorp has been another interesting cover up because the Treasury has actually paid to

WADC fees for asset management - a direct cash fee for professional services. In 1987-88 a fee of \$1 953 072 was paid, and in 1988-89 it was \$2 463 853 - huge fees paid by the Government to one of its own statutory authorities when basically those functions could have been carried out within the Government itself.

The Premier - or numerous Premiers - of this State told a great story about the benefits WADC had brought to Western Australia, the dividends that had been paid across to the State, and the huge profits - they quoted \$75 million. Let us get the facts right. To be precise, \$77 759 000 was the profit accumulated by WADC over five and a half years. The details of the profits came from segment accounting, in the annual report - and I have made a couple of estimates because the segment accounting which should have been provided was not provided - and are shown thus -

Profits of WADC over five and a half years summarised as follows -

	%	\$ million
LandCorp over 1.5 years	29.0	22 525
I.B.J. Bank Australia Ltd - one fee	19.3	15 000
Projects and Investments over 5 years	18.0	14 015
Perth Technical College site sale	16.7	13 000
FundsCorp over 4 years	9.8	7 645
Interest on capital and interest free loan	3.9	3 048
GoldCorp - one year	<u>3.3</u>	<u>2 526</u>
	<u>100</u>	<u>77 759</u>

I have not included the losses there - they are still coming out and we will never know about some, like Underwater World and Cable Beach, because we understand the assets have been transferred under the Premier's name and will not come out in future accounts.

It amazes me how the Press can write that WADC has made a great contribution of profits to Western Australia, because all those profits were made because it was the Government itself and not on any direct business dealings. One could expand further and go into all the benefits that went to John Horgan, the Chairman of Western Australian Development Corporation, who for a long time created a great image of WADC and its benefits to the Government and the people of Western Australia. It is an absolute fallacy. All of that profit could and should have been made by the Government itself - it did not need WADC for that purpose.

The next venture WADC went into was Western Australian Exim Corporation Ltd, which lasted for only about two and a half years. Exim had a few problems, because we could analyse the profits and losses of its 20 subsidiary companies, and it was converted into a statutory corporation in 1987 to effect a big cover up. Even so, the Government did some very strange deals to make a profit. It bought the five Emanuel cattle stations in the north for \$11 million. The Federal Government gave Exim a grant of \$6 million and it brought the Emanuel stations into the books at a net \$5 086 315. The \$6 million was written off against the value of the cattle, so that whenever they sold the cattle later, up to the first \$6 million of it would all be profit because the value of the cattle had been written down by that amount.

Hon Peter Foss: Is that the conventional way of accounting for these things?

Hon MAX EVANS: No, it is not, it is creative accounting at its best. In fact, in the year before Exim was converted to a corporation, it revalued the livestock up by \$1.4 million as part of that \$6 million to make a profit before the Western Australian Government put another \$7 million capital into the corporation.

Exim got into other problem areas. It gave a guarantee to Acremaster when it was in trouble and it welshed on that guarantee to Perpetual Finance for about \$2 million. Other members who were here then would know all about that deal. Perpetual Finance was not allowed to sue Exim on that guarantee. At the same time Exim was involved in further guarantees with the National Australia Bank and in the courts it has since been found liable for those amounts. Marine Industries in Albany and Pemberton was another investment Exim made in order to make a profit. The answers about this are difficult to trace at the moment but we know Exim is out of that deal. I think the investment has been absorbed by the Treasury but there are certainly losses on the deal because the company lost a lot of money and therefore

the Government would have lost a lot of its \$2 million. Exim also went into a business migration scheme and a scheme to bring students into this country. Both schemes brought in very little revenue, and neither did anything that was not already being done in Western Australia. The banks are doing a very good job with their business migration schemes, and the universities and colleges of advanced education are bringing in students from overseas. They did not need Exim to cut in, and in fact Exim created many problems. It was in there for its own good - it thought it was a good way of making money. It set up a Business Migration Investment Trust, in which overseas businessmen were expected to place their money, so that Exim could run this trust and generate further profits.

A quick analysis of WA Exim Corp Ltd, with capital of \$7 million, shows that in 1985 it made a loss of around \$50 000, which included a dividend of \$70 000 from one of the subsidiaries that was taken over. In 1986 it made a profit of around \$340 000, which included \$2.8 million interest earned on \$17 million loaned interest free from WA Government Holdings Ltd and also a revaluation of livestock of \$1.4 million; so, technically speaking, it made a huge loss that year and was saved only by creative accounting. In 1987, prior to its conversion to a corporation, Exim made a profit of around \$358 000, a total profit of approximately \$749 000 for the first three years; but members must remember that \$4.2 million was from creative accounting from the interest and the revaluation of the livestock.

Hon Peter Foss: How could they possibly lose all that money? People would be battering at the doors to come in.

Hon MAX EVANS: Exim lost this money on the cattle stations up north. It bought cattle and paid too much for them, and then experienced a lot of brucellosis and tuberculosis problems. It tried to upgrade the cattle stations to make them into Rolls Royce stations in order to make a big profit. To my knowledge to date they have made only a very small profit. The last station has now been sold by the Government but we will not know whether that has been sold for a profit or a loss.

In June 1987 Exim made a profit of around \$1.7 million, with an adjustment for income tax - and I will not complicate matters by going into that now. In 1988 it made a profit of \$911 000, with an income tax credit, brought forward from the cattle stations, of \$889 000; so actual profit was only \$22 000. What Exim did then was quite incredible. It brought into the accounts a profit of \$1.7 million as an extraordinary item. It came from the merger of the WA Overseas Projects Authority and was given to Exim. In the accounts Exim debited the assets taken over and credited extraordinary profit with the amount of the gift.

That is what the Government has been doing with our money. In 1989 it had a profit after tax of \$422 000. There was a profit on extraordinary items sold to the Ministry of Economic Development and Trade of \$500 000, less staff redundancy of \$114 000; termination of director's contract - John Horgan - \$248 000, with a net operating cost of \$143 000. That made an operating profit from extraordinary items to 1989 of \$564 000. It all looks very good until one realises that the Government had the fabricated profit figures back in 1986, to include \$4.2 million in profit. When one takes off the last extraordinary items, it wipes out that profit. The \$14 million invested has now been lost on the latest sale of the stations. That is what happened when the Government got into Exim for a profit.

WA Government Holdings Ltd was the next deal; it was formerly Northern Mining NL. It had capital of only \$1.6 million; it then took on the petrochemical deal and borrowed \$55 million in promissory notes, which sum was put into the petrochemical deal on capital of \$1.6 million. I will refer again to WA Government Holdings Ltd when we look at WA Inc for power.

Hon P.G. Pental: I take it that throughout this entire period Mr Berinson was the Minister for Budget Management?

Hon MAX EVANS: Yes, he was. The State Superannuation Board became involved in deals for profit. We never found out the full cost of the Anchorage development, although a figure cited was \$20 million.

That leads us to the famous Brush-Martin affair where amounts of \$150 000 were "lent" to Mr Brush by Mr Robert Martin. I wonder whether the receiver of Mr Robert Martin has called up those loans. Hotels were bought for \$29 million and according to the Auditor

General's report, \$7 million has been lost on those. Through the Superannuation Board Investment Trust - which we know a lot more about because its accounting is easier to understand - the Government went into the Halls Head deal for 15 years at \$2 million. People will say that deal was started by the Liberal Government; it was. The Government wrote off \$12.6 million when it got out of that because it broke the contract ahead of time. Within six months of selling out to the Town and Country Building Society, it had sold the land and made huge profits from the deal. The Government left that deal too soon and recorded a loss in the Superannuation Board Investment Trust. The trust was able to go into share dealings - the Superannuation Board was not allowed to do so; it could only go into authorised trustee investments - and at one stage it had up to \$79 million in share dealings, with a loss well over \$50 million in those share dealings in companies which any normal investment fund manager would not have touched.

Hon Peter Foss: A large number of them were associated with Mr Connell.

Hon MAX EVANS: Some were associated with Mr Connell, Bernie Ridgway and others.

Hon Peter Foss: All well known to the Government.

Hon MAX EVANS: They were the Government's friends and were very well looked after.

Now we look at the second leg of the problem: WA Inc for profit. When one goes for profit, one will make losses. I have not made a big issue of the losses and to be fair they are not large losses. With WADC/Exim the main thing is that no real profits were made. I am now dealing with the deals done by this Government in the guise of WA Inc in order to retain power. The Government realised things were going wrong and it had to do everything it could to maintain power.

Under WA Inc for power, the first deal was the rescue of the Teachers Credit Society, which was seen as a way of attracting a massive vote from teachers. The R & I Bank was appointed its administrator in August 1987.

Hon John Halden: The story is now losing credibility.

Hon MAX EVANS: I am just trying to put the facts. Later people will go to *Hansard* to find out what did go on. The Government did this deal in order to retain power but it did terrific damage to the R & I Bank during that time. The resources of the R & I Bank were stretched and one can see in recent reports the problems the R & I Bank had dealing with the \$550 million-worth of debts of the Teachers Credit Society, plus its own problems. That had an impact on the R & I Bank during that time. It took over all the debts of the TCS and we will never be told the full truth. From my experience with this type of business, I am certain that further losses on the part of the TCS will be picked up by the R & I Bank. It is amazing how the Government went about doing business. The only guarantee the R & I Bank had from Premier Burke was a media release. There was no signed legal document of the Government indemnifying the R & I Bank. That is why David Fischer took out a full page advertisement in the newspaper, showing the Premier's media release guaranteeing the debts of the TCS, to make certain he was locked in. There was no proper agreement in that regard.

Hon P.G. Penda: I should think Mr Berinson would have gone into some arrangement.

Hon Peter Foss: That is more than the Government got from Laurie Connell when he gave his undertaking. That was just a verbal undertaking.

Hon MAX EVANS: That is right. In fact the guarantees of the directors of Rothwells were crossed out. They did not have to guarantee the debts of Rothwells in that whole deal.

Hon Peter Foss: That sounds like legal incompetence of the part of the Government. Who was the Minister responsible for that?

Hon P.G. Penda: Mr Berinson.

Hon MAX EVANS: Hon Peter Foss was a lawyer for 25 or 26 years; I am not certain how long Hon J.M. Berinson was a lawyer - whether it was one year or two years. Maybe that is the difference.

I have already referred to the losses relative to the capital expenditure of this State in connection with the TCS. The Government went into that rescue to retain power. That is why the Government lost this money. The Swan Building Society was also in trouble around

the same time and the Government went in there because it seemed to be a good vote catcher - "We cannot have the Swan Building Society going broke, so we will underwrite those debts." The internal reports of the Corporate Affairs Department show that it had a lot of problems with Swan Building Society and Home Building Society because there was no written contract between the two societies and the Government to underwrite those debts. That is why there have been some big legal disputes as well as a lot of conflict within the Corporate Affairs Department as to how much money the Government must pick up of the losses of the SBS to the HBS. I do not blame Home Building Society; it does not have to work hard to recover the debts because it was indemnified by the Government.

Those two rescues occurred in August 1987 but the real WA Inc for power was in October 1987, with the Rothwells crash. Once again I am talking about an agreement which leaves a lot to be desired. That is, the agreement between the Office of the Premier and the National Australia Bank, giving an indemnity for the \$150 million to underwrite the NAB against those losses in subsequent liquidation of Rothwells at the end of liquidation. I have said many times in this House and elsewhere that having made that indemnity the Government should have stuck to it and waited for the end of liquidation rather than try to work its way around the problem. The Government had made a bad decision; it was one that was made in a rush over a weekend but another \$150 million was put in. However, the problems arose when the Government tried to work its way out of this indemnity. The Government only had to pay up at the end of the liquidation. Cambridge Credit and Reid Murray have been going for some 15 years in liquidation and I think it will be at least that length of time before all the problems in connection with Rothwells are solved. That was the total debt this Government would have to pay in the values of money at that time. It will not be in 1988 money.

The first rescue, as we know, was a guarantee of \$150 million. Big business put in another \$150 million and they thought they were under way. In his evidence Tony Lloyd said that when he went in there at the end of December he was reluctant to do so because he found it difficult to understand what was happening. It was probably not until August or September that he understood the full picture and by then they were selling out in any case. Rothwells then created more problems for the Government because Tony Lloyd said in evidence that many problems had not been solved by the rescue. The State Government Insurance Commission loaned \$7 million to United Credit, which amount was then on-lent to Rothwells in November to keep up the cash flow.

Hon Sam Piantadosi: What is the member saying about United Credit?

Hon MAX EVANS: United Credit received \$7 million from the SGIC which was on-lent to Rothwells to help out with its cash flow. The Government did not want it to appear that any department was lending money to Rothwells. The Government became desperate at that stage.

Hon Sam Piantadosi: United Credit was not desperate. The member should leave that organisation alone.

Hon MAX EVANS: I agree. The State Government Insurance Commission has placed capital in that organisation; it does a very good job for the SGIC.

By the end of January, Treasury gave a direction for the payment of \$50 million to the Superannuation Board to on-lend to Rothwells. The Government was becoming directly involved with Rothwells because the fear was that it would roll over and the Government would be embarrassed. So \$50 million of taxpayers' money was put into Rothwells to retain power for the Government. The Government feared the consequences of the losses.

Hon Peter Foss: By this time the state of the loan was known because Tony Lloyd told about the memorandum soon after.

Hon MAX EVANS: David Hurley gave a report in December stating that Rothwells was insolvent. The finance company needed fresh money; and a run was being made on the funds. In February, March and April, rumours were around about how Rothwells would be rescued. The Government become involved through Mr Kevin Edwards. Alan Bond lent \$100 million to Dalleagles as a security for shares in the petrochemical deal. An amount of \$50 million was used to pay the Superannuation Board debt to the Government.

Hon P.G. Pandal: Mr Berinson denied any documentation for the deal.



Hon MAX EVANS: On 28 July, Cabinet made a decision to buy 43.75 per cent of the petrochemical project. On 29 July, Rothwells held a meeting of shareholders to approve the selling of \$350 million non-performing debts to Dalleagles, a company owned by Laurie Connell. A major deal was done with the complete agreement of the Government to attempt to solve the problems with Rothwells. A second and then a third rescue was attempted when the Government wanted to put another \$75 million together in an attempt to keep Rothwells afloat on 21 October.

Hon Peter Foss: That \$75 million rescue was when Joe Berinson was sitting around not listening and not speaking.

Hon MAX EVANS: That is correct.

Hon Fred McKenzie: That is not correct; that is rubbish.

Hon MAX EVANS: The third rescue, involving \$75 million, was going on when in only a matter of days the organisation would collapse. How could the Government allow itself without good commercial advice, other than legal advice, to repay a guarantee with National Australia Bank for \$150 million when it was obvious at that stage that Rothwells would be insolvent within weeks? It was obvious liquidation would occur. Tony Lloyd stated at his trial that he could see no future in Rothwells at that stage.

Then National Australia Bank was sued by the liquidator for reclaiming funds. The Government paid the liquidator \$33 million and \$10.5 million was recouped from National Australia Bank. The Government also became involved with a similar amount of \$50 million, of which \$25 million was repaid to the liquidator without going to trial. That \$25 million should be considered in the light of the fact that last year earnings by the Superannuation Board were \$23.5 million. In other words, an amount equivalent to one year's earnings of the board was wiped out.

Hon Peter Foss: Is that legal and financial incompetence?

Hon P.G. Pandal: They ought to be in gaol.

Hon MAX EVANS: WA Government Holdings Ltd has gone into liquidation. That was the organisation used by the Government to retain power, and to launder money into the petrochemical deal, because the Government believed that organisation could act as a guarantor for all the debts. Members might recall that the Burt Commission on Accountability stated that situation was not good enough because doubts were held about the guarantee holding up. Other legal opinions were around in that regard as well. The Government was required to bring in legislation last year to ensure those guarantees. WA Government Holdings Ltd was responsible for laundering \$100 million from Treasury. Obviously all that money has been lost. WAGH's history of earnings is very small and insignificant; it had some \$6 million of \$7 million capital, without any profits at all.

The R & I Bank was also putting money in on behalf of WA Inc to help the Government retain power. That bank placed money into Rothwells prior to the crash; appearing in the Statement of Affairs is an amount of \$7.41 million. I guarantee the bank did not want to do that deal. The State Energy Commission of WA also cooperated with the Government in respect of the \$15 million paid to Western Collieries, and forwarded to Spedleys - a matter about which Tony Lloyd was charged. These people were in partnership with the Government to do anything to keep Rothwells going because the Government feared losing power if Rothwells crashed. The following week, a \$6 million cheque for Western Collieries was drawn on the R & I Bank one day and put through Rothwells account the same evening. That was discovered a few days later by the manager of Western Collieries in Collie. These are deals carried out by the R & I Bank to keep the Government in power through the activities of WA Inc.

Not content with all the other deals with Bell Resources, Holmes a Court and so on, the SGIC also became involved with Rothwells. Rothwells' statement of affairs shows it was secured for \$40.47 million, and unsecured for \$50.7 million - a total of \$91.17 million, which the SGIC had in Rothwells. No normal insurance company would have undertaken that deal if not at the direction of a political master.

Finally, Treasury was party to the deal to put all the money through to Rothwells to pay out the guarantee or indemnity to National Australia Bank because it was thought to be a good

arrangement for the Government. The deed of settlement between National Australia Bank and the State of Western Australia states that on 17 October 1988 Rothwells made a payment of \$150 million to the bank, being the sum then due pursuant to the facility. This deal was done by Government with taxpayers' money, which was a completely irresponsible action.

What else has the Government done to retain power? Property deals were done down the Terrace to help Holmes a Court. He had loaned \$50 million to Rothwells through Bell Resources. A deal was done - and we will read more about that when Hon R.G. Pike's committee reports - with the connivance of Kevin Edwards, acting for his political masters. Westralia Square was placed on the market. That property is 70 per cent owned by SGIC and 30 per cent owned by the Government Employees Superannuation Board. It was sold for \$270 million; that is, \$90 million down, and \$180 million interest free for two and a half years. Afterwards, to sweeten up the deal, a rental guarantee was given in the order of \$64 million which related to 32 000 square metres at \$400 a metre for five years.

That is a good deal for the purchaser in that it has a guaranteed rent for a whole building. The property was sold to Warren Anderson and Mr Kerry Packer and, at the same time, Anderson bought a half interest in the Central Park site. I understand that he took an interest in that site, with the other half owned by the State Superannuation Board, so that he could get Westralia Square off the ground. Before the end of December many other deals were done by the Government which we will not know about until a Royal Commission is established. Many of these deals were done to keep Anderson and Packer happy because they had \$54 million locked into Rothwells. The SGIC and the Superannuation Board gave a loan of \$55 million interest free to Warren Anderson as security on the Westralia Square site. We were later told that this was because the Government was to buy back a 25 per cent interest. However, Anderson and Packer had to contribute only \$35 million in the total purchase of \$270 million. We found out in the accounts of the Superannuation Board for 1989 that it thought the purchasers may be hurting so it wanted to help them more. It did a further deal with Packer and Anderson which was reported only in the accounts of the Superannuation Board and not in the accounts of the State Government Insurance Commission. It states the following -

The property was sold on 30 June 1988. The proceeds from the sale being receivable in three equal installments of \$25 020 000. The first installment was received on the settlement date of 30 June 1988, the second is to be paid on 30 December 1989 and the third on 30 December 1990. The purchaser may, however, elect to postpone payment on the second and third installments to a date no later than 30 June 1995. If the dates for payment are varied, interest is payable on the installment amounts from the due date until payment at a rate 1 per cent above the Australian Merchant Bankers' (90 day) Bill rate.

That meant, in today's terms, that the purchaser was paying an interest rate of about 16.8 per cent when the normal overdraft rate is still closer to 20 per cent.

[Leave granted for the member's time to be extended.]

Hon MAX EVANS: The Government, having done this wonderful deal in selling the property at \$270 million, and telling the taxpayer so, went back on all the favourable parts of the deal. Therefore, the Superannuation Board now has \$50 million outstanding until 1995 and the State Government Insurance Commission has \$130 million outstanding until 1995.

Let us cross the road to Central Park. An article in the paper some time ago was headed "The GESB to fund entire Central Park project". We were told that it would cost \$320 million. The cost to June 1989 was \$115 million, so the balance still to be found by the Superannuation Board is \$205 million. We are told that it has to find a further \$40 million on Westralia Square. Therefore, the total future commitment for the Superannuation Board is \$245 million. Overruns are likely on the sites as that is the general trend with property in this city, so the Government could be up for a lot more money than that. What does that indicate for the Superannuation Board? Its total investment funds are \$460 million. This includes freeholds of \$200 million, debts from the sale of hotels of \$28 million and Westralia Square to 1995 of \$50 million. It has a balance of only \$182 million to invest. It must liquidate all its other assets, because it has a future total capital commitment of \$245 million. At least \$63 million will have to be borrowed to make up the shortfall. We found out that last year the total income of the Superannuation Board would be \$23.4 million, but that will

be wiped out by the payment of \$25 million made to Rothwells' liquidator. Therefore, the Superannuation Board will have major liquidity problems because of this state of affairs.

These deals have resulted from the Government undertaking business deals after August 1987 to try to retain power. There was the Teachers Credit Society, the Swan Building Society, Rothwells, the sale of city properties - which was renegotiated - and other deals. Every one of these deals was done to retain power. That is why further inquiries should be made. These are not normal business losses. Underwater World would be a normal business loss, as would Marine Industries and Port Kennedy, but the other deals have been incurred by a Government recklessly investing public money for fear of things going wrong and to ensure that it was re-elected. It is an indictment against this Government. It is an indictment - as Hon Phillip Pendal said earlier - against the Attorney General who was the man in Cabinet who should have ensured that things were kept aboveboard and honest. As a legal man he should have been challenging these deals. I am certain that any normal prudent businessman would not have done these things without the influence asserted to benefit the Government.

I read some very pertinent comments from the Pike Select Committee interim report regarding SGIC investments in which Mr Saville, a commissioner of the SGIC, explained the following -

Hon E.J. CHARLTON: From the answers you have given to Peter Foss and from earlier answers, am I to understand that the emphasis on the decisions taken by you, as one of the commissioners, was largely based upon the introduction of those proposals by Mr Kevin Edwards and the support of the Government?

Mr SAVILLE: Yes.

Later in the evidence Mr Saville answered questions in the following manner -

Hon PETER FOSS: Is it your clear understanding then that the Government wanted this investment to be made?

Mr SAVILLE: I cannot really say that there was a clear understanding. However, there was certainly an inference from the members of the Government who were on the board.

Hon PETER FOSS: Who were the members of the board?

Mr SAVILLE: Messrs Edwards and Lloyd. I cannot tell you whether Mr Brush was there at that time.

[The member's time expired.]

Debate adjourned, on motion by Hon J.N. Caldwell.

## COMMITTEES FOR THE SESSION

### *Assembly Personnel Appointment*

Message from the Assembly received and read notifying the personnel of sessional committees appointed by that House.

## LAPSED BILLS

### *Restoration to Notice Paper - Assembly's Message*

Message from the Assembly received and read requesting that consideration of the following Bills be resumed -

1. Criminal Code Amendment (Incitement to racial hatred) Bill
2. Government Railways Amendment Bill
3. Mines Regulation Amendment Bill
4. Mining Amendment Bill (No 2)
5. Occupational Health, Safety and Welfare Bill
6. State Employment and Skills Development Authority Bill
7. Tobacco Bill

## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

### *Appointment - Assembly's Message*

Message from the Assembly received and read notifying that it had agreed to the appointment of a Joint Select Committee to inquire into and report on constitutional reform, and requesting the Council's concurrence and appointment of members.

## ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Metropolitan - Leader of the House) [6.01 pm]: I move -  
That the House do now adjourn.

### *Adjournment Debate-Anzac Day Service-Long Tan, Vietnam-Huy, Mr Tran Tan*

HON GRAHAM EDWARDS (North Metropolitan - Minister for Police) [6.02 pm]: Before the House adjourns I want to bring to the attention of the House a matter which is not contentious, but is important. Recently I was privileged to attend a dawn Anzac Day service at Long Tan in Vietnam which members may be aware was the scene of a major battle during the Vietnam war. The magnitude of that battle can be measured by the fact that 19 Australians were killed in action compared with 200 Viet Cong. The significance of that battle is that, for the remaining period of Australia's involvement in Vietnam, its headquarters at Nui Dat was not attacked by the Viet Cong.

The dawn service was attended by the 13 member tour group, which included five Vietnam veterans, the Australian Ambassador, who travelled from Hanoi, and a couple of Australian expatriates. The service was held in a small, well maintained clearing in a rubber plantation which is marked by a white cross. The service was very simple and brief. A couple of speeches were made and the speakers recognised the importance of Anzac Day. Wreaths were laid, the Last Post was played, two minutes' silence was observed and the service concluded with the singing of the Australian national anthem. It was a very simple and humble service and it was one I will always remember - I felt extremely proud to be an Australian.

The service was respectfully observed by a small group of ex-Viet Cong guerillas and a couple of their children. One of the ex-guerillas had been a platoon commander who had fought against the Australian's during the Vietnam war. I refer to Tran Tan Huy, a district chief, who was instrumental in ensuring the group of Australian's was able to hold the Long Tan service. He set a lead in his district and convinced others to set aside their bitter memories of and the personal hurts experienced from the war. He urged his countrymen to extend to the Australian's the hand of friendship and he urged them to look to the future. I understand the difficulty with which he was confronted because it was not very long ago that many of his countrymen who live in the district lost husbands, fathers and brothers. That Mr Huy was successful was obviously due to his being a man of character, strength and great vision.

I raise this matter because it is important that this House be advised and it be recorded in *Hansard*, and that importance is borne of the respect we should have for the Australian's who served in that war, particularly those Australian's who died there. More importantly, men like Mr Huy should be recognised and I am sure the world would be a far better place if there were many more people like him in it.

Question put and passed.

*House adjourned at 6.05 pm*

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## QUESTIONS ON NOTICE

## FISHING - FISH LABELLING

*Country of Origin Identification*

15. Hon GEORGE CASH to the Minister for Planning representing the Minister for Health:

What action has the Government taken to ensure that the country of origin is identified on the label of fish sold in Western Australia?

Hon KAY HALLAHAN replied:

**The Minister for Health has provided the following reply -**

This matter has been the subject of discussion for some time between the Minister for Fisheries and me. As a result of these discussions and consideration by the Western Australian food advisory committee I have approved the introduction of regulations which will require the labelling of fish to ensure that the customer is informed whether the fish offered for sale is imported.

**TRAFFIC LIGHTS - MILLIGAN STREET-ST GEORGE'S TERRACE  
INTERSECTION**

*QV1 Development - Pedestrian Volume*

26. Hon PETER FOSS to the Minister for Police representing the Minister for Transport:

- (1) Since my last question to the Minister's predecessor regarding the traffic lights at the intersection of Milligan Street and St George's Terrace, has the department carried any traffic or pedestrian surveys of that intersection?
- (2) What were the results of any such surveys?
- (3) Is the department aware that obstruction to the flow of traffic is still being caused by these traffic lights, especially in combination with those at Mill Street?
- (4) Is the department aware that the effects of the Milligan Street lights are being felt as far away as William Street?
- (5) Is the department aware that many pedestrians are pressing the pedestrian request button but are not waiting for the Walk phase of the lights and are crossing with the vehicle lights - often resulting in a Walk phase in which no-one crosses?
- (6) Will the department reconsider -
  - (a) removing the Walk phase;
  - (b) installing a No Right Turn in Milligan Street so that traffic cannot turn west into St George's Terrace?
- (7) Has the department considered what will be the effect of vehicular and pedestrian flow of the QV1 development when completed?
- (8) If so, what effect does it expect this to have on pedestrian and vehicular flow?
- (9) What contingencies has it provided for in respect of that development?
- (10) Was the application for development approval for QV1 referred to his department for comment?
- (11) Why were the developers of QV1 not required to instal underpasses or alternative pedestrian access as a condition of building approval?

Hon GRAHAM EDWARDS replied:

**The Minister for Transport has provided the following response -**

- (1) No.

- (2) Not applicable.
- (3) Yes. There is considerable congestion in St George's Terrace between Barrack Street and Milligan Street at peak periods due to demand exceeding road capacity. This congestion cannot be attributed to any one set of signals.
- (4) Yes. The Main Roads Department is aware that during peak periods congestion does extend past William Street from Milligan Street.
- (5) Yes. A small minority in off-peak periods has been noted. Enforcement is a matter for the police.
- (6) (a) No. The Walk phase has provided a significant improvement in pedestrian safety.  
(b) No. It is not considered that this movement contributes significantly to the traffic congestion.
- (7) Yes.
- (8) QV1 is expected to significantly increase pedestrian volumes. Changes to vehicular flow will be minimal.
- (9) None.
- (10) No.
- (11) Building approval is under the control of the Perth City Council and the question should be directed to that body.

#### FISHING - SOVIET UNION

##### *Trade Agreement*

34. Hon GEORGE CASH to the Minister for Police representing the Minister for Fisheries:

- (1) Is the Minister aware of a recent agreement between Australia and the Soviet Union that will allow fish from foreign vessels to be off-loaded for sale on the domestic market?
- (2) What authority does the Western Australian Department of Fisheries have in respect of ensuring that the whole fish aboard these vessels are above minimum size limits?
- (3) Does the Western Australian Fisheries Department have jurisdiction in respect of filleted fish found aboard foreign fishing vessels?
- (4) If not, is this a matter of concern to the department?

Hon GRAHAM EDWARDS replied:

The Minister for Fisheries has provided the following reply -

- (1) Yes. The Australian and USSR Governments signed a head agreement on 15 February 1990 relating to cooperation in fisheries. I have been assured that when firm proposals are received from the Soviets under this agreement there will be consultation with both State Governments and relevant sectors of the fishing industry.
- (2) If feasibility fishing utilising Soviet vessels were to occur, this would be in limited deep water trawl zones in the Australian fishing zone adjacent to Western Australia. These zones are managed by the Commonwealth through the Australian Fisheries Service. It is highly unlikely that any of the species taken by the Soviets would be the subject of minimum size limits set under State law.
- (3) No.
- (4) Conditions applying to foreign fishing vessels are arranged by the Commonwealth in accordance with clear requirements with respect to the processing and landing of catch. The Fisheries Department carries out this policy on behalf of the Commonwealth.

**FISHING - SALMON**  
*1990 Season Restriction*

42. Hon GEORGE CASH to the Minister for Police representing the Minister for Fisheries:

- (1) What criteria or reasons were considered appropriate to impose a limit on the take of salmon for the 1990 season?
- (2) Will the Minister meet representatives of the South Coast Salmon Fishery to discuss the adverse impact of this restriction on their earning capacity?
- (3) If not, why not?
- (4) Which beaches have been closed to date and which fishermen have been affected by such closure?

Hon GRAHAM EDWARDS replied:

The Minister for Fisheries has provided the following reply -

- (1) Earlier this year I received a request from a delegation of salmon fishermen to raise the eight tonne limit on the amount of salmon they were permitted to sell for purposes other than human consumption. They claimed at the time that they would receive a higher price for salmon as bait than for salmon as a food fish.

My deliberations on their request took into account the state of the stock - which is considered to be fully exploited - the need to ensure a supply of fish to a Western Australian cannery and the concerns of the recreational sector about a possible increase in fishing effort. Consequently, for this year only, I decided to increase the limit to 18 tonnes for each licensee, while at the same time imposing a quota based upon historical median catches. The fishery will be reviewed in full during 1990.

- (2) Yes. I have also requested the Fisheries Department to meet with them.
- (3) Not applicable.
- (4) Beaches closed to date, and licensees, are -
  - (a) Pallinup Beach (Cagnana)
  - (b) Cape Riche (Moir)
  - (c) Cheynes Beach (Birss and Wheatcroft)
  - (d) Cheynes Beach (Westerberg)
  - (e) Bettys Beach (Benson and Mouchmore)
  - (f) Shelley Beach (Coombes)
  - (g) Parrys Beach (Pinniger)
  - (h) Nornalup (Ebbett)
  - (i) Windy Harbour (Beale).

**PRISONS - DETAINEES**  
*Governor's Pleasure*

43. Hon GEORGE CASH to the Attorney General:

- (1) How many persons are currently detained in prison at the Governor's pleasure?
- (2) How many persons not presently detained are subject to a sentence incorporating the Governor's pleasure?

Hon J.M. BERINSON replied:

- (1) 34 persons.
- (2) Eight persons.

**FLOODS - SHIRE OF JERRAMUNGUP**  
*Local Road Damage*

45. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Is the Minister aware of the considerable flood damage to local roads on 28 and 29 January 1990, within the Shire of Jerramungup?
- (2) Is the Minister aware that the cost of repair and reinstatement of the local road network is estimated by the Shire of Jerramungup to be \$155 920?
- (3) What assistance can the State Government offer the shire to complete the repair reinstatement caused by the flood damage?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1)-(2)

Yes.

- (3) The Government has declared the series of storms a natural disaster. Therefore, financial assistance up to 75 per cent of the actual cost of agreed reinstatement works will be available to council under the provision of the Commonwealth/State natural disaster relief arrangements.

**STATESHIPS - VESSELS**  
*Separate Voyage Ledgers*

46. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Does Stateships operate separate voyage ledgers for each vessel in its fleet?
- (2) If not, why not?
- (3) Is Stateships able to identify whether a specific voyage made a profit or loss?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1) Yes.

(2) Not applicable.

(3) Yes.

**FISHING - BAIT FISHERMEN**  
*Fisheries Inspectors - Bremer Bay Area*

47. Hon GEORGE CASH to the Minister for Police representing the Minister for Fisheries:

- (1) Does the Fisheries Department have sufficient personnel to ensure that bait fishermen do not fish outside their respective proclaimed zones, in particular, while salmon and herring fishing is in progress?
- (2) What is the current number of fisheries inspectors attached to the Bremer Bay area?

Hon GRAHAM EDWARDS replied:

The Minister for Fisheries has provided the following reply -

- (1) The Fisheries Department has the responsibility of enforcing the rules for a wide range of fisheries on the south and south west coasts, of which the salmon, herring and pilchards form only a part. Fisheries officers respond to complaints from salmon fishermen when they are received. However, the general good sense of most south coast



fishermen this season in response to a letter I sent to each of them has confined incidents to one or two locations which merit particular oversight.

- (2) Three.

#### STATESHIPS - "SHIP'S AGENT OPERATION" ADVERTISEMENT

48. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Did the Western Australian Shipping Commission advertise in *The West Australian* on Saturday 10 March 1990, for a "Ship's Agent Operations"?
- (2) Who are the principals trading worldwide referred to in the advertisement?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes.
- (2) Mediterranean Shipping Company.

#### PORTS AND HARBOURS - MARINE AND HARBOUR FACILITIES

##### *Charges Increase*

49. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Has the Minister met representatives of WA Fishing Industry Council and the Charter Boat Owners and Operators Association and others to discuss the ongoing issue of the increase in fees for the marine and harbour facilities along the WA coast and, if so, will the Minister advise on the outcome of these meetings?
- (2) Was it agreed that the earlier gazetted charges and fees would remain in effect for the 1989-90 financial year and that these charges would be increased only at the equivalent of the CPI in future years?
- (3) If not, what agreement was struck?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

(1)-(3)

I have met with representatives of the WAFIC and the Charter Boat Owners and Operators Association. Details of a proposal to address the issue are still being discussed.

#### PORTS AND HARBOURS - MARINE FACILITIES COMMITTEE

51. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Will the Minister consider the establishment of a marine facilities committee to enable better liaison with groups such as the WA Fishing Industry Council and the Charter Boat Owners and Operators Association and other prominent user groups on matters affecting the use of marine facilities by these groups?
- (2) If not, why not?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The establishment of a marine facilities committee was proposed by the Minister to WAFIC and the Charter Boat Owners and Operators Association in March of this year.
- (2) Not applicable.

**MOTOR VEHICLES - INFLATABLE SAFETY AIR BAGS**  
*New Legislation*

53. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

Is it intended to introduce legislation to make inflatable safety air bags compulsory in motor vehicles and, if so, will the Minister provide details of any proposals?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

No. Such matters are normally dealt with at a Federal level.

**STATESHIPS - WESTPAC BANKING CORPORATION**  
*Three Vessels Charter*

55. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) Has Stateships entered into an agreement with Westpac Banking Corporation to charter three vessels over an extended period?
- (2) If yes, what are the terms of the charter and will the Minister table the relevant documents?
- (3) Who is the owner of the vessels and are the vessels mortgaged?
- (4) If so, to whom?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Yes.
- (2) I refer the member to the answers provided to parliamentary question 776 (2) and (4) in the Legislative Council. In view of the commercial nature of the documents, I believe that a briefing for the member by the Chairman of the Western Australian Coastal Shipping Commission on the terms of the charter would be more appropriate and I would be happy to arrange this if required.
- (3) Westpac Banking Corporation. The vessels are not mortgaged.
- (4) Not applicable.

**TRANSPERTH - KARAWARA**  
*Inadequate Services*

57. Hon P.G. PENDAL to the Minister for Police representing the Minister for Transport:

I refer to the isolation and inconvenience being endured by the elderly, unemployed and families living in the Karawara area due to poor Transperth services, and ask -

- (1) Is the Minister aware of this isolation and the poor services offered by Transperth?
- (2) Is the Minister aware of any plans by Transperth to improve the services offered?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The special needs of Karawara residents are recognised by Transperth, which provides two bus services to the area: Route 33, Karawara to Perth and route 180-181, Karawara to Carousel. The level of service provided is commensurate with the demand.
- (2) Transperth is always prepared to improve services where the loading demand warrants additional trips.

## PRISONS - OFFENDERS

*Unpaid Fines*

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

Where an offender is jailed for nonpayment of a fine -

- (1) How much credit towards the payment of the fine is given to such an offender for each day spent in custody?
- (2) In such cases does "day" mean 24 hours or a lesser period?
- (3) Do the Police and Corrective Services Departments have the same interpretation of the term "day" in this context?
- (4) Is there any existing legislation which standardises the interpretation of the term "day"?
- (5) If not, will the Premier undertake to have such legislation prepared given that a standard interpretation is needed for offenders to clarify their situations?

Hon J.M. BERINSON replied:

- (1) Unless otherwise specified on the warrant the amount is \$25 per day.
- (2) It may in some circumstances mean less than a 24 hour period.
- (3) Yes, however, operational procedures differ between the two departments.
- (4) No.
- (5) The drafting of such legislation has already been approved by Cabinet.

## ROTHWELLS LTD - KWINANA TOWN COUNCIL

*\$1 million Deposit - Repayment Rate of Return*

59. Hon P.G. PENDAL to the Minister for Planning representing the Minister for Local Government:

- (1) Was the \$1 million deposit by the Kwinana Town Council in Rothwells returned to the council with a full rate of interest?
- (2) If so, what rate of interest was applied?
- (3) Did the then Premier or any predecessor or successor intervene to ensure that this or other councils had their funds returned earlier than planned?

Hon KAY HALLAHAN replied:

The Minister for Local Government has provided the following reply -

(1)-(2)

The Minister is not aware of whether the Kwinana Town Council had funds deposited with Rothwells. It is suggested that the question be directed to the town council itself.

- (3) The Minister is not aware of any such action being taken.

## MINES DEPARTMENT - LUNCHEON, SOUTH WEST RESTAURANT

*1988-89 Account*

60. Hon P.G. PENDAL to the Leader of the House representing the Minister for Mines:

- (1) In the 1988-89 financial year was an account for approximately \$27 000 submitted to the Department of Mines for a luncheon involving -
  - (a) the hire of a helicopter to a south west restaurant;
  - (b) approximately six overseas businessmen;
  - (c) a number of public servants; and
  - (d) a Minister of the Crown?
- (2) If so, will the Minister give full details?

Hon J.M. BERINSON replied:

The Minister for Mines has provided the following reply -

- (1) The Department of Mines has no record of such an account.
- (2) Not applicable.

**ROADS - CORAL BAY ROAD**

*Sealing*

65. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) When will work commence on the sealing of the Coral Bay Road?
- (2) What is the estimated completion date?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Site works which consist of clearing sections of new alignment commenced on 24 April.
- (2) It is expected that the initial bitumen surface will be completed between the Minilya-Exmouth Road and the Coral Bay settlement by the end of October.

**PORTS AND HARBOURS - MERMAID MARINE MANAGEMENT SERVICES  
PTY LTD**

*Dampier Slipway Development*

66. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) Have any proposals been received from Mermaid Marine for the development of a slipway at Dampier?
- (2) If so, does the Government support this proposal?
- (3) What is the present state of negotiations?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) A joint venture proposal has been received from Mermaid Marine Australia and Clough Engineering.
- (2) Yes.
- (3) The Dampier Port Authority is awaiting vesting of land to the port authority before arrangements can be made for the joint venturers to commence detailed feasibility studies and site testing.

**AIRPORTS - BROOME AIRPORT**

*Sale*

68. Hon P.H. LOCKYER to the Minister for Planning representing the Minister for Local Government:

- (1) What is the present situation concerning negotiations by the Broome Shire Council to arrange the sale of the Broome Airport?
- (2) Does the Government support the Broome Shire Council's proposals for the future of the sale of the Broome Airport and the provision of a new airport for Broome?

Hon KAY HALLAHAN replied:

The Minister for Local Government has provided the following reply -

- (1) The joint venturers announced on 1 May 1990 that negotiations were being suspended. The Minister will meet with council shortly to discuss proposals for dealing with the airport.

- (2) While the Government has agreed in principle with the proposals for the purchase and on-sale of the Broome Airport by the Shire of Broome, the Minister has not yet given formal approval to the transactions under the Local Government Act. Formal approval has not been provided by the Commonwealth Government.

**POWER STATIONS - MT MAGNET**  
*State Energy Commission - Fuel Purchase*

69. Hon P.H. LOCKYER to the Leader of the House representing the Minister for Fuel and Energy:

- (1) Is the fuel or fuel oil purchased by SECWA for the power station at Mt Magnet purchased outside the State?
- (2) If any has been purchased in the past six months, where was it purchased and what was the reason for purchasing outside WA?

Hon J.M. BERINSON replied:

The Minister for Fuel and Energy has provided the following reply -

- (1) Fuel oil for use at the Mt Magnet power station is purchased in Western Australia under a contract with Mobil Oil Australia Ltd. The fuel oil supplied to SECWA by Mobil is sourced from South Australia.
- (2) In the past six months fuel oil for use at Mt Magnet power station has been purchased from Mobil Oil Australia Ltd. The fuel oil supplied by Mobil is available only from Mobil's Port Stanvac refinery in South Australia.

**CARNARVON FASCINE - DREDGING COMMITMENT**

71. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) Is the Premier aware of a promise given to the people of Carnarvon prior to the last State election that the Carnarvon Fascine would dredged?
- (2) If so, when will work commence to fulfil this commitment?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The Government commitment to the people of Carnarvon was to "provide funds to investigate dredging the fascine so that it can better meet the community's objectives".
- (2) \$100 000 was allocated for this investigation in the 1989-90 Budget. That work is well in hand, with the draft concept being discussed with the Shire of Carnarvon. The final report will be completed later in this year.

**MARINAS - EXMOUTH MARINA**  
*Commencement and Completion Date*

72. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Transport:

- (1) When will work commence on the marina development at Exmouth?
- (2) What is the estimated completion date?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) The current works program shows work commencing late in 1990.
- (2) If work begins when scheduled, the development will be completed by June 1994.

**KANGAROOS - CULL FIGURES**

73. Hon P.H. LOCKYER to the Minister for Planning representing the Minister for the Environment:

- (1) What is the total kangaroo cull figure allocated to WA for this year?
- (2) What were the previous allocations and actual cull figures?

Hon KAY HALLAHAN replied:

The Minister for the Environment has provided the following reply -

- (1) The approved quotas for the commercial shooting of kangaroos in Western Australia for 1990 are 290 000 red kangaroos, 45 000 western grey kangaroos and 10 000 euros.
- (2) The 1989 quotas were the same as for 1990. Provisional figures for the commercial harvest in 1989 are 184 000 red kangaroos, 28 000 western grey kangaroos and 4 500 euros.

**FISHERIES DEPARTMENT - FISHERIES OFFICERS**

*Council and Local Government Elections*

74. Hon P.H. LOCKYER to the Minister for Police representing the Minister for Fisheries:

- (1) Have fisheries officers stood for and been elected to local government councils?
- (2) If so, who carries out the duties of the fisheries officers while he/she is carrying out local government duties such as attending shire council meetings?

Hon GRAHAM EDWARDS replied:

The Minister for Fisheries has provided the following reply -

- (1) A fisheries officer has been elected to local government.
- (2) A fisheries officer would carry out local government duties and attend shire council meetings in his/her own time. Such requirements would not affect or interfere with the officer carrying out the full duties of a fisheries officer.

**QUESTIONS WITHOUT NOTICE**

**ECONOMY - DOWDING, HON PETER**

*Going Under Assessment*

66. Hon GEORGE CASH to the Minister for Resources:

Is the Minister aware of the statements reported to have been made by Peter Dowding today in respect of WA going under and, if so, can he advise the House of the likely effect that will have on the development of resources in Western Australia?

Hon J.M. BERINSON replied:

I cannot imagine what the Leader of the Opposition has in mind when he tries -

Hon P.G. Pandal: Just this headline!

Hon J.M. BERINSON: I can see it.

Several members interjected.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon J.M. BERINSON: I can see the billboard being held up and flourished, but I still cannot understand the connection between that billboard and the state of resources development in Western Australia to which the Leader of the

Opposition is attempting to draw attention. This morning I had the opportunity for discussions with people involved in a very significant way in the export of our iron ore. Every indication I had from them and from others with close knowledge of that field is that our resources in that respect are healthy, and indeed in some respects are close to boom times. Production is at a high level, prices are healthy, and there is nothing to indicate any major difficulty in any of the resource areas which have come to my attention.

The fact of the matter is that despite Mr Dowding's concern the Western Australian economy still rates right at the top of the States of Australia, and many would envy our position. I am not in any way getting into a dispute with Mr Dowding's predictions about the future prospects of the economy. It is well known that a wide range of economic views, not concerning Western Australia in particular but looking to the Australian economy as a whole, peppers our field with discussions about hard landings, soft landings and cushions of various degrees of comfort. We all know that there is a wide divergence of opinion among economic commentators and in industry as to the nature of the projections which can reasonably be made. One projection which we can make with reasonable confidence is that whatever the state of the Australian economy generally, the Western Australian economy will, relative to that, remain at the forefront.

Hon D.J. Wordsworth: God help the others!

#### COAL MINING - MT LESUEUR

*Minister for Resources Involvement*

67. Hon E.J. CHARLTON to the Leader of the House:

The Leader of the House, when Minister for Budget Management, repeatedly said that he had nothing to do with the day-to-day financial decisions made by the Government, particularly regarding Rothwells, Petrochemical Industries Co Ltd and so forth. What is his current position as Minister for Resources regarding any development which may take place with any coal to be mined at Mt Lesueur?

Hon J.M. BERINSON replied:

I find it difficult to relate the preamble to the main question.

Hon E.J. Charlton: It has everything to do with it.

Hon P.G. Pandal: It is brown coal.

Hon J.M. BERINSON: Putting that aside, the Department of Resources Development would, of course, be involved with any proposals of that kind, but so would other departments. The Department of Mines would be involved; the departments concerned with the environment would be involved. It would be one of the group of State departments which would be involved in any evaluation of a proposal of that kind.

#### DEBATES - LEADER OF THE OPPOSITION

*Government Waste of Time Claim*

68. Hon TOM STEPHENS to the Leader of the House:

Does the Leader of the House have any comment to make on the claim made by the Leader of the Opposition that the Government was seeking to delay, filibuster and waste the time of the House in a recent debate in this Chamber?

*Point of Order*

Hon BARRY HOUSE: I did not think a member could seek an opinion from a Minister during questions without notice.

Hon P.G. Pandal: Tom, you worded it wrongly.

The DEPUTY PRESIDENT (Hon J.M. Brown): I distinctly heard the question, and to my mind Hon Tom Stephens was not seeking an opinion. There is no point of order.

*Questions without Notice Resumed*

Hon J.M. BERINSON: That is a very perceptive question, if I may say so.

Hon George Cash: You prop him up, Mr Berinson.

Hon P.G. Pental: He is supposed to prop you up.

Hon Tom Stephens: He needs no props.

Hon Peter Foss: Especially not from you.

Hon J.M. BERINSON: Having been asked for a comment rather than an opinion, I can say that it was not only the Leader of the Opposition who astonished me with claims about the waste of time. He was joined in that by Mr Pental and Hon Peter Foss who were making the same sort of contribution. I wish that members who adopted that view would consider the facts. The first fact is that all three Government speakers in that debate together did not speak for as long as Mr Cash did on his own. The second point is that the debate on the Bill took about an hour and a quarter or an hour and a half. I do not see how that time can be begrudged, given that the attitude of the Opposition will have the effect that days and weeks of Parliament's time, not only of this House but of the Legislative Assembly, will be sent down the drain as a result of the decision made by the Opposition parties in support of their blockade.

Several members interjected.

Hon J.M. BERINSON: I know members opposite are trying to be subtle about this blockade.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon J.M. BERINSON: They are trying to find all manner of means to achieve their objective in some way other than the blatant way which would emerge from their simply saying no all the time. Their motives are transparent. I do not believe they should waste their energies on trying to obscure them.

**O'CONNOR, MR TERENCE - PREMIER'S REMARKS**

69. Hon PETER FOSS to the Attorney General:

Will the Attorney General, as senior law officer and leader of the Bar, dissociate himself from the remarks of the Premier regarding the reputation of Mr Terence O'Connor QC arising from her repeated references to the fact that he is a member of the Liberal Party, and that he would disregard his professional duty to give a proper opinion on the law and tailor his opinion to suit his political beliefs?

Hon J.M. BERINSON replied:

That was a statement by the Premier, and if Hon Peter Foss wishes any further comment on it he should put his question on notice to the Premier. Let me just say something to Hon Peter Foss: I know he is a terrific lawyer, if only because he tells us so often. I know he has been in practice for 25 years - no, it is probably 26 years by now; it was 25 years last time. All I want to say is that he cannot keep attempting to mix, as he does, his professional standing with his political performance. He acts politically whenever it suits him, and no matter how it cuts across what one might expect to be proper professional standards. He does it, and he knows that if he wants any further comment on the Premier's views to which he has referred, he can take our ordinary steps to obtain the Premier's response.

**MARINAS - EXMOUTH**  
*Completion Date - Yacht Race*

70. Hon P.H. LOCKYER to the Deputy Leader of the Government in the Legislative Council:

I refer the deputy leader to an announcement she made in conjunction with the



Shire President of Exmouth concerning a yacht race from Perth to Exmouth - for which I commend the organisers - when she announced that the marina at Exmouth would be completed by the time that race was held in 1991. I refer her also to question on notice 72 which was answered today, which shows that the current works program for the marina will not commence until late 1990 and is not scheduled to be completed until June 1994. I ask the deputy leader to tell us where we will put the yachts.

Hon KAY HALLAHAN replied:

I have no idea where I will put the yachts. At the time when the statement was made I was Acting Minister for Tourism, so I am not too sure about -

Hon P.G. Pendal: What type of boat it was! I was actually there, and you were not, to see you make your non-announcement.

Hon KAY HALLAHAN: I thought it was pretty good to see that I was actually at Fremantle making the announcement. However, if there is an anomaly in the advice that has been given I certainly will follow that up. Is the member saying that the previous announcement said it would be completed in 1991 and the information he has now been given says 1994?

Hon P.H. Lockyer: Yes.

Hon KAY HALLAHAN: I will follow it up.

**MARINAS - EXMOUTH**  
*Completion Date - Yacht Race*

71. Hon P.H. LOCKYER to the Deputy Leader of the Government in the Legislative Council:

By way of a supplementary question, will the deputy leader undertake to advise with some haste the Shire of Exmouth, which is freely quoting her that the marina will be completed in time for the completion of the yacht race?

Hon KAY HALLAHAN replied:

I certainly will see that the Shire of Exmouth gets the advice it needs.

**SWAN BREWERY SITE - REDEVELOPMENT**  
*Cost*

72. Hon P.G. PENDAL to the Minister for Planning :

Since Parliament was told on 26 October last year that a cost plan statement for the completion of the old Swan Brewery was being prepared, will the Minister advise -

(1) What is the cost to complete the project to fit-out stage?

(2) Are any costs envisaged beyond those referred to in (1)?

Hon KAY HALLAHAN replied:

(1)-(2)

I will be happy to take that question on notice. I ask the member to clarify the question. Is he talking about ongoing maintenance?

Hon P.G. Pendal: No, the cost to complete it to fit-out stage, and whether there is then any further cost beyond the fit-out stage.

Hon KAY HALLAHAN: Such as?

Hon P.G. Pendal: That is for your advisers.

Hon KAY HALLAHAN: I am happy to get that information for the member.

**POLICE STATIONS - NORTHAM POLICE STATION**  
*Prosecuting Sergeant - Leave, Replacement*

73. Hon E.J. CHARLTON to the Minister for Police :

(1) Is the Minister aware that the prosecuting sergeant at the Northam Police

Station, who also operates the Northam Court, is on leave and I understand will not be replaced?

- (2) If not, could the Minister inquire and report back to the Parliament on the outcome?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I am not aware that the officer to whom the member referred is on leave, nor that, in the member's words, he will not be replaced. I am happy to address the matter with the commissioner and to advise the member accordingly.

#### ASSET MANAGEMENT TASK FORCE - OLD TREASURY BUILDING

*St George's Terrace - Sale Consideration*

74. Hon BARRY HOUSE to the Minister for Lands:

I direct this question to the Minister in her capacity as a member of the Asset Management Task Force. Could the Minister tell the House if the old Treasury building in St George's Terrace is being considered for sale by this organisation?

Hon KAY HALLAHAN replied:

The Deputy Premier is the Minister responsible for the Asset Management Task Force.

#### ASSET MANAGEMENT TASK FORCE - PROPERTY SALE

75. Hon BARRY HOUSE to the Minister for Lands:

By way of a supplementary question, I understand the Minister is a member of the Asset Management Task Force and I will direct another question to her in that capacity. In view of the objective in this year's Budget for the Asset Management Task Force to raise \$55 million by selling Government assets, and the fact that it appears that it is nowhere near this target so far, what Government assets are earmarked for sale for the remainder of this financial year?

Hon KAY HALLAHAN replied:

I reiterate my previous answer that the Deputy Premier is responsible and therefore speaks on any matters associated with the Asset Management Task Force. The member is quite right in asserting that I am a member of that task force; however, it is an organisational matter with all bodies, to which any of us belong, that we have people responsible for speaking on behalf of other members. In this case the chair of that committee is the Deputy Premier. If members would like information about that task force they should put their questions on notice and the information will be provided.

#### POLICE - COMMUNITY POLICING

*New Vehicle Search*

76. Hon GEORGE CASH to the Minister for Police:

I refer to the *Wanneroo Times* of 8 May 1990 in which, under a banner heading "Police seeking new vehicles" it is suggested that -

Community policing in all suburbs north of the river is facing a crisis if four new vehicles can't be found before June 11.

I also note that the current community police officer, Mike O'Malley, is using an unmarked police vehicle which is about to be recalled. Can the Minister advise the House what action he has taken to ensure the community policing officer is able to retain his vehicle; and what other action is being taken to find other vehicles for that very important department within the Police Force?

Hon GRAHAM EDWARDS replied:

I find the question a bit surprising, given that some of the information the member has given is wrong. I might say I am very pleased at the sentiments expressed in the member's question and I welcome those sentiments, which indicate support for the concept of community policing - a concept which has been very strongly pushed by the Commissioner of Police, Brian Bull, and which is very strongly supported by me. I find a conflict, however, in that while the Leader of the Opposition is giving his support - and again I welcome that support - such support is not forthcoming in another place by the leader of his party. Indeed, he steadfastly refuses to give support to the concept of community policing.

Having said that, the concept of community policing is one which requires the community itself to give some additional support above and beyond that which is provided by the Government. That is how the community is involved and given ownership. That is how the community becomes an active supporter of this good concept. I am not aware that the vehicle to which the Leader of the Opposition refers is about to be recalled. I will bet my bottom dollar that his information is wrong, as it consistently is when it comes to matters of policing. His information so often is second or third hand.

Hon George Cash: Is the Minister saying that the local newspaper is wrong?

Hon GRAHAM EDWARDS: I say that the member's information is wrong. In relation to the other cars which the member says are due to be withdrawn by the end of June, it is anticipated that alternative replacement cars will be provided by then.

**POLICE - COMMUNITY POLICING**  
*New Vehicle Search - Replacement Source*

77. Hon GEORGE CASH to the Minister for Police:

From which source does the Minister expect those cars will come?

Hon GRAHAM EDWARDS replied:

That is being negotiated at the moment.

Hon George Cash: I am sure it is.

Hon GRAHAM EDWARDS: I welcome this indication of new found support that has been expressed by the Opposition for this successful concept of community policing. I know that Hon George Cash has a number of contacts well placed in the community. Mr Cash should take his new found support for community policing one step further and use his influence in the community to ensure that the concept is properly supported. Indeed, he might like to approach some of those people he knows who are well placed in the community to see whether they would give community policing their support.

Hon George Cash: I will be doing my bit.

**ASSET MANAGEMENT TASK FORCE - OLD TREASURY BUILDING**  
*St George's Terrace - Protection*

78. Hon BARRY HOUSE to the Minister for Heritage:

Following on my previous question, in view of the indications that the old Treasury building in St George's Terrace will be considered for sale by the Asset Management Task Force, what steps is the Minister prepared to take to protect that historical building?

Hon KAY HALLAHAN replied:

Without going back on my earlier answer, I doubt that that building would be considered for sale; probably it would be considered for a long term lease. Whatever considerations are made, I can assure members that conditions would attach which will ensure that any development enhances the delightful heritage values of that building. In no way is a threat being made to that building as it is outstanding in its location and in its style.

Hon P.G. Pental: The Minister does not rule out a sale.

Hon KAY HALLAHAN: I should not comment on that because that should come from the spokesperson for the task force.

Hon P.G. Pental: You are the Minister.

Hon KAY HALLAHAN: I have given the member what he wanted; that is, an assurance about the heritage value of the building being maintained.

#### GUNS - NEW LEGISLATION

79. Hon GEORGE CASH to the Minister for Police:

I refer to an article in the *Daily News* on Tuesday, 13 March 1990, in which the Minister referred to certain actions he would take in respect of gun laws in Western Australia following the unfortunate shootings of a number of people. Can the Minister advise what action he has taken to date, and the recommendations he proposes?

Hon GRAHAM EDWARDS replied:

I am not sure what was said in the article but if it stated that I was to take action following the shootings then it is slightly inaccurate. We have referred to the police some recommendations which came from the national committee on violence. The recommendations referred to the police for consideration and report related to the tightening of fire arms control. In the main, the recommendations referred to other States because Western Australia currently has fairly tough and restrictive gun laws. It was coincidental that the tragic shootings took place at the same time that the police were considering those recommendations. Probably it emphasised the need for us to be reviewing some of the regulations. The police are still reviewing the regulations and controls but have not, at this stage, reported back to me. As an interim measure, however, I have asked the Commissioner of Police to give some consideration to the introduction of an amnesty - to bring that forward by some 18 months - putting us out of kilter with the rest of Australia. The commissioner responded in the affirmative, and the amnesty is current.

I was pleased to see some coverage in the media last week which indicated a positive response to the amnesty. I suspect the response was in part because of those horrific shootings. I reiterate that we have tough gun controls and laws in this State and that apparently we need to review them. As soon as I am in a position to do so, I will provide the results of that review to the Opposition.

#### POWER STATIONS - ELECTRICAL POWER PLANS

*Minister for Resources Responsibility*

80. Hon W.N. STRETCH to the Minister for Resources:

Does the Minister have any responsibility for the planning of future power stations involving electrical power in Western Australia?

Hon J.M. BERINSON replied:

No, although it would be obvious that the provision of power and the ability to provide that in sufficient quantity and at a competitive price is very central to almost all resource development proposals.

#### ENERGY - ALTERNATIVE SOURCE PLANS

*Minister for Resources Involvement - Energy Policy and Planning Bureau*

81. Hon W.N. STRETCH to the Minister for Resources:

Does the Minister have any input to the planning of alternative energy sources that could provide another resource in the view of the Energy Policy and Planning Bureau which, I understand, comes under his portfolio?

Hon J.M. BERINSON replied:

No. That bureau is now within the portfolio of the Minister for Mines.

## ENERGY POLICY AND PLANNING BUREAU - SOCIAL IMPACT UNIT

*Minister for Resources Responsibility*

82. Hon W.N. STRETCH to the Minister for Resources:

Would the Minister indicate the date on which that change took place? My updated list of Acts which come under the Minister's responsibility includes that activity. Can the Minister outline the activities of the social impact unit, which on my list is under the Minister's responsibilities?

Hon J.M. BERINSON replied:

Mr Stretch and I may both be right. The energy bureau had come within the resource portfolio but it was the subject of discussion after the department came within my authority. A decision has been made that it should come within the authority of the Minister for Mines. I think they are operating on that basis but the formalities of gazettal may not have been finalised. I am not sure of the formalities.

Hon W.N. Stretch: Now that I have the *Government Gazette*, I can check it.

Hon J.M. BERINSON: The social impact unit remains with Resources Development.

## POLICE - MULTANOVA

*Demerit Points*

83. Hon MAX EVANS to the Minister for Police:

I seek clarification of a question asked on Tuesday relating to the Multanova device and the fines that will be imposed. Has the department considered how it will issue demerit points to the drivers, bearing in mind that the fines will be levied on the owners of the vehicles, who could be Government departments, finance companies, corporations or the like?

Hon GRAHAM EDWARDS replied:

That matter has been considered. I ask the member to bear with me and when the Bill is introduced I will provide a fairly full briefing on how the Government intends to overcome that problem.

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