

Legislative Council

Tuesday, 18 October 1983

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

LEGISLATIVE COUNCIL CHAMBER

Televising: Statement by President

THE PRESIDENT (Hon. Clive Griffiths): I wish to give notice that STW Channel 9 has sought approval to have made available to it the facility that has already been made available to Channel 2 and Channel 7; that is, to take some film of the House for keeping in the film library for future use when referring to the Legislative Council.

As we have only three television channels I guess this is the last time I will have to advise members of this. For the moment I have given approval to Channel 9 to film for a short time as soon as the House sits tomorrow.

HEALTH: TOBACCO

Advertising: Petitions

On motions by the Hon. Tom Knight, the following petition bearing the signatures of 52 persons was received, read, and ordered to lie upon the Table of the House—

To:

The Honourable the President and the Honourable Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We, the undersigned are school teachers and we believe that education programmes alone are ineffective in discouraging children from smoking and only by combining education with legislation to ban tobacco advertising can we expect that the uptake of smoking by children will be significantly reduced.

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

(See paper No. 337.)

Similar petitions were presented by the Hon. John Williams (38 persons), the Hon. Margaret McAleer (15 persons), the Hon. Fred McKenzie (32 persons), the Hon. G. C. MacKinnon (five persons), the Hon. W. N. Stretch (15 persons), and the Hon. P. H. Wells (43 persons).

(See papers Nos. 338, 339, and 341 to 344.)

ELECTORAL

Country Areas: Petition

On motions by the Hon. W. G. Atkinson, the following petition bearing the signatures of 86 persons was received, read, and ordered to lie upon the Table of the House—

To:

The Honourable the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We, the undersigned citizens of Western Australia: Declare that just as the Australian Senate recognises the representational needs of the remote and less-populous areas of Australia, so too does the Western Australia House of Review recognise the representational needs of the remote and less populous regions of Western Australia.

And ask that the State's House of Review should vote against any proposition that aims to decrease or weaken the representation of country people in the State Parliament.

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

(See paper No. 340.)

QUESTIONS

Questions were taken at this stage.

TOBACCO ADVERTISING: "THE GERALDTON GUARDIAN"

Select Committee of Privilege: Motion

HON. TOM McNEIL (Upper West) [5.10 p.m.]: I move—

That the advertisement published in *The Geraldton Guardian* on October 11, 1983 under the authority of the Australian Council on Smoking and Health be referred to a Select Committee of Privilege to inquire into and report as to whether or not the content of that advertisement constitutes a contempt of this House.

I was prompted to move this motion as a result of a publication which I am holding in my hand which appeared in *The Geraldton Guardian* of 11 October. I assume most members would have seen similar advertisements published in their areas. However, for the benefit of those who are not aware of the position I shall read the advertisement, as follows—

A vote on a life or death issue is worth a phone call to your local M.P.

Your local Members in the Upper House, Mr Thomas McNeil and Miss Margaret McAleer are about to vote on an issue that's already cost 95 lives in your area alone.

Very shortly Miss McAleer and Mr McNeil will have to cast votes on the Government bill to ban tobacco advertising. As people who have the best interests of their community at heart, there are some important facts which Miss McAleer and Mr McNeil and all of us must consider.

Sadly 95 people in your electoral province (Upper West) have died from smoking caused disease during the 1980-82 period.* Perhaps some of them were friends or loved ones of your own family.

Another disturbing fact is that 1841 children in your area aged between 9 and 16 years are already smokers.*

Under an asterisk at the bottom of the page it says—

Estimate prepared by National Health and Medical Research Council Unit in Epidemiology and Preventive Medicine, Department of Medicine, University of Western Australia.

The advertisement continues—

And it is estimated that another 458 children will have taken up the smoking habit this year. We have to do something about it now.

The Government has introduced this legislation to protect our children. Please, take the time to show your support and phone or write to your Members of the Legislative Council at the addresses shown below and ask them to back the bill—for the sake of our children's health.

Phone or write now.

The Hon. Mr T. McNeil M.L.C.

Town Towers,
Cathedral Ave,
Geraldton 6530

Phone (099) 21 3344

The Hon. M. McAleer M.L.C.

Parliament House
Perth 6000

Phone (09) 322 1344

The advertisement was inserted in the newspaper by the Australian Council on Smoking and Health, which is representative of approximately 23 bodies.

I raise this matter because I believe a breach of privilege has occurred. The issue referred to in the advertisement, which will be debated either tonight or some time this week in this place, has become very emotive. The campaigns conducted both by the tobacco companies and those who support the legislation have been very emotive and have highlighted the position in which this House is placed, because the decision made here will determine the fate of the legislation.

Never before in the period I have been a member of Parliament have I been subjected to as much literature on an issue as I have on this occasion. I am sure other members of the Chamber would agree with me.

On issues of this nature it is very difficult to evaluate whether one is making the right decision, whether the legislation will be beneficial or otherwise, and to determine its ramifications. That situation is made even more difficult by this type of advertisement being placed in the newspaper. Obviously it is designed to encourage people in members' electorates to approach their members, because they will be voting on what is called "A life or death issue".

Without discussing the ramifications of the Tobacco (Promotion and Sale) Bill, I moved the motion to indicate that a possible breach of privilege had occurred and certainly the upper House was being held in contempt.

Having brought the matter to the attention of the House, it is my desire that a panel of senior members of this place examine the article and any similar articles which affect other members to see whether a breach of privilege has occurred and to take whatever action may be necessary.

HON. V. J. FERRY (South-West) [5.15 p.m.]: I formally second the motion. An advertisement similar in format to that which is the subject of this motion appeared in *South Western Times* of 11 October 1983. The only difference between the advertisement referred to by the Hon. Tom McNeil and the one to which I refer is that the names of the members have been changed and the statistics as to deaths and factors concerning children have been changed. As far as I can ascertain the formats of the advertisements are identical.

I wonder whether the organisations listed at the base of the advertisement were aware of the style of the advertisement prior to its being published in the Press. Allegedly the advertisement is authorised by the Australian Council on Smoking and Health. As has been mentioned, some 22 or 23 reputable organisations are listed under the advertisement as members of the council. I have the grave suspicion that these organisations were not

consulted prior to their names appearing in the advertisement. If they were consulted as organisations I would be surprised. I have checked out—

The PRESIDENT: Order! I draw the attention of honourable members to the wording of this motion. The wording is narrow; it relates specifically to the establishment of a committee of privilege to report on whether the content of the advertisement constitutes a contempt of this House. The mover confined himself pretty well to that point, and I recommend to other honourable members that they restrict the comments they may make on this motion. The scope in which they have to manoeuvre is limited indeed.

Hon. V. J. FERRY: I am mindful of that. I referred to the format of the advertisement, which contains the names of organisations. In my view those names are part of the advertisement—part of the whole deal. If I am wrong, I will apologise.

It appears that the advertisement was organised by that council; and the organisations associated with the council are listed as part of the advertisement. Therefore I support the motion to have this advertisement referred to a committee of privilege.

I believe that some of these organisations were not aware of the contents of the advertisement, but that is yet to be proved. I would like the proposed committee during its deliberations to take those sorts of matters into consideration. It is pertinent that it do so in order to give authenticity or otherwise to this advertisement.

I hope the content of the advertisement is the subject of deliberate examination by a committee of privilege, if this House sees fit to constitute one to examine this whole issue. The content of the advertisement causes serious concern. It may imply to some people that members of Parliament can be held responsible for people taking up smoking and, in that context, may be responsible for the untimely deaths of those people. I could read into that, and maybe other people could read into it—perhaps others have a different view from mine—that if a member of Parliament voted in a certain way he can be indirectly responsible—

The PRESIDENT: Order! I ask honourable members to cease their audible conversations. I have just limited the area in which members may address themselves to this question, and it is important that I hear what the member says.

Hon. V. J. FERRY: I refer to the impression one might gain from an advertisement of this nature. Various individuals may view it in a different light from that in which I view it, and I am concerned about that. It is proper that a committee of privilege be appointed to examine this

advertisement to determine whether it conforms to reasonable standards or it goes beyond the pale.

I am interested in this matter, but personally I am not worried one way or the other about its effect. I can look after myself in the public arena in these sorts of circumstances, but the advertisement may reflect upon the Parliament in general or upon Parliamentary privilege. In fact, it may hold the Parliament in contempt, and I would like a committee of privilege to examine that question.

I support the motion.

HON. P. H. WELLS (North Metropolitan) [5.22 p.m.]: An advertisement similar to that which is the subject matter of this motion appeared in three or four of the newspapers distributed in the northern suburbs. I have advised the organisation concerned that I feel the advertisement is the worst I have seen in this tobacco campaign. I did not expect that that type of advertisement would be produced by a responsible type of organisation such as the Australian Council on Smoking and Health.

If I implied that doctors had caused deaths as a result of their incompetence I am sure they would react. In addition, the advertisement has been directed at selected members, and for that reason I must, to some degree, support the motion.

HON. PETER DOWDING (North—Minister for Mines) [5.23 p.m.]: The Government does not object to this motion, but having regard to the comments of the Hon. Vic Ferry and the Hon. Peter Wells, I feel constrained to make some brief remarks.

This is a situation where a member in good faith has raised a question. The Government feels in this circumstance that it is not inappropriate that the question be considered by a committee of the House. I should not like it to be thought that in taking that position the Government in any way expresses a desire to restrain people from advertising their political views, from making their comments known publicly, or communicating those comments to members of Parliament.

It is inappropriate, I believe, to debate this issue now, having regard to the motion before us. I make it clear that our support is on the narrow basis that a question has been raised in good faith, a question which may be appropriately referred to a committee.

Personally, I feel it strains the limits of interpretation of a breach of privilege to regard this advertisement as breaching the forms of the House. Nevertheless, we accept that the Hon. Tom McNeil has raised it bona fide, and we think it appropriate not to oppose his motion for the formation of a committee.

Question put and passed

Appointment of Select Committee

HON. PETER DOWDING (North—Minister for Mines) [5.25 p.m.]: In the absence of the Leader of the House, I move—

That the Committee of Privilege comprise the Honourables Peter Dowding, as Chairman, Fred McKenzie, I. G. Medcalf, G. C. MacKinnon, and Robert Hetherington, and

- (a) the Committee have power to send for persons, papers and records;
- (b) to sit on days on which the Council stands adjourned;
- (c) any three of the said members constitute a quorum; and
- (d) the Committee to report no later than Tuesday, November 1 1983.

Question put and passed.

BUILDERS' REGISTRATION AMENDMENT BILL

Receipt and First Reading

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

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.26 p.m.]: I move—

That the Bill be now read a second time.

The Bill goes further than merely adopting the boundaries of the metropolitan region, but extends the board's jurisdiction to the Shire of Mandurah—an area where substantial building activity has and will take place. The Government is also giving consideration to further extending the board's jurisdiction to other country areas. It is only sensible and proper that the Builders' Registration Board should extend its ambit to such areas for the benefit of the public.

Further, the Bill seeks to give to the board desperately needed powers which are made necessary as a result of the board's financial situation. Registration fees have not been increased since 1976. The problems of escalating costs and inflation have consequently placed a heavy financial burden on the board to the extent that unless it is given power to borrow, and confirms its right to hold property which may be offered as security, the board's financial position by the end of the year would be critical.

Since its inception in 1939, the board has been self-sufficient and not reliant on Government funding. This position is to be preserved by the proposed increase in registration fees together with an authority to permit the board to acquire real and personal property and to give it a power to borrow, together with the right to charge such property as security where required.

In line with the Government's policy, the Bill provides for the nomination of a consumer representative to the board by the Minister. It also provides for panels of names in respect of the remaining members to be submitted to the Minister for nomination for appointment, and for the appointment of a deputy chairman and deputy members.

The Bill proposes that the board may delegate the right to order remedial work to the registrar of the board and also provides, following a recent decision of the Supreme Court, a provision for the board or registrar to vary orders made for rectification work. In the absence of any specific provision this power is not available to the board.

Further, the Bill proposes that the board's power is to be limited to a complaint which is made within six years of the date of practical completion of the building work. This is consistent with normal limitation periods and should allow any structural faults which appear over what is considered a reasonable period to be the subject of complaints.

Finally, the Bill seeks to alter the provisions relating to owner-builders. The Bill alters the period during which an owner-builder is precluded from selling his home from 18 months to three years and the period in which an owner-builder is precluded from obtaining a further builder's licence is altered from three years to six years.

Both provisions are designed to prevent builders from disguising themselves as owner-builders and are to be subject to a dispensation which may be granted by the Minister when he is satisfied there is a genuine case of changed circumstances and hardship would be suffered if the application were refused.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. A. A. Lewis.

CONSUMER AFFAIRS AMENDMENT BILL

Receipt and First Reading

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

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.32 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to extend the provisions of the Consumer Affairs Act to enable persons within the rural community to be included within the scope of the definition of "consumer" with respect to farm machinery and other agricultural equipment and services. The amendment proposes that persons who carry on a farming or agricultural undertaking as detailed in the Bill, are not precluded from the benefit of assistance under the Act.

The present definition of "consumer" extends to a person who acquires or purchases or takes on hire or lease, goods other than for resale or letting on hire and a person who makes use of services for fee or reward. That definition is qualified in section 4(2) of the principal Act to exclude a person who carries on a trade or business where the goods purchased or the services used by him are used in the course of, or for the purpose of, carrying on that trade or business.

Accordingly, the Department of Consumer Affairs is precluded from accepting complaints from such persons. This has proved detrimental to members of the farming community in particular, who acquire many things of a domestic nature on the account of their farming undertaking. Strictly, this is because those goods or services are acquired in the course of carrying on a trade or business.

As the Act now stands, farmers therefore are not entitled to seek redress by obtaining assistance from the department.

The amendment represents part of the Government's policy on consumer law reform and will enable the department to provide necessary assistance to the farming community in resolving complaints and to act as a mediator between farmers and the suppliers of goods and services.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. A. A. Lewis.

GENERAL INSURANCE BROKERS AND AGENTS AMENDMENT BILL

Receipt and First Reading

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

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.35 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to amend the statutory requirements by which members of the Insurance Brokers Licensing Board are appointed in respect of section 6(1)(c) and 6(1)(d).

A member under section 6(1)(c) shall be a person who is conversant with the business and operations of insurers and insurance agents nominated by the Insurance Council of Australia Ltd. The Bill seeks a slight amendment requiring the Insurance Council to submit a panel of names from which the Minister will select a person for appointment as member of the board.

Section 6(1)(d) of the principal Act provides that a person who is a licensed insurance broker and who is elected for appointment by licensed insurance brokers, shall be a member of the board. Recently at the expiration of the term of the first person appointed to fill this position, it was discovered that very few licensed insurance brokers were natural persons who were eligible for appointment to the board. In fact, of about 70 licensed insurance brokers, almost all are companies and therefore, not entitled to representation in their own right on the board. The person occupying this position previously, while a director of a licensed insurance broker, is not licensed in his own right and was not even eligible for re-appointment.

This Bill proposes, therefore, that this section be amended to provide for the National Insurance Brokers Association of Australia to submit a panel of names from which the Minister may select a person for appointment. The National Insurance Brokers Association of Australia is a national body representative of all insurance brokers and was not constituted at the time of enactment of this legislation.

The amendment will overcome this problem and will not require the person appointed to the board to be licensed in his own right, although he will be required to be conversant with the business and operations of insurance brokers.

In addition, a transitional section of the Act is repealed and complementary amendments to the schedule are included with respect to nominations for appointment to the board.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. G. E. Masters.

DAYLIGHT SAVING BILL*Receipt and First Reading*

Bill received from the Assembly; and, on motion by the Hon. Peter Dowding (Minister for Mines), read a first time.

Second Reading

HON. PETER DOWDING (North—Minister for Mines) [5.38 p.m.]: I move—

That the Bill be now read a second time.

Daylight saving was introduced in October 1974, on a trial basis, and subsequently a referendum was held in March 1975. The result of daylight saving not being continued was because in the referendum of 1975, 250 644 electors voted in favour of daylight saving and 290 179 voted against the proposal.

Since then, there has been support from sections of the business community for its reintroduction, and also from companies doing business with the Eastern States. Furthermore, some members of the general public are in favour of greater use of daylight hours for leisure. Eight years have passed since the public last experienced daylight saving and the Government has agreed to a proposal for a trial period of daylight saving to commence this year.

A provision in the Bill before the House is that the trial period of daylight saving shall commence on 30 October 1983 and finish on 4 March 1984. It will be known as Western Australian summer time and during that period the clock will be advanced by one hour throughout the State.

The electors of the State will be asked in a referendum to vote as to whether they are in favour, or not in favour, of daylight saving. The Bill provides that the question shall be put to the electors in accordance with the Referendums Act 1983.

Where the majority of electors are in favour of daylight saving, Western Australian summer time will be observed accordingly throughout the State from the last Sunday in October in each year until the first Sunday in the following March.

Should the "No" vote of electors exceed the "Yes" vote, the relevant clause, which provides for the advancing of the clock by one hour during summer, will not come into effect.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Medcalf (Leader of the Opposition).

(101)

EXOTIC STOCK DISEASES (ERADICATION FUND) AMENDMENT BILL*Receipt and First Reading*

Bill received from Assembly; and, on motion by the Hon. Peter Dowding (Minister for Mines), read a first time.

Second Reading

HON. PETER DOWDING (North—Minister for Mines) [5.40 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Exotic Stock Diseases (Eradication Fund) Act to provide compensation to be payable to the owner of any livestock which an approved inspector certifies has died of a proclaimed disease, irrespective of whether the property is under quarantine restrictions at the time of the death. A further amendment extends the time limit for an application for compensation from two months to 90 days.

The Exotic Stock Diseases (Eradication Fund) Act was enacted in 1969 to establish a fund for the payment of compensation to the owners of animals and property destroyed, and of animals dying in the course of steps taken to eradicate, or prevent the spread of, exotic disease in livestock.

Exotic animal diseases such as foot and mouth disease are a serious threat to our livestock industries and if one of the diseases gained entry the eradication measures taken must be swift and effective. This may involve destruction of livestock and property, and owners need to be compensated for such losses.

The principal Act in its present form does not conform with legislation enacted in other States in that, under section 9, compensation is payable only on the death of the animal dying of an exotic disease if the owner's property is in quarantine.

This restriction does not apply in other States and, in effect, penalises the owners of livestock who, through no fault of their own, sustain losses due to the sudden death of their animals from an exotic disease, prior to their being aware of the cause and prior to their properties being put in quarantine.

The Bill will bring the Act into line with other States and provide more time for owners to apply for compensation. The amendments will have minimal effect on the overall compensation payments but will achieve national conformity, and I commend the Bill to the House.

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

BUSINESS NAMES AMENDMENT BILL*Second Reading*

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.43 p.m.]: I move—

That the Bill be now read a second time.

The State Budget provides for increased fees and charges in a number of areas.

A review of the necessary formalities has shown that many increases can be implemented by regulation, but that others still require an amendment to the parent Act. The latter procedure is cumbersome, costly, and a wasteful use of the Parliament's time.

With a view to a more rational and uniform approach, it is therefore proposed to amend a number of Acts to permit fees and charges, in future, to be amended by regulation. This continues a sensible trend which has gradually developed in recent years.

Needless to say, Parliament will retain its control of the level of all relevant charges through its power to disallow regulations.

The necessary extension of the regulation-making power is the first purpose of this Bill. A further amendment is proposed relating to finance brokers. Section 26 of the Business Names Act prohibits a person from referring to a business name in connection with an invitation to lend money where that invitation is made by advertisement to the public. Licensed finance brokers are being inhibited in their normal operations by this restriction, and the amendment will allow the exemption by regulation of certain persons or class of invitations, from the operation of section 26.

Finance brokers are, of course, now controlled by the Finance Brokers Control Act and this amendment will permit them to advertise in conformity with section 45 of that Act.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Medcalf (Leader of the Opposition).

LIMITED PARTNERSHIPS AMENDMENT BILL*Second Reading*

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.45 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to permit future amendments to the level of fees to be prescribed

by regulation. The reasons are the same as those indicated in my second reading speech on the Business Names Amendment Bill.

For the information of members I draw attention to the fact that fees under the Limited Partnerships Act have not been amended since 1909. The use made of this Act varies greatly from year to year and the revenue varies accordingly. Nonetheless, the Government believes that the fees, set over 70 years ago, are now so far out of date that they should not be permitted to continue unchanged.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Medcalf (Leader of the Opposition).

BILLS OF SALE AMENDMENT BILL*Second Reading*

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.47 p.m.]: I move—

That the Bill be now read a second time.

As with the two previous Bills, the purpose of this amendment is to permit fees under the Act to be prescribed by regulation in future.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Medcalf (Leader of the Opposition).

PRISONERS (INTERSTATE TRANSFER) BILL*Second Reading*

Debate resumed from 12 October.

HON. JOHN WILLIAMS (Metropolitan) [5.48 p.m.]: The Opposition will naturally support this Bill wholeheartedly. The Bill was discussed and partly formed by the Opposition when in Government and it is part of a package of Bills which were dealt with following conferences of the Attorneys General of the States and the Commonwealth, and the Minister representing the Northern Territory. I have been in touch with the Council for Civil Liberties and its President (Mr Brian Tennant) wholeheartedly supports the Bill. He cannot speak for the council but from his own point of view, as a person who is very much interested in these affairs, he supports the Bill 100 per cent.

It does mean that discrimination, as it were, in respect of sentencing a prisoner away from his home State will be removed. No-one can pretend that a prison sentence is there just for the sake of punishment; the idea is to include rehabilitation. Some of the tragic cases which have come to my notice of people who are imprisoned in this State

but whose domicile is in other States are indeed heart-rending. This situation will now be removed with all proper precautions being taken by way of agreement between two Ministers if necessary. The case may come to a court of summary jurisdiction and even then the matter can go on appeal to the Supreme Court.

We on this side of the House are satisfied that the Bill is a good one and deserves to be on the Statute book as soon as possible.

HON. KAY HALLAHAN (South-East Metropolitan) [5.49 p.m.]: I support the Bill because I think it is an important one and many people in the community regret that it has not been brought forward earlier. I commend the Attorney General on bringing the Bill into the House at this early time. Members of the Civil Rehabilitation Council of WA (Inc) have expressed great relief at seeing this Bill start its passage through the House.

I agree with the Hon. John Williams that imprisonment for punishment's sake alone is unacceptable and is a limited way of dealing with those who commit a crime. What must be considered is the re-entry of those people into the community, unless we want to create more and more social problems.

During the time I have been a member of Parliament I have been approached by constituents who have members of their families imprisoned in the Eastern States. I refer to one where the prisoner was suffering from a severe medical condition and the family were concerned to get that prisoner back to Western Australia under the medical care of professionals who understood the longstanding nature of his complaint. Under existing legislation it was not possible for this to take place. I think this case highlights the problems that can result from not having reciprocal arrangements.

It is quite clear that for those prisoners who wish to maintain contact with their families, imprisonment in another State will make such contact impossible. I refer to another family who spent their life savings on travelling to the Eastern States on just one occasion in order to make contact with a member of the family. Their fear was that the only moderating influence existing for that person was from family members. Without that contact they foresaw a very grim future for that family member.

Another interesting fact is that Western Australia has the highest imprisonment rate of all Australian States and it can therefore be said that people travelling to Western Australia may be in greater danger of imprisonment than those Western Australians travelling to the Eastern States. If

we extrapolate that to an extreme degree we can say that Western Australia stands to benefit economically from expatriating members of the prison population back to other States. I hope we will do that.

Hon. P. G. Pental: This is a Budget Bill.

Hon. KAY HALLAHAN: We could call it a money Bill.

The question of other charges pending and the loss of evidence has also been an inhibiting factor in some cases and this will be overcome by the consent of the two Ministers to the transfer of a person so that the case can be heard and dealt with while satisfactory evidence is still in hand.

I am pleased to see this Bill before the House and I commend it to members.

HON. I. G. MEDCALF (Metropolitan—Leader of the Opposition) [5.55 p.m.]: I support this Bill. It was before the conference of Attorneys General for a long time and it had to go from there to Ministers for Police and Prisons and various other people who were involved. Consequently it was a long time in the gestation process. Clearly there are many advantages in the Bill not only for prisoners but also for the State. I think it is true to say there are more people in our prisons who have committed major crimes and who come from other States than there are Western Australians in the prisons of other States, and we do stand from a pecuniary point of view to profit from this in terms of supporting some of those people from other States.

Hon. J. M. Berinson: You see, it is a Budget measure.

Hon. I. G. MEDCALF: Indeed, that was a theory I had for some time and I was fortified in that view when I heard an eminent judge expressing the same comment, having presided over many trials involving people from other States, New Zealand and various other places.

It is clearly advantageous from the point of view of the prisoners. One does have to take a humanitarian view when dealing with those incarcerated in prison for a long time without the support of their families. Another important reason was touched on by the Attorney General, and this was brought to my attention quite noticeably on several occasions. A prisoner was required for a trial in another State and he simply could not be released until he had completed his sentence here. By the time he was released the witnesses had disappeared and it was extremely inconvenient many years later for the trial to be held in, say, Victoria or New South Wales. The same situation applies in reverse.

It is a worthwhile Bill and, of course, we support it.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [5.57 p.m.]: I thank honourable members for their comments and for their support of this Bill. It is not altogether surprising that there should be unanimity on this matter, given the role of the Leader of the Opposition in bringing it through its early stages. I previously commented on the fact that this was a uniformity exercise of the Standing Committee of Attorneys General and I am happy to acknowledge the role the Leader of the Opposition played on that committee in the course of developing this proposal.

I thank honourable members for their support and commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

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

Sitting suspended from 6.00 to 7.30 p.m.

STATE GOVERNMENT INSURANCE OFFICE AMENDMENT BILL

Receipt and First Reading

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

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [7.31 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to extend the franchise of the State Government Insurance Office to permit unrestricted entry into general and life insurance on a fully competitive commercial basis. The Labor Party policy at the recent State election included the following commitment—

The S.G.I.O. be freed of its present restricted charter and permitted to compete in all areas of insurance on a normal commercial basis.

The Bill seeks to implement that election mandate. The Government regards this measure as an important part of its legislative programme.

The SGIO was established in its present form by the State Government Insurance Act 1938. Its operations have been extended from time to time, but it remains the most restricted Government insurance office in Australia. It is, in fact, the only State Government Insurance Office without general franchise.

In New South Wales, Victoria, Queensland, and South Australia, the Government insurance offices are able to cover all areas of life and general insurance. In Tasmania and the Northern Territory, the offices' access to insurance business is unrestricted.

Over the years, Government insurance offices in the larger States have acquired a significant but not a dominant share of the market. In so doing they have provided strong support for State borrowing programmes and have enabled major State assets to be financed outside Loan Council borrowing restrictions.

They have also contributed substantial sums to the general revenues of their States, thus relieving the taxpayers of those States of burdens which, in Western Australia, have had to be financed from taxation.

This Bill removes restrictions that have prevented the SGIO for more than 50 years from providing a full service to the people of Western Australia. Its provisions will enable the SGIO to offer a complete range of services to the public of Western Australia on the basis of fair competition with the many private companies that have unrestricted access to the market in this State.

As a result, the State will gain financially and the community, already well supported by the SGIO, will derive increased benefits.

The present Act enables the office to underwrite workers' compensation, and motor vehicle and student accident risks in competition with other insurers. The Act also enables the office to underwrite general insurance risks in which a local authority has an insurable interest, but limits this type of activity to a pool system.

Since its inception the SGIO has not cost the taxpayers a single cent. It has, in fact, contributed millions of dollars to State finances. But for its restricted franchise, that contribution could now be much higher.

An extended franchise for the SGIO should enable the office to increase turnover and build a strong cash flow base. The public will have a wider range of insurers to choose from and the

State will benefit by having additional funds to invest in the development of Western Australia.

The SGIO is the biggest of only four insurers operating in Western Australia that are wholly incorporated here.

Its investable funds are ploughed back into Western Australia and not sent interstate or overseas. It is the firm policy of the SGIO to support the people of Western Australia by investment in this State.

Any insurance company in the world can come into Western Australia and sell any type of insurance. The SGIO, Western Australia's own insurance office, despite its proven commitment to the State, alone remains restricted. There is no justification for continuing to restrict the operations of the SGIO when no restrictions are placed on other companies, including those owned by overseas interests.

This Bill will remove those restrictions and allow the office to compete fairly and on an equal footing with local and foreign-owned insurers.

The Government acknowledges that if full and fair competition is to be the principle of an open franchise, the SGIO should not have any advantages over private insurers by virtue of its being a Government organisation. There is no such advantage now, nor will the Bill permit it.

In 1974, His Honour Judge Heenan, now the District Court Chairman of Judges, conducted a Royal Commission into the SGIO. He was asked to report, *inter alia*, upon—

- (1) The extent to which the law restricts the scope of the insurance business in which the State Government Insurance Office may engage;
- (2) whether or not such restrictions as exist are in the interests of the people of Western Australia;
- (3) what advantages and disadvantages might be involved for the people of Western Australia if the existing restrictions were removed; and
- (4) whether the removal of those restrictions would be unfair to other insurers or to any of them.

His Honour's report was handed down in May 1974, but not tabled in this House until August 1976. It recommended that the SGIO franchise be broadened to give it access to all insurance business, including life insurance.

To promote direct, free, and fair competition, His Honour envisaged legislation to ensure that—

- (1) The SGIO paid the Government the equivalent of income tax and other taxes, local government rates, and other charges paid by other insurers; and
- (2) the office had only the same access as other insurers to the services of Government offices and departmental activities.

The Bill has been drafted to comply substantially with these recommendations. The SGIO will be permitted to compete for business in the whole range of insurance business, but only on a normal commercial basis.

The commission reported that the SGIO's activities in the areas of workers' compensation and motor vehicle insurance had shown profitable trading and provided an efficient service with competitive premiums. It had encouraged private insurers to keep their service efficient and its presence had provided a stabilising influence on premium charges.

At the time of the Royal Commission, about 80 of the 102 companies carrying on general insurance in Western Australia were not Australian owned. Of the 49 companies engaged in life insurance business in Australia at the end of 1972, 36 were incorporated outside Australia or were subsidiaries of such companies. Only two were controlled from Western Australia, and they had a negligible share of the market.

More recent figures contained in the 1981 annual report of the Australian Insurance Association show some 30 Australian companies in competition with 170 overseas-owned companies.

The SGIO provides the medium through which the Western Australian people can and should be represented in general and life insurance areas. There is a strong need for the people of Western Australia to have a personal stake in this important industry.

In 1981 the Campbell committee of inquiry into the Australian financial system presented its report. Members will be aware that this committee consisted of leaders from private enterprise and Government, and those who have studied the report will acknowledge its attention to detail and the high standard of argument presented. The objective of the inquiry was not more regulation by Government. The committee's main concern was to promote a financial system that would be efficient, competitive, and stable.

The committee acknowledged that State Governments attach considerable weight to the role of State Government insurance offices in the general provision of insurance, particularly those classes of compulsory insurance in respect of

which normal market premiums are considered inappropriate.

The committee indicated that if Governments chose to retain Government insurance offices—and Governments of all political colours have chosen to do so—the question of competitive neutrality was critical. This Bill adheres to that principle of competitive neutrality and ensures that the SGIO will have no special advantage in the marketplace.

The SGIO already makes a contribution to the State Treasury equivalent to Commonwealth income tax. The Bill actually increases that obligation by providing for a payment of 50 per cent of net profit to the Treasury. This is higher than the corporate tax paid by private companies and is similar to the obligation placed on the R & I Bank.

In addition, the existing practice of the SGIO in meeting all rates and charges required to be met by a commercial enterprise, is formalised in the legislation. Payments include water rates, council rates, land tax, payroll tax, and stamp duty.

The Campbell committee made the point that Government-owned insurance underwriters have consistently provided a major source of funds for State instrumentalities. State Government insurance offices were reported as holding 44.5 per cent of their assets in public securities. In contrast, private sector underwriters held only 10.9 per cent in this form. The advantages to the public of SGIO investments are obvious.

This is particularly important in Western Australia, where we have traditionally had problems in funding our semi-Government and local government loan programmes.

We have always looked to financial institutions such as insurance companies to provide a substantial part of the funds required for these programmes, but experience has shown that, with one notable exception, investment in Western Australian semi-Government and local government loans by companies writing insurance business in this State has been erratic at best. Certainly, it has been much lower than we have a right to expect.

In the case of many insurance companies, there appears to be no conscious commitment to reinvest in this State. The investment decisions of the companies seem to be influenced more by the fact that they are made in head offices in the east or overseas than by the amount of business written in Western Australia.

I acknowledge the consistent support of both semi-Government and local government bor-

rowing programmes by the AMP Society. But even its investment fell last year to half the level of four years ago. Leaving that one company aside, the total investment in semi-Government loans by all other companies doing business in this State amounted to only \$7.2 million last year. Total investment by all private insurance companies in local government loans last year was a negligible \$558 000.

This low level of support is in sharp contrast to the amount ploughed back by the SGIO in these securities. In 1982-83, despite its limited franchise, it provided \$5 million for our semi-Government borrowing programme and \$6.9 million for local government. The total investment by the SGIO in these securities was far greater than by any other company doing business in this State.

Our records show that some major life insurance companies have made only a minimal contribution to our programmes in recent years, with some having subscribed not a single dollar in the last two years. By comparison with the generally poor performance of the rest of the industry in this area, the effort of the SGIO with its limited resources, has been commendable. Over the years the office has lent considerable support to the capital requirements of the State's semi-Government and local government authorities. In doing so it has demonstrated a strong commitment to the people of Western Australia.

I should also mention the welcome support which the SGIO provides for housing through the terminating building societies. Apart from moneys provided from Commonwealth-State Government sources in 1982-83, the office was the biggest single contributor to the funds of the societies, and its contribution was double that of all the other insurers combined.

The State's need for capital funds to finance major infrastructure projects, such as the Muja power station and the gas pipeline, has grown rapidly in recent years. Moreover, the Commonwealth Government is placing increasing emphasis on semi-Government borrowings as a source of State general purpose capital funds, and restricting the States' access to Loan Council allocations financed by Commonwealth bond issues.

Last year, Western Australia's semi-Government borrowing programme totalled \$448.8 million, including conversion loans. Local government borrowings totalled an additional \$41.1 million. Although our requirements in 1982-83 and in the current year are increased by the financing requirements of the gas pipeline, it is clear that our need for semi-Government bor-

rowings will be at a much higher level in future years than in the past.

Our current needs are being met primarily by strong support from overseas investors, particularly in Japan, for SEC and central borrowing authority Australian dollar denominated domestic issues. This demand is generated by the substantial difference between interest rates offered on public securities in Australia and Japan and cannot be relied upon to continue at the present high level as interest rates in Australia fall.

The revival of private sector demand for capital funds and any fall-off in overseas buying of domestic securities would produce a much tighter market in which to raise the funds we require. It is imperative that we take all possible steps to strengthen the sources of loan funds within Western Australia and reduce our present dangerous degree of reliance on Eastern States and overseas support. The widening of the SGIO's franchise is a key step in the Government's programme to build a strong local base of support for our future borrowing needs.

The moves proposed by this Bill to extend the franchise of the SGIO will expand the level of funds available to it for both short-term and long-term investment and allow it to provide a much greater level of support for our authorities' and community's needs. As I have demonstrated, these have in the past been sorely neglected by other members of the insurance industry.

I now turn to the proposed organisation of the office by which it is proposed the business of the SGIO shall be conducted within three discrete funds. One fund will be known as the "trading fund", another as the "life insurance fund", and the third as the "Government insurance fund".

The Government insurance fund will handle all insurance business specific to Government in a comparable manner to the separate Government agency department of the Rural and Industries Bank. In this way, any specialised Government business will be kept separate from the ordinary commercial activities of the office, and any surplus derived from this business will be retained in the fund and not form part of SGIO profits. There seems to have been some misunderstanding of this clause. All it provides for is the establishment of a separate fund. No question of compulsion is involved.

All general insurance business will be transacted through the trading fund and, as the name implies, life insurance business will be transacted through the life insurance fund. Transactions and accounts relating to each fund will be kept separate and distinct.

Before closing, let me address some of the fears that have recently been expressed in respect of this Bill. There appears to be a school of thought that the SGIO could undercut premium rates and give an excessively generous claim service to the detriment of private enterprise. This is simply not true. To remain economically viable, the SGIO must charge adequate premiums and avoid the foolhardy payment of claims. That is what it does now. The SGIO is not a "loss-leader" but produces, and is geared to produce, a profit. It will continue to do so after its franchise has been extended.

It has been suggested also that the insurance industry is adequately served already by existing insurance companies. If this is so, why is it that foreign insurers are still allowed entry into the market, and that occasions arise when clients are forced to approach the SGIO because of the inability or unwillingness of private companies to underwrite risks?

Another argument against this Bill has come from people who say that expansion of the SGIO is acceptable only in those classes of insurance not adequately covered by private insurers. The answer to this is that for the SGIO to be viable and to serve the State best it must be able to compete on equal terms in writing profitable as well as unprofitable business. It is not fair or logical for the SGIO to be relegated to the least profitable business which is not wanted by private companies. Moreover, an inability to provide a full range of services limits the SGIO's capacity to attract insurance business, even in those areas where it now has authority to act.

Another fear expressed in the past is that giving SGIO an open franchise could lead to the development of a powerful monopoly. Nothing in this Bill establishes or attempts to establish such a monopoly. More than that, the evidence from other States is that it simply will not happen. New South Wales, for example, with a long established Government insurance office of extended franchise, also has more than 140 private insurers.

What does the insurance industry, which professes to champion competition in the marketplace, have to fear from one more company among the myriad insurers already trading here? In fact, the argument against the SGIO is an argument in favour of protection, not competition.

This Bill gives the SGIO no special or particular advantage. It merely seeks to give it the same competitive rights in the marketplace as any other company, whether Australian or foreign owned. Indeed, in some respects the burden placed on the

SGIO is greater than that placed on private companies.

I shall conclude, Mr President, by way of summary.

This Bill extends the franchise of the SGIO to enable it to enter into all classes of insurance business on a normal commercial basis.

It will remove the restrictions now imposed on its operations and allow it to compete on equal terms in the marketplace. At the same time, the Bill ensures that the SGIO is given no commercial advantage over other insurers. It will allow consumer freedom of choice, which has previously been denied.

This measure is an essential move towards strengthening local support for the State semi-Government and local authority borrowing programmes.

The Government has a clear mandate to proceed with this measure and I am certain it has the overwhelming support of the people of this State.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Medcalf (Leader of the Opposition).

PARKS AND RESERVES AMENDMENT BILL

Receipt and First Reading

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

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [7.55 p.m.]: I move—

That the Bill be now read a second time.

This Bill makes two principal amendments to the Parks and Reserves Act, both relating to offences.

Under the Act an appointed board of parks and reserves may make by-laws, with the approval of the Governor, with respect to parks and reserves committed to it. Among other things a board may make by-laws relating to the regulation of traffic and rules to be observed in respect of vehicles on roads within parks and reserves.

The Kings Park Board, as a duly constituted board, has adopted by-laws which include making it an offence to drive a vehicle on a road in Kings Park in excess of 40 kilometres per hour. Modified penalties are provided. The policing of this by-law is carried out by a ranger or other authorised person appointed by the board and in the exercise of this function the board has used a radar gun of the type approved by the Minister for

Police pursuant to section 98A of the Road Traffic Act.

Acceptance of evidence obtained as a result of using the radar gun has been legally questioned. However, the basis of the challenge is, firstly, that nowhere in the Parks and Reserves Act does it state that such evidence obtained with an approved type of apparatus be taken as *prima facie* evidence—as with the Road Traffic Act—and, secondly, that the Road Traffic Act, section 98A, refers to a “patrolman”, meaning a patrolman as defined under that Act.

Use of a radar gun for enforcing the speed limit in the park is favoured by the Kings Park Board both from the point of view of established accuracy and also to avoid the need for “pacing” vehicles. The sight of the radar gun in operation is also a deterrent to other potential offenders. It would not be practicable for police patrolmen to take over this function from the rangers.

The Traffic Branch of the Police Department has issued certificates of proficiency for the board rangers to use the equipment.

The first amendment, therefore, provides for the use of approved speed measuring equipment by a ranger or other authorised person to ascertain the speed at which a vehicle is moving, and that the evidence so obtained in the absence of evidence to the contrary, shall be *prima facie* evidence of the speed in any proceedings for an offence against any by-law made under the Act.

The amendment will provide a consistent approach to the use of speed measuring equipment and will not alter the position in relation to the offence itself. It is acknowledged that the amendment will primarily serve the Kings Park Board and, in this regard, use by other boards will be a matter for individual management decision, dependent of course on the board first having an approved by-law providing for a speeding offence.

The second amendment seeks to extend the period in which proceedings against offenders can be commenced from the present three months after committing the offence to six months. Deletion of the three-month limitation currently prescribed enables the application of section 51 of the Justices Act 1902, which in turn results in a six-month limitation period as for most other simple offences.

Not only does this provide additional consistency with other proceedings but also it affords flexibility to boards of parks and reserves which, surprisingly, has potential benefits to the offender as well as the board. Experience by the Kings Park Board, for example, has shown that the availability of the extended period will—

permit a more reasonable time for an offender to offer an explanation before commencing proceedings;

allow concessions in the time to pay modified penalties before commencing proceedings;

ease pressure on Crown Law Department officers processing proceedings; and

improve public relations through the greater flexibility available.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. P. G. Pental.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Consideration of Tabled Paper

Debate resumed from 13 October.

HON. W. G. ATKINSON (Central) [8.00 p.m.]: I hope this is one of the few Budget Bills that will be presented by a socialist Government because socialist views expressed in the Bill and its intentions are horrific.

The best way for me to tackle this debate is to refer to some of the promises and the so-called mandates that the Attorney General has made such a play of when introducing other Bills. I remind the House of an advertisement in *The West Australian* on Friday, 22 July 1983, which highlighted some of the promises made by the Labor Party prior to the State election.

In this full-page advertisement the Labor Party promised that it would seek to freeze Government taxes and charges during the period of the wages freeze. The advertisement highlighted the fact that no increases would occur in water rates, electricity charges, third party motor vehicle insurance, land taxes, stamp duty, bus and train fares, rail freight charges, irrigation charges, and State petrol tax.

The promises of the Government and the mandate it sought from the people of Western Australia were broken in June when the Government increased water rates by 16 per cent, electricity by 15 per cent, bus and train fares by 33 per cent, petrol tax by 13.5 per cent, country sewerage charges by 20 per cent, country drainage charges by 18 per cent, State Housing Commission rents by 10 per cent, hospital charges by 19 per cent, and gas charges by 15 to 100 per cent.

So much for the promises that were made by the Government prior to its election. The comments in newspapers about the Budget indicate also the people's abhorrence of this Government.

Hon. Peter Dowding: Is that what the Mundaring by-election showed, or was it a personality election against Mr Herzfeld?

Hon. W. G. ATKINSON: Of course the Government saw fit to hold back the Budget until after the Mundaring by-election because it was worried about the effect it would have on the voters—and for good reasons, too.

Several members interjected.

Hon. W. G. ATKINSON: The *Sunday Independent* of 16 October in its leading editorial titled "Budget shock", stated—

THIS week's Budget came as a shock to all. After telling us it was going to be "fair and reasonable," implying that tax increases would be minimal and dropping hints that payroll tax would be reduced, Brian Burke's first Budget has hit the State with the heaviest tax increase in decades.

Let the Government stifle that one. To continue—

... massive 21 per cent increase, broadening the tax base still further with new taxes making total revenue of \$2.66 billion.

This paper can find no recent case on record where a government has ever imposed such massive increases.

The reduction in payroll tax for small companies is chicken-feed. It is of absolutely no assistance to financially-strapped big firms like Chamberlain John Deere, who have just had to lay off 60 employees.

The final comment is an important one. To continue—

Following the Government's expansion of SGIO, the initial \$50 million investment in the Ashton diamond venture not only comes from tax payers' pockets but is money which can be best spent elsewhere.

Only the eradication of government intervention and control over our productive industries—not its increase—accompanied by lower taxation can return this State to economic prosperity, development and high employment.

Hon. Peter Dowding: Where would you have spent the \$50 million, Mr Atkinson?

Hon. A. A. Lewis: On hospitals and schools.

Hon. Peter Dowding: He is a big boy, he is doing very well.

Hon. A. A. Lewis: Manage your own department.

Several members interjected.

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

Hon. W. G. ATKINSON: Yes, I am a big boy and I think I would much rather carry on with my thoughts on the Budget. The Government has to face the implications of the Budget and I trust that the people will be able in due time to vent their feelings about the Budget.

After the earlier increases in the year for which the Government claimed it had a mandate and then went against and broke every one of its promises, the Leader of the Opposition issued a news release dated 27 June 1983.

The DEPUTY PRESIDENT (Hon. John Williams): Order! There is far too much audible conversation. I can see that the *Hansard* reporter is straining to hear the speaker who is standing quite near. I ask honourable members to play the game.

Hon. W. G. ATKINSON: Mr O'Connor's news release stated—

Mr O'Connor said there was deep concern in the business community over the statement by the Premier and Treasurer, Mr Burke, that the increased charges would raise only \$58.7 million for the Government.

"It is now obvious that the Government will be taking more than \$100 million out of the community as a result of the increases.

"The Government's attack on family budgets and business finance is at least 40 per cent greater than it claims.

I can remember watching an interview on television when the Premier claimed that the Leader of the Opposition was not as good at arithmetic as the Premier's four-year-old son. Mr Deputy President, I put it to you that as the proposed increase in revenue was raised to over \$100 million, I suggest that the Premier is not as good at arithmetic as his own four-year-old son.

While remaining on this subject of the increases in charges which occurred early in the year—I do this deliberately because I regard them as part of the Budget estimates and part of the Government's programme for the year—I refer to another Press release of the Leader of the Opposition dated 29 June 1983, which stated—

"The Government has now admitted that the increases will raise more than \$110 million in revenue instead of the \$58.7 million the Premier said they would raise when he announced the increase," Mr O'Connor said.

"The public is entitled to know whether the difference of more than \$50 million is surplus to the Government's needs.

"If it is, the Government should immediately announce reductions in charges so that the excess revenue is restored to the people to whom it belongs—the families and businesses of this State.

"Families in this State are facing payouts of nearly \$15 a week as a result of the increased charges announced last week.

"Electricity and gas increases will cost about \$2.20 a week for an ordinary family, water and sewerage 80 cents, hospital insurance \$3, MTT fares (for one adult only) \$2, SHC rent (for a three-bedroom home) \$4.50 and tobacco tax (one packet a day only) \$2.10, totalling \$14.60.

That is some detail of what the Government called a mandate.

Moving to another aspect of the Government's revenue raising in this current financial year, once again we note that the Government was somewhat unable to do its sums. I quote from the same Press release of 29 June 1983 as follows—

"The Government stated that its revenue this financial year from a 12.5 per cent tobacco licence fee is expected to be \$16.5 million.

"At the new rate of 35 per cent, the same volume and value of sales would yield \$46 million, an increase of \$29.5 million.

"The Government claimed that it was allowing for a 20 per cent reduction in smoking as a result of the increase.

"That is fantasy, but even if it were true, the increase in Government revenue would be \$20.3 million.

"Between the charges and the tobacco tax the Government is taking more than \$60 million out of people's pockets than it has wanted to admit to.

We can see that the foundation has been laid for a socialist Budget. We have seen that fact in the last few days.

Hon. Robert Hetherington: If you think that is a socialist Budget you do not know what socialism is.

Hon. W. G. ATKINSON: Later during my speech I will refer to some of the aspects of the Budget which I consider to be pure socialism, where the State is meddling in areas which are best left to private enterprise.

Hon. Peter Dowding: That is like the Malaysian Government, the French Government, the British Government, the Belgian Government and the Spanish Government: They have all

interests in companies in this State. Are you suggesting that is pure socialism?

Hon. W. G. ATKINSON: When I move into that area I will give some quotes from some fairly learned financial experts who demonstrate quite clearly that the Government has been sold a pup over the Argyle diamond deal.

Hon. Peter Dowding: If you believe that you are sillier than some of them.

Several members interjected.

Hon. W. G. ATKINSON: Moving on to the actual provisions of the Budget I can do no better than to refer to *The West Australian* of 14 October 1983 in which it was highlighted that the Budget would hurt business all around the State. The main point was the deposit tax of 5c per \$100. The article stated—

New taxes and charges in the Budget come on top of increased tobacco tax and higher charges for electricity, gas, water, sewerage and drainage, hospitals, bus and train fares and State Housing Commission rents announced earlier this year.

A new financial-institutions duty will be imposed on January 1 at 5c on each \$100 paid into all financial institutions.

The maximum duty on any transaction will be \$500.

Mr Burke said that the financial-institutions duty would bring WA into line with NSW, Victoria and South Australia.

However, the Premier failed to mention that Western Australia will pay the highest duty of all those States at 5c in \$100.

Hon. Peter Dowding: You are in favour of deficit budgeting, are you?

Hon. W. G. ATKINSON: Mr Deputy President (Hon. John Williams), 5c in \$100 has been written off by the Premier as being an insignificant amount which will mean a cost of approximately 14c per week for the average wage earner. However, when that is applied to businesses, especially when we consider the size of their turnover, the charge becomes horrendous. This charge will affect the rural community considerably because although farmers have high turnovers, they have high expenditure also. This tax will mean that the Government will obtain revenue on both sides of the ledger: Whenever money is deposited into an account the State Government will receive 5c per \$100 and when money is taken out of the account in the form of a cheque the Federal Government will get its rake-off.

The effect on the farmers will be even greater because historically to finance their operations they operate their bank accounts in an overdraft situation for most of the year.

When the wheat cheque or wool cheque comes in farmers try to balance their accounts and move the surplus funds from their cheque account to either a savings investment account or some sort of savings account. When that move takes place the Government once again will take 5c per \$100. When the current account becomes run down and the money has to be moved back, the Government once again will take 5c per \$100. Effectively, that money will attract a duty of 15c per \$100. This is an impost that business cannot afford; not only rural business and farmers, but also business in the city. It is another charge business is being asked to bear.

Hon. Peter Dowding: It is \$50 on moving \$100 000. Is that an impost business cannot bear?

Hon. W. G. ATKINSON: We have already heard how flippant the Government can be when it says it is only another couple of hundred dollars, or another \$50. When one adds it up it comes to \$1 000 a year.

Hon. Peter Dowding: It is only \$50 on \$100 000.

Hon. W. G. ATKINSON: Not only does the Government want to put 5c per \$100 on all financial transactions, but also it wants to move into the field of life insurance and place a duty of 5c per \$100 on life insurance in the \$100 to \$2 000 bracket. I suggest it is almost laughable because any life insurance policy worth its salt would be well over \$2 000 to allow for the serious effects inflation has had on this country. The Government wants to increase the duty to 10c per \$100 on sums over \$2 000.

The DEPUTY PRESIDENT (Hon. John Williams): Order! There are five separate audible conversations going on in the Chamber as well as the speech of the Hon. W. G. Atkinson.

Hon. W. G. ATKINSON: A duty of five per cent of the first year's premium will be payable for temporary or term insurance.

Another impost is the stamp duty on motor vehicle registrations. Unfortunately, this once again hits country people particularly hard. Motor vehicles are an absolute necessity for country people because of the distance we travel and the lack of public transport, taxis and other forms of transport. Doubling the stamp duty on motor vehicle registrations and transfers from \$1.50 per \$100 to \$3 per \$100 will add nearly \$200 to the cost of a \$13 000 motor car—\$195 is added. That is an impost the motoring public in general cannot

afford on top of the other increases to motorists in this current year, especially country people who, of necessity, must own a motor vehicle.

Further on in the Estimates one sees a promise fulfilled by the Government—lifting the exemption on payroll tax by 28 per cent to \$160 000. Of course the Government fails to mention the payroll tax estimates will still rise by something like \$18 million.

Hon. P. G. Pental: It also promised to abolish payroll tax. We have not seen a lot of movement in that direction.

Hon. W. G. ATKINSON: That is true, but I have read a list of promises that have been ignored and it is obvious that promises like that are minor and do not get a second consideration.

On the spending side of the Budget, tourism is increased by 36 per cent. I do not know whether the Government sees this as the State's saviour; perhaps Alan Bond's memorable victory at Newport may have been an act of God for the Government because I do not see how it can attract tourists with the cost structure forced on the country.

Hon. Peter Dowding: Do you suggest we should budget for a deficit?

Hon. W. G. ATKINSON: I would not advocate a deficit Budget; I would advocate strongly the slashing of Government expenditure.

Government members: Where?

Hon. P. G. Pental: Your advisers will do.

Hon. W. G. ATKINSON: I refer members opposite to the Labor Party's promise that it would not increase the Public Service. According to the Budget estimates, however, the Public Service will increase by 1 300 this year—a 2.6 per cent increase in numbers. I suggest this is one area where the Government could well look at reducing its expenditure and so reducing the need to get into people's pockets.

Hon. Garry Kelly: Put more people out of work?

Hon. Peter Dowding: You do not mind if the service from the Department of Agriculture to farmers is reduced?

Hon. A. A. Lewis: You are putting all the expenses onto farmers anyway.

Hon. W. G. ATKINSON: I do not believe a genuine need exists to increase numbers in the Public Service in order for the standard of service to rise. There is a lot of fat in the Public Service. I travel around the country a lot and it seems that almost every second number plate is a Government vehicle.

Hon. Garry Kelly: What rubbish!

Hon. Peter Dowding: What did your Government do about it? You had nine years.

Hon. A. A. Lewis: We cut them down.

Hon. Peter Dowding: Did Wordsworth knock it back?

Several members interjected.

The DEPUTY PRESIDENT: Order! That is the last outburst I will tolerate.

Hon. W. G. ATKINSON: Unfortunately, when previous Budgets were submitted to the House I was unable to influence them because I was not a member of Parliament at the time. I assure members opposite I would have been pushing my Government to do what I am proposing now.

Unless this country comes to its senses and stops spending miles beyond its means, we will head only in one direction—for a catastrophe.

I refer back to aspects of the Government's financial management, and to another of its mandates. This is a promise it managed to keep, but at what cost! I refer to an article in *The Western Mail* of 7 May 1983 headed "\$25m hidden in train cost". The article refers to the Perth-Fremantle railway and states—

Hidden charges are expected to increase the cost of re-opening the Perth-Fremantle passenger railway by more than \$25 million in the next five years.

If ever there was a case for cutting Government expenditure by that amount over that period, that is an example.

Hon. Garry Kelly: What is the source of that information?

Hon. W. G. ATKINSON: In case members opposite missed it, the quote is from *The Western Mail* of 7 May 1983. It is quite an illuminating article.

Hon. Garry Kelly: You accept it completely, I take it?

Hon. W. G. ATKINSON: The article states—

Mr Grill says the rail service can be resumed from July 31 at an estimated cost of \$810 000.

But this is an accounting sleight-of-hand because the labour component will come from Westrail's budget.

In the long term, Westrail is expected to bill the Metropolitan Transport Trust about \$5 million a year for the cost of running the service. This is on top of the actual operating cost estimate of \$2.15 million a year.

That clearly demonstrates the Government is irresponsible in its spending, and that it boosted the previous year's deficit to an artificial level in order to discredit the previous Government.

Hon. Garry Kelly: Rubbish!

Hon. Mark Nevill: They were Treasury figures.

Hon. W. G. ATKINSON: Members may say "Rubbish", but the Government was prepared to keep boosting the deficit.

Hon. Mark Nevill: Are you saying Treasury is a liar?

Hon. W. G. ATKINSON: The figure was \$5 million for the Perth-Fremantle railway.

Hon. Garry Kelly: *The Western Mail* is not the fount of all knowledge.

Hon. W. G. ATKINSON: It supported the Government pretty strongly.

Hon. Peter Dowding: Oh, come on!

Hon. Garry Kelly: It has made mistakes before.

Hon. W. G. ATKINSON: In *The Western Mail* of 25 June an article appeared under the heading "\$1.5m to go on Burke base". The article states—

THE State Government is spending about \$1.5 million on its main base of operations, the Superannuation Building in St Georges Terrace, in spite of its financial problems.

Further on it states—

A similar amount is believed to have been allocated for a new office suite for Deputy Premier Mal Bryce. It will be installed in the next few months.

Here we have a Government on a spending spree prior to the end of the financial year to increase the deficit to the detriment of the previous Government.

Hon. Garry Kelly: The deficit was reduced to \$14.2 million, do you remember?

Hon. W. G. ATKINSON: Earlier this year, in March, the State Government recalled the Parliament to put through its much-vaunted prices control legislation.

Hon. Peter Dowding: It brought the price of petrol down immediately.

Hon. W. G. ATKINSON: The Minister should know very well by now the price of petrol fluctuated a little then, but no sooner had the imposition of prices control been introduced than the Government reluctantly had to admit that a different situation existed in country areas and promptly had to raise the price again.

Hon. Peter Dowding: Do you disagree with that?

Hon. W. G. ATKINSON: Of course I agree with it.

Hon. Peter Dowding: In the metropolitan area and in many country areas it came down.

Hon. W. G. ATKINSON: I am trying to demonstrate it was a futile exercise because although the commissioner has wide powers, very few goods have been declared under the Act. I will quote a small section of an article in *The West Australian* of 30 May 1983, which states—

So few goods had been declared by the commissioner because most prices were found to be cost-based, he said.

That is Mr Tonkin speaking. The Government would not accept that prices were cost based, but after the legislation passed with much hoo-ha, the Government suddenly found the business reality—that prices were related to costs and not excessive profits, which was the major reason for the increase.

Hon. Garry Kelly: The Bill was called "Prevention of Excessive Prices".

Hon. Peter Dowding: It has acted as a brake in areas where people might otherwise have sought excessive prices and profits.

Hon. A. A. Lewis: The Minister does not understand what he is talking about.

Hon. Peter Dowding: Oh, gawd!

Hon. W. G. ATKINSON: It is obvious the Government has not had the interests of country people in mind in framing this Budget. I refer to the previous announcement of an increase in water rates; country areas previously received a subsidy. From now on, country areas will face increases over and above that of the city dweller. Now the 50 per cent subsidy has been removed, it will be tied at that level.

If a charge of \$100 million for water is levied for the whole State and \$50 million is credited to country water supplies, and inflation next year takes it to \$110 million, the charge to country water supplies will rise to \$60 million because the Government will conveniently forget the people out there.

Hon. Peter Dowding: The Government does not forget that, but it has either to go for a deficit—

Several members interjected.

Hon. Peter Dowding: The people of the bush have been looked after very well, bearing in mind the constraints of the Budget.

Hon. A. A. Lewis: Oh, yes!

Hon. W. G. ATKINSON: Dealing with the motor vehicle scene, this is another area dealt with in the series of announcements made by the

Government earlier in the year. The following article appeared in *The West Australian* on 11 May 1983 under the headline "Licence fees up on July 1"—

WA motorists will pay higher vehicle licence fees and State fuel levies from July 1.

The Cabinet yesterday approved a 7.5 per cent increase in licence fees and increases of more than 13 per cent in fuel levies.

The article continued—

... the fuel franchise levy on petrol would go up from 1.85c a litre to 2.1c a litre.

The levy on road diesel fuel would go up from 3.4c a litre to 3.85c a litre.

On top of that, we had the charges imposed by the Federal Budget. Those charges are hitting the country people hard because they are the people who have to drive large distances and those in the city only burn up fuel in their consistent racing away from the lights.

An article appeared in the *Sunday Independent* on 16 October 1983 under the heading "Savage blow to car buyers". It reads as follows—

Owning and running a car may soon be beyond the average wage earner in Western Australia.

It continues—

A new or used car worth \$10 000 will now cost on average \$800 plus to put on the road, with almost two-thirds of the extra charge going into government coffers.

Stamp duty has been doubled for the second time in two years and will now add \$300 to the price of a \$10 000 car.

If you try to lessen the blow by including it in a hire-purchase agreement, another 1.5 per cent duty applies to HP loans—so in this case a further \$154 would come out of your pocket.

And if the finance company or bank credits your account with the loan amount you will pay more because of the new tax on financial transactions—\$5 as the loan goes into your account and a further \$1 to the Federal Government under its Bank Accounts Debit (B.A.D.) tax.

With vehicle registration—which went up seven per cent before the budget—and insurance, a \$10 000 car could cost you almost \$11 000 to drive away.

Failure to pay the stamp duty within 31 days could also bring a \$400 fine.

Added to this is a 36 per cent increase on drivers' licences.

I put it to the House that the big spending that went on earlier in the year hardly indicated a Government that was able to handle its financial affairs prudently.

Hon. A. A. Lewis: Mr Dowding's advisers can not even get Bills before the House.

Hon. W. G. ATKINSON: I move on to a quotation from a newspaper on the FID tax, as it has been called. In the State scene we have the FID tax, and on the Federal scene we have the BAD tax. They are the bank accounts debit tax and the financial institutions duty. The following is an article from *The West Australian* on Saturday, 15 October—

Mr Bill Brewer, the chairman of Associated Banks in WA (the industry group), said yesterday that there was now an "out, in and on" duty on current accounts.

The banks had been given another impost to collect for governments.

He said that the Federal Government had said that it would examine the B.A.D. tax and F.I.D. to see whether they could be combined.

This review should take place as soon as possible, he said.

The banks do not like being used as instruments for tax gathering for the Governments of this country. It is a paradox that the only reason the banks are able to collect these taxes so efficiently for the Governments is that they have become computerised. Of course, the introduction of the computers was opposed by the very people who assisted the Federal Government into office—the trade unions—because they could see a number of jobs going by the board. Now the Government has taken the opportunity to make good use of those computers, and make the banks become the collectors of the taxes for them.

I have not mentioned the education funding in the Budget estimates, but I can well recall the promise that the Government made when it was electioneering prior to the last State election. In fact it made great play of the promise to put on 50 more teachers immediately. History has proved the Government has not done this. It did not do it in the previous financial year and it also turns out from the current Estimates that it still will not put on 50 more teachers but will put 20 on, which is a long way from 50. Possibly some students who have gone into teacher training institutions may have been pinning their hopes on what the Government promised; but they can now be assured that this Government is only intent on breaking promises, and the number I have listed tonight demonstrates this. An article in the *Daily*

News of 18 October 1983 was headlined, "Schools short \$17m.—claim". This is a comment made by the Opposition spokesman on education, Mr Jim Clarko, as follows—

The State school system has been short-changed \$17 million by the Government's first Budget, the Opposition spokesman on Education, Mr Jim Clarko, said yesterday.

"Before the election, they promised to increase the percentage of the Budget allocated to education, but they have cut education".

Expenditure by the Education Department had represented more than 24 per cent of last year's Budget.

The allocation to the department in the 1983-84 Burke Budget was less than 23.5 per cent.

Hon. Garry Kelly: It is an unbiased spokesman you are quoting!

Hon. W. G. ATKINSON: There is a reduction of 0.5 per cent in the funds allocated to education.

Hon. Garry Kelly: That is Jim Clarko, AE?

Hon. W. G. ATKINSON: The honourable members opposite can remember—most of them have been in the Parliament for the last year—and I can remember reading a number of claims that the then Opposition made regarding expenditure on education and how it would be raised by so much. What has happened in the Budget? Another one of these promises has gone down the drain.

Hon. Kay Hallahan: Because of your mismanagement.

Hon. W. G. ATKINSON: The expenditure has not even allowed for inflation. It has actually gone down 0.5 per cent. If that is not a cut, I do not know what it is.

I mentioned earlier in my speech that I would like to touch on one of the socialist aspects—

Hon. Peter Dowding: Cutting Government expenditure is socialism, is it?

Hon. W. G. ATKINSON: We have seen in other debates the flippant way in which the Government treats debates in this House. Members opposite are prepared to laugh and joke about these matters.

Hon. Peter Dowding: I asked you a question. Your illogicality!

Hon. W. G. ATKINSON: I am sure I have answered some of the questions because of the promises the Government has failed to keep; and now I refer to the Argyle diamond situation because it is something the companies were bullied into.

Hon. Peter Dowding: Rubbish! You have no evidence of that. It is not true.

Hon. A. A. Lewis: A con trick.

Hon. W. G. ATKINSON: In the editorial in *The Western Mail* on 15 October 1983—it is not often *The Western Mail* manages to tip a bucket over the Government—the following appears under the headline, "We're in troubled waters"—

THE State Government's plunge into the turbulent — and often dangerous — waters of mining development imposes on all West Australians a situation with all the signs of inadequate thought.

One question is enough to illustrate the point:

To what extent would the tax increases in this week's Budget have been needed if the money for the purchase of a share of the Argyle diamond project had been used instead for normal Government purposes?

The price of buying a stake in the project is, moreover, only an entry fee. Next, the Government — which means the public, of course — must find \$22.5 million for Northern Mining's share of the cost of the next phase of development.

Further, the Government intends to go ahead with the establishment of a WA Development Corporation to provide finance for other projects. The Government will have a 49 per cent share in the corporation, and it is the taxpayers who will pay for that.

All of this means public money being pushed in the wrong directions. There is so much for the Government to do in its normal areas that playing at mining magnate is an ideological indulgence the State cannot afford.

Hon. Robert Hetherington: That is nonsense. It really is.

Hon. Peter Dowding: You would spend capital on recurring expenditure, would you?

Hon. W. G. ATKINSON: I suggest Alan Bond must be laughing all the way to Newport and home again over the deal that he has managed to pull off.

Hon. Peter Dowding: Why would he laugh when he got for it what he paid for it and the downside risks have almost been removed?

Hon. W. G. ATKINSON: *The Western Mail* continued with an article which occupied the best part of a page.

Hon. Garry Kelly: Have you shares in *The Western Mail*?

Hon. W. G. ATKINSON: The honourable members can laugh, and I hope they take notice of this. I trust the taxpayers of Western Australia have not been sold a pup.

Hon. Peter Dowding: Have you had access to the cash flows?

Hon. W. G. ATKINSON: On 15 and 16 October 1983 *The Western Mail* bore an article headed, "It smells of a dud deal", which contained the following—

Hon. Garry Kelly: That makes it right, does it?

Hon. W. G. ATKINSON: If honourable members bear with me and hear some of the comments which have been made—

Government members interjected.

The DEPUTY PRESIDENT (Hon. John Williams): Order! If honourable members do not bear with him, they will not be here much longer.

Hon. W. G. ATKINSON: The quote from *The Western Mail* is as follows—

BEHIND the bluster and back-slapping of the Bond/Burke diamond deal is the unmistakable odour of a dud deal.

The worst smell comes from the \$40.6 million valuation placed on Northern Mining Corporation's five per cent stake in the Argyle project.

The share market says it is too high and so do bankers associated with the other Argyle partners.

The Government (our) purchase price of \$40.6 million represents \$8.1 million for each one per cent of Argyle (assuming no value is placed on future exploration).

Hon. Peter Dowding: It is five per cent of Argyle, which is 15 per cent of Ashton, so your figures are really wrong.

Hon. Tom Stephens: He does not understand that.

Hon. Peter Dowding: They have actually made a miscalculation in that area.

Hon. A. A. Lewis: Is that right? You only paid them twice what you are reported to have paid?

The DEPUTY PRESIDENT: Order!

Hon. W. G. ATKINSON: I daresay I obtained this sort of information from the Press because unfortunately the Government, in its big announcement about this, gave the impression that, for the first time, members of the public were able to buy shares in the Argyle diamond venture. Nothing is further from the truth, because anybody would know that one can go to the Stock

Exchange and buy shares in those companies at any time.

Hon. Peter Dowding: We did not say that. You are wrong.

Hon. W. G. ATKINSON: That is certainly the impression created.

Hon. Peter Dowding: Drongos!

Hon. W. G. ATKINSON: I will continue with the quote, because it makes an important point. The article continues—

If that is the true value, then Ashton Mining NL, with its 38.2 per cent interest in Argyle, would be worth \$310 million.

It is not.

Ashton Mining is valued by the stock market at only about \$210 million.

The only market value on Argyle (via the Ashton Mining share price) is about \$5.5 million for each one per cent.

On that basis, Northern Mining, which Alan Bond is selling, should be worth about \$27 million — \$13.6 million less than we are paying.

Once again the Government has become rather flippant with taxpayers' money and we find that it seems to consider \$13.6 million a rather insignificant amount.

Hon. Peter Dowding: It would be helpful if you knew more about it.

Hon. W. G. ATKINSON: The Minister for Mines should take note of my next quote, because he interjected earlier about the Government's interest in these ventures. The following quote sounds a warning of which the Government, I hope, will take heed—

Very serious doubts now arise about companies and countries trying to go it alone in the world diamond jungle.

The most recent example was Zaire, which tried to survive outside the De Beers cartel only to crawl back a year or so later seeking the protection of De Beers fixed price structure.

The parallel with Zaire is worth considering because we will be producing similar quality stones—mostly low grade industrials and boart—with only five per cent gem standard.

Hon. Peter Dowding: These marketing arrangements are in place, and it is a very small parcel by world standards. The market is growing extremely well.

Hon. A. A. Lewis: It shows how little the Minister knows.

Hon. W. G. ATKINSON: The last paragraph of the article reads—

Studies of future markets and earnings are notorious crystal ball exercises. Consider oil price forecasts of 10 years ago and gold price forecasts of three years ago—are diamonds really that different if you want to live outside the De Beers umbrella?

Hon. Peter Dowding: But where is the loss to the State if the project is not a success? It is set off against future royalties, and if they are not payable, there is no set-off.

Hon. W. G. ATKINSON: The royalties would have been paid to the State in any case. Had the Government wanted to develop the north and to make more use of the funds, it might have decided to establish a township and so create jobs in the north.

Hon. Peter Dowding: You would be on your Pat Malone in the north.

Hon. W. G. ATKINSON: I see an alarming trend, not just in the mining area but in all activities in this State, if the entire population of this State is to be centred in the metropolitan area and we are all to be flown out to our workplace for a couple of weeks and then flown back to the city for a couple of weeks' holiday break. That is just what we do not want at this stage. We should be developing the whole State and not just one section—the metropolitan area. A lot of people out there live and work hard to generate income for the State, and the mining people are included. They deserve the wages they get, because they can certainly show some of the people who live and work in the metropolitan area a thing or two when it comes to attitudes to work.

In previous speeches I have highlighted the attitude of the Waterside Workers' Federation in relation to its handling of grain, whereby Australia now has the highest cost in the world for putting a tonne of wheat aboard a ship. Of course, the farmers still have to compete in the world marketplace without assistance and with all these handicaps put on them at home. Things are made very hard for farmers to make ends meet. We are all caught in what is commonly referred to as the price spiral, with the sandwich effect of incomes at the top and costs rising at a faster rate.

We cannot force up the world market for grain, for instance; but our costs are constantly being forced up at home. We have the constant imposition of fuel price rises, and the latest Federal Budget introduced an excise duty on fuel to be indexed in line with inflation. This sort of thing

might be all right for someone on a wage that is indexed to inflation—he might well be able to cope—but farmers and mining companies, who have to sell their goods overseas and compete in world markets, are finding it extremely difficult to cope. Farmers particularly cannot pass on their costs.

Hon. Mark Nevill: Should we sell wheat to China?

Hon. W. G. ATKINSON: Red herrings have always been drawn across the Chamber. I inform the member that I am a free trader and that I would like to see this country trade freely, because that might bring back sanity into our wage structures. I would like now to quote from another publication.

Hon. Garry Kelly: *The Western Mail*?

Hon. W. G. ATKINSON: It is a magazine which the honourable member has probably never dreamt of reading. It is a national magazine, a specialist magazine titled *The Pig Farmer*. Members opposite might not laugh after they have heard the article. It puts the issue in a nutshell. I quote from page 3 of the September 1983 edition under the heading, "You can't make the poor rich by making the rich poor", as follows—

The above heading is pretty self-evident, but few people seem to understand what it means.

For any society to provide a high standard of living for the majority of its citizens, the "work ethic" (that is, a decent day's work for a decent day's pay but equally a decent day's pay for a decent day's work) is fundamental.

It's simply impossible to elevate the living standards of a nation if those people who create the national wealth-cake are so harmed by government legislation that their initiative and potential rewards are destroyed.

Hon. Peter Dowding: Are they workers or investors?

Hon. A. A. Lewis: That shows the lack of knowledge of the Minister for increases.

Hon. W. G. ATKINSON: To continue—

This applies not only to the business (capital) sector but also to the employed (labor) sector. As for a similar cliché: "The business of business is to stay in business," it means just that... if a business goes broke, the boss can't pay his bills and his employees lose their jobs.

Self-evident? Yes, you'd think so, but in these days of higher education, commonsense doesn't always guide people's thoughts or actions. Witness the Federal Labor Govern-

ment's 1983 Budget, brought down last month.

Do you know that more than 40% of Australia's gross national income is now directed into the public and welfare sector? Every year, more and more work-created capital is diverted to the ever-increasing legion of "the needy".

Hon. Garry Kelly: What would you suggest we do?

Hon. W. G. ATKINSON: To continue—

There is a frantic, accelerating rush by our society to invent new areas of "poverty", to invent new areas of "injustice" and to invent new areas of "grievance". Each new invention means the creation of another government department, or another investigatory tribunal, funded ultimately, of course, by the taxpayer (whether farmer, boss or employee).

How's this little Budget item from a government which professes to have the rural community's interests at heart?

The Federal Government has increased the meat inspection levy by 300%—not 3%, not 30%, 300%!

For the pig industry, it means export inspection costs for 1983-84 will total \$5.9 million while the predicted value of pigmeat exports will be only \$4.9m.

It is quite clear that the total export earnings are \$1 million less than the cost of inspecting those carcasses. To continue—

If it wasn't so sad, it'd be laughable: the Australian pig industry is now paying more for export inspection than the exports themselves are worth.

In the meantime, folks, when you get up at 6 o'clock on a frosty morning to feed your pigs, take comfort in the fact that your hard work, your taxes and levies are helping to make Australia the most comfortable charitable institution in the world.

The well is fast running dry but that won't concern the Don Quixotes of Canberra... they still have a million grievances to invent and to redress... WITH YOUR MONEY!

I refer now to another promise made by the Government in the lead up to the election campaign in February. I have already mentioned this matter in my maiden speech and in a series of questions asked in the House. I am not happy with the answer I received to one question in particular.

I refer now to an article which appeared in the *Central Midlands Herald* of 10 February this year, which reads—

In conjunction with the Australian Labor Party candidate for Mt Marshall, Mr Bob Couzens, and the ALP candidate for Central Province, Mr Roy Little, the Opposition's spokesman for Water Resources, Mr Parker, gave firm commitments on the party's attitude towards the implementation of the much discussed Agaton water scheme.

He announced at Mukinbudin that the ALP would move immediately to have the scheme listed as a No. 1 priority for application for Federal funds and that on gaining government the first stage would be put into operation.

There we have the promise made. I refer now to page 1188 of *Hansard*, where the following question I asked can be found—

- (1) Did the Hon. D. C. Parker, MLA, give a firm commitment, on behalf of the present Government, a few days before the last State election with regard to the implementation of the Agaton water scheme?
- (2) Did the Hon. D. C. Parker, MLA, also announce that the ALP on becoming the Government would move to have the scheme listed as a number one priority for application for Federal funds and that the first stage would be put into operation?
- (3) Why have those announced undertakings not been carried out?
- (4) If the commitment given by the Hon. D. C. Parker, MLA, is not correct, why has not the Government announced its intentions with regard to the Agaton water scheme?

The Leader of the House replied on behalf of the Premier to question (1) and (2), "No".

Members can see that the answer was highly unsatisfactory. It certainly pointed to yet another promise that the Government seems intent on breaking, a promise made with the clear intent of gaining votes under a false representation.

Hon. V. J. Ferry: Is that the Government's idea of helping country people?

Hon. W. G. ATKINSON: Time and time again we have heard the Government express an interest in country people and how it believes they should be looked after. As other Bills come to the House we will see the position of country persons being eroded more and more.

That concludes my remarks, and I strongly urge the House to oppose the motion.

Debate adjourned, on motion by the Hon. Margaret McAleer.

ADJOURNMENT OF THE HOUSE

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [9.01 p.m.] : I move—

That the House do now adjourn.

Acts Amendment (Constitution and Electoral) Bill

HON. A. A. LEWIS (Lower Central) [9.02 p.m.] : I will not keep the House very long tonight. After the hammering the Premier received in Manjimup on Thursday night in regard to Labor Party policy, I would not like to give the Government a few more lessons; however, I do wonder when the vital Bill on electoral reform is to be brought forward. We were told how vital and im-

portant the Bill was. I do not know what agreement was made between the party leaders, or indeed whether any agreement was made, but it seems the Labor Party has now decided that possibly it is not prepared to debate that legislation in this House. The Labor Party does not have members with the required knowledge who can speak on the Bill without the shoutings and yellings that go on in this place. Some of us know something about the Legislative Council. The Labor Party does not have anybody who is prepared to stand up and support the Government. Is that not interesting?

The **DEPUTY PRESIDENT** (Hon. John Williams): Order! The honourable member is anticipating a debate in this House. His remarks are out of order under Standing Order No. 88.

Hon. A. A. LEWIS: Thank you, Mr Deputy President.

Question put and passed.

House adjourned at 9.03 p.m.

QUESTIONS ON NOTICE

ROTTNEST ISLAND

Rowdy Behaviour

496. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

- (1) Is the Minister correctly reported in the *Daily News* of 19 September 1983 where it is reported that there is a need for more police to stamp out rowdy behaviour at Rottne Island?
- (2) If so, does the Minister adhere to that belief?
- (3) If the answer to (1) and (2) is "Yes", can he say why action was not taken to arrange for a greater police presence on the island for the October long weekend?

Hon. D. K. DANS replied:

- (1) and (2) Yes.
- (3) Action was taken to arrange for a greater police presence on the island for the October long weekend. An additional 13 police officers were assigned to the island during the period in question.

EDUCATION

Primary School: Lesmurdie

519. Hon. NEIL OLIVER, to the Attorney General representing the Minister for Education:

- (1) Has a request been made by the Lesmurdie Primary School Parents and Citizens Association for a trial period for a guard-controlled children's crossing on Lesmurdie Road, Lesmurdie?
- (2) When will this trial period be introduced?
- (3) If a trial period will not be introduced, is the Minister aware of a survey conducted with the co-ordinator of bicycle policy, Department of Local Government?
- (4) Was this taken into account in reaching the decision?

Hon. J. M. BERINSON replied:

- (1) Yes. The request from the Lesmurdie Primary School Parents and Citizens' Association was properly addressed to the Police Traffic Branch which admin-

isters the activities of the schools crossings road safety committee.

- (2) It is understood that the committee has already advised the association that provision of a guard-controlled crossing for a trial period is impractical.
- (3) Some points arising from the survey were brought to the attention of the committee which is presently awaiting the outcome of questions put to the Shire of Kalamunda concerning the results of proposals made for the establishment of foot and cycleways in the area concerned and the probable locations of their points of convergence.
- (4) Yes.

EDUCATION

School Buses: Guidelines

521. Hon. D. J. WORDSWORTH, to the Leader of the House representing the Premier:

- (1) Has the Premier received correspondence from parents and citizens' association in rural areas pointing out that guidelines for school bus contracts have not yet been resolved and expressing concern that this is delaying the formulation of bus routes for the coming year?
- (2) Have revised guidelines now been circulated?
- (3) If not, how long can it be expected before such negotiations are completed?
- (4) Has the Minister for Education responded to all correspondence from school parents and citizens' associations on this matter which were written before 1 October 1983?

Hon. Peter Dowding (for Hon. D. K. DANS) replied:

- (1) Correspondence has been received from parents and citizens' associations expressing concern at initial proposals for a fully competitive tender system.

There has been no suggestion that the review of school bus contracts would affect the formulation of bus routes for 1984.

The changes proposed relate only to the formula for reimbursement to contractors and do not affect the organisation of school bus routes.

- (2) No.

- (3) Negotiations with the Western Australian Road Transport Association are nearing completion and finalisation of the review can be expected shortly.
- (4) Yes, as far as I can ascertain.

NATURAL DISASTERS

Drought and Flood: Loans

522. Hon. TOM KNIGHT, to the Leader of the House representing the Minister for Agriculture:

- (1) Is finance still available for drought and/or flood relief loans?
- (2) Are areas still being declared drought affected?
- (3) Is it correct that the most recent areas declared applies to some 200 farmers?
- (4) How many of them have applied for assistance?
- (5) Is finance still available from the Federal Government?
- (6) What is the Government's future policies on flood and drought relief assistance?
- (7) Is it correct the Premier has stated that the future of drought and flood relief loans are in doubt?
- (8) If "Yes" to (7), does the Premier mean for this year or for future?

Hon. Peter Dowding (for Hon. D. K. DANS) replied:

- (1) The Government is considering this matter in relation to drought loans. There are no known floods for which applications are expected.
- (2) No areas are currently drought declared.
- (3) Yes.
- (4) 101.
- (5) No. No areas are currently drought declared.
- (6) The Government stands ready to give assistance whenever major natural disasters occur.
- (7) No. The Premier has indicated that the Commonwealth is reviewing the existing arrangements.
- (8) Not applicable.

STATE FORESTS

Jarrah, Karri, and Wandoo: Degraded

530. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Forests:

- (1) Has the department yet completed plans showing the areas of degraded forests to be restored in—
 - (a) jarrah areas;
 - (b) karri areas; and
 - (c) wandoo areas?
 - (2) If so, will the Minister table the plans?
- Hon. Peter Dowding (for Hon. D. K. DANS) replied:
- (1) (a) to (c) Preliminary plans have been prepared but they are not completed.
 - (2) The plans will be tabled when finalised.

HEALTH: TOBACCO

Minors: Enforcement

531. Hon. P. H. WELLS, to the Attorney General representing the Minister for Health:

- (1) How many persons are currently responsible for enforcing the Act making it an offence to sell tobacco products to minors?
- (2) What are the titles of persons responsible for the enforcement of the law relating to the sale of tobacco products to minors in Western Australia?
- (3) What is the number of personnel in each of these title classifications?
- (4) Where are these personnel located?
- (5) Does the State have an adequate number of officers, at present, to ensure the law relating to tobacco product offences is enforced?
- (6) If not, what additional staff is required to satisfactorily enforce the Act?

Hon. J. M. BERINSON replied:

- (1) to (6) Since the transfer of the Sale of Tobacco Act to the Minister for Health in July this year, no specific persons have been designated to enforce the Act. However, adequate numbers of Public Health Department officers are available to receive complaints and investigate alleged breaches of the Act.

534. *This question was postponed.*

STATE FORESTS: PINE

Planting: Effect on Stream Salinity

535. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Forests:

Does the department believe that planting pines on areas purchased by the Public Works Department will reduce stream salinity?

Hon. Peter Dowding (for Hon. D. K. DANS) replied:

There is well documented evidence that interception of rainfall by, and transpiration of soil water from, the crowns of pine plantations combine to lower the water table. Evidence of the relationship between this and reduction of stream salinity is however still incomplete.

HEALTH: TOBACCO

Advertising: Advertisements

538. Hon. I. G. MEDCALF, to the Attorney General representing the Minister for Health:

Further to question 509 of 12 October, and the answer given, will the Minister please advise—

- (a) whether any Government expenditure or funds are or will be utilised or involved directly or indirectly in the payment by Australian Council on Smoking and Health referred to;
- (b) whether the Minister or any State public servant, department or Government agency or any adviser or other person on his or its behalf, has agreed or promised to meet, subsidise or underwrite the whole or any part of the cost of the advertisement referred to or to indemnify the Australian Council on Smoking and Health accordingly; and
- (c) if so, in any case, what is the financial extent or limit of expenditure or funds involved in any such agreement or promise in relation to the advertisement referred to and all similar advertisements in the name of ACOSH referring to members of the Legislative Council inserted in other publications throughout the State?

Hon. J. M. BERINSON replied:

- (a) No;
- (b) and (c) not applicable.

COMMUNITY WELFARE: DEPARTMENT

Inquiry: Terms of Reference

539. Hon. TOM KNIGHT, to the Minister for Mines representing the Minister for Youth and Community Services:

What are the terms of reference for the inquiry into the Department for Community Welfare?

Hon. PETER DOWDING replied:

The welfare and community services review was established on 16 September 1983 and has broad terms of reference to assess and report on future directions for welfare provision in Western Australia.

The terms of reference are as follows—

- (1) To study and report upon the nature and adequacy of welfare policies and practices in Western Australia with special reference to the structure and mode of the operation of the Department for Community Welfare.
 - (2) To identify priority areas of welfare policy and service delivery and recommend appropriate measures for their development in the future (to the end of the eighties).
 - (3) To consider the role and functions of Government and non-government organisations in the welfare field in Western Australia and recommend how their respective contributions could be enhanced.
 - (4) To advise the Minister of any other related matters arising from or having relevance to the above terms of reference.
540. *This question was postponed.*

HEALTH: TOBACCO

Advertising: Government Campaign

541. Hon. D. J. WORDSWORTH, to the Attorney General representing the Minister for Health:

- (1) Is it correct that the Public Health Department and other Government authorities are members of, or have representation on, the Australian Council on Smoking and Health, and as such are

signatories to full page advertisements in metropolitan and regional Press including one headed "A vow on a Life or Death issue is worth a phone call to your local MP"?

- (2) What was the cost of each of these advertisements?
- (3) What was the Public Health Department contribution to the cost of their publication?
- (4) What was the cost to the WA Alcohol and Drug Authority?
- (5) Did any other Government department or authority make funds available for same?

Hon. J. M. BERINSON replied:

- (1) The Public Health Department, along with 21 other eminent health organisations, is one of the bodies represented on the Australian Council on Smoking and Health.
- (2) Unknown.
- (3) and (4) Nil.
- (5) Not to my knowledge.

FRUIT

Cool Store and Marketing Facilities

542. Hon. A. A. LEWIS, to the Minister for Mines representing the Minister with special responsibility for "Bunbury 2000":

What discussions has the South West Development Authority had with the WA Fruit Growers Association on coldstores being provided in strategically located centres in South East Asia and the Middle East?

Hon. PETER DOWDING replied:

The question is on the lines of the one asked by the member for South-West Province on 24 August.

The Minister does not see any need to repeat the information supplied in answer to question 233 but he has added that informal discussions are presently being held with individual members of the Donnybrook Fruit Growers' Association. This is one of the preliminary steps towards further consideration of the matter between the South West Development Authority, other involved departments and outside agencies.

COMMUNITY WELFARE

Children: Runaways

543. Hon. P. H. WELLS, to the Minister for Mines representing the Minister for Youth and Community Services:

In each of the last three years—

- (1) How many children have been reported to the department who are suspected of running away from home?
- (2) In how many of the above cases were the children located and returned to their home?
- (3) In how many of the above cases were the children located and not returned to their home?
- (4) What information and assistance is available for parents of runaway children or for children who have left home without the parents' approval?

Hon. PETER DOWDING replied:

- (1) Figures are not kept as missing children are in most cases reported to the police.
- (2) and (3) Not applicable.
- (4) Parents or children may seek information and assistance from the nearest local office of the Department for Community Welfare. After hours and in an emergency, contact should be made with the crises care unit.

Every effort is made to reconcile the child with the parents unless that course of action would place the child at risk.

HEALTH: TOBACCO

Advertising: Advertisements

544. Hon. I. G. MEDCALF, to the Attorney General representing the Minister for Health:

- (1) Has the Government made any agreement or arrangement to grant funds to Australian Council on Smoking and Health for the purpose of antismoking or antismoking advertising advertisements?
- (2) Have any discussions been held between the Minister, the Public Health Department, or the Government, or any government agency or anyone on his or its behalf, in relation to the current series of advertisements by ACOSH advising members of the public to influ-

once their local MLCs to support the Government's legislation?

Hon. J. M. BERINSON replied:

- (1) No.
- (2) The decision to place the advertisement was an ACOSH executive decision. None of the Government representatives was in attendance at that meeting.

HEALTH: TOBACCO

Advertising: Government Campaign

545. Hon. P. H. WELLS, to the Attorney General representing the Minister for Health:

- (1) Will the Minister please advise the name of each newspaper or other publications in which antismoking advertisements have been placed?
- (2) Will the Minister please provide the number and the total cost of advertisements lodged with each of these newspapers and other publications?
- (3) What additional amounts are budgeted for antismoking advertisements in each of these newspapers?

Hon. J. M. BERINSON replied:

(1) and (2)

	Advert- ise- ments	\$
<i>The West Australian</i>	45	112 716
<i>Daily News</i>	37	55 613
<i>The Western Mail</i>	5	6 865
<i>The Western Mail Magazine</i>	2	2 683
<i>The Sunday Times</i>	11	34 289
<i>Sunday Independent</i>	5	6 849
<i>Suburban Press:</i>		
<i>Wimmeroo Times</i>	4	14 247
<i>Stirling Times</i>	4	
<i>Community Guardian</i>	4	
<i>Eastern Suburban Reporter</i>	5	
<i>Floreat-Stirling Reporter</i>	4	
<i>Subiaco Post</i>	4	
<i>Claremont/Nedlands Post</i>	4	
<i>Mosman/Cottesloe Post</i>	4	
<i>Fremantle Gazette</i>	5	
<i>Southern Gazette</i>	4	
<i>Canning-Melville Times</i>	4	
<i>Comment News</i>	5	
<i>Midland/Kalamunda Reporter</i>	5	
<i>Belmont Victoria Park Times</i>	2	10 119
<i>The Western Teacher</i>	1	598
<i>South Western Times</i>	9	2 234
<i>Albany Advertiser</i>	8	2 309
<i>The Geraldton Guardian</i>	10	4 171
<i>Collie Mail</i>	1	454

(3) *The West Australian*—\$5 000.

HEALTH: TOBACCO

Advertising: Government Campaign

546. Hon. P. H. WELLS, to the Attorney General representing the Minister for Health:

- (1) Will the Minister please advise the name of each television station in which antismoking advertisements have been placed?

(2) Will the Minister please provide the number and the total cost of advertisements lodged with each of these television stations?

(3) What additional amounts are budgeted for antismoking advertisements by each of the television stations identified?

Hon. J. M. BERINSON replied:

(1) and (2)

	\$
TVW Channel 7—75 advertisements.....	26 800
STW Channel 9—83 advertisements.....	33 186
GWN Bunbury—42 advertisements.....	5 280
GWN Geraldton—45 advertisements.....	1 980

(3) None.

QUESTIONS WITHOUT NOTICE

FUEL AND ENERGY: ELECTRICITY

Power Station: Bunbury

132. Hon. V. J. FERRY, to the Minister for Fuel and Energy:

(1) Has the Government approved the establishment of a new electric power station in the south-west?

(2) If so, will it be sited at Bunbury?

Hon. PETER DOWDING replied:

(1) and (2) The member must surely have seen a great deal of Press publicity in relation to this issue and heard my answers in this House on previous occasions. The answer to the question is—

The Government has not made a decision as to the siting of a power station or, indeed, as to the need to construct a power station. The timing of the construction of the next power station in Western Australia bears on two factors: One, of course, is the issue of load growth and at this stage it would appear, on the projections the honourable member may have taken from the very detailed fuel and energy demand document tabled in this House, the need for another power

station is not likely to exist until the end of the 1990s.

The second factor which would impact on that decision is whether an aluminum smelter is to be constructed in Western Australia. If that occurs, we will certainly need to construct another power station which will be located in the site most appropriate for it. At present a considerable amount of money has been spent looking at a site at Bunbury and a great many environmental and other studies have been conducted to determine whether that site is suitable for a power station. An alternative site in the vicinity of the Collic coal basin also is being examined. When the study is completed and the Government knows the decision on timing of the smelter, it will then be able to make

a determination as to the area in which the power station should be constructed.

COAL MINE WORKERS (PENSIONS) ACT

Amendment

133. Hon. A. A. LEWIS, to the Minister for Mines:

Is it the Minister's intention to introduce a Bill to adjust the coalminers' pension fund?

Hon. PETER DOWDING replied:

Yes. As I understand the present situation of that Bill—I am quite happy to check this and report back to the House or to the member, if he wishes to place the question on notice—an accommodation has been reached between all parties impacted by the issue, and legislation will follow.

