

Legislative Assembly

Wednesday, 21 November 1984

THE SPEAKER (Mr Harman) took the Chair at 10.45 a.m., and read prayers.

CONTROL OF VEHICLES (OFF-ROAD AREAS) AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr Carr (Minister for Local Government), and read a first time.

Second Reading

MR CARR (Geraldton—Minister for Local Government) [10.47 a.m.]: I move—

That the Bill be now read a second time.

I am pleased to be able to bring before the House this amending legislation which provides for overdue safety requirements for off-road vehicles.

The Bill requires the compulsory fitting and wearing of seat belts in four-wheeled vehicles and the wearing of crash helmets on motorcycles. As members will be aware, these safety precautions are necessary for normal on-road vehicles and are considered similarly appropriate for off-road vehicles.

Provisions are made for exemption from these requirements. These are similar to those which apply in respect of on-road vehicles. The proposed requirements do not apply on private land where an off-road vehicle is being used with consent, provided the land is neither a permitted area nor a prohibited area under the Act.

Members will recall that in recent times a number of deaths have occurred where off-road vehicles have rolled over in sand hill areas. In these cases the occupants have not been restrained in their seats and the compulsory wearing of seat belts will assist in overcoming this problem. It should be noted that the Act already provides for the compulsory fitting of roll bars.

The unfortunate experiences of the past lend support for the need for the introduction of these safety measures.

I commend the Bill to the House.

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

STAMP AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 13 November.

MR HASSELL (Cottesloe—Leader of the Opposition) [10.50 a.m.]: At the outset, I indicate that the Opposition supports the Bill. It is part of the Government's announced intentions in the Budget and it contains provisions with which we are in agreement.

The Bill proposes two main concessions: Firstly, it abolishes duty on annuities and on charges and undertakings given by co-operative building societies in return for Government guarantees and instalment purchase agreements under the mortgage bond heading in the third schedule to the Stamp Act; secondly, it reduces duty on trading unit trusts by allowing liabilities to be set off against assets other than real property.

In addition to these two main provisions the Bill contains clauses to ease the assessment procedures for approved organisations, for example, banks, which is really very important, although totally administrative. However, the Bill will allow certain duplicate documents which currently have to be presented to the stamp office to be dealt with by the institutions to avoid administrative difficulties. While it may appear to be simply administrative, this measure is of importance to the people in business and certainly it has our support.

In addition, the Bill enshrines in the law a *pro rata* basis for assessing duty on instruments against assets held in Western Australia and other States according to procedures used in the past under administrative decisions by the Commissioner of Stamp Duties.

That relates to the assessment of the value of loan borrowings and savings that apply on an interest basis when dealing with a corporation which has a trustee and it offers, for subscription to the public, debentures across the face of the country. It enshrines in the law what has been the practice of the commissioner for some time.

I have had dealings with these sorts of matters which do present administrative difficulties where a debenture is issued by a corporation, with a trustee, and that debenture issue is met in several States. It is a complex question relating to stamp duty liability in the several States which are affected.

The first of the two reasons for the Government undertaking the main amendment of this Bill, which is to abolish all duty on annuities and on all charges and undertakings given by corporations, building societies, etc., is to slot in with the Federal Government's new taxation measures in relation to lump sum superannuation. What the Premier has said in the second reading speech is a mild defence of the Federal Government's endeavours to apply tax to superannuation.

There is a recognition that under this new Federal provision there is likely to be a return to a more frequent use of annuities as a form of providing regular income for retired people. I would like to make it clear that in supporting amendments, which are obviously desirable as part of the Government's Budget, we give absolutely no support to the Premier's comments in defending the Federal Government's lump sum superannuation tax. That is a deplorable tax on savings, and represents a retrograde step, in the long term, and the idea that people should provide for their own retirement and provide for themselves.

The SPEAKER: I hope the Leader of the Opposition will not spend too long on this.

Mr HASSELL: May I refer to the Premier's second reading speech? I am referring directly and precisely to what he said. I am sure, Sir, you would not want to stop me from responding to the Premier's remarks.

The Bill does have our support as do the provisions to ease stamp duty on the application of annuities. At the same time, we record our very firm opposition to the taxation of lump sum superannuation as brought in by the Commonwealth Government.

Another aspect of the Bill which deserves particular comment relates to the provision to ease the duty on the transfer of units in unit trusts. I say to the Premier that I am pleased to see this measure has come in. I was approached some months ago about this problem by some accountants who were very much involved in the business of dealing with unit trusts and their transfer. They described to me in detail the difficulties they were having. I had papers set aside to raise the matter with the Government in the Budget debate, but that has proved to not be necessary because the Government has moved in a sensible way.

In dealing with the transfer of units in a unit trust I note that they are to be subject to duty on the gross value of real estate in the trust and on the net value of other assets. That is reading the legislation broadly; it is not expressed in that way.

The casual observer would be led to wonder why it is, in assessing the value of a unit from the value of the assets and liabilities in the trust, one should not deduct the liabilities against the land. My understanding of that situation is that when transferring a piece of land subject to mortgage in the normal course of events between persons A and B, one transfers the land at its full value and pays duty on the full value of the land, regardless of the transfer figure. The amount of the mortgage is not taken off. If a transfer of land worth \$100 000 is made and the land is subject to a

mortgage of \$50 000, and the property is transferred from person A to person B for the consideration of \$50 000, the net worth of the land would be \$50 000. However one would be required to pay stamp duty on the true value of the land, which is \$100 000, and nothing is taken off for the liability of the mortgage.

Mr Brian Burke: I do not know the answer straightaway, but I can see a slight difference.

Mr HASSELL: I am only assuming and I am trying to clarify whether what I understand is correct. The reason that the liabilities relating to the land in the unit trust should not be deducted is that otherwise it would become a vehicle for the avoidance of stamp duty, because every piece of land of significant value would be put in unit trusts, to seek to pay stamp duty on the net value instead of the gross value.

Mr Brian Burke: I think every mortgage would be maximised as well.

Mr HASSELL: I raise with the Premier the question of how that will operate in practice where there is a unit trust within a mix of real estate assets and chattels or personal property assets, and one has liabilities in that trust which relate to the chattel assets but which are charged over the land. Often the land is used as a supplementary security and it may not just be a straight-out mortgage. One could have a situation in which land that is worth \$100 000 has a mortgage of \$50 000 on the security of that land and the mortgage is registered. In addition, there then may be charges over the land to secure all sorts of other liabilities that relate to the chattel side of the business operation. One could end up with a situation in which the land was only charged to secure non-mortgage liability. I guess, therefore, there is room for continuing difficulties of interpretation in that area.

I am simply asking the Premier to confirm that my understanding of the reasoning in the way that has been done is correct.

Mr Brian Burke: Your understanding of the reasoning is correct. There is provision when you have a mix of assets. Guidelines are laid down for the calculation of the value of the trust.

Mr HASSELL: That refers to a mix of assets; I was thinking rather of a mix of liabilities.

I suppose what the Government is doing is moving pretty cautiously away from the position adopted in 1982 because of the concern to prevent avoidance practices. Presumably there is some discretion there which will allow these matters to be dealt with, but if they are not, perhaps the Government will bring forward some other amendments.

With those comments and questions I indicate again our support for this legislation.

MR BRIAN BURKE (Balga—Premier) [11.04 a.m.]: I thank the Leader of the Opposition for his support of the Bill. He is correct in assuming that we are moving very cautiously to provide some assistance or concession in a difficult area that is open to avoidance practices.

I do not know whether I can answer his question about the mix of liabilities attaching to a piece of real property. Provision is made in the Bill for trusts that involve mixed assets. I guess it may be possible to talk sensibly about a mix of liabilities in the same way as we talk about a mix of assets and there will be some scope for assessing liabilities on real property as they relate to the real property or to the chattels that are part of a trading concern that has assets that include real property.

In any case, it is quite clear that this is an area in which the Parliament can expect further amendments from time to time as we try to provide concessions where they are warranted and, at the same time, prevent any avoidance practices that might be encouraged by unwise or rash legislation.

As was indicated in the second reading speech, the concession or proposed amendment in respect of the matter to which the Leader of the Opposition referred—that is, the question of real property and its assessment for duty—will cost an estimated \$500 000 a year.

Mr Hassell: That is the total concession granted by this legislation in relation to unit trusts?

Mr BRIAN BURKE: Yes, in relation to unit trusts, of the three sorts that were referred to during debate; that is, trusts involving real property, trusts with a mix of assets, and trusts with a mix of liabilities. Those amendments will cost about \$500 000 in a full year.

I am happy to refer the question of the mix of liability trusts to the Minister for Budget Management within whose responsibility this matter rests to see whether he cannot provide information to clarify the matter in the mind of the Leader of the Opposition.

I thank the Opposition for its support of the measure.

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 Mr Brian Burke (Premier), and transmitted to the Council.

PAY-ROLL TAX AMENDMENT BILL

Second Reading

Debate resumed from 13 November.

MR HASSELL (Cottesloe—Leader of the Opposition) [11.06 a.m.]: This Bill reduces payroll tax on eligible employers from five per cent to 4.75 per cent. The Government should certainly be commended for that action.

We have drawn attention to the fact that, despite the reductions contained in this Bill and in another piece of legislation shortly to be considered, the collections from payroll tax have risen. The Premier has sought, in reply to the Budget speech, to make some play of this. I will have something more to say about that on another occasion in another debate.

The reduction in payroll tax provided for in this Bill is a good move and we have absolutely no quarrel with it.

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 Mr Brian Burke (Premier), and transmitted to the Council.

PAY-ROLL TAX ASSESSMENT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 13 November.

MR HASSELL (Cottesloe—Leader of the Opposition) [11.11 a.m.]: This Bill implements Budget proposals to lift the payroll tax exemption baseline from \$160 000 to \$200 000 and to extend the concessional band by doubling the length of the taper. To the extent that relief is given, the measure is fully supported. The fact remains, of course, that even when the new arrangements come into force on 1 January 1985 the situation will be a long way short of the very strongly implied commitment of the Premier, then Leader of the Opposition, at the last election that his party would eliminate payroll tax.

It is still the large employer who will shoulder the major payroll tax burden estimated to produce

\$284 million a year. The concessions estimated to provide \$3.2 million relief should be seen in their context, which is a reduction of 1.1 per cent. As a result of the programme of payroll tax reduction and the concessions and exemptions introduced by the Court Government and continued by the present Government, the majority of small businesses are exempt. The fact is that what is being done in this Bill is a continuation of action taken in the past by the Court and O'Connor Governments.

There are now four categories of employers—those with payrolls under \$200 000 who are exempt, those with payrolls between \$200 000 and \$800 000 who pay variable tax up to five per cent, and those with payrolls over \$800 000 who will pay the full rate of five per cent.

Mr Brian Burke: It is 4.75 per cent.

Mr HASSELL: I am sorry, it is 4.75 per cent after the reduction. We are handling the Bills in a different order from the way with which they have been dealt. It is not law yet.

The fourth group is a growing group which is defined by the Treasurer as "charitable organisations" as a result of amendments introduced earlier this year. Those amendments have been used to grant Aboriginal communities an exemption from payroll tax in a way which is not available to other businesses. I want to raise this issue in the context of this debate.

On 1 July this year the provision was proclaimed which gave exemption—to use the words of the Premier—in respect of any charitable body or organisation which the Minister in his absolute discretion prescribes to be of a nature worthy of exemption.

It is interesting to note that since those provisions came into operation a steady stream of Aboriginal communities has been exempted from payroll tax. If one looks at the *Government Gazette* he will see them listed. The *Government Gazette* of 3 August refers to an exemption, although it did not concern an Aboriginal community. However, the *Government Gazettes* dated 21 September, 12 October, 26 October and 2 November all contain exemptions from payroll tax for Aboriginal communities. An overwhelming number of exemptions have been granted to Aboriginal communities.

On Wednesday, 7 November, in question 1605 I asked the Premier what exemptions had been granted and to whom. His answer was that 13 exemptions had been granted all but two of which were granted to Aboriginal communities. I do not know why it is that they have been singled out in this discriminatory way to be granted exemptions

from payroll tax. I doubt whether they can be defined as "charitable organisations", but if they can, it certainly has not been explained.

I want to raise what the Treasurer said when the former amendment went through the Committee stage. It is recorded on page 7591 of *Hansard* on Tuesday, 1 May, that I said the following—

We are just trying to explore in the Committee stage—it is a very appropriate place to do so—what the Government is doing here and why it is doing it. The questions which I ask the Treasurer are: Which organisations will this provision benefit? What are the reasons for bringing this amendment forward? How is "charitable object" defined? It has a very technical legal definition. I am not sure whether this is the context in which it is being used here. I can understand if the Treasurer does not know, but what I am really asking him, I suppose, is what has given rise to this amendment coming forward?

To which the Premier replied—

If the Leader of the Opposition is looking for a particular organisation that does not have an exemption but which in the Government's view should have an exemption, I cannot give him that name because, as he would understand, we are amending the legislation.

In other words, he did not tell me then in response to the clearest of questions what was the Government's real intention. The facts have shown that the Government's real intention was to provide exemption to a whole lot of Aboriginal communities. Incidentally, for them to need that exemption they must have very big payrolls.

I went back to that question again in that same debate and on page 7590 of *Hansard* I said the following—

I refer the Treasurer to proposed subsection (3) which extends the exemptions beyond those specified in the Act to any that the Minister may decide to declare to have charitable objects.

Again, I asked the following question—

... I wanted to ask the Treasurer how the term "charitable object" is defined. What is meant by those words in this subsection?

The Premier, again without being in any way specific, answered the question as follows—

I cannot really see what the Leader of the Opposition is getting at. I was originally confused by what I thought was his reference to that part of section 5(2)(b) that we did not

pursue, but I think this proposed amendment stands on its face. It simply says that the Minister shall have the power—the flexibility, if we like—to exempt a charitable body or organisation, or a body or organisation that has charitable objects or a charitable object.

I would like to know what are the charitable objects of Warburton Community Inc. or Beagle Bay Inc. They are business organisations and they operate like businesses in many respects. If there are some special circumstances I think the Premier should have told us about them when the Bill came in; he was asked often enough and did not tell us. Suddenly we have been presented with a list of 13 exemptions that have been granted involving \$200 000 of State revenue and with no justification whatever.

I do not believe for a minute that the Government did not have this in mind when it introduced the Bill, yet the Premier failed to disclose it to the House in the second reading of the previously amended Bill. When confronted with the question specifically on two occasions during the course of the debate he simply avoided the question and failed to answer it. This appears to be another act of discrimination in favour of one particular group.

Mr Brian Burke: I had absolutely no knowledge prior to the introduction of that amendment that applications were to be, or had been, received from Aboriginal communities. That is the truth. I did not answer the question to try to distract attention from something I knew and which I did not want the Opposition to know. I do not know who the other two groups involved are. Who are they?

Mr HASSELL: The Premier has to approve them. Each application has to be individually approved by him as Minister.

Mr Brian Burke: No, they are approved by the Minister for Budget Management.

Mr HASSELL: The other groups are the Royal Society for the Prevention of Cruelty to Animals, and the Jaycees whaleworld operation.

Mr Brian Burke: I may well have approved them on the recommendation of the Minister for Budget Management, but certainly I had no knowledge prior to the amendment that this was the case with regard to whaleworld or any of the other communities. We are often approached about these things by charitable groups and by business people who are in severe financial trouble.

Mr HASSELL: I am not saying that no charitable community should get an exemption if it has a genuine case, but these Aboriginal communities,

many of which I know, are businesses which operate profitable stores and many things in the normal way.

Mr Brian Burke: It is not true to class them in that way. They are all hand-to-mouth operations with a large social welfare component.

Mr HASSELL: In some cases they are and in some cases they are not. The Premier has said that he had no knowledge beforehand, and I do not dispute that. If he says that, I accept it. However, it seemed strange at the time that, having asked those specific questions in a short period after the Bill was proclaimed, this particular type of exemption was made. Perhaps the Premier can understand that it is not surprising that I should conclude from the nature of the exemptions granted that it was the specific intention of the Government. If the Premier says that he has no knowledge, I accept that.

Mr Brian Burke: Quite obviously I would have told you had I known, because it would have been obvious in that short period.

Mr HASSELL: There may have been reasons that the Premier did not want to tell us at the time. Now that the Premier has said he had no knowledge, that is the end of it as far as I am concerned. If these communities are genuine hand-to-mouth operations with a heavy social welfare component that is accepted. However, I do not think that is so in all cases.

It must be remembered when granting revenue exemptions that every time a grant is given to one group, a burden is added to another group. Any one who has had anything to do with Government finance would be aware of that. It may be that there will be other more difficult cases to decide in the future with regard to this exemption. It is one reason that Governments are generally loath to grant special conditions in relation to tax, either to collect it or to exempt it, because special pressures are related to taxation. That is why I questioned that aspect more strongly in the debate in the second reading and Committee stage on the previous amendment. The reason for my questioning has been borne out by what has happened.

Subject to these comments, the Bill is fully supported.

MR BRIAN BURKE (Balga—Premier) [11.27 a.m.]: I shall make one or two comments in reply to some of the points raised by the Leader of the Opposition. Firstly, the \$3.2 million that he referred to as being the revenue forgone as a result of this measure is actually \$7.6 million in a full year. It is a substantial concession. Secondly, the Leader of the Opposition referred to a practice in this Bill that is being continued in a form

implemented by previous Governments. I suppose that is true to some extent, but this concession represents a much greater concession than was previously provided by predecessor Governments. When those Governments moved to extend the exemptions to benefit small business in particular, it was normally the case that they did so to accommodate the rate of inflation. In this case the extension of the concession amounts to an extension by 25 per cent of the basic exemption level and that, of course, is far in excess of inflation. It represents a significant, and in substance, difference from the measures as they were adopted by predecessor Governments. It is also true that when the concessions contained in this Bill are added to the proposed reduction in the payroll tax rate, the total payroll tax concessions granted in a full year will be \$22.4 million. That is a very substantial concession for any Government to be able to make.

The Leader of the Opposition can talk if he likes about total tax collections increasing; he can talk about this being only a small step towards some undertaking to abolish the tax. I would argue that if total tax revenue were not to rise, we would have a very sick economy. Also, if this is a small step, it is a step in the right direction and it is positioning this State in comparison with other States much more favourably from the point of view of business investment. In New South Wales and Victoria payroll tax is effectively levied at the rate of six per cent, and as a result of this measure in Western Australia an effective rate of 4.75 per cent will be levied on businesses, with payrolls well in excess of those which are caught up by taxes in other States; that is, on payrolls which are now affected by the lifting of the exemption levels.

I do not want to get into a major argument about it. It is strange how history repeats itself, but during the last year of the Liberal Government, when payroll tax exemption levels were lifted, as an Opposition we pointed out revenues were still rising. The Leader of the Opposition and his colleagues at that time saw fit to mount what they saw as effective counters to that argument by talking about a whole range of things, some of which we have spoken about and some we will no doubt speak about shortly as we return to the Leader of the Opposition and his colleagues our defence based on the fact that total tax concessions are rising.

In relation to the other matters, I cannot recall that there was a backlog of applications for exemptions from Aboriginal communities or from charitable bodies. I suspect these matters were being handled by the Minister for Budget Man-

agement. That is essentially the province into which that knowledge fell.

As I said before, I did not recollect any backlog, and that is still the case. As far as I am aware, the Opposition was given the perfectly honest and correct answer at the time the original query was raised.

The only other point I would like to make is that Aboriginal communities cannot really be considered normal business operations, as the Leader of the Opposition attempts to paint them. Anyone who has visited even the most efficient of them must agree.

Mr Hassell: I have visited most of those on the list at one time or another.

Mr BRIAN BURKE: If that is the case, the Leader of the Opposition will know of the social welfare component involved in the operations of most if not all of them. It is simply not true to say they are normal business operations.

Mr Hassell: There is a social welfare component in a number of them, but some of them are very much normal business operations with the same difficulties and struggles faced by other small businesses in the same locality.

Mr BRIAN BURKE: We try to encourage, as I guess the Opposition would, Aboriginal communities in business to act as other businesses in the same context or environment. But not many other businesses have elderly people to care for or provide social support, as Aboriginal communities, through their business operations, provide to the communities themselves. So there is a difference between Mr Emanuel and his properties on the one hand and Noonkanbah and Yandeyarra on the other hand. That is all I want to point out to the Leader of the Opposition.

Mr Peter Jones: Noonkanbah?

Mr BRIAN BURKE: That is for sale as well, I think.

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

MR BRIAN BURKE (Balga—Premier) [11.35 a.m.]: I move—

That the Bill be now read a third time.

MR HASSELL (Cottesloe—Leader of the Opposition) [11.36 a.m.]: As in the case of the second reading and the Committee stages, we have no opposition to the Bill. However, it is simply not appropriate that I should let pass the Premier's reiteration that the concessions being made are different in kind. Although these concessions are different in the case of the rate, they are not different from what was done in the past. This does not represent a significant fulfilment of the Premier's pre-1983 indication that he would get rid of payroll tax.

I was at that time involved in seeing many groups of people and many people. Many of them were employers. Often I was confronted by groups of employers who said to me, "Mr Burke has promised to get rid of payroll tax; what will you do?" I said to them in each case, very clearly, distinctly and honestly, "It is not within the capacity of the State Government on its own to get rid of payroll tax, and we cannot give you that undertaking". At the same time it was of concern to me that the then Opposition had been able to give the impression to so many employers and to so many groups, including the chamber of commerce, that it would get rid of payroll tax.

We knew it could not, and I suppose the then Opposition, in its heart of hearts, knew it could not, but in the climate at the time there was no doubt that the then Leader of the Opposition had made some inroads with business by giving the impression that he would take this scourge of payroll tax away from them. He could not, he has not, and he will not, as far as I am concerned, be allowed to get away with the reiteration of misleading information.

It is simply misleading to suggest that what has been done in these two Bills, commendable as it is in itself, is in any way a fulfilment of the clear impressions which were given by the then Leader of the Opposition and the leader of the Labor Party when he was seeking the votes of the business community prior to the last election.

That is the burden of the point I was making, and I do not detract from it at all.

MR COWAN (Merredin) [11.38 a.m.]: I do not wish to delay the House for very long, but I do want to make some comment on the Pay-roll Tax Act. As members will be aware, the National Party has a policy of abolishing this tax over a period of time. I would like to place on record the fact that we in the party commend the present Government for the fact that it has been prepared to address itself to this problem.

We note, however, that despite the increased level of exemptions to apply as a result of this Bill,

and despite the fact that the actual rate of payroll tax has been dropped by this Government, the amount of revenue from payroll tax will itself still increase over previous years.

While we commend the Government for taking the first step towards abolishing this tax, we recommend it continues with this policy to reduce this tax to the extent where it will eventually be repealed.

MR BRIAN BURKE (Balga—Premier) [11.39 a.m.]: It is very negative of the Leader of the Opposition to attempt to backhandedly describe the Government's actions in this matter as being in no sense a step towards the fulfilment of its undertaking on payroll tax. Quite obviously, by reducing the rate of payroll tax as we have done, we have moved towards the situation we think is desirable; that is, one in which there is an absence of payroll tax.

By extending the exemption level as we have done far more generously than was the case under previous Governments, in many cases we are certainly abolishing payroll tax for certain employers.

Mr Court: At the same time you are widening your interpretation of the grouping provisions and you are bringing a whole new group of subcontractors into the payroll tax system.

Mr BRIAN BURKE: The member for Nedlands is blessed, firstly, with the ignorance of his absence during this whole debate—

Mr Court: You can ignore it and that is exactly what has happened.

Mr BRIAN BURKE: I would not ignore the member for Nedlands, because it is far too profitable for the Government to be able to attend to his interjections.

Mr Court: You can joke about it.

Mr BRIAN BURKE: I do not joke about it.

Mr Court: You are bringing in a whole new breed of subcontractors. You can ignore it for as long as you like, but it is a very real problem.

Mr BRIAN BURKE: I do not ignore the objections of the member for Nedlands, but he is particularly niggardly when one considers that, for nine years, his colleagues had the chance to lower the general rate of payroll tax, but they did absolutely nothing.

Mr Court: You are not fooling anyone.

Mr BRIAN BURKE: Would the member for Nedlands be happier if we left the rate at five per cent?

Mr Court: I am talking about the grouping provisions.

Mr BRIAN BURKE: The member for Nedlands might be talking about the grouping provisions, but in this Bill we are seeking to lift the exemption level so that many hundreds of small businesses in the future will not have to pay payroll tax. Does the member oppose that?

Mr Court: And you have many more small businesses paying payroll tax now.

Mr BRIAN BURKE: I do not know whether the member for Nedlands is opposed to this legislation.

Mr Court: I am not opposed to this legislation. I just explained why your collections are going to continue to rise by so much.

Mr BRIAN BURKE: That is not the reason the collections are rising. That is occurring because of the expanding economy over which we preside. We do not claim all the credit for it, but the member for Nedlands should think back to the time that his party was in Government. In the last year the Opposition was in Government employment fell by more than one per cent; in the first year we have been in Government, employment has risen by three per cent. That is why payroll tax collections are rising.

The member for Nedlands could not manage a small business, let alone understand that, as a result of the economic policies being followed by the national and State Governments, the economy is back up off the floor. It is starting to expand again. Jobs are starting to be created. That is following a period during which the Court and O'Connor Governments saw the economy start to disintegrate and jobs being confiscated from young people, building structural social problems into the community.

I am perfectly happy to answer the question raised about the grouping provisions. It is our responsibility to ensure that, if payroll tax is to be paid, it should be paid as a result of a law which falls equally and fairly on all people. If the grouping provisions can be exploited, or if they mean that unfair advantages are given to some people, it is our obligation to ensure that, as fairly as possible, everyone pays the tax. That is what it is all about.

If the member for Nedlands wants to support people who seek to use artificial and contrived means to attempt to avoid payroll tax, let him say so. If he supports contrived and artificial attempts to avoid payroll tax, he should go ahead, and he will find that the broad mass of the Australian community will not support his support for those schemes.

All we have seen develop here is the member for Nedlands attempting to support people who will

use what the Commissioner of State Taxation believes to be unfair means to avoid payroll tax, so that the honest employers—the genuine people who do not try, in a contrived and artificial fashion, to arrange their affairs to avoid tax—pay more tax. That is what the member for Nedlands wants.

I can only repeat that this Government has stamped itself as the first State Government in the history of the Commonwealth prepared to lower the general rate of payroll tax and it has lifted the exemption levels by percentages which were not accommodated or encountered by previous Governments.

I cannot see why the Opposition should object to this Bill or try to muddy the waters in the consideration of a piece of legislation which, in essence, if one wants to be nimble about it, seeks to fulfil part of our undertaking. We have abolished payroll tax for another several hundred businesses.

If members want to look at another perspective, we have taken a step towards the abolition by reducing the general rate after 18 months in Government. That is a measure which was not implemented by previous Governments over nine years.

The member for Merredin summed up the matter correctly when he said that there remains a great deal to be done in the area. We do not deny that, but at least we have started, and we have not started in the way the member for Nedlands thinks is appropriate, which is to support people who, in the view of the State Commissioner of Taxation, contrived artificial schemes—

Mr Court: That is a total untruth. Don't try to twist things.

Mr BRIAN BURKE: If the member for Nedlands has evidence that the State Commissioner of Taxation is dishonest, let him present the evidence about the character of the Commissioner of State Taxation.

Mr Court: You seem to be totally ignorant of the problem.

Mr BRIAN BURKE: We are not ignorant of the problem, but we are intelligently opposed to the way in which the member for Nedlands seems to think it is his brief to support people who try to skirt the law and who use contrived schemes—

Mr Court: You miss the whole point.

Mr BRIAN BURKE: Why did the Commissioner of State Taxation recommend that payroll tax should be imposed?

Mr Court: On the subcontractors?

Mr BRIAN BURKE: On those people who are taking the High Court action.

Mr Court: That is what I am saying; the interpretation of the grouping provisions is being widened and you can't see that that is bringing in thousands of small businesses which now have to pay payroll tax. They are bona fide small businesses. They are well within the guidelines.

Mr BRIAN BURKE: The Commissioner of State Taxation is a senior public servant who interprets the law, under which his responsibilities are outlined, without any political favour or flavour.

Mr Court: I am not saying he doesn't.

Mr BRIAN BURKE: Is the member for Nedlands saying then that he should be told not to do that?

Mr Court: I am saying that you have to face up to the problems of the interpretation of the grouping provisions.

Mr BRIAN BURKE: What does the member for Nedlands want? Does he want me to tell the Commissioner of State Taxation not to pursue the law as it should be pursued?

Mr Court: That is not what I want.

Mr BRIAN BURKE: That is what he wants; I know what he is talking about. It was on the recommendation of the commissioner. The man came to see me as well.

Mr Court: Do you want a position whereby all those subcontractors come under the grouping provision?

The SPEAKER: Order! I have listened patiently to the member for Nedlands. He keeps making the same sort of interjection. It is about time he desisted.

Mr BRIAN BURKE: Anyway, I thank the Opposition for its support of the Bill.

Question put and passed.

Bill read a third time and transmitted to the Council.

FINANCIAL INSTITUTIONS DUTY AMENDMENT BILL (No. 3)

Second Reading

Debate resumed from 13 November.

MR HASSELL (Cottesloe—Leader of the Opposition) [11.51 a.m.]: The Premier's second reading speech on this Bill seeks to sell the proposals contained in this measure as simply changes designed, firstly, to grant a benefit to the community through a 40 per cent reduction in financial institutions duty, secondly, to simplify machinery associated with its application and col-

lection, and, thirdly, to widen the exemptions from the duty.

Nevertheless, it is a measure of the complexity and the impact of this tax that those few changes require an 18-page Bill, and this is after less than 12 months from the introduction of the financial institutions duty. Further, no explanatory memorandum of the legislation has been presented, and again I mention to the Premier that explanatory memoranda should be supplied for complex measures of this nature.

Predictably more Bills of this size and complexity will be introduced as the extent of stupidity of the Government in introducing FID sinks into the collective skulls of members of the Government. This is the second amending Bill within this year. The earlier Bill related to exemptions for charities, where the Opposition was able to force the Government to back down from its previous intransigence over the necessity for exemptions for charities and churches.

Mr Brian Burke: I can't imagine the Opposition's being able to force the Government to do anything.

Mr HASSELL: The Government was pretty keen to move and to be seen to be ahead of the Opposition in granting exemptions for charities, although we told the Government very quickly when the FID Bill was first introduced that it would create enormous troubles for charities. I was one of the members who raised the difficulties that would be faced by the charities.

I produced the evidence of what had happened in South Australia and laid it all before the Government in the original debate on the Financial Institutions Duty Bill. I asked the Government to include exemptions at the time and not to go through the process of repayments which the legislation necessitated. The Government ignored our advice and within two or three months it was clear that the repayment system the Government had introduced was not going to work. The charities and churches were considerably embarrassed by the costs and expenses of operating that system and they began making urgent representations to the Opposition, and no doubt to the Government as well, to do something about it.

The Opposition considered the matter and announced that it would introduce legislation to change the machinery covering charities. The Government, with very considerable haste that same afternoon, considered the matter in Cabinet and then produced its own announcement of new legislation and introduced that legislation in the next session of Parliament. The Premier might like

to say that the Opposition did not force the Government to act, but while we might not have been holding a gun at the Government's head in a literal sense, the fact is that the Opposition was spot-on all the way through and the Government was eventually forced to respond and did so according to precisely what we said at the time the original legislation was introduced.

Now we are moving to enter a phase where we have other things to be sorted out, and those other things are being introduced in this Bill. Most of these proposed amendments deal with issues that the Opposition tried to point out as being flaws in the FID legislation the Government introduced last year. There is no need for us to say to the Government, "We told you so". It is sufficient for us to point to the ongoing objections in the business community to this legislation. Even the Premier now admits by implication that the financial institutions duty has been responsible for loss of economic activity in and a flight of capital from Western Australia. In referring to the 40 per cent reduction, the Premier said—

This will remove any incentive for companies in this State to transfer their banking operations to other FID States.

What he conveniently overlooks is the fact that one Australian State is not a FID State: There is no FID in Queensland, and Western Australia's loss will continue to be Queensland's gain. However much the Government may want to ignore the facts and avoid having a proper inquiry and study into FID, the facts are that a considerable amount of Western Australian business activity has been transferred to Queensland and is continuing to be transferred to Queensland as a simple, lawful and totally legitimate business activity by which to avoid the payment of financial institutions duty.

That business activity has come from the short-term money market, it has come from companies transferring their account collection and charging operations to Queensland, and it has come from the importation of money into Australia from overseas through Queensland instead of through Western Australia.

Various estimates have been made of the amount of money involved, although none of them can ever be certified as totally accurate because the banks and other financial institutions are not prepared, because of their obligations of confidentiality, to name names and identify their clients. But the financial institutions duty has resulted very quickly in a loss of hundreds of millions of dollars of business to Western

Australia, and that has gone either to the lower FID States until now or to Queensland.

The Premier is right when he says that by reducing the rate of duty from 5c in \$100 to 3c in \$100—again, we pointed out this difficulty at the time the legislation was introduced—he has removed the incentive for companies to go to lower FID States. But he has not removed the incentive for companies to go to the non-FID State, which is Queensland. Certainly there will be no need for further complex amendments to this legislation when we come into office, because it will be abolished and with it the duty and the rate of duty. There will be no financial institutions duty under the next Liberal Government. And it will not be replaced.

Mr Davies: What are you going to use to make up the shortfall?

Mr HASSELL: A bit of restraint, efficiency and effectiveness. After we have got rid of the Government's army of paid political advisers and political public servants it has appointed to various positions, we will be well on the way to covering the loss of revenue from our abolition of FID. But that will be only the start of it, because there are plenty of other areas where our policies will save a lot of money. Those policies will be fully effective.

The Bill contains amendments other than a reduction in the general rate of FID from 5c in \$100 to 3c in \$100. Further exemptions are to apply, firstly, for charities and local government investments in short-term paper in the market, secondly, for roll-over term deposits and, thirdly, for telegraphic transfers transmitted to FID States.

Other amendments are intended to simplify the application of the tax or to place a registered financial institution on an equal footing with the banks.

I comment on the Government's review of the financial institutions duty. The long-promised review, which was meant to be a review of the fundamentals of FID, was simply a sham. It was an interdepartmental committee considering the complaints made by aggrieved taxpayers in relation to specific matters. The Government did not set up an inquiry involving consultation with industry leaders or a consideration of the substance of the legislation and its impact on Western Australia. There was no attempt by the committee to consider or review the loss of revenue to Western Australia, resulting in and arising from the imposition of FID in Western Australia.

While we give our full support to the measures contained in this Bill, we say they represent no more than a shallow tinkering with legislation which never should have been introduced, which

was not necessary, and which the Government proved to be unnecessary by the financial surplus which was hidden at the end of the last financial year. The collections from FID were of the order of \$16 million; the true Budget surplus was of the order of \$16 million; so the Government did not need FID in the last financial year. Having regard to the reduction effected by this Bill and the expenditure programmes of the Government, it would have been very easy for the Government to have gone without FID in the current financial year.

While the Treasurer may obtain satisfaction from talking about a 40 per cent reduction in FID, it is a 40 per cent reduction in something that should never been introduced, and it is only a step in the right direction. It completely fails to come to grips with the issues related to FID. Fundamentally, FID costs Western Australia far more in hard cash than it has gained for the Treasury or for the good government of the State.

MR COURT (Nedlands) [12.03 p.m.]: When the original Financial Institutions Duty Bill was introduced into this House last year, we debated at some length the complexity of the Bill and its provisions. We now see before us an amending Bill which is also a complex piece of legislation.

When we were debating the original Bill, we made it very clear that we were opposed to the primary rate of 5c per \$100, particularly when 3c per \$100 was the going rate in the main financial centres of Melbourne and Sydney. We made it very clear that we thought that FID was unnecessary. As the Leader of the Opposition has just said, that is still the case.

The Government made great play of the fact that it would have a review of the FID legislation after its first six months of operation. After we had publicly brought up the many concerns and problems which had arisen following the introduction of FID, we had so many financial institutions, charities, and other people contacting us that we carried out quite a substantial review of FID after its first three months of operation. We supplied the Government with a copy of the report of the review we carried out. In that report we highlighted the problems which were arising after only three months of operation.

One good aspect of the amended legislation is that, nine months later, it is covering many of the problems which we raised. The biggest problem, apart from the actual payment of the tax, was the problem with interpretation of many parts of the legislation. As we mentioned in our report, that was probably best summed up by a building society executive who said—

... in fifteen years I have been involved in the finance industry, during which time we have subject to a wide range of new or changed legislative requirements, the Financial Institutions Duty is undoubtedly, in an administrative sense, one of the most complex and costly encountered.

That is largely the reason we have this amending legislation: to try to solve some of the problems which have arisen.

The Treasurer is now doing a bit of a song and dance and using the PR machine, saying that the Government is bringing down the rate of FID by 40 per cent from 5c per \$100 to 3c per \$100. We say that FID was totally unnecessary in the first place. Certainly, the business community cannot see any reason for such an elaborate tax structure being put in place in the first instance, to collect the FID for the Government. The Government could simply have cut down on some of its extravagance and done away with the tax.

The Government must realise that it is all very well for the FID to be paid into its coffers by the different financial institutions; but the institutions have the burden of collecting the tax. One of the points made very clearly is that the business community is becoming fed up with the wide range of taxes it is asked to collect, particularly in the smaller businesses. By the time the company pays payroll tax, land tax, company tax, withholding tax, FID, and many other taxes, it has to pay staff full-time just to work out how much tax must be paid and handle the administrative side of it.

FID has been an administrative nightmare, particularly for the smaller businesses which have not had access to the computer systems which the large firms have.

We support cutting the rate from 5c to 3c; but I would like the Treasurer to explain to me why on page 7 of the Bill, proposed new subsection (19e), which outlines the changes in FID payments by telegraphic transfers—TTs—provides that money coming into Western Australia by TTs is "fidable"; but the money which is sent out is exempt. If one sends money to another FID State—South Australia, New South Wales, or Victoria—one does not pay FID; but if one sends the money to Queensland, one has to pay FID here. If a person in New South Wales transfers money telegraphically to Western Australia, the receiver pays FID when the money arrives here, and the sender pays it in New South Wales. If a person in Western Australia telegraphs money to New South Wales, the FID is paid here. If that is the case, it penalises the person or the company putting money into the State and encourages the

money to go out. That does not seem to be very sensible. I would like to know why Premiers Wran and Cain have not entered into a reciprocal arrangement with our Treasurer in this regard. Am I correct in my interpretation about telegraphic transfers?

Mr Brian Burke: About their attracting FID between WA and a FID State and between WA and a non-FID State, yes.

Mr COURT: If New South Wales telegraphically transfers money to WA, FID is payable here. Also FID is being paid at the other end in New South Wales. But if WA telegraphically transfers money into New South Wales under this legislation the transaction is exempt. I would have thought the Labor States would have come to a reciprocal arrangement before the Government introduced this legislation.

Mr Brian Burke: What clause are you talking about?

Mr COURT: Clause 3, new subsection (19e).

Mr Brian Burke: My understanding is that we are talking about the same institution transferring funds between States. We are just ensuring that an institution transferring funds from WA to another FID State is not obliged to pay FID twice; but in reverse, we are not necessarily talking about the same institutions transferring funds. It provides an exemption for the crediting of an account kept by a bank to be used for the telegraphic transfer of funds to another State where FID is charged.

Mr COURT: Yes; if we telegraphically transfer to New South Wales, we do not have to pay FID here?

Mr Brian Burke: Yes, that is correct.

Mr COURT: But if the money is coming in from New South Wales we have to pay FID in WA as well as in NSW?

Mr Brian Burke: Yes, that is correct.

Mr COURT: So it is double coming in and single going out?

Mr Brian Burke: That is correct. We are happy if NSW comes to the party. We do not see a problem there at all.

Mr COURT: The Government in effect is encouraging money to go out of and not into this State, and I would have thought it would have come to a reciprocal arrangement in this regard with other Labor States.

Mr Brian Burke: The member might argue that, but he might then also argue that we are at least lessening to some extent the load. What would you

prefer, that we have it attracting FID in both transactions?

Mr COURT: I am making the point that I think there should be co-operation with other Labor States, and I would have thought that would have been quite easy for this Government to achieve.

Mr Brian Burke: It was never easy for your Government, or when Liberal Governments were in other States. Talk about co-operation! When Mr Fraser was in charge of the national Government we had almost all our financial muscle ripped from us.

Mr COURT: That did not require co-operation in regard to FID because FID did not exist then.

Mr Brian Burke: No, but it was as a result of a lack of co-operation that the States were forced into FID.

Mr COURT: The Treasurer is getting away from my point. I hope he takes up the point that in effect the Government is encouraging money to go out of and not into this State.

This Bill contains many other sections designed to help solve some of the interpretation problems that have arisen. One feature of the Bill which we highlighted in our report was the problem relating to the roll-over of term deposits whereby if the term or any of the conditions were changed it was treated as a new transaction. That is one area where amendments will be brought forward to correct that anomaly and I do not propose to go through them in detail. They are all designed to resolve many of the anomalies that have arisen with the introduction of this tax which even the Minister admitted in his second reading speech is very complex. Many interpretation problems have arisen.

MR BRIAN BURKE (Balga—Premier) [12.15 p.m.]: I thank the Opposition for its general support of the Bill and touch briefly on one or two points raised by the Leader of the Opposition and the member for Nedlands. It is almost as though the Opposition believes that the Government has some satisfaction or pleasure from the imposition of new taxes or increased taxes and that is obviously not the case. If that were the case, no logical basis has been advanced by the Opposition to support its belief that that is true.

The truth is that on coming into Government we were faced with a deteriorating financial situation, and no-one has produced evidence to contradict that fact. I am not saying that it was solely the responsibility of our predecessor in Government. The recession had disastrously affected the revenue base of the State and the previous Government, confronting an election in the immediate future, had not been politically able to grasp the

nettle and to implement policies and make the changes that were necessary to reverse the diminishing financial situation. That is what happened.

When we were elected to office we made a simple choice between pursuing political expediency or bringing in the sort of Budget which was necessary to restore the State to some sort of financial stability and to underpin what we hoped would be a developing recovery, and that is what we did. That is why we introduced the financial institutions duty, not because we thought it would be greeted with rapturous applause by those people who might be forced to pay the tax, but simply because we thought it was a worthwhile new measure.

In the Budget brought down some weeks ago we believed it was appropriate and that we had the capacity to reduce the rate of FID, and that is what we did. We hope to be able to continue along that path, provided the economy continues to regain its health and to expand in the natural course of that recovery; and if as a result State taxation revenues, without adjusting rates upwards, continue to rise, we will have the capacity, the flexibility and certainly the desire, to lessen the burden of taxes and charges on the public generally.

It is a matter of some considerable significance that a State Government has reduced a tax by 40 per cent. We have done so, not in a pre-election Budget, but in a Budget once removed from the next election.

Mr Hassell: It does show you though what disastrous impact the tax has had if you have had to move that far so quickly.

Mr BRIAN BURKE: The Leader of the Opposition paints himself in a highly political manner by saying that the decision to reduce the tax indicates how difficult it was politically for us to maintain it. I have spent the last two or three minutes trying to explain to him that it is not a matter of politics; it is a matter of capacity of the Government to provide the sort of relief or concessions that we believe are appropriate.

Mr Rushton: You never take a political stand!

Mr BRIAN BURKE: I have taken plenty of political stands.

Mr Rushton: Everything you do is political, the whole blinking lot.

Mr BRIAN BURKE: Would not the member for Dale believe it would have been politically much more astute to wait until next year and perhaps reduce the financial institutions duty by even more?

Mr Rushton: The objection to it would have been so strong you would not have a hope of getting back in.

Mr BRIAN BURKE: I would have thought we had weathered most of the objections that have been raised, but nevertheless, the meagre credit extended by the Opposition for what we are doing has to be, I suppose, accepted graciously by us and to be seen by the public for what it is—that is, very meagre.

Mr Trethowan: Don't you think to introduce a tax 40 per cent higher than the level of the tax in the majority of the other States and then to take credit for reducing it within 12 months is ironic?

Mr BRIAN BURKE: No. I would think that the credit, without being claimed, would be extended quite genuinely, because we had imposed a tax—

Mr Trethowan: Even when you were told of the effect of it on actual transactions in this State?

Mr BRIAN BURKE: That is really a load of nonsense. No-one has yet produced any figures which substantiate the claims that have been made. If any member can tell me that funds are not available in this State for any investment project, I am happy to accept that advice and to investigate it. But no-one has done so.

Mr MacKinnon: No-one is likely to, either.

Mr BRIAN BURKE: No-one is likely to, because there is no shortage of funds. The institutions are awash with funds.

Mr Hassell: You missed the point.

Mr BRIAN BURKE: We have not missed the point at all. The Leader of the Opposition simply has failed to substantiate his case. The case that there has been a substantial outflow of funds has not been verified or supported, except in some anonymous sort of, "I danced with a man who danced with a girl who danced with the Prince of Wales", sort of way.

The member for Nedlands scurries around and talks to some of his mates and comes back to say, "My mates are saying this, and so it must be the case".

The Government is reducing the financial institutions duty. It is a matter of some satisfaction that we have been able to do so. We are taking stringent steps in all sorts of other areas. The Opposition cannot believe that it is pleasant for the Government to have about its head the controversy now surrounding the Public Works Department restructuring. That is not a pleasant thing, but it was left for years under the past Government. For years and years nothing was done. What does the member say about that?

Mr Court: I will talk about that when we deal with the works department.

Mr BRIAN BURKE: Does the member support the restructuring?

Mr Court: I support the restructuring, but not the way you are going about it.

Mr BRIAN BURKE: I am glad the member is on record, because it will be broadcast far and wide that the member is opposed to our restructuring of the PWD. We will make that known far and wide because, if there is one sin that stands starkly against the name of previous Governments, it is the sin of failing to attend to the inefficiencies that develop in Government. That is what we are doing.

Mr MacKinnon: Just look at your inefficiency in having the Kings building block empty for 12 months.

Mr BRIAN BURKE: Vapex House, my friend, was empty for about 2½ years. I know the member would not talk about Vapex House, because his party was in Government then. If the member says his Government was efficient, we have a way to go to reach the previous Government's levels of efficiency, because we have not been in charge of vacant offices as long as the previous Government was.

Mr MacKinnon: You are less efficient.

Mr BRIAN BURKE: At least, if it is a question of less efficiency, I suppose that is better than being more inefficient.

As far as the point raised by the member for Nedlands is concerned, it is true that we have decided to exempt from duty telegraphic transfer of funds which originate in Western Australia and which are directed to another FID State. The exemption will cover any accounts used to facilitate the transfer of funds from the R & I Bank, for example, to another bank acting as an agent in the transfer of funds interstate.

I do not know whether that means we are encouraging funds to flow out of the State. I suspect that it does not. I suspect that it means that it is much easier to do business, at least from the FID point of view, when one does not have to pay double FID. On that basis, I suggest the change is desirable.

If we can reach an accommodation with the other Labor States, or non-Labor States—if and when they introduce FID or its equivalent—certainly we would be pleased to see them doing the same sort of thing. As far as Western Australia is concerned, we think it is entirely appropriate that, lacking that agreement with the other States, we should at least exempt telegraphic

transfers from that duty, if they originate in Western Australia and are directed to another FID State.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Brian Burke (Premier) in charge of the Bill.

Clause 1: Short Title and principal Act—

Mr HASSELL: I wish to raise a matter with the Premier that he did not respond to in the second reading debate. The Bill is long and complex, and I ask the Premier, as I have asked on previous occasions, to ask his department to adopt the practice of giving explanatory memoranda with complex measures of this nature. It is tremendously difficult to deal with stamp duty legislation and at times a qualified lawyer has difficulty in reading it. Often it is very difficult; an explanatory memorandum is necessary in good administration.

Mr Brian Burke: I will raise that with the department.

Clause put and passed.

Clause 2 put and passed.

Clause 3: Section 3 amended—

Mr COURT: I wish to raise a matter I mentioned during the second reading debate, which relates to new subsection (19a). It seems to me that the Government is penalising people who are paying money into the State and making it easier to send money out of the State.

I accept the Treasury's point that, wherever we cut out FID on a transaction, that is good; but the point I make is that the Government's generosity in cutting out the FID when money is going out of the State helps the R & I Bank, but we should also have the other FID States provide some reciprocal arrangement. I think that is desirable. As it stands now, we are placed at a disadvantage, and the other States are placed at an advantage.

Mr Brian Burke: We cannot control the other States. I cannot order Mr Wran in New South Wales not to levy FID, but we can assist people here.

Mr COURT: The Premier is not assisting them.

Clause put and passed.

Clause 4: Section 10 amended—

Mr HASSELL: I have to raise a matter of some importance. I refer to section 10 of the Act, which this clause amends. Section 10 is under part III of the Act, and it creates the primary legal liability

to pay FID. It then goes on in subsection (4) to set out the exemptions. One of those exemptions is contained in paragraph (c) of subsection (4) of section 10, where there is an exemption of the receipt of money by a registered financial institution, not being a bank, for the credit of an account kept by it, of a department of the Government of the Commonwealth, or a Territory, or a municipality, otherwise than in the course of a business undertaking.

We are amending this Bill by deleting paragraph (c). It appears on the surface, unless my interpretation is wrong, that the result of deleting that exemption is to leave the application of financial institutions duty under the prime provisions of section 10 so that all Government departments of the Commonwealth and local government are now subject to FID. I do not believe that is the intention.

Mr Brian Burke: It certainly is not the intention.

Mr HASSELL: If one turns to clause 10 of this Bill one sees the substitution of new clauses relating to local government and State, Commonwealth, and Territory Governments where the accounts to be exempted are more clearly defined. The structure of the Bill is such that the application of the prime duty is being carried out under section 10. There are, within that section, the basic exemptions and there is, within the succeeding sections, including sections 18 and 19 which are now being substituted with new drafts, the definition of those exemptions.

Although I may be wrong, it appears that there is a drafting error which is of some importance. I draw that to the attention of the Premier and seek an explanation from him. I know that he interjected and said that that was not the intention of the legislation. It was important that he did interject because I take it that the intention is not to apply FID to Government departments. It may have been the intention; it would not be completely out of kilter if it were the intention. That is why we are looking at the way the Bill was drafted.

The law applies payroll tax to the Government departments for accounting purposes. We see it showing up in the Consolidated Revenue Estimates, so it would not be completely out of kilter to apply FID for the sake of consistency and administration. If that is not the Government's intention, I think it has a drafting problem with this Bill.

Mr BRIAN BURKE: I understand that is not our intention. I will have the matter checked and take whatever steps are necessary. If there is a drafting error it will be corrected.

I am not sure I follow the point made by the Leader of the Opposition. I can see that, on page 31, paragraph (c) has been deleted as has paragraph (b)(i) been deleted. However, I cannot quite follow the subsequent point made by the Leader of the Opposition. The matter will be referred to the Department of Treasury and I will forward the Leader of the Opposition advice as soon as possible.

Clause put and passed.

Clause 5 put and passed.

Clause 6: Section 12 amended—

Mr COURT: I make it clear that the provision to cut the prime rate from 5c per \$100 to 3c per \$100 is a provision that we support. In our review we said that, after three months, if the Government was to persist with this financial institutions duty, we would recommend that it be immediately reduced to 3c per \$100 to bring it into line with the two major States. We recommended that change, which has been introduced in this legislation, if the Government was to persist with this tax.

Clause put and passed.

Clauses 7 to 19 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Brian Burke (Premier); and transmitted to the Council.

LOAN BILL

Second Reading

Debate resumed from 14 November.

MR HASSELL (Cottesloe—Leader of the Opposition) [12.35 p.m.]: This is a machinery Bill. It authorises loan borrowings which will fund the capital works programme previously outlined by the Treasurer. In addition, the Bill authorises reappropriations of funds appropriated under previous Loan Acts and no longer required for the original appropriations. I ask the Treasurer: Why were reappropriations necessary in this case? The particular reappropriations are listed in the second schedule. The Treasurer may wish to deal with that question in the Committee stage; I do not mind. That is the only question of substance I have on the Loan Bill. I assure the Treasurer of our support for the Loan Bill as one of the normal and essential budgetary measures.

The Bill presents the opportunity for me to make more general comments. I take this chance which was denied me in question time yesterday, because of the way the House operates and is structured, to respond to the Treasurer.

Mr Brian Burke: Can I interrupt for a moment. Those reappropriations are listed under clause 6.

Mr HASSELL: That is correct. We want to know why they are reappropriations, what they are about, and why they are necessary in each case?

Mr Brian Burke: I am not sure whether I can state why in each case. You know why they are necessary. The money is not spent from time to time.

Mr HASSELL: I know that, but it is unusual that the Government should have such a set of reappropriations. Whether it is unusual or not, the one question I have for the Treasurer on the Loan Bill is to ask his reasons for those reappropriations in each case. They are quite large reappropriations.

I take the opportunity presented by the debate on the Loan Bill to refer to the Premier's dorothea question last night about the results of the by-elections and his unconcealed glee at the victory of the National Party in Central Province and his melodramatic presentation of his answer in which he suggested that a swing to the Liberal Party of over 14 per cent which did not result in a win by the party in some way disclosed what he referred to as a gigantic electoral fraud. Of course, the Premier was trying to score political points. The fact remains that those things should not be allowed to pass without answer.

I find it very frustrating, I must say, when the Premier is able to use the forms of the House in question time, as he does so often, to say something which is absolutely biased and wrong, which is not in any way the presentation of factual material, and where we do not have the opportunity to respond.

Having heard the little performance last night I am seizing the opportunity presented by the Loan Bill today to make a few points about the Central Province by-election and the result so that the Treasurer and his colleagues will be under no misunderstanding as to what actually occurred.

If one looks at the results of the Central Province by-election in 1983 he will see that there were at that time some 27 529 people on the roll and that there were four candidates. Those candidates were Mr Little from the ALP, Mr Byfield from the National Country Party, Mr Charlton from the National Party and Mr Atkinson from the Liberal Party. There were 23 944 valid votes cast

of which the candidates received the following numbers—

Candidates	Votes
ALP	6 770
National Country Party	5 749
National Party	5 179
Liberal Party	6 246

In a very broad sense each of the four parties' contestant received about 25 per cent of the vote. The ALP received a little more and the Liberal Party received a little more than the other two parties, but in a broad sense they received one quarter each.

In the by-election that has just been held there was no ALP candidate.

Mr Blaikie: I wonder why that was.

Mr HASSELL: We have wondered why that was and we have a pretty good idea why that was. I think the unconcealed glee displayed by the Treasurer yesterday about the results and the success of the National Party tells us something about why there was no ALP candidate.

Let us analyse the situation. As there was no ALP candidate last weekend it could not be taken into account. Its 25 per cent of the total vote was not to be had and there was a combined effort by the National Party and the NCP, in the form of the new National Party of Australia, and an independent NCP candidate who received some 2 500 votes. Let us leave that aside and look at the substance of the issues in this way. The new President of the National Party said on 4 October in *The West Australian* that, "A good showing was crucial" to the new National Party of Australia. That good showing or success was to be based on the combination of the NCP and the National Party vote and on having no ALP candidate.

The reality is that the National Party received 10 944 primary votes, which is significantly fewer than the combined votes of the National Party and the NCP at the last election. The Liberal Party received 9 109 primary votes which is considerably more than the 6 246 primary votes that it received in 1983. The independent National Country Party candidate received 2 573 votes. After preferences the result was that the National Party received 11 959 votes and the Liberal Party received 10 667 votes. It is a dramatic contrast to 1983 where the combined NCP and NP vote was 10 928, the Liberal Party vote was 6 246 and the ALP vote was 6 770. We are aware as a matter of fact that the ALP was canvassing quietly some of its supporters in the northern and other areas to support the National Party candidate.

Mr Brian Burke: What evidence do you have of that?

Mr HASSELL: It was being passed around by word of mouth.

Mr Brian Burke: Where did you get the 14 per cent swing? I am waiting to hear.

Mr HASSELL: I will leave the Treasurer to work it out.

Mr Brian Burke: You said it, I did not.

Mr HASSELL: The Treasurer said it last night and I am replying to what he said last night because he had such difficulty—

Mr Brian Burke: You claimed there was a 14 per cent swing. Can you support that claim?

Mr HASSELL: I have just given the figures.

Mr Brian Burke: On a two-party preferred basis you said you had a 14 per cent swing.

Mr HASSELL: I do not remember saying that.

Mr Brian Burke: You were talking two-party preferred in each of the other seats.

Mr HASSELL: I used all the figures in the other seats and I noted with enormous interest how the Treasurer in his Press statements on Saturday night was busy heralding the fact that on the primary vote in Mt. Lawley the Liberal Party was down. What he did not tell anyone when he was busy on the radio and making statements was that the Labor Party vote was down considerably more than the Liberal Party vote. It is very interesting.

Even without an ALP candidate we note the following things. Firstly, the National Party did not get an absolute majority despite the fact that between the two of them they had about 50 per cent of the vote at the last election; secondly, that the National Party primary vote was virtually identical to what it got last year—10 944 compared with 10 928; thirdly, the Liberal Party primary vote went from 6 246 to 9 109.

If one looks at these figures he will see what a monumental task it was for the Liberal Party to have won the seat. Of course I am disappointed that we did not win it. We had a very fine candidate. He conducted a very fine campaign and he was magnificently supported by the member for Mt. Marshall who worked with him on that campaign. Naturally, we are disappointed, but despite the fact we got a very large swing in our favour we could not overcome the numbers that simply were not there and those which were running against us.

It would seem that even though the National Party won the seat—I take nothing away from it for winning the seat; it won it and it is entitled to it—if one analyses the figures he will see that the Liberal Party did extremely well in the by-election and that the Treasurer's attempt last night in

question time, under the advantages afforded to him and presented by question time, to make political hay or capital out of the situation in Central Province and to display his glee at the win by the National Party was of course, because he sees that as a weakening of the effectiveness of the Opposition. I can understand his political glee if he sees that the Opposition is not united as one. The fact is the Liberal Party did extremely well.

Mr Stephens: It picked up a lot of Labor votes, I would suggest.

Mr HASSELL: We know who got the Labor votes and we know who hold their seats at the will of the Labor Party. We know very well who hold their seats on the basis of Labor Party votes and we know they will be there for as long as the Labor Party sees them as being useful people to have in that place and as useful to the purposes of the ALP.

When the ALP decides it will get rid of the National Party one way or another, or get someone else, then we will see what will happen.

Mr Brian Burke: Will you conservatives stop arguing among yourselves?

Mr HASSELL: I am not a member of the conservative party. I have been a member of the Liberal party of Australia all my political life, which is now quite a number of years. I am very proud to be a member of that party. I am not a member of the conservative party and I do not intend to become a member of the conservative party. The Liberal Party of Australia is a very fine party and it made considerable gains in the three by-elections last Saturday.

Mr Brian Burke: It made the biggest gains in the seat it lost.

Mr HASSELL: Where was that, Cockburn?

Mr Brian Burke: I think the Central Province gain was 14 per cent.

Mr HASSELL: We made substantial gains in Cockburn and the Labor Party was not prepared to face us in the Central Province.

Mr Brian Burke: No, because we knew the National party could knock you off and we did not have to worry.

Mr HASSELL: It did so with the Government's help, of course. We take considerable satisfaction from the outcome of the by-elections.

Mr Cowan: We can take even greater satisfaction.

Mr HASSELL: The member for Merredin can take satisfaction from the fact that the National Party won the seat. The member is no doubt astute at analysing figures and if he analyses the

figures carefully I do not think he will take much satisfaction from individual results in certain areas.

The member for Merredin will recognise that his political future and that of his colleagues, including his new colleague, is in the hands of the Labor Party. It is a very interesting situation and one that we take note of. I do not think that in the privacy of his political party the member for Merredin will do anything but agree that what I have said is correct. It is a fact that his colleague won the seat and that cannot be taken away—I would not wish to unless I could have beaten him in the election—he won it on the vote and it is his seat. I would not have let the National Party win that seat if I could have won it for the Liberal Party.

Mr Brian Burke: You are being very expansive letting the National Party have that seat now that it has won the votes. The National Party is lucky that the Leader of the Opposition has decided to let it have the seat.

Mr HASSELL: It is the Premier who let the National Party have this seat and that is the real point I want to get across.

Nothing showed the position more clearly last night than the unconcealed glee of the Premier at the fact that the National Party had won the seat. A Dorothy Dix question was asked last night and the answer concentrated almost totally on Central Province. It barely mentioned the other seats in the by-election. The Premier remarked during the evening on the growing ranks of the National Party and he could be seen rubbing his hands together enjoying the fact that because of his political manoeuvres he had been able to strengthen a situation which he believed was to his political advantage. I do not blame him for that, it is perfectly natural for him to shift around and do deals that would give him a political advantage. However, at the end of the day these sorts of manoeuvres and activities come home to roost.

Mr Brian Burke: Will the Leader of the Opposition be able to finish this before lunch? I will shorten my reply.

Mr HASSELL: I intended to respond in some detail to the Premier's quite unjustified attack on me in the course of the response to the Budget debate.

Mr Brian Burke: That will provoke me again to make a further response. The Leader of the Opposition will have the third reading in which to make his points.

Mr HASSELL: I want to put these points on the record because I cannot let the Premier get away with his attack. I am severely restricted by

the Speaker on the third reading. The Deputy Speaker was in the Chair recently and he was very restrictive about what could be said. To co-operate with the Government on this matter I will make those remarks on another occasion and indicate our support of the Loan Bill.

Mr Brian Burke: That is provided there are no other speakers. I would hate to cut the Leader of the Opposition short if it is not possible anyway to complete the debate before lunch.

Mr HASSELL: There will be other speakers.

Mr Stephens: The record must be put straight.

Mr Brian Burke: We are all putting records straight and no-one reads them.

Mr HASSELL: If no-one reads them, why does the Premier persist with his misrepresentation?

Mr Brian Burke: They are not misrepresentations. The Leader of the Opposition said that his party had a 14 per cent swing and lost the seat. That was a silly thing to say.

Mr HASSELL: It was not silly because it was absolutely accurate. Had we had a 17 per cent swing—which I grant is a monumental swing—we would have won the seat. The Premier is helping me to make the point and I thank him for doing so. He is doing his usual soft-shoe shuffle and twist, which is to fail to bring into account all the facts. The vital fact which the Premier overlooks is that there was no ALP candidate in the election, which changed the situation, and there was a candidate from a party that had been hastily put together. These facts make a difference and I am sure the Premier will concede that they are material facts.

Mr Brian Burke: On a two party preferred basis what was the swing against the Liberal Party in Central Province?

Mr HASSELL: I do not have that figure in front of me. It is difficult to work out a two party preferred result in Central Province.

Mr Brian Burke: Not at all, because you have a situation where the preferences were distributed on both occasions.

Mr HASSELL: If we take the two party preferred result in Central Province on the basis of actual candidates—

Mr Brian Burke: What did the Liberal Party poll after preferences at the last election when it won the seat and what did it poll after preferences when it lost the seat on Saturday?

Mr HASSELL: That is not very easy to work out.

Mr Brian Burke: The swing is 18.5 per cent.

Mr HASSELL: In 1983 the Liberal Party polled 6 246 votes and that figure went up to 9 109. After preferences a different situation exists which cannot be compared.

Mr Brian Burke: That is the point I am making, there was a swing of 18.5 per cent against the Liberal Party.

Sitting suspended from 1.00 to 2.15 p.m.

Leave to Continue Speech

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

Leave granted

Debate thus adjourned.

SWEARING-IN OF MEMBER

The Clerk presented a certified copy of the writ issued in respect of the by-election for the seat of Mt. Lawley, and announced that Mr Samuel George Ernest Cash had been elected.

The SPEAKER: I am prepared to swear in the member for Mt. Lawley.

The honourable member took and subscribed the Oath of Allegiance and signed the roll.

LOAN BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

MR HASSELL (Cottesloe—Leader of the Opposition) [2.18 p.m.]: As we are debating the Loan Bill I can digress from the subject to say how much I welcome the new member for Mt. Lawley and I am delighted to see his predecessor, Hon. Ray O'Connor in the gallery to see the member sworn in.

As it happens, the subject under discussion prior to the luncheon suspension was the results in the by-elections and I am pleased to note that in Mt. Lawley the Liberal vote on the basis of the raw figures was 51.5 per cent. The ALP vote on the basis of the raw figures was 42.7 per cent; the Democrats' vote was 3.8 per cent; and the Independent's was 2 per cent.

On a two party preferred basis, assuming that preferences of the Democrats went 50 per cent each way and that preferences of the Independent went two-thirds to the Labor Party, the result was 45.9 per cent for the ALP and 54.1 per cent for the Liberal Party. That represents a small fall in the 1983 result for the Labor Party and a small increase for the Liberal Party.

What is satisfying about that result is that we succeeded very harmoniously in holding a seat

with a new member, bearing in mind that the previous candidate was a Premier of the State, and the seat had been made more difficult in the last redistribution. But in a climate where there are so many claims all the time from the Government and its supporters that everything is running for them and that the position they hold is so good, the reality is that in each of three by-elections there was a swing to the Liberal Party.

In Cockburn that swing was quite marked. On the basis of the raw figures for the two-party preferred vote, the Liberal Party polled 26.9 per cent as against the 1983 result of 21.41 per cent. The ALP vote this year was 67.5 per cent and the independent vote was 5.6 per cent. The two-party preferred vote resulted in Liberal getting 31.1 per cent and the ALP getting 68.9 per cent of the vote; an increase in the Liberal vote of 9.7 per cent and a drop for the ALP of 9.7 per cent.

Mr Brian Burke: On what notional distribution of preferences do you base that?

Mr HASSELL: On the basis of 75 per cent of the preferences of the independent going to the Liberal Party, as he directed. I assume the Treasurer does not dispute those figures, because during question time he referred to the ALP being down by approximately 10 per cent.

Mr Brian Burke: I am not disputing those figures. I am disputing the preferences, because we know where they were.

Mr HASSELL: We know where they were too. They were not distributed.

Mr Wilson: They are assumed.

Mr Old: They were not counted.

Mr HASSELL: The Liberal Party did not count them.

Mr Brian Burke: They did not count them in Cockburn either.

Mr HASSELL: So in each case one must make a notional distribution. I have told members our basis for a notional distribution. Is the Treasurer's basis different?

Mr Brian Burke: It certainly is in Mt. Lawley.

Mr HASSELL: The Treasurer is entitled to make that notional change if he wants to. We have worked on our knowledge of what has occurred, our scrutineers' advice, and what happened in other areas. It seemed to be a pretty reasonable result, but even if the distribution were found to be slightly different, the fact remains that the result is a very sound one from our point of view.

Prior to the luncheon suspension the Treasurer referred to Central Province. He talked about making comparisons of the two-party preferred

vote in 1983 and 1984. I do not see how one could possibly make a valid comparison of that nature, because one is dealing with two completely different situations. Without the Labor Party in there, as it was not for reasons on which we can only speculate, one must stretch things to try to make a two-party comparison between those two years. It just is not practicable to do so, nor is it accurate. I do not think any political commentator would make that comparison. However, on the straight primary vote, there was a significant swing to our party at a time when we were said to be up against a new party which had the combined forces of two other parties put together supporting it. We could not achieve as much of a swing as we needed to win the seat, which was very sad, but there it is.

I indicated earlier that I had some remarks to make in response to the Treasurer in relation to the Consolidated Revenue Fund debate. I forbear to make those now, but I shall make them when the opportunity presents itself.

As far as the Loan Bill is concerned, I have asked the Treasurer the questions that we want to raise with him and I would be pleased to obtain his response to those questions in due course.

MR COWAN (Merredin) [2.26 p.m.]: This Bill gives the Government authority to raise finance to continue with its works and services. I regard two items as being essential for people in rural Western Australia and the Government of the day has made no effort to raise funds to improve services in those two areas. I refer to the transport services which operate in this State and also to reticulated water.

Probably the greatest cost that is faced by rural industries, particularly its mainstay, agriculture, is transport. At the moment it has been estimated that in the eastern wheatbelt, given average production years, the total transport costs of agriculture amount to 25 per cent of the gross product of an individual farm.

One of the reasons for that is that agriculture, in the main, has used rail as its transport system. One of the deficiencies in Western Australia's method of budgeting, and certainly in the approach of Governments—I am not talking just about this Government, but also about Governments in the past—is that there has never been a sufficient allocation of funds for capital works needed by Westrail. Our rail system does not often receive moneys from the General Loan Fund, Commonwealth grants, or the CRF. Most of the capital works programmes for rail have been financed from Westrail's revenue earning process.

For that reason, in future, if Government wants to make a contribution to agriculture, the best thing it can do is recognise that Westrail will have to be given greater recognition in the allocation of loan funds for the purpose of capital works and the maintenance of its track and rolling stock.

The other matter is that of the provision of reticulated water to farmland areas. That was a policy of previous Governments for some time. It began with the introduction of the comprehensive water scheme which provided reticulated water to a rather large area of the farmland of the south-west land division.

Stage one was completed and it was followed almost immediately by stage two, but there are some areas of Western Australia which are water deficient and which do not have any form of reticulated water.

One of those, of course, is the area which is based around the proposed Agaton water scheme. A substantial cost is involved in that project and in the past the cost of providing reticulated water has been met by the State Government with additional funds from the Commonwealth by way of a grant or a loan; but that practice has ceased. In a State such as WA where water is one of our very rare replenishable or renewable resources, a far greater effort could be placed on the provision of reticulated water in country areas. The Agaton water scheme is indeed right at the heart of Central Province, the area about which the Leader of the Opposition spoke when he discussed the by-election figures. It is not my purpose to stand here and put the record straight as it appeared the Leader of the Opposition wanted to do. All I want him to do is to have a look at the scoreboard and let it tell the story. When he looks at the scoreboard he might remember that the winning name and the winning party managed to win despite some fairly substantial odds. I dispute that this seat was ever won at the whim of the Australian Labor Party; in fact, the Leader of the Opposition said we could speculate on what could have happened had the Labor Party had a candidate in that electorate. Perhaps we could speculate and perhaps we could find some factual evidence which would lead us to believe that the only political party which was assisted by the absence of a Labor Party candidate was indeed the Liberal Party.

If we examine the boxes at Wundowie and compare the vote there with the vote at the last general election, some very startling figures are revealed. As I understand it, the Liberal candidate recorded fewer than 10 votes in the 1983 general election but in this by-election he managed to pick up well in excess of 100 votes. One would assume that

they were indeed Labor Party votes. There is no question that the decision not to have a Labor Party candidate there helped none of the political parties contesting the seat.

Not only did the National Party of Australia win that seat, but also it won it without the co-operation of the parliamentary wing of the National Country Party. I do not think there is any record of any parliamentary member of the National Country Party being prepared to travel to Central Province and contribute to the election campaign of the now member for Central Province. Not one of them did that. In fact, there was no response, other than a completely negative approach. I am convinced that the Liberal Party examined the figures in Central Province and decided it had two things going for it: One was the degree of negativism by the parliamentary wing of the National Country Party, and the other was that it really had to demonstrate that there was an area of dissent still within this newly amalgamated organisation now known as the National Party of Australia. I think the Liberal Party went to the National Country Party's parliamentary wing and said, "We have no chance of retaining that seat unless you can find an independent NCP candidate".

I believe there was ready agreement to that proposal, but rather than do the job themselves the parliamentary wing of the NCP went to one of its former colleagues, Mr Baxter, and asked him whether he could find an independent NCP candidate.

Mr Baxter found an independent NCP candidate and assisted him to the extent where he endorsed his election material and literature; in fact, that election material was quite warped in some of its presentation. In one of the advertisements the electors of Central Province were being asked to vote for a voice in Government. We heard that campaign slogan being used in 1983 when the Liberal Party used it very strongly in Central Province and in Mt. Marshall. People were being exhorted to vote for a voice in Government. Of course, when the Liberal Party lost the election and were no longer in Government, did the people who put forward that false advertising ever apologise or say they were wrong because they were no longer in Government? Of course they did not!

Nevertheless, that was the type of opposition with which the NPA was confronted, yet it still managed to accomplish the task that was before it—to win back the traditional country party seat of Central Province—and it did so in the knowledge that its supposed political ally and partner was campaigning against it very strongly as did our electoral opponents in Central Province. That

is fair enough; everyone expects that in an election campaign. I am talking of course about the Liberal Party. The Liberal Party is our political ally, but it is not our electoral ally.

Mr Brian Burke: They don't seem to like you very much.

Mr COWAN: They certainly do not. I suggest to the Treasurer that if it ever happened that 27 or 26 seats went to the Liberal Party and we gave the balance of power to this Party, all of this animosity would suddenly disappear out the window. I think even the present Leader of the Opposition would be writing to us asking us whether we would be prepared to form a coalition Government with him.

Mr Brian Burke: He wouldn't live long enough to get to that position.

Mr COWAN: That is a matter of judgment for the Treasurer, and he may very well be right. I would imagine that the Leader of the Opposition and his party definitely need to improve their performances, because all of the policies that were put forward by the Liberal Party in the Central Province by-election were really policies relating to the times when the Liberal Party was in Government.

These issues such as high transport costs, lack of reticulated water and the lack of attention given to small rural businesses have been around for years. People have accurately diagnosed the problems and where they could perhaps be corrected, but nobody has been prepared to do anything about them. So not many people hold a great deal of hope for these policies being implemented.

One thing that was very difficult for us to combat was the very negative approach by the parliamentary wing of the National Country Party towards unity itself. In the first instance, the member for Katanning-Roe claimed that although he had never ever met the independent NCP candidate he would have his support. We heard constant rumours that both the member for Katanning-Roe and the member for Narrogin were going to join the Liberal Party.

I suggest that they would be much happier in that political party. They are not the only two people in the parliamentary wing of that party.

Mr Brian Burke: Are you joining the Liberal Party, Dick?

Mr Old: I don't know yet. I have not made up my mind. I have a long time to go yet.

Mr COWAN: The member for Moore has recently written a letter to some of his electors containing information which is very misleading and inaccurate. He explains to people that he is pre-

pared to sit on the fence and do nothing for a further 12 months. That type of approach was indeed quite contrary to the efforts made by the rank and file membership of the two parties. But, despite that fact, the National Party of Australia won the seat.

Mr Old: Are you joining up now?

Mr COWAN: I have already joined.

Mr Old: That is interesting.

Mr COWAN: I wonder whether the member for Katanning-Roe would be prepared to indicate his position.

Mr Old: I haven't joined it, no.

Mr COWAN: Is the member for Katanning-Roe going to join that party?

Mr Old: I will do what I think I should do when I want to do it.

Mr COWAN: I will tell the member what I think he might do. When the Liberal Party has decided it has no further use for the parliamentary wing of the National Country Party, it may say so and say that there is no future in trying to prevent the rural parties from being amalgamated, and the National Country Party members might as well give up that struggle and join the Liberals. That is what I think is likely to happen.

Mr Old: I might get fleas.

Mr COWAN: I imagine that even the fleas of Western Australia would have far greater respect for their own dignity than trying to attach themselves to the member for Katanning-Roe.

However, despite all of the opposition to the National Party of Australia, the fact is that it won the seat of Central Province in the knowledge that the parliamentary wing of the National Country Party was very much opposed to amalgamation. I think that wing had now better examine its position and make up its mind whether it wants to be in the amalgamation or whether it wants to join the Liberal Party. The Liberal Party has also to make up its mind about the National Party of Australia. It does not suit any more for it to make the claim that we are socialists because I can produce records of this Parliament for this session which show that the Liberal Party has voted with the Australian Labor Party on more occasions than we have.

Mr Williams: What nonsense.

Mr COWAN: It is true. The Liberal Party has voted with the Labor Party more often than we have. On that basis and on the basis put forward by the Liberal Party that we are a socialist party, I can only assume that the reason it chose to vote so often with the Labor Party was that it was seeking

to gain the votes of the electors of Central Province who would normally vote for the Labor Party.

Mr Trethowan: The reason we voted with the Labor Party was because we felt that the legislation for which we voted was responsible legislation. It is a responsibility of the major party in Opposition to vote for legislation which it thinks appropriate.

Mr COWAN: The responsibility of the major party in Opposition is not to try to find ways and means of denigrating people who are quite likely to be asked to support it at some future time. The Liberal Party has to accept the fact that the National Party of Australia will continue. It will not allow itself to be destroyed by four people in the parliamentary wing of the National Country Party. We will be a very strong third political force in Western Australia with which the Liberal Party might, one day, want to go into coalition because, believe me, when the numbers fall and the Liberal Party needs one more than half of the members of this Parliament, I think it will find, if not for its own personal likes, certainly for political expediency, it will be prepared to enter into a coalition with us.

Mr Hassell: Could you say that you would not support a minority Labor Government?

Mr COWAN: I did not say that I would not support a minority Labor Government. Let me put the record straight on that position. The National Party of Australia is prepared to enter a coalition with the Liberal Party. The Liberal Party would have to issue that invitation. If the invitation were issued we would put to the leader of the Liberal Party the terms and conditions upon which we would be prepared to enter a coalition. I can assure the Liberal Party that the terms and conditions would not include a portfolio for me, a portfolio for him, and a portfolio for the fellow down the road. It would depend on policies. If those policies could be implemented and there was a plan for the implementation of those policies, there would be a coalition. If the coalition agreement could not be reached, it would be the responsibility of the Governor to make a decision as to whom he would commission to form a Government.

On that basis, the Government would be allowed to govern, regardless of whether it was a minority Liberal Party Government or a minority Labor Party Government. That is the simple story.

There is only one way that a Government can be brought down, and that is to refuse it supply. It does not matter whether all of the legislation brought forward by the Government of the day is rejected; it still has the power to govern. We would

not refuse supply and that is the story. If the Governor, in his wisdom, decided that he would form a minority Government from either the Liberal Party or the Labor Party, we would support that Government to the extent that we would not refuse supply. However, we would use the power of the cross benches to ensure that our policies are implemented. That is a very simple fact. If the Liberal Party can make some political mileage out of that, good luck to it. The only way it could do it would be to try to twist things around.

Mr Hassell: I do not need to twist facts. They speak for themselves.

Mr COWAN: When a man stands up in an interview and says that he really does not think that defeat of the Labor Party is his party's priority and that his party's priority is representation for the electors and the Leader of the Opposition then says that means that that party is a socialist party, he is twisting the truth. Especially when no Labor candidate stood for the seat of Central Province, the defeat of the Labor Party is not a priority in that case. How can one defeat a party when that party does not have a candidate?

If the Leader of the Opposition's mates on the front bench could make up their minds to join us there would be no further problem with unity.

Mr Old interjected.

Mr COWAN: I do not think the member for Katanning-Roe will be given the opportunity to make up his mind. I think his mind will be made up for him. The rank and file membership of the National Party of Australia is becoming rather tired of the antics of the four members of the parliamentary wing of the National Country Party. I am sure that, in a short period, they will be told to shape up or ship out and that will be the end of any dissension within the ranks of the National Party of Australia. It will also be the beginning of a genuine third rural force in politics in this State.

MR LAURANCE (Gascoyne) [2.47 p.m.]: I wish to get away from the subject raised by the last couple of speakers and raise matters directly with the Treasurer. I wish to raise a matter on behalf of the widows of Western Australia and particularly on behalf of those widows involved in renting State Housing Commission accommodation. A particular case came to my notice where a widow was left in very difficult financial circumstances by the death of her husband. She encountered a charge by the State which I do not think is appropriate. I seek the Treasurer's assistance in having it removed.

The woman's husband was prominent in the local community. It was found suddenly that he

had a brain tumour. After having the normal sort of treatment in Perth, such as the use of chemotherapy, the husband died. Many people in the community wanted to help that family. As I normally do, I wrote to the widow extending my condolences and also extended my offer of assistance if she was experiencing any difficulty. Some weeks later a neighbour contacted me and said that he felt she did need help but that, despite my offers, she did not feel she could approach me. She had never been in financial trouble before but, because of the death of her husband, she had found herself in that situation. I was able to contact her and got her to come to see me. She then indicated her problems.

The financial problems had arisen as a result of various charges that she had not been expecting, a number of which were Government charges. My point relates to stamp duty. When the husband was alive this family had rented a State Housing Commission home. When the husband died the State Housing Commission agreed to let the widow stay in the house. The commission is very good in such circumstances; it usually allows the existing arrangement to continue for two or three months after the death and then may suggest that the widow might be more comfortable in a different house, if it is appropriate. In this case, as the couple had three young boys, the widow wished to remain in the house. However, the lease had to be transferred from her and her husband's names to her name alone. The transfer involved a stamp duty charge of \$25.30 on the lease and she received a bill for that amount from the State Housing Commission. That is not a large sum of money but in the meantime the widow had got behind with payment of her water account and, although she borrowed the money and paid it on the day the service was withdrawn, she received an additional account of \$30 to reconnect the water. I am not suggesting that the reconnection fee was incorrectly charged but it did add to the difficulties faced by this woman.

I do not know whether the Treasurer is aware of the stamp duty charge made on the transfer of a lease in these circumstances. Certainly during my time as a Minister the question was not raised with me although it may have occurred.

In a situation where everyone in the community, including the State Housing Commission, is trying to help the bereaved person, I think it is inappropriate to raise a stamp duty levy at that time. The person involved is going through a traumatic experience; I understand the husband was between 38 and 40 years of age when he died and his widow is about 35. She has three young sons and for the first time in her life she found herself in

financial difficulties. The widow was not entering into a lease to rent a new home, she was merely transferring the lease from joint names to her single name. I ask the Treasurer to look into the situation. I do not know how many similar cases occur each year of leasing agreements being transferred from joint names to single names on the death of a spouse. I do not know how much revenue comes to the State coffers in this way. I also ask whether the Minister for Housing is aware of this situation. I assume that the revenue involved is fairly small, based on a charge of \$25 for each lease, and I am sure that the State could forgo that revenue under these circumstances.

I take this opportunity to raise this matter with the Treasurer and to ask him to ascertain whether there is some way in which widows in these circumstances can be given exemption from paying stamp duty.

MR McNEE (Mt. Marshall) [2.54 p.m.]: I take the opportunity to welcome my colleague, the new member for Mt. Lawley. I hope he has a long and enjoyable stay in this place and I am sure he will make an outstanding contribution to the Parliament.

I have a further message for the Treasurer: No matter what he does and says, he is on the way out. He had better clean his desk and make sure everything is neat and tidy before he goes. He has 15 more months and he will be gone. It is important that he understands the situation clearly. They are the sad facts of life for the Government. It is on the way out.

We have heard some discussion about the seat of Central Province and I suppose one should make some passing reference to that. I would not have expected to come to this House to waste my time talking about such irrelevant nonsense because the people I represent and their problems are more important than the nonsense I have heard. My electors are much more important to me than the irrelevant claptrap dished out a few moments ago. I do not have to say to my electors that I have to talk someone into going into a coalition with me because when we win Government I shall be part of that. I do not have to hope it will happen and to allow others to lay down irrelevant terms and conditions. We have clearly enunciated our rural policy and I challenge the member for Merredin to announce his party's policy. His party does not have a policy. It makes it up day by day, hour by hour, minute by minute, or by Press releases, depending on which may be the most relevant. The National Party representative in the upper House is there for as long as the Labor Party decides he shall remain there and he will not blow his nose without asking the

Treasurer if he may do so. The real losers in Central Province are the people and the real winner is the Labor Party. I want that to be clearly understood in this House and by the people in the electorate because they have as good as thrown their votes away, rather like throwing confetti in the air. To use a rural term, it will have as much effect as putting an udder on a bull.

Where is the National Party's rural policy, its policy on transport, the Agaton water scheme, and education? It does not have a policy on any of those subjects. Its greatest contribution in this House is to say that in nine years the Liberal Party did nothing. In nine years the Government made tremendous changes to the transport system, such as this State had never previously seen. The Government changed the face of transport systems in this State for the better; let us make no mistake about that. I am happy to talk transport with members of the National Party any time they care to.

Half of the people in the electorate of Central Province are doing their best to distance themselves from the member for Stirling.

I now refer to the Agaton water scheme because it is an important project in my electorate. This Government has done nothing other than walk away from the problem. It has made promises and has walked away.

I acknowledge that the Treasurer is walking away from the problem. If he chooses to do that, that is all right, but one of his Ministers made that promise, along with a number of others, in my electorate. That is their job. Nonetheless, they have walked away.

It would not be so bad to promise the Agaton water scheme and then not go ahead with it. The Minister for Agriculture or someone has sent letters to people in my electorate asking for drought loans to be repaid. Those loans were funded in May, and he asked for repayment in September. That is known as stretching a dollar. Within less than six months of that loan being funded, people are expected to make a repayment. That is the type of business acumen the Government has. One of these days the Minister for Agriculture will show us how to do it. It is important to implement the Agaton water scheme, because that would allow a large number of people who had to risk drought to get some assistance. They are denied the opportunity to run stock in the numbers they want simply because they do not have any water. This Government fails to recognise that. The National Party makes powerful speeches about it, but that is all it does. That is the greatest single

contribution it has made, and it has had no effect at all.

I said at the rural water council meeting that two men can deliver: One is Burke and the other is Hassell. Burke has walked away, and we are now to see what Hassell will do. The National Party can do no more than make powerful speeches.

Mr MacKinnon: It is the "hot air" party.

Mr McNEE: I am not sure it is good hot air: it runs pretty cold at times. I would hate to have to rely on it.

We have this scheme which requires \$73 million or \$74 million to fund it. In the western suburbs people are arguing about whether they will have a \$20 million sports centre in their area. That is one-third of the cost of most of the Agaton water scheme. This technically inefficient Government goes struggling on trying to make that sort of decision. That \$20 million will make no contribution to the economy of this State, yet one of its greatest dollar earners is ignored and the Government walks away from the issue.

Then the Government puts itself up as being a credible manager. It could not manage a paddy's market. Nevertheless, that is the sort of administration this State has at the present time. Of course the money is there. It is a matter of where one puts one's priorities.

Perhaps I should also mention a real problem in my electorate. During the election all the right policies were picked up. The National Party picked up all the wrong problems. One of the real problems is Medicare, and the care of country people. I suppose that does not matter much to this Government; country people are only a group of people in the sticks! Nevertheless, they help the Government to employ a few more advisers in shiny motor cars.

A member: What about Pingelly?

Mr McNEE: I am glad the member reminded me of that. I am glad I do not live in Pingelly. If I did I would get together with every man, woman, child and dog to make sure we did something about the Pingelly situation. It is the most disgusting and distasteful thing. Talk about a Government that cares! I have never seen the likes of it.

Let us go back to Medicare. During the football season numbers of young fellows wrote to me. One young chap had an account for being hospitalised. I knew why he had the bill. I rang up one young fellow and I said, "Are you not on hospital benefits?" He said, "No; when Hawke and Burke took over I thought they would look after me. They said that Burke was the best new leader".

A member: Did Hawke not say, "Trust me"?

Mr McNEE: Something like that: or, "Put your faith in me".

I telephoned this chap, and he said, "I thought they would look after me". He said he had cancelled his medical benefits because he had lost his job. He was now making up the statistic of the one in four unemployed. He said, "I cannot work that out because the Premier keeps saying to me things are better. In my case things are much worse".

The immediate problem was that he had been admitted to hospital and given an account. I said, "Why did you not tell them that you were not covered by hospital benefits?" He said, "I could not, I was unconscious. I was knocked out at the football. I did not have much say in whether I was put in hospital or anywhere: I was merely placed in the hospital".

That is the situation with this Government which says it cares about people. I am telling it right now that it does not care.

I notice the Treasurer has walked out. It is a pity he does not stay to listen. My own shire wrote to the Treasurer asking him to discuss the Agaton water scheme and it received a reply that he did not have time. He does not even have time to sit here and listen to what we are saying.

Mr Hassell: Did he say he would send his coalition partners?

Mr McNEE: They would probably have helped as much as he has. They probably would not have had time either. Nonetheless, that might have been a contribution.

It is unfortunate the Treasurer does not come in to listen to the things which concern our country people. It is important that the country people be given proper representation, because the people who sit behind me have been mumbling for years but they have been totally ineffective. They will continue to be totally ineffective because they had the temerity to ask me what I had done about Agaton. I will tell them right now: I have done more for Agaton in 15 months than they have in 15 years. We have achieved more than they have, and that makes them very cross. They do not have the equipment to work with.

It is rather like the choice between a brand new four-wheel drive tractor and a broken down museum piece. Nonetheless we have achieved more in 15 months than they have in 15 years.

Would somebody tell the member to get the message because I am having a little difficulty in getting it across. Nevertheless we are very concerned about Medicare.

I do not want to waste any more time on the Agaton scheme. Members opposite know what we

have done and they know they will never be able to emulate those things we have done.

The members of the National Party know they could not excel our effort. They have been told before how useful they are! Nonetheless, as I have always said, the important thing is that my electors know about their irrelevant nonsense, and it is much more important that I talk about Medicare because it affects the country people.

The country people realise they must pay their one per cent levy; but now Mr Hawke has said, "Well, I won't increase the Medicare levy". However, as I understand the situation, the Federal Government has spent \$700 million more than it has collected. That indicates that the Government will have to find some money. One way is through increasing the levy—

Mr MacKinnon: The other way is to have a wealth tax or a capital gains tax.

Mr McNEE: What other tax could the Federal Government introduce? Death duties? That is the situation we are facing.

I notice that Mr Hawke—popular Bob—is losing popularity. Did anybody notice that? I'll bet he is sorry he called the election. He is on the slippery dip.

Hawke has said, "We won't increase the Medicare levy". He is trying to win back a few votes and more popularity. However, we all know that we will have to pay more for Medicare, and we will do it through a capital gains tax, death duties, or a wealth tax. We know who the lemons are, and Hawke will put the squeeze on us.

Mr Hassell: There is no "or" in that: it is a capital gains tax, and death duties, and a wealth tax, and gift duty. Make no mistake about that.

Mr McNEE: I thank my leader for reminding me of that. He is right; of course we will see all of those taxes.

Do we hear the State counterparts of the Prime Minister denying that? Do we hear the Minister for Agriculture saying that is not so? The Treasurer walked out of the House: he is not even game to stay here and say, "No." The Minister for Local Government is not saying anything, nor is the Minister for Health. They are not prepared to say anything because they know who will pay.

Of course, we have another issue which is still important to my electorate. I point out the lunacy of the situation of the school bus contractors in my electorate who have told me that they are now receiving ballot papers. They are being asked, "Will you use the hangman's rope, or will you jump off the edge?" That is the sort of option they are being offered.

Mr MacKinnon: The devil and the deep blue sea!

Mr McNEE: That is right. It is unfortunate that the Minister for Education is not here, either—the Minister is trying to make these people unviable, and he seems to be hell bent on cutting their incomes by five per cent. He says that is the figure he wants to save. I do not know from where the Minister obtained the magical figure of five per cent. Bearing in mind the rush to save money, did we not notice that the Department of Premier and Cabinet has overspent by \$1.8 million this year? I wonder on what that was spent. Is there a deputy deputy president of the Australian Labor Party who wants to pop up in a new job? Perhaps there is some union organiser about to lose his job, so the Government will make him an adviser. We have seen much of that sort of increase; but the Minister for Education has decided that the school bus contractors can lose five per cent. That sounds nice; but I want to know which trade unionists would stand to lose five per cent. I want to know how many members of the Government would suggest to some of their supporters that they lose five per cent. Of course, none of them would. Their arithmetic does not run to that. Such people believe that economy is for everyone else, and they are still of that opinion if one is self-employed and making a contribution to the nation, when in fact he is regarded by members opposite as a great sow to be sucked dry. I do not know what the Federal Government will do to achieve its goals, but I think we must expect a reassessment of the levy.

The Government is prepared to put in jeopardy the safety of every child who is transported in a school bus in my electorate. That is the sort of risk the Government wants to undertake. If the Treasurer wants to take that sort of risk, he should take it but he should not say that he was not warned about the situation.

Somebody asked me how the season in my electorate will be. Of course, it is going reasonably well; but we are faced with the problem of transporting the grain. I noticed in this morning's Press that the Minister for Transport is having some difficulty with his troops. Apparently he is trying to introduce economies, but I think he is having problems with some of the members of his union. I notice that they are becoming restless. There is nothing that the members would like better than calling a strike when we are in the middle of a very fine crop—one that may well be a record crop. However, members should not think that it will necessarily be a record crop because the reports as to how bad and how good it is are sporadic. There are some surprises and some dis-

appointments. It is by no means guaranteed that all of the wheat and grain will appear.

If the transport system went on strike in the middle of the harvest, that would create problems for us. I hope the Government makes some contingency plans to meet that situation. I hope it makes some plans to ensure that all the grain is shifted. We need an effective road transport system, and I hope the Government will keep the wheels turning. That will be the responsibility of the Government, which was very late in announcing the freight rates for the season. I notice that the Minister did not act with the responsibility and the decency with which the former Minister for Transport acted; and, as I said earlier in my speech, the former Minister was responsible for making changes to the transport system.

This Government is trying to change the system so that we go back to the dark ages in which there was regulation. We had to do certain things because the Government said we must do them. The former Minister for Transport changed a lot of that; but it would be absolutely horrific if we were drawn into a strike. I sincerely hope that the farmers in my electorate consider their actions if the unionists decide to strike.

It is time that those producing the wealth of this State and this nation said, when next time someone calls for a strike, "Lock the gates; that's the end of the road, because there is nothing left in the barrel and we are reaching the end of where we can reasonably make any further contribution".

I sincerely hope that the Government is making every effort to ensure that what the Press is saying does not materialise. It is a very dangerous situation. Just recently the Eastern States lost a wheat sale to Russia, I understand because of the very poor and inadequate bulk handling facilities in New South Wales and because of that State's industrial strife. I understand that the handlers in that State, although they are paid \$1 000 a week, went on strike because the authorities wanted extra people to work the inefficient equipment. The handlers went on strike to prevent those extra people from being employed. That wheat along with the wheat New South Wales had—that is, weather-damaged—caused Australian farmers not to receive \$7 a tonne on last year's wheat.

The Treasurer will probably stand up again and say how well things are going, yet here is \$7 a tonne that will not be received on last year's crop. Never mind the fact that the lupin crop has fallen by \$50 or \$60 a tonne. A farmer who might have sold 1 000 tonnes of lupins will be down by about \$50 000 or \$60 000 this year. Nevertheless, the Treasurer is full of confidence and says that our

economy is going well. I can assure him that he is in for one hell of a shock come January next year, because things are not going as well as he says. He and "popular Bob" are trying to talk up the economy.

The stress business people in country areas are experiencing is absolutely terrible. The other day I received an account for work done by a mechanic which worked out to about \$30 an hour, which I thought to be tremendously high. I checked the price with the boss and he told me that by the time he paid his employee and met his overheads, this was the price he was left with. He went on to say that he had room in his establishment for at least two more people, but because of the situation he had outlined he was not in a position to put on anyone. He has to charge too much for their work and he is already meeting with customer resistance. He would put on more people at his peril because of the redundancy test case, never mind the termination part of it. That decision was an absolute horrific deterrent against employment. Trust the Prime Minister and this Treasurer? I would not trust them around the corner. But they sit on the Treasury benches of this nation and this State.

Mr Blaikie: The Australian Labor Party is giving a raw deal to country people.

Mr McNEE: One has only to read the national farming magazines to know that.

We even have our own Minister for Agriculture saying in answer to questions that we should have meetings around the country to consider these problems—this after he has received the Rural Sector Hardship Select Committee report. What a joke! We can tell him now what the problems are. He does not need to have any meetings. He went to one at Mukinbudin, and I thought he would have learnt his lesson. He must be a brave man to have taken that on. If I were in his position I would be doing something about the causes of the problems.

MR RUSHTON (Dale) [3.24 p.m.]: The subject debated by the previous speaker is a very important one, although it is not really what I wish to comment on. Nonetheless, our railwaymen in the past have been most responsible and have not taken advantage of an imminent good season to place pressure on the Government. It would be to the discredit of railwaymen and it would damage Westrail forever if they acted at this time to take advantage of the situation when we have the prospect of a record crop. I implore them to think again and not to place any pressure on the Government. It will be a testing time for the Government. If it backs off and does not proceed

with economies in the system, it will be judged accordingly.

It is well to remember that the Midland Workshops—and the employees there are the ones indicating their intention to put on the pressure—have benefited over the last four years from a great modernisation programme. They have received some very fine amenities, and in recent times the Minister has said that those amenities have been well received. I certainly worked very hard to give the Midland Workshops a very sound future. I went to battle on their behalf and won a number of battles of which they were very appreciative.

But at this time when the harvest is about to get rolling, it would be totally unacceptable if action were taken to use the season to place pressure on the Government in order to make gains for these people in the railway system. I am sure most railwaymen would deplore such an action and I hope they can influence their colleagues to take a more rational approach, to get around the negotiating table with the Minister and come to a satisfactory solution. But to place pressure on the Government at this time is unacceptable and deplorable.

My few remarks will be directed at some of the things that have happened in the Parliament this session. My first point relates to the Treasurer's refusal to answer questions, even after he has invited members to ask a question. When he has not been able to answer a question, he has often asked members to place those questions on the Notice Paper so that he might give a better answer, but even then his later answers have proved to be unsatisfactory. It is high time he was taken on over this issue.

I have asked questions of the Treasurer about the Government's Media Office, and his implication in answers in the House has been that the 22 members of the Government's media staff include all the Ministers' Press secretaries. When I received a later answer I found that that was not so. The test will come tomorrow when he must answer a further question from me on this subject. I will be interested to see whether my question is fobbed off again. With the session coming to an end, he will then not have to answer another question for some time. The issue is: Where are all the Press officers accounted for in the Budget? He should not be able to get away with answering questions inaccurately and therefore misleading the House; he should not supply inadequate information.

We have been told repeatedly that the Government has only 35 ministerial advisers, but I believe

there are more than that. The problem is that it is difficult to identify them, because our questions are not answered. The Treasurer gives a feeble answer to the effect that if we knew who they were we would persecute them. What an answer to a member of Parliament. Members of Parliament should be entitled to information concerning Government efficiency and also accuracy in Government statements.

I have a rough list of ministerial advisers with 60 names on it. Some of these people are not political hacks or politically committed people, but most of them are.

I will list about 60 such appointments to give members the idea that the figure of 35, supplied by the Government, is incorrect. When we ask the Treasurer questions we should receive answers. We should be able to receive a compiled list of people who have been politically appointed. That is not an unreasonable request. The Government should provide that answer so that the public can make its judgment. If the public believe that is wrong and the taxpayers should not pay the President of the Labor Party as an adviser, it is up to the public to make its judgment. I will list some of the names—

Dr John Woods, head of the Employment Task Force, formerly Director of WAIT Business Research & Development Centre.

Jim McGinty, adviser to Minister for Industrial Relations. Appointed to Parole Board. Formerly industrial advocate in Trades and Labor Council.

Graham Hawkes, adviser to Minister for Parliamentary and Electoral Reform.

Douglas Mitchell, Premier's senior private secretary.

Brett Goodridge, adviser to Premier on tourism.

Baden Pratt, "an assistant" in Department of Premier and Cabinet.

Dr Darcy Farrell, public relations consultant.

Ross Love, research officer to Deputy Premier.

Dr Liz Harman, adviser to Minister for Economic Development.

Mrs Cindy Allen, research assistant to Minister for Employment.

Bill Thomas, adviser to Minister for Employment and Training and Minister for Administrative Services. Was a senior officer of BLF.

Bruce Lawson, part of Ron Davies' staff as an adviser on the arts.

Not all are political appointments, but why should not the Treasurer give a list of people who have been politically appointed? We ask these questions, but do not receive answers. To continue—

Jack Dobson, Press secretary to Minister for Mines.

Dr Judyth Watson, adviser to Minister for Industrial Relations.

Rev. Keith Dowding, temporary electoral secretary for ALP, Tom Stephens.

Tom Butler, adviser on Industrial Relations.

Michael Naylor, adviser on policy development in Premier's Office. Company Secretary, WADC.

Dr Syd Shea, adviser to Minister for the Environment and Minister for Forests. Seconded from Forests Department.

He was a candidate for the Labor Party.

Mr Read: He was never a candidate.

Mr RUSHTON: Well, he missed out on endorsement.

Mr Read: That is incorrect and you know it.

Mr RUSHTON: I apologise for that. To continue—

Peter Willmott, adviser to Minister for Minerals and Energy. Senior development geologist on Home Energy Company.

Ron Adams, adviser to Minister for Health. Executive officer of Family Planning Association.

Mrs Sue-Anne MacKnay, assisting the Minister for Education, industrial officer of CSA.

Michael Hale, assists Parliamentary Secretary of Cabinet. Was newspaper proprietor.

John Fiocco, Chairman—Legislative Review and Advisory Committee.

Why does not the Treasurer give us answers to our questions in this House?

We are entitled to them. To continue—

Tony Beeck, Industrial Advocate, Metropolitan Water Authority. Research officer—Hospital, Services and Miscellaneous Workers' Union.

I am pressing my point that we are entitled to this information. To continue—

John Hudson, public relations officer, State Housing Commission and Press secretary to Minister for Housing.

Mr Wilson: The State Housing Commission has always had a public relations officer.

Mr RUSHTON: We all know what his activities are. To continue—

Don Rowe, public relations.

There are many others which I will not mention. To continue—

Don Odgers, agency "invited" to handle antismoking campaign.

Dr Michael Wood, acting Assistant Director of Policy Secretariat, Department of Premier and Cabinet.

Dot Goodrick, President of WA Women's Advisory Council.

Dr Rick Charlesworth, member of WA Institute of Sports board.

Mr Carr: You should say that to the electors for the Federal seat of Perth. He has been a member of Parliament for two years.

Mr RUSHTON: To continue—

Dr Russell Perry, promoted from adviser to Broadcasting Tribunal.

Len Brush, adviser in Premier's Office.

Alison Graines, adviser in Premier's Office.

Dr John Barker, adviser in Deputy Premier's Office.

Sean Walsh, adviser to Minister for Industrial Relations.

Michael Lisle-Williams, adviser in Deputy Premier's Office.

Stephen Smith, adviser to Attorney General.

Peter Ward, adviser to Minister for Police and Local Government.

Vicki Tanner, adviser to Minister for Minerals and Energy.

Dale Keady, adviser to Minister for Minerals and Energy.

Rodney Vaughan, adviser to Minister for Transport, Regional Development and North West, including "Bunbury 2000".

David Hatt, adviser to Minister for Housing, Youth and Community Services.

Tony Lloyd, Assistant Under Treasurer.

In answer to the Leader of the Opposition, the Premier said he would not give us a list of these people because we might misuse it.

Mr MacKinnon: What have they to hide?

Mr RUSHTON: That is exactly what it is all about. The point is that every now and then the Government appoints a Liberal to cover its dia-

bolical track record of appointing so many Labor supporters. That is the cover. Liberal people are appointed from time to time. Because a previous member of Parliament has been appointed, the Premier trots out that fact regularly as a reason that everything is in order. How rotten can one get?

This is a managed political extravaganza at the expense of the taxpayer. We have heard about good economic measures, but it does not need much to destroy that total claim. If one had the time in this House, one could destroy the argument that the Government is a good economic manager. We only need one assessment of State taxation to note the lie to the claim that this Government is a good economic manager.

With reference to the *per capita* State taxation the increase during the time of the Tonkin Government was 99 per cent or an average of 33 per cent per annum. During the Court-O'Connor period the increase was 9 per cent, or an average of one per cent per annum, and in the two years of the Burke Government there has been an increase of 19 per cent, or an average of 9.6 per cent per annum. Do I need to say more about how good an economic manager this Government is! I am concerned at what has happened under Labor Governments. We do not need to go further in refuting the constant statement by the Government that it is a good economic manager. We hear this *ad nauseam*; and unless one paid to put this graph in the paper it would not be there. That action would be more telling on this Government. We see the constant presentation of issues by this Government mainly to attract good Press.

I touch on one vital issue. I have already asked a question about the John Curtin Foundation and I will follow it with a further question and will be interested to read the answer. It is about time the Government told the House the situation in relation to the John Curtin Foundation. I would be interested to understand clearly the position regarding the involvement of the public in this foundation and what the foundation will do with its money. It is necessary for the Government to make sure that the position is clearly understood in order that the rumours, and what could be quite malicious claims about people involved in the foundation, can be put to rest.

There have already been rumours about the kickback the Government will receive from the casino deal. It is not good enough. If the Government came clean and told the House the facts, things could settle down.

On Wednesday, 7 November I asked a question on notice of the Premier: I asked whether the

Government has directly or indirectly made a contribution to the John Curtin Foundation. The answer was, "None". The second and third parts of my question read as follows—

(2) Have any of the reported major contributors to the foundation received any contracts or financial guarantees personally or with companies of which they are major shareholders from the Government since the election of the Labor Government?

(3) If "Yes" to (2), will he please list the value of the contracts and guarantees between the Government and each of the major contributors?

The answer reads as follows—

(2) and (3) The answer to this question would require a considerable amount of research.

I am asking a further question on notice tomorrow to identify what the considerable amount of research would involve. It could be nothing compared with other questions that have been answered. It took the Premier a week to answer my previous question on notice. The answer continues—

Support for any political party has never and will never be a consideration in decisions made by this Government.

We remember the efforts made by the Labor Party when it was in Opposition about members having to declare their assets. It seems strange that the Government has quite openly involved itself in a foundation like this and at the same time refuses to give answers to what are basic questions to people who are honest and squeaky clean. The rest of the answer reads as follows—

If the Minister—

It is a long time since I was a Minister! It continues—

—has any specific concern and is prepared to provide details, the matter will be investigated.

I am not making any charges or claims. I was asking the question in order to receive the information to ensure that this Government can stand up to the snide remarks that have been made. As far as I am concerned, it is not good enough for people to encourage rumours that the Government is corrupt and is taking bribes. It is a detrimental position for any of us to be in. As members of Parliament we receive enough attacks concerning our own credibility; this credibility is something I value highly. I do not think for one moment that

we should avoid the facts. The public should be made aware of the position.

An answer should be given in this Parliament so that if the media wishes it can publish the facts and we can put an end to what I call the malicious rumours which are circulating.

To many people the word "casino" implies that something underhand is going on. The reason I oppose the casino is that it allows for crime to move in and the laundering of money and the giving of bribes. It makes it easy for people to indulge in this activity.

The Parliament should be held in the highest regard and it should be kept on the clean pedestal on which it has been put for many years. It should be a place which people can trust. It does not do members any good for a Government to act in a way that will diminish their respectability in the community and attract malicious claims that they are doing something in an underhand way.

Debate adjourned to a later stage of the sitting, on motion by Mr Gordon Hill.

(Continued on page 4472.)

WHEAT MARKETING BILL

Second Reading

Debate resumed from 6 November.

MR OLD (Katanning-Roe) [3.48 p.m.]: I understand this Bill has a certain degree of urgency about it because until it passes through both Houses of Parliament the Australian Wheat Board is being held up from making first payments under the GMP. At the outset it is not the desire of the Opposition to hold up the passage of the Bill, and it will do all it can to expedite it.

However, there are a few remarks I would like to pass prior to the passing of the second reading with respect to some of the changes in the marketing system.

The Bill is a renewal of an agreement for wheat marketing in Australia. The renewal happens every five years. The new wheat marketing agreement is the result of the deliberations by the Agricultural Council.

Certain changes are being made to the Act which have already been enacted in the Federal Parliament; and this will determine the level of Government support for the wheat growing industry in the next five years. It is of great importance to the wheat industry and the rural industry generally.

It is interesting to note that the 1947 State Wheat Marketing Act has been allowed to lapse. This Act was introduced, but never proclaimed. It was introduced for the specific purpose of giving

wheat growers in Western Australia an opportunity to market their own grain should circumstances dictate that this was a desirable course of action to take.

Fortunately, it has never had to be used, but had the situation arisen it was only a matter of having the Act proclaimed; the State Wheat Board would have come into action; and the Government of the day would have made a determination as to who would do the actual marketing of the wheat.

As it had not been proclaimed, it was necessary to reintroduce the Bill every four years or it would have lapsed, and that is what occurred. I was puzzled why it was allowed to lapse, but having had discussions and a look at the situation, I feel that the lack of action by the Government is justified in as much as I understand the Minister has given an undertaking that if there needs to be State marketing of wheat, this can be undertaken by the Grain Pool of Western Australia. The pool is well qualified to market the wheat crop if necessary. Already there is authority in the Act for it to market wheat, and it does in fact market wheat regularly on behalf of the Australian Wheat Board when marketing coarse grains.

What would be required, in the event that the marketing of wheat was given to the Grain Pool of Western Australia, would be for the Minister to declare wheat a prescribed grain. This would give the pool the power of acquisition over wheat, the same situation as it enjoys with the barley crop at present.

This poses the question of whether there is a necessity, either now or in the future, for a Western Australian Wheat Board. It does not worry me very much whether there is a Wheat Board or not, but the life of the Wheat Board always seemed to be rather dependent on the State Wheat Marketing Act. Provision has been made to retain that State Wheat Board. It seems to me the only purpose it really serves today is to provide Western Australian members for the Australian Wheat Board.

Now that the Bill is before the House, I have an opportunity to ask the Minister to give consideration to changing the method of appointment of members of the Western Australian Wheat Board. The Pastoralists and Graziers Association has been negotiating with the Minister on the basis that the association represents a section of the wheat industry in Western Australia, but those wheat growers are virtually disfranchised as far as the appointment of a member of the WA Wheat Board is concerned because the current method of electing these members is by ballot within the

PIA, and the PIA in turn nominates the members to the Minister, who, after consideration, has them appointed.

I have spoken to some members of the PIA about this, and I have had no great disagreement with the thought of changing the method of election. It has been suggested to me—in fact the P & G Association put it to the Minister—that they should have one appointee on the board. This may not be a fair way of doing it, as I am not too sure that the P & G Association represents the number of growers who could with any reasonable certainty demand a representative on the board.

The other way is to register all wheat growers, and in the election of members to the Wheat Board, have the Chief Electoral Officer run an election of all registered wheat growers. This then would give the P & G Association an opportunity to nominate somebody for the board, and he could be elected if he is acceptable to the wheat growers of Western Australia.

I ask the Minister to give some consideration to this as I understand he will be seeking further amendments to the Act in the not too distant future. Perhaps when that time comes he may be persuaded to give consideration to altering the method of election. I do not believe it will upset the PIA in any way. I would be surprised if it did, because it would be something they should go along with.

Some concern has been expressed by wheat growers at the declared intention of the Federal Minister to change the composition of the present Wheat Board. The present board is made up of two growers from each State, a total of 10, plus four people with special qualifications, one Commonwealth Government representative and one grower chairman appointed by the Minister, giving a total of 16. Incidentally, it was gratifying to see our ex-Director of Agriculture appointed recently by the Commonwealth Government to the Wheat Board.

The new composition, which I understand will be in place by October 1985—when the Federal Minister has stated he will be bringing in another amendment to the Wheat Marketing Act—will be one grower from each State, giving a total of five, one Commonwealth representative, and four members with special qualifications, a total of 10. So, in effect, he intends to remove from the board five growers and the independently appointed chairman.

However, I understand the Minister has given an assurance to the wheat growers that he will ensure a grower selected majority on the board. As I understand it, that does not mean there will be a

majority of growers. There will be 50 per cent growers—5 out of 10. The growers will be invited to nominate one of the members with special qualifications. Obviously the growers would be looking for somebody who had special empathy with the growers on wheat marketing.

This could work. Nevertheless, there is some apprehension within the industry that it might disadvantage the grower majority on the board. I do not know why the Minister wishes to do this, but obviously he will give his reasons in good time when he is introducing the Bill to change the constitution of the board.

While the incumbent Federal Minister for Agriculture might be quite happy to give undertakings to the board, this could well go out of the window with a change of Minister. I can think of one gentleman who is currently a Minister in the Government who would dearly love to be the Minister for primary industry. I doubt if he would be terribly sympathetic about giving wheat growers of Western Australia the opportunity to nominate one of the members with special qualifications. The danger I see is that while I have no doubt whatsoever about the sincerity of Mr Kerin in his undertaking, it would be a personal undertaking rather than something embodied in a Statute, and this could be a weakness.

Growers are also expressing concern over the enormous losses incurred in New South Wales. Part of that was due to weather-damaged grain—some 3 million tonnes. This is well beyond the capabilities of growers to overcome, and certainly well outside the jurisdiction of the Australian Wheat Board.

Many of the losses have been incurred through industrial strife and as a point of interest I will quote to the House some of the problems that have arisen. I refer to *The Australian Financial Review* of 26 October which stated—

The Australian Workers Union and the NSW Public Service Association have refused to support the movement of grain through a Toll Chadwick facility in Newcastle.

The Australian Wheat Board was intending to ship up to 25,000 tonnes through the facility starting yesterday, but the AWU and PSA warned that this could jeopardise all movement of grain from Newcastle.

It further says—

With a potential 5.8 million tonne export capacity and one million tonne domestic requirement level, the carry-over stock would still be 2.5 million tonnes by end-September 1985.

This assumption, however, would require the AWB to hold a virtual "fire-sale" on the three million tonnes of "general purpose" and stockfeed wheat it currently holds in NSW as a result of last year's wet harvest.

My understanding is that the fire sale is already in operation. The board is now being called upon to heavily discount wheat to get rid of it. The tragic part of the industrial unrest at Port Kembla is that sales of wheat have been actually missed. It has cost the Australian wheat grower a lot of money and what will happen now is that the amount of money required to overcome those problems will probably be averaged out among wheat growers of Australia. My understanding is that could well be of the order of \$7 a tonne. Not only the cost of non-delivery but also the demurrage is very high and I understand that the total cost will be somewhere in the order of \$100 million to \$150 million.

Some growers feel with some justification, that the bulk handling authority in New South Wales is, to a very large degree, responsible for the delays and the stoppages and therefore should be called upon to bear the brunt of the charges incurred. I understand that somewhere in the order of \$2 million of business has been lost because of that industrial unrest. The growers in this State, in concert with growers in other States, are now faced with having to pick up the tab for something quite beyond their control, and it strengthens the argument for State remuneration. This is something I understand will be talked about very soon. I understand the new arrangement as to the type of remuneration to be undertaken must be in place by October 1985 when the Minister will be bringing in his new Bill.

Another development has been consideration of helping to finance grain terminals in other States, particularly in New South Wales. I understand this will be partly financed under the community employment programme and I guess that is not a bad disguise for doing something for which wheat growers in Victoria and New South Wales have been agitating for some years: that is, to have the Commonwealth Government make available grants, or at least low interest loan money, to finance the erection of bulk handling terminals which are very necessary, certainly in New South Wales, and to almost the same degree in Victoria. This matter was brought up regularly at the Agricultural Council and was regularly knocked back.

I suggested at one stage that I would be quite happy to see the Commonwealth come in on the basis of making money available to build the terminals if the Commonwealth was prepared to make some restitution to Co-operative Bulk Handling Ltd of Western Australia—in other words,

the growers of Western Australia—for the large amount of money they have outlaid in placing terminals throughout the State. I am not too sure that it would be a very good idea. I think we are far better off in having CBH independent of the Government. When one looks at the situation in New South Wales where the Government has virtually taken over the running of the Grain Elevators Board, as it is known, there is total Government involvement. I believe this is partly where the industrial unrest is encouraged and nurtured. There are all sorts of representatives on the Grain Elevators Board in New South Wales including union and consumer representatives—you name it, they are there—whereas in Western Australia the CBH operation is handled by a grower elected grower board.

Mr Evans: And financed by growers.

Mr OLD: Yes, I made that point earlier and I reinforce it. I think it is desirable that that situation pertains. It is also desirable that it should pertain in all States. I do not believe that one State should be given access to funds to the detriment of other States. I do not know that one could cavil very much at CEP funds being used because they are being used for all sorts of funny things, but I believe genuinely in the interests of providing employment, and if we can provide employment by putting up a grain handling facility that is as desirable as putting up a new sports ground or something. I raise that point as a matter of interest because while I am sure the Minister is very much aware of the situation he should be looking at it quite dispassionately when and if it comes up again at the Agricultural Council.

Part of the new Bill is complementary to the Federal Act which sets the guaranteed minimum price for grain for this year. The Wheat Board is already being called upon to make payments and hence the need to rush this Bill through in the closing hours of this Parliament. It will set a guaranteed minimum price under a slightly different formula. It will be 95 per cent of the estimated return of the current crop plus an average of the two lowest returns in the last three seasons. This does not sound unreasonable. The first payment of GMP will be 90 per cent, less handling cost, and I am sure the growers in this and other States will be very pleased to receive their first advance payments, to get off the hook a little.

One of the problems being experienced in Western Australia at present, and one of the responsibilities of the Australian Wheat Board, is the marketing of soft wheat. Western Australian growers in certain areas have been encouraged in the past to grow soft wheat for a specific market in Indonesia and other parts of South-East Asia. It is

a biscuit wheat and one which is in great demand in that region. As with most buying countries, one of the greatest influencing factors is price and if it can buy other wheat at the same price it will be in the market for it.

I understand that currently the Australian Wheat Board is marketing ASW wheat in competition with the soft wheat from Western Australia. It is possible that soft wheat here will be discounted rather heavily and that is causing a great deal of concern to growers in the great southern and those areas which have been gazetted as being suitable to grow this wheat. These growers must make decisions as to whether to go out of growing soft wheat. It would be a pity if they did that, bearing in mind the tremendous amount of research and work put into growing a suitable crop for a market which, while it is not growing rapidly, is very strong and will have a reasonable growth rate.

One of the advantages of this Bill, and here again one of the reasons that the soft wheat growers are a little apprehensive, is that people will be paid for the grade of wheat they produce. The individual grades will be treated separately and growers will be paid for premium quality. Currently soft wheat growers are holding meetings and have met with the various board members. I understand they are endeavouring to come to some reasonable arrangement which will not see them terribly disadvantaged in the future. I hope the matter can be resolved, because it is important that we keep every facet of the wheat growing industry strong and healthy. It is one of the most important industries in Western Australia, and indeed, in Australia.

Western Australia produces a very large percentage of the Australian wheat crop and certainly this year it looks like making a magnificent contribution, provided the weather holds and allows people to get on with their harvesting.

With those few remarks I indicate the Opposition's support for this Bill. We shall certainly ensure its speedy passage through this House and I am quite sure our colleagues in another place, when told of the need for alacrity, will take the same attitude.

MR COWAN (Merredin) [4.12 p.m.]: One of the reasons that this legislation is so late in coming before this Parliament is the delay in its passage through the Federal Parliament. The major reason for the delay was the wish of the present Federal Government to reduce the grower membership of the Australian Wheat Board. That proposal met with a great deal of resistance from all growers from all States.

I understand the Federal Minister for Primary Industry has agreed to review that and has promised to amend the Act in relation to the composition of the Australian Wheat Board no later than October next year.

It should be the responsibility of this State Government to support the agricultural industrial bodies in Western Australia in their demand that the number of grower representatives from this State and, indeed, from all other States, be maintained at the present number of two. I hope in his reply the Minister for Agriculture can give this House an assurance that his Government will support the retention of two Western Australian members of the Australian Wheat Board.

This Bill will have some very important impacts upon wheat growers in Western Australia. Although this legislation does not seek to change the composition of the membership of the board at this stage, it is possible that, in October, there may be a change. The legislation seeks to make three important changes. The first relates to the guaranteed minimum price that is to be paid.

Up until this year, the guaranteed minimum price was a set figure and changes occurred in the amount of money received by growers in subsequent pool payments.

As I understand it, this legislation seeks to permit the Australian Wheat Board to have different guaranteed minimum delivery prices and, in that way, the people who grow inferior wheats or wheats of different qualities will be forced, upon delivery, to accept a price which reflects the market value of that grain. I think most Western Australian growers welcome that provision in the legislation.

As the member for Katanning-Roe said, there has been some discussion between growers of the special Western Australian soft variety of wheat which has been produced purely for the Indonesian and Pacific rim market. Prior to the commencement of sowing those people were led to believe that their product would be sold for a certain sum. However, since that time a statement has been made by the Australian Wheat Board that a deduction will be made from that expected price of approximately \$7.50 a tonne. That has upset the growers more than anything else, inasmuch as they were led to believe that their product would attract a certain price. They have sown their crops on the expectation of receiving that price and now they find there has been a reduction in their expectations.

I do not blame growers for having that degree of ill feeling. There is no question that, in their bud-

getting, they were hoping to receive a certain price for their product and now they cannot expect that.

The promotion of this variety of soft wheat has been far greater than it should have been, because the level of production is far higher than the Australian Wheat Board could ever hope to sell on such a specialised market.

The provisions in respect of direct sales from growers and the issuing of permits by the Australian Wheat Board to the growers of stock feed is an appropriate step. I understand Co-operative Bulk Handling has some reservations about this measure, but I am quite certain that the Australian Wheat Board is competent enough to police the issue of permits and to ensure that this provision for growers is well ordered and does not lead to manipulation of the market, of wheat sales, or whatever. I hope that is the case and I hope that growers themselves do not abuse the permit system. I am quite sure that they will not.

Over the last 10 years I would venture to suggest that the eastern wheatbelt region of Western Australia has suffered from seasonal conditions to a greater extent than has any other area in Australia. This legislation provides for growers to be able to exercise what is termed a "cash out" option where any grower who has an equity in a past pool may take the cash rather than wait for the pool to be realised.

In times of tight liquidity, when a grower has an equity in a past pool, that will be a very welcome option. The State and Federal people responsible for the inclusion of that provision are to be commended, because it will help any wheat grower who finds himself the subject of large fluctuations in seasonal prospects which consequently affect his liquidity. He will be able to take advantage of that provision.

The matter of changing the area of responsibility for the payment of the wheat transport subsidy in Tasmania is still one of contention. In the past, that charge has been made against the flour millers in Australia and this Bill will transfer that charge against all wheat sold in Australia. Really, the transport of grain from the mainland to Tasmania is a social cost, and it should be borne by society itself rather than by a group of producers—whether that group represents flour millers or domestic grain producers—of course, those producers are actually isolated as being the group that sold to the flour mills. The charge to compensate for this transport cost should be borne as a social cost and should be included in the Federal Government's Consolidated Revenue Fund; it should have nothing to do with the Australian Wheat Board. That is my view, and I

think it would be shared by the majority of wheat producers in my area. It is not an enormous amount but, nevertheless, I suppose the change in this Bill does mean that the burden will not be borne by such a small group of people and will be more evenly spread. Flour millers are the people who have to bear the cost, and now that cost will be added onto all wheat sold in Australia.

I hope the Minister is prepared to make some comment about the State Government's position in respect of the intention of the Federal Government to change the composition of the Australian Wheat Board. Without question, the majority of growers want to retain the two members representing WA, and the Government would be commended if it was prepared to make its position well known.

Some comment has been made about the conditions which prevail in New South Wales. They are not directly related to the provisions of this Bill; nevertheless, the member for Katanning-Roe is quite right inasmuch as it is estimated that the cost of not only industrial strife, which the member for Katanning-Roe emphasised, but also the cost of not having adequate bulk handling facilities, particularly port facilities, in New South Wales has been estimated to be about \$7 a tonne, and that is for grain and wheat produced in Australia. It is time the NSW people did indeed make a strenuous effort to improve their bulk handling facilities and to make certain that, in future years, they are able to handle all grain produced in that State.

It was as a consequence of Western Australian Co-operative Bulk Handling Ltd.'s establishing the Kwinana facility that other States felt they were not prepared to pool the cost of providing bulk handling facilities. At the request of other States, we moved to a system of State accounting for handling charges. I think New South Wales is now going to have to bite the bullet and impose a much higher handling charge in order to obtain the finance to improve its handling facilities. At the moment, its inadequacies are definitely costing all Australian growers a fairly substantial sum of money.

If this Government is really interested in the welfare of wheat farmers—and I am quite sure it is—it should not ignore the position which prevails in New South Wales, because currently the cost is being borne by all wheat growers and this, of course, includes Western Australian growers.

I think I have covered most of the areas on which I wanted to comment. I would be very interested to hear the Minister's comments in reply, particularly in relation to the composition of

the board and, indeed, in relation to the matter mentioned by the member for Katanning-Roe—State remuneration for grain which is sold.

We support the Bill.

MR EVANS (Warren—Minister for Agriculture) [4.25 p.m.]: It is very pleasing to be able to depend upon the co-operation of the Opposition at a time when urgent industrial business is before the House. I am reminded that the same co-operation was forthcoming from this side of the House when the situation was reversed at the time of the building of the terminal at Kwinana, and there was a need for the finalisation of that operation to be expedited. It is good to see that this House can, on occasions when it is necessary and desirable, act with a degree of accord that is in the interests of the industries that we represent.

The member for Katanning-Roe raised several points, to which I will respond. Firstly, he mentioned the Western Australian Wheat Board and the reasons that it should be retained; the first being that the Western Australian Wheat Board nominates the two representatives to the Australian Wheat Board and, as has been indicated, this situation is about to change or it will change in October 1985. The position therefore will have to be reviewed then.

I agree, and I accept the validity of the member's argument, that the manner of retention is unwieldy and, at this stage, it could perhaps be termed undemocratic, though I do not think the outcome of the decision in the long run, in the practical sense, would be any different if the situation were terminated. The other reason for the retention of the Western Australian Wheat Board is that it provides a venue for diverse sections of the industry. It brings them together on occasions, and provides the opportunity for dialogue that otherwise would not exist. I have spoken to each of those bodies concerned, and they feel it would be preferable to retain that situation, rather than try to set up a voluntary organisation which would look at the imprimatur, I suppose I would call it, of a parliamentary Statute.

The composition of the Australian Wheat Board, which both members referred to, will change. The Commonwealth Government seems to be determined to restructure the Wheat Board on a more commercially orientated basis.

I can assure the member for Merredin that the views of this State were strongly represented as far as the retention of the grower members of the board is concerned. He can rest assured that, in future, the points of view of the growers of this State will be strongly reinforced.

The question of the operation of the grain handling authorities in other States is well taken. It has been a vexatious question. Western Australia, through Co-operative Bulk Handling Ltd.—it is a tribute to the company's foresight—went ahead with what was then a fairly massive project at Kwinana, costing \$42 million. I do not know what that building would cost today but, at the time, it was considered to be a little extravagant, and it drew some criticism from some of the other States. The wheel has turned now and, whereas the other States were going to find themselves looking at massive debts to bring themselves up to the requirements of modern handling, the interest that they will now be confronted with, to say the least, will be rather daunting further down the road.

The expression of views here this afternoon reflects that the entire industry in WA has indicated we have our house in order and, as a State, in no way should we be called upon to financially support the other States. For them to get the benefit from our industry would scarcely be tolerated. To say the least, it would be verging on the amoral.

The point was also taken that there will be a payment now which reflects the quality of the product of the grower; it is generally accepted that he should receive proper recompense for his product. About 65 per cent of the total crop is ASW, 15 per cent is hard grade, and about seven per cent is primary-hard. So the soft wheats, about which concern has been expressed, represent a relatively small proportion of the total crop.

While I take the point made by the member for Merredin, I think some growers were advised to plant varieties other than those that they planted at times purely because they were heavy producers; it was not what CBH was looking for. A little bit of that fault could be laid at the growers' feet. I make that point even though the member did not raise it.

This measure involves a Western Australian industry that is worth about \$1 billion, which is about one-third of the total Australian income from the export of this major commodity. The orderly conduct of this market must be continued in the national interest. I thank members for their support.

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 Mr Evans (Minister for Agriculture), and transmitted to the Council.

LOAN BILL*Second Reading*

Debate resumed from an earlier stage of the sitting.

MR OLD (Katanning-Roe) [4.34 p.m.]: I have a problem which I would like to raise in this debate. I bring it to the attention of the House and particularly to the attention of the Minister for Fisheries and Wildlife. I thank the Minister for giving me the opportunity to attend the meeting held yesterday at the Department of Fisheries and Wildlife. It was a meeting of persons interested in the Exmouth Gulf prawn fishery. That fishery has been experiencing many problems which I think are fairly well known. They centre on the population of the tiger prawn in that fishery. Of course, the tiger prawn is the Rolls Royce of prawns and is the prawn that makes money for the operators. Unfortunately, by arrangement, the prawners have had to cease fishing the tiger prawn. The meeting yesterday was aimed at giving an update of the situation and prognosis for next year's fishery.

I look forward to further invitations to such meetings as I feel that a very broad spectrum of interested people attended. Such meetings do a fair amount of good because some points are brought to the attention of the Minister and the director which may otherwise be missed.

It is my unpleasant and sad duty to bring another fishery to the Minister's attention which is also undergoing some very traumatic problems. I am referring to the Nickol Bay fishery. I am sure the Minister is aware of the problems confronting that industry because not very long ago we went to Nickol Bay and met with some of the fishermen in that area. The problem is not so much with the fishermen as with the shore-based processing plant.

The proprietor of the processing plant at Point Sampson is a Mr Miller. He has been there since the 1940s when he virtually camped on the beach and conducted fishing operations. As his operation grew, so the necessity for some kind of processing became more and more urgent. He was encouraged by the Government of the day to put in a freezer boat and do some of the processing on his own boat. Currently, I think he owns two or three freezer boats as well as several fishing boats. It was not long after that that the necessity for a shore-based processing plant became very appar-

ent. Again, with the encouragement of the Government of the day, he established a shore-based plant and the Nickol Bay area was declared a limited entry fishery for the prawning operation.

Prawning is not the only fishery in Nickol Bay. A very large wetfish operation goes on there, so the factory handles a variety of seafood products. When the limited entry fishery was declared, the boats which were licensed were required, by arrangement, to deliver their catch to the shore-based factory. In the meantime, the Geraldton co-operative, which runs a very successful factory operation, decided to put up a plant at Sam's Creek which adjoins the Point Sampson township.

There were two outlets. It is not very long ago that Mr Miller purchased the operations of the Geraldton co-operative. I am not too sure whether the co-operative was still in operation or whether the factory had been put in mothballs. Nevertheless, Mr Miller purchased that plant and has been shifting some of the equipment into his larger plant at Point Samson. The problem is that there are something like 14 licensed prawn boats for the Nickol Bay area but currently only six of them are providing their catch to the factory. Some of them are not fishing at all and others are supplying customers and/or wholesalers direct in adjoining ports. I understand that they have been given ministerial approval to do this—I guess there are good reasons that the Minister would give that approval—but the problem is that this is now placing great stress on the processing factory because the life of any processing factory depends on throughput.

Mr Miller is not whingeing about it but stating plain facts; he may have to curtail or cease his operations altogether. Some of the boats licensed for Nickol Bay have gone to Shark Bay and have been able to enter the limited entry scallop fishery there. They have been enjoying some measure of success in the last couple of years and as a result have not been fishing for prawns. This is one aspect that the Minister should look at; we have prawn licences held by people who are not utilising them and they would be of great value to people wanting to enter a limited fishery. People owning two licences, one for prawns in Nickol Bay and one for scallops in Shark Bay, should be requested by the Minister to decide which fishery they want to operate and they should then get on with the job. In that way we may be able to alleviate to some extent the problems being experienced by the shore-based factory. It is evident that shore-based factories are having problems in all the northern parts of Australia.

They have certainly been having problems in Queensland and the Gulf of Carpentaria for some

time. Some of these problems were perpetuated by the various Governments' issuing licences on a fairly willy-nilly basis. Many people purchased very expensive boats to go into the prawning operations in northern Queensland and Carpentaria areas only to find that the places were quite severely overfished because of the number of operators. We do not want that to happen at Nickol Bay. The Department of Fisheries and Wildlife, and the research centre at Waterman is well aware of the dangers and problems. That was clearly demonstrated yesterday by the research it is doing to ensure the continuity of these fisheries. The work being carried out at the research centre is excellent and the people involved are very dedicated scientists.

Referring now to the practicality of fishing, there appears to be a lack of leadership and cohesion in this area. I think the Director of the Department of Fisheries and Wildlife is realistic enough to understand that unless we keep these vital shore-based operations going—and we are talking about isolated areas—the time will come when the licensed fishermen will not have the opportunity to utilise those facilities when they cannot sell their catch elsewhere.

Mr Miller has his own freezer boats and fishing boats. He has a large wetfish operation but it is not large enough to maintain the scale of operation necessary to handle the fishery at Nickol Bay. If the factory at Point Samson is closed or partially closed there will be much more unemployment in the area and those who have relied on the fish factory will be out of work. It may be possible for them to obtain work in the mining industry but in any event it will be a blow to the people in the settlement.

I ask the Minister to arrange for some investigation of this situation on an urgent basis because it is important not only to Point Samson, but to the fishing industry as a whole.

When Mr Miller purchased the operation of the Geraldton fishermen's co-operative at Sam's Creek, allegations were made that he was creating a monopoly and violating the Trade Practices Act. Time has proved that this is not correct, as he is the proprietor of a private company. However, he did try to rationalise the situation. Obviously when there is only one factory some people will be dissatisfied and claim that they are being seen off and would prefer to do their own marketing. That does not pose a problem as far as Mr Miller is concerned because he has indicated to me and to the fishermen that he is quite happy to handle their catch on a handling-only basis and to allow them to market the catch. If they can find a good outlet for prawns or any other type of fish he is

prepared to process those fish and hand them over or sell them on behalf of the fishermen. Obviously he charges a handling fee because he picks up the catch from the boat, processes it, freezes and stores the produce until it is ready for sale. He also provides facilities at Sam's Creek for the fishing fleet; for example, power, water and a safe anchorage. A large fishing facility is currently being completed at Point Samson and, therefore, the need for the Sam's Creek facility will not be as great as it has been in the past. However, many fishermen prefer Sam's Creek to the new facilities at Point Samson because they claim that Point Samson is very open to the weather and Sam's Creek provides a safer anchorage.

Mr Miller has also supplied fuel for the fishermen and at times he extends a reasonable amount of credit for those wishing to purchase fuel. Without that facility the operation of fishing at Nickol Bay would become a difficult one. I do not think Mr Miller is looking for a complete monopoly but he would be happy to receive some protection. I believe he deserves the same type of protection as is afforded to the fishermen.

I understand a meeting of interested parties has been called for 18 December into the Nickol Bay fishery. I ask the Minister to give consideration to allowing me to attend that meeting because it is a matter of general interest and of great importance to the fisheries of Western Australia. The Minister may wish to discuss this with me privately and I am happy to do that. I am sure he is *au fait* with most of the problems being experienced.

The ramifications of the dual licence system should be considered. The Minister for Fisheries and Wildlife has a great amount of power under the Act, and I am quite sure that he administers that power with a great degree of fairness. However it is not always so that the two sides of the story are given to the Minister at the time when decisions must be made. I ask the Minister to give more thought to Nickol Bay and see if he can find some solution to a pressing problem.

MR EVANS (Warren—Minister for Fisheries and Wildlife) [4.51 p.m.]: I am happy to respond to the member for Katanning-Roe, but I am sorry that he did not speak to me before he raised the matter in the way he did. It is a complex and involved issue.

First and foremost, in relation to fisheries in this State and, indeed, throughout Australia, the pattern has changed and fishermen have altered their operations in the past decade, as well as some time before that. The member for Katanning-Roe referred to the need to establish and maintain shore-based factories, especially in isolated areas. The

Government has no greater wish than to do just that, as far as it is humanly possible. However, I point out to the member the manner in which fishing has changed. Boats have been improved, and fishermen have a capacity to travel greater distances. Perhaps that is best demonstrated by the situation at Darwin which used to be the base for a fleet of some hundreds of boats, but which has been reduced to only a few. The fishermen have their home bases in Fremantle, or areas to the north, or in Cairns. The fisheries in the north of Western Australia are being affected by that sort of move.

In the Exmouth Gulf, to which the member referred, the quality of the boats has increased the fishing effort; and last year the fishery would have been extinguished had the Government not placed restrictions on it. Those restrictions have meant that this year the industry has come back to the extent that its complete revival is now possible. It is a shame that it had been allowed to reach such a low point.

As far as Nickol Bay is concerned, the operators have expanded their operations. They are travelling further, and they have greater mobility and flexibility. This is part of the basic problem.

The member said that the Government should give a lead to the fishing industry; but more has been done in the last 12 months in regard to fisheries management than was done in the previous decade.

In relation to the dual licences, we already have the problem at Shark Bay where people who have been fishing for 20 years or longer fish for snapper in Shark Bay during the lobster off-season. They actually pioneered the industry in the area. That gives rise to the sort of problem we have with dual licences.

Mr Old: But that is not a limited entry fishery.

Mr EVANS: However, it sets a precedent. The Government must consider the complexity of the situation.

I attended a meeting at Nickol Bay, and it was attended by most of the licenceholders. Mr Miller was present, and he did not express his point of view at the meeting. He had the opportunity to discuss it at length with me and the senior officers of the department in Perth.

Mr Old: Did he make arrangements to meet with you the next day?

Mr EVANS: Yes, and I spoke with him.

The association put forward its views at the general meeting, and Mr Miller did not express his view. A meeting of licence holders has been called for 18 December. I trust that all of the fishermen

will be there because they must decide their future. The decision made will affect their attitude and their intention as well as their livelihoods and the future of the fishery.

The Government is aware of the problem, and it is awaiting the outcome of the meeting.

MR BLAIKIE (Vasse) [4.56 p.m.]: I will make some remarks on this Bill which, with the Consolidated Revenue Fund Bill and the General Loan Fund Bill, gives one of the opportunities for members to do so.

My concern relates to the proper functioning of the Parliament and the proper scrutiny of the expenditure of the taxpayers' money that has been collected. In the 13 years that I have sat here, as each year has gone by, I have become more concerned about the proper role of the Parliament.

A debate such as this is probably the only opportunity for the Opposition to question expenditure by the Government. The information brought to the House is determined by the Cabinet and formalised by the officers of the Government, so both the Government and the Opposition have a responsibility to ensure that the expenditure of taxpayers' money is done correctly and properly.

The time for an expanded system is well overdue. We could have committees of members of Parliament—similar to the Public Accounts Committee—which would make a proper review of the Budget papers. The departmental heads would attend the various committees with their Ministers and explain why certain money was required, why certain staff levels were required, and why there had been reductions or increases. Such a system would be a more preferable state of affairs than our current approach to the Budget.

This Bill deals with the expenditure of \$122.42 million, an extremely large sum of money. However, a debate on women's interests would probably attract far greater attention by members of the House and the Press than the debate on this Bill.

The Parliament should have a very important role in assessing the expenditure of the money obtained from the taxpayers. Our present system does not allow for that. We should change the system of scrutiny, and the heads of departments should be called on to explain their various decisions.

I envisage a committee system with members serving on various committees which would be attended by the responsible Minister and the head of the department. The committee would go through the Estimates in relation to matters under the control of the Minister.

The alternative is to continue as we are. I doubt whether any member would agree with that set of circumstances. It is a poor and rather pathetic method of scrutinising the expenditure of money that the taxpayers of this State have provided for the benefit of the community.

I had a number of items I had intended to raise in this debate, but I have been given an undertaking by the Treasurer that he will bring forward debate on the Conservation and Land Management Bill message from the Legislative Council so that it can be debated in the House either today or tomorrow while he is present. On that undertaking I am certainly prepared to cut short my comments on this debate.

The State Housing Commission has received a dramatic increase in funding for its activities over the next 12 months. However, my concern relates to the Shire of Busselton and the commission's attitude to that shire. On 13 February the shire wrote to the General Manager of the SHC as follows—

Expressions of concern have been received by Council from ratepayers in several areas of the Shire about a reported large scale buying of land by the State Housing Commission.

While it is acknowledged that the Commission has a responsibility to provide housing and therefore obtain land in appropriate areas, Council was under the impression that its housing policy was to only purchase one or two lots of land in any one area, thereby helping to assimilate State Housing Commission houses in with existing community localities.

The reply from the commission was dated 22 March and was as follows—

The Commission's policy for some years has been, and still remains, one of integration of its properties with local communities rather than identifying with single larger estates. However, as you would appreciate, this may not always be possible.

It went on as follows—

Contrary to Council's expressed concern, no large scale buying in concentrated form has been instigated by the Commission. The Commission has examined only those properties currently on the market and represented by ratepayers of Busselton.

Mr Healey, the General Manager of the SHC, said that the commission was not involved in large-scale buying of lots and that it was not creating housing estates. The shire wrote a further letter on 11 May as follows—

Council has asked me to express its concern regarding a report in the *Busselton Margaret Times* that the State Housing Commission has concluded negotiations for the purchase of 21 lots in David Drive and that these lots comprise a complete cul-de-sac.

The purchase of these lots in the one street completely contradicts the statement and comments made to Council by the Commission on March 2nd 1984, when Council asked if a change of policy was being considered.

It went on—

Council therefore wishes to advise the Commission that it has had expressions of concern conveyed to it regarding the large scale purchase of land in this new subdivision and wishes to reiterate that it would prefer the Commission to revert to a policy of acquiring only one or two lots of land in any one locality.

So the shire made a definite request; and this had been an ongoing concern for several months. It is interesting that the commission took until 9 July to reply as follows—

Further to the telephone conversation held May 1984, I hereby confirm the following information.

Further on—

The Commission has always had difficulty in obtaining suitable land in Busselton for its programmes and consequently over the past six months has made a concerted effort to obtain lots to facilitate the current years and future programmes.

It is also the Government's objective to introduce Public Housing into the Community in an acceptable integrated social mix, rather than produce large concentrated areas of Rental accommodation. A prerequisite of this objective is the availability of suitably located and priced land and it is to this end that the Commission is negotiating with local building and selling agents in an endeavour to facilitate the objective by varied house design and location.

With regard to the 21 lots referred to, the Commission requires the land for future programmes, but will make every attempt to develop the consequent housing, with consideration to the social mix objectives.

On 31 October I asked the Minister for Housing a question about the commission's building programme; precisely, what number of houses were to

be built in David Drive. The Minister replied as follows—

At this stage eight houses will be constructed in David Drive in 1984-85 inclusive of one which carried over from the 1983-84 year.

His answer was contradictory to the commission's advice to the shire. The commission had already said in a letter to the shire that it would proceed with a limited development in the area, but this would not involve a concentrated housing estate. Yet in one cul-de-sac, 21 lots have been purchased by the commission with eight houses to be constructed. The fear is that more houses will be built and that the area will become a concentrated State Housing Commission development. I am not opposed to the SHC, but I am opposed to new areas becoming total commission estates. Such estates are not good for the tenants or for the people in the surrounding areas. The commission's programme provides for 44 homes to be built this year in the Busselton area, with 51 homes in the Bunbury area. So we see a heavy concentration of SHC homes in the Busselton district.

It is important to understand the need for the mix of SHC homes as requested by the shire. The Minister needs to be more responsible and must ensure that the commission does not become involved in building concentrated housing estates, because those estates are not good for the commission, its tenants, or the local communities.

Finally, I make a few comments on the landscaping of new commission homes. The Minister has indicated that this landscaping would cost \$500 a lot, and with 1 500 houses completed in a year, the total cost would be \$750 000 and is not supported. Despite that cost I believe the Minister must ensure that some landscaping is done in fairness to the tenants of commission homes. Some commission homes when completed are left in a very sorry state and it becomes incumbent on the tenant to supply filling where required, to level where required, and to attend to a host of other matters to overcome the lack of landscaping. It must be remembered that when a tenant leaves a commission house, whatever he has done to landscape the block is left for the benefit of the incoming tenant and the SHC. The current policy is not in the interests of the commission's tenants, and the commission is a major renter of Government housing. There is a need for the commission to review its landscaping policy to ensure that sufficient landscaping, limited though it might be, is carried out.

Because of the Treasurer's undertaking to me that Legislative Council Message No. 48 will be brought forward for debate, I have restricted my comments in this debate.

MR STEPHENS (Stirling) [5.10 p.m.]: I wish to mention a matter I was made aware of today by some of my constituents; that is, the threatened closure of the Pardelup Prison Farm. If the Government has made a decision along those lines, I ask it to reconsider and to leave the farm *in situ*.

We hear much talk from the Government about decentralisation, which is essential for country areas. It is important that every facility possible be located in the country areas. If the prison farm is closed, not only will jobs be lost but also a multiplier effect will flow on. Country towns cannot afford to lose Government institutions, whatever they might be.

In the period of the Liberal-National Country Party Government, I fought strongly against the closure of the Denmark Research Station. I will give partial credit to the present Government, because when I made representations to the Minister for Agriculture, he at least put a stop order on the closure and investigated the matter. I was hopeful that the Government would rescind the decision. Unfortunately, after due consideration, that action was not taken, and I rather suspect that the action had gone too far down the line to be rescinded.

That decision took employment opportunities away from Denmark. If the Pardelup Prison Farm is closed, employment will be taken out of the area, with direct effects upon Mount Barker. Denmark is affected indirectly. The whole region will be affected.

We have a Government which says it is conscious of the need for decentralisation, but has decided to close an institution which is supported by public moneys. I have not been able to obtain all the details of employment because I only received the information about the closure today. I urge the Government to review the situation, because it should not proceed with the closure.

We, in the National Party, become tired of the continual haranguing by the Liberal Party which says that the National Party is on a socialist tack when it comes to elections. That statement is not new. As far back as 1977 the same tactic was used; that is, before the split in the National Country Party. Some time ago it was placed on record that the General Secretary of the National Country Party, Mr Ron Elphick, took out a writ against a member of the Liberal Party for this type of accusation. It is apparent that the Liberal Party has not learned anything from that time. Since the split, the Liberal Party has used those

same tactics, and has been joined by its echoes called the National Country Party. However, they have been prepared to take advantage of the Labor Party preferences.

In 1974 one of the members for South Province, Hon. Tom Knight, was elected into Parliament on Labor Party preferences. Does that make him a Socialist because he was elected on Labor Party preferences? In 1977 the member for Moore was elected on Labor Party preferences.

In the 1980 election, the same Liberal Party candidate for South Province, Mr Tom Knight was so keen to get Labor Party preferences. That he put out a special white card, directly aimed at Labor voters stating that as there was not a Labor candidate for South Province, people should vote on the pink ballot paper for Tom Knight.

It is time the Liberal Party gave away this idea and became honest. If the Liberal Party wants to compete and contest with us it should at least do it on the basis of logic and on our policies. Of course if the Liberal Party did it would have no hope because our policies are so forward looking and in the interests of the State that the Liberal Party would then be disadvantaged.

MR BRIAN BURKE (Balga—Treasurer) [5.15 p.m.]: I thank the Opposition members for their general support of the Bill. I wish to answer briefly the major point raised by the Leader of the Opposition in respect of unappropriated moneys referred to in the second schedule of the Loan Bill. I should point out that the unappropriated moneys referred to refer to unappropriated borrowing powers, and the amounts involved in any underspending do not correlate with the amounts listed in the second schedule.

I am informed that only an amount of \$9 million was not spent from the programme, as budgeted last year, and related in the main to mental health programme expenditures of approximately \$9 million. The Under Treasurer informs me that the second schedule refers to borrowing authorisation to enable the State to accept moneys raised by the Commonwealth on its behalf under Loan Council approvals. The Authorities are carried forward to cover money received under this year's Loan Council approval from 1 July until the passage of this year's Loan Bill.

In respect of the by-elections, we on this side of the House are perfectly happy with the result in Mt. Lawley and, with no disrespect to the new member, we acknowledge the swing against the Labor Party in Cockburn and still find it passing strange that the Leader of the Opposition claimed a 14 per cent swing in the seat he lost.

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

MR BRIAN BURKE (Balga—Treasurer) [5.18 p.m.]: I move—

That the Bill be now read a third time.

I thank the Opposition for its co-operation and assure the member for Vasse that the Conservation and Land Management Bill message will be debated at a time that suits him.

Question put and passed.

Bill read a third time and transmitted to the Council.

[Questions taken]

RURAL AND INDUSTRIES BANK AMENDMENT BILL

Returned

Bill returned from the Council without amendment.

SECONDARY EDUCATION AUTHORITY BILL

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

Sitting suspended from 6.00 to 7.15 p.m.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE BILL

Council's Amendment

Amendment made by the Council now considered.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Parker (Minister for Minerals and Energy) in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows—

Clause 19.

Page 12, lines 10 to 20—To delete the proposed subsection (1) and substitute the following—

“(1) For the purposes of facilitating the co-ordination of the administration

of laws relating to occupational health, safety and welfare, where the Governor is of the opinion that—

- (a) any law or a provision of a law relates to occupational health, safety and welfare and that law or that provision is administered by a Minister other than the Minister charged with the administration of this Act the Governor may by order transfer the administration of that law or that provision to the Minister;
- (b) any law or provision of a law not relating to occupational health, safety and welfare that is administered by the Minister refers to an officer of the Department the Governor may order that the reference shall be read and construed as a reference to an officer specified in the order,

and any such order shall have effect accordingly. "

Mr PARKER: I move—

That the Council's amendment be agreed to.

To detail what is involved in the amendment, firstly, subclause (1)(a) is the same as clause 19(1), and subclause (1)(b) has been added to provide the means whereby statutory powers vested in certain officers under existing legislation, where those powers do not relate to occupational health, safety and welfare, may be transferred to a designated officer, for example, the Chief Inspector of Factories and Shops, who is required to administer trading hours legislation under part 9 of the Factories and Shops Act. These provisions will enable his statutory responsibilities to be transferred to another officer mentioned in the order. Other examples are part 8 of the Factories and Shops Act, the Bread Act and the Employment Agents Act.

The amendment is an administrative one and is designed to ensure the facilitation of efficient administration, given that certain officers and sections which have been working together will now be split up into different areas. Rather than duplicate the employment of officers we will now be able to transfer functions between officers to ensure that we can proceed in the most efficient manner possible.

I commend the amendment to the Committee.

Mr SPRIGGS: The Opposition supports the amendment and believes it is only a tidying up arrangement.

Question put and passed; the Council's amendment agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Council.

CREDIT BILL CREDIT (ADMINISTRATION) BILL ACTS AMENDMENT AND REPEAL (CREDIT) BILL COMMERCIAL TRIBUNAL BILL

Cognate Debate

MR TONKIN (Morley-Swan) [7.22 p.m.]: I seek leave of the House to have a cognate debate on these Bills and, in accordance with the Standing Orders, I name the Credit Bill as the principal Bill.

Leave granted.

CREDIT BILL

Second Reading

Debate resumed from 7 November.

MR TRETHOWAN (East Melville) [7.22 p.m.]: The Opposition supports these three Bills which, I think in general terms, can be referred to as uniform consumer credit legislation. There has been a long history of working towards this final end during the time the Liberal Party was in Government and during the time that this Government has been in office.

The Bills have had a chequered history in arriving at this point. Their origin stems from a report which occurred in the late 1960s, but the principal report was the Molomby committee report of 1972. From that time on there has been a desire on the part of the finance industry and all State Governments throughout Australia to see the final introduction of uniform consumer credit laws.

It has been far from an easy task, and the Bills that are before the House at present are extremely complex. I would like to thank the Minister for Consumer Affairs for allowing the Opposition to have two detailed briefings on the legislation, prior to its introduction, from a senior officer of his department, who has been closely associated with this matter for some time.

Those briefings provided the Opposition with a thorough background of the type of legislation that was to be introduced. The Opposition did not see the Western Australian legislation until it was

introduced into the Legislative Council. However, it had been indicated that the legislation was likely to parallel closely the legislation passed recently in New South Wales.

From the Molomby committee developed a series of moves in various States to find a formula for uniform credit laws that would be acceptable and workable. The basis of such a uniform set of laws needed to be a greater level of consumer protection and competitive neutrality in the finance industries in terms of consumer credit, and the provision of a security register for motor vehicles. Many attempts have been made to introduce Bills which have not resulted in acceptable or workable legislation. In Victoria in 1978 consumer credit legislation was passed but never proclaimed. It was subsequently withdrawn. Victoria and New South Wales also introduced new legislation in 1981 and, finally, in 1984 those States introduced new legislation which in most respects, certainly in respect of the Credit Bill and the Credit Administration Bill, was effectively identical in its operation.

We should heed history and not assert that legislation, which is currently before the House, is likely to be the final and complete answer to a set of uniform credit laws.

The Opposition supports strongly the concept of uniform credit legislation. However, there are some concerns, particularly about the complexity and size of the legislation. We are confronting new legislation and there may be some significant teething problems with the operation of it. I will raise a few points which, I understand, already appear to need something done about them quickly.

There is concern amongst some people that it may have an effect, upon those people who are selling goods, that may not be to their advantage. To a certain extent we are facing the unknown. None of this legislation, including the legislation before this House, is in operation.

I understand it will be next year when the Victorian and New South Wales Acts come into force. We are dealing with untried pieces of law of a complex nature.

One of the other aspects of the whole debate on uniform credit laws has been the question of security registration of bills of sale or, alternatively, the introduction of an insurance scheme, so that a person obtaining consumer credit in regard to a particular commodity he has purchased should not be confronted with the problem where that particular motor vehicle can be called into question, and it is difficult for him to check. However, he will still have the legal obligation to pay the credit.

He might end up without title to the particular goods that he thought he purchased with the money he borrowed via consumer credit.

Two basic schemes have been proposed. One involves an insurance scheme which, I understand, was introduced in South Australia in 1972. I know that the former Attorney General of this State, Hon. Ian Medcalf, very strongly opposed the introduction of an insurance scheme on the basis that it would be an extremely expensive scheme to administer. In fact, it was not long after the introduction of the South Australian scheme that the fact became clearly apparent. It is my understanding that the current legislation has moved strongly towards the position that was promoted by Hon. Ian Medcalf as Attorney General of this State; that is, towards a security register that can operate both within each State with links between States.

One of the problems the industry confronted in the late 1950s and early 1960s was that up until that point in time bills of sale were registered manually by three or four clerks in the small clerk's office attached to the Supreme Court. It was quite adequate at the time because the volume of such securities was relatively small. However, with the expansion of consumer credit in the late 1960s and early 1970s there was a real problem in the time, the complexity, and the laws governing the registration of bills of sale. The result was that a lot of the industry ignored that provision.

The scheme which is now being discussed to be introduced in relation to this Act revolves around the updating in technology of that original system. By computerising efficiently the securities by bills of sale, particularly over motor vehicles in the first case, within a central register in each State, access can be provided to anyone wishing to purchase such a vehicle to find out if there is any consumer credit owing on that vehicle.

As a member of Parliament I have had a number of cases brought to my attention by constituents who have privately bought vehicles which they have subsequently found had considerable amounts of consumer credit owing on them and were, in fact, the property of finance companies at the time they purchased them. They lost their purchase price which was almost impossible for them to reclaim and they lost the vehicle because it was the property of the finance company.

The introduction of such a register would allow anyone wishing to purchase a vehicle to ring through the licence number of the vehicle in order to obtain information as to whether there was any security on that vehicle. As I said in the first case, motor vehicles have been talked about because a vehicle register is one of the easiest registers with

which to start. I understand that it is not only proposed that Western Australian registered vehicles will be researched in this way, but also the registers in each State will be interlocked through their computer systems to allow such research to be carried out Australia-wide. It may well be possible to extend this principle to other consumer commodities as it is proven as a system and as the need demands.

There are four Bills within this uniform consumer credit package. They are the Credit Bill, which is the principal Bill; the Credit (Administration) Bill, which deals with the administrative functions regarding credit providers; the Acts Amendment and Repeal (Credit) Bill, which deals with establishing the relationship between this new piece of legislation and existing Acts within this State—repealing some Acts and clearly indicating where other Acts will continue to have force even after the introduction of this legislation—and the final Bill is the Commercial Tribunal Bill.

All four Bills relate directly to the provision of consumer credit. The Commercial Tribunal Bill has an extended function beyond just that of operating as the tribunal for claims brought under the Credit Bill or the Credit (Administration) Bill.

In the second reading speech the Minister indicated that the Commercial Tribunal would be used as a vehicle for incorporating the boards of a number of Acts that are now within the ministry of Consumer Affairs. In fact, the Minister indicated that it was proposed to include in the Commercial Tribunal the Motor Vehicle Dealers' Licensing Board, the Real Estate and Business Agents Supervisory Board, the Finance Brokers Supervisory Board, the Settlement Agents Supervisory Board, the Builders' Registration Board and the Painters' Registration Board. The Opposition has no objection to the tribunal in relation to the administration of the Credit Bill and the Credit (Administration) Bill. However, there are a number of questions that I will certainly raise in the Committee stage of the Commercial Tribunal Bill concerning how and in what manner the incorporation of these other Acts will be undertaken in relation to the Commercial Tribunal.

It is my understanding that none of those industries that are licensed under those various boards was consulted in detail about the Commercial Tribunal Bill. I understand that they had preliminary discussions about the proposal to produce a single licensing authority for all the various boards, but there had been no discussion as to the details that might be required in relation to incorporating each Act under the administration of the Commercial Tribunal.

I know that the Minister has also said that detailed discussions will take place in the future. However, the point I would like to make is that it is a little bit like shutting the stable door after the horse has bolted, because once the vehicle is in place the Government would say to those industries, "We want you to come into this existing structure", rather than discussing in detail the structure into which they might be brought.

During the Committee stage of the Commercial Tribunal Bill I will ask the Minister what flexibility there is, above that initially nominated in the Bill, for incorporating variations—for instance, in the board structure—of those other industries such as the Motor Vehicle Dealers' Licensing Board or the real estate industry at the time at which they are brought under the Commercial Tribunal, or when the discussions are undertaken to bring them under the Commercial Tribunal.

The Credit Bill provides for three forms of credit contract which are to be regulated. I understand that these relate directly to the most common forms of credit contract currently available. They are the credit sale contract, the loan contract and the continuing credit contract.

The credit sale contract is the situation which occurs when a supplier of goods supplies not only goods but credit to the person purchasing the goods. This is quite a common form of provision of consumer credit. The Bill, however, does limit this to the situation where the credit provided after the sale of the goods has taken place has a credit charge associated with it—in other words there must be an interest factor—and the amount payable by the debtor is not required to be paid in a period of less than four months after the credit is provided under the contract.

There is also a provision that a contract is regulated as a credit sale contract only when the charge is made for the provision of the credit, and the amount payable by the debtor can be paid in five or more instalments, or by a deposit and four or more instalments.

That is an extremely important provision, particularly the first one relating to the fact that the provision of credit is not required to be paid within a period of four months.

I want to take this up further with the Minister, because queries have been raised with me in regard to a number of normal retailing operations as to whether the provision of credit which may occur as a natural extension of those retailing operations will become subject to regulation under this Act. The examples given to me are those, for instance, of a service station which runs accounts for customers, and those accounts may not always be

paid in 30 days. Frequently, if the account is not paid in 30 days, a credit charge or interest factor is included in the next month's account in the amount outstanding.

There is the situation of a store which runs accounts for customers for the purchase of groceries or any other commodity. If the bills are not paid in 30 days, the store is prepared to provide an extension of credit with an interest factor. It seems to me that those situations are excluded from the definition of a credit sale contract. I would like the Minister to advise me whether that assumption is likely to be correct, because it would have an enormous implication on many small businesses if they felt they were likely to be caught out on that side of their businesses.

It seems to me that the definition of a credit sale contract requires that both a charge is made for the provision of that credit, and the amount payable by the debtor is not required to be paid within a period of four months, and this really precludes those normal types of credit provided by a supplier of goods. A service station would normally expect an account to be paid in 30 days, and the same would apply to a store running a credit account.

It seems to me that those normal situations would be excluded from the operation of the Act. I would like the Minister's assurance that that is likely to be the case, because if it is not, many problems will be raised for many small businesses.

The next form of credit contract, which is very common and is said to be regulated, is a loan contract. Loan contracts are probably the most common form of finance provided for consumer credit. This is a situation where the supplier of the goods and the provider of the finance are not the same person; where the provider of the finance is normally an institution such as a finance company, or a bank, or a building society under the new provisions of that Act, or another financial institution.

The operations of both the credit sales contract and the loans contract are limited to the amounts to be financed being less than \$20 000, with the exception of finance provided for a commercial motor vehicle or for farm machinery. They are also limited in the case of a loan contract to contracts on which the interest rate exceeds 14 per cent, or in the case of commercial motor vehicles or farm machinery, 16 per cent.

The other exclusion is that this Bill essentially deals with consumer credit. So, other than the purchase of commercial motor vehicles or farm machinery, other commercial contracts are excluded from the operation of the Bill.

The last form of contract which seeks to be regulated is a continuing credit contract. Continuing credit contracts refer essentially to the type of credit contracts which exist in the form of bank or other credit cards in which there is a revolving line of credit, and that credit is not required to be paid at the end of a period of a month. In other words, an amount of credit is agreed upon—it may be \$1 000, \$2 000 or \$3 000. Goods and services can be progressively purchased up to the maximum value of the credit, and that contract does not require full payment for those goods at the end of a fixed period of time. Whenever additional goods are purchased, the cost is added to the amount outstanding, and the repayments, which must occur monthly, are adjusted for the additional credit incurred, and the credit charge is also varied over a period of time.

It appears that continuing credit contracts are now becoming one of the more sought after vehicles in the marketplace for consumer credit and it is certainly my understanding that they are likely to increase in use, particularly as, under this legislation, continuing credit contracts can have variations in the rates of interest that are charged, whereas the other two forms of contract—that is, the credit sale contract and the loan contract—are required to have fixed, predetermined rates of interest before the commencement of the contract.

One of the concerns that I know the finance industry had with this legislation related to a provision which was included in the Credit Bill which stemmed from a recommendation which came originally from the Longley committee report in 1972 which was titled "linked credit provider".

The concept of a linked credit provider is that of establishing a relationship between the supplier of the goods and the supplier of the finance, who are not the same people, but who have an operating relationship. The linked credit provider extends the liability of the supplier of goods in warranting those goods to the provider of credit.

Perhaps I can explain it in practical terms. If someone is supplying a motor vehicle and has a relationship with a finance company, that finance company may be financing the dealer's floor plan or the dealer may receive a commission if loans are taken out with that finance company for the purchase of his goods.

Should a person purchase a motor vehicle and take out a finance contract with a finance company which has that sort of established relationship with the supplier of the goods, and should there be a major warranty claim on the vehicle for which the supplier is liable and the supplier for one reason or another is unable to

meet that claim, perhaps due to bankruptcy or cessation of business, the responsibility for satisfying the claim reverts to the provider of credit.

This can clearly be seen as a protection for the consumer who may otherwise be left with a defective product; a supplier against whom legal action cannot be taken, because the supplier is bankrupt, out of business, or not able to be contacted; and, a credit contract which is still binding upon the consumer for the payment of the loan that was taken out.

I understand that that is the reason the concept of a linked credit provider has been established. However, there are some concerns with the principles involved in establishing the linked credit provider concept. It extends significantly the liability of normal contractual situations. It extends it beyond the two parties involved in the contract to a third party who is essentially not part of the original contract.

In its consideration of this legislation, the WA Law Society raised concern about the concept of a linked credit provider. In its report on these Bills it said that this was a good example of the difficulty in assessing the impact of the Bill, because it represented an abandonment of the privity of contract in the use of the defined term "linked credit provider". It goes on to say that, whether this innovation will be desirable will be open to assessment only in the light of practical experience.

I suggest that that comment is not only applicable to the very significant concept of linked credit provider, but relates also to much of this legislation which in fact is untried in practice.

I am aware that some of the concepts of this legislation have been in operation in South Australia under the South Australian legislation, but essentially this package of legislation as it is brought before us has been introduced into New South Wales and Victoria and, although assented to, it has yet to come into operation.

We will not be able to determine many of the pitfalls and flaws in the legislation until it comes into operation.

I consider it a matter of regret that the Law Society found itself in a position of almost not being able to comment on this legislation, because of the shortness of time that it had to consider the Bills. At the commencement of its report, the society said that it had a short time for consideration. The report indicates that the society was provided with copies of the Bills on 2 October and, in the intervening period, some members of the profession in Western Australia, constituted as a

subcommittee of the commercial and review law committee of the society, examined the Bills.

Had it not been for the delays in consideration of this legislation that occurred during its passage in the other place, it is possible that both the Government and the Opposition would not have had an opportunity to take advantage of the comments of the Law Society on this particularly complex piece of legislation before it had passed through both Houses. I certainly believe that would have been a very regrettable situation. As it is, we certainly had the opportunity to consider the society's comments and I believe that the Government has also.

We return to the fact that many of those comments will have to be assessed in the light of the practical application of this legislation to determine whether many of the fears which have been expressed in relation to parts of it become an eventuality and in fact need redress and subsequent amendment.

As I have mentioned already, some particular concerns have arisen about this legislation prior to its coming into force. One is the concern of the trading banks relating to the definition of "regulated loan contracts" under the Credit Bill. Traditionally banks have offered to their customers overdraft facilities and some additional line of credit facilities which have related to a package of provisions of finance including overdrafts.

I am referring to term loans, bridging loans, and farm development loans. The position is that the legislation excludes overdrafts, but sees no problems with banks offering overdrafts as they have traditionally done at varying rates of interest. Trading banks maintain that this means that they can offer the most competitive and lowest rates to their customers, because the rate can be adjusted to the cost of finance and the market conditions over a period of time.

They have traditionally also offered term loans, bridging loans, and farm development loans at the same varying rates of interest. Term loans have traditionally been offered when the fluctuations in an overdraft level may not be sufficient to bring that overdraft back to, for instance, zero, or approaching zero, or, in a credit situation, to a monthly average. If a fixed amount appears to be cumulatively outstanding, it has not been infrequent for trading banks to offer to their customers an additional form of financing known as a term loan to take account of that fixed outstanding balance. That loan is normally over a period of three to five years. That loan has attracted rates of interest which have been related to the overdraft

rate of interest which have fluctuated in relation to the market rate, and the same is true of bridging loans. They have always had applied to them a flexible rate of interest. The same situation applies to farm development loans. Unfortunately, bridging loans, term loans, and farm development loans fall quite squarely under the definition of a regulated loan contract as provided for under this Bill.

In the provisions relating to regulated loan contracts it is stated that a fixed predetermined rate of interest must be applied for the duration of the contract, so the flexibility that trading banks currently offer their customers in relation to term loans, bridging loans, and farm development loans is being called into question, because with the passage of this legislation, those loans will become subject to definition of a regulated loan contract if they are to be used for the provision of consumer credit.

On that basis they will require a fixed rate of interest. I am informed that the effect of that will be in fact to raise significantly the rate of interest that will be charged to the customer. I understand that in New South Wales discussions have been held in order to seek an amendment to the Act by regulation, specifically, by the use of section 19 of the Credit Act, to exclude those contracts from the operation of loan contracts under the Act.

I ask the Minister to comment as to whether, should that occur in New South Wales, this Government would be prepared to take similar action in this State in order to achieve uniformity. This highlights the kinds of problems that occur with the application of a new piece of legislation. It also highlights the need for continually reviewing this legislation as it is put into operation. One of the mechanisms that is sought to be used is that of clause 19 of the Credit Bill, which provides very significant powers for the Minister to vary the provisions of the Act. It allows the Minister to include or exclude any person from the operation of the Act, or, to include or exclude any transaction or class of transaction to an extent specified. In fact, it allows virtually all provisions of the Act to be altered. These are very wide ranging powers. Undoubtedly, there is a need for action to be taken relatively quickly in specific cases requiring attention.

The specific case I have mentioned in regard to term loans, bridging loans, and farm development loans provided by trading banks is a prime example of that. However, I am very pleased to see that the Bill currently before us includes a subclause which clearly requires an order to exclude or include any person, class of persons, transaction, or class of transactions that may be

decided upon as a regulation under section 42 of the Interpretation Act, requiring them to be tabled in both Houses of State Parliament before it can be finally said to be given effect.

It is certainly true, again under the provisions of the Interpretation Act, that any change made by that order would be valid from the time of its gazettal until the time it was disallowed by either House of Parliament. That provision, which I understand was inserted in another place, will remain in the Bill because I understand general acceptance has been given to it. It is a sensible provision because of the extent and breadth of the provisions of that clause of the Bill.

One of the reasons that the Government has given for the introduction of uniform credit laws is to ensure uniformity throughout Australia in relation to consumer credit and to ensure that a competitive neutrality exists.

In two areas the legislation introduced in this State did not mirror the New South Wales legislation. One of those areas was the inclusion of building societies and credit unions within the ambit of the legislation. I certainly believe that that was a very wise move, particularly as both types of financial institutions appear to be seeking to move further into the provision of consumer credit, particularly under the amendments to their respective Acts that were passed through this Parliament recently.

I understand further that in a number of other States legislation was being considered to bring building societies and credit unions within the ambit of this legislation.

However, in one other area the Credit Administration Bill does not match the New South Wales legislation. The New South Wales Bill contained the same provisions as the Bill presented to this Parliament in regard to licensing of providers of credit. Essentially, this has meant that finance companies operating in the finance industry would be required to be licensed under the provisions of the Credit Administration Bill but that other financial institutions which were licensed under other Acts—this is particularly related to trading banks which are licensed under the Commonwealth Bank Act—were excluded from the effect of the licensing provisions of the legislation.

It is quite clear on a constitutional basis that it would not be proper to attempt to license an institution already licensed for the purpose of providing finance under Commonwealth regulations. However, if we are looking at uniformity and at the concept of competitive neutrality, it is only fair that those people operating in a particular market,

particularly in a market as competitive and as large as the consumer credit market, should compete on a similar basis.

In New South Wales, the Opposition moved an amendment which required financial institutions which were excluded from the listing provisions of the Credit (Administration) Act to be registered for a similar amount of money as the licence fee under that Act. Although I do not frequently agree with the current Government of New South Wales, it did have the commonsense to see the advantage of that amendment and in fact it supported it and it became part of the New South Wales legislation. Unfortunately, I cannot say that the same commonsense prevailed with the State Government of Western Australia because I understand that when it was sought to amend the Bill in the other place to bring it into line and to make it uniform with the New South Wales Act, which was the model on which this legislation was based and which sought to produce competitive neutrality in the industry in this State by introducing an amendment that would require those credit providers who were excluded from the provisions of licensing to be registered for an equivalent amount of money, it was strongly rejected by the Government. In fact, the amendment was defeated. I sincerely hope that the Government will rethink its position because I believe the very basis on which the Government introduced these Bills—to provide uniformity throughout Australia—is not being achieved if that provision of the New South Wales Act is not copied in this legislation.

I must underline that it seems to me that the fundamental principle at stake is that of competitive neutrality. It is not really fair to say that some people operating in a marketplace under a particular piece of legislation are required to pay a licence fee when their competitors in a highly competitive market are not. I know that the finance industry feels very strongly about this concept of competitive neutrality. I sincerely hope that the Government will give further consideration to the amendment proposed in the other place by the Opposition to see whether it could not bring itself to agree that that principle of uniformity with New South Wales and of competitive neutrality might not be able to be followed through in future in this State.

The third Bill, the Commercial Tribunal Bill, is primarily designed to meet the needs of the proposed Credit Act and the proposed Credit (Administration) Act. The Opposition has no quarrel with this at all. However, the tribunal is sought to be the vehicle for the incorporation of many other Acts in the consumer affairs area. We

want to be very sure that the existing situation in respect of each of those Acts is not unduly disturbed should they be incorporated under the Commercial Tribunal. I will take that point up further with the Minister when we reach the clauses of the tribunal Bill in the Committee stage.

I understand that some significant amendments were made to the Commercial Tribunal Bill in the other place which allayed some of our concern. I believe they have introduced some legal protections which are an advantage to those people who will, in future, be required to appear before the tribunal.

We were concerned that the Commercial Tribunal Bill included a provision which had a very similar effect to that of clause 19 in its original form in the Credit Bill. It provided for the tribunal or the District Court, under clause 21 of the Bill, to override any other Act of Parliament if it considered, by doing so, an irregularity that had occurred would have been overcome. That would have been an advantage to an expeditious resolution of the external questions before it.

I understand that considerable thought was given to that clause and the clause, as it appears in the Bill before us now, raises none of the problems that that original piece of legislation raised. I think this underlines the difficulties that can occur with a brand new piece of legislation, or when somebody who may be drafting it or looking at it sees a particular need to overcome that irregularity but may not have looked at the wider ramifications that that might have.

A number of other concerns have been raised in relation to this consumer credit legislation. Some relate to the definitions of farm machinery and farm undertakings because that is one of the few areas of commercial contracts excluded from the limit of \$20 000 which is the upper end of a contract regulated under the legislation.

Concern has been expressed in relation to the provision that requires a supplier of goods to take cognisance of a purchaser declaring that he intends to seek credit as a condition of the sale. Again, a number of questions have been raised in regard to this and to the effect it may have in practice. As the Law Society said in regard to the concept of linked credit providers, the only way we shall be able to fully determine whether the current drafting of the legislation is desirable or undesirable will be to see it in operation.

The Opposition supports in principle the introduction of uniform credit legislation throughout Australia. Our main concern about the legislation before us tonight, particularly in relation to the

Credit (Administration) Bill, is that the concept of competitive neutrality does not exist in regard to licence and registration fees.

We have considerable concern about the Commercial Tribunal Bill when incorporating other Acts into the consumer affairs area. However, with those concerns and reservations about the particular effects of many other aspects of the legislation, I do not think that we will sort it out until we see the legislation in operation.

The Opposition supports the Bill.

MR TONKIN (Morley-Swan—Leader of the House) [8.23 p.m.]: I will try to answer some of the queries raised by the member for East Melville who obviously has a much clearer grasp of the Bill than I have. That is one of the problems of representing a Minister in another place. Of course, if the answers given are not satisfactory, which is highly probable, the answers can be provided to the member by way of letter.

With respect to 30-day accounts at service stations, if no credit is required they would be exempt even if they were not paid within the specified time. Paragraphs (b) and (c) are alternatives to each other and are not to be read in conjunction with (a). They are not covered because the amount is required to be paid. Even if it were not paid it would mean they were not covered.

With regard to a register of security entry, this is under active consideration. A feasibility study is being undertaken and the Minister is currently examining the Victorian Chattel Security Act to establish a system of securities. We understand that the Victorian Act is likely to be amended and we hope for legislation some time next year.

With regard to linked credit providers, the Australian Finance Conference has accepted the Bill, including the provisions of clause 24, despite the extension of this liability to financiers. Examples of the problem in the video industry are situations where these provisions may apply. The Minister for Consumer Affairs has undertaken to look at the problems which may arise in practice and he is prepared to bring amending legislation to Parliament, if necessary.

With respect to the Law Society's consideration of the Bill, I understand it was advised of the Government's intention on 19 October 1983 which is well over a year ago. Discussions took place with the commercial and revenue law committee on 31 May.

Mr Trethowan: The Law Society did not really see the legislation until that date and we have the same problem once more. Although discussions are held, until the society actually sees a copy of

the legislation it is not always possible to ascertain the effect of drafting changes.

Mr TONKIN: Perhaps that is an indication of the need for changes in our procedure. We have a tradition that legislation is not seen until it is presented to Parliament and usually Opposition parties become a little peeved if the legislation does not see the first light of day in this place. I am rather critical of the way we operate and I believe that greater scrutiny of legislation should be carried out before it comes before us. I am critical of the so-called committee system. We do not really have a committee system and it would be better to have a genuine committee system under which we could call experts before the committee to discuss the Bill and report to the House. It is difficult for me to deal with a Bill such as this in Committee without adequate access to expert advice. I will not presume to say that other members may also have difficulties with such Bills.

The banks have made submissions to the Minister on the term loan problem. We are currently considering this in conjunction with Victoria and New South Wales for the purpose of uniformity. The points made by the member for East Melville are contained in the board's submission and they may be the subject of exemption under clause 19 of the Bill.

With respect to application of legislation to credit unions and building societies, the Minister has indicated to the Australian finance conference that he would consider a proposal to register and, therefore, spread the cost of administration once he has more information on this proposal. He has undertaken to indicate to them whether this will be done. If necessary, he is prepared to amend the Credit (Administration) Bill early next year even before proclamation.

With regard to the Commercial Tribunal Bill, before any other boards are abolished, the Act under which that board is established will require amendment so it will be scrutinised. The Minister has indicated his intention to consider the question of transfer of jurisdiction to the commercial tribunal. A programme is to be developed for this and at the same time it is appropriate to review the operation of these Acts. Industry will continue to be represented and regulations can be made to determine the mechanism for selecting members of the industry panel.

Those are some of the comments which have been provided to me in answer to the member for East Melville. If points have been missed, or if the replies are not satisfactory in themselves, I shall be happy, through the Minister for Consumer Affairs, to get other answers for the member.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Tonkin (Leader of the House) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Interpretation—

Mr TRETHOWAN: I draw the Minister's attention to the bottom of page 11, line 31, which is the credit sale contract, and to page 12, where the definition continues. I am not sure that the answer I received earlier completely satisfied the problem.

This definition makes it clear that if no credit is involved, the contract is not a credit sale contract regulated by the Act. If the amount payable by the debtor is payable within four months, under this provision of paragraph (b) on page 12 it is not a credit sale contract.

Let us take the service station example, because I think that is a good one. The normal terms under which the service station operates with its clients is a 30-day period. In other words, the client will purchase petrol, oil and whatever during the month and sign the book. At the end of the month that will be totalled up and he will receive an account. The normal terms would be that account is payable within 30 days.

However, not infrequently clients do not pay their accounts within 30 days, particularly in some of the more remote areas. That would normally result in the service station operator being out of pocket, so he is quite likely to put a charge on the amount outstanding. In other words, if one goes between 30 and 60 days without paying, he may well put a one per cent credit charge on it.

That is not part of the original contract for 30 days. Many small businesses are in this situation. Stores which provide a continuous account system for purchasing groceries or food are in the same situation. The normal terms are 30 days, but in fact they provide continuing credit for many of their clients.

There is a cost in providing that extra credit, and they make an additional charge which was not part of the original contract. In other words, if someone goes over the original period—say one or two months over—they might add an additional one per cent for every month the account goes over.

If they do that, do they bring themselves into the ambit of a credit sale contract as outlined under this legislation? The way I initially read it, I would have presumed, although a credit charge

was made, the fact that the original terms meant that the account would normally be required to be paid within 30 days would mean it was excluded under paragraph (b).

This is something which concerns many small business people who tend to provide and extend credit, not as a matter of course, but occasionally for various of their clients who do not pay their bills exactly on due date, for one reason or another. It is very common where farm incomes tend to come in large lumps and many of the people in the area tend to run up bills over a period of time. If those retailers did not add a credit charge they would have to bear the cost of that charge.

Two or three cases of this have been brought to my attention with queries whether the companies concerned would find themselves regulated under this Act. Although it appears that is not the case, it is important to see whether a more definitive piece of advice can be provided by the Minister during this Committee. This is one of the problems that we encounter when we look at a brand new piece of legislation which has not been tried out in practice. Sometimes it is not easy to provide a clear definition of the practical application of a particular section.

Mr TONKIN: I have had discussions with the senior legal officer from the Department of Consumer Affairs. It seems there is no doubt this is covered in the different examples the member gives.

I quote from an article prepared for the Motor Traders' Association by the association's solicitors. It says that it would not be affected, even if they were later than 30 days, and even if extra interest were added. I understand this has been carefully considered under the definition and there is no problem.

Clause put and passed.

Clauses 6 to 18 put and passed.

Clause 19: Variation of application of Act—

Mr TRETHOWAN: I am very pleased to see that clause 19 now contains a provision which requires that an order made by the Governor under the provisions of this Act and published in the *Government Gazette* shall be treated as if it is a regulation subject to section 42 of the Interpretation Act.

That means it can be disallowed in either House of Parliament. I am aware of other Acts of Parliament under which the Governor makes an Order-in-Council to change significantly the effects of an Act by exclusion, without its being subject to the provisions of the Interpretation Act, but they are

normally within extremely narrow confines. I can appreciate that in this particular case because it is new and untried legislation a wide variety of examples may occur in practice as to whether it is excluded or included. Undoubtedly that is the reason for the wide effect of clause 19. However, it is that very width that raises problems in terms of the effect on Parliament. If those particular orders are not made subject to section 42 of the Interpretation Act it virtually would allow the Governor, in other words the Minister, to issue orders that could totally change the effect of the legislation in terms of what was excluded or included. I am extremely pleased to see that the provision to make it subject to section 42 has effect.

That resolves concerns which might otherwise have existed in regard to the application of this clause. I am not at all sure what is the situation in New South Wales. I know that State has a different Interpretation Act and I am not sure whether the particular legislation was caught by that Act or by way of regulation. I understand the Government talked about varying the Act by way of regulation, but whether that was the case or whether there was to be an order, I am not sure. The structure of this clause provides the flexibility being sought in relation to the effect of the Credit Bill. I concede that may be necessary, particularly in the initial stages, but the protection still remains that it is finally up to Parliament to have the opportunity to disallow it should it so desire, and that any order which extends beyond the original intention of the Act must come before the House.

Clause put and passed.

Clause 20 put and passed.

Clause 21: Contract of sale conditional on grant of credit—

Mr TRETHOWAN: A question has been raised with me as to what is meant by the buyer "making it known" to the supplier that he requires credit. The important element in clause 21(1) is the fact that the ability exists for the purchaser of goods to rescind the contract. The ground for allowing the buyer to rescind the contract is that he makes it known to the supplier that he requires credit before entering into a contract, and he is obliged to take reasonable steps to obtain credit. If he cannot obtain credit he can rescind the contract.

That is normal in a number of cases and very good protection for someone entering a major contract for the purchase of a vehicle or some substantial piece of equipment which may be \$1 000 or more. He may not have that amount of

money readily available to be able to pay cash, and he may need to find credit. The buyer may not be happy with the credit offered by the supplier of the goods on his own account or on account of a finance company, and the buyer may therefore seek a finance company or other credit provider who can provide credit at a more competitive cost. If a buyer cannot obtain credit he will not want to be in a position where he is bound by the contract. That is a fair and reasonable provision.

The question raised with me relates to the effect this may have if the consumer does not play it fair. Suppose the buyer obtains the goods and takes them away and searches around for a credit provider and cannot obtain credit. He may use the goods and return them and rescind the contract on the basis that he cannot obtain credit. What is the "sufficient notice" which the buyer is required to give to the supplier? Does he have to say "I am going to have to get credit", or does he have to say distinctly that he has to get credit, or does he have to provide it in writing? These queries have been raised by people in a practical situation who feel they could be taken advantage of by someone who is unscrupulous.

It seems to me the provisions of the clause have an effect which is undoubtedly necessary in relation to someone who wants to search for his own credit. That reinforces the provision of not requiring a consumer to be tied to the credit being offered by the person providing the goods. I also want to ensure that the provisions of this clause cannot be used against the legitimate and fair interests of those people supplying the goods. I wonder if the Minister can outline the protection available under this clause to the supplier.

Mr TONKIN: The question of what is "reasonable notice" is one which would ultimately be for judicial testing. This will have to be monitored to see how it works. I understand there has not been a great deal of conflict in States where similar provisions exist and a person receiving credit has gone out of his way to make sure what he is demanding for his protection is made clear. I guess that with all this legislation one tries to make it as good as one can, but ultimately it will have to be monitored and we would be very concerned to see it is fair to all parties. We would be prepared to amend it if necessary.

Clause put and passed.

Clauses 22 and 23 put and passed.

Clause 24: Linked credit provider—

Mr TRETHOWAN: The point I was making earlier was that the concept of a linked credit provider is central to this Bill, and it was originally the most contentious concept introduced. It was

introduced as a protection for the consumer, and the examples given to me where it would particularly relate, involved cases where people went around offering credit to undertake the wall cladding or the repainting of homes. These people use a reasonably persuasive technique on the householder to explain there is a need for walls to be recladded or repainted, and they get the householder to sign a credit contract. The people do the job and then disappear without trace. The householder is later confronted with cladding falling away from the walls or the paint peeling, and is left with a credit contract. The normal redress is through civil law, but there is no way of getting satisfaction from the people who did the work because they cannot be located. I believe that was the basic argument put forward in the Molomby committee report, which gave rise to this clause.

The point I was making previously was that the Law Society underlines the fact that this is a substantial move away from the normal law of contract, because it involves a third party and a practice the society refers to as a "privity" contract.

I suspect that this clause also will require very close monitoring in its application to ensure that it operates fairly. I am also aware that it is the clause that has taken a lot of drafting in terms of the exemptions and defences that are provided in it.

For instance, subclause (2)(c) provides the defence against becoming a linked credit provider under the use of a continuing credit contract such as Bankcard.

I can understand the concern a trading bank would have if it felt that it would incur the position of a linked credit provider for transactions that took place with its credit card, such as Bankcard. Literally millions of transactions must take place around Australia each day using these forms of continuing credit contracts, and it would be impossible for any of the suppliers of this continuing credit to be able to monitor sufficiently all the transactions that took place, and so perhaps make them liable for the responsibility of warranty under every sale that took place using their continuing credit contract; in other words, each sale that took place using Bankcard or Visa Card.

In all the situations the effect of the clause will not be fully known until the defences are tried in practical cases. We accept the concept of the linked credit provider with some reservations because, obviously, there will be cases where it will be very necessary from the point of view of the consumer. We will be watching very carefully to see that subclause (2), which deals with the de-

fences that are to be made available to the provider of credit against being linked as a linked credit provider, is fair to those concerned.

Mr TONKIN: Let me quote from the Law Society report as follows—

A good example of the difficulty in assessing the impact of the Bill is seen in the abandonment of privity of contract in the use of the defined term "linked credit provider". Whether or not this innovation will be desirable will only be open to assessment in the light of practical experience.

That is true about the Bill; we will need practical experience. The aim in bringing in a third party to the contract, who would not usually be a part of the contract, is to try to get the providers of credit to be more careful in their provision of credit. I must say that when I was the Opposition spokesman on the subject of consumer affairs, and also when I was the Minister responsible, I was at times critical of finance companies for providing credit without worrying too much whether the person being provided with the credit was a good risk. I was also assured by the Australian Finance Conference that credit providers took great care, because it was not in their interest to repossess, and so on. Yet I came across some astounding cases of imbeciles and of people with no income at all being provided credit for very expensive goods by members of the Australian Finance Conference. I drew that to the attention of the conference and the firms concerned. So, although it was general policy, it did not always seem to be followed.

Naturally we will be looking at this and we will be concerned to see that it works properly. It may well work without any deleterious effects in that it will make credit providers more careful, and that is desirable. Whatever the outcome, certainly it will be monitored very closely, and we will make sure that action is taken if it does not work as we expect it will.

Clause put and passed.

Clauses 25 to 47 put and passed.

Clause 48: Interpretation—

Mr TRETHOWAN: This clause relates to continuing credit contracts, and it will probably be the clause that will become one of the most important sections in the future Act, because it seems to me that this is the form of credit contract that is likely to represent the principal direction in which a lot of the market will go in the provision of consumer credit. One of the reasons is that the Bill provides that upon notification of a period of, I think, about a month, a change in the rate of interest can be effected for a continuing credit contract.

What this means is that the rate of interest of a credit contract can be matched approximately to the market rate without too much delay, whereas in the other two forms of credit contract regulated by this Bill, the rate has to be fixed at the commencement of the contract. If it is a four-year contract, the rate has to be fixed at the time it is taken out.

As the Minister will be aware, the market rate of interest on the cost of operation varies dramatically during a year, and between years there can be very dramatic changes. It seems to me that, because of the highly competitive nature of consumer credit, this provision for altering the rate of interest under a continuing credit contract will be one reason that this form will become increasingly preferred. It also ties in with a change in technology taking place in the finance industry, because it moves into that situation where the technology of plastic cards comes into play.

This is also likely to be an area of the Act which will require consistent review, because of the demands likely to be placed on it. It is relatively complex and difficult in terms of drafting to ensure that the target area of this contract is defined. We do not know whether everything will work until the Act has been in operation.

It seems to me that this is probably the key area of the credit provision that is provided for in the Bill.

Clause put and passed.

Clauses 49 to 170 put and passed.

Schedules 1 to 7 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Tonkin (Leader of the House), and passed.

CREDIT (ADMINISTRATION) BILL

Second Reading

Order of the day read for the resumption of the debate from 7 November.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Tonkin (Leader of the House) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Exemptions from licensing—

Mr TRETHOWAN: I thank the Minister for his comments during the second reading stage which were consistent with this clause. I raised this clause in relation to ensuring competitive neutrality and uniformity with the New South Wales legislation. This is the clause which we would certainly have sought to amend to ensure that a registration fee equivalent to the licence fee was charged in relation to those providers of credit so that they were excluded from the licence fee for good and proper reason.

The assurance was given by the Minister that this will be reviewed and a possibility existed that the Government would introduce such an amendment prior to the full effect of this Bill coming into action. I hope that is important and that careful consideration is given to that matter.

Mr TONKIN: I do not know whether I need to give another assurance, but I think the member is happy with the assurance that we are going to the Australian Finance Assurance Conference and we are looking at that.

Clause put and passed.

Clauses 8 to 61 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Mr Tonkin (Leader of the House), and passed.

ACTS AMENDMENTS AND REPEAL (CREDIT) BILL

Second Reading

Order of the day read for the resumption of the debate from 1 November.

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 Mr Tonkin (Leader of the House), and passed.

COMMERCIAL TRIBUNAL BILL

Second Reading

Order of the day read for the resumption of the debate from 15 November.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Tonkin (Leader of the House) in charge of the Bill.

Clauses 1 to 5 put and passed.

Clause 6: Panels—

Mr TRETHOWAN: This clause provides for the establishment of panels of representative persons, one panel being representative of members of that industry who are required to be licensed or registered under the Act, one panel being representative of the interests of the members of the public and the other panel being a panel of those people whose expertise can contribute to the deliberations of the commission.

This clause relates to two other clauses which I will speak on later. The point I want to raise is not in relation to the provisions of the clause in this Bill, but in relation to the provision of the clause in regard to the Credit Bill. The Credit Bill is straightforward and has been agreed with.

This Bill and this clause have a direct relevance to those other Acts that the tribunal may seek to incorporate—the Motor Vehicle Dealers Act, the Real Estate and Business Agents Act, the Finance Brokers Control Act, the Settlement Agents Act, the Builders' Registration Act and the Painters' Registration Act. What I believe is important, particularly from the point of view of those industries, is that the structure of the boards which have proved to be successful should not be destroyed unnecessarily by bringing those Acts under the umbrella of the Commission Tribunal.

This clause provides for the establishment of the panels from which the members of the tribunal should be drawn and from which those people who assist the tribunal shall be drawn. It is important to recognise in these cases that it is the Minister who establishes the panel of persons representative from the industry, the panel of persons representative from public interest and the panel of expertise. This puts a lot of power into the hands of the Minister to determine who shall and who shall not be on the tribunal.

I know a number of other Acts have exactly the same power in relation to the structure of relevant boards, but I point out that in this case there is no provision directly for industry nomination of those

people who shall be included. I would like to speak further in relation to how that can be overcome when we deal with clauses 13 and 14. The concern would be that a bias could be introduced in the structure of the board.

Paragraph (b) refers to a panel of persons representative of the interest of members of the public who deal with persons whose interests are representative of the industry. In other words, it is a panel of consumer representatives. How will that panel be consulted and what qualification will be seen as appropriate for that person to be a member of the panel? It is an important question to ask because in a further provision of the Bill the tribunal is comprised of the chairman, a member of the panel representative of the industry and a member representing the interests of the public. They are the only voting members of the panel under the principal clause.

I know that under clause 13(4) there is potential for exemption from that, but I will discuss that with the Minister when we deal with that clause.

It concerns me that there is no clear evidence as to how the panel representative of the public will be established. I presume the panel under subclause (2) will be established from those people who have the necessary qualifications. In other words, it will be a question of assessing the technical qualifications of those people available to assist the tribunal, but those people do not exercise a vote.

How will the qualifications of a member of the panel representative of the public be assessed and what type of people will be appointed to that panel? There appears to be no ability for the industry to nominate a panel of people from whom the panel representative of the industry can be chosen.

Mr TONKIN: Firstly, I would like to put my faith in the political process. I think it is quite clear that any Government which decides to govern industry and does not consult with it will be dealt with politically in the long run. One cannot always tie Governments down legally and even if he did there are ways around it.

The political process in a society such as ours does operate very effectively. It would be a very foolish Government that decided to ignore industry interests.

As far as the panel of persons representative of the industry is concerned, I draw the Committee's attention to clause 25 of the Bill which provides that regulations may be made which will provide for the constitution of a panel referred to in clause 6. There is the capacity to get some definition there by way of regulation.

I really feel that it is left to the discretion of the Minister. If the Minister of a Government decides to ignore industry in some way, of course there could be problems, but there would be problems for the Government, too.

As to the second question about the panel of persons representative of the members of the public—in other words consumers—I guess they will be chosen in the same way as Governments have always chosen them. Conservative Governments and ALP Governments have chosen people if they perceive them to be representative of the consumer interests.

I do not know whether we can improve on that situation. I suppose almost every person would come into the category of people who deal in this field and whose interests are represented in paragraph (a). We have the potential of 750 000 or 1 million people from whom to choose. Unless we can devise some means of giving more definition to this matter, I guess it will always be up to the Minister, to a very large extent. However, that is not new; that was the case under the previous Government.

In relation to expertise, the present boards require expertise, and that expertise is available to them. Once again, the regulations under clause 25 will give definition to the matter, and the Minister will be tied down in that respect.

Clause put and passed.

Clause 7: Term of office—

Mr TRETHOWAN: Clause 7(1) provides for the establishment of the term of office of the chairman or deputy chairman of the tribunal. Subclause (2) establishes the grounds on which the Minister may remove a person appointed to an office referred to in subclause (1).

I have no argument with subclause 2(a); that is a uniform provision for removing someone from office. However, I draw the attention of the Minister to paragraphs (b) and (c). Both of those represent a reasonable basis for dismissing someone; but the problem is that they have no limitation of definition. They appear to be very wide in terms of their application. This may allow the Minister to dismiss any person at his whim, and that concerns me.

The width of the power of the Minister will make the person in the office beholden to him. The Minister has the power to appoint and the power to dismiss. It would not be extremely difficult to establish a case for the dismissal of someone. At least that is the way it appears to me on a primary reading. That means the chairman and deputy chairman are beholden to the Minister.

The tribunal will have only three members—the representative of the industry, the chairman or deputy chairman, and the representative of the community. As the Minister has already indicated, the representative of the community essentially will be a political appointment, because that is the way Governments have tended to make that sort of appointment in the past. Therefore, two of the members of the panel will be there basically at the behest of the Minister.

If it can be established that the provisions for dismissal are far more restrictive than the way I read them, that would satisfy me; but it appears they are very wide in their application.

Mr TONKIN: Yes, they certainly are. I understand that in other States words like "misbehaviour" have been used; but those terms are just as wide.

What usually happens, if a Minister feels that a member of a board is not discharging his duties properly, is that he waits until the three years are up and then he appoints someone else to the board. Ministers have done that at various times.

I accept that the provision is rather wide, but it is the type of wording used in the Australian Constitution. I guess if there were an argument over it, it would be subject to judicial interpretation. I do not know whether the Minister would have to show cause why he believed the misconduct had occurred.

I undertake to discuss this facet with the Minister for Consumer Affairs. That is about all I can do at this stage.

Clause put and passed.

Clauses 8 to 12 put and passed.

Clause 13: Constitution—

Mr TRETHOWAN: This clause establishes the structure of the tribunal, and I refer to subclause (1).

It is important to remember that the panels of experts have no voting rights in relation to decisions of the tribunal, whereas the representative of the industry panel and the representative of the consumer panel do have voting rights.

The structure of the tribunal may be sufficient in regard to the administration of the credit Bills; however, there is considerable concern on our behalf as to how that would affect the administration of other Acts being brought into the tribunal, particularly when those Acts have boards with considerably more members.

I refer to subclause (4). The Builders' Registration Act provides for a board to be constituted differently from the provisions of clause 13(1). When the tribunal operates as the builders' regis-

tration tribunal, it shall be constituted in line with the provisions of the Builders' Registration Act. If that is the case—and I would like an assurance that it is the case—some of the provisions in the very rigid wording of clause 13(1) should be removed.

The Motor Vehicle Dealers Act and the Real Estate and Business Agents Act have considerably larger boards, which have worked extremely well. In some cases, different members of the boards represent different sections of the industry. We may need to have two or three industry representatives on the tribunal for the simple reason that two or three sections of the industry may be covered by the Act, or one or more industry organisations may be covered by the Act.

It would concern me if provision was not available for the existing board structure to be brought in as the tribunal to be constituted under the relevant Acts. I believe subclause (4) will allow that to happen; but I would like an assurance that that is the case.

Mr TONKIN: Yes, that is so. For example, there is provision for special provisions to apply for the builders' registration tribunal.

Clause put and passed.

Clauses 14 to 20 put and passed.

Clause 21: Case stated—

Mr TRETHOWAN: This clause as it exists is fair and reasonable. The reason I rise is to indicate that the clause which existed before agreements were reached was far too wide in its application. However, we would have no such reservations in relation to this clause as presented in the Bill now. It leaves flexibility which may be needed in referring cases to a District Court and determining jurisdiction, but it avoids problems which occurred in the previous drafting which allowed too wide a flexibility in the ability to set aside other Acts of Parliament in relation to solving matters which may be brought before a tribunal. I indicate our support for the drafting of this clause.

Clause put and passed.

Clauses 22 to 26 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

MR TONKIN (Morley-Swan—Leader of the House) [9.33 p.m.]: I move—

That the Bill be now read a third time.

In moving the third reading, I thank the member for East Melville, in particular, and the Opposition generally for their co-operation on these four Bills. It shows that a cognate debate can be a very useful way to deal with related Bills. We have dealt with four important pieces of legislation expeditiously and I thank the House for that co-operation.

Question put and passed.

Bill read a third time and passed.

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL (No. 2)

Council's Message

Message from the Council received and read notifying that it had agreed to amendments Nos. 1, 2, and 3 made by the Assembly, had agreed to No. 4, subject to further amendments, and that it had disagreed to Nos. 5, 6, 7, 8, and 9.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Parker (Minister for Minerals and Energy) in charge of the Bill.

The further amendments made by the Council to amendment No. 4 made by the Assembly were as follows—

Amendment No. 4.

Clause 15. Delete all words in the amendment after "line 23" and substitute the following—

Delete all words in subsection (1) down to "matter" in line 26, and substitute the following—

"(1) Subject to this Act, the Commission has cognizance of and authority to inquire into and deal with any industrial matter except any matter provided for in paragraph (a)."

Mr PARKER: I move—

That the further amendment made by the Council to amendment No. 4 be agreed to.

I will not speak on each of the matters, therefore, I seek your indulgence, Sir, on this issue. I make the point that the Government proposes to adopt the amendments put forward finally by the Legislative Council. Obviously it is not doing so because it agrees with those amendments or agrees with the Council's position in insisting on those amendments. Nor is it indicating that it agrees with the reasons which have been adopted and put forward by the Council for insistence on certain of its amendments.

However, it is the Government's position that this is an extraordinarily important Bill. It is very important for this Bill to be proclaimed. It will provide very substantial benefits to the community and we do not believe that the prospect of not having that Bill in legislation is such that it can be contemplated.

Obviously the Government has the right at all times to introduce further legislation, and it may do so. I understand from reading the Press that the Opposition may be similarly inclined with respect to some of the amendments which it has not insisted on in the Legislative Council, but that is obviously its right to do so at any time.

Without wanting to put too fine a point on it, I simply say that, although the Government accepts the amendments which have been made or those which have been insisted upon by the Legislative Council, it is doing so not because it agrees with them, but rather because it agrees with the importance of this Bill being proclaimed.

My colleague, the Minister for Industrial Relations, has made statements in another place concerning that and he consulted widely before the Government came to this decision. At this stage at least it is in the best interests of trying to get out of it, to the maximum degree we can, some sensible system of industrial relations, bearing in mind the problems we inherited in the former legislation.

Mr MacKINNON: I, like the Minister for Minerals and Energy, do not want to delay the Chamber, but I shall make a couple of points on behalf of the Opposition parties. I too, as the Minister has said, do not want the Government to think that, because we have agreed to some of the changes made to the amendments we introduced in the Council that we are not serious in pursuing the voluntary contracts proposal.

As has been indicated by my colleague, the Leader of the Opposition in the Legislative Council, a draft Bill has been prepared to that extent and we shall proceed with it in the new year.

The Minister has indicated what the Government intends to do and, as he said, that is its right, and we respect that.

The Opposition is pleased to see that the Government has agreed to the amendments made by the Legislative Council particularly in respect of part VIA. As my colleague, the Leader of the Opposition in the Legislative Council, has said in the other place, everyone in the community has a right to expect to receive protection from standover, coercion, and intimidation in the workplace, whether they be employees, self-employed, subcontractors, or small or big business.

To that extent we are pleased to see that that clause will remain. We only hope in future that the clause is policed adequately when these types of activities are brought to the attention of the Government.

Question put and passed; the Council's further amendment to the amendment made by the Assembly agreed to.

Mr PARKER: I move—

That amendments Nos. 5, 6, 7, 8, and 9 made by the Assembly be not insisted on.

Question put and passed; the Assembly's amendments not insisted on.

Report

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

In Committee

Resumed from 20 November. The Deputy Chairman of Committees (Mrs Henderson) in the Chair; Mr Brian Burke (Treasurer) in charge of the Bill.

Progress was reported after Division 66 had been agreed to.

Division 67: Health, \$599 353 000—

Mr WILLIAMS: I wish to comment on what the Government has done in respect of Bentley Hospital; the way that the Government is breaking down the morale, not only of the medical teams and doctors in general, but also of the sick people in our electorates; and the way the Government is squandering money.

I should give some background to this matter. As members know, in hospitals such as Bentley it has always been the custom in the past that any doctor can apply to attend to a public or a private patient. In Bentley Hospital 85 per cent of those patients come from the catchment area of Bentley. That has been one of the great features of the programme to date. It has cared for the people living in that area and they have been cared for in turn by local doctors. When a person becomes sick and requires hospitalisation it is very nice to have one's own doctor or a specialist who is recommended by one's local GP to attend. Of course, at Bentley Hospital approximately 150 doctors are in attendance over a given period, 50 of whom are GPs, 50 of whom are specialists, and 50 of whom are casual specialists. Most of those doctors come from within the catchment area, so all in all, this hospital has in the past also been able to provide rather extensive specialised treat-

ment such as surgery and medicine, gynaecology, orthopaedics, urology, etc.

However, under the new system of sessional appointments a great deal of this practice will go by the board because it is intended that only doctors who are prepared to do this sessional work will be allowed to bring in their own private patients at times to be arranged. Of course, the session as we know it will amount to only about three or four hours per week per doctor and they will be paid by the Government for that treatment.

As we know, patients now requiring treatment, whether they be private or public, can be treated by the doctors. The system exists where doctors are paid a discounted fee for attending to public patients; in other words, they get paid 80 per cent of the actual fee but, all in all, this system has worked extremely well and the hospital has been utilised to its full extent. However, under this new system many of those doctors will not be applying, or have not applied, for sessional work because they believe they cannot do the job properly if they are going to be given a session of only three to four hours per week. In turn, that means that people requiring specialist treatment will not be able to obtain the specialist they require and will have to utilise the services of "any" specialist; so the morale links between doctor and patient will go by the board.

We have seen this happen at the Osborne Park and Wanneroo Hospitals. The morale in those hospitals has lowered dramatically since this scheme was implemented, to such a degree that the doctors recently issued a Press statement stating that in the Osborne Park Hospital the introduction of the sessional work by the State Government had forced rules to be broken; it had lowered morale; and it had destroyed hospitals' own bases. They claim the Government has attracted patients perhaps by offering a ward in the extended care unit of Sir Charles Gairdner Hospital. Members are very pleased because those hospitals have a 50 per cent occupancy rate, but I regard that as a disgrace. A hospital should be used to its fullest extent.

Let us recap on what has happened in the Bentley Hospital. In May the Government implemented the sessional appointments system in the Wanneroo and Osborne Park Hospitals—this was successful, of course—and the Government implemented its socialist doctrine in relation to this scheme. In July of this year it decided to take a step further and to implement also the programme at Bentley Hospital.

The doctors at Bentley Hospital have had sufficient time to observe what has happened in re-

lation to the Wanneroo and Osborne Park Hospitals and, rightly so, they said, "Hang on. This cannot happen here and it is not going to happen here".

Those doctors decided to do something about it in a constructive but not a disruptive manner and chose simply to try to advise the Government that this situation was not acceptable. The Bentley Hospital clinical association comprised doctors who in turn advised free of charge on the running of that hospital and ensured that a minimum of 85 per cent of the people from that catchment area of 184 000 were occupying the beds of that hospital; they believed it was not in the best interests of the community, so they decided to do something about it.

On 15 July of this year the Bentley Hospital clinical association informed the Minister that it was opposed to the proposal and asked for a meeting to be held so that it could discuss further his objectives in pursuing this socialist line. However, nothing appeared to happen so they decided to formulate a plan and to make the people of the Bentley area aware of what was happening. Of course, in order to do that, local members of Parliament became involved and at the same time they decided in their wisdom to produce a community pamphlet. They discussed this matter with educational groups and with their own patients and a media liaison person was lined up to assist.

Mr Laurance: Did they get consensus from the Government?

Mr Wilson: None whatsoever at that stage.

Mr Laurance: What about consensus? I thought this was a Government of consensus.

Mr WILLIAMS: No, it is not. It is a Government of socialist ideology, I would imagine. Its record shows that to be the case.

Mr Laurance: Blind ideology!

Mr WILLIAMS: Exactly. A mass meeting of local doctors decided to take a stand on this matter and voted not to allow the Government to carry out these threats. They launched a media attack because they received no response from the Minister. Following that media attack he in turn attacked them by accusing them of organising a campaign to limit the response. Of course they were organising a campaign to limit the response, because they knew what was going to happen and they did not like the idea of that.

Exactly a month after the association's request for a meeting, the Minister replied, not suggesting that he would meet with them, but urging the doctors to reconsider their opposition. In other

words, there was no compromise whatsoever. The doctors were just told to do as they were told.

The association again requested a meeting to discuss the matter further. Again that request was ignored by the Minister. On the last day of August, the Minister decided to meet with the doctors because pressure was being put on him. On the very day that he decided to meet with the representatives of the Bentley Hospital clinical association, an advertisement appeared in the Press requesting GPs and specialists to apply for appointment at the Bentley Hospital and stating that they had 15 days in which to do so. What sort of consensus is that? Could members imagine that happening to one of the unions? The Minister would be the first to be up in arms if that were to happen. Not surprisingly, the doctors were so incensed at that meeting that no agreement was reached.

On 11 September last year a second mass meeting of Bentley area doctors reaffirmed their opposition to salaried appointments. It was decided on 14 December to put a petition together. Very quickly and spontaneously a petition containing 11 000 signatures of people in the electorates, and in other electorates and people of all age groups was formed. They realised that there would be trouble if this matter went further. The petition was handed to the member for Victoria Park who, naturally, should have presented it to Parliament. That petition was never presented to this House. When was the last time that a petition of that magnitude has not been presented to this House?

Mr Hodge: Why don't you stop telling lies? You have been told three times that the petition was not presented to Parliament because it was not addressed to Parliament and its presentation would have been in breach of the Standing Orders.

Mr WILLIAMS: That is not good enough. When a petition contains 11 000 signatures it should be presented to Parliament.

Mr Hodge: Tell the truth.

Mr WILLIAMS: I am telling the truth. The Minister would not be able to face up to the truth if he saw it. That petition, as we all know, should have been presented to this House. That is the normal procedure.

Mr Hodge: In breach of the Standing Orders, you idiot!

Mr WILLIAMS: Don't call me an idiot, you flea. The reason it was not presented was that the member for Victoria Park was embarrassed at what had been presented to him. In one way or another 150 medical practitioners were told that, by 15 September, they would have to apply for sessional duties to service that hospital, they would

be given three or four hours a week, and they would be paid by the Government. They were told that they could then bring in their own private patients.

Mr Hodge: That is a whole heap of lies.

Mr WILLIAMS: The Minister would not know the truth if he fell over it. Of the 150 doctors who normally serviced that area, how many have applied to practice in that hospital? Only 10 or 15. Fifteen had applied but I believe that a few have since withdrawn their applications. The Minister is still saying, "Never mind, she'll be right mate; we will fix it. We have nothing to worry about". What will happen? The doctors do not know what will happen and the patients do not know what will happen. These doctors cannot or will not be allowed to service this hospital. We have been told by various doctors that after a certain time in October, they will not be allowed to make admissions to that hospital. What will happen to the people in the obstetrics department and what will happen to the 30 beds in that department. No gynaecologist will be allowed into that hospital unless he applies for sessional treatment for his patients. Women having babies will have to decide to take any doctor who is on hand.

However, the Minister still says not to worry about it because the whole department will be administered from King Edward Memorial Hospital and that the doctors from King Edward Memorial Hospital will attend those women. Can anyone imagine anything worse than a woman, whose greatest function in life is to have her own child, not having her own doctor present? That is the time she needs a little affection and comfort. I tell the Minister that the doctors from King Edward Hospital will not go out to Bentley Hospital and service it; so where will he get his doctors from? Those doctors will not cross the line.

He put out a pamphlet explaining to people what is happening. The pamphlet stated the following—

Last year, of the 32,000 people who required hospital treatment and who live in the Bentley area—only 2,700 were admitted to Bentley Hospital.

The vast majority of patients admitted to Bentley Hospital were for surgical operations (63%)

Mr Hodge: That is the most accurate information you have given all night.

Mr WILLIAMS: Is the Minister implying that the 32 000 people should be going to Bentley Hospital? The Minister is not prepared to answer that question. If the 32 000 patients went to Bentley Hospital they would not last long there because

there are not sufficient beds in that hospital. That pamphlet was so ridiculous that the *Canning-Melville Times* of 13 November featured a skit on it which I will read to the House—

Dear Sir,

The State Government has recently distributed a document in the Bentley area which provides a goldmine of information on the continuing Bentley Hospital Affair.

For instance on page two it states: "Last year, of the 32,000 people who required hospital treatment and who live in the Bentley area—only 2,700 were admitted to Bentley Hospital."

Now, Bentley Hospital, as the pamphlet states, has only 78 beds. According to my arithmetic for those 32,000 patients to be accommodated, each would, on average, have to occupy his or her bed for less than one day. Perhaps the State Government has in mind a system of musical beds with those unfortunate enough to miss out when the music stops having to leave barefoot by the front door, clasping their intravenous drips and oxygen cylinders under their arms.

Alternatively, the available beds might be allocated on a shift system with a bell ringing every 4 hours to signal the changeover. Those displaced might find a temporary resting place in broom-cupboards, store-rooms, plant-rooms and lavatories.

Mr Hodge: Will you tell us who wrote it.

Mr WILLIAMS: It is in the newspaper; I do not know who wrote it.

Mr Hodge: It is written by an impartial observer, I suppose.

Mr WILLIAMS: The information is taken from the pamphlet. The Minister made a public statement that this pamphlet cost \$965 to print and it was distributed to 184 000 households. That has been carried out by Australia Post, but the cost was only \$965.

Mr Hodge: Another lie.

Mr WILLIAMS: It is not a lie. According to the information handed to me the pamphlet has been delivered in many areas by Australia Post. If the Minister arranged for it to be delivered to every house in the catchment area it would cost a lot more than that.

Mr Hodge: It has not been put in every house. How many times do you have to be told?

Mr WILLIAMS: The Minister said it was distributed throughout the Bentley catchment area.

Mr Hodge: I did not say to every house.

Mr WILLIAMS: The Minister tries to squeeze his way out of everything. The latest issue of the *Canning-Melville Times* featured another article from one of the doctors in the area, Dr Michael Lekias.

Mr Hodge: There is nothing like doing authoritative research and there is no better journal than the *Canning-Melville Times* from which to get information.

Mr WILLIAMS: We will make sure that they hear of that comment. This article is written by Dr Lekias who practises in the area.

Mr Hodge: Another impartial observer with a vested interest.

Mr WILLIAMS: Because we do not agree with the Minister he thinks we are all wrong. What a little mummy's boy he is. He never listens to the other side and he has not learned to compromise. The article said—

Dr Lekias said the pamphlet issued by Health Minister, Barry Hodge was more concerned with the logistics of the issue than the patient welfare.

That is quite correct. It continues—

A member of the hospital medical advisory committee,—

And he carries out those duties, with no payment, for the good of his patients. To continue—

Dr Lekias, said Mr Hodge had made an incorrect estimate of the people catered for by the hospital.

"Firstly, he claims 32,000 people required hospital treatment in the Bentley area and 7,000 people were admitted to the Royal Perth Hospital (RPH) from the area," said Dr Lekias. "In his pamphlet he states 2,700 which leaves 22,300 people unaccounted for."

Mr Hodge: Are you going to explain why this doctor has become the spokesman? What has happened to Dr Bott?

Mr WILLIAMS: They are all spokesmen; they are all fed up with the Minister. When is the Minister going to wake up and realise that the whole medical profession is against him and doctors are on the verge of striking in this State as they have in New South Wales, as a result of the Minister's actions? I hope the Minister will continue carrying on in this way because he will cause his party to lose Government. The article continued—

He also denied Mr Hodge's claims that there was no control over the number or place

of residence of patients admitted to Bentley Hospital.

Dr Lekias said the hospital was required to aim at a 75 per cent local element but had managed to achieve 85 per cent local patient intake.

"That some patients were referred to RPH is no major mystery," said Dr Lekias.

"The catchment area is 184,000 people. The acute bed need for this type of population density is around 500 beds."

Dr Lekias said it was ridiculous for Mr Hodge to compare the services of RPH to those of Bentley. Royal Perth was a highly sophisticated medical centre geared to handle the most complex, unusual and highly selected medical and surgical problems.

"Bentley Hospital is a community hospital serviced by the family doctor who has access to the best consultants for the type of cases admitted," he said.

We all know that is commonsense and the only person who does not understand it is the Minister. He wants to ruin that concept because of his socialist ideas. I have been through this before but certain things must be commented upon. The member for Gosnells has seen fit to take the names of 11 000 petitioners on an organised petition and to write to the people in her electorate. That is fair enough. I would like to know who paid for that.

Mr Rushton: Where did she get the petition from?

Mr WILLIAMS: That is a good question. In one of her statements she said the following—

A disproportionately high number of public patients, many of whom are pensioners, are treated at Royal Perth Hospital who should be able to be treated at their local government hospital. The reason for this appears to be that many doctors are reluctant to treat patients in hospitals such as Bentley unless the patient takes out private health cover and can be admitted as a private patient.

We all know that is an absolute pack of lies. It is not true and if we look at the statistics on Bentley Hospital it can be seen that more public patients are being treated under Medicare than previously. The figure has risen from 67 per cent to 75 per cent, yet the member for Gosnells has made the above statement. The medical profession is quite incensed by that remark and the member's letter is in the hands of their solicitors.

The health care crisis in WA is getting worse by the day. The secretary of the AMA has predicted

this health care crisis, and the morale not only of the medical profession staff and the nursing staff, but also of the entire staff has dropped considerably. The Government is hell-bent on pursuing its socialist activities in this area.

We are on the verge of a medical collapse in this State. Doctors in New South Wales are going out on strike. If it happens here, only the Minister is to blame.

The interesting thing is, while he is hell-bent on having this sessional situation here, in New South Wales they have realised the folly of this and gone back to the system which we knew at Bentley before this nonsense came in. It was the same at Wanneroo and Osborne Park—doctors were able to admit public or private patients. In New South Wales 23 hospitals have reverted to that system. Why do we have to go the full circle before this slow learning Minister realises that sessional appointments are not going to work, will cost a lot of money and will not be accepted by the people? Unless the Minister changes his attitude forthwith the whole medical profession in this State will be on the verge of strike action.

Mr BRADSHAW: The introduction of Medicare into Australia was a step in the wrong direction. This form of medicine has not worked. We had Medibank years back, and that was dismantled. This current Government has the audacity to bring back the ideology or philosophy of socialising the system.

Mr Hodge: Medicare was an election promise and it had the mandate of the people.

Mr BRADSHAW: I am not sure it did, because a survey was taken in Western Australia.

Mr Hodge: You cannot say that, because Australians voted the Labor Party into power.

Mr BRADSHAW: I do not think that was the reason people voted for the Labor Party. There were other things in the policy of the Labor Party. One of the reasons doctors did not fight Medicare this time was that they realised it was in the Labor Party's platform. They did come out when Medibank was introduced; they had a much more aggressive attitude to Medibank than to Medicare.

With the introduction of Medicare in Australia, this Government has brought about disruption and dissatisfaction to the people of Australia, and Western Australia in particular. There seems to be a confrontation. Medicare is like Communism: It is great in theory but short in practice. In the recent survey, it was found that 40 per cent were not satisfied with Medicare, with not being able to claim the difference in doctors' accounts and with the queues now developing in hospitals.

The Pennington report states that the components of doctors' charges in public hospitals are no greater in Australia than in any other similar country. It is strange that the Government seems to want to pick on doctors and lower their returns and keep their costs down when the Pennington report proves that the doctor component is no greater a percentage of the health system than it is in any other country similar to Australia.

Mr Hodge: You are generalising. The Government is anxious to reduce only the specialists' earnings, not those of the average doctor.

Mr BRADSHAW: It was claimed, I think in the Pennington report—I know I read it somewhere—that radiologists and a couple of other specialists were ripping off the system, but it has been proved that is not so.

Mr Hodge: It obviously is. You have only to look at the payments made to them; they are exorbitant.

Mr BRADSHAW: I can only go on what I read. It might have been in the article in *The Bulletin* last week.

The CHAIRMAN: I think the Committee will make much more progress if the member ignores the interjections and addresses his remarks to me. I will give him the utmost protection from them.

Mr BRADSHAW: The Government seems to want to attack the groups of people whom it believes are not sympathetic towards its cause. This is a similar situation where the Government seems to be taking on the doctors and attacking them in a confrontation. The introduction of this sessional business in hospitals has led to the attitude of confrontation.

At this stage we are not seeing a great deal of it in Western Australia. We have had it in Bentley Hospital, but it is more evident in the Eastern States. As the Minister progresses into other hospitals, doctors are starting to gather into groups to fight the sessional doctrine.

It is also interesting that the Government believes specialists will provide a higher standard in the Government hospitals; for instance anaesthetists and gynaecologists. In one hospital a woman was having a baby and she needed an anaesthetist, not a specialist, but it was the hospital policy. By the time they got hold of one, the woman was delivered by normal means. Fortunately there was no serious problem, but it could have been quite serious because the baby should have been delivered by caesarian section. Because it had taken so long to obtain the specialist anaesthetist the baby was delivered. If an ordinary practitioner

had been used it may have taken 20 minutes, but in this case I believe it took two or three hours.

It is also interesting that in public hospitals a gynaecologist has to deliver the babies. There is probably more chance of a general practitioner being obtained than a gynaecologist. The Government's pursuit of this idea in its belief that a specialist will provide a better health standard is a fallacy. It is time the Government started to look into this and perhaps return to the system which was there before.

With the introduction of Medicare waiting lists at hospitals have grown, and the queues will get longer as time passes. It was interesting, as the member for Narrogin said earlier, to read an article in last week's *The Bulletin*, which stated—

THE FEDERAL government will have to do something about Medicare next year. The health insurance scheme is not yet a disaster but it is a mess and pre-election surveys have turned up worries about it.

The problem with Medicare is that one per cent is taken from the taxable income of the people of Australia. This pays for only a small proportion of the Medicare system. More demands will be put on the public system because more people are leaving the private funding system and going into the public system. The queues will continue to grow.

Mr Hodge: There are no queues in this State.

Mr BRADSHAW: I believe there are long queues for various types of services.

Mr Hodge: It is no different since the introduction of Medicare. There have always been some queues, and that is still happening. They have not been caused by Medicare.

Mr BRADSHAW: It will certainly lead to queues.

Mr Hodge: Are you always this pessimistic? Why do you say that?

Mr BRADSHAW: The Government will gradually tighten up the amount of funds going into the system, because only one per cent of the money comes from the public and the rest comes out of general taxation.

Mr Hodge: That is not correct. You obviously do not understand how Medicare is funded.

Mr BRADSHAW: Everything one reads says that the taxpayer pays one per cent of his taxable income.

Mr Hodge: That is correct, but that is not the only source of income. It was never intended to be.

Mr BRADSHAW: Regardless of whether there is funding from other areas, of which I know

nothing, and it will be interesting to hear the Minister talk about where these other funds come from, there will be a tightening up of funding as time goes on and the health system becomes more expensive. Earlier I was referring to the fallacy about specialists providing a better service and a higher standard of medicine. They also order more expensive tests which will add to the cost of running hospitals. Therefore, the more specialists brought into the system, the higher the costs will be in running hospitals. While there is a shortage of funding, which will eventually come into the hospital system—and it has been squashed over the last few years and probably, in our Government's time, it was being squeezed—it will lead to tougher conditions for the staff, which will tend to have a demoralising effect on them. We already have a shortage of nursing staff in the hospitals, so this will aggravate the situation and lead to worse conditions. In time, as conditions become worse, doctors will leave and go to the private hospital system.

The Government brought in Medicare to look after the disadvantaged or the lower income people, but it will probably have the reverse effect. Previously we had one of the better health systems in the world, and I do not think anyone can deny that fact. No-one was denied treatment at hospitals, and it did not matter whether one worked on the garbage truck or was the Premier. If one wanted, for example, open heart surgery, it was available in Western Australia.

Under the new system the conditions will become overcrowded and those who can afford it will go back to the private health funds, which move will attract more doctors and leave the poorer people worse off.

Mr Hodge: Have you always been such a pessimist?

Mr BRADSHAW: No, not always, only since Medicare has been introduced. The Government's attitude towards doctors is very interesting. We have had the case of Dr Rex Hood who was chastised. Okay, he did wrong and he pleaded guilty to it. The penalty was far worse than warranted by the charge he faced. It is not Dr Hood we should feel sorry for, but the people of Pingelly. I know the Government has replaced Dr Hood with a Government doctor at this stage. As far as I know, the Government has not been able to get hold of a private practitioner to go to Pingelly. It will be extremely difficult, because the town can only service one doctor, and most doctors would prefer to go to a place where there are at least two doctors in the practice so that they can have time off. Here we have a situation where a

doctor is prepared to live in Pingelly and look after the people.

Mr Hodge: Did you know that Dr Hood had been trying to sell his practice for over six months before he left?

Mr BRADSHAW: No, I did not. This is the first time it has been raised.

I was talking to a plastic surgeon only this morning, and he had been working at the Osborne Park Hospital for 21 years. He had one session a week at that hospital. When the Government decided to bring in this session system the plastic surgeon's case was listed on the agenda for discussion but every time the matter was not reached. It took some time to get around to talking about plastic surgeons at the Osborne Park Hospital. When it eventually came up, I believe a fellow by the name of Harry Duncan had a note which said that the plastic surgeon was allowed to have half a session a week and, if he was not prepared to accept that, they would get someone else. In answer to a question I asked the other day I was told that there is not a plastic surgeon at the Osborne Park Hospital.

Mr Laurance: They used to have one before this Minister came along.

Mr BRADSHAW: Yes, for 21 years, and he was quite happy to carry on but he refused to be treated so shabbily. It is quite interesting to note that this particular doctor wrote to the Premier and, as far as I know, until today he had received no reply.

Mr Hodge: He has had several replies from me.

Mr BRADSHAW: But not from the Premier.

Mr Hodge: I am the Minister for Health.

Mr BRADSHAW: The Premier could at least have had the courtesy to reply.

Mr Hodge: The letters have been referred to me and I have replied on the Premier's behalf.

Mr BRADSHAW: He was obviously not impressed with the Minister's reply.

Mr Hodge: This doctor is not concerned with anything unless he gets his own way. I have just written to him again, actually.

Mr BRADSHAW: As I said, he has had 21 years on a quite—

A Government member: Lucrative!

Mr BRADSHAW: It could have been lucrative. He was providing a service. He would be the second top plastic surgeon in Western Australia. He is probably not interested now after being treated so shabbily. He was doing a full session a week.

Mr Hodge: If he was treated shabbily, it was by his own peers.

Mr BRADSHAW: Is Harry Duncan a doctor?

Mr Hodge: Harry Duncan is the area medical superintendent; a very senior doctor in charge of the Osborne Park and Wanneroo Hospitals.

Mr BRADSHAW: For some reason he had "half a session" written on a piece of paper that was produced at one of the meetings. If a person had been doing something for 21 years, would he like his job chopped in half?

Mr Hodge: That was the assessment of the Medical Advisory Committee. I have asked them to review it, and suggest that they increase the sessional allocation.

Mr BRADSHAW: How can they chop it in half after he has done it for 21 years? That is what gets to me.

Mr Hodge: He had never done a session before. This was a new thing. He worked on a fee-for-service basis.

Mr BRADSHAW: *The Bulletin* article continued—

Before Medicare, a very sick patient lost entitlement to full hospital care and was downgraded to nursing home benefits unless held by a doctor to be in need of acute care, to require professional attention, to be under active rehabilitation or to require continued management.

With the four alternative grounds reduced to one, if the doctor does not certify a patient as needing acute care, he or she is re-classified as a nursing home patient.

If a pensioner, the patient must then pay 87.5 percent of that pension to the institution.

That works out all right for people living in nursing homes, for example, because they do not have to keep paying their fees; but if they happen to be in a private home and suddenly suffer acute problems where they need acute care cover they suddenly find themselves without the money to pay their bills to carry on.

It is only since the introduction of Medicare that this has changed. It has tended to place sympathetic doctors in an invidious position because there is a good chance now that they will falsify the documents in order to look after the patient. They will not do it to benefit themselves by making more money but they will do it for the sake of the patient.

Another interesting thing about the whole Budget involves nursing training. The intended change in training practices should be looked at hard and long and should not be rushed into. The system we have had until now has worked well and I believe it is better to have nurses learn their

trade on the job, because there is nothing like experience. The Government will have nurses coming out with more theoretical backgrounds, but this could lead to those nurses having higher opinions of themselves which might tend to make them push for better conditions and higher wages because they hold a "Bachelor of Higher Nursing" rather than the normal Diploma of Nursing.

I do not believe the majority of nurses want this change in training. It is just a minority who are after it. The present system has been successful and has provided for nurses who have wished to continue with their training to become matrons or as they are now called, I think, directors of nursing. The system is to be changed not for the majority but for the minority. Most nurses are happy to learn on the job and to finish with their Diploma of Nursing.

Probably most women in the nursing profession get married and leave for a while. This will add to the cost of training nurses. We already have a problem from the shortage of nurses in the system, and by putting them through a system of higher education we could have a higher drop-out rate because the education system would be harder. This might—not necessarily will—aggravate the situation.

Mr Hodge: Is this your own personal view or your party's view?

Mr BRADSHAW: My own view. I understand that the Government is trying to work out whether the course should be conducted at WAIT or at the WA College of Advanced Education.

Mr Hodge: The number of nurses will mean that it would have to be at both.

Mr BRADSHAW: That is interesting.

Last year the country dental subsidy scheme ran into trouble because of a lack of funds. However, this year the scheme has received an increase of about 30 per cent. This means the waiting list for people wanting dental work done will shrink. People wanting to see a dentist do not want to face a wait of three or four months. Because of the number of people requiring subsidies last year, the funding did dry up, but this 30 per cent increase will see those waiting lists shortened and will see a satisfactory service provided.

The health promotion and education service is essential in our community because we have to teach our people to eat the right foods, and to teach them about cleanliness and other general health matters. However, we should be placing more emphasis on drug abuse. We should prevent people from commencing to use drugs before the problem gets out of hand. If we can promote more

awareness of the pitfalls associated with drug taking, we may be able to overcome the problem.

Mr Bertram: Do you include cigarettes?

Mr BRADSHAW: Yes.

Mr Bertram: The Hawke Government has already indicated that it is to tackle the drug problem on a grand scale.

Mr BRADSHAW: The State Government is already involved in presenting programmes to schools, so I would not want to see the Hawke Government duplicate these services. However, it would be good if it were prepared to provide assistance to the State Government. It is important that the drug scene and its attendant problems are addressed on a large scale. It is an horrendous problem which will not get any smaller unless we act to stop it as soon as we can.

I might add that the antismoking campaign introduced by the Government has been a good thing although it does not seem to have had much effect on the members of this House who smoke. All those who smoked before the campaign still appear to smoke. It is pleasing to see that tobacco sales have dropped by about 20 or 25 per cent, but the sooner we get it down to zero the better.

Another point of interest is the Pearce Thomas report on the Mandurah area. Naturally enough it is of interest to me because I come from the area on which the report centred. The inquiry dealt with the facilities and requirements of the area. What annoys me about the report is that it was finished in June, and the Minister has had it since last month, but it has not been made available to the public.

After my question about whether the Madam Chairman of the Murray District Hospital Board had a copy of the report, I rang one of the people from the hospital who was at the board meeting and I was told that she stated publicly at that meeting that she had a copy of the report but it was supplied to her on a confidential basis. Is she allowed to have it?

Mr Hodge: Not to my knowledge.

Mr BRADSHAW: I think it is wrong that certain people in the community should have a copy when the board of the hospital does not have one. I would be interested to know how many other people have a copy because it does not seem to be available to most interested people.

I have said before that the north block of the Royal Perth Hospital should not have gone ahead, although I know it was our policy to finish that project. I believe it will just create more congestion in the central city area where already we have a shortage of parking. With the extra beds to be

provided in this north block, more traffic congestion will result. It would have been wiser to turn the area into a carpark and to spend money in the decentralised areas, such as at the Bentley, Armadale-Kelmscott, and Wanneroo Hospitals. They should have been upgraded because they can provide people with easier access to hospital facilities; there would be less distance to travel for most people. RPH could have been retained for more specialised treatments.

The peripheral hospitals tend to run on a lower bed cost, yet the Royal Perth Hospital is being built up. I found an old report on the hospital which was made about 20 or 30 years ago and it was said then that the number of beds at Royal Perth Hospital should not increase to any great extent.

It is interesting to hear the Minister's comment that the number of beds will not be increased at Royal Perth Hospital. I know that cramped conditions exist at Royal Perth Hospital. I gather also that some jealousy exists between Royal Perth Hospital and QE II Hospital. The QE II Hospital has wide corridors and open spaces, but Royal Perth Hospital has small wards and narrow corridors.

Medicare has not produced the goods. The majority of people in Australia are opposed to Medicare and have criticised what the Prime Minister has said. As anyone who has lived through times of history would agree, Medicare will be part of the downfall of this Government.

Mr PETER JONES: I wish to raise two or three matters with the Minister; however, in introducing the subject I wish to deal with, I wish to state that the health estimate for this year, when compared with last year's budget, and the year before, shows a change in the way in which the department has been structured. The department has been restructured and will become an administrative nightmare. In fact, the costs which have been identified within the Budget papers indicate that the bureaucracy is growing, not just in numbers, but also in terms of what it seeks to do, which is to intrude further into the running and delivery of medical and health care. There would not be a person in this Chamber or a taxpayer who would not seek financial efficiency in the delivery of any Government-run service.

We are talking about the delivery of a service that is governed not only by funds that are available, but also by elements of care, compassion and other aspects associated with the treatment of the sick. The other day I asked the Minister for Health a question without notice. That was on Tuesday, 13 November because some concern had

been expressed to me two or three days prior to that about a situation which had developed in relation to the Narrogin Regional Hospital.

I had no compunction in asking the Minister a question without notice because it was the beginning of the sitting week and I could not imagine that the situation which had been described to me had been embarked upon without the knowledge of the Minister responsible.

The Minister replied that he was not aware of the subject I had raised and asked me to place the question on notice which I did immediately. Notices had closed for questions for Wednesday so the question was put on notice for Thursday. I was away in Kalgoorlie on the Wednesday so I did not know what information was provided to the Minister, but the Minister chose to have himself asked a question without notice on the following day.

In the reply to the question the Minister was asked he said he had investigated the comments I had made and said I had inaccurately asserted in Parliament that the Health Department had approved the downgrading of Narrogin Hospital. That is a fairly loose assumption of what I have said. It is true I did allude to that situation. While it was a loose thing, that certainly was what was put to me, and I asked whether it was true.

Mr Hodge: You were telling me it was true. You told me it was a fact.

Mr PETER JONES: I will demonstrate either that the Minister lied to the Parliament or his officers lied to him—as long as it is understood that someone has lied. In his reply the Minister continued to say that he was quite pleased to have the opportunity of setting the record straight and advised the Chamber that there were no plans now or in the long term to reduce staff or close beds in the hospital. He said that for the member's further information, like other country towns, Narrogin from time to time experienced some difficulty in attracting nurses.

In that regard I make it quite clear that on the information given to me—which I do not in any way dispute and as the Minister's records will certainly show; that is, if he has the correct information—the hospital has been told that it is not allowed to take on any more staff and that an effort is being made to reduce the number it has.

In his answer the Minister went on to say that for some time his department had been looking at several options to overcome the shortage and to make the best use of existing staff at the hospital. He said that the hospital put forward a plan which would have removed 14 beds, but that that proposal was formally rejected by his department.

In other words, the Minister was saying—and he can correct me if I am wrong in my assumption—that the hospital had instituted a reorganisation and had put forward a proposal which would have reduced the staff and removed 14 beds to meet a situation in which it found itself. That is the assertion that is made by the Minister, and it seems a fair assumption.

The truth of the situation is that the Narrogin Hospital did conduct an assessment of its position, but was told that there would be no more staff even if it could find them. They were told that at a meeting on 14 September and the order came from the Directorate of Management Services. It was asked to prepare a programme to live within and told funding and staffing which would apply from 1 January 1985.

In response to the request from the meeting which was held between those associated with that hospital—I will not mention the name because the Minister knows the appropriate body associated with it—I understand it was discussed whether they would ignore it or whether they would set out and prove to those in authority that what they were seeking could not be achieved. They chose to demonstrate that it could not be done, if the delivery of a hospital service with the appropriate degree of safety, care, compassion and responsibility was to be achieved.

By this time the morale in the hospital was sinking considerably and there were several resignations from qualified nursing staff in the area. They were being told that certain things were being considered and were likely to happen and that they would be required to undertake certain responsibilities if they remained on the staff. However, the hospital and the committee set about coming up with a proposal to demonstrate that if what was being imposed upon them was implemented certain changes would have to be met.

The Minister's answer said, "because of concerns expressed locally as a result of the hospital proposal". Does the Minister know who publicly expressed concern locally?

Mr Hodge: No, I do not.

Mr PETER JONES: I respect the Minister's reply because I am sure he does not know. I do not know and no-one else knows.

The first I knew about this mess was last Thursday night when I received calls at my homes in Perth and in Narrogin from people associated with the hospital. I am told that meetings took place last Friday week and the Minister responded to this in an answer to a question in this Chamber.

Having been told there were concerns and there would be meetings, and in the knowledge that there are always two sides to every question and that when concerns are expressed the least one can do is to get the other side of the question, because there might be emotive issues being put, I approached the administrator of the hospital through my Narrogin office.

The administrator of the hospital said that he had nothing for public consumption and that what happened at the hospital was nothing to do with me. He said that there was a normal Medical Advisory Committee meeting and that nothing untoward was being discussed. That is the meeting to which the Minister referred in his reply to a question I asked of him. The Minister said that because of concerns expressed locally as a result of the hospital's proposals the Health Department's Director of General Nursing Services visited the hospital last Friday and assured local members and all concerned that the department would not accept the proposal to close beds. That is a very devious sort of answer.

I do not criticise the Minister. He said that he knew nothing about the situation prior to that.

My understanding is that the Director of General Nursing Services, Miss Bohan, visited the hospital and was of considerable assistance and understood the position very well. Again, from the information given to me I understand she more or less implied that what was being imposed was completely short-sighted and could not be made to work in the situation in which it was expected to work. It was undoubtedly imposed by people who said what funding arrangements must prevail after 1 January 1985.

I have made it clear that no-one can criticise any genuine attempt to ensure the delivery of hospital services is financially efficient, but coupled with that it needs to have an element of care, safety and responsibility. That must be the key element.

Mr Hodge: That is a subjective judgment.

Mr PETER JONES: Is the Minister saying it should be financially efficient first?

Mr Hodge: It is a matter of professional opinion.

Mr PETER JONES: I agree, if it is left to people who are a little better than accountants.

Mr Hodge: It is not left to accountants.

Mr PETER JONES: I am letting the Minister off lightly in the hope that he will sort this matter out quietly. If it is going to be demonstrated in the way in which these people were told it would be—

Mr Hodge: It is nothing unusual. Every hospital in the State gets a budget and it has to adhere to it.

Mr PETER JONES:—we may as well go back to Florence Nightingale. Instead of having a hospital we could use the Town Hall and have beds down the sides with someone in control from the stage and when the bell rings all the bed pans could be emptied at the same time.

I expect that the information the Minister has come to him from his department. However, he said that the proposal came from the hospital, but his department was asked to respond by the Directorate of Management Services on 14 September. The department was asked to prepare a strategy for rationalising the services and staff and also to advise on how the proposal was to be implemented.

Mr Hodge: That is not unusual. It is happening every day of the week throughout the State.

Mr PETER JONES: What an impractical way of going about it.

Mr Hodge: They have to live within their budget.

Mr PETER JONES: I have made it clear that I am not disagreeing with the need to be financially responsible, but I am disagreeing with the way it is being implemented. If this is a sample of how things are operating I am sure it would not be an isolated case. I know that a similar thing is occurring in another hospital in my area.

It is one thing to say that a hospital must keep within its budget, but it is another thing to say that the hospital must get rid of patients. The Minister is saying to doctors that they cannot admit more than X number of patients because the Government cannot afford any more. In other words, the medical services in a region are not governed by the need, but by the budget.

Mr Hodge: That is not what has been said.

Mr PETER JONES: What has been said is that a hospital will deliver the services required within X number of dollars. It is not related to the needs at all.

I am sure that all members accept that one only has to look at the total Budget to realise that there is a significant need for the greatest degree of care and fiscal management possible. It is a matter of working out what is required in the delivery of hospital services in the regions of this State. I am not talking only about the metropolitan area.

Surely the Minister could get someone from his massive bureaucracy to discuss the matter with the local people, instead of imposing something that leads to a considerable diminution of morale

in the hospital and the loss of trained medical staff. It is not what the end objective is, but the way the Government does goes about it.

I have spent some time since this occurred, discussing it with some of the parties involved. I am assured, particularly following the visit of Miss Bohan, that they are prepared to do what they can. That message has been passed on. Dr Roberts was down at the hospital on the Saturday before last—in fact, the day after the first complaint was made and three days before the Minister gave his ridiculous answer.

What is really wanted in this situation? Can the Minister arrange for Miss Bohan and perhaps one or two other officers who have knowledge and are not locked into an accountancy situation, but have medical knowledge and some knowledge of the administration of hospitals, to have a look at what is required at the hospital and see whether a practical and realistic plan can be worked out so that the hospital meets all of the requirements of his department and continues to meet the requirements of the job the hospital is there to do?

It was put to me quite clearly by some of the people involved that the morale of the nurses must be maintained. I am sure the Minister will have officers who can tell him how bad the morale is becoming in some of the hospitals in the country areas. If the Minister moves quickly, he will be able to rescue the situation and implement a practical plan quietly. All he needs to do is to stop having his "figure" people in the Directorate of Management Services running around trying to maintain an unrealistic situation that is damaging to the medical staff of the hospital. If he does that, he will do something of great value for hospital services in the non-metropolitan area.

If the Minister wants more information and more help, I can give it to him; but I would rather not pursue the matter any further in this debate.

Rather than accepting at face value the advice the Minister is getting, he might accept that in a matter as sensitive and important as this, nobody is trying to raise issues to embarrass the Minister personally. It simply is a matter of having to move to a situation, when a need is shown, of making an issue of something simply because the Minister is not being given the right information. He is being told that a certain situation is all smiles when in fact that is not the case. That results from the attitude being displayed by some officers of his department.

Mr RUSHTON: It is quite likely that the Minister for Health will go down in history as the Minister for contradictions. He has taken certain action at the Bentley Hospital using the reason

that the hospital is not treating local patients, and he wants to take the same action at the Armadale-Kelmscott Memorial Hospital which has a heavy predominance of local patients. In fact, many patients are turned away from the Armadale-Kelmscott Hospital because of the lack of beds.

Everything has been serene and happy at the Armadale-Kelmscott Hospital, and a great service has been given. Many local people are employed there, and the local patients have a pride in the hospital. The local doctors have been most co-operative. They have organised themselves well to give a full-time service.

That situation is now to be changed. "Why?" one asks. It is basically because of the Minister's political convictions and political philosophy that we are going to have to suffer this nonsense.

I asked questions of the Minister recently, and the figures he gave in reply indicate that of the inpatients to the hospital, 4 668 are from within the region and 926 are from outside the region. The doctors tell me that of the 926 patients who come from outside, many have received service at the hospital before, and they have come back to the local doctors and continued attention at the hospital.

In the local Press, we have seen the chairman of the local clinical committee indicating that 7 189 patients from the Armadale-Kelmscott-Gosnells area could not obtain a bed at the hospital and have had to go to other hospitals in the metropolitan region. Therefore, we have the reverse of the position which the Minister tells us occurs at the Bentley Hospital. Obviously we will have further pressure on us to have sessional services and resident doctors, and there will be some resistance to that. Of course, fairness will lose out, and we will have an unhappy medical corps.

The medical service in the area started with Dr Streich, who was the only doctor in the district, and now we have 50 doctors servicing the hospital. The people have a very happy relationship with the doctors.

The local residents have been supportive by way of providing funds. In fact, local funding paid for the site on which the hospital is now situated. The relationship between the hospital and the community will be broken.

In recent times, the member for Gosnells came to the defence of the Minister and the Government by making inaccurate statements relating to the hospital. She made the claim that the hospital is run like a private hospital, but of course it is not; it is a community hospital. The member for Gosnells claimed that the patients come from outside the district, but that is rebutted by the

figures supplied by the Minister. The member for Gosnells claimed that people would not be deprived of their choice of doctor; but one of the reasons the people do not want a sessional service introduced is that the doctors will not be able to treat their own patients.

The point is that all of a sudden all of these things are taking place, but the Minister can produce no evidence that the patients will be served in any better way by the changes he is introducing. In fact, the Minister would not comment on the claim that the cost of carrying out the service by the implementation of his programme would be less.

We know that the changes will occur and that the costs will be higher because of the bureaucratic bungle that the Minister is introducing. What a sad day it will be when such a move is made.

The chairman of our local clinical committee made the claim that the local doctors are doing a great job by inducing many specialists to come and serve the patients in the area. The local doctors make every effort to see that the specialists who use the hospital treat local patients.

All the claims which the Minister makes against the Bentley Hospital do not apply at the Armadale-Kelmscott Memorial Hospital.

Mr Spriggs: They don't apply at Bentley.

Mr RUSHTON: I am trying to defend the Armadale-Kelmscott Memorial Hospital. I feel for Bentley Hospital, but it has already been slaughtered. It has been hit hard and maybe it will be the turn of the member's hospital next. We are not willing to accept that.

I was very happy that, when attending a local session with the doctors, the Leader of the Opposition indicated that a future State Liberal Government would scrap the sessional system for doctors now being introduced by the Labor Government. That gives me some heart and an objective to work towards.

A Liberal Government would have local hospitals serving local communities without all these extra pressures. It is also intended to minimise the effects of Medicare. I state those facts, because it is important the local people should know about them.

I have raised with the Minister the question of two brick structures situated in front of the Armadale-Kelmscott Memorial Hospital. Those two structures are not even the same shape, and they are stuck on the front fence line. That is very regrettable, because the structures affect the aesthetics of the hospital. That hospital was created

by local people. They acquired the site and, indeed, it was purchased many years ago by the medical department. That site would be equal to any hospital site in the metropolitan area and, indeed, it would be equal to any hospital site in Australia.

Without any sensitivity, these two brick structures have been placed on the front fence line of the hospital to accommodate services. Surely there was another way to do this. As soon as I saw the bricks being laid, I raised the matter, but I was not successful in getting alternative action to be taken.

When the Minister next sees these structures I am sure he will agree that it is unfortunate the planners of our hospital did not have greater regard for its aesthetics. It should be recognised that the presentation of the grounds and surroundings of the hospital have a bearing on the feelings and well-being of the patients. The general surrounds of and views from that hospital do a great deal of good for the patients.

The other point I raise is a hardy annual. The Minister has been giving it some attention, and I refer to the provision of a permanent care ward at the Armadale-Kelmscott Memorial Hospital. The provision of such a ward has been considered for some time. I obtained personal acceptance for the ward from the previous Minister for Health and it was to be placed on a programme last year. I had some understanding with this Minister that the provision of a permanent care ward was on the preliminary list this year, but the matter is now under consideration again.

A number of patients live in areas surrounding the Armadale-Kelmscott Memorial Hospital and the permanent care patients in those areas should be able to be admitted to the hospital. At present they must go to Bentley and all over the metropolitan area. Of course, relations and friends who live locally must travel a considerable distance to these other hospitals.

I again make a plea to the Minister that he does everything possible to ensure the provision of a permanent care ward at the Armadale-Kelmscott Memorial Hospital is on next year's programme. Indeed, if an early programme is set up, it would be money well spent if that extra facility could be included this year. I say that with great sincerity.

The hospital auxiliary is made up of approximately 50 good workers. They have accumulated considerable funds for furniture and other amenities required by the hospital. They had great expectations about the building of this permanent care ward and they take every opportunity to make representations to ensure that the facility is provided as soon as possible.

I ask the Minister to think again before he moves on about his commitment to introduce sessional services and resident doctors at the Armadale-Kelmiscott Memorial Hospital. I am sure he would agree that the local doctors have been most co-operative with the medical department and, indeed, with him. They have also made the offer that, if the Minister intends to be dogmatic and pursue his stated aims, they will co-operate to the degree of helping to train a doctor who would man the emergency service.

It is well to remember that the 24 hours a day, seven days a week emergency service, which is the only one operating outside the teaching hospitals in the metropolitan area, has been run by our local doctors who have established a programme to supply the hospital with constant medical care in the emergency service ward. Surely the Government recognises that this is something which should be encouraged.

I ask the Minister to reconsider his intention to disrupt what has been a very harmonious relationship between staff, doctors, and the community at the Armadale-Kelmiscott Memorial Hospital.

Mr CRANE: It is opportune in this debate that I draw to the Minister's attention a matter which I have brought to his attention on many occasions. It is of great concern to my electorate. I refer to the problem experienced in country areas, particularly in schools, in regard to speech therapy. I know that, for a long time, there has been a budgeting problem in respect of this service. When I looked at my file tonight I found I first wrote a letter on this matter on 7 July 1981 to the previous Minister who is no longer a member of Parliament.

This matter has been brought to a head, because the speech pathologist who was stationed at Midland left in approximately May last, and has not been able to be replaced.

The Minister will recall I have written to him and asked questions on this matter on many occasions. Even though advertisements have been placed for a speech pathologist, it appears it is difficult to obtain the services of such a person. Evidently there is a shortage of speech pathologists. I understand a class will be terminating later this year and I am hopeful that, as a result, not only will the speech therapy service be improved, but also that it will once again serve the Moora-Wongan Hills-Dalwallinu area.

I have made representations to have a speech pathologist stationed in Moora, which is a rather big centre. Because of the distances involved it is important that speech pathologists be stationed in

central areas in the country where they can serve the schools in a radius around the centres.

A speech pathologist could be situated at Moora and could travel to Wongan Hills, Dalwallinu, Carnamah, and across to Jurien Bay, and serve those areas. Now we are having quite a serious call from the Gingin area to be served by a speech pathologist. This area could also be served from Moora. Perhaps it would be possible to serve Gingin from Midland. However, no speech pathologist is available at the moment so that area cannot be served from anywhere else.

I have many letters here from concerned parents. The problem of speech therapy is obviously far more serious than we recognise. One of the reasons I suppose we do not recognise the problem is that we are not in a position to do much about it so we tend to think the problem does not exist; but, like an unwanted pregnancy, it will just not go away. Something must be done to help the situation in country areas, particularly in my own electorate. No doubt, this would be a problem all over the State. However, for the moment I must merely pay attention to one area. I ask again on behalf of those concerned parents who now need to bring the children down to the metropolitan area, which involves a great deal of expense and time; and, with other children at school, it is very inconvenient to bring a child down to the metropolitan area to obtain those services. It is time we looked at this problem much more seriously and had speech pathologists appointed in country areas where they can serve a very pressing need.

I know the Minister has been most helpful in supplying me with the information I want, but the problem seems to revolve around finance. I understand the difficulties in obtaining finance and I am sure the Minister appreciates the problems because he said so in reply to my questions and my letters. I remind the Chamber and the Government again that there is a very urgent need for speech therapy to be carried out in country areas.

When we consider that just because we won the America's Cup we suddenly find a lot of money to provide harbour facilities and all sorts of other things when at the same time we have been endeavouring to obtain money and assistance for speech therapy for many years, long before we ever won the America's Cup, we can be seen to have our priorities in the wrong order. This problem is very distressing for the parents of these children and it is difficult for these children to learn. We find that many of the children's learning problems are associated with the fact that they are not able to speak properly and to express themselves. I feel that speech therapy for children

is not only a therapy matter, but is also an educational matter.

Some time ago I asked the Minister whether he would confer with the Minister for Education with a view to having some of the tremendous vote which goes to education—it is one of the greatest votes of all—put aside so that it may be used to help in this educational field by enabling children to learn to speak. That is very important and I cannot stress it strongly enough. I am sure that anyone who feels compassion for children will appreciate that this is a matter which should concern us all. I again ask the Minister and the Government to look most seriously and urgently at this problem so that a speech pathologist, preferably two pathologists, could be stationed in Moora to serve the areas within a several hundred kilometre radius of Moora.

I do not know what the situation is in Geraldton, but I presume that this problem is covered there. We would need to extend those services only as far as Carnamah. I presume Geraldton would extend to cover areas north of that, but I am not sure. I have not examined that area because I have been more concerned with my own area. I cannot stress it too strongly; I do not believe I am being unreasonable when I ask for this service to be upgraded and the money to be found even if it is taken away from other areas which are not nearly as important. I mentioned the instance of the America's Cup and the money that is being earmarked for that event.

Children should be one of our greatest priorities, and I cannot speak strongly enough in this regard. I am quite genuine about that. Was it not our Lord who said, "Suffer little children to come unto me"? Surely in this place we can show a little compassion in this instance and help in an area which is desperately in need of assistance.

I am asking and pleading again with members of this Chamber and the Minister and Government especially to give some assistance in this area. This important area has been devoid of funds for some time. Necessary staff are not available and the Moora area is desperately in need of speech pathologists.

I appeal to all members to give this matter their support.

Mr McNEE: I am rather pleased that the member for Moore mentioned the question of speech therapists for children because he obviously experiences the same problem in his electorate as I do in mine and, as members would appreciate, we share a common boundary. Naturally my constituents have some of the same problems as those experienced in his electorate.

Earlier in the year I wrote to the Minister for Health and pointed out the problem to him. I can understand his situation. He wrote back and told me no money was available. I thought that the next best thing was to write to the Treasurer and ask him to include provision for a speech pathologist in the Budget. The Treasurer sent a letter to the Minister for Health giving the same answers I had received and that is totally unacceptable to the people of my electorate.

I am asking for immediate action from the Government to rectify this complete injustice. In the area I am speaking about I understand approximately 50 children are affected by the inability to master the art of speech. They could be well served by speech therapists.

These people were affected when the speech pathologist left the area, I understand, about the end of June. The problem remains that these people live in the country and it is extremely difficult to provide these children with any sort of assistance. As has been correctly pointed out, if a child has a language problem a child has a learning problem, a communication problem, and a reading problem. These children will probably finish up doing all the things the Government does not want them to do, such as smoking and so on.

Smoking is an interesting subject because the Government has spent money on the "Give kids a chance" programme. I remember that programme quite clearly. The Government spent considerable sums of money on a quit smoking programme. I am not saying that is bad, but for heaven's sake, the Government should get its priorities right. If the Government is fair dinkum about giving kids a chance it should give them a chance. Do not forget that the Government has been able to lay off some of the people in my electorate by telling them that they should not be making these sorts of requests. I have said to those people, "If that is what they are saying to you, let's get right into it because there is something wrong if they are saying that". It is about time this Government slipped in and really solved the problem because these people are in an extremely difficult situation. Many of them travel up to 500 km a week in an endeavour to provide these children with some sort of help. It is very important that the number of speech therapists in country areas is increased. I have a problem in this regard in my electorate not only at the eastern end, but also at the Southern Cross end; that area is also in need of a speech therapist.

It might be argued by the Government that it is short of funds but, whatever the problem, the Government must attack the cause and help overcome this problem for the people in country areas.

I understand that 14 people will be coming out of training in the next few weeks. I sincerely hope that some of those people will be sent to country areas.

I understand that until approximately the end of June this year, a speech therapist was centred in Midland Junction. If that is correct it is ridiculous because I am sure that that speech therapist has travelled to such areas as Dalwallinu and parts of the Moore electorate. I am not familiar with that electorate but I am aware of the great distances between those points. To have a therapist centred in Midland and travelling to those areas is ridiculous and shows the complete lack of compassion of this Government. I suppose when it is dealing with country kids, they are less important! The member for Moore and I will make sure that our kids are important.

It is not good enough to give a child treatment once a month and expect that child to repeat that treatment over and over again for the rest of the month because children get bored and do not carry on with the treatment. What is needed is regular treatment on a weekly basis.

I make a strong plea to the Minister for Health to ensure that speech therapists are funded to cover country areas. These areas have been totally neglected in the past and the Government is condemned for its inaction.

Mr HODGE: A number of speakers have made some very good contributions and have raised some interesting points. Unfortunately, a number of speakers completely wasted the time of the Committee. I place in that category the first speaker, the member for Clontarf. He gave a disgraceful performance and repeated many of the inaccuracies, half-truths, and lies perpetrated in recent times by politically-motivated people wishing to frustrate the Government in the implementation of its election promises. His contribution was an insult to the Committee, and I do not propose to waste my time replying to him.

The member for Murray-Wellington showed quite a broad interest in the Health portfolio. He made a number of references to growing waiting lists at hospitals since the introduction of Medicare. He did not advance any evidence or examples of where those growing waiting lists had developed. It cannot be denied that, for many years, in certain areas of medical procedures, there have been waiting lists there still are, and probably there will always be. However, I deny the assertion that those waiting lists have increased markedly or developed suddenly as a result of the introduction of the universal health insurance system. That is not the case and the member for

Murray-Wellington, while he made the assertion, did not back that up with any proof.

The member raised the question of the funding of Medicare. That is a Federal matter and not covered by this Budget. I indicate that he was mistaken in making the claim that the one per cent levy is the sole source of funding for Medicare. He should know that that has never been claimed; and it has never been intended that the one per cent would be the sole source of funds for the operation of the health insurance scheme. Another very significant and important area that funds Medicare is the reallocation of the taxation deductions that people formerly claimed for private health insurance. From memory, that was costing the Federal Government in the vicinity of \$600 million to \$800 million a year.

That allocation of funds was redirected from being paid to individual taxpayers to being put into the funding of the Medicare scheme. Very substantial amounts of money were paid to private health insurance funds under various schemes. So there are a number of elements in the plan to fund Medicare.

The member for Murray-Wellington spoke about the move to tertiary education for nurses and expressed some fears and concern. He seemed to be saying that they should move more cautiously and study the matter very carefully. I do not think any other matter has had so many inquiries made of it as has the move to tertiary education for nurses. There have been a number of very complex and full inquiries over the best part of a decade. It has been a long, slow process.

I understood that this issue had broad support across the political spectrum. We have set up an implementation committee under the Executive Director of Nursing Services, Miss Mary Sellick. She was the former director of nursing at the Royal Perth Hospital and is a senior and experienced nurse. I am sure that, under her chairmanship and with the support of many other leading nurses and academics, we will bring about the introduction of tertiary education for nurses in a smooth way.

The member for Murray-Wellington touched on the dissatisfaction of a plastic surgeon with the sessional arrangements that were offered to him at Osborne Park Hospital. I am familiar with that case. That doctor has written to me on a number of occasions and has written to the Premier. The matter is being dealt with at the local level by the area medical superintendent and the medical advisory committee of the hospital. They were responsible for making the offer of conditions of employment to the plastic surgeon. I reviewed the

case recently and suggested to the department and to the hospital that the position should be readvertised and an offer made of greater sessional appointments to that position.

I hope that the doctor applies for the position. To the best of my knowledge he did not apply the last time it was advertised.

The member also covered a number of technical aspects of Medicare. They were strictly Federal matters and I will not go into them. He mentioned the country patients' dental scheme and seemed to be congratulating the Government, for a change, for the 30 per cent increase in funding. It is true there was a substantial increase. There was no cutback in the funding last year but, in fact, demand has been outstripping the Government's ability to fund the scheme. I remember that happening when Mr Young was the Minister for Health. His initial reaction was to close down the whole scheme but there was an uproar when he suggested that. The former member for Mandurah, Mr Shalders, carried on to such an extent that the then Minister reassessed his thinking fairly quickly on that proposal and appealed to dentists to use restraint in operating the scheme. I think that will be necessary in the future because even though we have allocated a 30 per cent increase this year, that may not be sufficient if the demand is allowed to run without any checks. It will be necessary for dentists in country towns to exercise maximum restraint in this scheme if we are to keep the waiting list down.

The member mentioned the health education and promotion efforts by the Government. For the first time ever a specific allocation of \$200 000 has been made in this Budget under the heading of "Health Education and Promotion". I had to go in and fight in the Cabinet to get that allocation. It is a new initiative never before included in the Budget. I would have liked more money but I am pleased I have been allocated that special sum strictly for health education and promotion.

The member mentioned the Pearce-Thomas report. In answer to earlier questions, to the best of my knowledge no-one outside the department has copies. However, I am not denying that other people have them; they may. The member seemed to have a strong belief that the chairman of the Pinjarra Hospital Board has a copy. I have not had the report for a long time, and it is a comprehensive voluminous report. I have not been unduly slow to study it and I am in the process of doing so. I will report to Cabinet in the near future and hope to get some action in respect of that report.

The member mentioned the north block of the Royal Perth Hospital and seemed to be opposed to

its development. However, he may misunderstand the purpose of this development. When it is completed it will not add to the total number of beds in the hospital. That was never planned either by the present Government or the previous Government. The beds created in the new block will replace a corresponding number of old beds which will be closed down in substandard wards where beds are located on verandahs and in wards with six beds in them. There will be other new facilities in the block; for example, new operating theatres, which are urgently needed, and laboratories. These additional facilities are necessary if the Royal Perth Hospital is to maintain its position as an excellent teaching hospital. The present Government and the previous Liberal Government looked very closely at this building. At times we thought that we were not going to get the funding and a number of suggestions were made for alternative uses. I could not find an alternative use for it and I do not think Mr Young could either. The building was not suitable for a carpark; it was not suitable for anything but a hospital.

The member for Narrogin raised the question of problems at the Narrogin Regional Hospital and went through the sequence of events and how he became involved in that problem. I listened closely to what he said and I will discuss it with the Commissioner of Health, Dr Roberts. I will ask for a report on the matters raised by the member for Narrogin.

Off the cuff, it seems that what has happened at Narrogin recently happens at most of the 100 hospitals throughout the State from time to time. It has been given a budget to work with and it has perhaps been concerned about that budget. Therefore, it has taken action in a fairly arbitrary way to demonstrate to the department that the budget is not adequate.

It has taken politically sensitive action in order to bring the matter to a head. I am giving my view of the situation. It is not unknown for hospitals which are dissatisfied with budget allocations to make cuts in the most sensitive areas to bring the matter to a head and to get someone to address what they see as a grievance. I know that Dr Roberts has visited Narrogin at least twice in recent times and one could not find a more conscientious Commissioner of Health than he. I am sure he will be able to give a very satisfactory explanation of what has happened at that hospital. It may be better if I put the commissioner directly in contact with the member for Narrogin.

The member for Dale raised a number of issues which could generally be put under the heading of general politicking and scaremongering. He

reiterated his general philosophical objections and opposition to the Government's policy and the implementation of the Government's election promises. We have been through all these matters before through Press releases, speeches, or questions and I do not propose to cover them again.

He raised the issue of service facilities at the entrance to the hospital. I have discussed this with senior officers of the department. There was no option but to locate the service facilities where they are located. The demands of those authorities that provide essential services to the hospital meant that there was no option.

The member referred to permanent care facilities. This has been raised a number of times and I am very much aware of the strong community support for such a facility and the member's constant representations in respect of it. I have taken note of that and naturally we are as keen as he is to have the permanent care facility constructed as soon as possible.

Both the member for Moore and the member for Mt. Marshall raised the question of speech therapists. They have been very persistent and diligent in their representations to me for speech therapist services in their electorates. I do not quarrel with them for that and I cannot quarrel with the representations made. The same sort of representations have been made in this Parliament constantly since 1977 when I became a member. I recall members in this debate in other years raising the same point. I think it was unfair of the member for Mt. Marshall to imply that this has suddenly occurred since the Burke Government came to office and that it is part of a socialist plot to make country children speechless.

The problem is a dual one of money and of the availability of speech therapists. I am trying to recollect the last lot of correspondence I had from the two members. The current problem is, I think, the shortage of qualified speech therapists. I think there are vacancies for which we have not been able to recruit speech therapists. It is not the lack of funds, but the shortage of qualified therapists that is the current problem.

Over recent years there has been an enormous increase in the number of therapists employed by the Government. The previous State Government made a big effort a few years ago to employ more speech therapists and we are also conscious of the need for additional services. Almost every area of the State could do with more speech therapists, there is no doubt about that.

The main problem concerns the ability of a Government to raise the necessary resources and find the qualified therapists who are prepared to

work in country areas. That is a serious problem; many of them do not want to work in country areas.

As I said, I am very aware of the problem. Both members have made constant representations and the matter is very much in my mind. If we can possibly improve the service in the electorates of the members concerned we will do so.

Mr Blaikie: Before you sit down, one of the things I would appreciate is an explanation as to why there was no funding for the Margaret River Hospital.

Mr HODGE: We reached a stage where we had to make a decision as to whether the redevelopment of the Augusta Hospital or the Margaret River Hospital would proceed this year. The advice I received was that the need for the Augusta Hospital to be redeveloped was more urgent than the need for the redevelopment of the Margaret River Hospital. It was a judgment that had to be made and there were not sufficient funds for both projects to go ahead this financial year. Therefore, the decision was made to proceed with the Augusta Hospital. The member for Vasse should be pleased with that. It is a lovely hospital now and it will be an impressive and invaluable hospital when the redevelopment is completed. It will serve the area well.

Mr Blaikie: One of the difficulties is that there are two communities in close vicinity of each other and there is some ill feeling. There is a need for the Government to advise the community of Margaret River that it will proceed with the redevelopment of the hospital at a later stage.

Mr HODGE: I know the area very well, but I cannot give the member for Vasse an assurance that there will be an early announcement.

I am pleased that the redevelopment of the Augusta Hospital will go ahead this financial year, but the redevelopment of the Margaret River Hospital will be a matter to be determined in the future, if and when funds are available.

I thank members who have participated in the debate and who have raised a number of interesting health questions. I hope I have satisfactorily addressed and answered the more sensible questions asked.

Item 1: Salaries, Wages and Allowances—

Mr BRADSHAW: The introduction of Medicare has resulted in many people leaving their private health insurance and switching to the public health system. I would have thought that there would have been an increase in the demands on the public sector which would have resulted in a large increase in this area. I note there has been

about a 15 per cent increase in this item. I wonder whether this will adequately suffice or if the Minister anticipates a larger increase on the demands placed on public hospitals in the future.

In relation to "Health Promotion and Education Services" there is a large increase in the item concerning directors. The expenditure last year was \$49 146 and this year it is estimated to be \$153 000. The Director of Staff allocation has not increased greatly.

The main point is whether the Minister feels that the 15 per cent increase in this item will be sufficient and whether there will be a greater demand in that area in the future.

Mr HODGE: The increase in this item is 14.1 per cent. It really has little to do with Medicare. The Medicare funding is taken care of in other parts of the Budget. In fact, a large part of it comes from the Treasury Department and it is not shown under the Minister for Health in this Budget. Other parts of it are shown under the hospital fund.

The 14.1 per cent increase is for the provision of wage increases, leave allowance, new staff, and various other matters, which are mainly to do with the administration of the Health Department.

The question the member asked is: If there is an increase in the demand for services of the hospital system and an increase in the activity in hospitals, will the Government have sufficient funds to pay for it? I am happy to say that the answer is "Yes".

Under the Medicare agreement there is a formula which comes into operation between the Commonwealth and the States. Any increase in outpatient or inpatient activity which occurs in our hospital system over and above a certain amount will be met by the Commonwealth Government in order to compensate the State Government for the cost increase associated with Medicare. The Government has done well out of that this year.

There was not a position of Executive Director of Health Promotion and Education Services before the new Health Department came into operation on 1 July. For the first time we now have an Executive Director of Health Promotion and Health Education. The item for Directorate of Staff basically refers to the staff of the old unit which has remained static.

Mr Michael Daube has been recruited from the United Kingdom as Executive Director of Health Promotion and Dr Charles Watson has been appointed as the next person in charge under Mr Daube. We will have experienced people in this area.

Item 4: Community Health Services—

Mr BRADSHAW: I notice that last year there was an overspending of \$900 000 in this item and that this year the vote has been increased by a very small percentage, approximately \$100 000. I ask the Minister if there is a reason that this item exceeded the estimated expenditure last year and why it has not increased in comparison this year.

Mr HODGE: There was some expenditure last year on non-recurrent items and some capital equipment and other costs that have not been repeated this year. I think that accounts for what appears to be a disparity between the spending last year and the spending this financial year. I do not think there is anything sinister about the apparent difference.

Item 5: Dental Health Service—

Mr BRADSHAW: I understand this item refers to the subsidised dental system in the country areas. I ask the Minister if most of the increase in this item will be used to subsidise the country dental system and if that is the reason for the increase of \$300 000 this year. More pressure will be placed on the other dental health services.

The Minister said there will probably be a problem in the future with the country subsidy. Will that be in the near future?

Mr HODGE: One of the peculiarities of the system I inherited was that there were two quite separate dental health services in the State. One was operated by the former Public Health Department, and the other was operated by the former Department of Hospital and Allied Services. The two dental health services were quite separate and different; they were administered by different departments. The Public Health Department service was the service which sponsored the country patients' dental subsidy scheme, provided school dental therapy services and operated clinics in remote parts of the State. The other dental service, run by the Department of Hospital and Allied Services, was based at the Perth Dental Hospital. It had clinics in Fremantle and other areas, and a number of mobile clinics going into the country areas.

The whole thing was confusing and not cost-efficient. That is one of the matters we are addressing now with the new amalgamated Health Department. We are seeing how we can bring about an efficient amalgamation of the dental services to try and improve efficiency, avoid duplication, and achieve better value for money.

The dental service based on the Perth Dental Hospital does not appear under that heading; that comes under the hospital fund; but the other Health Department dental service comes under this heading. As I said, that is the one which has

received the 30 per cent increase. It is in the vicinity of a couple of hundred thousand dollars. It will make a difference, but it is not a magic panacea. Unless restraint is exercised, we could reach the stage where waiting lists again grow. I hope the Australian Dental Association will stress to its members, as it has done in the past, that they must exercise caution and restraint when using this scheme or it will run out of money and the queues will build up again. I hope the queues will not become too long again, but it will require co-operation from the dental profession.

Item 10: Health Promotion and Education Services—

Mr BRADSHAW: The Minister mentioned the health promotion and education services. I notice a large jump in this year's allocation. He mentioned something like \$200 000 for a special fund. I did not catch what that was for. Could the Minister explain the reason for the big jump this year?

Mr HODGE: The huge jump is the \$200 000 to which I referred before. This is for our new Executive Director of Health Promotion and his directorate so they can start putting these schemes into place in the community and start doing something constructive about health promotion and health education.

The rest of that money is tied up in the basic services of the old health education unit, whose needs are fairly basic and fundamental. This additional \$200 000 which the Cabinet has allocated to me is for health promotion and education initiatives. I am excited about it. In the coming months we will begin to see this money flowing into different projects.

I would like to have had more money, because like the member for Murray-Wellington I am committed to health education and promotion.

Item 12: Operating and Other Subsidies—

Mr BRADSHAW: This is slightly different, because on Item 1 there was a five per cent increase. Here the increase is minimal. I wonder if it is possibly because of the money flowing from the Treasury into the health system, or whether that is what is expected to be needed to run the hospitals this year?

Mr HODGE: I can understand the member feeling a little concerned about what appears to be a very modest increase. On the surface it appears to be only three per cent. That is misleading. The actual growth in hospital expenditure in 1983-84 was 12.2 per cent. This year we estimate it will be 12.8 per cent.

The small increase reflects the net effect after certain revenue such as Medicare money and Lotteries Commission money is paid into the account, and that account will be swollen quite considerably by funds coming in from the Commonwealth, as I mentioned before. Each year the Lotteries Commission makes a substantial contribution to the hospital fund.

Item 15: Meat Inspection Services—

Mr BRADSHAW: This item is of interest to me. We have meat inspection services which should be abolished and we should return to the single meat inspection service. At present there is a duplication of State and Federal inspections. I ask the Minister if anything will remove this dual meat inspection service. Is this money which goes into the trust fund to supplement meat inspection services in the State, or is it a self-funding thing? The abattoirs pay for meat inspection services, so is it a subsidised service?

Mr HODGE: Yes, there is a move afoot at the moment. The Government is giving consideration to the question of meat inspection services, and my department has been having discussions with the Department of Agriculture. The question of meat inspection services is currently under review.

The contribution in the trust fund that the member refers to is to subsidise the meat inspection services provided by the Health Department. The Health Department provides services in certain abattoirs. As far as I am aware, they are subsidised from this fund, but the cost of providing the services is not passed on to the operators of the abattoirs; the subsidy for those meat inspection services is funded from this trust fund.

Item 22: St. John Ambulance Association—

Mr BRADSHAW: It has come to my notice there is a funding allocation this year from the Minister for Health, whereas in the previous year there was no allocation. I wonder if this item has been transferred from some other part of the Budget to the health section.

Mr HODGE: Yes, the St. John Ambulance Association for the first time this year has been funded through the health portfolio. Formerly, it was funded through the Treasury. It was felt, as it was a vital health service, it should come under the umbrella of the health portfolio rather than Treasury.

The member will notice that we are bringing all the similar services under the umbrella of the health portfolio—blood transfusions, the flying doctor, and the St. John Ambulance Association. They have all been transferred to the health portfolio in recent years rather than being funded through the Treasury.

Division 67 put and passed.**Division 68: Western Australian Alcohol and Drug Authority, \$4 656 000—**

Mr BRADSHAW: The Government is interested in setting up an alcohol rehabilitation centre at Mt. Lawley. Does the Minister intend to continue to do that or is he reviewing the position?

The Quo Vadis Centre has taken a dramatic cut in funding this year and I would like to know the reason for that. I would also be interested to know how the temgesic programme is proceeding. It was proposed that temgesic be used to get heroin addicts off heroin, but it was discovered that the drug was not necessarily the answer to the problem. There has been a dramatic increase in funding allocated to the temgesic clinical trial. Has that trial been as successful as it was thought originally it would be?

Mr HODGE: A few weeks ago I answered a very detailed question from the Leader of the Opposition with a very detailed answer in respect of the Government's intentions as to the former Royal Perth Hospital Mt. Lawley annexe. I do not intend to repeat that, because the answer was about 1½ pages long.

The member for Murray-Wellington referred to the reduction in funding for the Quo Vadis Centre. The reason for that reduction is that the centre was closed on 29 June this year and five staff were retained until the end of July.

The services which were formerly offered by the Quo Vadis Centre have been taken over by the Salvation Army. We have funded the Salvation Army to assist it to do that. An arrangement has been negotiated between the Alcohol and Drug Authority and the Salvation Army.

I received Cabinet approval to retain the funds that we would normally have spent on the Quo Vadis Centre, less what we have paid to the Salvation Army, to reallocate into providing a range of other new services for the ADA. The ADA recommended to the Government that that was the best course of action and that we would get better value for each dollar which was spent by closing the Quo Vadis Centre and redirecting the money into a range of other community-based services.

In a few weeks' time I hope to be in a position to make a public announcement about the new services which will be provided through the ADA as a result of the savings from the closure of the Quo Vadis Centre.

The member asked about the temgesic clinical trial. As far as I am aware, temgesic was never intended to be used as a treatment for drug ad-

dicts. It is a powerful analgesic which controls pain when people have cancer and other similar conditions. Unfortunately, temgesic was used by drug addicts and the State Government had to take swift and decisive action to remove it from the reach of drug addicts and put it in a category in which general practitioners could not prescribe it for drug addicts.

We then funded a trial to test the ability of temgesic to be used as a substitute for other hard drugs. Off the cuff I am not aware of how successful that trial has been, but I shall ask the ADA to give me a report which I shall be happy to make available to the member.

Division 68 put and passed.**Division 69: Nurses Board of Western Australia, \$153 000—**

Mr BRADSHAW: Apparently a committee of management is operating in a caretaker capacity at the moment, and it has been recommended that a new board of management be established. In what capacity has the current committee of management been operating, and is it a private body?

It appears many nursing educators have not been given sufficient tenure or guarantees that they will be employed in the future. They have been told that, when the positions become vacant and are advertised, they will be able to apply and possibly they will be given jobs or told to look elsewhere. That is an unsatisfactory situation when people have gone to the trouble to complete higher education to enable them to be nursing lecturers or educators. Those people should be able to look forward to applying for these positions and being employed.

I notice under the administration section that the Nurses Board of WA has one administrator-registrar, one assistant to the administrator-registrar, and three typists. That seems to be a lot of typists for two people, and I wonder why that is the case.

Nursing education is changing and the emphasis is now placed on tertiary education. Nurses are being educated at the Western Australian Institute of Technology and yet, according to page 18 of the Estimates, additions are planned to the WA School of Nursing. Despite the trend towards tertiary nursing education, money is to be spent on capital works in respect of the WA School of Nursing, and I wonder why that is the case.

Mr HODGE: The member has raised an assortment of different matters and he is somewhat confused. Whoever has been advising him has confused him thoroughly. There is nothing temporary or unstable about the Nurses Board of WA. It is a statutory board created by an Act of Parliament.

That board is one of a number of professional boards, such as the Medical Board, etc. The Nurses Board of WA was created by an Act of Parliament and there are no problems with it, to the best of my knowledge.

The only funding that goes to the Nurses Board of WA from the Government is money for nurse education and to assist in meeting superannuation payments to the staff of the board. Apart from that, the board is almost entirely self-supporting on the fees it collects from nurses.

If it were not for the contribution to nursing education that appears in the Budget under the Minister for Health's Division, it would not appear at all, because it is self-supporting.

Mr Bradshaw: Have you had a deputation from it?

Mr HODGE: I had a meeting with representatives of the board about 18 months ago, but I have not had a deputation from it. I understand that it is working satisfactorily. I have no idea why it needs three typists. As a statutory board it is in charge of its own destiny. We do not have to pay for it. This is money it raises from its own fees. I know that a large amount of its work is involved with nurse education and that it has a number of full-time people running courses, seminars, and conferences to do with nurse education. I can guess only that this generates a lot of work.

The member also raised a question about the capital works programme and extensions to the WA School of Nursing. It is proposed to do some work there, but that building will continue to be used for nurse education even if WAIT or the WA College of Advanced Education takes over nurse education. The initial arrangement will probably involve those tertiary institutions leasing existing facilities from the State Government. It may well be that nursing schools located in teaching hospitals will still be used as such, but will come under the administration of the tertiary institution. No capital moneys will be available from the State or the Commonwealth for the construction of new nursing schools at the tertiary institutions. We will not have a white elephant there that will not be put to use.

Division 69 put and passed.

Division 45: Conservation and Environment, \$4 191 000—

Mr MENSAROS: I wish to make a few comments about administration and particularly policies followed by the Minister and his department. The first which comes to mind logically, considering the Government's determination to establish the Department of Conservation and Land Management, with or without the report of a Select

Committee or two Select Committees, concerns the fact that obviously some functions will clash. Certain powers might be divided between the Minister's department and the proposed department, and that cannot be seen from the appropriation itself. I would appreciate the Minister's indicating the policies of his department and whether the department will maintain the same administration in this field as it has done previously, or whether this responsibility will be transferred at least to some extent to the new department which it appears will be created during the present financial year.

My second question relates to pollution. Has the Minister considered, apart from the very often emphasised and to some extent implemented policy of the "polluter pays" situation, some preventative action which would not be entirely the Minister for the Environment's job, but would be combined with the Government and the Treasury? I feel strongly that, as in some places in the world, if some financial incentive, particularly a taxation incentive, could be given to companies to procure modern anti-pollutant devices, this could lead to a much better solution than simply looking after an already polluted situation and trying to obtain a remedy from the culprit, so to speak, by his making good the problem or contributing towards the cost to make it good.

Another problem concerns waste disposal. This comes within the jurisdiction of several departments, and consequently it is a fairly difficult area to administer. It is also difficult for the companies involved to know who really pays the piper. In many cases the Health Department is involved, and in the past it was fairly adamant that its involvement should continue.

I believe the Water Authority solely should be involved in this area because it deals with septic tanks. These are a type of anti-pollution measure. Obviously the Water Authority has more engineers with better expertise because they travel around the world seeing different water authorities. However, the Health Department and the Department for Conservation and Environment come into this area and so does the Water Authority, which ought to be the main regulating body.

A lot of dangers are involved with the people in the business of pumping out septic tanks. The waste products are deposited, usually by the private contractors, at times not in the designated places, but simply dumped into sewers or sometimes even drains. There is a dual responsibility here, which complicates the policing.

If the policing of this matter remains with the Department for Conservation and Environment and also with the Health Department, the Water Authority can do little. The Minister ought to look at this matter to see whether something cannot be done. He or his officers have probably attended conferences where three departments are involved rather than having just one regulating the problem.

I have asked the Minister some questions on the System 6 report because of my genuine interest in it. The Minister has said that the Government accepted in principle the recommendations. I asked him whether, considering his statement, there were Government decisions which contravened the acceptance of the recommendations. The Minister gave as an example three items which did not indicate that they contravened the policy; rather, his reply implied that they just did not keep to the policy. I cannot be certain that I understand his answer. I do not know whether he can recall it; it was asked only yesterday.

The first was connected with the Farringdon Road project. The Minister simply said that the intention of the EPA in its recommendations contained in the System 6 report could still be preserved while providing for a single carriageway as recommended. I do not know what that really means. Does it mean that they did not adhere to the policy, or that they could make a turn-around and still fall within the policy? It is not quite clear. I have the same feelings in regard to the second one.

An example in my electorate is the amphitheatre in Raebold Park. Of course, many arguments were put forward expressing the views of both sides, those supporting it and those who were vehemently against it. The Minister in his reply said that the advice of the EPA and I suppose consequently the System 6 report was that the amphitheatre should not be constructed, so I take it that the affirmative decision about it has been in contravention of the Government's policy that the recommendations should be met. I wonder why one arm of the Government cannot prevail on the other arm of Government so that the policy should be observed.

The third item the Minister brought up, and by no means was this a complete list, but only one of the simple examples, is the proposed boat ramp at Point Peron. The answer was that the development would attract pressure in the area and that a management plan for the area should first be prepared. Again, it does not say whether the proposed development does or not does not contravene the policy

of the Government to adhere to the recommendations of the System 6 report.

I would like to mention the previous Government's policy on noise pollution. This is a matter, I suppose, which every member would have observed, particularly in the metropolitan area, where we receive the most complaints. No decisive provisions are contained in either the Act or regulations and it is a case of passing the buck to local authorities. The solution which is available for people's complaints is almost invariably unsatisfactory. I know it is not an easy matter, but I would still be interested to know if the Government has something in mind and whether it has a more decisive set of provisions, perhaps in amending legislation or regulations, which would satisfy the public.

I wanted to bring up the Bungle Bungle matter, but I understand the Deputy Leader of the Opposition will deal with it, and I would rather save time.

Mr PETER JONES: A 20 per cent increase approximately in funding has been made available for this Division. I do not know whether that is a source for some joy or a matter for some concern in the eyes of the Minister. I certainly view it as a matter of great concern, considering that the actual role and responsibility of the department is still seemingly unclear and the Government has not yet managed to establish in the minds of those who have to work and relate to the department exactly what is going on. I understand the Minister is aware of this concern, but I want to take this opportunity to quickly indicate to him that it is time we had some clear understanding—and I am not meaning members of Parliament so much as those people who have to deal with the department—of the department's role and responsibility.

Developing that point a little further, last year the Government announced legislation would come forward to amend the Environmental Protection Act and to make the Department of Conservation and Environment responsible for managing certain things. For example, it was indicated in an announcement by the Government that effluent control would be managed by that department and that an assessment would be made by that department in regard to work presently being undertaken within the Health Department regarding the licensing of effluent and effluent disposal; but nothing has eventuated, publicly at any rate, to carry that matter a stage further.

Similarly, it is no great secret that there are somewhat disturbing internal concerns within the Minister's department and that rows—perhaps that is a little too strong a word—or power

struggles are occurring regarding, for example, the differences of opinion and approach between the director of the department and the EPA, on the one hand, and also with various officers further down who are seeking to create their own little empires.

I gather the Minister is aware of some of those matters. For instance, I mention the case of the Quarry Industries project at Toodyay. The environmental assessment for that project was conducted and the officer within the department who was working on the project wanted a cost benefit analysis to be carried out. What in the hell has that got to do with the Department of Conservation and Environment?

Mr Davies: I do not think they are doing such a study.

Mr PETER JONES: No, they are not carrying out the study because another Minister discussed it with this Minister and the matter was aborted. The important point is that an officer within the Minister's department approached the company and sought to have a cost benefit analysis carried out. That has nothing to do with the Department of Conservation and Environment, and if the Minister checks out my points he will find I am 100 per cent correct. When the officer concerned was asked why she wanted a cost benefit analysis to be carried out she indicated that the department needed to be reassured that if this project succeeded it would not have a serious financial effect upon other projects. Again, what has that got to do with this department?

I have several examples of such situations; but, in view of the late hour, I will illustrate only two tonight. My other example is in relation to a private development involving housing and the construction of an artificial lake. It was quite a considerable development within the metropolitan area, and after the matter was in the hands of the department for 18 months, as recently as a few weeks ago, the developers decided that they could not make progress and the entire development has been aborted. The people concerned have decided to seek other investments and to do other things.

Mr Davies: Could you give me a hint as to where that development was?

Mr PETER JONES: Yes, I will tell the Minister exactly, but privately. The role of the department needs to be established. Is it intended to be advisory, facilitating, and helpful; or is it to be managing, controlling, and restricting? The department seems to be hell-bent on the latter when in fact it was set up very clearly to be the former. Indeed, the present Minister who had an association with that department when he was pre-

viously in Government, would be well aware of the role that was identified for this department and the role that certainly the previous Government tried to maintain, with the sole exception being the establishment of the group of people involved in the marine resources branch and the management aspect, which I might add, I opposed. However, it was established under Dr Chittleborough and it now seems to be expanding and taking a more interventionist stance. While the Minister will not be able to resolve all the complaints and come up with a recipe for the future of his department here tonight, at least let us place on the record very clearly that I think this matter is overdue, particularly in view of the fact that the Government has said it has a long list of various projects and developments which will come forth in the future.

If the department is to administer its function it should do so in the most responsible manner and as expeditiously as possible. We cannot have little Hitlers running around trying to make empires for themselves, and certainly not insisting on requirements for companies and developers which are outside their role and responsibility.

I know the Minister has some pressure on him within his own party to cope with people who want certain things carried out by the Government which when one is in Opposition might seem to be an achievable ambition, however, when they are pursued in Government they seem unrealistic. These are the matters which have to be faced and dealt with. We do not need a considerable amount of suffering and delay while a lot of nonsense is going on and while the department decides what it is going to do—more particularly when it is trying to operate outside its role.

When we were talking about the Farrington Road issue we spoke of some of the things that the department does and needs to do, and I accept that, but it should not seek to manage things, rather to help.

Mr MacKINNON: I address my comments to the issue of Bungle Bungle and the inquiry being conducted by the Environmental Protection Authority into the management of that outstanding Western Australian attraction.

I wish to renew a criticism we have made of the Government previously for its failure to conduct the inquiry with industry representatives in the group conducting it. The Minister has been questioned by me as well as industry representatives in this regard, and he has consistently indicated that industry is represented via the Western Australian Tourism Commission officers and industry representatives in this State. I reject that proposition. In no way can the Western

Australian Tourism Commission be said to represent the tourist industry in this State.

The industry has representative organisations such as the Tourism Authority or the Western Australian Travel Industry Association so it could have the travel agents body on the tourism commission. Of course it does not represent industry; it represents the Government's arm of the tourism industry. Therefore, the industry has been critical of the Government, as I have. The report that has come down from the Government is a testament to the fact that there was no industry representation.

It is easy to see why there has been a so-called lack of submissions. Very little publicity has occurred. The Minister only made public the fact that the closing date for the submissions was 30 November when I asked a question in the Parliament. This was after the report had been made public. Likewise the only indication that the closing time had been extended to 4 January again came after a question was asked in this House in that regard.

It seems to me that the Government's lack of notification to groups that the report exists and of the closing date is probably the reason that few submissions have been received. If the Government were to undertake an extensive marketing programme of that report, tourism agents and conservation groups might be interested in making submissions, due to the extension of the closing date.

I do not hold much truck with the argument of the Minister that the extension of time from 30 November to 4 January has much to do with the number of submissions. I think it has more to do with the question of Aboriginal land rights. It is interesting that the report on Bungle Bungle was not released until after the Seaman report. It is interesting also that no decision will be given on the report until after the Aboriginal land rights decisions in respect of legislation have been made.

It has always been the case that Aboriginal groups in Bungle Bungle have been given priority. They will be given priority in line with the Aboriginal land rights legislation and the decisions the Government will make there too. We have an outstanding tourist attraction which has received an enormous amount of publicity, not only within Western Australia but also in the Eastern States and overseas. Travel writers regularly come to this country from overseas and are assisted by the Government's officers in their travel to that area to give it more publicity.

What do we have in relation to Bungle Bungle itself? How can people get in there? There is nothing but uncertainty. If members know any-

thing about the tourist industry they will know that that really is not acceptable. Plans for tourist promotions—packages and products, as they call them in the industry—are made at least nine to 12 months ahead. It is like ladies fashions; next summer's fashions are being designed now. Next summer's tourist attractions are being packaged now.

However, as the interest in Bungle Bungle is increasing in a tourism sense, and will continue to do so in the next 12 months, decisions have not been made in respect of the area. There is some element of urgency in ensuring that proper management plans are put in place, not just for the protection of the area itself because people are going in there today, but certainly to ensure that an outstanding tourist attraction in Western Australia is used to the maximum possible extent.

The way we are going, all the people who come here for the America's Cup will have the experience Mrs Glennis Owen had recently when she tried to get to Bungle Bungle. She wrote a letter to the Leader of the Opposition, and to give some idea of the sort of run-around she received I will quote parts of her letter.

She contacted the Holiday Centre and made general inquiries about how she and her husband could go to Bungle Bungle in a four-wheel drive. She was told that she needed a permit from the Department of Aboriginal Affairs and that it was a very controversial political matter. That advice came from the Department of Tourism. The Minister and I know that that is not the case.

She then contacted the Department of Aboriginal Affairs who referred her to the Aboriginal Lands Trust. After two or three calls to that agency it eventuated that Mr Mirabella called her back and in a completely diffident manner told her she did not need a permit but that she should not go due to its being treacherous and inaccessible other than by helicopter. She said in her letter that that was false, and she is right.

Later she pursued the matter further and contacted the Premier's office. She said—

I then rang the Premier's office for confirmation, carefully stating my reasons.

The DEPUTY CHAIRMAN (Mrs Henderson): Order! I have allowed the member to range widely but I would like him to point to where these comments relate to the Division we are discussing at the moment.

Mr MacKINNON: They relate to the Department of Conservation and Environment which has responsibility for producing a management plan for the Bungle Bungle Range in the Kimberley. The Bungle Bungle Range is a major tourist attraction. What I am indicating by the experience

of Mrs Glennis Owen is that the management plan that the Government is trying to put into place is extremely overdue and there is conflicting advice being given by other Government agencies because of the inaction of the department and the Minister in relation to the management plan. Her letter continues—

After a great deal of evasiveness I was eventually put through to a Mr Mike Ralfe the Premier's secretary. Again I asked the simple question, "Can my husband and I go to Bungle Bungle, i.e. into it, rather than fly over it?". The answer was an emphatic NO, not under any circumstances.

The Minister and I know that that is not correct. The letter continued—

Half an hour later a Mr Barry Stenson from the W.A. Tourism Commission rang me and said he'd been told to ring by the Premier's office. His message was this:— It isn't Mr Burke's fault, it's the Ord River Regeneration Scheme, ie the Agricultural Departments project and they won't give permits.

It is clear that that lady was given the complete run-around in her attempts to gain access to Bungle Bungle. The Government's position is clear. It will not encourage people to go into Bungle Bungle but it has not banned people from going there. It is as simple as that. Yet, that lady got the complete run-around from the Government. She was trying to see a major tourist attraction—an attraction which, in my opinion, has the potential to rival Ayers Rock as a Western Australian attraction.

I urge the Government to get on with the job of putting into place a management plan. It should do that for two reasons: Firstly, to protect the environment because people are going into Bungle Bungle and having an effect on the environment; and, secondly and most importantly, to ensure that proper promotion of Western Australia's outstanding tourist attraction is allowed to get under way.

Yesterday's *The West Australian* quoted Senator Mason of the Australian Democrats as saying that the Bungle Bungle area should be on the world heritage listing. The article stated—

"The area should also be considered for world-heritage listing to ensure the preservation of an environmental treasure unique in the world," he said.

In answer to a Dorothy Dix question tonight the Premier said that the Government had not made up its mind about the world heritage listing; he obviously did not want to offend some group in his

own party. The Opposition will have no part of Bungle Bungle's being listed by the World Heritage Commission or any other agency. We do not believe that any world body is needed to protect that environmental treasure. We believe that we have sufficient constitutional, legal, and other legislative ability to protect the environment. Hopefully the Government is moving in that direction.

Senator Mason went on to say—

that inclusion in the heritage listing would have many benefits including further publicity at a national and international level, financial support for development of the park from the Commonwealth Government and development of related infrastructure also with Commonwealth funds.

Again, we do not need Commonwealth interference in this regard. We need less intervention from Canberra, not more. All the world heritage listing will do, as we have seen with the Tasmanian experience, is to involve the Commonwealth at the cost of the State. We reject that proposal by Senator Mason and I hope the Government will have the gumption to do the same in the interests of protecting a very valuable Western Australian asset.

Mr LAURANCE: I refer to Ningaloo Reef off the Exmouth coast. It is a magnificent part of the natural heritage of this State. I am sure we will hear a lot more in the future about it. It is the responsibility of the Government to ensure that the area is not only served well but is able to be enjoyed by Western Australians and interstate and international visitors. The Government took over the work that had been going on for several years towards declaring the area a marine park, and that work should soon finish. A report was released early last year for public comment. The report caused a certain amount of consternation in the local community, particularly at Exmouth. The Minister is aware of that.

One large public meeting involving 300 or 400 people discussed the matter and passed several motions which were transmitted to the Minister. At that stage there seemed to be some delay in finalising the matter. In fact, the meeting entertained a motion that the closing date for submissions should be extended by three months. I told the meeting that if it had asked for an extension of one month it would have been more reasonable and the Minister would have accepted that shorter period of extension. However, the Minister said that he would not accept any extension and the matter was to proceed posthaste.

That seemed to be pretty good news because the Minister indicated we would have legislation to

create this marine national park this session. It has not transpired and I presume it will not be presented to Parliament now as it seems that we are coming to the end of this session.

I ask the Minister what are the Government's current intentions in regard to the timetable for this legislation because the previous timetable has apparently gone by the way.

The local community is totally in favour of a marine park being established. However, it is concerned about the extent of the marine park and the access which the local people will have to it. There will be various classifications throughout the park, but there is a particular nursery area—perhaps the Minister could help me because I am not sure of the correct term, it seems to have escaped me. It is an area which will be closed off completely. The word is "sanctuary".

The locals agree there should be a sanctuary area; however, the area proposed to be a sanctuary is too large and will exclude all other activity from that area.

Another concern expressed by the local community is that it should have some say in the management of the marine park. It believes that a management authority should be established that would receive significant local input. It is not an unreasonable request because a great deal needs to be done. Preservation measures should be instituted if the area is to be declared a marine park. It will be the first of its kind in Western Australia.

Access to the reef should be provided at various points and information should be provided to the public. Many of the people will not be able to go to the reef area and they will be unable to see the reef. The same thing occurs in regard to the Great Barrier Reef. There are several places in northern Queensland where one can experience the reef without having to charter a boat. It is better to be able to get off the boat and get under water to view the reef. However, that will not be possible for all visitors and visitor information centres should be established. Exmouth is a good example of where such a centre should be established. I know that the Government has a proposition before it in regard to funds being made available from the Australian Bicentennial Authority.

Mr DAVIES: Do not go talking out of school.

Mr LAURANCE: I will not pre-empt the Government in any way. The Minister and I are involved with that worthwhile authority. This would be a worthwhile proposition to be considered with other proposals which the Government has before it.

I would like to raise the matter of Coral Bay which is within the Ningaloo Reef area. I make the point to the Minister that a report by his department has indicated that development at Coral Bay should be restricted. I do not think that is a practical solution to the problems at Coral Bay. The number of visitors will increase and there is no area as attractive as Coral Bay that is receiving such an increase in the number of visitors. There is no point in saying that we will restrict the size of the area.

The Minister for Water Resources said only last evening that attempts had been made to restrict the size of Perth and that he had a desire to see it restricted. It cannot be done, regardless of whether we are referring to the large city or a small town. It is foolish to restrict the growth in the Coral Bay area.

Coral Bay has some development problems and more resources are required, but it is inappropriate to accept a report which restricts further development.

Another point I would like to raise in connection with Coral Bay concerns the Department of Lands and Surveys. In the past the department agreed to a subdivision and people have obtained what one might term a sublease. They have established houses and while the marine park proposals are before the Government, those people are uncertain about their future.

I have sought from the Minister and the Minister for Lands and Surveys some kind of security of tenure for those people. I believe that we can incorporate tourist development and private development within the confines of the national park. We are talking about marine parks which are off-shore, but the proposal is to incorporate an area of land in which all these objectives can be achieved. We should not put in jeopardy those people who have constructed homes in good faith, nor should we restrict the development of that desirable area. I leave those points with the Minister.

I go back to the point again about the timetable for the legislation to create a marine national park. I would like the Minister to give an indication of what the Government has in mind about the proposals which are proceeding.

Mr DAVIES: I will try to paraphrase my reply. I thank members for their contribution. They have mentioned matters which have been of concern to me from time to time.

I highlight once again that all the Department for Conservation and Environment does is to advise. Information is sought from the department and it is passed back to the respective department. A decision is not made by the Conservation De-

partment; it does not say that a department can or cannot do a certain thing. That must be clear in the minds of all members.

I am constantly being contacted about water pollution, air pollution, noise pollution, and land pollution and asked to instigate something to stop what is causing the nuisance to the person or group concerned. I have no power to handle situations of this kind. I do not seek that power, and people should understand that the department is only an advisory department. The future of the department and the role it will play depends on what the Opposition does in the upper House with the Conservation and Land Management Bill.

I am sorry I cannot tell the member for Floreat what amount of money will be spent in regard to that legislation and how it will be divided up because we do not know. If we said that we plan to spend the money in a certain way we would be criticised for going ahead and doing things before the legislation is passed by Parliament. We were criticised earlier for allegedly having stationery printed, but that was absolute nonsense. I cannot tell members what is going on unless we have knowledge of the fate of the Bill. I would dearly like to tell members what would happen, but I do not know.

On my table I have the fourth redraft of the conservation Bill which is ready to be brought into Parliament.

Mr Peter Jones: Is that what I referred to?

Mr DAVIES: Yes it is. I also have a booklet to be sent to all interested parties—the Chamber of Mines, the Confederation of Western Australian Industry, the Conservation Council, and others—on what we hope the Act will do. That is held up awaiting the decision on the Conservation and Land Management Bill in the upper House.

It will also deal with pollution, which is another point which was raised by the member for Narrogin. It is going to deal with pollution control in the same way as Acts in other States, except Queensland, with the exception of water resources. My ministerial colleague with special responsibility in that regard will handle that matter. The pollution of streams and the pollution of land and air should come under one Government department which will issue licences and inflict penalties if necessary.

Mr Peter Jones: Therefore they will move into a management role.

Mr DAVIES: That is exactly what is in the Act now, with power to enforce it.

Mr Peter Jones: So we will be having a managing and licensing authority, is that what you are proposing?

Mr DAVIES: It will be brought under one heading. It will have a tighter control especially when there is no point in my, having received a health complaint, ringing the Minister for Health at 3.00 a.m. and asking him to attend to it.

We shall know where we are going. It is really carrying out the provisions in the Act which are not enforceable. There are no draconian powers, and we do not want to inflict harsh penalties.

Mr Peter Jones: You are proposing to change the role of the department to make it a managing department and a licensing department in relation to pollution control and effluent disposal.

Mr DAVIES: In relation to pollution control—which it can undertake now—and also effluent disposal. The Act says that it can do it, but it has no powers to enforce the provisions in the Act. We want to put out a booklet on the philosophy which also contains an outline of the Act. We would have liked to present the Bill and to lay it on the table ready for February. There are no secrets, and I am sure everything can be adequately sorted out to the satisfaction of the whole electorate. Even the WA Chamber of Mines is saying things that support what we are doing.

The other complication relates to the occupational health division. That department seems to think there are aspects of health and safety which concern only the health and safety of workers, but which in fact apply to the whole electorate. It is very simple and a much tidier way to bring the legislation together so that everyone knows exactly where to go. Is the member in favour of uncontrolled pollution, sewage, and waste flowing into our waters?

Mr Peter Jones: I am not saying that it is a matter of who does it, but how it is done.

Mr DAVIES: It is a mess at present because of the way it has grown. It was brought up in the first place by John Tonkin, whom the member mentioned earlier. Graham MacKinnon was the first Minister involved who did not have legislative backup. John Tonkin was the Minister who presented the Bill, and I took over the department after that. It has grown very much since that time. The member asked why it had grown by 20 per cent and the question seemed to carry an anti-greenie bias.

Mr Peter Jones: It seems to be growing. I was referring to many of the examples I gave and its reputation, generated in the last year, for being more obstructive, and so on.

Mr DAVIES: I will be pleased to have some details of the cases quoted because that is not the role of the department and I do not know who is doing it. It may have come from the policy secretariat or some of the members who have come from that office. If the member will give me details afterwards, I will look at the problem. The department is delighted to help people rather than hinder them—and "help" is the operative word. People have a bias before they even come to the department and, when they are asked to supply certain information, they say, "Let us not mess around with that, we want to do it this way, be reasonable and do it our way". The department is bound by certain requirements.

Much money has been allocated in the Budget for community employment programmes, for extra field projects for Bungle Bungle, the coastal management seminar, \$60 000 for the Dawesville Cut study, \$40 000 for the aluminium smelter study, and \$20 000 for the Pink Lake study at Esperance. There is an appropriate explanation for all the allocations. I am dealing with this in a general way.

I am sorry the Deputy Leader of the Opposition feels upset about Bungle Bungle. It is such a magical place and so fragile that I thought he would have been prepared to move slowly on it. The submissions have come in the normal manner. Yesterday morning I queried the matter with the director of the department. He said that only two or three had been received up to date and, if a graph was made of the number of submissions, it would show a straight line up to the closing date and a week after the closing date, the line would rise in a steep curve. That would have been the experience of the Opposition when it was in Government—everyone waits until the death knock. Because the department is so busy and it has 48 projects before it, it thought it could reasonably extend the closing date because it could not deal with the submissions. Therefore, the submissions will close on 4 January, and the departmental officers are writing to everyone with whom they have had contact. That is how the department works. We cannot rely on the Press to give us publicity. Notices are put in the paper, and a copy of the report is sent not only to people on the regular mailing list, but also to all people who have shown an interest. If we had taken representatives from the tourist industry, as the member mentioned, we would have had an unmanageable committee. We invited the representatives to talk to us when they were in Perth, and I am sure they were contacted when the party went to the north of the State. It would have been quite unworkable to involve them further.

Mr MacKinnon: The Beazley committee was workable, and that had a group of 28 members.

Mr DAVIES: Has the member seen the budget it had? That report had more money allocated to it than does my whole department.

Mr MacKinnon: It finished its report quicker than the Bungle Bungle report was completed.

Mr DAVIES: And so it should. I would have been disgusted if it had not done so. One can do anything with money. I think we had \$4 000 for the Bungle Bungle report. The acid test, for those people jumping up and down, is to see what submission they put into the report. They can say the report is absolutely useless, it is good, or they can comment in any way they like. If enough people write and say that it is absolutely useless, the department will have to start again. I understand that Bungle Bungle is very fragile and, if people climb all over it, they could destroy the crust on the beehive rocks.

People are visiting the area by air and, despite the experience of the lady referred to by the member, with due respect, I do not think she showed much initiative.

Mr Peter Jones: She rang the Premier's office.

Mr DAVIES: I will not answer for another Minister's department or for the Holiday WA Centre. I will not criticise those departments. We will not encourage people to go there, but we cannot stop them from doing so. The lady in question got the right answer finally.

I was told in Kununurra that the number of flights has increased tremendously during the early morning. The 6.00 a.m. flights are very busy, and that is the way the area should be looked at—from the air. I am sorry that there has been some confusion on this matter. We know where we are going, and we have tried to make it perfectly clear.

The Ningaloo reef planning minute is before Cabinet at present and will be dealt with in a fortnight. It can be a bicentennial operation. We must get it done in principle first, and there is a tremendous amount of discussion to take place. I wrote to Carnarvon last week and said I hoped to discuss the matter and to determine the problem areas.

Mr Peter Jones: And legislate next year?

Mr DAVIES: Under the Conservation and Land Management Bill it could not be declared a national park. Once again it is held up. It can be done at present under section 9F of the National Parks Authority Act.

I now refer to Coral Bay. We can give advice on this, but we are not the final arbitrator. We can

say how we read the situation, but it then becomes a planning matter. Perhaps the member can take that up with the planning division.

I refer to the lead speaker and shadow Minister, the member for Floreat. I am sure some of the remarks have been an indication of what we are hoping and aiming for.

In regard to the Conservation and Land Management Bill, nothing is written into the estimate regarding finance. I repeat what I said earlier: We have not made any decisions because we do not know what legislative backup we will have. It is a matter of bringing departments together to get extra money if that happens. I think a suggested structure was put down when the Bill was originally discussed, so I cannot help the member further there.

The question of tax incentives to encourage people not to pollute has been discussed at ministerial conferences, and some initiatives have been taken. It is on the agenda for next year, I believe.

Waste disposal is a health matter. As I indicated earlier, we hope to bring pollution control under one Act, but we will still need some input from the Health Department.

I answered the System 6 question in question 1838. I indicated three of the major recommendations which have come under review to date. While we accept these recommendations in principle, we would make minor amendments without taking them back to Cabinet. Any major recommendations would have to go back to Cabinet. These are the matters which confront us at the present time.

The amphitheatre is contrary to a System 6 recommendation, so we have to decide, although we have accepted it in principle, and we have a bias towards the recommendation. If the argument is good enough and Cabinet decides, then we can change it and the odium is on the Cabinet or on the Government of the day.

Mr Mensaros: I did not understand the two other examples you brought up. Are they contravening the pollution regulations or not?

Mr DAVIES: We are not very happy about it. It will probably go to Cabinet which will have to make a judgment.

If I have left anything out, please remind me after the House rises. I would like to thank members for their contributions.

Division 45 put and passed.

Division 46: National Parks Authority, \$3 264 000; Division 47: Waterways Commission, \$1 108 000; Division 48: Multicultural and Ethnic Affairs Commission, \$685 000—put and passed.

Division 49: Western Australian Art Gallery, \$3 392 000—

Mr PETER JONES: Item 1 relates to the director and the salary of the director. Is that still fixed by the trustees of the gallery who make a recommendation to the Minister? I really ask why the salary of the director is still somewhat lower than that of the State Librarian, the Director of the Museum and so on.

Mr DAVIES: That is one I will have to give you an answer about.

Division 49 put and passed.

Division 50: Library Board of Western Australia, \$15 201 000—

Mr PETER JONES: One of the points made was the increase in the funding for the Library Board this year. I think I saw some publicity about a considerable increase.

There is a figure of some \$4 million this year for loan servicing costs, which somewhat suggests a very substantial increase for the Library Board's operations. Direct reference was made last year concerning the funding for the provision of books for the library service. I ask the Minister if he considers there has been a substantial increase in funding for books. It has gone from \$3.519 million to \$4.128 million. The increase in the cost of books is a figure given for how many volumes? Is it expected to be available this year?

Mr DAVIES: I will read from the letter as follows—

The amount allocated to books represents a 17.3 per cent increase over the 1983-84 allocation. This is in response to a realisation by the Government of the very great importance of a regular input of new material to the public libraries of the State. In 1983-84 this input was only 11.5 per cent of total stock, and funds voted were sufficient in fact for only a 10 per cent input. In 1984-85 there will be a 12.25 per cent input so establishing a firm basis for progress towards regaining the 15 per cent input of the 1970s.

That has been a reasonable increase and we have had some encouraging feedback from libraries about it.

Division 50 put and passed.

Division 51: Western Australian Museum, \$5 106 000—put and passed.

Division 52: Perth Theatre Trust, \$433 000—

Mr PETER JONES: One of the items discussed last year related to the relationship between the Perth Theatre Trust and the Entertainment Centre. The question is, when it has been

promised for the Perth Theatre Trust for some years, on behalf of the Government—

Mr Davies: It has taken place—now we have got rid of a former Premier.

Division 52 put and passed.

Division 53: Western Australian Arts Council, \$3 008 000—

Mr RUSHTON: The committee which supports the Armadale Senior High School band is most disappointed. It sees the Perth Modern School band receiving \$46 500 to help it make its tour of China. The local band, which has been performing publicly since 1972, has been doing a great deal in this State. More than 10 per cent of the members of the school band which visited Vienna came from the Armadale Senior High School band. The band has received many invitations to perform at the Concert Hall, in Kings Park, and at other places.

In the last Budget brought down by my party before it left office, the school received a sum of \$168 000 to upgrade the music wing. In an average year 150 students learn an instrument at the school.

In 1979 the school band toured Newman, Hedland, and Karratha. In 1981, by invitation, it went to Kalgoorlie; and in 1984 it went to the Pilbara. The Pilbara tour included Newman, Karratha, and Hedland. The budget for it was \$31 000, of which the students paid \$212 a head, making a total of \$12 508, and the band raised the balance of \$18 492. The band gave 10 concerts, of which seven were given free for school children to a total audience of 3 200 and three were public concerts at which the audience totalled 1 300.

The committee which supports this school band is concerned, because it sees another school obtaining support from the Government to go to China, but this music school has not received any help.

Could the Minister explain why Perth Modern School was chosen to do a tour of China when other worthy things are done by another school band and it is refused financial help? It is hard for local committees to see the justice in this. I raise this point, because it is the only opportunity I shall have to do so.

Mr DAVIES: Perth Modern School raised approximately \$70 000 to go on the tour to China. It was a rather unique trip inasmuch as the band was also playing at the opening of the Western Australian art exhibition which was held in China at the same time as the tour.

I have no immediate desire to enter into the funding of educational matters. For example, the

Minster for Education demands that I fund the ballet to go to schools or that the ballet be self-supporting. He does not want to fund anything in the arts and, similarly, that is the case in respect of our attitude to education.

However, if a substantial case is presented, I am prepared to consider it. I have said that in respect of the Instant Lottery fund. No-one should be inhibited from submitting an application because he does not think it meets the guidelines. Everyone is entitled to apply and we try to help people wherever possible.

This was a most unusual case and the fact that the band had raised almost \$70 000 itself, and members of it came from a rather low socio-economic group, indicated that some special consideration was warranted.

Division 53 put and passed.

Division 70: Public Works and Buildings, \$76 758 000—put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr Tonkin (Leader of the House).

SMALL CLAIMS TRIBUNALS

Inquiry by Select Committee: Motion

MR D. L. SMITH (Mitchell) [1.37 a.m.]: I move—

That a Select Committee be appointed for the following purposes—

- (1) To enquire into and evaluate the operations of the Small Claims Tribunals with specific reference to:
 - (a) The need or otherwise for a system of appeal or review against decisions by the Tribunals;
 - (b) The need or otherwise for right of a re-hearing;
 - (c) The appropriateness of existing provisions for review of Tribunal decisions by the Supreme Court of Western Australia;
 - (d) The proper constitution of the Tribunals with specific reference to the participation of laypersons or experts;
 - (e) The appropriateness of the application of the rules of evidence to proceedings in the Small Claims Tribunals;
 - (f) The appropriateness of appointing more part-time Referees;

- (g) The adequacy or otherwise of access to a Tribunal by consumers, retailers and disadvantaged groups;
 - (h) Whether the jurisdiction of the Tribunals and the Small Debts Division of the Local Court should be consolidated and if so, whether within the Tribunals or the Court, and
 - (i) Whether other matters should be within the jurisdiction of the Tribunals.
- (2) To recommend to Government changes considered necessary in respect of the above findings of the Committee.

The activities of the Small Claims Tribunals have recently come under notice in this place through the comments made by the member for Kalgoorlie and the Leader of the House.

Criticism has been levelled at the cost of the existing mechanism for review of tribunal decisions in the courts.

Particular concern has been expressed over the cost of proceedings where a review by the Supreme Court is sought on the grounds of a denial of natural justice or excess of jurisdiction.

Concern has also been expressed as to the limited rights to rehearing and the time limits in which such a rehearing may be sought.

I am well aware that the Government takes most seriously complaints about the operation of the Small Claims Tribunal. However, I also know that the Government is mindful of the expeditious and inexpensive mechanism the Small Claims Tribunal provides for resolving disputes. Its informality and accessibility are hallmarks which are vital elements in the process of bringing justice to the people.

The Small Claims Tribunal is a quasi judicial body, like a court, and Governments and Ministers cannot and should not interfere in the decision-making process of such tribunals—they are as independent as the courts.

Nevertheless the Government should not shirk its responsibility in reviewing the effectiveness of the judicial system.

This motion calls for a review of the functions of the tribunal to determine whether it is effective in achieving its aim of resolving disputes within its terms of reference in accordance with the principles of justice, equity, and immediacy for the community.

Both the Government and I are aware that some sectors of the community have claimed that the tribunal leans towards claimants at the expense of

traders. Let us look at the facts. Of the 1 504 claims determined in 1982-83, 61 were determined in favour of the respondent, 495 in favour of the claimant, and 396 partially in favour of each.

Since the inception of the tribunal, seven matters have gone to the Supreme Court on appeal. Of these, one was withdrawn, one was struck out, and the remaining four resulted in orders nisi being made absolute.

In the past year, 34 complaints have been received concerning the tribunal.

Similar tribunals operate in other States of Australia and also perform valuable roles. It is interesting to note in passing that such a tribunal in New South Wales has similar statistical results of the outcome of proceedings as in this State.

Notwithstanding the above, the Government is committed to ensuring that this criticism is removed, so that both consumers and traders may come to the tribunal confident of achieving a fair result.

We recognise that not all those who use the tribunal can go away satisfied. That is the inevitable result of an adversary system. However I would hope that following this proposed review, consumers and traders will go away recognising they have been given a fair hearing.

In calling for a Select Committee to examine the operations of the Small Claims Tribunal, it cannot be overstressed that the Government is not opposed to the functions of such a tribunal. The fundamental concept of the Small Claims Tribunal as a means of achieving a cheap and speedy resolution of certain consumer-trader disputes continues to be fully endorsed. It enables redress to be provided to persons whose access to the court system is limited, for the court system is fraught with costs and delays. Its benefits to consumers and also traders are considerable and it should not be denied. Its jurisdiction is to hear disputes up to the value of \$2 000 between parties to contracts for the supply of goods and services.

Nevertheless, the Government acknowledges concerns expressed about the tribunal are real and consistent with our principles of open government. We propose to review the Small Claims Tribunal and to examine its functions so it may most effectively and efficiently serve the people of Western Australia.

The purpose of this proposed reference to the Select Committee is designed to ensure an independent examination and assessment of the tribunal, with particular attention to the overall jurisdiction of the tribunal and its interface with the local court, the procedures of the tribunal, and the method of review of decisions of the tribunal.

We hope that such an examination, the first such review of the operations of the tribunal since its creation a decade ago, will serve to demonstrate the Government's commitment to the improvement of the small claims system and act as the basis for on-going reform to ensure continued effectiveness of the tribunal.

I commend the motion to the House.

MR TRETHOWAN (East Melville) [1.41 a.m.]: The Opposition supports the motion. I was rather interested to hear the speech of the member for Mitchell because it sounded like a paraphrase of a speech I made in this House on 2 August.

Mr Tonkin: Imitation is the sincerest form of flattery!

Mr TRETHOWAN: During his speech the member for Mitchell made reference to the member for Kalgoorlie, but not to the examples and the points which I raised. The Minister for Water Resources interjected a number of times during the course of the previous debate. The points raised by the member for Mitchell are valid and they are points which I raised in that earlier debate. In fact, during the debate on 2 August I gave a commitment that the Opposition would do precisely this on its return to Government at the next election, because of the seriousness of the position that small businesses have found themselves in with the current operations of the tribunal.

I must admit I found it a little difficult to understand all of the speech delivered by the member for Mitchell as he was obviously reading it and did not supply me with a copy of it. I regret that, because it would have been far easier to follow what he was saying if I had that advantage. However, the points he raised are terribly important.

As I have said before, it is absolutely imperative that the two objectives are married adequately. The first is that low cost access by consumers to redress complaints against suppliers of goods should be maintained and should be able to be efficiently operated. The second is that those people coming before the tribunal must be able to feel that they have achieved justice in the hearing of their claims. In fact, as the Government is only too well aware, many people currently appearing before the tribunal may have the impression that they have not received a fair hearing and have not received justice in the hearing of their claims. They are very good grounds for a detailed inquiry into the operation of the tribunal because no system of law and arbitration will be successful if the people who are the participants in that system feel that equity is not present. Unfortunately, it seems too frequently that the decisions of the tri-

bunal, particularly the judgments of the tribunal, lack the acceptance of equity on the part of many people appearing before it.

A number of members on this side of the House over the years have presented cases illustrating this lack of equity which appears to have taken place in both the hearing of a claim before the Small Claims Tribunal and the nature of the determination that has resulted from that claim.

In fact, it was only yesterday morning that I was handed a copy of an example of another case where this appears to have occurred. A person appearing before the Small Claims Tribunal appeared to have no equity in the judgment. The judgment was given against that person, in spite of the fact that independent technical evidence was produced to show there was no fault on the part of the person concerned. This is the kind of judgment which causes parties before the tribunal to feel that they have not received equity and that they have no method of redress.

Earlier this year the Government introduced a Bill to facilitate claims on the suitors' fund should an application to the Supreme Court be taken from the Small Claims Tribunal under the very restricted means of appeals that are currently within the particular Act. I guess that was one step forward—that should an applicant to the Supreme Court be successful, he was then able to claim the cost against the suitor's fund.

However, it did not really achieve much, and this motion to establish a Select Committee is recognition of that, because the grounds upon which one can appeal through the Small Claims Tribunal are extremely limited. An appeal can only be on the basis of jurisdiction, and essentially that means that an award is not made over \$2 000, or on the basis that there is a denial of natural justice.

I understand that the interpretation of that essentially is that someone has not the right to appear before the Small Claims Tribunal when the hearing of his or her case takes place. That also is an extremely tenuous ground for an appeal. There is no effective appeal at this time on the grounds of an incorrect assessment of the facts; an incorrect assessment of the technical data which has resulted in an erroneous judgment.

There are no grounds for an appeal should a determination seem to be harsh or inappropriate. There is no way that an easy appeal can be made on the grounds of the incorrectness of the evidence presented. It is almost impossible to prove that someone has provided fallacious material to the tribunal. The rules of evidence are not applicable. All of this, put together, continues to present a

picture to those people who come before the tribunal that they are not receiving equity and justice in the determination of the case.

I think the terms of reference of the Select Committee do cover most of those points which I originally raised in a debate on Thursday, 2 August this year. The only point I query is the term of reference (h) which discusses whether the jurisdiction of the tribunals and the small debts division of the local court should be consolidated, and if so, within the tribunals or the court.

I understand that this matter has already been determined by the Law Reform Commission on the basis that separation should be maintained for good and proper legal reasons. I suggest that, during the deliberations of the committee, the report of the Law Reform Commission be sought and consideration be given to the very detailed reasons that it presented on that topic. Certainly, I understand that it was accepted by the Government of the day as a very well-argued report which was given full consideration.

I hope this will not be just another inquiry in the style of those we have seen from the Government over its term of office and an inquiry which sets out to consider an area where the Government is finding some political discomfort, where, perhaps, its previous actions may not have been with the kind of alacrity that may have been expected and where some pressure groups that support its side of politics may have the view that does not necessarily accord with the interests of society. I hope that this Select Committee will not meet the same fate as some other inquiries and become a means of getting the Government off the political hook without really getting down to and solving the very difficult problems that fundamentally underly the political difficulties presented.

The second term of reference is for the Select Committee to recommend to the Government changes considered necessary in respect of the above findings of the committee. I hope that indicates a solid commitment on the part of the Government to really attempt to solve the needs of equity in relation to the operations of the Small Claims Tribunal because I assure the Government that, after a detailed inquiry, should action not be taken and the current problems that are faced by small business in relation to the Small Claims Tribunal continue, we on this side will not leave the matter rest and will continue to press for changes in that area.

As I have indicated, we support the terms of reference. They are complete and I feel sure that the committee will be able to cover the area in detail. I look forward to the report that the Select Committee presents and hope that action will result to alleviate the very difficult position that seems to have arisen in regard to many people who are brought before the Small Claims Tribunal at present. We support the motion.

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

ADJOURNMENT OF THE HOUSE

MR TONKIN (Morley-Swan—Leader of the House) [1.53 a.m.]: I move—

That the House do now adjourn.

Before adjourning the House I make it clear that no problem relating to those parts of the Estimates that went through while I was busy reading or not being quite awake will not be responded to.

House adjourned at 1.54 a.m. (Thursday)

QUESTIONS ON NOTICE

WESTERN AUSTRALIAN TOURISM COMMISSION *Annual Report*

1779. Mr MacKINNON, to the Premier:

- (1) When does he expect to table the annual report of the Western Australian Tourism Commission?
- (2) If it is not anticipated that the report will be tabled during the current session of Parliament what are the reasons for the report not being completed to allow this to be done?

Mr BRIAN BURKE replied:

- (1) During the first session of Parliament in the new year.
- (2) Sufficient time will be required to print the annual report.

WATER RESOURCES

Agaton Project

1813. Mr MENSAROS, to the Minister for Water Resources:

- (1) What are the last estimated figures of the aggregate ongoing yearly costs of the Agaton project after its completion?
- (2) What is the estimated aggregate amount received from rates and charges from the ratepayers who are proposed to be connected to the project?

Mr TONKIN replied:

The last figures were estimated in connection with the cost benefit study report published in July 1981. Those figures in November 1984 values are:

- (1) The aggregate ongoing yearly costs of the Agaton project are difficult to estimate because they depend on sources of funding and applicable interest rates. However it is estimated that these costs would be not less than \$6.5 million.
- (2) The estimated revenue raised would be \$820 000 annually.

MINING

Koolyanobbing

1829. Mr MacKINNON, to the Minister for Minerals and Energy:

- (1) Is there still a possibility that the Koolyanobbing mine and the Kwinana blast furnace will be working again in the near future?
- (2) If so, when is it likely that a decision will be made to this regard?

Mr PARKER replied:

- (1) Yes.
- (2) The timing of a decision will depend on the progress of negotiations between BHP and the Chinese Government.

GOVERNMENT EMPLOYEES

Building Management Authority

1844. Mr HASSELL, to the Minister for Works:

What are the terms of appointment as to remuneration of the Executive Director of the Building Management Authority?

Mr McIVER replied:

I refer the member to my response to question 1696 asked of me on Wednesday, 14 November 1984.

HEALTH: HOSPITALS

Osborne Park: General Practitioners

1845. Mr HASSELL, to the Minister for Health:

Why are general practitioners now not permitted to undertake regular surgery at the Osborne Park Hospital?

Mr HODGE replied:

General Practitioners are permitted to perform minor surgery within the range of their experience to the same extent prevailing in accredited private hospitals.

All decisions referring to the scope of surgical procedures performed by general practitioners at Osborne Park Hospital were made by the medical advisory committee of that hospital.

Private hospitals also take advice from their medical advisory committees on the issue of the scope of surgical and anaesthetic procedures which individual practitioners may perform. In general terms general practitioners perform a limited

range of surgery within the range of their individual expertise and experience.

HEALTH: HOSPITALS

Osborne Park: General Practitioners

1846. Mr HASSELL, to the Minister for Health:

Is it fact that the total costs for sessional services provided by general practitioners at Osborne Park Hospital are now greater than previous payments to general practitioners on the basis of fee-for-service?

Mr HODGE replied:

Current indications are that this is not the case, but direct comparisons are not possible since the two systems are not operating concurrently within the hospital.

The decision to introduce sessional payments to medical practitioners, including general practitioners, for the treatment of public patients at Osborne Park Hospital was not intended as a cost saving exercise.

HEALTH: HOSPITALS

Osborne Park: Anaesthetists

1847. Mr HASSELL, to the Minister for Health:

(1) Is it fact that a general practitioner with many years of regular service in providing anaesthetics at the Osborne Park Hospital is now not permitted to provide those services?

(2) If so, why?

Mr HODGE replied:

(1) Yes.

(2) Decisions relating to the scope of services provided by general practitioners at Osborne Park Hospital are made by the medical advisory committee of the hospital.

The Health Department wrote to the medical advisory committee on 31 August, 1984, to inquire whether the medical advisory committee wished to review the matter of anaesthetics given by general practitioners.

ABORIGINAL AFFAIRS: LAND RIGHTS

Land Claims

1848. Mr HASSELL, to the Minister for Youth and Community Services with special responsibility for Aboriginal Affairs:

Pursuant to the answers given to questions without notice 566 and 567 of 14 November, by the Minister for Lands and Surveys, which indicate that the Government does not know how much land it is proposing to make available for claim by Aborigines—

(a) how has the Government determined that this unknown amount of land will actually measure up to the "rights" it believes Aborigines have to land because of their aboriginality;

(b) how has the Government determined that the claiming of this unknown area of land will not interfere with the rights of the rest of the population?

Mr WILSON replied:

(a) The member should now understand that the Government will be proposing a number of categories of land that will be available for claim. Such claims will be contingent upon other factors such as existing or future public use, or existing exploration leases and mining tenements. These factors will determine whether such land can be granted or not.

The matter of "rights", as the member has been previously informed, is primarily determined by three main categories i.e. traditional, long association and needs-based claims.

(b) The Government, by including diverse interests in the drafting process of this legislation, has attempted to ensure that the legislation will not only protect those interests but will enable the claim process to take place in an orderly and systematic manner which will not interfere with the rights of the rest of the population.

COMMUNITY SERVICES

Wanslea

1849. Mr HASSELL, to the Minister for Housing:

Could he advise what specific purposes Wanslea located in Cottesloe will be

used for when its present function ceases in December?

Mr WILSON replied:

It is proposed that the Wanslea Buildings will be used by those groups which currently occupy the Wanslea premises i.e. day care and day group activities as well as the Department for Community Welfare's Youth Activities Section, Western Institute of Self Help and Disabled Advocates Self Help.

Other resource groups may be considered depending on accommodation which may be available.

The Administration of Wanslea will continue in occupancy until March, 1985.

ABORIGINAL AFFAIRS: LAND RIGHTS

Land Claims

1850. Mr HASSELL, to the Minister for Lands and Surveys:

- (1) In reply to my question 1300, answered on Tuesday, 23 October, he gave a description of land that would be available for claims under the Government's so-called statement of principles on land rights, but failed to answer the question "What area of land is included in the categories of land which may be claimed . . . ?" In reply to part (3) of the same question, he said it was "impossible to give a precise percentage figure" to express the area of land available for claim in relation to the total area of the State. In view of these answers, has any work been done by his department or anyone else in the Government to determine the area of land that will be available for claim?
- (2) Is it possible to express that area as an estimated percentage of the State, say, within the range plus or minus 5 per cent?
- (3) If (2) is not possible, will he tell the House when we can expect that the Government will know how much of the State it is proposing to make available for claim on racial grounds?

Mr McIVER replied:

- (1) to (3) Until the precise area of claimable land has been decided upon it is impossible to state the amount of land which will be available for claim by Aboriginal groups.

However, the area is nowhere near the extravagant and absurd percentages claimed by the member as part of his campaign of scaremongering and inciting racial division.

HEALTH

Head Injured Society: Funds

1851. Mr CRANE, to the Minister for Health:

- (1) Is he aware of the situation of the Head Injured Society, which is now without funds and must cease operation?
- (2) As this society has to date been self-sufficient in obtaining its own funds, but these have dried up with legislative changes pertaining to bingo, which was the main source of revenue, will he examine this matter urgently with a view to providing funds to allow the Head Injured Society to continue the vital work it carries out?

Mr HODGE replied:

- (1) I am aware of the situation of the Head Injured Society.
- (2) As the society's initial request for funding was directed to the Premier, it was considered in the Budget context. I have recently received a request from the Minister for Budget Management asking the Health Department to conduct an assessment of the operations of the society. Once available this information will immediately be forwarded to the Minister for Budget Management for his consideration.

GOVERNMENT EMPLOYEES

Media Office Staff

1852. Mr RUSHTON, to the Premier:

- (1) Referring to question 1706 of 14 November 1984, will he please list by name the journalists employed in the Government media office staff of 22?
- (2) Who are the other journalists employed by the Government?
- (3) For which Minister, department or commission do the journalists in item (2) work?
- (4) How many staff are employed to assist or support the journalists listed in (2)?
- (5) Under which Budget item are the journalists listed in (2) employed?

Mr BRIAN BURKE replied:

- (1) As answered in question 1706, the 22 staff provided for in the Estimates were a Director, Nigel Wilson and three senior media officers: Mr Ron Barry, Press Secretary to the Premier; Mr Derrick Flynn, Press Secretary (Special Projects); and Mr Barry Bursill, Press Secretary. Mr Flynn and Mr Bursill have now been assigned to other positions.

The rest of the office staff are clerical support staff servicing the Government media and ministerial requirements.

Press Secretaries employed by the Government use the media office on a regular basis. The Press Secretaries are: Mr P. Kennedy, Mr G. Green, Mr W. McNamara, Mr T. Fisher, Mr P. Rosendorff, Mr R. Grant, Mr T. Noakes, Mr D. Gladwell, Mr T. Mackay.

Mr Z. Kovacs and Mr J. Hudson who are attached to departments also undertake some ministerial press secretarial work and use the facilities.

- (2) to (5) As the member will be aware, for a number of years the Government has employed people in a variety of departments and authorities under journalistic awards.

Detailing the specific people and their specific functions is a task which will require expenditure of resources not available at this time.

The member may well recall that during 1982 the then Director of Public Relations, Mr John Leggoe, said there were 66 journalists employed by the Government.

I can only repeat my invitation to the member to visit the Government media office and see the staff and their activities for himself.

ROADS: DRAINAGE

Brookton Highway

1853. Mr RUSHTON, to the Minister for Transport:

- (1) Referring to Main Roads Department drainage directed from pick up point south of Brookton Highway, Roleystone, into the creek 100 metres or so along Holden Road, is he aware this extra water at peak run off period has contributed to flooding of orchards ad-

joining Holden Road on down streamside to where the creek passes under Brookton Highway?

- (2) Will he have the Main Roads Department urgently consider, before the present work is completed, extending road drainage from opposite Holden Road along the south side to join up with the creek crossing Brookton Highway?
- (3) Will he agree to the Main Roads Department engineer responsible for this area meeting urgently with owners and the Town of Armadale representatives to find a way of relieving this new flooding?

Mr GRILL replied:

- (1) A major part of the flow in the creek comes from a catchment area to the north of the Brookton Highway. The contribution of the Main Roads Department's drain is small compared with the flow from the main catchment area. The Armadale Town Council agreed to the construction of the drain. I understand that local land owners complained to the Armadale Town Council about flooding earlier this year. The piping of a section of the creek by landowners could be a contributing factor to flooding.
- (2) It is the Main Roads Department's opinion that because the major part of the flow comes from the north side a drain on the south side of the Brookton Road would not prevent the flooding.
- (3) Yes, the department has been discussing the problem with officers of the Armadale Town Council for some months. These discussions will be continued.

1854 and 1855. *Postponed.*

STATE FINANCE: CRF

New Appointments: Taxation

1856. Mr MACKINNON, to the Minister representing the Attorney General:

How many additional officers will be employed in the Taxation Department from the \$107 000 allocated for New Appointments in Division 36 in the 1984-85 Estimates?

Mr GRILL replied:

Five.

STATE FINANCE: CRF

Additional Assistance: Valuer General

1857. Mr MacKINNON, to the Minister representing the Attorney General:

How many additional officers will be employed in the Valuer General's office from the \$44 000 allocated for Additional Assistance in Division 37 in the 1984-85 Estimates?

Mr GRILL replied:

Six—on a temporary basis.

1858. *Postponed.*

LIQUOR: WINE

Inquiry: Submissions

1859. Mr MacKINNON, to the Minister for Agriculture:

- (1) Who prepared the submission to the wine inquiry to which he has referred?
- (2) Will he make that submission public?
- (3) If not, why not?

Mr EVANS replied:

- (1) Officers of the Department of Agriculture.
- (2) and (3) The submission contains information obtained in confidence from producers in Western Australia. It was provided to the committee of inquiry on that basis, and it is not intended that this submission be published. However, I am prepared to table a copy of the recommendation and make available an edited version as soon as possible.

WORKS

Building Management Authority

1860. Mr MacKINNON, to the Minister for Works:

- (1) How many people are currently employed by the Building Management Authority?
- (2) How many of these employees are involved in the day labour force?

Mr McIVER replied:

- (1) 2 066.
- (2) 892.

1861. *Postponed.*

LAND: URBAN LANDS COUNCIL

Review

1862. Mr MacKINNON, to the Premier:

- (1) Is the Functional Review Committee currently examining the Urban Lands Council?
- (2) What is the nature of this review?
- (3) When will this review be completed?

Mr BRIAN BURKE replied:

- (1) In accordance with its terms of reference the Functional Review Committee is reviewing all Government organisations including the Urban Lands Council.
- (2) and (3) I refer the member to the reply given in answer to question 3251 of 1984.

STATE FINANCE: CRF

Ex Gratia Payments

1863. Mr MacKINNON, to the Premier:

- (1) Will he list for me the *ex gratia* payments which were paid in 1983-84 and which amounted to \$140 565?
- (2) Why is the 1984-85 vote of \$281 000 significantly up on this year's expenditure?

Mr BRIAN BURKE replied:

- (1) A summary of the *ex gratia* payments made during 1983-84 appears on page 20 of the Auditor General's report.
The majority of the individual payments are for small amounts, however, should the member require details of any particular summary item, I would be prepared to supply him with details on request.
- (2) The higher provision reflects mainly an *ex gratia* payment of \$135 918 to the Western Australian Police Union for legal expenses in respect of the coronial inquest into the death of John Pat of Roebourne.

GOVERNMENT INSTRUMENTALITIES: ACCOMMODATION

Bunbury

1864. Mr MacKINNON, to the Premier:

- (1) Is it fact that the Superannuation Board will buy the Atrium building from Austmark?

- (2) If this is the case, is the lease of the building from the Superannuation Board yet completed?

Mr BRIAN BURKE replied:

- (1) The Superannuation Board is not buying the Atrium building.
(2) Not applicable.

1865 and 1866. *Postponed.*

MINISTERS OF THE CROWN: STAFF

Advisers: Premier and Cabinet

1867. Mr MacKINNON, to the Premier:

- (1) Is Mr Edwards the Director of the Policy Secretariat in the Department of Premier and Cabinet classified as one of the Government's 35 ministerial advisers?
(2) If not, will he provide me with an updated list of ministerial advisers?
(3) If not, why not?

Mr BRIAN BURKE replied:

- (1) No.
(2) and (3) I refer the member to the replies given in answer to questions 1125 and 1436 of 1984.

NUCLEAR PROTESTS

"Peace Train"

1868. Mr MacKINNON, to the Minister for Transport:

Who will pay for the extra staff referred to in question 1739 of 14 November, in connection with the "peace train", chartered by the group "Women's Action for Nuclear Disarmament"?

Mr GRILL replied:

All costs, including wages for staff manning hired special trains, are included in the hire charges.

HEALTH: ALCOHOL

Serenity Lodge

1869. Mr MacKINNON, to the Minister for Health:

- (1) Has consideration of the submission by Serenity Lodge referred to in question 1427 of 25 October yet been finalised?
(2) If so, what is the outcome of that consideration?

- (3) If not, when will a decision be made in the submission?

Mr HODGE replied:

- (1) to (3) The submission by Serenity Lodge for additional funds has been forwarded by the Alcohol and Drug Authority to the Minister for Budget Management. However, I am pleased to advise that a specific grant of \$10 000 has already been made to enable Serenity Lodge to employ a registered general nurse from 1 December, 1984. The appointment will enable the lodge to improve its services in relation to the dispensing of prescribed medicines and drugs.

STATE FINANCE: CRF

New Appointments: Corporate Affairs

1870. Mr MacKINNON, to the Minister representing the Attorney General:

How many additional officers will be employed in the Corporate Affairs office from the \$360 000 allocated for New Appointments in Division 27 in the 1984-85 Estimates?

Mr GRILL replied:

See answer to Question 1184.

HOUSING: LAND

Building Lots

1871. Mr MacKINNON, to the Minister representing the Minister for Planning:

How many building lots will be produced during the year ending 30 June 1985 by the—

- (a) Rural and Industries Bank;
(b) Urban Lands Council;
(c) State Housing Commission;
(d) Lands Department;
(e) other Government agencies?

Mr PEARCE replied:

The last survey conducted as at 30 June, 1984 indicated the following lot production proposed for the year ending 30 June, 1985.

- (a) Rural and Industries Bank—582
(b) Urban Lands Council—1 289
(c) State Housing Commission—663
(d) Lands Department—188
(e) Other Government agencies—Nil

The figures indicated for the State Housing Commission are for sites to be available for market sale and do not include land for the commission's domestic programme.

In addition to the above the University of Western Australia, during the same survey, indicated a proposed lot production for the same period of 164 sites.

LAND: URBAN LANDS COUNCIL

Aims and Objectives

1872. Mr MacKINNON, to the Minister for Housing:

What are the aims and objectives of the Urban Lands Council?

Mr WILSON replied:

The statement of accord between the Government of Western Australia and the Federal Government relating to the establishment of the Urban Lands Council specifies—

- (a) the stabilisation of price in development areas and growth centres;
- (b) re-development of urban areas;
- (c) development of urban land in development areas and growth centres.

LAND: URBAN LANDS COUNCIL

East Perth Redevelopment

1873. Mr MacKINNON, to the Minister representing the Minister for Planning:

- (1) Is the Urban Lands Council involved in the redevelopment of East Perth?
- (2) If so, what is the council's role in this project?

Mr PEARCE replied:

- (1) Yes.
- (2) Prepare proposals for residential development of unused Government land, review proposals for the western foreshore of the Swan River and formulate proposals for the use and design of governmental land within the controlled access highway reserve from Mitchell Freeway to the western approach roads to the proposed Burswood Bridge.

HOUSING: LAND

Building Lots

1874. Mr MacKINNON, to the Minister representing the Minister for Planning:

- (1) How many building lots are currently available to be built on in the metropolitan area?
- (2) How many building lots are presently held ready—
 - (a) for sale;
 - (b) in production by the—
 - (i) Rural and Industries Bank;
 - (ii) Urban Lands Council;
 - (iii) State Housing Commission;
 - (iv) Lands Department;
 - (v) other Government agencies?
- (3) How many building blocks were used during the year ended 30 June 1984?

Mr PEARCE replied:

- (1) and (2)(a) For land to be available for building of homes it needs to be available to the market. The member will appreciate that the combination of diverse ownership and the varying objectives for holding land do not allow for an accurate assessment of land which could be considered "available".
- (2) (b) Production—

Rural and Industries Bank	161
Urban Lands Council	163
State Housing Commission	224
Lands and Surveys	76
Other	—

The figures indicated for the State Housing Commission are for sites being produced for market sales and do not include land for the commission's domestic programme.

The University of Western Australia was producing 164 sites.

- (3) This information is not recorded.

LAND: URBAN LANDS COUNCIL

Debt

1875. Mr MacKINNON, to the Minister for Housing:

- (1) Has the Government been negotiating with the Commonwealth to restructure the repayment period and/or to reduce the accumulated interest on the debt owed to the Commonwealth by the Urban Lands Council?

- (2) Have these negotiations yet been concluded?
- (3) If so, what was the outcome of the negotiations?
- (4) If the negotiations are continuing, when does the Minister expect them to be concluded?

Mr WILSON replied:

- (1) Yes.
- (2) Yes.
- (3) The Urban Lands Council loan repayments will be as follows—

		\$ millions
November	1984	7
January	1985	4
July	1985	4
January	1986	3
July	1986	2
January	1987	2
July	1987	1.5

- (4) Answered by the above.

LAND: URBAN LANDS COUNCIL

Research

1876. Mr MacKINNON, to the Minister for Housing:

- (1) What research projects and investigations did the Urban Lands Council carry out during the year ending 30 June 1983?
- (2) Where were these projects carried out?
- (3) What was the outcome of the research in each case?

Mr WILSON replied:

- (1) (a) Urban land utilization reports on the following metropolitan development corridors—
 south eastern,
 eastern,
 south western;
 (b) supply of residential land in Kalgoorlie-Boulder;

- (c) land and housing futures—Perth metropolitan area—delphi study;
- (d) participation in periodic reports of the former urban research and analysis committee into demand for residential land in the Perth metropolitan area;
- (e) general briefings to the Minister on urban development issues.

- (2) See above.

- (3) The reports were made available to the Minister for Planning for appropriate action.

FISHERIES

Taiwanese Fishing Vessels

1877. Mr MacKINNON, to the Minister for Fisheries and Wildlife:

- (1) Have any Taiwanese fishing vessels been approved to operate south of 21° south latitude?
- (2) If so, how many vessels have been so approved?
- (3) What are the terms and conditions applying to that approval?
- (4) Were local fishermen consulted before the approval was given?
- (5) How are the conditions applying to the permit policed?

Mr EVANS replied:

- (1) There is approval in principle for one pair of Taiwanese trawlers to operate south of 21°S latitude to 21°40'S latitude for the purpose of taking on board product caught by Australian trawlers operating in the same area. Unless Australian trawlers are operating the Taiwanese pair is not permitted to operate south of 21°S latitude.
- (2) One pair.

- (3) The terms and conditions between the Commonwealth and Kailis Kaohsiung Fishing Company have not yet been finalised. However, I will arrange for the member to receive a copy of the draft conditions.
- (4) The proposal was approved at the request of the Kailis Fishing Company operating out of Exmouth.
- (5) The normal monitoring and policing of foreign fishing vessels will be undertaken. In addition, the effectiveness of the operation in relation to the benefit to Australian fishermen will be reviewed at regular intervals.

(d) the Western Australian Overseas Projects Authority visited the Middle East during 1983-84 to source project work for Western Australian industry.

- (2) (a) Export loan fund assistance will continue to be provided;
- (b) no specific promotions in the Middle East are proposed at this time but the Department of Industrial Development will continue to offer assistance to viable industries which have export potential in the region.

INDUSTRIAL DEVELOPMENT

Middle East

1878. Mr MacKINNON, to the Minister for Industrial Development:

- (1) What assistance did the Government provide during the year 1983-84 to Western Australian companies trading with the Middle East?
- (2) What assistance is budgeted for the same purpose in 1984-85?

Mr BRYCE replied:

- (1) Assistance provided by the Government to aid Western Australian companies trading with the Middle East in 1983-84 included—
 - (a) Co-ordination and co-funding of a display by 11 Western Australian companies at Saudi Agriculture 1984. Orders valued at \$4.5 million are expected to result;
 - (b) extension of State export loan fund assistance was given to 32 local companies;
 - (c) two visits to the Middle East were undertaken on behalf of local companies, one by an officer of the Department of Industrial Development and one by an export consultant;

STATE FINANCE

Australian Loan Council

1879. Mr MENSAROS, to the Premier:

Would he disclose to the House the essence of the decisions made by the Australian Loan Council in June 1984 and referred to in the first paragraph of the Minister for Works second reading speech recently when introducing the Bill for an Act to amend the Public Works Act 1902, in particular, how the limits placed on the semi-Governmental borrowings affected the general loan funds received by the State from the Federal Government and also why the State Government achieved a greater degree of flexibility as the Minister for Works has claimed?

Mr BRIAN BURKE replied:

The changes made to arrangements of semi-government borrowing at the 1984 Loan Council meeting were, in summary, as follows—

- (a) a total figure, now generally called "the global amount" was approved for all semi-government and local borrowing borrowing for the year. In the case of Western Australia it was \$830.7 million;
- (b) separate treatment of electricity and energy commissions was discontinued;
- (c) the limit of \$1.8 million by individual smaller semi-government and local government authorities was abolished;

- (d) financing arrangements, other than conventional borrowing, for capital programmes were brought within the global amount;
- (e) various relaxations were made in respect of overseas borrowing.

Full details of the changes are recorded in the Commonwealth Budget Paper No. 7 beginning on page 31.

The allocation of the State Government's programme increased by 6.5 per cent to \$144.8 million.

The changes have given more flexibility to the State in determining methods of financing because there is no longer a need to accept "off programme" financing arrangements unless they are the most suitable financing strategy. In the past there was pressure to augment limited conventional borrowings by so-called "off programme" financing.

The new arrangements also place additional responsibility upon the State Government in determining borrowing allocations, for example, in respect of smaller borrowings where the decisions now affect the total borrowing capacity available under the "global allocation".

WORKS

Building Management Authority of WA

1880. Mr MENSAROS, to the Treasurer:

Is it intended that the Western Australian Building Authority once statutorily constituted shall pay a three per cent levy on the gross turnover of its Western Australian Building Authority account or on any other basis to the Treasury as other Government instrumentalities do?

Mr BRIAN BURKE replied:

No.

WORKS: PUBLIC WORKS DEPARTMENT

Reorganisation

1881. Mr MENSAROS, to the Minister for Works:

Are all the employees of the Architectural Division of the Public Works Department, particularly those in the country, (if not retrenched or employed by another Government department or instrumentality) to be re-employed by the Western Australian Building Auth-

ority or will some of them remain employees of the Public Works Department?

Mr McIVER replied:

All employees of the Architectural Division of the Public Works Department were transferred to the Building Management Authority of Western Australia on 15 October 1984.

WORKS

Building Management Authority of WA

1882. Mr MENSAROS, to the Minister for Works:

- (1) What is the planned number of the Western Australian Building Authority employees?
- (2) How is this number to be divided between—
 - (a) professional staff;
 - (b) clerical staff;
 - (c) other staff;
 - (d) wages employees?

Mr McIVER replied:

- (1) and (2) The final number of employees has not been determined.

WORKS: PUBLIC WORKS DEPARTMENT

Architectural Division

1883. Mr MENSAROS, to the Minister for Works:

- (1) Are there any parts of the Architectural Division, Public Works Department, accommodated elsewhere than in Dumas House?
- (2) If so, which are these parts, with how many officers/employees each, and where are they accommodated?

Mr McIVER replied:

- (1) and (2) Yes.

Locality	Branch	Salaried Wages	Remarks
Construction House			
4th floor	Electrical Design	8	
4th floor	Construction and Maintenance	11	
3rd floor	Electrical Design	71	Includes 9 officers in client buildings
	Electrical Construction and Maintenance		
2nd floor	Construction and Maintenance	54	
1st floor	Quantity Surveyors	23	
1st floor	Electrical Construction and Maintenance	15	
Observatory	Mechanical Construction and Maintenance	24	

Welshpool Depot	Construction	8	343	Includes 8 clerks of works
	Maintenance	5	149	
	Electrical Construction		55	
	Electrical Maintenance		90	Includes 9 electricians in client buildings; excludes 2 in country depots
	Mechanical Construction	4	68	
	Mechanical Maintenance		88	Includes 18 plant officers in client buildings; excludes 26 in country depots
	Clerical		22	
	Safety	2	1	
	Mowing and Gardening		80	
	Tea Ladies		84	Various buildings
Kewdale Gardens Fremantle Depot Country Depots Kununurra	Cleaners		210	Various buildings
	Others		15	Various buildings
	Stores and Coating	10	39	
	Maintenance	5	71	
	Construction and Maintenance	2		
	Electrical		1	
	Mechanical		4	
	Construction and Maintenance	2		
	Electrical	1		
	Mechanical		2	
Broome South Hedland	Construction and Maintenance	3	2	
	Electrical	1	1	
	Mechanical	1	6	
	Construction and Maintenance	2		
	Electrical		3	
	Mechanical		1	
	Construction and Maintenance	3		
	Electrical	1	1	
	Mechanical	1	1	
	Construction and Maintenance	2		
Merredin	Electrical	1		
	Construction and Maintenance	3		
	Electrical	1		
	Construction and Maintenance	2		
	Electrical	1		
	Construction and Maintenance	4		
	Electrical	1		
	Mechanical		2	
	Construction and Maintenance	3		
	Electrical	1		
Albany	Mechanical		1	
	Construction and Maintenance		1	
	Electrical			
	Mechanical			
	Construction and Maintenance			
	Electrical			
	Mechanical			
	Construction and Maintenance			
	Electrical			
	Mechanical			

GOVERNMENT INSTRUMENTALITIES: ACCOMMODATION

Dumas House

1884. Mr MENSAROS, to the Minister for Works:

- (1) What is the title of Government departments or instrumentalities presently accommodated in Dumas House?
- (2) How many officers/employees has each of these entities working in Dumas House?

Mr McIVER replied:

(1) Public Works Department

Building Management Authority of Western Australia.

(2) Public Works Department—664

Building Management Authority—441.

1885. *Postponed.*

ELECTORAL

Rolls

1886. Mr MENSAROS, to the Minister for Parliamentary and Electoral Reform:

Are others than electors enrolled on any of the Western Australian electoral rolls entitled to witness absentee vote applications for any State election for those electors who are overseas and have none in the reasonable vicinity who would be enrolled on the Western Australian roll, or are these electors *ipso facto* debarred from obtaining absentee vote ballot papers and, therefore, disenfranchised?

Mr TONKIN replied:

Presumably the member is referring to postal vote applications rather than absentee vote applications.

The signatures of postal vote applicants are not required to be witnessed under State law. The prescribed form of application contains no provision for the signature of a witness.

POLICE: CRIME

Bicycle Theft

1887. Mr MENSAROS, to the Minister for Police and Emergency Services:

As a result of the reported police investigation of a bicycle theft prevention scheme by Mr Ivan Baul, is he going to introduce the suggested scheme or something similar?

Mr CARR replied:

Letters have been received by the Police Department from Mr Ivan Baul stating his intention to launch a "Bicycle Register" as a commercial venture.

He offered the Police Department free access to this register, to assist in the

tracing of bicycles located by or handed in to police.

The viability of utilising this scheme is being examined.

POLICE: DRUGS

"Ring-in Method"

1888. Mr MENSAROS, to the Minister for Police and Emergency Services:

- (1) Has the Police Department studied the reported ring-in method applied by the New South Wales police to obtain information on criminals connected with drug offences?
- (2) If so, are the police going to apply a similar method in Western Australia?
- (3) If answer to (1) is "No", why not?

Mr CARR replied:

- (1) Preliminary talks have taken place with both New South Wales and Victorian Police Forces to obtain information on the "Noah" scheme. Arrangements have been made for both of those forces to supply the Western Australian Police Force with detailed information of the result of the present ring-in.
- (2) When information is received and evaluated, a decision will be made in relation to whether or not this State will initiate a similar scheme. It is probable that a similar scheme will be adopted in this State.
- (3) Answered by (2) above.

FORESTS

Department Interagency Agreements

1889. Dr DADOUR, to the Minister for Forests:

Will he please list all interagency agreements, formal and informal, both existing and proposed between—

- (a) the Forests Department and the National Parks Authority;
- (b) the Forests Department and the Department of Fisheries and Wildlife;
- (c) the Forests Department and the Wildlife section of the Department of Fisheries and Wildlife, in relation to sharing and/or co-operating in the matter of—
 - (i) use of equipment;
 - (ii) use of staff;
 - (iii) use of equipment and staff,

in any area of these agencies' activities;

- (d) the National Parks Authority and the Wildlife section of the Department of Fisheries and Wildlife?

Mr BRIAN BURKE replied:

Interagency agreements involving the shared or co-operative use of staff and equipment are as follows—

- (a) Boranup (Location No. 8434) fuel reduction burning. Fitzgerald River National proposed experimental fuel reduction burning.
- (b) Lake Muir—Unicup Nature Reserves, proposed fuel reduction burning.
- (c) Not applicable.
- (d) Nil.

LAND: CROWN

Manjimup

1890. Dr DADOUR, to the Minister for Forests:

- (1) Further to question 1621 of 7 November 1984, will he release for agriculture Crown land in the Manjimup Shire regardless of "the results of detailed studies of each potential site and the recommendations of the Environmental Protection Authority working group on land release"?
- (2) Will he release 3 460 hectares of State forest to pine plantation and/or agroforestry contrary to the Australian Labor Party State platform?

Mr BRIAN BURKE replied:

- (1) No.
- (2) No. It is not proposed to clear hardwood forest for pine plantations or agroforestry.

EDUCATION: TEXT BOOKS

School Atlas

1891. Mr RUSHTON, to the Deputy Premier:

- (1) When is the tender for supply of the school atlas to close?
- (2) When is the award of tender expected to be announced?

Mr BRYCE replied:

- (1) The tender closed on 16 August 1984.
- (2) The Tender Board will make a recommendation in the near future.

QUESTIONS WITHOUT NOTICE

PARLIAMENT WEEK

Survey

604. Mr HASSELL, to the Minister for Parliamentary and Electoral Reform:

- (1) Has the Minister pursued the matter I raised with him yesterday concerning the public opinion survey on Parliament Week?
- (2) Is it correct that the survey was taken only in the metropolitan area?
- (3) If so, why?
- (4) Were any other questions asked, or was any other survey conducted in conjunction with the survey which related to Parliament Week?

Mr TONKIN replied:

- (1) to (4) I pursued that matter last night and have not received any answers. I would suggest that if the Leader of the Opposition had put the question on notice in the first place he would have received an answer straightaway.

Mr Hassell: You said last night that you would inquire.

Mr TONKIN: Yes, that is right. I am inquiring, but I have not received the answer. I am seeing people from my office during the dinner suspension and I may have a reply then, but I do not know that. As soon as I know something I will certainly let the member know by letter; alternatively, if he wants to give me some notice of a question without notice, I will be able to give him the answer.

Members will be aware that I want to make sure that the answer I give is strictly factual and I do not want to guess at what might be the answer.

TAXES AND CHARGES

Taxation Review

605. Mrs BEGGS, to the Premier:

Does the Premier support the proposed review of taxation to be undertaken by the Hawke Government in 1985?

Mr Hassell: Support a capital gains tax?

Mr BRIAN BURKE replied:

I do not know about supporting a capital gains tax, but members of the Opposition want a value-added tax and until they can stand up honestly and say to the public that they support a value-added tax, we can say the sort of things we have been saying with complete equanimity.

Mr Hassell: Not only have I not supported a value-added tax, but I have spoken against any increase.

Mr BRIAN BURKE: I have spoken in favour of motherhood, too.

Like the majority of Australians, I look forward to the review of taxation in Australia proposed by the Prime Minister after the return of his Government on 1 December.

A rationalisation of taxation through a summit has strong support across Australian political life according to *The Australian* newspaper poll published today.

I believe a rationalised tax system will offer a better deal to all taxpayers. We all look forward to a simple, fair tax scheme which is not open to the sort of abuse we saw perpetrated under the Fraser Government.

ABORIGINAL AFFAIRS: LAND RIGHTS

Sacred Sites

606. Mr HASSELL, to the Minister with special responsibility for Aboriginal Affairs:

- (1) Is he aware of the numerous proclamations published in the *Government Gazette* of 2 and 9 November in relation to Aboriginal sacred sites in the north of the State? I think that all of them are in the Kimberley.
- (2) Are those declarations being made pursuant to some special programme which is being conducted by the Museum in relation to that matter, or what is the basis of their appearance?

Mr WILSON replied:

- (1) Of course I am aware of them.
- (2) They have all been done pursuant to the Act and in the normal course of events. I understand there has been a pile-up of these and some of them were, in fact, approved by Ministers under the previous Government. It is simply an administrative matter that they happened

to have been published at the one time. There is nothing unusual about it.

ELECTORAL: REFERENDUMS

Federal

607. Mr TROY, to the Premier:

- (1) Will the Premier be supporting the two referendum questions put by the Federal Government on 1 December?
- (2) If so, will he outline the "Yes" case for the two questions?

Points of Order

Mr HASSELL: On a point of order, Mr Speaker, I question whether this question is in order. It seems to be related to a matter within the jurisdiction of another Government.

A Government member: It concerns this Government.

Mr HASSELL: It certainly does and it also concerns the Opposition. If members opposite will allow me to make a speech about it in question time, I would not take the point of order. I ask whether the question is in order.

Mr TROY: On the same point of order I think the question illustrates the State's interest in the matter and on that basis I think it is legitimate.

The SPEAKER: I refer members to Standing Order 106 which reads as follows—

Questions of which notice has been given may be put to Ministers of the Crown relating to public affairs, for which they are administratively responsible; and to other Members, relating to any Bill, motion, or other public matter connected with the business of the House in which such Members may be concerned. Notwithstanding the foregoing questions may be put to the Leader of the Government on matters pertaining to general government policy.

The question is in order.

Mr HASSELL: On a further point of order, I realise the ruling that you, Mr Speaker, have just made is based on the strict wording of the Standing Order. Does this matter of the referendum relate to general State Government policy, which are the words within which it must be said to fall?

The SPEAKER: The member has to interpret "Government policy" fairly widely and the Premier of the State is entitled to comment on matters that affect Government policy. It is not for me to decide what a referendum will incur or whatever because it is not my responsibility. I would have thought that under this Standing Order the Premier has the right to answer the question relating to matters that affect Government policy.

Questions without Notice Resumed

Mr BRIAN BURKE replied:

It is probably advisable that rather than take points of order the Leader of the Opposition see you, Mr Speaker, in your Chamber, and ask questions about the way he might frame his questions or object to other members asking theirs.

Mr Hassell: I thought it was permissible to take points of order.

Mr BRIAN BURKE: It is permissible to take points of order provided there is some Standing Order under which the member is taking the point of order, or the absence of a point of order that justifies some action being taken. It is not orderly for the Leader of the Opposition to stand in his place, take a point of order and then ask a question of the Speaker.

Mr Hassell: It is up to the Speaker to decide that.

Mr BRIAN BURKE: That is why I am saying that it is probably advisable that the Leader of the Opposition see the Speaker in his Chamber and asks him questions.

Mr Hassell: I am entitled to take a point of order, and I will.

Mr BRIAN BURKE: The Leader of the Opposition is perfectly entitled to take a point of order and I am entitled to express my opinion about the points of order taken by the Leader of the Opposition. I intend to keep expressing my opinion about the points of order that he takes while they continue to be questions and not points of order.

In reply to the question, yes, I will be supporting the questions put on 1 December.

They are to do with firstly, the terms of senators—simultaneous elections—and, secondly, the voluntary interchange of powers between the Commonwealth and States.

The "Yes" case for simultaneous elections of the Senate and the House of Representatives rests upon the laudable argument that unsynchronised elections are expensive and disruptive. They disrupt the long-term planning of governments and the private sector.

Mr Hassell: For a man who is having an election 18 months early—

Mr BRIAN BURKE: If what the Leader of the Opposition is objecting to is the early election, and if there is any integrity to his argument he must also object to a proposition that will continue to see elections that are not synchronised. That is exactly what he is doing. On one hand he is using an argument to support—

Mr Hassell: Elections will still be able to be held early.

Mr BRIAN BURKE: That is the point. At least they will not both be able to be early. We will not have the multiplicity of elections, we will not have half Senate elections without a House of Representatives election.

Mr Hassell: When did we have a single election?

Mr BRIAN BURKE: I cannot remember, but under this proposal the "Yes" vote will ensure that we exclude for ever the possibility of that event happening. If the Leader of the Opposition believes that more elections are good for the soul, I suggest he is out of step with most of the public in this State. That is really what this referendum question is about—whether or not we want more elections. The Government supports the position that we can do without the expensive and duplicated elections that can be excluded by this referendum.

Simultaneous elections will save voters money. It will also mean that the Senate will more accurately reflect the current wishes of the people. Senators will be more accountable to the electorate because at least half the Senate by its actions forces a premature House of Representatives election. The second question suits Western Australia because firstly, it enables the Commonwealth to refer powers to the States; and, secondly, it clarifies the terms on which the State can refer powers to the Commonwealth.

For example, the interchange of powers will enable the Commonwealth and

States to tackle practical difficulties and duplication of effort in the areas of family law, industrial relations, and commercial law.

While the States have already referred powers to the Commonwealth this proposal will enable the Commonwealth for the first time to refer powers to the States. The proposal advantages States. As I have said before in this House, both proposals have enjoyed bipartisan support within Federal Parliament. I understand that the Leader of the Opposition supported the proposition at a Constitutional Convention. I may be wrong but the decision was carried unanimously and the Leader of the Opposition was a delegate to the Constitutional Convention. I have seen gymnastics before but this is quite absurd. The Constitutional Convention, at which the Leader of the Opposition supported the proposition, has now been replaced in the view of the Leader of the Opposition by a contrary position.

The first question on simultaneous elections received support from the majority of Australians in the 1977 referendum. The second question was agreed to by all States and the Commonwealth as recently as 1983 at the Constitutional Convention.

Why has the Leader of the Opposition changed his view from the 1983 Constitutional Convention? He has taken a 360 degree turn in his attitude towards the question of referral of powers. It is all right for political convenience and expediency to change one's view, but if one does change the public deserve an explanation for that change of mind.

BOATS: PASSENGER VESSELS

Fremantle

608. Mr MacKINNON, to the Minister for Transport:

- (1) Is the Minister aware that during 1983-84 only four passenger vessels visited Fremantle?
- (2) Is he also aware that this is the least number of ships to visit Fremantle since 1929?
- (3) Will the Minister, therefore, approach the Fremantle Port Authority with a

view to arriving at an arrangement to ensure that no passenger tax is imposed by the Fremantle Port Authority as reported in today's issue of *The West Australian*?

Mr GRILL replied:

(1) and (2) I am not aware of the number of passenger vessels that came into Fremantle last year. However, if the Deputy Leader of the Opposition says that the number was four I am not surprised.

(3) Many people are travelling by air and are by and large paying a head tax when entering a country or where they land their vehicle.

Mr MacKinnon: Is there an airport tax on passengers coming into Australia?

Mr GRILL: There is a head tax on people entering Australia. Landing taxes are paid at many airports throughout Western Australia. That policy was strongly supported by the previous Government and if it is appropriate for airliners and people using air traffic, I do not think it is inappropriate for people using passenger transport coming into a port.

PORTS AND HARBOURS

Esperance Port Authority

609. Mr READ, to the Minister for Transport:

Can the Minister provide details of the Esperance Port Authority building which the Premier opened last Saturday?

Mr GRILL replied:

The building has cost \$340 000 and is the second stage of an overall complex which will house most administrative and workshop/maintenance facilities. The third and ongoing stage is the continued development of the surrounds with gardens, parks and recreational facilities.

A number of State Government departments will also be housed in the new building. They are: Industrial Development, Fisheries and Wildlife, and Marine and Harbours. A customs unit is also housed in the building.

The Chairman of the Port Authority, Mr Ralph Bower, tells me that—

The opening of the new building comes in the year that the authority

handles for the first time in a single year more than one million tonnes of trade. With the expected record grain harvest this year there is every reason to believe that this record will be beaten.

ALUMINIUM SMELTER

Government Land

610. Mr BRADSHAW, to the Minister for Minerals and Energy:

Adverting to question 1745 on 14 November, I ask the following—

(1) What discussions have taken place with the Harvey Shire Council regarding the possible use of the land being purchased by the Government for the proposed aluminium smelter at Kemerton?

(2) What will the Government land be used for?

(3) If no discussion has yet taken place as reported in the *South West Times* of 20 November 1984, when is it proposed to involve the Harvey Shire Council in the proposed smelter in the Harvey Shire?

(4) As the Government cannot continue to be secretive about development proposals within the Harvey Shire Council's area of responsibility, when does the Government intend to allay the growing concern and uncertainty by publicly indicating what is being considered and start involving the responsible local government authority?

Mr PARKER replied:

(1) A number of discussions have taken place with the Shire of Harvey and I have been involved in some of them. I understand discussions with senior officers of my Department of Resources Development took place a few days ago.

(2) The question is based on a false assumption that the Government is purchasing land for a proposed aluminium smelter. That is not true. The Government is, as has been indicated in the Press, proposing to purchase land. One of the aspects is to keep open the options in that regard, but there is no doubt that there are other uses for which the

Government can employ the land. The Government has need of land in the area and all will be revealed in that matter in due course.

(3) Not applicable.

(4) The Harvey Shire has some responsibilities for certain matters but the Government, of course, has the responsibility for the development of smelters or anything else of that nature whether it is in the Harvey Shire or in any other shire. The shire has a right to be consulted and involved and the Government will ensure that the Harvey Shire or the Collie Shire, or whatever the appropriate shire is, will be consulted and involved. We have done that so far with both the Harvey and the Collie Shires and will continue to do so.

When the Harvey Shire Council first came to me it expressed concern and said that what it wanted most was to ensure that there was no repeat of the Worsley experience. This happened during the time of the previous Government and the shire claims it was not consulted at all, despite the fact that the development had a substantial impact on that shire.

That is not being repeated with this Government and this project, whether the smelter will be built in the Collie Shire or the Harvey Shire. Of course, there will be an impact on Harvey because of the population growth and the economic growth of the region. This Government will ensure that the Harvey Shire is fully consulted in all matters relevant to its sphere of operation.

TRANSPORT: BUSES

Bunbury Study

611. Mr P. J. SMITH, to the Minister with special responsibility for "Bunbury 2000":

(1) Is the Minister aware of comments by Hon. Vic Ferry, MLC, on GWN Radio yesterday when he called on the Government to release the "Bunbury 2000" bus study to allow the public to comment?

(2) Could the Minister give some information as to when this report is likely to be released?

Mr GRILL replied:

(1) I have second-hand knowledge of the comments on the radio by Mr Ferry.

(2) In response to the request for general information, the Transport Commission carried out a comprehensive study into its bus service and proposed bus services in the Bunbury and greater Bunbury region. The study was carried out as part of the Government's commitment to "Bunbury 2000".

The report which was produced as a result of that study is presently being evaluated by various arms of the Government. It is also being evaluated by a small committee comprising one or two members of the Transport Commission, a member of the Bunbury City Council and a member representing three other shires in that district. They are undertaking that study on a confidential basis. It is intended to release the report in due course, but it will not be released until such time as the Government has evaluated it, and I have received the relevant reports from the various arms of Government and from the committee in the south-west to which I referred.

I do not want the report released prematurely because it will simply raise expectations unnecessarily, and in some cases may raise fears unnecessarily. The Government is not wedded to the options set out in that particular report. It wants to make a considered response to the report. If Mr Ferry wants a copy, he can make a request to me; as yet he has not done so. If he does, I will consider his request on the basis that he keeps it confidential.

AUSTRALIAN LABOR PARTY

Political Rally

612. Mr BLAIKIE, to the Minister for Education:

(1) Did schoolchildren attend the political rally addressed by the Prime Minister in Collie on Monday which was attended by the Labor Party candidate for the Federal seat of Forrest?

- (2) If "Yes", were parents consulted about the rally, and who authorised the children's presence?

Mr PEARCE replied:

- (1) and (2) I would have thought the Prime Minister was a public figure and that anybody could go to his rallies. I do not know the specifics of the question, but if the members puts it on notice I will provide an answer.

HEALTH: TOBACCO

Consumption

613. Mr BERTRAM, to the Minister for Health:

- (1) Has he seen the report in tonight's *Daily News* on page 3 headed "Tobacco claim 'naive' "?
 (2) If "Yes", what is his response to the allegation of the Tobacco Institute spokesman that the Minister's claim that tobacco sales had dropped was naive?

Mr HODGE replied:

- (1) and (2) I thank the member for the question and the opportunity to set the record straight. The Tobacco Institute spokesman, Mr Berryman, has issued some very misleading and inaccurate figures in an attempt to try to discredit the Government's smoking and health project. The figures I quoted were entirely correct and were official Treasury figures supplied by the Minister for Budget Management.

Mr Berryman has seriously misled the people of Western Australia. He has compared a period in June-July 1983 with the two-month period of June-July 1984 and indicated that because there is a substantial difference of a couple of million dollars there must be an increase in the sale of cigarettes. That is completely false, and I am sure Mr Berryman knows that. He has failed to draw to the public's attention that during that time there was a 35 per cent increase in the rate of State tobacco tax and a substantial increase in the Commonwealth tax. So the increased revenue he points to as an indication of increased sales was in fact caused by an increase in the tax collected by the Treasury.

The sale of cigarettes has dropped remarkably in this State. A significant drop occurred during the period of the Government's "Quit Campaign" in June and July. Our collections were \$1.83 million less for the period of the Quit Campaign than for the preceding period of April-May. In the months of December 1983 and January 1984 the revenue collected by the State was \$9.574 million. If that is contrasted with the June-July 1984 figures, one sees the Government collected \$6.971 million, a very substantial reduction in collections. That is the clearest indication that sales are dropping. During the period I mentioned in which collections fell by \$1.83 million, that figure can be converted to 3.5 million fewer packets of cigarettes being sold in this State.

Mr Court: Is there any indication of mail order sales from Queensland?

Mr HODGE: How would I get an indication of that?

Mr Court: Could that be the reason?

Mr HODGE: Australia Post would have to be working overtime.

The point I want to make is that Mr Berryman has deliberately misled the public by not comparing like with like. The two periods he quoted are definitely not comparable. The statistics I have quoted are correct, I have had them in writing from the Minister for Budget Management. I think it is time the Tobacco Institute stopped trying to denigrate the State Government's smoking and health campaign which has undoubtedly been most successful.

PASTORAL INDUSTRY: LEASES

Emmanuel Family: Aboriginal Interest

614. Mr LAURANCE, to the Minister for Lands and Surveys:

- (1) Has the Minister or any of his ministerial colleagues entered into negotiations with the owners of the Emanuel pastoral properties, Go-Go, Christmas Creek and Cherabin, in the Kimberley to purchase these properties for Aboriginal interests?
 (2) If "Yes", does the rumoured figure of \$12 million for the properties have any validity?

Mr McIVER replied:

- (1) and (2) Mr Emanuel has applied to the Pastoral Board for permission to sell his properties. That permission has been granted and no further negotiation has taken place with Mr Emanuel.

TOURISM: BUNGLE BUNGLE

World Heritage Register

615. Mrs BUCHANAN, to the Premier:

- (1) Is he aware the Australian Democrats believe Bungle Bungle should be placed on the World Heritage Register?
- (2) Is he also aware that, unlike members opposite, the Democrats have endorsed the Government's proposals to manage the area?

Mr Hassell interjected.

Mr BRIAN BURKE replied:

- (1) and (2) I would not be upset if I were the Leader of the Opposition. At Mt. Lawley on Saturday there were people urging voters to sign an anti-Aboriginal petition. It was absolutely disgusting; they were at the polling booth.

Mr Hassell: There was no anti-Aboriginal petition.

Mr BRIAN BURKE: People were being urged to sign an anti-Aboriginal petition.

Several members interjected.

The SPEAKER: Order!

Mr BRIAN BURKE: Perhaps I am misinformed, but I was told that people were urging others to go and sign an anti-Aboriginal petition.

Mr Hassell: There was no anti-Aboriginal petition.

Mr BRIAN BURKE: I do not know whether the Liberal Party's helpers knew what they were asking people to sign, but I certainly was not urging people to sign an anti-Aboriginal petition. I do not know whether they were lined up to sign, but it is un-Australian to be urging people to sign such a petition as they go to vote. Perhaps members opposite should instruct their polling booth workers more precisely about what they are asking people to sign. People were saying "Sign the anti-Aboriginal petition".

To return to the question: Members will be aware that a report on proposals concerning the management of Bungle

Bungle has been released for public comment. The deadline for submissions has been extended to 4 January. I was pleased to see that Senator Colin Mason has endorsed the proposed thrust of the report; that is, that a joint management program involving local Aborigines and parks and wildlife service officers should be organised. We believe that is very important.

Mr MacKinnon: He wants it listed on the World Heritage list so the Federal Government can take it over.

Mr BRIAN BURKE: I am not sure that is the reasoning behind his statement. I heard him on radio and he seemed to be paying tribute to the great beauty of the place and not saying that he wanted a Federal takeover.

Mr MacKinnon: That is what he said in the paper this morning. You didn't read the paper.

Mr BRIAN BURKE: I did not see the paper this morning, but I heard him being interviewed on the radio. To continue with the answer: That is something we believe is important. Unlike some members opposite who appear hell-bent on destroying this precious part of our national heritage, Senator Mason has seen the need to institute such a practical management scheme.

Members may also be aware that there has been considerable correspondence between conservation groups and my colleague, the Minister for the Environment, and the Federal environmental Minister, Barry Cohen.

There are several areas in Western Australia which conservation groups have proposed to place on the World Heritage list. Bungle Bungle is among them.

I can tell the House that while there is no immediate plan to press for this listing on the World Heritage list, we are keeping the proposition under review, and when resources are available for proper management programmes to be developed, this matter will be considered by the Government.

PORTS AND HARBOURS

Marina: Point Dundas

616. Mr TRETHOWAN, to the Minister for the Environment:

When will the environmental report on the Bond Corporation's Point Dundas marina proposal become available to the Minister for Planning, as he has indicated that his approval of the City of Melville's town planning scheme No. 3 is dependent on receiving it?

Mr DAVIES replied:

I thank the member for some notice of the question. I confirm the information I gave him previously that it will probably be about three weeks before the report is available. A huge number of submissions were made and we extended the closing period for quite some time. I have even had requests for the date to be extended further, but we said that we could not arrange that. The office is very busy as it has approximately 48 projects to examine presently. That is more than it has had at any one time during the period it has been in operation. However, we believe the report will be available in about three weeks.

ABORIGINAL AFFAIRS: LAND RIGHTS

Legislation

617. Mr MacKINNON, to the Minister with special responsibility for Aboriginal Affairs:

- (1) Will the Government be introducing its Aboriginal land rights legislation this session?
- (2) If not, when is it likely that a draft Bill will be available for public comment?

Mr WILSON replied:

- (1) The Government will not be introducing its land rights legislation this session.
- (2) It is not clear when the draft Bill will be available for comment.

Mr Hassell: It is exactly as we predicted. Keep it out of sight until after the election!

Mr WILSON: As usual, the Leader of the Opposition is wrong. The point about this operation, which is understood by the interest groups which have been involved in the drafting process, is that that the drafting process has been very complex and complicated. That is understood clearly by the people who have

seen fit to be involved in the process who want to ensure that, when the legislation is complete, it takes account of the interests of all Western Australians. Therefore, it has not been possible to complete the drafting process at this stage. It would be thoroughly irresponsible of the Government to move to introduce legislation when all along we have been so concerned to consult with those interest groups to ensure that that legislation is introduced responsibly.

BUSINESS: SMALL BUSINESS

Taxation Summit

618. Mrs HENDERSON, to the Deputy Premier:

What steps has the Government taken to ensure that small business participation in the economic recovery is enhanced by reforms flowing from the Federal Government's promised tax summit next year?

Mr BRYCE replied:

I have today sent a telex to the Prime Minister pressing the case for proper small business representation at the tax summit to be held in the third quarter of next year.

This Government acknowledges that an efficient small business sector is a crucial ingredient in continued economic recovery, not only in Western Australia, but also in Australia as a whole.

It is essential that small business be properly represented, especially as the expansion of this sector is a key to reducing unemployment and the complexity of the tax issues could inhibit their full participation in the continued recovery.

The particular tax issues which concern the small business sector include division 7 of the Income Tax Assessment Act dealing with the retention allowance, distribution of profits within a family business, complex sales tax regulations, and payroll tax.

The Western Australian Government has taken an unprecedented step in the recent Budget of reducing the rate of payroll tax and it would like to see it abolished, because it is an iniquitous charge on jobs. However, our ability to abolish that tax will clearly depend to a significant degree on a new deal struck

with the Commonwealth in respect of its tax sharing formula to be sorted out next year. In my telex, I reminded the Prime Minister of his election speech undertaking to convene a widely representative national tax summit next year as part of a thorough review of the entire tax system.

It is essential for small business to be given a proper voice so that its views on the relevant complex tax problems are fully and clearly aired.

Mr COURT: He has not carried out one of the tax promises he made.

Mr BRYCE: That just denies the tax cuts which have occurred which have affected the vast majority of Australians. I sincerely hope that what happened at the economic summit last year will not happen again in 1985. Whether members opposite share my confidence in the re-election of the Hawke Government is a matter for conjecture. I have no doubt that the Hawke Government will be re-elected and, therefore, that the tax summit will be held in the third quarter of next year. It is absolutely vital that small business be given the opportunity to marshal the logical argument of its case for presentation to that summit, because it is the view of this Government that the organised arguments of large Government agencies, large Government, large business, and large organised trade unions will quite rightly overlook the essential needs and problems that confront small business with regard to the tax structure. It is a very opportune time to insist that small business across the country has the appropriate opportunity to have its voice heard at that conference.

GOVERNMENT INSTRUMENTALITIES

Proposed Trading Corporation

619. Mr COURT, to the Premier:

Is the firm Bittai, which is currently carrying out consultancy work for the Government in relation to the Government's proposed trading corporation, attempting to purchase a tax loss company on behalf of the Western Australian Government?

Mr BRIAN BURKE replied:

I do not know that that is the case, I know that the consultants engaged by the Government have been busy exploring a multiplicity of exciting options to encourage and expand trade between Western Australia and our Asian neighbours in particular. I am not sure of the detail of all of those inquiries or that exploratory work, but the member will be pleased to know that all the opportunities which languished during the nine years his party was in Government are about to be exploited properly by the Government in this State. The Western Australian Exim Corporation is about to be launched. The member will be invited to the launch and we hope he will come and support it as will most right thinking Western Australians.

HEALTH: HOSPITAL

Murray District: Pearce Thomas Report

620. Mr BRADSHAW, to the Minister for Health:

- (1) Has the Madam Chairman of the Murray District Hospital been given a confidential copy of the Pearce Thomas report on health facilities in the Peel area which is not available to the Murray District Hospital Board or administrator?
- (2) Who else has been given a copy?
- (3) When will the Minister release the report to the public?
- (4) Is the Minister aware that funding for a private hospital in Mandurah is being delayed until the Government makes the Pearce Thomas report public?

Mr HODGE replied:

- (1) to (4) To the best of my knowledge, no-one has been given a copy of the Pearce Thomas report. That report is currently being studied by myself and the department. As I have advised the member previously, I expect to be in a position to report to Cabinet in the near future and Cabinet will make the decision about whether it takes action in respect of that report and whether it releases it. I am not aware of the details of the private hospital to which the member referred.