

Legislative Assembly

Tuesday, 28 September 1982

The SPEAKER (Mr Thompson) took the Chair at 2.15 p.m., and read prayers.

BILLS (4): ASSENT

Messages from the Governor received and read notifying assent to the following Bills—

1. Money Lenders Amendment Bill.
2. Child Welfare Amendment Bill.
3. Bulk Handling Amendment Bill.
4. Road Traffic Amendment Bill.

WESTERN AUSTRALIAN MARINE BILL

Assent and Royal Approval

Message from the Governor received and read notifying assent to the Bill and stating that he had sought the approval of Her Majesty to clause 2.

PETROLEUM RETAIL SELLING SITES BILL

Introduction and First Reading

Bill introduced, on motion by Mr Tonkin, and read a first time.

BAIL BILL

Report of Committee adopted

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Young (Minister for Health), and returned to the Council with amendments.

ACTS AMENDMENT (BAIL) BILL

Report

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Young, (Minister for Health), and returned to the Council with amendments.

MOTOR VEHICLE (THIRD PARTY INSURANCE) AMENDMENT BILL

Second Reading

Debate resumed from 23 September.

MRS CRAIG (Wellington—Minister for Local Government) [2.25 p.m.]: I will attempt to answer some of the questions raised by the member for Morley during the second reading debate. I will draw the House's attention to some of the assertions he made against the trust and officers of the trust. He said it had been allowed to run wild and to do as it liked; it had weaknesses; its operations were deficient; and it was allowed to do certain things that no responsible Government should allow. He also indicated that the Opposition was not satisfied with the performance of the Motor Vehicle Insurance Trust; he said that it was careering along out of control. Yet at no time did the member for Morley substantiate the accusations he made.

I want to make it clear that the trust has acted only under the law. The trust has a duty to pay damages due to negligence in accordance with the law, and it has done that conscientiously since its inception, so far as I am aware, but certainly during the years I have been associated with it.

Mr Brian Burke: The Statute of limitations is a law.

Mrs CRAIG: We will come to that and the announcement this Government has made in regard to that and some of the comments made by the Leader of the Opposition's colleague.

Mr Brian Burke: Operating within the law does not mean it has operated in an appropriate manner.

Mrs CRAIG: I have not asserted that it did.

Mr Brian Burke: What is the point of your argument?

Mrs CRAIG: The member for Morley took a long time to indicate that the trust had established reserves greater than those required by law of ordinary insurance companies. That statement is quite incorrect. The trust has no reserves whatever because it has a deficit. At numerous times during his remarks the member for Morley alluded to the deficit. He overlooked the fact that normal insurance companies are required to retain reserves, but that the Motor Vehicle Insurance Trust cannot be said to operate as a normal insurance company. It is a trust and it is set up in a totally different manner.

When the member for Morley referred to the trust's financial difficulties, he would have been fairer had he indicated that the deficit has been reduced, and will be reduced further over a

period, and that there is no possibility whatever of the trust's not meeting its commitments. The Opposition simply is scaremongering by continuing to assert that there is something wrong financially with the trust, and by putting fear into the hearts of people that perhaps they will not be able to receive the amount that should accrue to them or that the court may award to them as a result of the insurance they carry which, of course, is compulsory.

Mr Tonkin interjected

Mrs CRAIG: The use of the Statute of limitations was referred to, and it is only fair to say that that has caused concern in recent times. The member for Morley referred to brief extracts from statements made by two judges in Western Australia, and he took the trust to task for using the Statute in that situation. I want to place on record the fact that the trust acted in good faith on the legal advice it had been given. After the Government had carefully inspected the comments made by those judges, and referred these to the trust, and after the trust had consulted its solicitor and later a Queen's Counsel—the trust also having obtained the Government's advice—the Government made a statement on 13 September indicating it would legislate to ensure that the Statute of limitations was not used in future in the same manner which recently brought criticism of the MVIT from the Supreme Court and the High Court.

In fairness to the members of the trust, it should be pointed out that a lengthy opinion obtained from a Queen's Counsel had said that no criticism could be levelled at the trust or any of its executives because the course of action which led to the criticism had been adopted on the advice of its senior legal adviser. At a later stage of this sitting I will introduce a further amending Bill to overcome that difficulty and to change the situation which pertains now. It would be unrealistic to say one could remove the use of the Statute altogether because there must be some limit to the time in which people can appeal. I say again that the trust has a clear duty to pay damages due to negligence in accordance with the law. Under this proposal, there is no possibility of manipulation as was asserted by the member for Morley.

Mr Tonkin: The manipulation I talked about was your not putting up the premiums just before an election.

Mrs CRAIG: The member for Morley said he believed this Statute would be improved by this proposed legislation, and that he agreed there would be no question of the trust's being accountable in the future. I would endorse that because

the provisions of the Bill will ensure that that is so. The member for Morley then talked about Government interference in premium increases, and called a cheap political act the fact that no increase was allowed to premiums in 1979. In 1978 when the premiums committee of the trust made a request to the then Minister to raise the premiums it sought a rise which was not insignificant, and the Minister with the approval of Cabinet, agreed to the rise, but made it clear to the trust that a rise of that sort at that time would preclude consideration of a rise in the following year.

Mr Tonkin: Which year was that?

Mrs CRAIG: That was in 1979. The rise was sought in 1978. That is what happened. The member for Morley then endeavoured to say I had been untruthful in what I had said about this matter. About August 1979 I made a statement that there would be no rise in premiums. It is true that probably in May or June 1980, an announcement was made that premiums would rise. At that time I said I had received a report from the premiums committee in March of that year and Cabinet had agreed to the rise that was sought. I cannot think what could be said to be untruthful about that.

On both occasions it was stated clearly. On the first occasion we were asked to grant an increase and we refused; the second time we were asked to grant an increase, we accepted the responsibility to grant that increase. I hope the member for Morley will indicate the manner in which he thinks that is in any way dishonest.

If the member wants to talk about cheap political manipulation, perhaps he ought to look at the situation when the Labor Party was in Government in 1970-73. In December 1972 the Labor Government determined that it would reduce the premiums by 20 per cent. It is fair to say that earlier the trust had proposed there may be some room for a reduction in the premiums. However, one can assume that conditions had changed because the court was ordering greater payments against the MVIT and a reduction no longer could be considered. Regardless of that fact, a decrease of 20 per cent was announced in the December prior to the election. So if the member for Morley wants to exercise his mind about cheap political tricks, he ought to look at the actions of the Tonkin Government.

Mr Parker: The elections were in 1974—two years later.

Mrs CRAIG: The premiums were again reduced in 1973. When a decision is made in December of any year, the application of that de-

cision is not effected until July of the next year. It takes the trust that period to implement the alteration.

Mr Parker: But this was two years later.

Mrs CRAIG: The election was in 1974, and the reduction in premiums was to have effect from July 1973. So people who paid their premiums shortly before the 1974 election were paying 20 per cent less in premiums than they had paid in the previous year. Therefore, it would be a little foolish for the member to assert that the reason for the decreased premiums was not political.

It is interesting to note, from the figures not quoted by the member for Morley, that as a result of the decrease, the trust began to run into deficit funding. The member did not want to go as far back as that.

Mr Tonkin: It is not a question of not wanting to, I am not even aware of what happened then.

Mrs CRAIG: It is passing strange that the member is so concerned about what happened in recent times.

Mr Tonkin: We are talking about this Government—not a Government that has been dead for eight years.

Several members interjected.

The ACTING SPEAKER (Mr Crane): Order! There is too much audible noise in the Chamber and I ask members to keep down the level.

Mr Tonkin: The Minister shouted first.

The ACTING SPEAKER: Order!

Mrs CRAIG: The member for Morley tried to say that, because of the deficit presently facing the Motor Vehicle Insurance Trust, the trust is in an unsound financial position. I have explained, and I will explain again, that there is no cause for alarm. Because it will take many years to finalise claims, the trust's position is quite sound. In fact, the member admitted that the deficit was predicated on the basis that the claims would be met in any one year, and it is extremely unlikely—in fact, impossible—that that would happen.

The member for Morley drew attention to the fact that premiums had risen 350 per cent in the period from 1976 to 1982—I think that was the period he used. I indicated that that increase could have been very largely a result of the higher level of awards made by the courts; premiums had to be increased to cover the higher awards. The member said that the rise is not commensurate with the higher awards made by the courts. I have obtained some figures so that I may assure him that my comment was quite correct.

Over the period to which the member was referring—that is, from 1976 to 1982—the total of the awards made rose by 487 per cent and the premiums increased, not by 350 per cent as suggested by the member for Morley, but by 332 per cent. So the ever increasing amounts awarded by the courts have had a very strong effect on the premiums that need to be charged in order that people's claims can be met.

Mr Tonkin: Did you allow for the difference in the number of vehicles being registered today?

Mrs CRAIG: I am sure that, from the research the member has undertaken, he will be aware that the determination of the premium level to apply for any one year is, in the first instance, an actuarial estimate. In other words, the trust makes a guesstimate of the claims which will be made in the following year, and of course it must have regard for the number of cars.

Mr Tonkin: The figures you gave just then are incomplete. If you are trying to be scientific, you also must take account of the greater number of motor vehicles.

Mrs CRAIG: Let me assure the honourable member that I am not trying to be scientific. I took the same simple base that he used. He said that the premiums had increased by 350 per cent over that period, and I am telling him that the actual increase is 332 per cent. I also raised the question of whether he had considered other costs incurred by the trust in that same period.

Mr Tonkin: It must be related to the number of motor vehicles also.

Mrs CRAIG: Between 1976 and 1982, the number of vehicles and the number of premiums being paid would be exactly the same.

Mr Tonkin: You missed the point.

Mrs CRAIG: So the number of vehicles would make no difference. We have looked at the increase in premiums for all vehicles, and the premiums have increased 332 per cent.

Mr Tonkin: So that figure of 332 per cent is a bald bare figure of the total premiums.

Mrs CRAIG: Of course, the member was talking about the total premiums.

Mr Tonkin: No I was not. I was talking about increases in premiums.

Mrs CRAIG: Well, it really makes no difference—

Mr Tonkin: Oh, it does.

Mrs CRAIG:—in any estimate. The number of claims will be roughly commensurate with the number of vehicles insured. It is an academic argument which will not get us anywhere.

Mr Tonkin: They are two different figures.

Mrs CRAIG: While I know that increased premiums concern all the motoring public, it does not alter the fact that anyone who takes out compulsory insurance does so on the understanding that he will be covered in the event of another person making a claim against him. The member for Morley knows very well that the Government has no control over the amounts awarded by the courts.

It may be interesting to relate that recently I read in the paper about an award made to a young wife. She had endured the tragedy of losing her husband after only two weeks' marriage; however, at that time, the couple had not set up a house. They had simply got married and gone away for two weeks. This woman's husband was killed in a tragic car accident and she was awarded approximately \$113 000 damages for his loss, because the accident was caused by negligence.

I do not mean to be callous, but I think all members would agree that that circumstance would not have occurred a short time ago, because in fact that woman's lifestyle had not changed markedly. The loss of that man, after only two weeks' marriage, would not represent a major change in the lifestyle his wife had enjoyed for a much longer time. However, an award in the vicinity of \$113 000 was made.

Mr Tonkin: Yes, but it would interrupt the lifestyle she was enjoying then.

Mrs CRAIG: I do not disagree, but it was an unusual circumstance and the attitude adopted by the court was different from that which would have been adopted a while ago. I am not saying the attitude is wrong, but it is different and it puts a different pressure on the premiums that need to be paid by people, because it is very difficult to know the levels of payments which will be made.

Mr Pearce: Payments of that nature always have been made.

Mr Young: What sort of payments are you talking about?

Mr Pearce: Payments to the person to whom the Minister referred.

Mr Young: The Minister is referring to the loss of the husband.

Mr Pearce: Compensation always has been paid for that sort of thing.

Mr Young: The Minister is making the point very clearly that, two weeks prior to the young couple's getting married, each lived with his or her mother and father. Tragically one partner was

killed and the wife would return home to live. Now \$117 000—

The ACTING SPEAKER (Mr Crane): Order!

Mrs CRAIG: The member for Morley then said he was concerned about the abolition of the premiums committee and he made an unsubstantiated assertion that that move was to allow the Government to manipulate premiums. Had the member for Morley bothered to read the legislation before the House—

Mr Tonkin: What do you mean had I "bothered to read it"?

Mrs CRAIG:—he would know the reasons for it. The Bill sets out firm guidelines for the establishment of premium levels and outlines clearly the new constitution of the trust.

The member for Morley suggested the premiums committee should be reconstituted and that it should comprise six members, four of whom being identical to the membership of the trust proposed in the Bill.

It must be understood clearly that the trust collects compulsory insurance from all people who own motor vehicles and, therefore, it cannot act in a way which enables it to make profits. In other words, the trust is constituted for the use and benefit of the people who subscribe to it.

As a result of the very firm guidelines laid down in the Act as to the manner in which premiums would be established, the proposal that a watchdog should examine the rules by which the trust must abide and the way in which it operated seemed very strange.

Therefore, it was decided to eliminate the premiums committee. The other reason for abolishing the premiums committee is abundantly clear; that is, of course, that previously the trust had a significant content of participating insurers, pools existed, money was distributed when a pool came to an end, and participating insurers had to contribute to a deficit or be recipients of moneys in the form of profits, so it could perhaps have been said that the company influence would affect the setting of the levels of premiums. With the new constitution of the trust, that cannot be said; therefore, the member's suggestion that the Government seeks to abolish the premiums committee only in order to allow it to manipulate premiums, cannot be said to be correct.

The member for Morley referred to a 1981 report of the premiums committee which mentioned the possibility of establishing reserves. He referred to that when he was talking about the discrepancy between the levels of reserves determined by the Commonwealth Insurance Act and

the suggestion in the report of the premiums committee. That suggestion indicated that the establishment of reserves of 40 per cent to 50 per cent would provide a good cushion for the trust. It was a suggestion only and it was followed by a comment to the effect that, if the premiums were lifted to a given level, establishment of reserves may result. However, it must not be construed that the trust has, at any time, had reserves. In fact, it is in a deficit position.

It was quite incorrect for the member for Morley to say it was wrong for the trust to have reserves at a level three times the reserves allowed by the Commonwealth, while at the same time complaining about the deficit which, in his view, would cause so much disadvantage to all the subscribers to the trust.

The member for Morley argued against the case he was putting forward. He could not substantiate the suggestion of a certain level of reserves, while at the same time referring to the grave cause for concern presented by the deficit.

The member for Morley mentioned the establishment of housing loans which he believed to represent an improper use of the funds of the MVIT. He indicated he believed housing loans were in the vicinity of \$250 000 at interest rates between five per cent and 8.75 per cent.

At June 1982, the balance of the trust's funds in housing loans was \$145 446. This practice of allowing trust employees to raise loans for housing was instituted by the trust a long time ago. In recent years no further loans have been allocated, but the trust felt it was necessary to offer this facility to some of its employees in order that it could compete "staffwise" with other insurance firms. None of the housing loans was very large. They ranged from approximately \$5 000 to \$25 000 and no loans of that nature have been awarded recently. When housing loans were first made they were at rather low interest rates, but, if the member for Morley really felt concerned about that matter and investigated it further, he would find it was normal business practice which was necessary in some respects for the trust to be able to retain the sort of people it needed to run its operations as efficiently and responsibly as they have been run over a great many years.

It was said that interest earned on investments by the trust was far too low, and that the trust's investments were not scrutinised properly by the Government. I ought to make it clear that only authorised investments are allowed to be made by the trust; it must put its moneys into those investments. If it wishes to put moneys into any other form of investment it must obtain minis-

terial approval to do so. Certainly in my experience it has never sought ministerial approval without first having received very good advice from financial houses as to the nature of the investment, and the securities the investment offered. So, it is only authorised trustee investment into which the trust can put moneys; it may invest otherwise only with ministerial approval.

The earning rate in 1981-82 of all the investments of the trust was 14.12 per cent. The member for Morley would have to concede that percentage is a high level of return and indicates the responsible attitude of the trust towards investments.

Mr Tonkin: Is that all investments?

Mrs CRAIG: It is the average return from all investments. If one wants to compare that return with a similar body, one can refer to the 11.7 per cent average annual return on investments by the State Superannuation Board. It is unfair to accuse the MVIT of unsound financial management and irresponsible use of people's funds when it has shown a great deal of responsibility and has invested people's funds wisely and in the best interests of the people contributing to the trust.

I believe I have answered in substance the main matters canvassed by the member for Morley. The member for Albany raised a question in regard to the expertise of which the trust may be deprived as a result of the withdrawal of the participating insurers. Whether an expertise has departed from the trust, I do not know, but I do know that participating insurers have not seen the trust as sufficiently attractive to enable them to remain participants in the trust. It is well known that private insurance companies throughout the world are hesitant to take up this sort of insurance; it usually is left to some sort of trust or body. In the constitution of the membership of the trust provision is made for two persons experienced in the insurance field, and those people ought to be able to assist the trust in making the management decisions it would wish to make in the best interests of its subscribers.

The member for Albany raised also the question of why the trust was to continue as a separate, autonomous body, and not be placed as part of the State Government Insurance Office. The answer is that the insurance premiums are compulsory on motor vehicle owners, and it seems to this Government most necessary to have the trust set up as an entirely separate body so that it is clear what are the trust's receipts and payments. Its autonomy is necessary also to ensure no suggestion be made that there must be a profit or

that funding can be hidden in any way. It has the unusual responsibility of being the recipient of moneys that must be paid to it—compulsory premiums.

I am not competent to comment on whether it would be appropriate for the trust to take up accommodation in the new Atrium. I know the trust employs some 79 people. As a separate body it is its business determination whether it will stay where it is or move to that new building, and that will be determined on the basis of whether the move is in the best interests of the trust, and therefore in the best interests of the public.

The member for Mt. Hawthorn canvassed some matters, the most important of which was the question of whether the trust has the capacity to pay no-fault insurance. The member said he knew it was available in Victoria, and thought it was available in some other States. My inquiries reveal it is available in Victoria, and that when it came into being premiums increased by 20 per cent. Although this insurance has been considered from time to time for Western Australia, and although I would say very good cases can be advanced in support of no-fault insurance being made available, certainly its introduction would need to be reflected in the level of premiums payable. Therefore it would be a matter for the people of Western Australia, and the Government at the time, to determine whether it was appropriate and whether the difficulties mentioned that would go with its introduction, could be overcome.

The member then said the Government had attempted to amend the Act to prevent spouse from suing spouse, and that—as he put it—Her Majesty's Opposition defeated the proposition. My research indicates that the amendment was to do exactly the opposite; it was to allow spouse to sue spouse, an action for which the general law did not provide. So, he was not accurate in his estimation of that amendment. He made reference to paramours, *de factos*, and other such people, but I will not enter into that debate because I know the legal definition of those terms is not entirely commensurate with that which this House recognises as the definition of the term "spouse" in this day and age.

He talked too about people being able to be compensated for the loss of any personal possessions as a result of a motor vehicle accident. I think the House would agree with me that such compensation is not a matter which comes into the field of the Motor Vehicle Insurance Trust. It is up to each individual to pursue that matter on his or her own, and to take out private insurance if he or she so wishes to cater for that factor.

I rest my remarks at that point, and commend to the House the second reading of this Bill.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Watt) in the Chair; Mrs Craig (Minister for Local Government) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 3 amended—

Mr TONKIN: I move an amendment—

Page 2, lines 6 to 10—Delete all words after the word "in" and substitute the following passage—

" subsection (1)—

- (a) in the definition of "Minister", by deleting all words after "the" where it first occurs and substituting "Treasurer"; and
- (b) by deleting the definitions of "Approved insurer", "Nominated member", "Participating approved insurer" and "Transferee insurer".

The purpose of my amendment is to put the Act under the surveillance of the Treasurer as distinct from the Minister for Local Government. It seems anomalous that the Minister for Local Government should have this kind of control. It largely arose out of the origins of the Act in 1943 when motor vehicle insurance was a question for local government authorities and it has not been changed since then. It is more sensible and appropriate to have the Treasurer control this because his department is largely a body which is dealing with financial matters.

Point of Order

Mrs CRAIG: Mr Deputy Chairman (Mr Watt), I draw your attention to Standing Order No. 269 which clearly indicates that matter which is extraneous to the content of a Bill may not be introduced by way of amendment.

I question whether this amendment, which is not a part of the amending Bill, can be accepted by the Chamber. I indicate that in my consultations with the Parliamentary Counsel when I was endeavouring to have some amendments drawn to place on the notice paper to overcome the difficulty with which I was confronted in so far as the Statute of limitations was concerned, I received the clear direction that it was not poss-

ible to introduce that by way of amendment because that was not one of those items that was a part of the substance of the Bill.

Mr Deputy Chairman, I seek your ruling on this matter in relation to whether the amendment is admissible.

Deputy Chairman's Ruling

The DEPUTY CHAIRMAN (Mr Watt): The matter raised by the Minister for Local Government is one which had been anticipated and I took the trouble last week to have a look at the wording of the amendment and just what it seeks to do. I looked also at one of the precedents which previously was ruled on in connection with this clause.

As the Minister has stated, Standing Order No. 269 provides—

Any amendment may be made to a clause provided the same be relevant to the subject matter of the Bill.

In looking at precedents, it seems fairly clear to me that, on past rulings, this amendment seeks to amend the definition of the word "Minister" for the purposes of this Bill in a manner quite outside the scope of the Bill. I therefore rule that the amendment as moved by the member for Morley does not conform with Standing Order No. 269 and can therefore not be accepted.

Committee Resumed

Clause put and passed.

Clause 4 put and passed.

Clause 5: Section 3BA repealed—

Mr TONKIN: I move an amendment—

Page 2, line 27—Insert after the word "repealed" the following passage—

"and the following section is substituted—

"3BA. (1) The principal objects of the Trust shall include—

- (a) the provision of fair and reasonable compensation to all persons entitled to compensation under this Act;
- (b) the achievement and maintenance of administrative and financial efficiency in the operation of this Act;
- (c) the setting of premiums at a rate, or rates, sufficient to ensure the financial solvency of the Trust;
- (d) the containment of premiums and the avoidance of large increases, by means of forward planning;

- (e) the reduction and, where possible, the removal of delays associated with the settlement and payment of compensation provided under this Act;

- (f) the payment of compensation in any claim where the Trust admits liability, irrespective of the time taken to finalize the claim; and

- (g) the improvement by whatever possible means of the system of insurance provided under this Act.

(2) The Trust shall give effect to these objects in its administration of and operations under this Act."

In the second reading stage of the Bill we discussed the manipulation of trust premiums which has arisen because no principles have been applied.

Paragraph (f) of my amendment clearly refers to what I consider to be an unethical practice; this does not mean to say that the officers of the trust were necessarily acting unethically. They felt it was ethical to act legally. Of course, it can be argued that one is not doing one's duty by the trust if one does not take advantage of some legal loophole. Nevertheless, in the proper sense, I believe it is unethical for the trust to avoid payment of proper claims in this way. Principles for unethical conduct may have been forced upon the trust's officers by the Statutes of the State, but nevertheless, it is unethical conduct. Quite clearly, the trust should follow the principles outlined in my amendment which will improve the Bill.

Mr Deputy Chairman (Mr Watt), I do not agree with you that my amendments are irrelevant—I forget the exact word you used—under Standing Order No. 269. You said they are not relevant to the purpose of the Bill and one could easily make a wider claim that these amendments do refer to the better operation of the trust and that, I suggest, is what the Bill aims to do. However, I have no doubt, Mr Deputy Chairman, that you are supported in previous rulings. No damage would be done to the State of Western Australia or its people if these amendments were considered on their merit rather than be rejected because of some technicality. We have got ourselves into a quasi legal situation where we want to play up points of law. Of course, justice does not prevail in this place—numbers do—so I think we should have a look at the operations of Parliament and decide whether we want to pretend to be lawyers or legislators.

The Minister who raised the point of order is rather pathetic because the Government escapes

having to deal with the amendments on their merits, which is what we should be doing.

Point of Order

Mrs CRAIG: Mr Deputy Chairman, I again seek your ruling on this matter. Exactly the same situation pertains in relation to Clause 5 as it did in Clause 3. This amendment seeks to introduce matter that is extraneous to the content of the Bill before the Chamber.

Deputy Chairman's Ruling

The DEPUTY CHAIRMAN (Mr Watt): In respect of this amendment, Clause 5 simply seeks to repeal section 36BA of the principal Act. The amendment proposes to replace that with a completely new and, in my opinion, unrelated clause which seeks to set out what I describe as the principal object of the trust.

I see no relationship between those two at all. Notwithstanding the comments of the member for Morley about relativity, I rule that this amendment is inadmissible.

I point out to the member for Morley that the course that should be followed if he is unhappy with the present arrangement, is to present his case to the Standing Orders Committee for an amendment to the Standing Orders should he feel that they are inadequate in procedure that should be followed. Under Standing Orders when a member seeks to introduce quite irrelevant material he must do so by the introduction of a separate Bill.

I uphold the point of order of the Minister for Local Government.

Committee Resumed

Clause put and passed.

Clauses 6 to 8 put and passed.

Clause 9: Section 3K amended—

Mrs CRAIG: I move—

Page 3, line 19—Delete the passage “deleting “auditors,”” and substitute the following passage—

- “(a) inserting after the section designation “3K.” the subsection designation (1);
- (b) deleting “auditors,”; and
- (c) inserting after subsection (1) the following subsection—

“(2) The Trust shall appoint an auditor who shall be a member in good standing of the Institute of Chartered Accountants in Aus-

tralia or the Australian Society of Accountants.”.

I move this amendment because I recognise very clearly that the firm of chartered accountants which has been auditing the books of the MVIT for the past 30 years has done so in a most efficient manner and there ought to be the capacity for people in private enterprise to continue with this role. The safeguards that are built into the legislation concerning those reports being scrutinised by the Auditor General and being placed on the Table of the House are sufficient for the assurance of people who are compulsorily insured with the trust.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 10 and 11 put and passed.

Clause 12: Section 3Q repealed and sections 3Q, 3QA and 3QB substituted—

The clause was amended, on motions by Mrs Craig, as follows—

Page 4, line 3—Insert the subclause designation “(1)” after the proposed section designation “3Q.”.

Page 4, after line 17—Insert after subsection (1) of proposed section 3Q the following subsection—

“(2) All books of account and records of transactions kept by the Trust under subsection (1) of this section shall be open to the inspection of the Minister and the Auditor General and any persons authorized by them or either of them, and all such persons may take copies of or extracts from those books and records.”.

Page 4, lines 21 to 22—Delete the words “Auditor General” and substitute the words “auditor of the Trust”.

Page 5, line 1—Delete the words “Auditor General” and substitute the words “auditor of the Trust”.

Page 5, line 27—Delete the words “Auditor General” and substitute the words “auditor of the Trust”.

Page 5—Delete subsection (4).

Page 5—Delete the passage after the word “the” on page 5, line 38 down to and including the passage “statement,” on page 6, line 1, and substitute the passage

“auditor’s report on the financial statement, to the Auditor General and”.

Clause, as amended, put and passed.

Clause 13: Section 3R amended—

Mr TONKIN: I move—

Page 6, line 10—Insert after the word “Minister” the following words “and to the provisions of section 31 of this Act”.

According to this Bill section 31 will be repealed and it deals with the setting up of the premiums committee. We believe that the premiums committee has been useful in that it has given some means whereby the public can look at the premiums being charged and can judge as to whether the Government is doing the right thing or whether the trust is doing the right thing. Repealing this section is a step in the direction of open government and it provides more information than would otherwise be approved. The Opposition opposes the repealing of section 31. The amendment I have moved will provide for the Minister to take cognizance of section 31.

Mrs CRAIG: Section 31 of the Act currently provides for a premiums committee to review premiums. However, the Bill before the Chamber seeks to repeal that provision because, with the removal of participating insurers, and the setting down of firm guidelines for the establishing of premiums, and under the constitution of the trust, there will be no need for an independent committee to act as a watchdog.

Amendment put and negatived.

Clause put and passed.

Clause 14: Section 3T inserted—

Mr TONKIN: I move an amendment—

Page 7—Add after subsection (5) the following new subsection to stand as subsection (6)—

“(6) All submissions made to the Minister under this section shall be appended to and form a part of the Trust’s annual report prepared pursuant to section 3QB of this Act.”.

The trust has not had to present an annual report, and we believe that it is a step in the right direction that it be required to do so and, in addition, that its report should contain as much information as possible.

Mrs CRAIG: I do not believe any benefit would be gained by the amendment. The requirements of the legislation are quite specific in that the trust will be required to give the public all necessary information to ensure their interests are being looked after and that the trust is being run in a fit and proper manner. Therefore, I oppose the amendment.

Mr TONKIN: I did not expect the Minister to accept an amendment which would have the effect of providing the public with more information to assist them in judging the Government’s performance. However, the Opposition is firmly of the view that the public should have more information. It should be able to judge the operations of such a body. It is compulsory for the public to insure with the Motor Vehicle Insurance Trust. The old, colonial attitude of, “We know what is best for the peasants, therefore we will decide what information they shall receive. Such information is not theirs of right” is outmoded. The Opposition is very serious when it says more information should be provided to the public in such matters, and this amendment would have that effect.

Amendment put and a division taken with the following result—

Ayes 17

Mr Bertram	Mr Hodge
Mr Bryce	Mr T. H. Jones
Mr Brian Burke	Mr McIver
Mr Terry Burke	Mr Parker
Mr Carr	Mr Pearce
Mr Davies	Mr A. D. Taylor
Mr Evans	Mr Tonkin
Mr Harman	Mr Bateman
Mr Gordon Hill	

(Teller)

Noes 22

Mr Clarko	Mr Mensaros
Mr Court	Mr O’Connor
Mr Coyne	Mr Old
Mrs Craig	Mr Rushton
Mr Grayden	Mr Shalders
Mr Hassell	Mr Sibson
Mr Herzfeld	Mr Sodeman
Mr P. V. Jones	Mr Trethowan
Mr Laurance	Mr Williams
Mr MacKinnon	Mr Young
Mr McPharlin	Mr Nanovich

(Teller)

Pairs

Ayes	Noes
Mr Bridge	Mr Spriggs
Mr Grill	Mr Blaikie
Mr I. F. Taylor	Mr Grewar
Mr Barnett	Mr Tubby
Mr Jamieson	Dr Dadour

Amendment thus negatived.

Clause put and passed.

Clauses 15 to 18 put and passed.

Clause 19: Section 31 repealed—

Mr TONKIN: We oppose the repeal of section 31 of the Act, which will have the effect of getting rid of the premiums committee. We believe that committee has been an embarrassment to the Government. However, as it provides the public with more information, the Opposition believes it serves a useful purpose, in that it is a step in the

direction of open government. Therefore, we oppose the concept of this clause.

Mrs CRAIG: I pointed out during my remarks at the second reading stage that I believed there no longer was a need for a premiums committee in that we should not have a watchdog committee to watch over an independent trust. When the membership of the trust was different and there were more participating insurers, and when it could be said there was no capacity to lay down specifically the level at which premiums could be set, there was a necessity for a premiums committee. However, under this Statute that is not the case and for that reason, I reject the argument of the Opposition.

That is not because this Government has a concern about the activities of the trust. We know that its members will act in a perfectly proper way, as they have in the past. We see no requirement for a watchdog body to be set up.

The DEPUTY CHAIRMAN (Mr Watt): An amendment appears on the notice paper in the name of the member for Morley. I do not think he actually moved it. Is that correct?

Mr Tonkin: That is correct.

Clause put and a division taken with the following result—

Ayes 23

Mr Clarko	Mr Mensaros
Mr Court	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr Rushton
Mr Crane	Mr Shalders
Mr Grayden	Mr Sibson
Mr Hassell	Mr Sodeman
Mr Herzfeld	Mr Trethowan
Mr P. V. Jones	Mr Williams
Mr Laurance	Mr Young
Mr MacKinnon	Mr Nanovich
Mr McPharlin	

(Teller)

Noes 18

Mr Bertram	Mr Hodge
Mr Bryce	Mr T. H. Jones
Mr Brian Burke	Mr McIver
Mr Terry Burke	Mr Parker
Mr Carr	Mr Pearce
Mr Davies	Mr A. D. Taylor
Mr Evans	Mr Tonkin
Mr Harman	Mr Wilson
Mr Gordon Hill	Mr Bateman

(Teller)

Pairs

Ayes	Noes
Mr Spriggs	Mr Bridge
Mr Blaikie	Mr Grill
Mr Grewar	Mr I. F. Taylor
Mr Tubby	Mr Barnett
Dr Dadour	Mr Jamieson

Clause thus passed.

Clause 20 put and passed.

Title put and passed.

Bill reported with amendments.

SETTLEMENT AGENTS AMENDMENT BILL

Second Reading

Debate resumed from 15 September.

MR PARKER (Fremantle) [3.40 p.m.]: This Bill was taken before the Legislative Council, and it is brought before us, because of a statement made on behalf of the Government during the time that the Settlement Agents Bill was before the Parliament. That statement was shown to be inaccurate.

When answering criticisms of the Bill voiced in the Legislative Council particularly, the Government said that it would not affect the position of settlement agents or real estate agents, particularly in country areas, who, as part of their normal practices or part of their normal day-to-day operations with respect to their clients, undertook settlement work on behalf of those clients. The statement was made quite unequivocally on the part of the Government, even though the critics of the legislation at the time, including Labor members of the Legislative Council, and some country Liberal and National Country Party members of the Legislative Council, pointed out to the Government that, in their view, that was not the position. They said that the Bill proposed by the then Chief Secretary, now the Minister representing the Chief Secretary in this Chamber, did not do what the Government claimed it did.

In fact, the Bill last year meant that real estate agents who conducted settlement practices would have to register themselves separately as settlement agents and abide by the various terms and conditions of the Settlement Agents Act.

As I said, the Government denied that; but subsequently it became clear that, despite the denials by the Government, the legislation as passed required country real estate agents to register themselves as settlement agents only before they were entitled to practise in that way on behalf of their clients.

There was quite considerable criticism of the Government, including some from within its own ranks. For example, the Hon. Tom Knight made a strong public statement, getting stuck into the Government for what he saw as its breach of faith. Whether it was a breach of faith, or whether it was simply another example of Government incompetence in drafting, is unclear. Nevertheless, the fact of the matter is that the end product was that the Bill did not do what the Government had promised it would do.

We have legislation before us somewhat belatedly—a year after the event, and some nine months after the complaints voiced on behalf of country real estate agents by various people, including members on this side of the House. The Opposition supports the legislation, because our voices were among those in the Legislative Council which insisted that this should be the case. We recognise the valuable role played by real estate agents in country areas in this regard, and we recognise the manner in which they do work on behalf of their clients without adding to the cost of general real estate transactions.

Indeed, settlement agents in Western Australia, in general, have operated in a beneficial way in relation to the costs of real estate transactions. Recently I saw a newspaper article which showed that the costs of such dealings in Western Australia for a long time have been lower than the costs in other places in which these matters, generally speaking, are handled by solicitors. Not only are our settlement agents' costs lower, but also the solicitors' costs for doing the same work are lower than those in other States.

We support the intent of the legislation, and we always have done so. We support the correction to the Act that became necessary when the Government's undertaking was broken, which resulted in the legislation before us.

The main thing about which we wished to satisfy ourselves was whether the liability question was taken care of—whether a real estate agent who undertook work of this fashion would be in a position to protect his clients, or whether his clients would be protected as a result of his undertaking that work, even though he might not be licensed as a settlement agent. There is no question but that the legislation before us does ensure that that protection is afforded to the consumer; that is, the real estate client. Therefore, we support the legislation.

One matter I should draw to the Minister's attention is the fact that members opposite often say that the Legislative Council is a House of Review and they say this, firstly, to support its retention and, secondly, to support the gerrymander that exists which ensures that Chamber always has a Liberal-Country Party majority.

On this occasion we saw the situation where the very matters the Government has now seen fit to correct by this legislation were pointed out to it in quite forceful terms by members of that so-called House of Review. If I remember correctly, the debate last year in the Legislative Council was protracted—much more so than the debate in this House—and it extensively canvassed a whole range of legal points when the Hon. Peter

Dowding, the Hon. Joe Berinson, and the Hon. Howard Olney—now Mr Justice Olney—made very serious criticisms of the Bill.

Notwithstanding that, the Government refused to do anything to the Bill last year and used its numbers in the Legislative Council, as it almost always does, to ensure the Bill was passed as put forward by the Government. As for the review by the Legislative Council being effective—there was no review. The only review has taken place by members of the industry when they discovered they would not be able to operate as they have done and so made complaints to members of Parliament, which saw the Government in an embarrassing position. A review has now taken place by the whole Parliament by way of this legislation. If we were able to rely on the Legislative Council being a proper House of Review we would not have this Bill before us.

We support the legislation.

MR HASSELL (Cottesloe—Minister for Police and Prisons) [3.48 p.m.]: I thank the Opposition for its support of the Bill and will comment on one or two points made by the member for Fremantle, difficult as it may be for me to get the words out sufficiently clearly to be heard. Probably no more pointless an argument could be made than one centred on the proposition used explicitly by members of the Opposition in the upper House, but not by the member for Fremantle, expressed as, "I told you so". That argument really does not get us anywhere.

On this occasion the Opposition can say that it said there was a deficiency, which it did. However, it is not accurate to say, as the member for Fremantle said, that the Government broke its undertaking and that the legislation is belated. On the contrary, the Government has fulfilled its undertaking, because what was said at the time was that we believed the legislation would not have the effect of prohibiting a real estate agent in the country from carrying out settlements on behalf of a client without charge.

When it was found that the ambit of the legislation was wider than we expected, we moved immediately to review the position. That review was commenced when I was still the Chief Secretary and had responsibility for the legislation. The review was in direct compliance with statements made in this House by me and in the other place by the Minister representing me. So it is really not accurate to say that the legislation is belated any more than it is fair to say that the Government has breached an undertaking.

It would have been much better had our belief as to the position been accurate, because when we

come back to amend the legislation as we have had to do, we open up the difficult questions of creating a proper balance between the qualification controls we want to impose on the industry and the continuation of an existing practice, and that is not easy and it does not necessarily improve the legislation.

It would have been much better had the legislation allowed those few real estate agents in the country who have been completing settlements free of charge for people selling or buying properties to go on doing so without having themselves enmeshed under the Act. But it was found in practice, and after the matter was sent back for review a couple of times—as I did send it back—that the ambit of the Act was wider than we thought. Therefore, we have had to bring forward these amendments.

I point out to the member for Fremantle that no breach of an undertaking has occurred. Certainly we were wrong in our interpretation of the legislation. That is possible no matter how good one's advisers are, and I am sure the member for Fremantle will concede that. It is always easy to be wrong and to be wise afterwards.

Mr Parker: On this occasion we were wise before.

Mr HASSELL: On this occasion members opposite were, but they are not always, any more than we are always correct in our interpretations.

We have brought the amendments here to fix up these problems and I believe the method adopted is satisfactory. The method maintains the important balance that needs to be maintained between opening the door too wide and closing it completely. It allows a continuing situation where some people will not be bound to comply with the provisions of the Act, but they are people who are experienced or who have passed examinations if their experience is limited.

As for the question of liability raised by the member for Fremantle, the protection given will not be complete as he will know, but it will be adequate in cases of fraud or dishonesty. In other cases the agents will have a clear statutory obligation to advise members of the public with whom they are dealing that because they are acting free of charge and providing a service, the full protection will not be afforded as though the members of the public were dealing with a registered settlement agent or a solicitor. So they will be clearly warned of the position.

I take issue with another point the member for Fremantle mentioned, and that is that the Legislative Council did not operate as a House of Re-

view. In fact, it did operate as a House of Review on the same piece of legislation. I have confirmed my belief that certain amendments were made in the upper House because of the concern of members of that House about other aspects of the legislation and those amendments were made in that House with the concurrence of the Government and they were agreed to by this House. When that happens, it illustrates that the Legislative Council is operating as a House of Review. Simply because it is done with the concurrence of the Government does not mean it has not been done as a review. Those are the basic points.

I thank the member for Fremantle for his demonstrated understanding of the provisions of the Bill, and I thank the Opposition for its support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Hassell (Minister for Police and Prisons), and transmitted to the Council.

BILLS (3): RETURNED

1. Millstream Station Acquisition Bill.
2. Prisons Amendment Bill.
3. Mine Workers' Relief Amendment Bill.

Bills returned from the Council without amendment.

LOTTERIES (CONTROL) AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from 16 September.

MR PARKER (Fremantle) [4.00 p.m.]: Let me say at the outset that I will take a little time and if at some stage the Government wants to adjourn the debate, I would be happy to receive a communication to that effect. I feel I need the time to make the points I want to make.

The Bill before us is a Bill to amend the Lotteries (Control) Act basically to introduce the rather fantastically named "Instant Sports Culture Lottery". It would be almost impossible to

conceive a more inappropriate or stranger name than that which has been chosen for this lottery. It is almost something out of a satire—the instant sports culture lottery—and one expects to see the word “culture” spelt with a “K” instead of a “C”, particularly when one hears it announced in the *persona* of the Chief Secretary.

The Bill proposes to introduce into Western Australia a completely new form of lottery run by the Lotteries Commission, a lottery which is, in essence, a form of poker machine. There is really no difference between the principle of the Bill which is before us and that of introducing mechanised poker machines, except in respect of the manner of operation. However, the principle of playing the game is precisely the same; one does not insert his money into a slot, but into the hand of the lotteries agent concerned, and one obtains a card; one peels or scratches away on that card and, as a result, one discovers whether one has won a prize—a jackpot, in other words. There is absolutely no doubt whatsoever that although it is not done in a mechanised form, and although there are not the little things whirling around in a space—although these days they have electronic ones that flash up and down—there is no difference whatsoever in concept between the instant sports lottery and that of a poker machine. That of course sits rather ill of the Government’s announced decision that it opposes poker machines.

By the way, the other thing to which this game is very similar is the beer ticket machine, which by some device the Government appears to have found possible to allow to be introduced into some clubs in Western Australia despite the provisions of the Lotteries (Control) Act. The member for Welshpool has suggested on many occasions that the legislation prohibited the introduction of those forms of machines into clubs, but the legislation was ignored and, as usual, the Government went ahead and allowed them to be introduced. As it happens, I am not opposed to beer ticket machines, but I am opposed to the way in which the Government has acted. I remind the House that Lotto itself was introduced into Western Australia for some two years before the Government recognised the Lotteries Commission had absolutely no right whatsoever to introduce Lotto and it had to introduce retrospective legislation to validate the game of Lotto that had been played, and it prevented retrospectivity to prevent people who had put money into Lotto from claiming that money back again on the basis that the game had been run illegally.

Mr Hassell: We didn’t want Lotto to go to the bottom of the harbour!

Mr PARKER: I do not want Lotto to go to the bottom of the harbour either. We realise the difficulties into which the Government has got itself. Once again, it was a situation where the Government acted very properly to deal with retrospective legislation. As I asserted in a debate in this House on another matter a couple of weeks ago, in fact the only occasion on which the Government opposes moves to introduce retrospective legislation is when its friends are affected.

Mr Tonkin: Hear, hear!

Mr PARKER: The position in this case is, of course, that the Government came under some very considerable pressure, particularly from sporting organisations—perhaps more publicly from sporting organisations, and also pressure from cultural organisations—to obtain a greater share of Government funding.

In the case of cultural organisations, their claim is simply that they deserve more Government funding, and I certainly support that claim. I know the Opposition supports the claim that these people deserve greater recognition for the work they do in the community than that which has flowed to them from the Federal or the State Government in particular. That claim was made upon the Government at the same time as another claim for sporting organisations. We had two distinct, or perhaps overlapping groups, in particular, the WA Sports Federation representing basically competition land recreation—largely non-professional sport—and the WA Football League, representing, of course, the eight football league clubs. Those groups indicated the large amounts of money involved in spectator sports and the debts they have incurred. A demand was made that the Government provide funds, in one form or another, to these bodies for the valuable work they perform in the community.

An extensive submission was made to the Government stating that the Western Australian Football League should be allowed to share in the proceeds of the Totalisator Agency Board. Extensive public discussion took place about that matter, fuelled by the underhand deal the TAB entered into to buy radio station 6PR.

The Government appointed Mr Ken Townsing, the former Under Treasurer, to inquire into the matter and he made recommendations that \$500 000 of the capital funds and \$500 000 of the annual funds should be appropriated for disbursement to the football league. The football league was far from satisfied with that solution and the TAB was certainly unhappy with it as were the trotting clubs, the turf clubs and the country trotting and racing associations. It was obvious

the Government was not prepared to proceed with the proposal but would attempt to find another panacea which, with one stroke, might satisfy all the parties involved.

Although members of the Opposition have indicated that they support the legislation, with a number of reservations, the proposal has failed for many reasons. Firstly, the organisations concerned have not been satisfied by the Government's decision. They have not said, and do not believe this is the end of the Government's responsibility or additional responsibility for funding them, as it would suggest.

The cultural organisations are not happy with the position in which they will be as a result of the Government's initiatives; and the football league and the sports federation are in the same position. It is important to know their position because although the State provides money for sports and culture, the Government provides no guarantee that these funds will be additional to the funds already available for sport and culture in the State Budget.

It has been suggested to the Minister for Recreation—who happens to hold three portfolios; that is, Chief Secretary, Minister for Recreation, and Minister for Cultural Affairs—that the organisations have received no guarantee and he has not denied it. He has given no guarantee whatsoever that the funds will be in addition to the funds which would be otherwise made available under the State's normal distribution through the CRF and other sources.

The Premier has indicated that the funds will be additional to the moneys that are made available to the various organisations already. I understand the Premier has revealed that fact on a number of occasions in answers to questions from the member for Dianella. However, when questioned by the Press and when responding to statements I have made to the Press and in this place, the Chief Secretary has refused to give any undertaking that these funds will be additional to funds provided already. He has indicated that it would be a matter for budgetary consideration in each year.

All sporting organisations and cultural bodies have no guarantee that they will receive any additional funds from the proposed lottery.

Mr O'Connor: If they are not going to youth, sport, and recreation, where will they go? Maybe you should wait until the Budget comes out.

Mr PARKER: The question is whether the funds which otherwise would have gone to sport and recreation, from the CRF and other sources,

will now be substituted by the funds from the proposed lottery.

Mr O'Connor: It might be clear on Thursday when we introduce the Budget.

Mr PARKER: The point is the Chief Secretary has not given an undertaking and, whatever one may think of the man, we must have regard for him because he is a Minister of the Crown. These organisations will have to determine their position, in each year, and if they have no guarantee of funds, that is a matter for concern. Perhaps the Premier would like to alleviate that concern.

Mr O'Connor: Wait until Thursday and the position will be clarified.

Mr PARKER: It may clarify the position and it may not. This matter is of concern because even if the matter is clarified for this year, it will not be clarified for years to come.

Mr Hassell: Could you give a guarantee if a Labor Government were in office?

Mr PARKER: We are tackling the matter in a completely different way. We have announced a programme for cultural funding—

Mr Hassell: The issue you raised would still apply.

Mr PARKER: We have given undertakings to these organisations about the levels of funding they would receive if we were in Government.

Mr O'Connor: You have given undertakings to increase grants and reduce charges, which undertakings are rather strange.

Mr PARKER: This proposal is simply a money-making exercise by the Government and cannot be seen in any other light. Even if all the moneys raised by the lottery were additional to moneys that would be made available from the CRF and other sources, it is in substitution for the additional amounts the Government otherwise would have had to find.

Secondly, the proposal far from satisfies the demands of the organisations concerned. As I have said before, in the case of the sporting organisations, they have said they do not believe it is the palliative the Government wishes because it has not solved the problem.

The sporting organisations are still continuing to pursue their position which is for the distribution of funds from the TAB. The Opposition recognises the problems of the Western Australian Turf Club and the Western Australian Trotting Association, as well as the country racing associations and the need for the continuation of the viability of those industries and organisations.

We have given no undertaking with regard to the funds of the TAB, but we have said that we believe the organisations need Government funding and we will find appropriate ways to assist them when we are in Government.

The Opposition has said—and I make it quite clear to this House and it needs to be made clear to the public of Western Australia—that the TAB funds are not private funds which are held by two organisations; namely the racing organisation and the trotting organisation. In some parts of the community there is the mistaken view that the TAB is some sort of private organisation, levied by the Government, and funds are given to the Government as a sort of tax upon a private organisation. It is not the position.

In our view the TAB's funds are public funds, and the decision on what is to be done with the funds will be made on that basis. We have made that position clear to the TAB and the organisations concerned. The WA Turf Club people made it clear to me in discussions I had with them that they were concerned that if any additional funds were to be taken from the TAB, they should be taken by way of increasing the Government's percentage from six per cent to, for example, eight per cent, rather than a subvention from the TAB funds in the way proposed by Mr Townsend. One would need to consider that matter seriously. Other members of the WA Turf Club committee have told me they believe it is only a matter of time before they lose access to the whole of the funds in the way they have them now. Obviously, there is no agreement on this matter; it is complicated and we should not rush into a decision. I sympathise to some extent with the Government's plight in dealing with these claims. The Government has not dealt in this Bill with the just and proper demands of the organisations.

The third point I wish to make is that the nature of the lottery is cause for concern in relation to funds which otherwise would be available in the community. The existing lotteries and Lotto raise funds principally for the hospitals fund account, and to a lesser extent, for charitable organisations. These funds are made available by the Lotteries Commission itself, and without question are of very great benefit to a large range of community, charitable and other organisations to which they are granted.

The danger of the proposed lottery is that it may take money away from the amount which is available for these valuable purposes instead of being added to the hospital fund and the disbursements to charitable organisations. That concern has been expressed to me by a number of these charitable organisations which pointed out how

Lotto has affected the distribution of Lotteries Commission draws. A significant falling away occurred in the purchase of traditional lottery tickets. Although the introduction of Lotto resulted in an overall increase in the amount of money going to the Lotteries Commission, it was not added to the amount raised by the ordinary lotteries. Those lotteries slowed down and the draws became further apart, and it was much more difficult to sell the tickets.

So long as the overall result remains the same, or increases substantially, it does not matter a great deal because the funds are going to the same place—the hospital fund, or to be distributed to the various bodies. But in this case, if there is to be a further decline in the amount of funds available for distribution to the hospital fund and charitable organisations because people are investing more money in this instant sports-culture lottery, the bodies to which I have referred will suffer because the money will be going to a completely different area. The experience in other States is that the amount of money available for gambling is somewhat inelastic. In South Australia where a not dissimilar lottery was introduced, there was a substantial falling away in the purchase of traditional lottery tickets. The same may occur here given the much more instant-gambling nature of this lottery as opposed to the general form of lottery where one has to wait a considerable period to find out whether one has won anything.

In South Australia in the initial stages of the lottery, queues formed where the tickets were sold, and people went and bought tickets and then rejoined the queue while scratching out the figures to see whether they had won any money. That makes this form of lottery identical in concept to poker machines.

Mr Davies: They will need to buy a lot of rubbish bins.

Mr PARKER: The Keep Australia Beautiful Council will need to keep a close eye on this aspect of the Lotteries Commission's activities.

Mr Pearce: The council seems to be spending its time looking at the question of cool drink cans and schools in a scheme, the details of which will be revealed tomorrow.

Mr Nanovich: Do you support the council's abolition?

Mr Pearce: The council should not be running a scheme designed to encourage children to drink soft drink in schools.

The SPEAKER: Order!

Mr PARKER: To return to the debate, there is concern at the effect that this sort of lottery will have on other funds available in the community. Concern exists also at the social effects it may have. It is interesting to see a Government party, which has piously denounced gambling and increased gambling at the same time as it allows large-scale illegal gambling to go on unhindered not many hundred yards from here, introducing a completely new form of gambling to raise funds.

Mr Davies: They do it regularly.

Mr PARKER: The Government is saying "We need more money; we are going to get it from this form of gambling, but because we can call it a lottery it is not gambling and we can declaim against casinos while allowing illegal casinos to carry on, and declaim against poker machines, the introduction of which we opposed." However, now when the Government needs a couple of million dollars which it does not want to take out of Consolidated Revenue, it introduces a new form of gambling under the control of the Lotteries Commission.

The Opposition does not believe this is the most appropriate way to deal with this question. At the same time, we recognise that the organisations concerned have a grave need for additional funds. If we were in Government we would tackle the matter in a different way. We have announced previously some of the initiatives we would take if elected to Government next year. In the meantime, we have to determine whether we support a measure which the current Government has dreamed up and proposed to give some funds to these organisations. Whatever the limitations of this Bill and this new form of gambling being introduced by the Government, the Opposition has formed the opinion that it is obliged reluctantly to support the legislation because of the needs of the organisations concerned. It appears to be the only way these bodies will get additional money out of the Government. We would not want to be part of their not receiving additional money.

A further point in relation to the distribution of funds on which the Premier may advise relates to sport. Some of the sporting organisations are concerned that the funds from the sports sector of this sports-culture lottery will go towards the upkeep of public grounds rather than to sporting organisations, voluntary and otherwise, which exist in plentiful numbers in this State. The grounds currently are maintained through other funds or through Government and local government activities. Local governments spend a much greater proportion of their budgets on recreation than any other sector of government—much greater than

we do or than does the Federal Government. The sporting organisations are concerned at the growth of the user pays principle in the maintenance of these grounds and facilities and that some of the funds may be used to supplement those. There will be no direct benefit to the organisations beyond the fact that their grounds will continue to be maintained—presumably this would happen anyway. The Premier may be able to advise me on that.

Mr O'Connor: I am anxious to try to ensure that we contribute to some of these funds to a greater extent than in the past; that is, that we contribute direct to organisations that do voluntary work rather than putting the money into some of the fixtures and fittings. I believe the support should go where we are putting it.

Mr PARKER: I am pleased to hear that, and perhaps, as the Premier said, when the Budget is brought down on Thursday we will have a better idea of the way in which these proposals are put into practice. Having said all that, but with some very grave reservations, I inform members that the Opposition does not oppose this legislation at the second reading stage.

Debate adjourned, on motion by Mr Nanovich.

LEGISLATIVE ASSEMBLY: PROCEEDINGS

Televising: Statement by Speaker

THE SPEAKER (Mr Thompson): I have received a request from TVW Channel 7 that its cameramen be permitted to take some films in the Chamber. It has been pointed out to me that the only library film which that organisation has features someone other than the present Premier in the position that the Premier now occupies in the House.

Mr Davies: Who could that be?

THE SPEAKER: I wonder whether that may be the case also with respect to the Leader of the Opposition. It is my intention to invite Channel 7 cameramen into the House during question time tomorrow evening with the express purpose of taking film only and not sound. As it is likely that the two other television channels are in the same position, I will extend an invitation to those organisations to be here under the same conditions and at the same time.

QUESTIONS

Questions were taken at this stage.

MOTOR VEHICLE DEALERS AMENDMENT BILL (No. 2)

Returned

Bill returned from the Council without amendment.

House adjourned at 5.00 p.m.

QUESTIONS ON NOTICE

1448. *This question was again postponed.*

TRAFFIC: MOTOR VEHICLES

Licences: Office

1464. Mr DAVIES, to the Minister for Police and Prisons:

- (1) Is it proposed to proceed with the establishment of a motor vehicle licensing office in Mill Street, Bentley?
- (2) If so, what will be the nature of the office?
- (3) Is the project ready to go to tender?
- (4) If not, when is it expected to reach that stage?
- (5) Will the Metropolitan Region Planning Authority approval be sought?
- (6) If not, why not?

Mr HASSELL replied:

- (1) to (6) The matter is under consideration and subject to Budget.

GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES

Local Government and Town Planning: Conditions and Approvals

1465. Mr DAVIES, to the Premier:

Are Crown instrumentalities, and Government departments required to comply with local government, town planning, and Metropolitan Region Planning Authority conditions and approvals?

Mr O'CONNOR replied:

The position of Crown instrumentalities and Government departments in regard to their compliance with local authority town planning schemes is governed by sections 7, 32, and 35 of the Town Planning and Development Act.

Section 7 provides that local authority town planning schemes when approved and gazetted have full force and effect as if they were enacted by the Act.

Section 35 states that except as otherwise provided in the Act, it binds the Crown, and section 32 contains the exception, in that it provides that nothing in the Act shall be deemed to interfere with the right of the Government of the State to undertake, construct, or provide any public work. Even in these circumstances, however, the work must be undertaken—so far as in the interests of the public, it is reasonably possible—in such a manner as to be in keeping with the design of the intent of the local authority town planning scheme.

Concerning the metropolitan region scheme and local authority town planning schemes, the Government has directed all Government departments and instrumentalities to institute consultations with the Metropolitan Region Planning Authority with respect to all lands reserved under the metropolitan region scheme and with the relevant local authority in respect of all other developments, and such consultation is to be carried out at the conceptual stage. This direction was issued on the basis that the MRPA would ensure that delays are minimal.

ADVISORY COMMITTEES

Membership

1466. Mr BRYCE, to the Minister for Primary Industry, Agriculture, Fisheries and Wildlife:

(1) In respect of the following bodies—

- (a) West Australian Meat Commission;
- (b) Rural Reconstruction Authority;
- (c) Agricultural Protection Board;
- (d) Artificial Breeding Board;
- (e) West Australian Meat Industry Authority;
- (f) Dried Fruits Board;
- (g) Dairy Industry Authority;

- (i) Who are the people who comprise the membership of such bodies;
- (ii) what is the occupational background of each member;

(iii) what is the term of appointment to each body and when was each member appointed;	A. W. Hogstrom	Public Service (Agriculture)	13.10.79
(iv) on how many occasions did the bodies meet during the last financial year; and	J. C. Haines	Public Service (Treasury)	1-6-82
(v) what is the amount and basis of payment of financial allowances to members of each body?	A. H. Lenane	farming	13-10-79
	E. L. Skinner	farming	13-10-79
	R. W. Maslen	farming	13-10-79
	R. H. Brockman	farming	13-10-79
	J. M. Price	pastoralist	13-10-79
	R. Cheetham	farming	13-10-79
	S. J. Tonkin	pastoralist	13-10-79
	L. McTaggart	pastoralist	13-10-79

(2) What other departments, statutory corporations, regulatory bodies, quasi-judicial bodies, trustees and advisory committees are responsible to him as Minister for Primary Industry, Agriculture, Fisheries and Wildlife?

E. N. Fitzpatrick indefinite
A. W. Hogstrom indefinite
J. C. Haines indefinite
others 3 years
6
category "C" Public Service
fees and allowances schedule.

Mr OLD replied:

(1) (a) to (g)

Board or committee: WA Meat Commission—

Membership	Occupational Background	Date appointed
F. Hamilton (Chairman)	farming	1-7-80
A. J. Webster	private enterprise (Marketing)	1-7-82
L. E. Boylan	Public Service (Industrial)	9-7-82
B. K. Smart	banking	1-7-81
M. A. J. Cameron	farming	1-7-82
J. Craig	Public Service (Agriculture)	1-7-81
J. S. Crisp	farming	1-7-80
J. A. Thomson	farming	1-7-82
term of office:	3 years, L. E. Boylan term expires 30-6-83	
number of meetings: 1981-82	14	
fee schedule:	category "A" Public Service fees and allowances schedule.	

Board or committee: Rural Adjustment Authority—

Membership	Occupational Background	Date appointed
D. J. Whitely (Chairman)	banking	16-9-75
K. R. Singe	Public Service (Treasury)	14-9-79
G. D. Oliver	Public Service (Agriculture)	5-11-71
A. G. Justins	farming	1-7-82
term of office:	others indefinite (A. G. Justins 3 years)	
number of meetings: 1981-82	12	
fee schedule:	category "C" Public Service fees and Allowances schedule.	

Board or committee: Agriculture Protection Board—

Membership	Occupational Background	Date appointed
E. N. Fitzpatrick (Chairman)	Public Service (Agriculture)	13-10-79

Board or committee: Artificial Breeding Board—

Membership	Occupational Background	Date appointed
Sir Donald Eckersley, O.B.E. (Chairman)	farming	7-8-81
P. B. Lewis	Public Service (Agriculture)	17-12-78
T. R. Noakes	farming	17-12-78
R. L. Campbell	farming	17-12-78
E. Hagen	farming	17-12-78
term of office:	4 years, Sir D. Eckersley appointment expires 15-12-82	
number of meetings: 1981-82	7	
fee schedule:	category "B" Public Service fees and allowances schedule.	

Board or committee: WA Meat Industry Authority—

Membership	Occupational Background	Date appointed
J. Craig (Chairman)	Public Service (Agriculture)	26-2-82
M. E. Green	meat processing	11-6-82
B. J. Gabbedy	Public Service (Agriculture)	29-5-81
H. I. King	retail (Retail Butcher)	1-2-82
J. S. Samson	farming	1-2-81
O. E. Butcher	farming	1-2-81
A. J. Payne	employees representatives	1-2-82
term of office:	J. Craig term expires 31-1-84 M. E. Green term expires 31-1-83 B. J. Gabbedy term expires 31-1-83 others 3 years	
number of meetings: 1981-82	10	
fee schedule:	category "C" Public Service fees and allowances schedule.	

Board or committee: Dried Fruits Board—

Membership	Occupational Background	Date appointed
A. G. M. Scott (Chairman)	accountant	1-1-82
M. K. Tolj	grower	1-1-82
J. Rakich	grape growing	1-1-82
D. P. Taylor	grape growing	1-1-82
K. Pasalich	grape growing	1-1-82

term of office: 3 years
 number of meetings: 8
 1981-82 category "C" Public Service
 fee schedule: Fees and Allowances Schedule.

Board or committee: Dairy Industry Authority—

Membership	Occupational Background	Date appointed
A. A. Mills (Chairman)	real estate and local government	14-2-79
M. Bell	dairy farming	14-2-80
M. L. Johnson	dairy farming	14-2-80
T. R. Noakes	dairy farming	14-2-81
J. W. Offer	dairy farming	14-2-82
C. J. Spencer	milk processing	14-2-82
D. E. Nelson	milk processing	14-2-81
R. H. Lewis	milk vending	14-2-80
T. A. Morris	Public Service (Agriculture)	14-2-80

term of office: 3 years except C. S. Spencer—2 years; D. E. Nelson—2 years
 number of meetings: 14
 1981-82 category "A" Public Service
 fee schedule: fees and allowances schedule.

Schedule of Fees and Allowances
 1 April 1980

CATEGORY A: annual rates

	\$
Major	
1. Chairman.....	5 000 p.a.*
Members.....	2 500 p.a.
Minor	
2. Chairman.....	3 000 p.a.**
Members.....	1 500 p.a.

CATEGORY B: annual rates for chairman meeting fees for members

	\$
Major	
1. Chairman.....	5 000 p.a.*
Members—full day \$72	
—half day \$48	
Minor	
2. Chairman.....	3 000 p.a.**
members—full day \$72	
—half day \$48	

CATEGORY C: standard meeting fee for boards, trusts, and committees not in the above categories.

Meeting Fee—full day	\$
Chairman.....	96
Members.....	72
Meeting Fee—half day	
Chairman.....	64
Members.....	48

CATEGORY—ODD FEES:

Chairman—nil
 Members—\$20 per meeting

- * plus expenses allowance \$600 p.a.
- ** plus expenses allowance \$300 p.a.

CATEGORY "A"—MAJOR

Dairy Industry Authority
 Grain Pool of WA.

WA Egg Marketing Board
 WA Lamb Marketing Board
 WA Meat Commission
 WA Potato Marketing Board

CATEGORY "B"—MINOR

Artificial Breeding Board
 Metropolitan Market Trust

CATEGORY "C"

Agriculture Protection Board
 Dried Fruits Board
 Rural Adjustment Authority
 WA Meat Industry Authority
 Veterinary Surgeon's Board
 Carnarvon Banana Industry Compensation Committee

Fruit Growing Industry Trust Fund Committee
 Potato Growing Industry Trust Fund Advisory Committee

Quota Appeals Committee (Dairy Industry Act)
 WA Cost of Egg Production Committee
 Soil Conservation Advisory Committee
 Veterinary Preparations and Animal Feeding

Stuffs Advisory Committee
 Western Australian Wheat Board
 Chicken Meat Industry Committee
 Grain Research Committee
 Poultry Industry Trust Fund Committee

ODD FEES

Apple Sales Advisory Committee—chairman nil, members \$20 per meeting
 Citrus Sales Advisory Committee—chairman nil, members \$20 per meeting
 Stonefruit Sales Advisory Committee—chairman nil, members \$20 per meeting.

Apple Sales Advisory Committee
 Beekeepers Compensation Fund Committee
 Carnarvon Banana Industry Compensation Committee
 Chicken Meat Industry Committee
 Citrus Sales Advisory Committee
 Drought Consultative Committee
 Farm Machinery Advisory Committee
 Fruit Growing Industry Trust Fund Committee
 General Fisheries Advisory Committee

Grain Pool of WA
 Grain Research Committee
 Honey Pool of Western Australia
 Kangaroo Management Advisory Committee
 Metropolitan Market Trust

Potato Growing Industry Trust Fund Advisory Committee
 Poultry Industry Trust Fund Advisory Committee
 Quota Appeals Committee
 Rock Lobster Industry Advisory Committee
 Soil Conservation Advisory Committee
 State Beef Cattle Liaison Committee
 State Coarse Grains and Seeds Advisory Committee
 State Pig Liaison and Research Committee
 State Sheep Liaison Committee
 State Wheat Advisory Committee
 Stonefruit Sales Advisory Committee
 Veterinary Preparations and Animal Feeding Stuffs Advisory Committee
 Veterinary Surgeons Board
 WA Agricultural Equipment Monitoring Committee
 WA Cost of Egg Production Committee
 WA Egg Marketing Board
 WA Herbarium Committee
 WA Lamb Marketing Board
 WA Potato Marketing Board
 WA Wheat Board
 Department of Fisheries and Wildlife

TOWN PLANNING: MRPA

Meetings: Standing Orders

1467. Mr DAVIES, to the Minister for Urban Development and Town Planning:

- (1) Would she table a copy of the standing orders covering meetings of the Metropolitan Region Planning Authority, please?
- (2) If not, why not?

Mrs CRAIG replied:

- (1) Yes
- (2) Answered by (1).

The document was tabled (see paper No. 444).

HOSPITAL

Williams

1468. Mr TONKIN, to the Minister for Health:

What are the plans, in the immediate future, for the Williams Hospital?

Mr YOUNG replied:

Following representations from the member for Narrogin, and the Hon. A. A. Lewis, member for Lower Central Province, senior officers of the Department of Hospital and Allied Services visited Williams on 24 August for discussion with hospital representatives re-

garding the specific health care services needs of the Williams community.

- (1) Agreement was reached that the department would proceed with planning of accommodation for—
 - (a) a medical practice;
 - (b) casualty facilities, including observation beds; and
 - (c) a base for domiciliary care services.
- (2) Consideration is being given to the need for, and location of, future permanent care and acute care facilities.

The hospital representatives and the department also agreed to jointly explore—

- (a) arrangements to be made for the early development of a domiciliary care programme in Williams in the style of services now successfully established in many similar communities; and
- (b) the potential for increased use by Williams residents of the resources of the neighbouring Narrogin Hospital, and Narrogin Nursing Home.
- (3) A return visit is to be arranged shortly for further discussions with interested parties about the above proposals so that detailed planning can be completed on a mutually agreed basis.

MINERAL SANDS

Wonnerup

1469. Mr HODGE, to the Minister for Health:

- (1) (a) Is he aware that as a result of past sand mining operations in the Wonnerup area significant amounts of radioactive tailings were left behind;
- (b) which company or companies have been involved in sand mining at Wonnerup?
- (2) What action is being taken to decontaminate the abovementioned area?
- (3) Who is responsible for paying the costs associated with the decontamination procedures?
- (4) Who is responsible for cleaning up the area and ensuring that the area is safe?

- (5) Will he make available to me the results of any radiation survey conducted in the Wonnerup area?

Mr YOUNG replied:

- (1) (a) Yes;
(b) the Mines Department has advised that the following have held dredging claim DC—34H at Wonnerup at various times between 1949 and 1980—

- (i) P. L. Reynolds;
(ii) Ilmenite Pty. Ltd;
(iii) Cable Sands Pty. Ltd.

It is understood that the latter did not mine the sands.

- (2) The owners of the land, the shire council and Cable Sands Pty. Ltd. have been made aware of the need for remedial action.
(3) and (4) Determining who is responsible is a legal question and advice is being obtained from the Crown Law Department.
(5) Yes.

1470. *This question was postponed.*

DRAINAGE Bassendean

1471. Mr TONKIN, to the Minister for Water Resources:

- (1) Is he aware of the concern being expressed by residents of Bassendean with respect to the drains which run between Parmelia Way and Penzance Street because of the swarms of flies and mosquitoes emanating from them and because of the algae growth in the drains?
(2) Will he take action to alleviate the situation?

Mr MENSAROS replied:

- (1) No, there has been no concern expressed to the Metropolitan Water Authority or myself.
(2) I have organised for a drainage maintenance crew to clear the section of drain during week commencing 27 September 1982.

TRAFFIC: ACCIDENT Grey Street

1472. Mr TONKIN, to the Minister for Police and Prisons:

- (1) Is it a fact that a child was killed in Grey Street, Bayswater, within the past 12 months or so?

- (2) If so, what are the details?

- (3) Is he aware of concern by residents as to the speed some vehicles travel along Grey Street, especially in areas of poor visibility?

- (4) Would he ask the police to give attention to excessive speeding in Grey Street?

- (5) Does the Police Department believe that the matter will be improved with the development of the Gosnells-Beechboro Highway?

Mr HASSELL replied:

- (1) No.
(2) Answered by (1).
(3) No record of any complaint.
(4) Police have given attention during normal patrols and will continue to give attention.
(5) No assessment of the probable effect of the Gosnells-Beechboro Highway has been made by the Police Department.

ROAD: FREEWAY

Beechboro-Gosnells: Construction

1473. Mr TONKIN, to the Minister for Transport:

- (1) (a) When is the next section of the Gosnells-Beechboro Highway to be developed; and
(b) what is the starting point and finishing point of this section?
(2) What is the expected finishing date for the completion of that section?
(3) What effect, if any, will this work have on Grey Street, Bayswater?

Mr RUSHTON replied:

- (1) and (2) The next section of the Beechboro-Gosnells Highway to be developed will be from Guildford Road, Bayswater to Morley Drive, Morley. Work should start early in 1983 and be completed within 12 months.
(3) The completion of this project will have no direct effect on Grey Street. However, it is possible that there will be some reduction in through traffic using the street.

1474. *This question was postponed.*

MEAT

WA Meat Commission: Telex

1475. Mr EVANS, to the Minister for Primary Industry:

- (1) Did the Western Australian Meat Commission receive a telex message from an Australian representative in Sri Lanka at the time, seeking information regarding the supply of meat products for importers in that country, towards the end of August?
- (2) Is it a fact that only after the representative returned to Western Australia that the information was made available to him some weeks later?
- (3) Given that the telex reply number was that of the High Commissioner of Sri Lanka, and any freight charges could have been readily obtained from the five ships which serve the country, can he explain why the information sought was not supplied, and chances of sales of Western Australian meat were thus possibly lost?

Mr OLD replied:

- (1) Yes.
- (2) and (3) I am advised that the body of the telex, which was signed "Daw-win", made no reference to the office of the High Commissioner of Sri Lanka. Unfortunately, the international telex number was misread by an officer of the Western Australian Meat Commission when preparing a reply. A WAMC officer then contacted the Perth office of Daw-win, however, this office was unable to provide a contact address for the representative in Sri Lanka.

The WAMC subsequently sent a letter containing the information sought to the Perth office of Daw-win.

WATER RESOURCES: IRRIGATION

Camballin Project: Australian Land and Cattle Company Pty. Ltd.

1476. Mr EVANS, to the Minister for Industrial, Commercial and Regional Development:

Further to his reply to question 1008 of 1982 in which he stated that consideration was being given to the payment of small unsecured creditors by Camballin Farms project, ALCO, can he tell me—

- (a) whether these creditors will receive payment and, if so, when;
- (b) if not, does the Government intend to assist these creditors?

Mr MacKINNON replied:

- (a) Discussions are still continuing between the principal parties to solve management problems and thus lead to payment of creditors.

I am advised that these matters may be cleared up by December 1983.

- (b) Not applicable.

HEALTH: NURSING HOME

Penn-Rose: Report

1477. Mr HODGE, to the Minister for Health:

- (1) In the Penn-Rose Report it was stated that Dr Lyon was not able to produce the letter from Mental Health Services referring to Mr Berryman's discharge from aftercare and outlining his medical history: why was a copy not obtained from Mental Health Services?
- (2) Has Mental Health Services lost, misplaced or had stolen, all or any part of its file on Mr Berryman?

Mr YOUNG replied:

- (1) The member appears not to have properly read the report or failed to recognise the difference between discharge from aftercare and discharge to aftercare.
- (2) Not to my knowledge.

EDUCATION: PRIMARY SCHOOL

Helena

1478. Mr GORDON HILL, to the Minister for Education:

What State Government financial assistance has been granted to the Helena School, Darlington, in—

1975-76;
1976-77;
1977-78;
1978-79;
1979-80;
1980-81; and
1981-82?

Mr CLARKO replied:

The following grants have been paid to Helena School, Darlington for the following purposes—

per capita grants

1975—	\$8 092.50
1976—	11 408.00
1977—	13 992.50
1978—	15 147.00
1979—	20 451.00
1980—	24 253.00
1981—	29 883.00
1982—	35 224.00

interest subsidy on loans for residential and classroom accommodation—

1975-76—	nil
1976-77—	\$131.42
1977-78—	703.48
1978-79—	653.79
1979-80—	2 028.12
1980-81—	3 554.46
1981-82—	3 267.98.

NOISE ABATEMENT ACT
Amendment

1479. Mr GORDON HILL, to the Minister for Health:

- (1) Does the Government intend amending the Noise Abatement Act to reduce the maximum level of acceptable noise in residential areas?
- (2) If "Yes"—
 - (a) when;
 - (b) what decibel limit is to be applied?

Mr YOUNG replied:

- (1) Not at present. The acceptable levels were last reduced in 1980. The present levels have been shown to correspond well with background noise levels when an offensive noise is not present and thus further reductions are not warranted at this time.
- (2) (a) and (b) Not applicable.

EDUCATION: PRIMARY SCHOOL

Swan View

1480. Mr GORDON HILL, to the Minister for Education:

- (1) Is it a fact that land in Blackadder Road, Swan View, has been set aside for the establishment of a junior primary school?
- (2) If "Yes"—
 - (a) when is the school to be constructed;
 - (b) why is a junior primary school to be constructed rather than a full primary school?

Mr CLARKO replied:

- (1) As part of the Shire of Swan town planning scheme No. 6, Swan View, a primary school site was set apart as Reserve 37186 on 12 June 1981.
- (2) (a) and (b) At present there are no plans to build a school on this site as nearby schools can still cope with existing enrolments. When a school is planned it will be for all primary years.

HEALTH: MENTAL

Institutions

1481. Mr GORDON HILL, to the Minister for Health:

Has he taken action to ensure that intellectually handicapped and patients in psychiatric aftercare are not being accommodated at non-Mental Health Service establishments?

Mr YOUNG replied:

Aftercare patients, intellectually handicapped or socially dependent, are referred to licensed hostels where hostel placement, other than in Mental Health Service hostels, is considered appropriate.

HEALTH: NURSING HOMES

Number

1482. Mr GORDON HILL, to the Minister for Health:

- (1) How many hostels or non-private nursing homes of a similar nature to Penn-Rose exist—
 - (a) in the Perth metropolitan area;
 - (b) elsewhere in Western Australia?
- (2) How many mental health aftercare patients are accommodated in these places?
- (3) How many other patients do they accommodate?
- (4) What major categories of illness other than mental illness are displayed by patients?
- (5) Are these places subject to supervision and regular inspection by officers of the Public Health Department?
- (6) If "Yes" to (5), how many officers visit, and on average how often per year would visits be made in each place?

- (7) (a) Have these officers any power to demand changes to standards of care, treatment or conditions;
- (b) if "Yes", what sanctions can be taken to enforce their orders?
- (8) Does any other Commonwealth, State or local government authority supervise these places?
- (9) Are any moves in train to improve general standards of care for patients in these places or provide alternative accommodation subject to more vigorous Government scrutiny?
- (10) (a) Have complaints other than the one regarding Berryman been received in reference to Penn-Rose or any other similar establishment in the past;
- (b) if so, have these complaints been investigated, and what action has been taken?

Mr YOUNG replied:

- (1) (a) and (b) Not known.
- (2) None.
- (3) and (4) Not known.
- (5) No.
- (6) Not applicable.
- (7) (a) No;
- (b) not applicable.
- (8) If the premises are classified as lodging houses under the Health Act, then the local authority will inspect them and the appropriate regulations will apply.
- (9) Cabinet referred my report to the Attorney General for advice as to whether or not and in what manner action should be taken in respect of all matters arising from the report. Mental Health Services and Crown Law are in consultation on the matter.
- (10) (a) In 1976 allegations were made suggesting inappropriate restraint and treatment of residents at Penn-Rose;
- (b) I understand the allegations were investigated by the then Director of Mental Health Services and were found not to be of substance.

HOUSING

Land: Collier Pine Plantation

1483. Mr DAVIES, to the Minister for Forests:

- (1) Is it still intended to make available for housing land from the Collier pine plantation?
- (2) If so, what progress has been made in this regard?

Mr LAURANCE replied:

- (1) Yes.
- (2) Redesign of the residential portion of the area bounded by Kent Street, Hayman Road, and Jarrah Road is proceeding currently.

1484. *This question was postponed.*

HEALTH: MEDICAL PRACTITIONER

Forrestdale

1485. Mr HODGE, to the Minister for Health:

- (1) Is he aware that the Forrestdale Progress Association Inc. has been endeavouring for some time to gain permission for a medical practitioner to use the Forrestdale child health centre as a part-time consulting room?
- (2) (a) Has he received an approach from the Forrestdale Progress Association Inc. seeking his assistance in achieving their desire to have a medical practitioner operate a consulting room on a part-time basis for the abovementioned centre;
- (b) if he has received an approach, will he outline what he has done to date to assist the group to obtain the necessary permission to use the centre?
- (3) Is he aware that the chairman of the Armadale-Kelmscott Clinical Association, Dr K. B. Hay, has advised the Forrestdale Progress Association Inc. that he supports its move and sees no problem or disadvantage with it?

Mr YOUNG replied:

- (1) Yes.
- (2) (a) Yes, through the good offices of the Deputy Premier and member for Dale;

(b) I was not asked to assist. I was asked whether the infant health centre facility could be made available. I pointed out there was some problem in mixing well baby clinics with the average doctor's surgery practice, but accepted that this could be overcome. I also pointed out that the child health centre is the property of the local authority and that the association should take the matter up with the local authority. This, I believe, has been done by the Deputy Premier and member for Dale.

(3) No.

LAND: FOREIGN OWNERSHIP

Committee

1486. Mr DAVIES, to the Premier:

- (1) Has the Cabinet sub-committee dealing with foreign ownership of land in Western Australia yet completed its enquiries?
- (2) If so, with what result?
- (3) If not, when is it likely the work will be completed?

Mr O'CONNOR replied:

- (1) No.
- (2) Not applicable.
- (3) An interdepartmental committee has been examining a number of aspects on the subject and it is anticipated that they will be reporting to the Cabinet subcommittee shortly. It is hoped that work on the subject will be completed in the very near future.

1487. *This question was postponed.*

QUESTIONS WITHOUT NOTICE

INCOME TAX: AVOIDANCE

Legislation

540. Mr BRIAN BURKE, to the Premier:

I ask the Premier whether, bearing in mind that the Federal Government's retrospective tax legislation was introduced into the Federal Parliament last Thursday and that its provisions have been widely publicised, he is now prepared to say that he supports the Fraser Government's retrospective legis-

lation to obtain tax which was avoided by people in this country.

Mr O'CONNOR replied:

As the Leader of the Opposition probably knows, I left Perth early on Friday morning and I returned late Sunday evening. While I have requested a copy of the Bill, I have not yet been able to look at it. As on two or three previous occasions I inform members that I will make a decision on this matter when I have had proper time to consider the Bill. I imagine that the Opposition would do something similar once its members have had an opportunity to read the Bill rather than giving tacit approval to the measure before they have seen it.

SUGAR INDUSTRY: ORD RIVER

Australian Labor Party Proposals

541. Mr SIBSON, to the Premier:

Did the Premier read the article on Page 28 of today's *The West Australian* in the name of the ALP Federal spokesman for Primary Industry, headed "Lab. No to Ord sugar exports"? If so—

- (1) Does this mean that if the ALP won the next Federal election, a sugar industry for the Ord—

Speaker's Ruling

The SPEAKER: Order! Will the member resume his seat. The question thus far clearly is out of order. The Premier cannot be expected to answer for what an ALP Government might do.

Mr Davies: Thank goodness!

The SPEAKER: Unless there are other parts of the question that fall within the responsibilities of the Premier, I will have to rule the question out of order.

Questions (without notice) Resumed

Mr SIBSON: I apologise if I have offended you in any way.

The SPEAKER: The member has not offended me; he has offended against the Standing Orders.

Mr Parker: You cannot just stand there reading through the question.

Point of Order

Mr BRIAN BURKE: On a point of order, Mr Speaker, in keeping with precedents, I submit that the member for Bunbury

should hand the question to you so that you may advise whether or not it is out of order.

Mr O'Connor: Let the Speaker decide.

Mr BRIAN BURKE: That is what has happened in the past.

The SPEAKER: I will allow the member for Bunbury to ask the rest of the question, but in framing it I ask him to have some regard for the Standing Orders and practices of the House.

Questions (without notice) Resumed

Mr SIBSON: I will delete part (1) of the question. The other parts are as follows—

(2) Is it true, as claimed in the article, that a sugar industry on the Ord would prejudice the Queensland sugar industry, even though the Ord project would be only minimal in its effect on the total Australian sugar production?

(3) What are the significant advantages to all Western Australian people, if, as is proposed by our Government, a sugar industry is established on the Ord?

The SPEAKER: Those parts of the question are in order.

Mr O'CONNOR replied:

(1) I thank the member for some brief notice of the question. Yes, I did see the article in this morning's paper, and it seems to conflict in some ways with the policy of the State ALP. I do not think the Labor Party knows where it is headed on this issue. However, from the point of view of this State, it is disappointing to see that the Federal Labor Party, if it came into power, would have no concern for Western Australia and the Ord River project.

Mr Stephens: What is the Federal Liberal Government doing about it at the moment?

Mr O'CONNOR: We have made it plain in no uncertain terms that we support this project.

Mr Pearce: It is sheer hypocrisy to suggest that you can hold a different view from that held by your Federal colleagues and we cannot.

Mr O'CONNOR: We are not ruled by a number of faceless men, as is the Opposition.

Mr Bryce: Your faceless men are on the bottom of the harbour!

Mr Pearce: You are ruled by mindless men.

The SPEAKER: Order!

Mr Bateman: I am not a faceless man, Mr Speaker.

Mr Bryce: Your faceless men wear goggles and flippers.

Mr Davies: Your supporters are waterlogged.

The SPEAKER: Order!

Mr O'CONNOR: I will now move on to part (2) of the question, the answer to which is as follows—

Mr Pearce: Since you have already answered question (1).

Mr O'CONNOR: Obviously the member for Gosnells has not seen the question.

Mr Pearce: The Premier should have more respect for the Speaker than to answer a question ruled out of order.

The SPEAKER: Order! The House will come to order.

Mr O'CONNOR: I have not answered the part of the question that was ruled out of order.

Mr Pearce: Rubbish, you just did.

Mr Wilson: He has not answered any questions ever.

Mr O'CONNOR: We have this stupidity from the Opposition repeatedly in an effort to try to overrule us so that we cannot answer questions. It happens regularly.

(2) A sugar industry in the Ord would not prejudice the Queensland sugar industry. Queensland produces approximately 2.9 million tonnes of sugar a year, and initially the Ord project would produce about 160 000 tonnes. In discussions we have held with some organisations it has been indicated quite clearly to us that these organisations would consider taking the whole of WA's production without affecting Queensland in any way.

(3) We hope to develop an industry which needs developing in this State, and we hope to use some of the resources in the Ord. The project will create jobs and bring income to the State.

Irrespective of what a Federal Liberal Government or a Federal Labor Government thinks, under the provisions of section 92 of the Commonwealth Constitution which allows free trade within the States, we can produce whatever we want. Certainly we can produce sugar and we can sell it on the local market, which is a lucrative one. We have been told that Queensland is obtaining about \$150 a tonne overseas for sugar, but the price on the local market is \$450 a tonne.

We would be quite happy to take that local market and get the cream of the money in that regard. However, we shall proceed with a sugar industry on the Ord; it will be to the advantage of the State, and it has the support of the Government.

SUGAR INDUSTRY: ORD RIVER

Federal Attitude

542. Mr BRIAN BURKE, to the Premier:

I wish the Premier would arrange the Dorothy Dixers in a better way!

Mr Sibson: It was not a Dorothy Dixer and I resent that!

Several members interjected.

Mr BRIAN BURKE: My question is as follows—

- (1) Is the Premier aware that the Federal Leader of the NCP (Mr Doug Anthony) has strongly opposed the formation of a sugar industry on the Ord?
- (2) Is the Premier aware that the Prime Minister has refused to support the establishment of a sugar industry on the Ord?
- (3) Does the Premier's answer tonight indicate that a sugar industry on the Ord would go ahead without any of the overseas investment which he has previously told the Parliament and the public is contingent on overseas markets being found for the sugar?

- (4) If that is not the case and overseas markets are an integral part of the project, will the Premier tell the House how that differs from the refusal of a Labor Government to grant export permits, if a Liberal Government refuses to grant the same licences?

Mr O'CONNOR replied:

- (1) I certainly have seen Mr Anthony's comments and if the Leader of the Opposition read the newspaper he would know what I said about them. I criticised Mr Anthony just as much as I criticised the Federal Labor Party in this regard. It is preposterous that these people should try to preclude Western Australia from doing something which it is entitled to do. Surely we are entitled to grow sugar on the same basis as Queensland is entitled to grow cattle, sheep, or any other commodity.
- (2) In my discussions with the Prime Minister he made it very clear no-one could preclude us from proceeding on that basis. I do not think there is any opposition from the Prime Minister in relation to this matter.
- (3) and (4) The Federal Liberal Government has not indicated it will refuse export licences and, what is more, I do not believe we need a licence to export sugar anyway, because from advice I have received—if the Leader of the Opposition checks this he will find it is the case—while the Federal Government can preclude a commodity from being imported from or exported to a country, it cannot distinguish between States.

Mr Brian Burke: According to your statement, the Koreans will be putting in the money.

Mr O'CONNOR: I did not say that.

Mr Brian Burke: You said that one of the propositions came from an overseas country.

Mr O'CONNOR: That is quite different from what the Leader of the Opposition said.

Mr Brian Burke: All right. Will they put in the money, if we don't have an export licence?

Mr O'CONNOR: We have not discussed it with them yet, but seven propositions exist in relation to the Ord sugar indus-

try. At the moment we are examining them and deciding what we will do. Local content is involved and I am fairly confident we will be able to have a sugar industry on the Ord.

REGIONAL DEVELOPMENT

Committees Conference

543. Mr WATT, to the Minister for Industrial, Commercial and Regional Development:

Will the Minister explain—

- (1) What is the purpose of the proposed conference of regional development committees as announced by him on Saturday?
- (2) Who will attend?
- (3) Does the Minister propose to change the role or function of regional development committees?

Mr MacKINNON replied:

- (1) The purpose of the meeting is, firstly, to bring together the chairman and two representatives of each of the nine regional development committees in order to ensure contact with senior public servants—in the main, departmental heads—to establish good communication on regional development between the key advisory groups in the regions and departmental heads; secondly, to encourage the exchange of ideas between regional development committees in the hope their work will be improved; and, thirdly, in an effort to improve communication between the chairmen and members of regional development committees and departmental heads in the city.
- (2) The chairman and two representatives of each committee will attend. We shall have to limit the numbers in that way otherwise I have no doubt all the committee members would like to attend. The budget cannot allow that and we also want to ensure the meeting is run efficiently in order to achieve the purposes I have outlined. This is the first meeting of this nature and we shall review its functions and consider whether the numbers attending can be expanded in future.

- (3) It is not my intention to change the role of regional development committees. We are endeavouring to ensure the work they do is efficient, that they concentrate on regional development issues which are important to their regions, and that they work towards the development of industry and commerce within their regions.

EDUCATION: COLLEGES OF ADVANCED EDUCATION

Establishment

544. Mr CARR, to the Minister for Education:

With reference to the report of the WA College of Advanced Education which recommends the establishment of another metropolitan college of advanced education to replace the Nedlands College, I ask—

- (1) Is the Minister aware that tertiary education institutions are a centralising influence and that the establishment of one in a regional centre would help promote decentralisation?
- (2) Will the Minister give an assurance that the Government will not consider building a new college until a detailed inquiry has been conducted specifically into the viability of a college of advanced education in a major regional centre?

Mr CLARKO replied:

- (1) I have not seen the report of the WA College of Advanced Education committee which was set up to look into this matter, therefore, I cannot make any specific comments on its contents. However, the report would refer to matters of which the honourable member and I would be aware, because they have been talked about for many years. When I lectured at the Nedlands College some years ago, at one stage these matters were the topic of almost daily conversation.
- (2) No, I cannot give such an assurance. One should take cognizance of this matter, but I will not go as far as the honourable member suggests. I would need to examine the report and subsequently arrive at a decision. However, I shall certainly take note of the point raised by the honourable member.

HEALTH: NURSING HOME

Penn-Rose: Inquiry

545. Mr GORDON HILL, to the Minister for Health:

Some days ago the member for Mt. Hawthorn inquired as to whether the Minister would table or make available the transcript and documents relating to Penn-Rose Nursing Home or whether he would conceal them. The Minister said he would seek advice from the Attorney General. I ask—

- (1) Has the Minister done so?
- (2) If "Yes", will the Minister still conceal this material?

Mr YOUNG replied:

- (1) and (2) Each member who has asked me that question has made a comment to the effect, "Why are you going to conceal that material?" or, "Are you going to continue to conceal that material?"

Mr Gordon Hill: Well, why are you?

Several members interjected.

Mr Pearce: Are you going to continue to conceal it?

Mr YOUNG: In answer to the valid part of the member's question, I have written to the Attorney General and I have not received a reply.

TRAFFIC: DRIVERS

Offences

546. Mr WILLIAMS, to the Minister for Police and Prisons:

Since the southern extension of the freeway has been completed—

- (a) how many drivers have been charged for exceeding the speed limit;
- (b) what was the average speed in excess of the limit;
- (c) how many, if any, were charged with drink-driving;
- (d) what is the total amount of revenue raised from these fines; and
- (e) how many drivers have been charged in the last seven days including this morning?

Mr HASSELL replied:

- (a) Records are not kept for traffic breaches for any particular area with the exception of drink-driving offences;

- (b) answered by (a);
- (c) five excess 0.08 per cent offences; four driving under influence offences;
- (d) records are not kept on fines; and
- (e) answered by (a).

POLICE: TRAFFIC PATROL OFFICER

Tape Recording

547. Mr TRETHOWAN, to the Minister for Police and Prisons:

- (1) Has he seen the article in last weekend's *The Western Mail* headed "Police row over 'bugged' driver"?
- (2) Did the officer involved secretly record a conversation between another police officer and himself?
- (3) If so, is any action proposed to be taken in regard to this incident?

Mr HASSELL replied:

- (1) to (3) Following publication of the article I sought a report on the matter from the Commissioner of Police. I have been advised by the commissioner that a police officer did secretly record a conversation. I inquired of the commissioner whether any offence was committed by that being done, and I was advised that no offence was committed, and specifically that the recording of the conversation to which a person is a party is not an offence against the Listening Devices Act.

Mr Davies: With their knowledge?

Mr Carr: So long as they know, isn't it?

Mr HASSELL: That is not so according to the advice I received and from my reading of the Act. My understanding—although it could be wrong—is that if someone is a party to a recorded conversation, the conversation is recorded lawfully, even if the other party does not know it is recorded. If someone is not a party to the conversation it is unlawfully recorded unless that third party has complied with the Act. The policeman's objective in recording the conversation was to protect himself from allegations that apparently had been made about his behaviour and attitude in dealing with people. I understand that in this particular case it so happened he stopped another policeman. I understand also that as a result of his recording the conversation it was shown that his attitude and actions were entirely proper.

Having said that, I have been told by the Commissioner of Police that he considers it to be an undesirable practice for an officer to record secretly conversations he may have with allegedly errant motorists, and accordingly action will be taken to ensure no repetition occurs by the officer concerned or any other officer.

MINING: IRON ORE

Production and Export

548. Mr BRYCE, to the Minister for Resources Development:

- (1) Why has it taken such an inordinately long time for the Minister to supply me with an answer to question on notice 1305 of 14 September 1982 concerning the iron ore industry?
- (2) The last part of that question clearly does not seek statistical information. Would he be good enough to provide an answer? Part (11) states—
- (11) In the light of recent decisions by Japanese steel mills to increase tonnages of iron ore imported from Brazil, why are Western Australian suppliers being forced to accept delivery tonnages well below contract levels?

Mr P. V. JONES replied:

- (1) The Deputy Leader of the Opposition required some statistical information which necessitated approaching the companies involved. This has been done. I was to check on three questions to which I have to respond by correspondence, two of which were asked by the member for Yilgarn-Dundas. I will have the information later this week.
- (2) The situation is not as clear as the Deputy Leader of the Opposition would say or suggest it is. The Brazilian share of the Japanese market and, indeed, of the European market, is increasing nearly totally at the expense of ore from other sources. If the Deputy Leader of the Opposition would like to see a graph indicating the situation, I will provide it with the information I supply in answer to the questions outstanding.

Mr Bryce: The question was "Why?"

Mr P. V. JONES: I will show him; I will provide the information.

RESEARCH STATION

Busselton

549. Mr STEPHENS, to the Minister for Agriculture:

With respect to Government land purchases in the Busselton area for the development of a research station, what research and experiments can be conducted in that area which could not be as conveniently conducted at the Denmark Research Station?

Mr OLD replied:

As yet the programme has not been finalised, but a wide range of research can be conducted in the Busselton area which cannot be conducted elsewhere. The land that has been bought, the size of the holding, and the country in which that land exists, makes the site eminently suitable for a multiplicity of research to be undertaken. It is considered to be typical of the type of coastal plain country stretching from Vasse to the Albany region, and therefore is eminently suitable for the research to be carried out.

MINISTER ASSISTING THE MINISTER CO-ORDINATING ECONOMIC AND REGIONAL DEVELOPMENT

Activities

550. Mr PARKER, to the Minister Assisting the Minister Co-ordinating Economic and Regional Development:

- (1) Since 25 January this year what activities has the Minister undertaken in his capacity as assisting Minister?
- (2) What activities has he undertaken in that capacity over the last couple of weeks?

Mr MENSAROS replied:

- (1) and (2) The question probably is the result of the member's inexperience. It would not be unusual for a Minister with six years' experience in a portfolio under the title to which the member refers to have been consulted on the matters concerning and alien to that portfolio.

HOUSING: LAND

Collier Pine Plantation

551. Mr DAVIES, to the Minister for Forests:

The Minister was good enough to tell me that the design of the residential pattern of the Collier pine plantation was

proceeding. I was aware of that, but can he tell me the likely timetable for the work to be completed, and when and how the complex will be put on the market?

Mr LAURANCE replied:

There are a number of considerations with regard to the detailed planning, and so on, which make it impossible for me to give a detailed answer at this stage. If the member puts the question on notice—

Mr Davies: I put it on notice, and that's the kind of answer you gave me. It's ridiculous.

Mr LAURANCE: The question was a follow-up question to a question I answered earlier today.

Mr Davies: That is right, but the answer was inadequate.

Mr LAURANCE: At this stage the answer I gave is appropriate.

Mr Davies: You are doing nothing.

MINING: IRON ORE

Exports

552. Mr GRILL, to the Premier:

(1) What attitude does the Government take to the special guaranteed tonnage trade conducted by the Japanese steel mills with a range of small producers—producers in Africa and so forth—while our major iron ore producers will operate at only about 46 per cent of their contracted tonnages in the coming quarter?

Mr O'Connor: What was that percentage?

Mr GRILL: It is about 46 per cent; everyone knows that.

Mr Old: You didn't until you just read it.

Mr GRILL: Come on, do not be silly. To continue—

(2) Does the Government appreciate that this low level of throughput by our major iron ore producers tends to lead to inefficiency in our industry?

(3) What steps is the Government taking to protect our share of the iron ore market?

Mr Clarko: Did you give any notice?

Mr Grill: Come on, everybody knows the score.

Mr O'CONNOR replied:

(1) to (3) The Minister for Mines and I have been in touch with the Japanese. I have spoken here with several of the Japanese, and have written to them. Recently I saw a member of the Japanese Parliament in connection with the iron ore contracts. I have expressed our concern at any reduction in the tonnage and indicated we ought to have the 48 per cent of the arranged amount of tonnages going into Japan in accordance with undertakings previously given.

We understand some variations occur at certain times of the year when conditions make it difficult to take ore out of some countries, and that at a later stage that position is reversed. We are anxious to retain something like 48 per cent of Japanese requirements and will continue to be in contact with them. It is difficult to provide full details, but if the member wishes further information he should place the question on notice and I will obtain it for him.

MINING: IRON ORE

Production and Export

553. Mr BRIAN BURKE, to the Premier:

My question follows that question directed to the Minister for Resources Development by the Deputy Leader of the Opposition. In answer, the Minister said he would produce a graph showing how the Japanese had cut back on a number of exporters to the benefit of Brazil, and then he sat down.

The question I ask the Premier is the question the Minister did not answer—

Why is it the Japanese are cutting back imports from Western Australia and taking more iron ore from Brazil?

Mr O'CONNOR replied:

I have explained that at certain times of the year conditions exist in various parts of the world which make it difficult for them to take ore at that time.

Mr Grill: You are missing the point.

Mr O'CONNOR: I am not missing the point. I explained also that we had approached the Japanese on this matter

and that we hoped to be able to bring the percentage up to about 48 per cent of the amount purchased by the Japanese.

The member is referring to the percentage we receive, at this time, on our contracted ores.

Mr Grill: You do not know what you are on about.

Mr O'CONNOR: The immaturity of the member is showing up again. I was asked a question and I answered it properly.

Mr Grill: You missed the point!

Mr O'CONNOR: If the member requires any further information he should place the question on the notice paper and I will be happy to provide it.

HEALTH: NURSING HOMES

Number

554. Mr GORDON HILL, to the Minister for Health:

I refer the Minister to question 1482 on today's notice paper and ask—

- (1) Is the Minister aware that if the answers to (1)(a) and (b) are correct the answer to part (2) cannot be correct?
- (2) Will the Minister explain to me how part (2) can be correct if parts 1(a) and (b) are correct also?

- (3) Will the Minister explain which part of the answer is correct?

Mr YOUNG replied:

I think I can help the member for Swan.

Mr O'Connor: He obviously needs it.

Mr YOUNG: My answer is as follows—

- (1) to (3) The member asked how many hostels or non-private nursing homes of a similar nature to Penn-Rose exist: (a) in the Perth metropolitan area; (b) elsewhere in Western Australia. The answers to (a) and (b) were "Not known". We did not know and no-one could know the sorts of places such as Penn-Rose that might exist in the State—if the member is referring to unlicensed lodging houses, which Penn-Rose is at this stage.

Mr Brian Burke: There would not be too many like Penn-Rose, I would hope.

Mr YOUNG: We do not know—and that is the reason the answer is correct when I said "Not known".

Where I said "none", in the second part of the question which asked how many mental health after-care patients are accommodated in these places, we do know where our after-care patients are: They are in licensed places.