

Legislative Assembly

Thursday, 19 April 1984

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

PORNOGRAPHY AND VIOLENCE

Video Films: Petition

MR HASSELL (Cottesloe—Leader of the Opposition) [10.48 a.m.]: I have a petition from 1350 citizens of Western Australia. It is addressed to the Hon. the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled and reads as follows—

We, the undersigned plead that because it will cause serious harm to the community the Parliament will not legalise the sale, hire or supply of any video tape, video disc, slide or any other recording from which a visual image can be produced, which portrays scenes of explicit sexual relations showing genitalia detail; acts of violence and sex; sexual perversion such as sodomy; mutilation; child pornography; coprophilia; bestiality or the use and effect of illicit drug taking.

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

The petition conforms to the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 90.)

RAILWAYS: MUSEUM

Bunbury: Petition

MR P. J. SMITH (Bunbury) [10.49 a.m.]: I have a petition which reads as follows—

To: The Speaker and the Honourable Members of the Legislative Assembly. The humble petition of we, the undersigned, being residents of Western Australia, request that the State Government provide a suitable site in the Bunbury area, close to the Central Business District, to house a Transport Museum and rolling stock of the Leschenault Railway Preservation Society.

And your petitioners, as in duty bound, forever pray.

The petition bears 194 signatures and I have certified that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 91.)

LAND: ABORIGINES

Rights: Petition

MR SPRIGGS (Darling Range) [10.50 a.m.]: I have a petition which is couched in terms similar to several other petitions which have been presented to the House. It reads as follows—

To: The Honourable the Speaker and Honourable Members of the Legislative Assembly of the Parliament of Western Australia in Parliament Assembled.

We, the undersigned, firmly believe all Australians should have equal rights to acquire and to own land. We express our opposition to any special land rights for Aborigines. We are concerned that special land rights granted to Aborigines in Western Australia will—

- (1) Segregate Western Australia into black and white territories and communities.
- (2) Create divisions in society through the granting of special land rights on racial grounds to one racial group.
- (3) Be destructive of the Australian tradition that each Australian shall be equal before the law.
- (4) Damage the economy of Western Australia.

The petition is signed by 19 residents and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 93.)

HOMOSEXUAL ACTIVITIES

Legislation: Petition

MR D. L. SMITH (Mitchell) [10.51 a.m.]: I have a petition which reads as follows—

To: The Honourable Speaker and the Members of the Legislative Assembly of the State of Western Australia in Parliament Assembled.

We the undersigned residents of Western Australia hereby respectfully petition that:—

- (i) There be no change in the law relating to Homosexuality.

- (ii) That if there is to be any changes the age of consent be at least eighteen (18) years of age.

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

The petition is signed by 43 residents of the State of Western Australia and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 92.)

HOMOSEXUAL ACTIVITIES

Legislation: Petition

MR BLAIKIE (Vasse) [10.52 a.m.]: I present a petition which reads as follows—

TO:

The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request that the Western Australian Government will refrain from legalizing the homosexual act between consenting adults in private, on the grounds that homosexuality is not an alternative lifestyle but rather the perverted abuse of the human body, and that this unhygienic perversion breeds diseases that endangers the health of the whole community.

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

The petition bears 50 signatures, and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 94.)

PORNOGRAPHY AND VIOLENCE

Video Films: Petition

MR WILSON (Nollamara—Minister for Housing) [10.53 a.m.]: I have a petition to present phrased in terms similar to the petition already presented this morning by the Leader of the Opposition. It bears 482 signatures, and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 95.)

HEALTH LEGISLATION ADMINISTRATION BILL 1984 AND HEALTH LEGISLATION AMENDMENT BILL 1984

Standing Orders: Suspension

MR TONKIN (Morley-Swan—Leader of the House) [10.54 a.m.]: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Health Legislation Administration Bill 1984 and the Health Legislation Amendment Bill 1984 to be taken to the stage where the motion is moved that "That the Bill is now read a second time" on the same day each Bill is read a first time.

The reason for wanting to suspend Standing Orders is that we want to give the Minister the opportunity to make his second reading speeches before the Easter break so that members will have a chance to study the legislation. I understand that because of printing problems the Bills are not here at the moment, but will be available later this afternoon. The idea of suspending Standing Orders is really to facilitate the business of the House; it will give the House a longer period in which to study the Bills than would be the case if we waited to give the second readings after the Easter break.

MR HASSELL (Cottesloe—Leader of the Opposition) [10.55 a.m.]: The Opposition has no objection to this proposal because it seems to be a sensible move to facilitate the business of the House.

Question put and passed.

BILLS (2): INTRODUCTION AND FIRST READING

1. Health Legislation Administration Bill 1984.
2. Health Legislation Amendment Bill 1984.

Bills introduced, on motions by Mr Hodge (Minister for Health), and read a first time.

RURAL RECONSTRUCTION AND RURAL ADJUSTMENT SCHEMES AMENDMENT BILL 1984

Second Reading

MR EVANS (Warren—Minister for Agriculture) [10.58 a.m.]: I move—

That the Bill be now read a second time.

This Bill amends the Rural Reconstruction and Rural Adjustment Schemes Act 1971-1984. These amendments provide for the use of reserve funds held under the Rural Reconstruction and the Rural Adjustment Schemes for other assistance measures to farmers.

The reserves held by the two schemes have grown over the years. This has occurred because the funds provided by the Commonwealth for the schemes are part loan and part grant money. In addition, farmers have repaid loans at a faster rate than that required for repayments to the Commonwealth.

Under the terms of the present Rural Reconstruction and Rural Adjustment Schemes Act, the reserves of moneys can be used only to provide loans to farmers who are eligible under the conditions specified for the Rural Adjustment Scheme. One of these conditions is that farmers must have sound prospects of long-term commercial viability. This year, many farmers in the State are in serious financial difficulties. These difficulties are a result of a series of poor seasons in the outer wheatbelt, coupled with increased costs and reduced margins for cereal production. As a result of these factors, a substantial number of farmers in the wheatbelt now face an uncertain economic future.

The Government is most concerned at this erosion of farm profitability and is determined to ensure that, wherever possible, farmers are given the chance to demonstrate that they can re-attain viability.

The Bill provides for seasonal carry-on loans to be offered to farmers in situations of financial emergency. These loans will be available only to farmers who still have an adequate equity in their farms and whose financial problems are a result of adverse seasons.

While this new scheme of assistance is consistent with the general aims of the rural adjustment scheme, it could not be funded from moneys held in the reserves of that scheme and the rural reconstruction scheme, because the farmers to be assisted cannot be judged to have sound long-term prospects.

The need to utilise these funds for this particular purpose has initiated the proposed amendments to the Rural Reconstruction and Rural Adjustment Schemes Act. However, the amendments are general in nature and will provide the flexibility in the future for similar schemes of assistance to farmers to be funded from reserves held by the rural reconstruction and rural adjustment schemes.

The Bill also amends certain provisions of the Act which need to be clarified or brought up to date. Those changes, to be found in clauses 3, 4, and 6 do not involve any matter of substance.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Peter Jones.

SOUTH WEST DEVELOPMENT AUTHORITY BILL 1984

Second Reading

MR GRILL (Esperance-Dundas—Minister for Regional Development and the North West with special responsibility for "Bunbury 2000") [11.02 a.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to establish a south-west development authority to plan, co-ordinate, and promote the economic and social development of the south-western region of Western Australia and a south west development authority advisory committee to advise that authority in the exercise and performance of its powers, functions, and duties.

The State Government, as part of its regional development policies, conceived "Bunbury 2000". "Bunbury 2000" is a development strategy directed towards the creation of an alternative urban capital in Western Australia and the acceleration of the social and economic development of the entire south-west region.

The Government recognises the need to encourage regional development and perceives the need for local community input into decision-making. It is only through co-operation between Governments at all levels, private enterprise, and the local communities, that development in the regions can be maximised.

This approach is unique to Western Australia because it focuses substantial resources into a specific region rather than the broad "scatter gun" approach adopted previously. If this approach succeeds, it will provide the basis for similar developments in other regions as part of the Government's regional development policies.

To facilitate economic and social development in the south-west region, an authority—the south west development authority—located in Bunbury, is proposed. The authority will consist of a board, a directorate, and executive support staff. In addition, a 12-man advisory committee to the authority is proposed. The three-man board will have the director as its chairman, and will be supported by executive staff employed under the Public Service Act.

The advisory committee will consist of a chairman and 12 members. It is intended that the membership will reflect a substantial representation of people from all areas of the south-west. Their expertise and interest will provide a significant contribution to the development of effective policies and initiatives.

It will be noted that this legislation will enable the authority to establish committees for the purpose of assisting it to carry out its functions. Such committees will be able to examine specific areas of economic and social development and provide additional expertise and community input.

I am confident that, through the proposed structure, the authority will integrate local community expectations into its decision-making processes.

The major functions of the authority are to plan, co-ordinate, and promote the economic and social development of the south-west region. Consultation with Government departments, authorities, local government, community groups, and representatives of industry and commerce is an important part of the authority's role in implementing its objectives. A major role is to undertake economic and other studies of the south-west region as a basis for the formulation of policy. The results of such studies will be provided to all interested organisations in the region and elsewhere.

The authority will, in co-operation with the Minister for Town Planning, facilitate the planning process in the Bunbury region.

To implement its objectives, the authority will have the power to purchase and sell land and provide services. It will be able to finance such developments through loan funds obtained with the Treasurer's approval.

Funds to enable the proposed authority to operate have been provided for in the current Budget Estimates from the Consolidated Revenue Fund. In future years, the Consolidated Revenue Fund is expected to provide the major operational funds.

It is intended that the authority will be responsible to the Minister for Regional Development and the North West. In addition, the authority will be required to present to Parliament an annual report relating to its activities. Furthermore, the authority will be subject to review in seven years.

The advisory committee to the south west development authority has the important role of advising the authority on the exercise of funds. The membership will reflect subregional and community interests and provide considerable ad-

ditional expertise for the authority in developing policy initiatives.

The Government gave a commitment, prior to the last election, to the development of Bunbury and the south-west region.

The south west development authority provides the mechanism for implementing this policy and I am proud to be associated with the implementation of this policy initiative.

I am confident that the south-west development authority will prove to be a catalyst for rapid social and economic development in the south-west of Western Australia.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Blaikie.

MAIN ROADS AMENDMENT BILL 1984

Second Reading

MR GRILL (Esperance-Dundas—Minister for Transport)[11.07 a.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to clarify the manner in which officers of the Main Roads Department may be appointed. In doing this, the Bill seeks to provide for appointment to be made by the Minister on the recommendation of the Commissioner of Main Roads and also to validate previous appointments made by the Governor-in-Executive-Council and the commissioner. The Bill also seeks to allow the Minister to delegate his power of appointment to the Commissioner of Main Roads where he considers it appropriate.

By way of background, I point out that section 9 of the Main Roads Act provides that the Commissioner of Main Roads is a body corporate. For the purposes of carrying out the provisions of the Act, the commissioner obviously needs funds and staff resources. Provision for the raising of funds by way of loans is contained in section 9A of the Main Roads Act, and revenue by way of vehicle licence fees and fuel franchise levy is provided under the Road Traffic Act and the Transport Act respectively. The other major source of funds is by way of grants from the Commonwealth Government under the Roads Grants Act and the Australian Bicentennial Road Development Trust Fund Act.

It will be seen, therefore, that the control of moneys for the purpose of roads is determined by the Government of the day. In arriving at decisions relating to finance, the Minister and the Government obviously have the recommendation and advice of the commissioner.

In relation to the other important element of any organisation—the engagement of staff—the existing provisions of section 10 of the Main Roads Act provide that the commissioner, with the approval of the Minister, may make use of the services of any officers and employees of the Public Service, and that the Governor may appoint any person to be an officer or employee of the commissioner for the purposes of the Act. In addition, there are other provisions relating to casual employees, cadets, and students who can be engaged by the commissioner.

The practice which has existed for many years—in fact, it is not known for certain when it first developed and may even go back to the very first appointments—was for the approval of the Governor-in-Executive-Council to be sought after an officer had taken up duty. This meant, of course, that retrospective approval was being sought.

This situation, which I have said has been the practice over many years, has applied to other appointments in Government agencies. Crown Law advice is that it is quite clear that the Executive Council has no authority to approve anything retrospectively. This legal advice was, I believe, also given to the previous Government. Action to remedy the situation has been initiated, resulting in this Bill.

As the validity of previous appointments made by the Executive Council are, because of this opinion, believed to be in some doubt, the Bill seeks to validate those earlier appointments. The Bill also seeks to clarify appointments made by the commissioner—very necessarily, I might add, because the affairs of the department had to go on—from the time the submission of retrospective approvals by Executive Council ceased as a result of that opinion. The Government believes it is highly desirable that the status of the employees so affected should not be left in any doubt.

The Bill also proposes to change the arrangement whereby approval is given by the Governor-in-Executive-Council to that of approval by the Minister on the recommendation of the commissioner. It is considered this will speed up the administrative process. This also conforms with the general tenor of the Act in relation to funding. It is also in accord with the Government's policy of Ministers having sufficient authority over Government instrumentalities for the purpose of defining guidelines. It is not intended, however, that the Minister would be involved in detail in this area. For this reason the Bill authorises the Minister to delegate his powers of appointment to the commissioner on such terms and conditions as he thinks fit, while retaining the power to appoint

if necessary. These sensible procedures will enable the Government, through the Minister, to control general policy and leave the detailed appointment of individuals to the Commissioner of Main Roads.

This confirms and is complementary to the provision of section 11 of the Act which stipulates that every engineer and other officer shall in the exercise and charge of their respective powers and duties under the Act, and in all things, be subject to the direction and control of the commissioner. The Government is not intending, and I would not support, interference in day-to-day operations of such an important body. The commissioner will maintain his existing role of giving independent advice to the Government on road matters and of controlling day-to-day matters.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Rushton.

TOTALISATOR DUTY AMENDMENT BILL 1984

Second Reading

MR TONKIN (Morley-Swan—Leader of the House) [11.13 a.m.]: I move—

That the Bill be now read a second time.

This Bill provides for an increase in the totalisator commission for oncourse novelty betting; that is, all bets other than bets for a win or a place. The increase was requested by the racing industry as a means of providing additional funds to assist in overcoming financial difficulties and to place the oncourse tote in a similar competitive position to the Totalisator Agency Board.

At present, oncourse tote operators deduct a commission of 15 per cent of gross takings. This Bill proposes that the commission be increased to 20 per cent in respect of all bets other than bets for a win or a place. The five per cent increase in the commission will be shared between the clubs and the Government roughly in proportion to their current shares.

The Act currently operates in such a way that the present 15 per cent commission is divided between the clubs and the Government on a two-thirds:one-third basis. The 5 per cent of gross takings accruing to the Government equates to the totalisator duty levied under the Act, being 3.5 per cent normal duty and 1.5 per cent additional duty which is passed on to the TAB.

The Bill provides for an increase of two percentage points in the rate of totalisator duty for novelty bets. The effect of that increase will be that the new 20 per cent commission will be divided between the clubs and the Government so

that the clubs receive 13 per cent gross takings while the Government share is increased to seven per cent.

It is estimated that the increase in the commission will result in the clubs receiving an additional \$430 000 in a full year while the Government will receive an additional \$285 000. I understand that the reduction in dividends payable to punters will be in the vicinity of 20c in a dividend of \$3.

Oncourse totes operating outside the metropolitan area are subject to a lower rate of duty for win and place bets. The duty in respect of those bets is calculated at the rate of 3.5 per cent of gross takings, the same rate as applies currently to all novelty bets. In the metropolitan area the duty is calculated at a rate of 7.5 per cent for win and place bets. The two percentage point increase in duty for novelty bets proposed under this Bill will not apply to novelty bets on totes operating outside the metropolitan area. The net result of that concession is that for the non-metropolitan totes, the whole of the increased commission will be available to the clubs.

The Bill also provides that the rates of totalisator duty may be changed by regulation in the future.

The operative date for the changes to the rate of duty and the totalisator commission is 1 May 1984.

I strongly suggest to members of the House that the Bill should be passed.

Debate adjourned, on motion by Mr Peter Jones.

SOCCER FOOTBALL POOLS BILL 1984

Second Reading

MR TONKIN (Morley-Swan—Leader of the House) [11.17 a.m.]: I move—

That the Bill be now read a second time.

Mr Blaikie: With casinos and the TAB, you like your gambling.

Mr TONKIN: I would be the most ungambling member of this House, I would suggest.

The purpose of this Bill is to provide a statutory authority to the Government to grant a licence to Australian Soccer Pools Pty. Ltd. for the operation of soccer pools in Western Australia. For some time, the company has been endeavouring to obtain approval to operate in this State.

Soccer pools are conducted by Australian Soccer Pools Pty. Ltd. in every other State in Australia, the most recent entry being South Australia in 1981. The Government is convinced that

there is no valid reason that Western Australians should not be able to participate in the soccer pools game.

Soccer pools commenced in Australia in 1974 in Victoria. Pools in other States were launched in the following order—

New South Wales and Tasmania, 1975;
Queensland, 1976;
Northern Territory, 1977; and
South Australia, 1981.

The original soccer pools in Australia were very similar to the traditional pools game played in the United Kingdom, based on choosing 11 numbers from 55. This game was taxed at the rate of 30 per cent by participating State Governments.

When Lotto sales dramatically increased in 1980 following the entry of several States into Lotto bloc, it became necessary for Australian Soccer Pools Pty. Ltd. to change and simplify its game in order to compete. After reaching agreement with all participating States, the new game, "six from 36 pools" was launched in September 1982. Since that change, soccer pools sales have trebled.

State duty is now paid by Australian Soccer Pools Pty. Ltd. at the rate of 32.5 per cent for the first \$100 million per annum of gross subscriptions and 35 per cent thereafter. On this basis, it is estimated that the government will receive approximately \$1 million per annum in duty from the operation of soccer pools in this State. This will be achieved at no administrative cost to the Government and with very little effect on other forms of gambling.

Experience in South Australia has shown that Lotto sales were temporarily affected, but within three months of the commencement of soccer pools Lotto sales continued to escalate in that State. There is no reason to suggest that the experience in Western Australia will be different.

The Lotteries Commission of Western Australia and Australian Soccer Pools Pty. Ltd. have reached agreement on the marketing aspects of "six from 36 pools". Initially, Australian Soccer Pools will use existing Lotteries Commission agencies to market soccer pools. To do this, the Lotteries Commission will supply Australian Soccer Pools with a list of its agencies, together with an advice to agents that they are free to engage in soccer pool sales if they so desire. In return, Australian Soccer Pools has agreed that its advertising campaign in agencies will be complementary to existing commission advertising for lotteries and Lotto.

There may be some people who would prefer to bet on Australian Rules football and, indeed, the

Government has received approaches from several persons seeking approval to conduct such competitions. I have also heard wagers in this House, which of course is illegal.

Mr Blaikie: We will have a wager on how long this Government will last—it will not be very long.

Mr TONKIN: However, past experience in Victoria, where there is a fanatical interest in Australian Rules football, has shown that betting in this area was not successful. Two different betting systems on VFL football through the Victorian TAB have been failures. The Victorian Government recently announced the introduction of a third scheme which is to operate on the 1984 VFL season. One of the major drawbacks to operating on Australian Rules football is that it would be confined to six months of the year.

As mentioned earlier, Australian Soccer Pools Pty. Ltd. conducts the game "six from 36 pools" in all other States of Australia, and the operation in Western Australia will be the same. The 36 games are made up of a mixture of United Kingdom and Australian soccer fixtures.

Rules for the game, which are standard throughout Australia, will be published in the *Government Gazette* at the time the Act is proclaimed.

A subscriber wishing to play "six from 36 pools" would obtain an entry form from an agent, together with a match list of teams and a "How to Play" brochure, if required. The entry form is filled in with six crosses in one game panel of 36 numbers. The cost of each game is 50c, and up to eight game panels can be played on one entry form.

There is also a systems entry form which allows a subscriber to cross more than six numbers for a higher outlay. In addition, a multi-week entry form is available which enables an entrant to play the same numbers for five, 10, 15, 20, or 52 weeks.

On Friday nights, couriers will deliver all completed and stamped entry forms to a central processing office in Perth where they will be microfilmed before the match results are known, which is Saturday evening for Australian games and early Sunday morning for United Kingdom games. A copy of the microfilm for each week will be lodged with the State Government prior to the matches being played. After microfilming, entry forms will be airfreighted to a processing centre in Sydney, where they will be processed through optical reading computers. Winning entry forms will be checked against microfilm for security, and the

whole process will be subject to check by the Auditor General in each State.

Winners of less than \$25 000 will have their cheques posted on the following Thursday; winners of more than \$25 000 will be contacted personally. Results and dividend information will be given to the media and displayed at all agency outlets. Apart from direct revenue to the Government, soccer pools will create some employment opportunities in Western Australia.

The Bill before the House is very similar to the legislation which exists in other States.

Time prevents me from telling the House how I backed Rainbird in the Melbourne Cup.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bradshaw.

ACTS AMENDMENT (SOCCER FOOTBALL POOLS) BILL 1984

Second Reading

MR TONKIN (Morley-Swan—Leader of the House) [11.24 a.m.]: I move—

That the Bill be now read a second time.

The Bill before members is for the purpose of amending two Acts—the Police Act and the Lotteries (Control) Act. Changes are necessary to include in the Police Act a reference to the proposed Soccer Football Pools Act.

Alteration of the Lotteries (Control) Act is required to remove soccer football pools from the definition of "lottery" in that Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bradshaw.

COUNTRY AREAS WATER SUPPLY AMENDMENT BILL 1984

Second Reading

Debate resumed from 22 March 1984.

MR MENSAROS (Floreat) [11.25 a.m.]: This is the fourth string to the Minister's bow of Bills connected with water undertakings.

The Bill amends five main areas in the Country Areas Water Supply Act which is one of the most amended Acts—it comes before the Parliament for amendment almost as frequently as the Local Government Act.

The main amendment deals with the clearing controls which, members will recall, were introduced several years ago in order to try to arrest the increasing salinity of streams and rivers which were supplying sources of potable water, feeding water mainly to dams as well as replenishing underground water.

Apart from the amendment relating to fire hydrants, the other amendments in this Bill are almost identical to those which were dealt with yesterday when we were debating the second reading of the Country Towns Sewerage Amendment Bill. Those amendments dealt with the charging of fees for services which have been hitherto free to the public in the country, infringement notices, and the increase in penalties.

I will deal with the amendments to this Bill separately and in sequence. A number of amendments concern the catchment controls. The first amendment deals with the definition of "holding" and includes the perpetual leases granted under the War Service Land Settlement Scheme Act. This amendment rectifies an omission from the original Act because clearing controls affected even previously what we call "war service land".

The second amendment creates a new definition for "controlled land". Undoubtedly, this amendment will make the Act tighter and simplifies the frequently appearing reference to areas which are the subject of clearing controls.

As I have already mentioned, the Country Areas Water Supply Act has been amended on numerous occasions and reference has always been made to those areas where clearing controls could be invoked, where compensation is due, and various other matters have been affected. On those occasions these areas have been described and reference has been made to the original description, which was fairly lengthy. Therefore, under this Bill "controlled land" will be defined and will hopefully be the substitute for the different descriptions which have been used to date. The Opposition has no argument against this provision; indeed it gladly accepts it as an important amendment.

The third amendment dealing with "clearing controls" is in a different category. From the point of view of justice and equity the Opposition has some difficulty in agreeing to this amendment. The 10 per cent of land which the farmer is required to keep uncleared is not subject to compensation if clearing is banned. Instead of giving compensation for the whole of the land, 10 per cent will be excluded. So far, the farmer has not been compensated for that 10 per cent of land which was required to be left uncleared. However, the farmer was entitled to clear the undergrowth and substitute it with grazing land in order that he could graze his stock on it. Indeed, he did so.

The Act states that 10 per cent of land is to be left under tree cover, "in the interests of good agricultural and conservation practice". This statutory definition, particularly the part referring

to agriculture, invites the farmer to establish a grazing area under the trees for good agricultural practice.

The Bill provides that the 10 per cent of land should not only be under tree cover, but should also include the indigenous undergrowth. This new provision prevents the farmer from establishing grazing on the 10 per cent of his holding which is covered by trees. Hence he will be more restricted in the use of his land than he has been until now.

The Minister has not shown that indigenous undergrowth is essential or even beneficial for the purpose of the Act—that is, the arresting and reduction of salinity of potable water resources such as streams, dams, etc. It has always been emphasised that the fairly big roots of indigenous trees prevent saline water flowing down into the catchment areas. This has never been said about indigenous undergrowth. The question remains then as to why such undergrowth should be included in the Bill unless it is proved that it hurts the aim of the legislation which is to help reduce salinity going into streams from the catchment area.

The second point in relation to this matter is that if it is felt that the land use area should be further reduced, it is logical that compensation should be extended to such areas. No provision is made in the Bill for such extended compensation. No doubt exists, that in our system, taking away private property or restricting private individuals' use of their property must always run parallel with compensation. Even socialist parties have so far acknowledged this principle.

Even if one looks back to the attempts at bank nationalisation and similar proposals, one sees that it was never suggested that such proposals would go ahead without compensation to the owners or shareholders. I ask in all sincerity: How low have we sunk? I want the Minister either to withdraw this provision or to extend the compensation provisions accordingly. In any event he will have to do more than give an explanation which amounts only to sidetracking.

I emphasise that this is the most important provision in the Bill; it is the one against which we have the greatest objection. I do not think quantitatively it means a lot as either the farmer is getting compensation, in which case he is not being compensated for the 10 per cent of land because it would have been good agricultural practice to leave it, or when the land can be used for farming in the catchment area, a farmer should not be clearing trees in the 10 per cent land area.

That is the existing provision and now it is proposed that a farmer must leave the undergrowth within the 10 per cent of tree cover land as well. Consequently, it cannot be put to agricultural use. If the Government insists on this provision, it should also extend compensation.

I wonder whether the Minister's attention has been drawn to the opposition of the Primary Industry Association to this provision, particularly in view of the close connection which exists now between the PIA, previously the Farmers' Union, and the Department of Premier and Cabinet. It was put to me by the PIA that if this provision is necessary from the point of view of preventing salinity, to which nobody objects, compensation should be extended.

The fourth provision relating to the clearing bans, in contrast to the previous provision, is very commendable and desirable.

Mr Tonkin: Which one is that?

Mr MENSAROS: It is in clause 10(f) of the Bill. It creates a new subsection (7) to section 12E of the Act.

Mr Tonkin: I did not mean that. I did not catch which provision you said was commendable.

Mr MENSAROS: I have not yet dealt with it. I said the next provision is a commendable one, as opposed to the previous provision.

At present, provision exists to pay compensation in kind by swapping land with a farmer whose property is the subject of clearing bans. This seems to be a desirable practice, particularly when only part of a farmer's holding is affected by the ban and he is left with a portion of his property which he can use in any way he wants. That portion of the property could however become so small as to be non-viable and the farmer can not make a living from it. If he is a genuine farmer, and most of them are in this area, and he wants to pursue his farming, he is left with half compensation in money for his land and with half of the land. Provision exists for the Public Works Department to compensate him in kind, but because of the various draftings of the Act, the department has been able to use only land which was acquired for that precise purpose.

That was a little legalistic and there was not so much land available in those parts. Neither was unlimited money available for the department from Budget to Budget to enable it to acquire sufficient land to provide compensation in kind. Consequently, in cases in which the farmer should have had compensation by land in lieu of that which was restricted in use, he was sent to the Rural Adjustment Authority, which was supposed to do the deal for him. My recollection is that

very few were compensated in kind by that authority. It was not the authority's fault; again it did not have enough funds for the purpose.

This provision allows the Minister to acquire land and use it for such in kind compensation. It can be any land; it does not have to be inside the catchment area. Theoretically, it can be as far as Kununurra. The Minister can use such land for compensation provided the claimant farmer agrees. Of course, this is a proper provision because the farmer is not forced to take the land. The land offered could be completely different from his previous land and be suitable only for a different type of farming—for instance, wheat farming. However, if the farmer agrees to change his farming methods he can accept the compensation in land instead of the money for the farm. This is a fair, practical, and beneficial provision which will also speed up the compensation proceedings which to date have been rather slow.

The next provision, which is also connected to this matter, is acceptable to the Opposition because it speeds up the proceedings, particularly those which were drawn out by the claimant himself. Of course, there were such cases. This provision allows the Minister to make a part payment without prejudice to the claimant; and that part payment, having been made, is no longer subject to interest payments. Although we as members of Parliament have to represent the farmer as against the bureaucracy of the Government, in all fairness we must understand that there were farmers who sometimes deliberately extended the period of negotiation. They did so for the simple selfish reason that previously the Government, under the provisions of the Act, fairly magnanimously gave the farmer interest on the outstanding compensation payment at a rate higher than the local bank manager was able to offer. Quite often the farmer—and one cannot blame him—chose to delay the negotiations so that he could accrue more interest on the compensation payment. The provision eliminates that situation.

I mooted such a solution when I was in charge of the department. It allows the Minister to offer that part payment in cash to the claimant, and if the claimant does not accept it he forfeits his right to interest on that part of the compensation. In connection with this provision, which I certainly do not oppose, I wish only to ask the Minister to undertake to be understanding in the use of the provision.

Although otherwise a commendable provision, it could be used harshly in two ways. I ask the Minister to alleviate the doubts as to whether interest is payable until the payment of such

interim amount—in other words, the whole of the compensation due although not yet determined to the claimant—is subject to interest until this part payment has been made. From then on that part of the compensation no longer bears interest whether it has been paid or rejected. The provision does not state that interest is payable until that happens.

I would like a second assurance that the offer will be made after a reasonable negotiating period and not immediately after the claim is submitted. That stands to reason because the provisions were inserted in the Bill in order to prevent lengthy delay in negotiations; I do not think they were inserted with the aim of cutting them out completely. In other words, if a claim comes to the department, is assessed within a few days, and the Minister decides the claim—which could be for \$200 000—is excessive but the Minister is happy to pay \$120 000, because that will be within the compensation guidelines, the payment should not go out the next day. Before such an offer is made, some negotiation should take place.

The sixth provision, still connected with the clearing bans, is that either party may cause the question to be determined. So far only the claimant has been able to start this machinery of determination, which means prescribed arbitration processes have commenced after negotiation has failed. This right has now been extended to the Minister. It is introduced, and rightly so, in order to prevent very protracted negotiations which were occasionally used by the claimant as a weapon. I remember cases which were drawn out for two or three years. The claimant did not want to go to arbitration, but was hoping for more compensation. He hoped that perhaps there would be a change of personnel—either in the Minister or officers of the department. In the meantime he enjoyed the interest accruing on his outstanding claim. This provision allows the Minister to go to the arbitration procedure. I emphasise that the Minister should undertake to do so only after a reasonable period of negotiation. The provision in the Bill does not make it mandatory for him to do this. It could have been drafted in such a way as to indicate that after a reasonable period of negotiation either party can go to arbitration. That point is not clear so I think it would be appropriate for the Minister, in the interest of the claimant farmers, to state that it will be used only after a reasonable period of negotiation has taken place.

The next areas of the Bill deal with different subjects from those of clearing restrictions. The fire hydrant provision seems satisfactory, although I must confess I do not have a great deal

of practical experience in that area. The provision allows the Minister to permit people outside a particular area to use fire hydrants installed in that area. The Minister can set conditions for this use. It appears to be fair and is no different from conditions applying in the metropolitan area. I do not think there has been a uniform practice to date in this regard and we shall have to see what practices evolve and whether the department or the Minister, as a result of the implementation of this provision, receives complaints. Those complaints could possibly arise during times of drought when local people want to make more use of the fire hydrants, or if they do not want to make use of them they want to be sure that sufficient water is available for their purposes.

A further provision in the Bill is very similar to one in the Country Towns Sewerage Amendment Bill with which we dealt yesterday. It prescribes the fees for two or three services. The services here are restricted to various documents to be given by the water authority in the country. It is now still the Public Works Department, but it will be the new authority.

It is also intended to make it uniform with the metropolitan area, but this does not escape the fact that, reasonable though it might seem for people to pay for their use of the services of the department, this proposal is still a step towards the withdrawal of subsidies. Services were given to the country consumers free. Whatever argument there may be for introducing the fees, there is no escape from the fact that it represents the withdrawal of a subsidy.

I must repeat what I said yesterday—fortunately Standing Orders allow me to repeat arguments used in a previous measure—that it is a sad thing that although the amalgamation has not been effected, the Opposition is already justified in expressing its fears that one of the results of amalgamation will be the gradual withdrawal of the subsidy from the country area, no matter how large or how small it is.

The Minister said the services will improve through amalgamation. That might well be so, but he did not say whether these improved services would carry higher charges, or that charges would be imposed where no charges existed before.

It is not unusual, even for a government utility, to give services without charge. Some services can be obtained from Telecom without charge. They do not charge if one inquires how one's account stands at the present moment. I have done this.

Mr Tonkin: You have been wasting the time of the Metropolitan Water Authority.

Mr MENSAROS: The Metropolitan Water Authority charges. In support of my argument I would point out that there are utilities such as Telecom which have to be profitable, but they operate apparently on the principle of self-financing, which I was glad to hear that the Minister supports. These utilities give some services free of charge. I was giving the instance where I have telephoned and asked them to give me details of how my account stood. They have done so without charging me.

I would like to illustrate the situation with some utilities overseas. I remember when Telecom did not exist and I was in Hong Kong. At that time, in the 1960s, I was accommodated privately. I had a suite in a very fine home. I did not want to disturb my friend the owner, and I wanted a telephone for myself so I rang the telephone company. I was conditioned to the Australian attitude at that time that it took months to get a telephone and I was prepared for them to say to me, "You cannot have it for two weeks, or four weeks".

Instead the answer was, "Will you be at home in the next half-hour? What colour telephone shall we bring with us?"

There are utilities overseas which can give one a superb service. That service was free. Of course, it was paid for in the charges, but I did not pay separately for that service.

Mr Tonkin: Do you want to sell Telecom off?

Mr MENSAROS: I do not have influence in that area because it is not a State matter, but I would be in favour. There is an advantage in having private enterprise run Government businesses, provided a monopoly is not entrenched. One does not have to entrench a monopoly, as the previous Government has tried to do with Telecom and Telecom-connected businesses, thereby keeping the Government part of the business on its toes. One can do it with water authorities.

I can instance again the example of Hong Kong.

Mr Troy: You do not understand the principle of cross-subsidisation.

Mr MENSAROS: I have never intended to appear to be cleverer than those who have more experience. Without bragging, however, I am satisfied I have a reasonable understanding. I simply say to the Minister that sewerage treatment in Hong Kong is carried out by firms of engineering consultants. The Government has only a supervising role which directs various competing private organisations. This works very well. It would be

difficult to compare but, given the circumstances, the work was done fairly cheaply.

In regard to the infringement provisions, I cannot say very much more than I said in the last debate. The idea is perfectly all right; it is supported by the Opposition. I remind the Minister about what I said regarding withdrawals. Perhaps he may consider taking two officers to decide about withdrawals. At least he might find something like this to go on, particularly in the country areas.

The Act does not specify what the modified penalty should be; it leaves it to regulation. I would like to hear from the Minister how these modified penalties will be set. Will they be 10 per cent of the maximum penalty entrenched in the Act, or will they be higher?

It is obviously a good provision. I can clearly remember cases of flagrant criminal actions. The department was at a loss as to how to prosecute, how to choose the right time. Issuing the infringement notice and then waiting for objections before coming to court is the right direction in which to go. It will be interesting to see what modified penalty is envisaged.

The last provision relates to the increase fees. Again I do not complain that these fees are drastically increased by 1 000 and 1 250 per cent. However, one must take into consideration that the fees were created at the beginning of the century, in 1902, in the Goldfields Water Supply Act. They were taken over into the Country Areas Water Supply Act 1947, so it is justifiable that fees first provided for in 1902 should have a tenfold to twelvefold increase. Indeed, if members look at the dollar amounts involved in these fees, they will realise that we are talking about an increase from \$100 to \$1 000, from \$10 to \$100, or from \$40 to \$500. Therefore, it can be seen we are not talking about excessive amounts. The logic is maintained throughout, because one penalty which was amended in 1976 has been increased by only 100 per cent and goes from \$1 000 to \$2 000. Thus the Opposition does not object to those increases.

In summation I indicate the Bill has the general support of the Opposition, albeit we oppose, in principle, the introduction of fees for hitherto free services in the country, as this is a step towards withdrawing the country subsidy.

I ask the Minister to make a comment and preferably to give an undertaking on the following matters: Firstly, that his department will be reasonable in respect of the time allowed before making part payment compensation offers which have to be accepted within 30 days, and that the

interest will be paid up to the date of the part payment; secondly, that he will be reasonable in respect of time before exercising his right to go to arbitration; thirdly, that the withdrawal of infringement notices may be carried out by more than one officer and that those officers be selective with the withdrawals; and, fourthly, I ask the Minister to indicate the amount of the modified penalty.

I support the Bill

MR BRADSHAW (Murray-Wellington) [12.02 p.m.]: The Bill seeks to tighten the provisions in respect of the acquisition of land with salinity problems. I do not see any sinister or bad connotations in the Bill. Faults have existed in the past on both sides in respect of compensation claims and how they should be dealt with.

To my knowledge we do not have any land of this nature in my electorate, but some water in irrigation areas which comes from the Wellington Dam is subject to salt problems, therefore, to some extent, the legislation affects my electorate.

Clause 10, proposed new subsection (7), allows for the exchange of land in place of salt-affected land in a catchment area. I believe it is a good idea to enable land to be exchanged for the land which is acquired compulsorily or is subject to clearing bans. It is not always desirable for compensation to be in the form of money. I can give as an example that which occurred when Alcoa of Australia Ltd. came into my area and started buying up the farmers' land. In one case a farmer thought he was doing the right thing by selling out, but when he went to buy another farm, he found it was not as easy as he had thought. In the end he was rather unhappy. In another case, a farmer asked Alcoa to provide him with an alternative farm and he settled into that farm quite satisfactorily and happily.

If farmers are quite happy to swap one piece of land for another, I certainly cannot see any problems with it; in fact I can see it has a great deal of merit.

Proposed new subsection (8) provides for an advance payment to be offered to a claimant. Again I cannot see anything sinister in that proposal and, as long as it does not prejudice the claimant's appeal if he feels the compensation is not adequate, I cannot see any problems. There does not seem to be any difficulty in an offer being made to a person subject to a clearing ban or compulsory acquisition and that person accepting the money but proceeding with an appeal in the appropriate jurisdiction in order that the compensation is adequate. In that regard I support the clause.

Clauses 15 and 16 relate to a proposed new section in the Act which will enable the Minister to issue infringement notices for offences committed against the Act. From the inquiries I have made, it appears no prosecutions have occurred in the past, therefore, I am not sure whether, under this system, more infringement notices will be issued or prosecutions will take place because of the simpler process, or whether, in the past, people have not been prosecuted because the offences were of a minor nature or the prosecution process was too complicated.

If the infringement notices are to be issued by local people in small communities, the system could be open to abuse or problems could be created for the officers involved. It is quite a difficult undertaking for those officers.

All in all, I support the Bill.

MR TONKIN (Morley-Swan—Minister for Water Resources) [12.07 p.m.]: I thank the members for Floreat and Murray-Wellington for their contributions. The member for Floreat was concerned about the use of the term "indigenous undergrowth" and suggested that compensation should be extended, because this is not already a requirement.

I shall comment on two matters; firstly, it is the understanding that the clearing extend to indigenous undergrowth, not just to trees. Indeed, not only is it an understanding that is accepted by all parties, but also it is a practice which is accepted by them, so that is happening already. In fact, the Act refers to this.

Mr Mensaros: Yes, it does.

Mr TONKIN: Section 12(3) reads as follows—

The Under Secretary may refuse any application for the grant or transfer of a clearing licence and unless he is satisfied that there are exceptional reasons for not refusing an application, shall do so where, in his opinion, after the clearing that would otherwise be authorised, there would be less than one-tenth part of the land in question left under tree cover including the indigenous growth.

The intention merely is to put into the Act the wording which is there already in another section. It will not alter anything. It is the understanding and the practice, and if litigation occurred on the subject, I believe it would be upheld anyway.

Therefore, we are not really changing anything. It is merely a tidying-up process to ensure that all parts of the Act are consistent with one another, which is, I suppose, a kind of housekeeping job. I give the House that assurance.

It is not a question of increasing compensation. We are not changing anything, therefore there is no case for compensation to be extended in some way.

I am pleased that both the member for Floreat and the member for Murray-Wellington commended the Government on the arrangements for the swapping of land and also for making it better for the State by making the arrangement more flexible and for making it better for the farmers in that it will be possible for them to acquire land outside the catchment. This gives much better swapping possibilities.

The member for Floreat asked me for an undertaking that there would be a reasonable negotiating period before determination. I give that undertaking. In my short experience as a Minister I have already been involved in some negotiations and I can say that the Government has bent over backwards to try to accommodate farmers who have been caught up in a web of circumstances beyond their control. Those involved were not aware when they purchased their land that there would be problems with clearing.

Only a week ago I went further than the Act required by agreeing to purchase a property because the cleared part was not large enough to be viable. The person involved had worked very hard over many years but had been prevented from clearing much of the property and was thus faced with having an unviable portion of cleared land. The Act did not require that we purchase it; I did not have to purchase it under the Act. Nevertheless I decided to do so because he was a person who was being penalised because of Government policy. It is our attitude that if something is desirable for the general good, the community at large should pay rather than the individual. That does not always happen.

A case can be made out to show that during the time of the previous Government, people were suffering for the general good, for the general development of society. People such as the unemployed were suffering from something not of their own making, yet there was a real push by the previous Government to see to it that these people bore an undue share of the burden.

An unemployed 18 or 19-year-old, or an unemployed person of any age, has not created the society in which he or she lives. In fact, the unemployed have less influence over society than we "fat cats" in Parliament who have had an influence over society, yet we are being rewarded for it. A part of that society we have helped to create is high unemployment, and it is quite unjust and inequitable that the people who have not helped to

cause the problem should be unduly bearing the burden. That is why so many Australians were revolted by Stephen Lusher who, in a most inhumane way, decided to play at being unemployed for one week, knowing he would not be unemployed the next week. He did not have the empathy, the imagination, or the intelligence to see the difference between playing at something for a week and facing that situation for years to come.

Mr Watt: Do you think there was any value in what he did, with hindsight?

The SPEAKER: Order!

Mr TONKIN: I appreciate that you, Mr Speaker, want me to stick to the Bill. All I say in answer to the very reasonable interjection by the member for Albany is that I am hopeful some people have learnt lessons; but it seems a shame to me that a person in a law-making position should be so crass and so unsophisticated in his intellectual and political thought that he would need a lesson which really was read to him by almost every editorial of the daily Press, and when quite ordinary people in ordinary walks of life saw at once the fallacy of what he was trying to do.

The attitude of the Government is that the individual should not suffer—not just farmers, but any individual in society—because certain decisions have been made for the general good. I have already indicated that the State has purchased a farm on my instruction, and this is evidence of the bona fides of the Government. We are reasonable people; we are sympathetic. Where possible we will take the extra step to see that the burden does not fall unduly on an individual. I have given that undertaking for a reasonable negotiating period before a determination is made.

On the question of the withdrawal of subsidies, I indicate that we have already had this argument on a previous measure, but as it does apply here also, it is reasonable to say to the member for Floreat that I do not accept his argument. Remember, when we are talking about one part of the community subsidising another part we are speaking about some country people subsidising other country people. When a service is given by the Public Works Department, a service which costs money but which is not charged for in the particular case, but is charged for generally by way of general charges upon ratepayers and taxpayers, I question whether that kind of subsidy—I repeat: Not just from city to country, but from country to country—should continue.

I am not saying the full cost of those services will be charged, but I am saying there should be some charge, because we believe that although

there are exceptions to it—and we do not carry it the whole way, because we must have equity—some people can bear the burden better than others. Nevertheless, although we will not go the whole way, we will move some of the way towards “pay for use”.

The member for Floreat also made a request for an undertaking in respect of the withdrawal of infringements. The infringements can only be withdrawn by a senior officer who is a prescribed person. The comment made by the member for Floreat on the other Bill is a reasonable query to raise, so I will have discussions with my officers to see that everything is above board; if it is not, we will take action to see that it is. I am well aware of the member's concern.

In respect of the amount of the modified penalty, let me say that it is true the Bill does not provide for this. This is so because one of the problems of putting things into Acts in times of continual inflation—and inflation has been occurring since about the 14th century, unabated except for very brief aberrations—is that they must be brought back to the Parliament every year, or we allow them to go on, as has happened with this Act for 35 years or so, and when we bring them in people are amazed at the staggering increase in penalties.

Mr Mensaros: I simply asked to be informed what sort of modified penalties were envisaged.

Mr TONKIN: We agree that it does not necessarily have to be in the Act. The level of penalty would be in the vicinity of between \$25 and \$50, depending on the nature of the infringement. In many cases it would be one tenth of the maximum penalty. However, if the member for Floreat or any other member finds that the regulations are not acceptable, he can move for their disallowance in this House. Besides that formal action, if any member makes representations to me to the effect that the penalties prescribed by the regulations are considered to be unfair and inequitable, I will be only too happy to discuss the matter.

The member for Murray-Wellington indicated that the provision relating to the acquisition of land outside the catchment was a good idea, and that the advance payments were acceptable to him. I thank him for his support. Although this Bill is not breaking new ground in a basic way in that it is not introducing new principles, it will improve the operations of the Act, and therefore the Act will be a better one as a result of this amending 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 Tonkin (Minister for Water Resources), and transmitted to the Council.

PAY-ROLL TAX ASSESSMENT AMENDMENT BILL 1984

Second Reading

Debate resumed from 3 April.

MR HASSELL (Cottesloe—Leader of the Opposition) [12.22 p.m.]: The Opposition is very firmly opposed to this Bill. It is a very bad piece of legislation, which is inconsistent with the Government's professed concern about payroll tax over a long period; it is inconsistent with the Government's own policy on payroll tax; and it will add to the overall damage that is being done to the economy of this State by the Government's high taxing policies and its other policies which will inhibit growth, development, and the creation of jobs.

I very briefly want to open my remarks by putting this Bill in the context of the Government's inhibitions on economic activity in this State. It is already well established that the Government's increases in taxes and charges in the past year, whether they can be attributed to what the Premier describes as natural growth or to some other cause, have had an impact of an undesirable nature on business generally and small business in particular.

The Government should not be proud of its record of being the highest tax-increase-charge-increase State in Australia. In fact, it should be ashamed of that record, both because of the damage that it has done and because it is totally at variance with what the Government said it would do before it came to office—

Mr MacKinnon: Hear, hear!

Mr Court: And during the time of the wages pause.

Mr HASSELL: —and during the time of the wages pause, during the time of an economic downturn, and during the time that it cut the salaries of its own public servants. All these factors should have dictated to the Government that it should not in any way allow its taxes and

charges to be increased as they were. That fact has been documented over and over again, and to some extent it has been publicised. This Bill adds to the record of the very poor performance of the Government. In no way can the Government escape the charge that here is a deliberate measure being introduced to increase the incidence and the burden of payroll tax which has already been increased in the current financial year.

I want to deal very briefly in this context with the Premier's claim that a great deal of the increases in taxes and charges was due to natural growth. The Premier made that spurious claim a couple of weeks ago in an attempt to discredit what I had said about his increases in taxes and charges. In the course of doing so, he admitted that the overall increase in taxes in this State in the current financial year was over 20 per cent, but he claimed that a great deal of that increase was attributable to natural growth and, by implication, he suggested that the Government was not responsible for it.

Mr MacKinnon: The only growth is the unnatural growth of the Government.

Mr HASSELL: By whatever means increases in taxes and charges occur, the Government is responsible for them; it is unquestionably responsible for them. The Government frames its Budget; the Government sets the level of taxation; and the Government has within its power the capacity to alter the rates of taxes and charges. The Government is advised by Treasury what the growth will be if rates are not changed. The Government cannot deny one shred of responsibility for any increase in revenue which it claims from the taxpayers over the course of a year. The Government is totally responsible; so totally responsible, that it has achieved the unenviable record of being "the first" in Australia in taxes and charges.

My first point in looking at the overall picture is that the Government's increases in taxes and charges have inhibited the continuation, growth, and development of the State's economy. My second point is that this legislation is a further inhibiting factor.

Other factors come in and operate against the development of the economy, factors which will be very serious for Western Australia. Thirdly, we have the resources rental tax which the Government, for whatever reasons, has failed to fight effectively. If ever the Government should have scored a victory, it should have scored a victory against the imposition of the new resources rental tax, because no State in Australia will be more adversely affected than Western Australia by this

new tax. No State in Australia will more directly suffer in its economy and its employment than this State from the implementation of that new tax. There is no greater disgrace than that tax which has come forward from a Western Australian senator with a half-hearted, lukewarm, and apologetic opposition from the State Government.

Fourthly, we witnessed the Government's lack of support for Yeelirrie and the development of uranium mining, not only in Yeelirrie, but also in Western Australia generally; we witnessed the Premier's saying to the world at large that he supported a uranium mine at Roxby Downs in South Australia, while refusing to support a uranium mine in Western Australia and refusing to promote the mining, investment, and employment that goes with it.

Fifthly, the Government is pursuing its policy of Aboriginal land rights; a policy which will have a devastating impact on the well-being of Western Australian people, and their employment. Any granting of land rights that bears any resemblance or relationship to that which applies in the Northern Territory, or to that suggested by Mr Seaman, will add to the burden of taxation, the burden of the resources rent tax, and the lack of support for involvement in uranium mining. It will add to the disincentives for exploration and will operate as a prohibition on mining.

Sixthly, I refer to the south-west land use proposals as another vital step in the Government's programme of disincentive and burden on growth and development. It is apparent from the south-west land use study report, and the Government's approach to this matter, that it is following the conservationists' path, hook, line, and sinker.

Mr Davies: I do not see how you could say that because I am having the greatest difficulty with conservation matters. You are way off the track.

Mr HASSELL: If the Minister has abandoned the recommendations of the south-west land use study and that approach then he should make an announcement to that effect, because it would be welcome news in many quarters.

Mr Davies: That is not my portfolio.

Mr HASSELL: These factors, coupled with the new taxing measure, when viewed as a whole, are serious inhibitions on growth and development in this State. The taxing measure before the House needs to be seen and understood in that context. It is simply one more burden which the Government is seeking to impose in pursuit of policies which will not encourage the creation of wealth, and with it employment that the State needs. The south-west land use proposals, which are based on

the concept of a holistic approach to land uses, are directed to ensure that all the fundamental areas of the Government and industry are made subsidiary to the overall conservation aim. That mining, fishing, farming, forestry, and timber production are all made subsidiary to the prime concern of conservation, in the form that puts every interest but the interests of mankind, ahead in its objectives. That is the overall picture and it is relevant to consider those six factors: the overall increases in taxes and charges; this Bill which is an addition to that overall burden of taxation; the resources rental tax, which the Government has failed to oppose effectively; the Government's opposition to uranium development, and other uranium developments in Western Australia; the Government's approach to Aboriginal land rights; and the Government's support of unbalanced conservation through the south-west land use approach.

All these measures put together will place the Government in a very poor position within a year. The combined effect of those factors will be to put the State's economy on the skids. It is a very delicate situation and it will be undone by those measures, because, combined, they to go the very heart of our wealth production and the very heart of agriculture, fisheries, forestry, mining, and exploration.

We are more sensitive to a number of these factors than are the other States. We have tried to warn the Government in a political and non-political way that it must take heed of the direction it is taking. It is going in a wrong direction; it is going down a path that will lead it to damage the State and its economy significantly, without regard for the needs of the people of this State.

It is all very fine to think that Government can go on spending and that this legislation must be brought forward because it might have been intended in this form at some earlier date, or because someone was trying to take in insurance agents and make them liable to tax, but it is cumulative with all these other things. We are not talking about the technicalities of the Bill, although we will be raising some issues in that area. We are talking about the impact of this legislation, when seen in the overall context of what the Government is doing—the whole thrust is wrong.

Secondly, as a major point, let me refer to the Government's attitude to payroll tax, because we must remember that this Bill is directed towards increasing both the incidence and the burden of payroll tax. It intends to widen the net. The intent of the Bill is to do one of the things that the discredited and rejected industrial relations legislation intended to do: to turn a lot of employers

into employees. That is one of the things this Bill is about, and it is exactly along the same lines as the discredited and rejected industrial relations legislation.

Let us consider the record of what the Government and its leader had to say about payroll tax over a long time. I think a few quotations and comments I have to make will be of interest to Government members, when they note that the Labor Party's apparently firm commitments were treated as no more than a passing comment and were given no respect by the same people when they came to Government.

Mr Gordon Hill: Your own members are not interested; they are either not here, or are asleep.

Mr HASSELL: The obligation to keep the House is with the Government.

Mr Tonkin: Come on, that is nonsense. We are all members of Parliament.

Mr HASSELL: The Government's Whip just made a contentious interjection which had nothing to do with what I was talking about.

Mr Wilson: Your Whip isn't here.

Several members interjected.

Mr Court: Who is handling the Bill for you?

The ACTING SPEAKER (Mr Burkett): Order! I would like to hear the Leader of the Opposition speaking, without interjections.

Mr HASSELL: Thank you, Mr Acting Speaker.

Mr Tonkin: This Bill was brought on because the Leader of the Opposition wanted it brought on. I did not want to bring in on.

Mr HASSELL: The Bill has been brought on at this time for the reasons the Leader of the House stated.

Let us start with the Government's policy issued in January 1983, which was just before the last State election. It reads—

Small business—new growth and development announced by Mr Brian Burke MLA, Leader of the State Parliamentary Labor Party, and Mal Bryce MLA, the Shadow Minister for Industrial Development.

Mr MacKinnon: When was that released?

Mr HASSELL: It was released in January 1983. It refers to the Labor Party's concern about small business. The policy statement continues—

In summary, a State Labor Government will . . .

The fifth item very simply states—

take action to abolish payroll tax.

Which one of the Government members—the Government Whip seems to think they are all here and listening attentively—would like to say that this Bill is directed towards the action to abolish payroll tax promised by the Labor Party a month before the State election? Which member of the Government would like to suggest that this Bill is in fulfilment of that policy?

Mr I. F. Taylor: I recall that in the 1970s the then Premier (Sir Charles Court) made the same claim to fame. What did you do about it?

Mr Court: Your Premier promised it during the FID debate.

Mr I. F. Taylor: Your Dad promised it, too.

Mr HASSELL: Let us go back to the question. Members opposite are the Government, and the Government made a promise a month before the last State election that it would abolish payroll tax. However, the Government has introduced Bill after Bill containing all sorts of incredible nonsense, for which it has claimed a mandate. Which member of the Government will claim a mandate for this Bill as being action towards the abolition of payroll tax?

Mr MacKinnon: There is a deafening silence.

Mr I. F. Taylor: We have a couple of Budgets to present yet.

Mr HASSELL: Is the member for Kalgoorlie suggesting that the abolition of payroll tax will be included in the forthcoming Budget?

Mr I. F. Taylor: We are moving towards the abolition of payroll tax.

Mr HASSELL: The Government made a promise. What the Government has said is in front of me. Would any member opposite like to tell me what direction the Government is taking?

Mr I. F. Taylor: We have two Budgets to go.

Mr HASSELL: Does this Bill move to abolish payroll tax?

Mr Tonkin: You wait until you see our Budget. It will knock you on your ear.

Mr HASSELL: Are we to have a Dorothy Dixier on it—another boring speech? The Premier was in this House two days ago when I asked him two questions about his portfolio and he asked me to put the questions on notice. However, he gave me 1½ pages of diatribe about a speech which I made in this House last week and which he had not read. The Dorothy Dix questions are a pain in the neck. The Deputy Premier is in the champion stakes, with the Premier, at the moment.

Mr I. F. Taylor: They give you some discomfort.

Mr HASSELL: Let me go back to the serious point. I repeat that the Government promised to take action to abolish payroll tax. Its first payroll tax Bill is to increase the incidence and the burden of payroll tax. Let that not be forgotten. Let us go back further and see—

Mr I. F. Taylor: That is not quite right. Our very first Budget did, in fact, introduce a range of payroll tax concessions for small business. It is not our first Bill—the first Budget increased the exemptions.

Mr HASSELL: I promise the member for Kalgoorlie that I will come back to that point, but in the meantime let me tell the Government that its concessions on its own Premier's tests were nil because all they did was to increase the concessions in line with what he called "natural growth". On his reasoning, those concessions were nil and, secondly, the so-called concessions abolished part of the concession that had previously applied.

Mr I. F. Taylor: We lifted the payroll tax exemption by 28 per cent to \$168 000. An estimated 1 100 small business employers were exempted from payroll tax. That was the Government's first move in the payroll tax area.

Mr HASSELL: In 1981-82, the basic threshold for exemptions was raised from \$72 000 to \$142 000—a 42 per cent increase, and that was under the Court Government. In 1982-83, under the O'Connor Government, it was raised from \$102 000 to \$125 000—23 per cent. In 1983-84, under the Burke Government it was raised from \$125 000 to \$160 000—28 per cent. The difference between what happened in the two previous years and what happened last year was that the Burke Government removed deduction on payrolls above \$400 000—that is not a large payroll figure by anybody's standards, and it would involve a business with perhaps 25 employees—and imposed a further \$1 890 per annum on all those employers.

Therefore, the concession was only half a concession and it was by no means ahead of anything that had been done before. The overall increase in the take from payroll tax last year was very substantial. I have the figures and I will read them to the House shortly.

I commenced with the Government's policy and the promise made a month before the last election. It is a promise for which, on the Government's test, it had a mandate, but it did nothing about it.

Mr I. F. Taylor: Yes, we did in the very first Budget.

Mr HASSELL: What action has the Government taken to abolish payroll tax?

Mr I. F. Taylor: We moved towards making it easier for people by increasing the exemption level by 28 per cent to \$168 000.

Mr HASSELL: It was 42 per cent, 23 per cent, and then the Government took away another concession. Who does the Government reckon it is convincing with that argument?

Mr Tonkin: I am convinced.

Mr I. F. Taylor: The Leader of the House is convinced, and he needs a lot to convince him.

Mr Court: By how much is the collection figure up this year?

Mr I. F. Taylor: I am not sure; we do not have the figures.

Several members interjected.

Mr I. F. Taylor: Natural growth.

Mr HASSELL: Are we going to have another natural growth? I will give the Government the precise details of its take and I will come back to it.

Mr I. F. Taylor: You are not very well prepared.

Mr HASSELL: I have a lot of notes because the Opposition knows that the Government is well tabbed on this area because it made a lot of promises for 18 months before the last election to mislead the community on payroll tax. I have heard the member's leader over and over again talking about payroll tax. I was challenged at the Chamber of Commerce and in other places with the Premier's remarks because people were led to expect that a Labor Government really would move on payroll tax.

Mr I. F. Taylor: We did.

Mr HASSELL: People said to me, "The Labor Party is promising to get rid of payroll tax". Payroll tax is very unpopular with the business community and the Premier, and the member for Kalgoorlie set out to create an expectation that they would get rid of payroll tax if elected to Government. When I went around to those places, I was challenged with that and I said honestly on every occasion, "Payroll tax will not be removed because it cannot be done until there is a total financial settlement". I explained to people what a big proportion of the State Budget payroll tax comprised, and I told them the truth. They wanted to believe this Government's story and members opposite wanted people to believe that they were going to move to get rid of payroll tax.

This Bill increases the incidence and the burden of payroll tax. The Government has done nothing at all towards carrying out its policy promise.

Mr I. F. Taylor: That is not correct.

Mr HASSELL: Increasing payroll tax concessions in line with what was done in two previous years and taking away another concession does not mean the Government has moved towards the abolition of payroll tax, and members opposite know it. They know full well that the overall take of payroll tax this year has increased substantially.

I will not be diverted by silly arguments. That promise is in the Government's policy document. I ask members opposite: Does this Bill put into effect the Government's policy promises to the electorate?

Let us look at more of the expectations created by the Premier. On 2 November 1982—and I remind members opposite they have talked about increased exemptions and a move towards the abolition of payroll tax—Mr Burke said this—

The provision of increased exemptions with a sort of piecemeal, *ad hoc* approach will not work. It is time the Government decided to realise that more positive, detailed, and intelligent policies are needed to overcome these difficulties.

Mr I. F. Taylor: Quite right.

Mr HASSELL: The member for Kalgoorlie at that time proposed exemption increases as a move towards the abolition of payroll tax.

Mr I. F. Taylor: I said we had two Budgets to go.

Mr HASSELL: We are not talking about speculation on what might be done in a couple of Budgets; we are discussing what the Government has done to the electorate. I am referring to the expectation the Government created in the community that it would move on payroll tax. It was a dishonest approach, and it has been demonstrated over and over again.

Mr I. F. Taylor: You would be fairly well versed at recognising that.

Mr HASSELL: The then Leader of the Opposition said on the same date—

Payroll tax is one of the biggest contributors to this pool of unemployed people.

Further on he said—

Even if we buy the proposition that we cannot do without the money raised by payroll tax, fairer and less damaging methods are available to raise this money.

Is this a fairer and less damaging method? Is that what the Government is saying—it is fairer and less damaging to increase the incidence and burden of payroll tax? No. The Government does not say that because Government members are not so stupid. By way of interjection after Mr Burke's remarks that I have quoted, Mr MacKinnon said, "Such as?" The debate went on as follows—

Mr BRIAN BURKE: Recently, the Victorian Government introduced a broadly-based tax on financial transactions, which in large part has been greeted with much acclaim by employers and financial institutions. I do not know the details of that scheme.

He proposed to introduce FID to get rid of payroll tax and now we have them both, and more payroll tax in this Bill. What an incredible situation; what gross dishonesty. That was said on 2 November 1982. Government members are growing very quiet now. Mr Burke went on—

However we have said that we must recognise the evil which is payroll tax,—

This is the evil the Government is about to increase. To continue—

—and start to contest it. We also have provided that the working party established as a result of the meeting of Labor leaders will report back to the next meeting of Labor leaders in Perth next February.

I do not know whether the working party reported back, but I know it never achieved any result.

Let us try another quotation. This one is from 1982 during the lead-up to the election—

There is one other matter I want to raise, and it is point No. 19. I suppose Government members will laugh at this, but there needs to be urgent agreement between the States on a joint approach to the Commonwealth on the scheduling of plans to phase out payroll tax altogether.

It was so urgent that the Government has done nothing about it in its 15 months in office. The Premier goes on—

It is urgent that there be some agreement between the States on a joint approach to the Commonwealth that sets down a timetable for the phasing out of payroll tax.

On the same page of *Hansard* on 12 October 1982, he stated—

The fundamental proposition is that in my view payroll tax is far and away the least desirable of taxes that the States have to impose. That is the first thing. A tax from any other source would be preferable.

Later on he said—

The Commonwealth should be approached by the States jointly in an effort to have the Commonwealth agree to the abolition of payroll tax. It should be a Commonwealth responsibility to replace that tax.

I also have some interesting cuttings about Mr Burke in action in the lead-up to the election when he was creating expectations. The member for Pilbara will be interested in this article which reads—

THE Leader of the State Opposition, Mr Brian Burke, said in Port Hedland in the weekend, that the Labor Party was committed to lowering sales tax on goods sold in remote areas. Mr Burke said that the commitment was reaffirmed at the national conference of the ALP recently and would bring down the price on a whole range of goods sold in the north.

Would the member for Pilbara care to mention one item of goods on which this has happened?

Mrs Buchanan: How long did you have? You did nothing.

Mr HASSELL: I ask the member to name one. Does she remember her maiden speech in which she talked about price control on goods in the Pilbara?

Mr McIver: I thought it was excellent.

Mr HASSELL: It was a good speech for Alice in Wonderland.

Mr McIver: A lot of people have read Alice in Wonderland.

Mr Crane: Where is the Mad Hatter?

Mr HASSELL: He is not here; he will be back at question time.

Mr Evans: He has got you bluffed in question time.

Mr HASSELL: So far the extended question time has meant we have more speeches in reply to dorothea dixers.

I refer now to another newspaper report in *The West Australian* of 23 October 1982. The headline reads, "ALP seeks to end payroll tax", and the article goes on to say—

LABOR leaders throughout Australia have agreed to examine abolition of payroll tax.

Further on it states—

The WA Opposition Leader, Mr Burke, said in Adelaide that he believed that payroll tax was the major growth tax imposed by the States.

He proved himself wrong. He introduced FID and the alternative to payroll tax became an addition to payroll tax. Now we have another addition to payroll tax which is more payroll tax. In *The West Australian* on 30 October 1982, Mr Burke was reported as saying that action was needed to replace payroll tax which was a tax on employment.

Sitting suspended from 1.00 to 2.15 p.m.

Mr HASSELL: I have been seeking to outline from the written material in the public record statements made by the Premier and his colleagues in the lead-up to the State election when it sought to create an atmosphere of expectation that it would do something about payroll tax if elected to office. It indicated that when in Government it would move to change the character of payroll tax in the direction of eventual elimination. The public record clearly demonstrates that the Government is not doing that. The member for Kalgoorlie tried to cite the concession granted last year as an example of the Government's fulfilment of its promise. However, I was able to quote the statement by the then Leader of the Opposition (Mr Brian Burke) that he regarded the continuation of concessions as a piecemeal and totally unsatisfactory approach which would not lead to the eventual objective of elimination.

I have referred extensively to the record as it appears in the Labor Party's policy document, in *Hansard*, and in the media. I shall continue to refer to these and other documents. In *The West Australian* on 4 November 1982 the "Political Notes" column referred to the Budget. The then Leader of the Opposition is quoted as saying—

The Budget strategy should have been to:

Set policies and priorities to promote economic growth.

We have seen nothing of that in the Premier's Budget. It continues—

Review State taxation and all revenue-raising systems with a view of streamlining and simplifying them.

We have seen nothing of that in the Premier's Budget. It continues—

Replace present Commonwealth-State financial arrangements with a negotiated financial contract.

We have seen nothing of that in the Premier's Budget. It continues—

Explore means of eliminating payroll tax which is a disincentive to employment.

We have seen nothing of that in the Premier's Budget. Indeed, we have seen unemployment grow under this Government despite the implementation of the policies that the Government said would eliminate or, at least, substantially reduce unemployment. The article continues—

Restructure the Budget and Budget processes to make them more comprehensible to the average citizen.

We have seen nothing of that in any action by the Premier.

Mr I. F. Taylor: You will.

Mr HASSELL: We are looking forward to seeing it. Can the member tell us that the Bill before the House goes towards the fulfilment of the policy promise made in the document issued a month before the State election that the Government would—to quote from his party's own document—"Take action to abolish payroll tax"?

Mr I. F. Taylor: The first Budget we introduced took that action.

Mr HASSELL: Does the member want me to go over that ground again; does he want me to quote again the word of his Leader, the Premier?

The SPEAKER: No, I do not.

Mr HASSELL: I am sure you, Mr Speaker, do not want to hear them again.

Mr Hodge: None of us does.

Mr HASSELL: The member for Kalgoorlie does not want to know. I understand why he does not want me to repeat these quotes. The Premier said that the extension of concessions was a piecemeal and *ad hoc* approach and did not solve the fundamental problem of payroll tax. *The West Australian* on 5 November 1982—it should be remembered that we were reaching the stage where the then Opposition was a few months from the election—contained an article headed, "Lab. has a \$20m. plan for jobs".

What is the unemployment figure now? It is more than it was when the Government came to office.

Mr MacKinnon: It is the highest in Australia.

An Opposition member: It is the highest it has ever been in Western Australia.

A member: That is a natural increase.

Mr HASSELL: If there are any new jobs they will be natural jobs. They will not be the 20 000 new jobs that the Government referred to in its policy document.

Among the Labor Party plan for jobs the payroll tax concessions were aimed at boosting employment. The political notes of 18 November 1982 stated that payroll tax concessions were for

extra employment. *The West Australian* on 25 January 1983 stated, "Labor Aims to Boost Small Business".

Let us turn, not to what anybody says the Labor Party said or what its policy document said, but to its advertisements. The member for Pilbara will be very interested in the following quote from an advertisement, "With Labor there's a future in the north!". The advertisement then defines it.

Mrs Buchanan: It was a good advertisement.

Mr HASSELL: Of course it was. All the PR of the Labor Party is good; it is the substance that is rotten. The cry is good but the fish stinks. All advertisements by the Labor Party were very good and professional; a great deal of money went into professional production. The advertisement stated—

Labor Will Help Small Business.

This includes extending the range of payroll tax concessions and moving to an eventual abolition of this unfair tax altogether.

Several members interjected.

Mr HASSELL: Is this your Bill? Do you support this Bill?

The SPEAKER: Order! The Leader of the Opposition will address the Chair.

Mr HASSELL: May I, through you, Sir, ask the member for Pilbara if she is going to vote for the Bill?

Mrs Buchanan: I ask you to repeat the words.

Mr HASSELL: I will repeat them, through you, Mr Speaker as follows—

Labor has an exciting new policy to promote security and growth of independent business.

The first step was to make them all into trade union employees. Then it continues—

This includes extending the range of payroll tax concessions.

The first Budget did not extend the range of payroll tax concessions; it abolished one of the payroll tax concessions. Now the second Bill on payroll tax specifically extends the range and the burden of payroll tax. Will the member for Pilbara vote for this Bill?

Mrs Buchanan: That is your interpretation.

Mr Court: How does it affect the—

Mr HASSELL: It turns them into employees. Surprise, surprise! It is like the discredited industrial legislation which was defeated last night.

Several members interjected.

Mr HASSELL: How about this quote? I am sure members will be interested in this—

Brian Burke will balance the budget—

without increasing taxation

without plunging the state into debt.

Expenditure control to keep taxes down

Efficiency audits to eliminate waste.

The Government has not eliminated the increasing range of media staff on PR personnel; none of that has been eliminated in efficiency audits. In fact there is a new graduate from Murdoch. The poor girl is only just out of university and she will have to advise the Government, at an undisclosed fee, what it must do to make sure they it does not miss any of the radio and television programmes. I do not know whether that includes other States.

Does this Bill balance the Budget without increasing taxation, or does this Bill increase taxation? Does it increase the burden of taxation by a tax which the Government has pledged itself over and over again to move to abolish?

The evidence is very clear and very extensive. It covers precisely what the Government said. We now see precisely what the Government is doing. As in so many cases, what it said it would do and what it is doing are completely different. The Government will have to learn very soon; it does not matter how good the PR machine is, how many advisers, media men and so on may be employed, how many favours may be granted to radio stations, how many hotlines for information may be provided for a steady flow of leaks. Eventually the smell of the stinking fish will rise, however good the selling story may be. This Bill extends the burden of payroll tax.

My next point is that the Government has not consulted the industry. I asked the Premier a question without notice two days ago as to what consultation had been undertaken with the industry—specifically with the insurance industry—because this Bill is aimed at the insurance industry. My information from that industry is that there has been no consultation. The Premier, two days before we were due to debate a Bill which he introduced, was not able to tell me in a question without notice whether there had been any consultation, so the question was placed on notice. I still have not received an answer. I hope I will get it today, but by then I shall have finished speaking so I shall not be able to use the information I asked for two days ago in this debate. I can say, however, that all the information I have indicates that there was no consultation with the industry about this.

Mr MacKinnon: Or with the professions.

Mr HASSELL: The insurance industry is very concerned about this legislation and the impact of it.

I want to take a moment to refer to the impact of this legislation on the insurance industry. Both the Life Insurance Federation of Australia and the Insurance Council of Australia Ltd. have made submissions to the Government expressing their concern about the legislation. I will deal with those submissions first. The Life Insurance Federation wrote to the Premier and expressed its concern in this way—

About 98% of the life insurance industry's profits are distributed to policyholders in the form of policy benefits. A large proportion of those policyholders are individuals with family responsibilities and limited means.

Only a few months ago your Government imposed new taxes affecting policyholders when you introduced Stamp Duty on new life insurance and a Financial Institutions Duty. If, in addition, you legislate to impose payroll tax on commissions paid to agents you will, in respect of new policies, be taxing the same premium dollar at least three times (more than three times in circumstances where F.I.D. is duplicated as money passes through more than one bank account).

Most agents and representatives of life insurance companies are genuine principals. The companies are not in a position to dictate hours of work, when leave is to be taken, etc. In addition, many agents are themselves employers of staff whose wages, already, are subject to payroll tax legislation. Thus, the double tax effect referred to in the previous paragraph might compound even further.

That was the Life Insurance Federation of Australia. The Insurance Council of Australia wrote to me and to the Premier, and this is what it said to me—

The provision in this Bill that insurance commissions be treated as 'wages' for payroll tax purposes is of great concern to the general insurance industry.

If implemented, it will create a most inequitable situation.

General insurance agents are independent persons or firms, not employees of the insurance companies with which they have agreements and are not under the control of those companies.

Apart from this aspect however, it is most important to realise that the payment of commissions on insurance premiums is for

services rendered in obtaining and servicing insurance contracts.

These services include normal business costs of accommodation, telephones, stationery, vehicles, wages to staff and the like, none of which can in any way be related to 'wages' in the traditional sense and on which payroll tax is imposed at present.

A most unjust situation will thus be created should the legislation be passed in its present form.

The Premier has been acquainted of our very real concern at the intent of the Bill and I attach a copy of our letter to him, for your information.

Both those submissions from responsible bodies were made after the legislation was introduced and they go to the very nub of the issue. Firstly, there was no consultation with them before the legislation was introduced, and secondly, the impact and the intent of this legislation is exactly the same as that discredited and rejected in the Industrial Relations Bill. The intent is to turn employers into employees.

I refer now to the cost implications of payroll tax and other taxes on the insurance industry. The figures used are estimates of the amount of payroll tax likely to be collected if the 1984 Bill is enacted. I hope the Premier and Treasurer will have something to say about the figures in terms of giving us more accurate estimates if he is able to do so. It is expected that the general insurance industry will pay approximately \$1 million per annum and the life assurance and superannuation industries will pay approximately \$1 million per annum; that is an estimated annual yield of \$2 million.

Those figures assume the Act will not include insurance brokers. If it does include them, it is estimated they will contribute a further \$1 million per annum. If this Bill is passed, the life insurance and superannuation industries will have collected their third new tax in a year.

The figure in respect of stamp duty on life policies is \$2 million per annum—that is a Treasury estimate—the figure for the financial institutions duty is \$1 million per annum, which does not include the financial institutions duty on investments; and, in respect of payroll tax, the figure is \$1 million per annum.

Therefore, it is estimated the life assurance industry in Western Australia will contribute a total of \$4 million additional tax in one year. That is one small industry; we are talking about little people, not big people, and the Premier needs to understand that.

Insurance agents are not big businessmen; they are small businessmen. Insurance companies may be large, but their policyholders are the general run of the Australian community, and 98 per cent of all premiums go back to policyholders. Therefore, it is clear that that \$4 million additional tax will come out of the pockets of the Western Australian taxpayer.

Payroll tax will be the third tax on a single transaction. In the life insurance industry commissions are normally paid on the sale of a policy. General insurance commissions are paid on the annual premium.

In relation to the general insurance area, according to the CRF Budget and Treasury papers, the tax increase in the past year has been as follows: Stamp duty on policies, \$19.3 million; FID, \$0.5 million; and, payroll tax, \$1 million. That is a total of \$20.8 million out of the general insurance industry.

The costs of this additional payroll tax will be an overhead which will have to be passed on to the consumers of this class of insurance and they are the people who insure their houses and cars and those who pay workers' compensation, a burden which is crippling industry already, because of its high cost.

Payroll tax would be the third tax on each transaction; that is, on each renewal of policy.

I turn now to particular aspects of the Bill itself and I will refer to the provisions of the Bill and the way it will operate. It can very fairly be said that this Bill is oppressive and onerous, but much worse than that, it is open to political abuse.

The first of the proposals in this legislation is to make an insurance agent's income liable to payroll tax. I have already referred to this subject, but it is only one aspect of the Bill. An insurance agent's income is not in the nature of wages, and payroll tax has always been directed to wages income. An insurance agent's income is gross income to operate a business, and it includes the money that the agent then has to pay out as wages to his own staff.

Included in the Bill, as a subsidiary and essential part of its intention, is the attempt to define agents' income as wages. The Opposition is opposed to that measure. It is appreciated that it arises as a result of a decision of the Privy Council which rejected a contention of the New South Wales Government that the legislation, as it stood, included insurance agents' income as wages.

I know that the ambit of payroll tax has been expanded in a number of ways over recent years. Those extensions have caused disquiet in the

business community. This further extension causes considerable disquiet, because it is taking the whole matter a very long way—

Mr Davies: Do you know how many agents would employ staff in sufficient numbers that would require them to pay payroll tax?

Mr HASSELL: I cannot tell the Minister how many agents employ staff, but they all incur expenses of one kind or another. Their incomes are gross; they are global.

Mr Davies: They would not employ staff in sufficient numbers to require them to pay payroll tax.

Mr HASSELL: That may be the case.

Mr Davies: So we are trying to equalise it out.

Mr HASSELL: It may be there are very few; it may be there are no agents who pay payroll tax on staff wages. However, that is because the Government has maintained the concession for those agents not to pay payroll tax therefore, presumably the Government intends they should not. Does the Minister think that justifies imposing payroll tax on gross income from commissions, which includes expenses, which is not salary income?

Mr Davies: You just quoted the court decision. Are you saying that the court's decision was wrong?

Mr HASSELL: No.

Mr Davies: You just admitted that this legislation came about as a result of a court decision.

Mr HASSELL: Yes, because the court found that the legislation did not include agents' income. Therefore, the Government has now said, "We are going to include it, so we will amend the law".

Mr Davies: Do you believe they should get off scot free, and others should be liable for it?

Mr HASSELL: Government members have spent two years talking about how they will get rid of payroll tax. We do not like payroll tax either.

Mr Davies: Nobody does.

Mr HASSELL: However, we have never been so dishonest as to promise the public we would get rid of it, knowing that we could not. We have never suggested that, but Government members have.

Mr Davies: No, we haven't.

Mr HASSELL: Now the Government is attempting to extend the incidence and burden of payroll tax. The Minister is not allowed to interject any more.

Mr Brian Burke: I did not tell him not to interject. I was just about to point out to you

something in your 1980 policy. I do not know whether you intentionally misled the Parliament when you said you had never promised to remove payroll tax. I can't find the reference immediately, because I was not expecting you to put yourself in so deeply, but I will find it when I reply.

Mr HASSELL: The Treasurer was not here before lunch, and I understand that.

Mr Brian Burke: I have notes of everything you said.

Mr HASSELL: I would be happy to give the Treasurer copies of numerous quotations from Labor Party political documents, political news items, advertisements, and record of members' announcements in which the Government deliberately created a climate of expectation that it would get rid of payroll tax.

The simple point I have been making over and over again, which the Treasurer has missed, is that he is now increasing the incidence and the burden of payroll tax. No matter what quotations the Treasurer comes up with from other sources, the fact is that over and over again the Government is taking this extraordinary approach of saying one thing but doing the opposite.

The third aspect of the Bill—and in some respects, this is the most serious aspect of all—is the provision relating to the communication of information concerning a taxpayer. If I had to choose the worst aspect of the Bill, I would choose this one because of the danger of political abuse. It is completely unprecedented for a taxation measure of this nature to give a Minister the power of direction to require the Commissioner of Taxation to disclose information about a taxpayer. The Treasurer should say something about this now if he can, because I cannot believe he intended it. Does the Treasurer intend that the Minister in charge of this Act should have, for all time, the power to direct the Commissioner of Taxation to disclose information about a taxpayer? Is that really his personal intention?

Mr Brian Burke: That is one of the things I will answer in the second reading reply. I will leave out all the other mean and nasty things you have said, but I will reply to that point.

Mr HASSELL: Has the Treasurer any intention of amending it?

Mr Brian Burke: I said I would reply to that point.

Mr HASSELL: Does the Treasurer have any intention of amending it?

Mr Brian Burke: I do not know how many times I have to say it.

Mr HASSELL: But I am asking a different question.

Mr Brian Burke: And I am providing an answer.

Mr HASSELL: You are answering the first question. I am now asking a different question: Does the Treasurer have any intention of amending it?

Mr Brian Burke: I will reply to you at the appropriate time in the second reading reply. I will write that out for you if you would like me to.

Mr HASSELL: The Treasurer does not want to talk about it, but let me tell him something about it.

Mr Brian Burke: All right, you tell me.

Mr HASSELL: Is the Treasurer going to reply now?

Mr Brian Burke: I am going to reply to the second reading debate. You really must not slip into this nastiness, because it will spoil your image.

Mr HASSELL: Let us deal with the legislation. It really is unprecedented.

Mr Burkett: Where is that happy little comedian?

Mr HASSELL: Perhaps I should take up writing poetry.

Mr Brian Burke: Your poetry would be, "Off with his head!" Someone said that a "leopard" cannot change its spots.

Mr HASSELL: When members opposite have finished their nursery rhymes, we can get back to debating this Bill which proposes to give to a Minister the power to direct the Commissioner of Taxation to disclose to any person information about a taxpayer. This is unprecedented and extremely undesirable. It is contrary to what is contained in the Commonwealth legislation. Traditionally, Commissioners of Taxation, whether Commonwealth or State, have had complete control over the administration of their Acts. Giving the Minister power to direct a commissioner opens the path for political abuse. Having regard to the attitude expressed and stated by various people in the Labor Party—people such as Senator Walsh, and the Prime Minister in relation to his view on taxation—we can imagine what kind of abuse could flow from this.

It can be demonstrated best by contrasting it with the Commonwealth Income Tax Assessment Act. Not only does that Act not contain a provision allowing the Minister to direct the commissioner to disclose information to any person or

any class of persons about a particular taxpayer, but also it says this—

An officer or person shall be deemed to have communicated such information to another person in contravention of those subsections if he communicates that information to any Minister or to any Minister of the Crown of a State.

In other words, the Commonwealth legislation does not allow the Minister to direct the Commissioner of Taxation to disclose information about individual taxpayers to other persons, even to the Minister himself or to another Minister. Such disclosure is itself an offence.

This is a very serious matter. I have asked the Treasurer whether he really intends it, and he will not answer that now; he says he will answer it later. I have asked him whether he intends to amend it, but he will not answer that now; he intends to reply later. He does need to consider it carefully and I can assure him that it is a subject on which he should have as much concern as we have, because he is writing the law that will apply to his Government and to our Government, and to him as Treasurer and to the next Treasurer, whoever he may be and from whichever party he may come.

This is one of those situations in which the Government should be concerned to see that it does not open the door for political blackmail and political corruption, because that is what will happen if the Treasurer gives a Minister power to make public disclosures about individual taxpayers, or even if he allows a Minister to know about the cases of individual taxpayers. Having seen in recent times some of the vitriol and abuse heaped on people over taxation matters, I would say that there is very real cause for alarm and concern.

The fourth point of concern is the oppressive provisions for the payment of interest on unpaid taxes. These provisions are oppressive in a number of ways. Firstly, they are oppressive because they provide for an interest rate of 20 per cent, which is oppressive in itself. Secondly, they are oppressive because they provide that interest must be paid by a taxpayer who has a bona fide dispute with the Taxation Office over his liability to pay the tax. Even if the taxpayer takes his case to court and loses it, although his dispute is genuine, he will still have to pay that oppressive rate of interest.

Worse even than that is the fact that there is no counterbalancing position; that is, if the taxpayer is proved to be right in circumstances where he has paid the tax pending the outcome of the ap-

peal, he is not required to be paid interest on his money that the State Taxation Department has wrongfully held. It is a pretty serious matter, to load the dice in that way against the taxpayer so that that person does not get the same treatment as the subject, making the citizen bear all the burden and the risk of being assessed. Do not think for a minute that that sort of thing does not go on. The State and the Commonwealth taxation departments have on occasions adopted the attitude that when they have a difficult taxpayer or difficult tax case, the best way to handle it is to issue an assessment, if there is any doubt or question, and to let the taxpayer challenge it if he wants to. If he does not want to, he pays the tax and that is it. Do not let the Premier or anyone suggest that has not happened, because it has happened on many occasions. In those circumstances and in other cases of genuine doubt and disputation about an assessment, the taxpayer is put in a position where he must pay the tax or pay interest at the rate of 20 per cent. If he is proved to be right, the money that he has paid does not bear interest at the rate of 20 per cent. If he is proved to be wrong, even though his dispute was genuine, he is charged an enormous rate of interest pending the outcome of the appeal if he has not chosen to pay the tax. It really is most unfair. It really does load the dice against the taxpayer, putting the citizen in the position where he is treated unequally. Whatever may be said about it, in the Bill there is not a balanced treatment of the citizens and the rest.

Leave to Continue Speech

I seek leave to continue my remarks at a later stage of today's sitting.

Leave granted.

Debate thus adjourned.

HEALTH LEGISLATION ADMINISTRATION BILL 1984

Second Reading

MR HODGE (Melville—Minister for Health) [2.59 p.m.]: I move—

That the Bill be now read a second time.

The importance of health services to the people of Western Australia is reflected in the fact that this vital area of State Government operations accounts for nearly one-quarter of the total State Budget. It is obviously crucial that we make the very best use of our health resources and, to this end, I introduce the first of two Bills to achieve that objective.

Since assuming office, it has become apparent to the Government that substantial structural reorganisation of departmental health services is needed to achieve effective co-ordination and cohesiveness in the provision of health services. We intend to abolish the three existing health departments—Hospital and Allied Services, Mental Health Services, and Public Health Department—and create one health department. The new health department will place strong emphasis on developing and maintaining a process of corporate planning. Its mission will be to promote, maintain, and improve the health and well-being of the people of Western Australia through the provision of an effective and efficient health care system.

The major goals of the new integrated department will be—

- to develop and implement a corporate plan for the organisation and delivery of co-ordinated health care that is responsive, comprehensive, and accessible;

- to achieve efficiency, effectiveness, economy, and avoidance of duplication in the organisation and delivery of health care services;

- to identify the health expectations and needs of the community and the health professions through advisory and consultative mechanisms; and

- to promote public awareness and positive interest in the requirements for the prevention of ill health and the maintenance and improvement of health.

As I mentioned in my introduction, the State Government spends almost one-quarter of its annual Budget on health; but we must be aware that public expectations are changing and that, today, the prevention is perceived as being just as important as the cure.

The new health department will be committed to developing new programmes with a strong emphasis on the prevention of illness and disease. At present, some 86 per cent of our health dollar is spent on institutionalised care. This must be changed so that prevention and early intervention are given higher priority.

A consolidated health department promises the flexibility needed to move resources to meet changing priorities in the provision of health services. There will be added impetus to the on-going process of developing and improving community-based health services. I am confident that the creation of a single unified health department will greatly facilitate this move.

The Government has decided that positive action is demanded to ensure the people of this State enjoy an effective and efficient health care system.

The legislation to achieve the effect I have just referred to has been drafted in the form of two distinct but interrelated Bills: This Health Legislation Administration Bill and the Health Legislation Amendment Bill.

The latter, which is concerned mainly with effecting changes in names, titles, and certain provisions in existing legislation, will be the subject of a separate and concise second reading speech, but I give notice to the House of my intention to seek leave to have a cognate debate on these two Bills at a later stage.

I draw members' attention to the statement of objects in clause 5 of the Health Legislation Administration Bill.

The twin objects of the Bill are, firstly—

the co-ordination of the administration of the Acts to which this Act applies . . .

Secondly—

the effective and efficient provisions of health and related services to the people of the State.

These objects are at the heart of the motivation for this legislation and the departmental reorganisation that it embraces.

Existing provisions in the three main health Acts—Health Act, Hospitals Act, and Mental Health Act—relating to the appointment of staff have been consolidated in clause 6 of this Bill.

This provision recognises the existing situation that some departmental staff are employed by the Public Service Board, and others on the authority of the Minister. It seeks to standardise the Minister's power in this regard and to qualify that power by requiring the Minister to consult with the Public Service Board. This will ensure that appointments which should be made under the Public Service Act are not allowed to become part of a "shadow Public Service" and that conditions of employment are maintained on a consistent basis.

The permanent head of the new department is designated as "commissioner of health". This position will not involve a legislative requirement that the appointee hold medical qualifications. However, as might be expected in health departments, many of the powers and duties strongly imply a medical knowledge. Such functions have been reserved for appointees required, by virtue of clause 6(1) and (4), to have specific medical qualifications. Of course, these senior officers will be ad-

ministratively responsible, either directly or ultimately, to the permanent head for the proper performance of their duties.

Clause 7 of this Bill is intended to replace section 11 of the Health Act.

Section 11 has been used to extend the powers and responsibilities of a public health official to a large number of officials engaged in administering the Health Act. The present provision is unwieldy, mainly because the provision as it stands does not allow for the powers to be given in a selective way. A public health official at the moment may have all, or none, of the powers scattered throughout the Health Act. The new provision will enable the Minister to approve of officials being vested with only those powers relevant to the discharge of their specific duties. The new provision will also avoid the necessity to make frequent reference to the Governor-in-Executive-Council, caused by routine changes in staff.

A new mechanism to facilitate delegation is contained in clause 9 of this Bill. The inclusion of the Minister in this context is possibly not needed, as a convention exists for Ministers to delegate to their departments. However, the Minister has been nominated to avoid any confusion on the point that he will need the ability to make certain delegations, including for routine appointments relating to subclauses (2) and (3) of Clause 6. It is intended to foster and encourage responsible delegation in the new organisation so that duties are performed at the lowest effective level.

Clause 10 provides for the permanent head to furnish an annual report. Naturally, the Health Act, Hospitals Act, and Mental Health Act have provisions of this kind, and it is appropriate for a consolidation to reflect the existence of one consolidated department replacing the three existing departments.

The next clause in this Bill is one which I think is extremely important in that it provides for a process of consultation with the considerable number of organisations representing health care consumers and health care providers. There is no formal structure to support a consultative process at present, and clause 11 introduces measures to overcome this deficiency. In an environment as complex as health, Ministers need the benefit of advice from groups and organisations outside the traditional departmental structure. It is my intention to implement the consultative arrangements implied by clause 11 over the next several months.

Finally, clause 12 of this Bill makes provision for the Governor to make regulations.

As foreshadowed earlier, it is my intention to speak shortly in relation to the Health Legislation Amendment Bill. The rationale for that Bill is very similar to that outlined here for the Health Legislation Administration Bill.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Grayden.

HEALTH LEGISLATION AMENDMENT BILL 1984

Second Reading

MR HODGE (Melville—Minister for Health) [3.08 p.m.]: I move—

That the Bill be now read a second time.

The Health Legislation Amendment Bill is devoted mainly to changing references to existing departments and titles of office holders to reflect the new names and titles represented in the planned health department. Some 23 Acts will need to be amended in this way and it is intended to amend others by way of Order-in-Council.

We have carefully reviewed the relevant legislation leading to an appropriate distribution of powers and duties, having regard for the structure of the new department. As mentioned in an earlier speech, proper regard has been given to the assignment of those powers and duties requiring qualifications in medicine and psychiatry.

This Bill also allows for the repeal of certain provisions in the three main Acts—Health Act, Hospitals Act, and Mental Health Act—where these powers have been consolidated and introduced in the Health Legislation Administration Bill. A savings and transitional clause has been included to facilitate the process of integrating the existing three health departments, which will emerge on 1 July, 1984 as the new health department.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Grayden.

BILLS (3): MESSAGES

Appropriations

Messages from the Lieutenant-Governor and Administrator received and read recommending appropriations for the purposes of the following Bills—

1. South West Development Authority Bill 1984.
2. Rural Reconstruction and Rural Adjustment Schemes Amendment Bill 1984.
3. Soccer Football Pools Bill 1984.

SUPPLY BILL

Returned

Bill returned from the Council without amendment.

QUESTIONS: ON NOTICE

Closing Time

THE SPEAKER (Mr Harman): I inform members that questions on notice for Tuesday, 1 May, will be received until 12 midday on Friday, 27 April.

QUESTIONS

Questions were taken at this stage.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR TONKIN (Morley-Swan—Leader of the House) [3.52 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 1 May.

Question put and passed.

ADJOURNMENT OF THE HOUSE: ORDINARY

MR TONKIN (Morley-Swan—Leader of the House) [3.53 p.m.]: I move—

That the House do now adjourn.

The **SPEAKER**: Before I put that question to the House, I take this opportunity to wish all members and their families, and the staff of Parliament and their families, a very happy Easter.

Question put and passed.

House adjourned at 3.54 p.m.

QUESTIONS ON NOTICE

PUBLIC SERVANTS AND GOVERNMENT EMPLOYEES

Number

2681. Mr HASSELL, to the Premier:

- (1) Subject to the definitions of the Public Service Act, how many—
 - (a) permanent;
 - (b) temporary,
 officers are currently employed under the Public Service Board?
- (2) What were the comparative figures at the end of each preceding month to June 1983?

Mr BRIAN BURKE replied:

- (1) and (2) The necessary details are being compiled, and the member will be sent the information directly.

AGRICULTURE

Chemicals: Guidelines

2918. Mr COWAN, to the Minister for Health:

- (1) Has the Department of Public Health prepared guidelines for procedures to be adopted by users of herbicides, pesticides, and other farm chemicals?
- (2) If "Yes"—
 - (a) when will they be distributed;
 - (b) do they include procedures for the disposal of chemical containers;
 - (c) can he table a copy of the guidelines?
- (3) Do the guidelines have any legislative or regulatory force?
- (4) If not—
 - (a) how will the department ensure the guidelines are followed;
 - (b) is consideration being given to bringing the handling and disposal of farm herbicides and pesticides and empty containers within statutory controls?

Mr HODGE replied:

- (1) Yes.
- (2) (a) Guidelines on methods of use and safety factors are currently being distributed; guidelines on disposal will be distributed in the very near future;

(b) yes;

(c) yes.

- (3) and (4) Yes. Many areas in the guidelines involving safety, use and disposal are already incorporated in legislation via the Health Act, Poisons Act, Pesticides Regulations and Disposal of Liquid Waste Regulations.

The guidelines were tabled (see paper No. 726).

2928. *This question was further postponed.*

PUBLIC SERVANTS AND GOVERNMENT EMPLOYEES

Number

3005. Mr HASSELL, to the Premier:

- (1) Further to his answer to my question 2680 of 1984, how many additional persons would have been added to the statistic in part (1) of his reply had the basis for the compilation of the figure not been changed on 31 December 1983?
- (2) If he cannot reply to the above question, what were the respective totals of Government employment for each month since June 1983 under—
 - (a) the previous basis for compiling the statistic;
 - (b) the current basis for compiling the statistic?

Mr BRIAN BURKE replied:

- (1) The information is being obtained and will be forwarded directly to the member.
- (2) Not applicable.

3006. *This question was further postponed.*

MINING

Gold and Nickel: Accidents

3008. Mr I. F. TAYLOR, to the Minister for Minerals and Energy:

Could he please provide the following details of accidents, particularly serious and fatal accidents, that have occurred in the gold and nickel mining industries in each of the past five years—

- (a) occupational classification of worker involved;
- (b) location of accident—i.e., geographical, and underground or surface;

- (c) in the case of underground accidents, the period of time that the worker had been employed underground prior to the accident?

Mr PARKER replied:

The information requested by the member will involve considerable research of departmental records. I will supply the information by letter when it is available.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Staff: Terms of Appointment

3010. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Adverting to the reply given to question 2839 on Tuesday, 10 April 1984, for what purpose was Dr J. R. Saunders originally granted an employment contract with the State Energy Commission?
- (2) What are the terms and conditions of that contract?
- (3) Is the employment contract just directly with Dr Saunders or a company nominated by Dr Saunders?
- (4) For what purpose did the State Energy Commission require a coal consultant?
- (5) What qualifications and experience does Mr N. Palmer have which qualify him for appointment as a coal consultant?
- (6) For what reason and under what Statute was Mr M. C. Kingsmill required to enter into an employment contract with the State Energy commission when he was already described as a "permanent commission employee" in the reply given to question 2750?

Mr PARKER replied:

- (1) to (3) The purpose and terms and conditions of the contract for the services of Dr J. R. Saunders were approved by the member when he was the responsible Minister.
- (4) The coal consultant is required to advise the State Energy Commission on aspects of coalmine planning and development relevant to the commission's planned and proposed long-term coal contracts.
- (5) Mr Palmer has an Honours Degree in Mining Engineering from the University of New South Wales and extensive ex-

perience in coalmines both in Australia and overseas.

- (6) During a review of senior commission officers' terms of employment, doubts were expressed as to the exact terms applying to Mr M. C. Kingsmill as a senior executive officer. The commission received legal advice that a contract of employment entered into under the provisions of the State Energy Commission Act 1979, as amended, would be the simplest way of clarifying and confirming his position as a permanent employee of the commission. His employment as a senior executive officer under the contract is for a fixed term in accordance with Government policy.

FUEL AND ENERGY: ELECTRICITY

Power Station: Collie

3011. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Adverting to the reply to question 2892 given on Wednesday, 11 April 1984, for what reason has the State Energy Commission managed to persuade the Government that the suggested "environmental disadvantages" of constructing a new Bunbury "C" power station are more important than the reasons originally advanced by the State Energy Commission to the previous Government and to the Bunbury Town Council in favour of Bunbury compared to the site in the Collie Basin?
- (2) Is it now being suggested by the State Energy Commission that the importance of results from recent ground water studies in the Collie Basin have overcome all previously stated economic and environmental objections to such a project near Collie?
- (3) On what basis has the estimated cost savings of \$70 million been calculated?

Mr PARKER replied:

- (1) The State Energy Commission has based its advice to the Government on the results of detailed environmental investigations required for the Bunbury "C" power station proposal which were completed during 1983. The investigations resulted in increased requirements for environmental protection measures at the Bunbury site relative to the previous understanding. The

investigations also indicated that the disturbance to near-shore waters caused by cooling water flow and the general aesthetic impact of the power station would be greater than previously expected.

- (2) The State Energy Commission was unable to recommend the location of new power station plant within the Collie Basin area until the results from recent ground water studies confirmed that there would be a sufficient, secure water supply available to satisfy the requirements of the existing and the new power plants during their expected life. With this matter resolved, the Collie Basin is clearly more economic and environmentally acceptable than the Bunbury alternatives.
- (3) The estimated cost savings for the Collie Basin site have been prepared by the State Energy Commission based on substantially reduced cost of coal transportation during the life of the station and other cost savings associated with reduced investment in power station and transmission works relative to the now known requirements of the Bunbury site alternatives.

FUEL AND ENERGY: ELECTRICITY

Power Station: Bunbury

3014. Mr PETER JONES, to the Premier:

- (1) Adverting to the reply to question 2566 given on Thursday, 22 March 1984, what was the result of the discussions between the various parties concerned and referred to in part (1) of his reply?
- (2) What is the fate of the "detailed economic and engineering feasibility study" referred to in the same part of his reply?
- (3) Am I right in concluding that the final paragraph of his reply confirms his previously stated position that no concessions or subsidies towards the establishment of an aluminium smelter will be given by either the Government or the State Energy Commission?

Mr BRIAN BURKE replied:

- (1) Discussions with the parties involved in proposals for an aluminium smelter development are continuing.
- (2) I will advise the House at an appropriate time regarding any decisions relating to

the detailed economic and feasibility study.

- (3) My reply to question 2566 adverted to by the member for Narrogin is quite clear.

FUEL AND ENERGY: ELECTRICITY

Transmission Line: Kalgoorlie-Muja

3016. Mr PETER JONES, to the Minister for Minerals and Energy:

With regard to the Kalgoorlie-Muja transmission line, when is it proposed to—

- (a) complete the burning and removal of timber and other debris removed during the clearing of the line;
- (b) remove the yellow and red directional indicator signs placed at road intersections adjacent to the route?

Mr PARKER replied:

- (a) and (b) 31 May 1984.

ALUMINIUM SMELTER

South-west: Government Participation

3017. Mr PETER JONES, to the Premier:

Adverting to the reply given to question 2948 on Thursday, 12 April 1984, in which he indicated that contrary to the Press report of 23 December 1983 no decision or "strong views" on the matter of Government equity have been discussed, how does he equate his reply to the comments made by the Commissioner of the State Energy Commission in a briefing given to a committee of the Confederation of Industry in which it was indicated that there would be equity participation by the WA Development Corporation?

Mr BRIAN BURKE replied:

The briefing referred to by the member for Narrogin was given to the Confederation of Industry in company with the Deputy Premier (the Hon. Mal Bryce). The Commissioner of the State Energy Commission did not indicate that there would be equity participation by the WA Development Corporation. He indicated only that, depending on Government decision yet to be made, there could be participation by this means if it was sought by the industry and was a

significant factor in the success of mounting such a venture.

FUEL AND ENERGY: ELECTRICITY

Power Station: South Fremantle

3018. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) Has the State Energy Commission recommended to the State Government the phasing out of the South Fremantle power station?
- (2) If so, when is it proposed that the power station will be closed?
- (3) How many employees at the South Fremantle power station will be—
 - (a) retrenched;
 - (b) transferred to other power stations;
 - (c) given other employment within the State Energy Commission?
- (4) Is it intended that the generating capacity at South Fremantle power station be retained for emergency use?

Mr PARKER replied:

- (1) Yes.
- (2) September 1985. An announcement on this matter was made by my predecessor, the Hon. Peter Dowding MLC last year.
- (3) (a) None;
- (b) and (c) these matters are being negotiated with the employees involved.
- (4) Yes, prior to September 1985.

FUEL AND ENERGY: ELECTRICITY

Power Stations: Generating Units

3019. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) How many generating units capable of being fired by natural gas have been, or are planned to be, purchased by the State Energy Commission?
- (2) Where is it proposed that the generating units using natural gas will be located?
- (3) Will any natural gas-fired units be located at South Fremantle?

Mr PARKER replied:

- (1) Seven; all existing units at Kwinana Power Station.

(2) No new units are proposed for natural gas use at this stage.

(3) No.

FUEL AND ENERGY: GAS

Pipeline: Operating Personnel

3020. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the Dampier-Wagerup natural gas pipeline, has the State Energy Commission entered into any contractual arrangements relating to the management and training of operating personnel associated with the pipeline?
- (2) If so, with whom has it entered into contractual arrangements?
- (3) What is the value of contractual arrangements entered into?
- (4) What is the duration of the contractual arrangements?
- (5) What provision is made for the training of personnel required for the management of the operation of the pipeline?

Mr PARKER replied:

- (1) Yes.
- (2) Fluor/Maunsell, as manager and coordinator of the training programme; Novacorp of Canada (as a sub-consultant to Fluor/Maunsell), and a number of specialist consultants and equipment suppliers under the terms of their contracts.
- (3) Approximately \$750 000.
- (4) Training is in progress now and will continue progressively until early 1985.
- (5) The training of management personnel is included in the scope of services outlined above, coupled with appropriate commission "in-house" management training courses.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Staff: Long Service Provisions

3021. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the long service provisions available to employees of the State Energy Commission, are the present provisions the same as those applying to all other State Government employees?

- (2) If the State Energy Commission long service provisions are not consistent with those applying to other Government personnel, what is the precise nature of any such inconsistency?

Mr PARKER replied:

- (1) (a) Long service leave conditions for wages employees of the State Energy Commission are prescribed in the long service leave conditions for State Government wages employees; the sole exception is that, by award prescription, the second period of service accrues after seven years' continuous service;
- (b) salaried employees' long service leave conditions are similar to those applying to State Public Service officers; however, in addition to the standard provisions of 13 weeks on full pay or 26 weeks on half pay after seven years' service, the commission may permit officers to clear their accrued leave by clearing six and a half weeks on double pay.
- (2) See (1) above.

ALUMINIUM SMELTER

Portland: Equity Participation

3024. Mr PETER JONES, to the Premier:

- (1) Has he seen reports that the Victorian Government has agreed to a reduction from 2.6c kW/h to 2.0c kW/h for power to the Portland aluminium smelter?
- (2) Has the Government remained informed regarding the negotiations to introduce "customer equity" into the Portland smelter?
- (3) If the answer to (2) is "Yes", is the Government concerned at the Korean interest in the Portland project?
- (4) What effect will the Portland smelter project have upon the continuing efforts to establish an aluminium smelter in the south-west of Western Australia?

Mr BRIAN BURKE replied:

- (1) to (4) The member for Narrogin can be assured that the Government is fully aware of the information which has been reported in regard to the Portland

smelter. It is also aware of the various equity initiatives under discussion in Victoria.

The Government maintains its determination to do everything possible to achieve a viable smelter development in Western Australia.

3027. *This question was further postponed.*

TOURISM: TOURISTS

International: Developments

3035. Dr DADOUR, to the Minister for Tourism:

- (1) Has the Government made a decision to go ahead with development to attract international tourists?
- (2) If so, why is it still asking for submissions from the public till 21 May?

Mr BRIAN BURKE replied:

- (1) and (2) The Government is constantly examining and pursuing developments to attract international tourists. If the member could be more specific in respect to a particular development, he could let me know in writing and I will respond accordingly.

MINING: HERDSMAN LAKE

Mallina Holdings Ltd.: Approvals

3037. Dr DADOUR, to the Minister for Minerals and Energy:

- (1) On what date was approval given to Mallina Holdings Ltd. to mine on—
- (a) mining claim 70/16893;
- (b) mining claim 70/16894?
- (2) Has mining taken place on—
- (a) mining claim 70/16893;
- (b) mining claim 70/16894?
- (3) If "Yes" to (2)—
- (a) on what date/s did mining commence;
- (b) what minerals are being extracted?
- (4) On what date did Mallina Holdings Ltd. make application to convert mining claims 70/16893 and 70/16894 to the 1978 Mining Act?

- (5) In which newspaper was the application to convert the mineral claims to the 1978 Mining Act published?
- (6) On what date was the notice published in the paper?
- (7) On what date did the Mines Department notify the Metropolitan Region Planning Authority that an application for conversion had been lodged for the above mineral claims?
- (8) Do the conditions applying to the grant of mineral claims 70/16893 and 70/16894 automatically transfer to the conversion application?
- (9) If "No", what conditions are applicable to the application?

Mr PARKER replied:

- (1) (a) and (b) 26 August 1983.
- (2) (a) No;
 - (b) approximately 70 000 to 80 000 cubic metres of sand have been excavated from the north-east side of mineral claim 70/16894 for development of the area in accordance with the environmental review and management programme for the Herdsman Park estate approved by the Environmental Protection Authority.
- (3) In respect of mining claim 70/16894—
 - (a) Early March 1984;
 - (b) sand.
- (4) 15 November 1983.
- (5) *The Sunday Independent*.
- (6) First published on 20 November 1983, but published again on 11 December 1983 because of a mistake in first notice.
- (7) The Metropolitan Region Planning Authority was not advised of the application as that authority lodged an objection to the application.
- (8) No.
- (9) Similar conditions to those imposed on mineral claims 70/16893 and 70/16894.

FUEL AND ENERGY: COAL

Griffin Coal Mining Co. Ltd.: Contract

3049. Mr PETER JONES, to the Minister for Minerals and Energy:

With reference to the reply given to part (1) of question 2964 of 1984, how should the question be formulated so that he can advise whether the coal purchase contract between the State Energy Commission and the Griffin Coal Company is on a "take or pay" basis?

Mr PARKER replied:

I do not consider it appropriate to help frame the member's questions to me, but I will be most willing to answer to the best of my ability any questions he cares to put to me which admit of a clear and unambiguous reply.

3050. *This question was further postponed.*

VOLUNTARY ORGANISATIONS

Volunteer Sea Search Rescue Association: Financial Assistance

3064. Mr COURT, to the Premier:

Will the Government provide additional financial assistance to the Volunteer Sea Search Rescue Association to enable it to continue providing the high level of voluntary rescue services off our coast?

Mr BRIAN BURKE replied:

This matter will be reviewed in the context of the 1984-85 State Budget.

STATE FINANCE: FINANCIAL INSTITUTIONS DUTY

Act: Interpretation

3066. Mr COURT, to the Treasurer:

Are the State Taxation Department and financial institutions having difficulty interpreting the Financial Institutions Duty Act in how to handle the financial institutions duty liability on a term investment which matures and instructions are not given to either reinvest or withdraw the funds?

Mr BRIAN BURKE replied:

The Government is not aware of any insurmountable difficulties, but in instances where such inquiries have been made with the State Taxation Department, guidelines have been provided.

3044. *This question was further postponed.*

FUEL AND ENERGY: GAS

Liquid Petroleum: Price

3071. Mr BATEMAN, to the Minister for Minerals and Energy:

- (1) Did he see in *The West Australian* dated 26 March, page 23, "L.P.G. wholesale price falls 20 per cent and that liquid petroleum gas would drop three cents a litre for motorists"?
- (2) If "Yes", can he explain why motorists have only received a drop of 2c per litre in Western Australia whereas in the Eastern States most garages have dropped the price of liquid petroleum gas by 3c per litre?
- (3) Can he also explain why motorists in Western Australia pay 8.5c a litre more for liquid petroleum gas than our counterparts in the Eastern States?

Mr PARKER replied:

- (1) to (3) The information requested will take some time to collate. The Minister for Consumer Affairs will reply to the member by letter detailing this information, in due course.

3072 and 3073. *These questions were postponed.*

ROAD

Coalfields Highway

3074. Mr TOM JONES, to the Minister for Transport:

- (1) In view of the congestion on the Coalfields Highway between Roelands and Collie, is it intended to construct additional overtaking lanes during the next financial year?
- (2) If "Yes", would he outline the programme?

Mr GRILL replied:

- (1) and (2) It is proposed to construct 2 km of climbing lane on "Roelands Hill" commencing about 2 km from the junction with the Armadale-Bunbury Road in 1984-85.

3075 to 3077. *These questions were postponed.*

PASTORAL INDUSTRY

Lease: Bow River Station

3078. Mr PETER JONES, to the Premier:

- (1) Adverting to the reply given to question 2935 on Thursday, 12 April 1984, as the

purchase of Bow River Station has still not been finalised, will the Government allow private pastoralists who were negotiating prior to the Government's intervention to continue with their negotiations for purchase of this station?

- (2) Is the Government considering the purchase or entering into any other arrangement with any other station in the same Halls Creek-East Kimberley region?

Mr BRIAN BURKE replied:

- (1) The Government has never prevented the vendors from negotiating with anyone.
- (2) The Government has no plans at this stage to acquire or be involved in the acquisition of any pastoral leases in that area.

3079 to 3085. *These questions were postponed.*

GOVERNMENT CONTRACTS

Derby: Delay in Payments

3086. Mr HASSELL, to the Minister for Housing:

- (1) Is he aware that there have been serious delays in the payment of contractors working for the Government in Derby?
- (2) In particular, is he aware that payment in some cases for building work has been delayed as much as 2½ months?
- (3) Would he kindly investigate the situation to see if it can be improved for the sake of the local builders?

Mr WILSON replied:

- (1) to (3) The general manager has advised me that there is not a delay in payment to contractors doing work for the State Housing Commission in Derby, and payments are being made on a regular basis according to normal practice.

INSURANCE

Inquiry

3087. Mr HASSELL, to the Treasurer:

- (1) How many and which merchant banks or other organisations or persons were requested by the Government to make submissions in relation to its announced study of the State Government Insurance Office and the Motor Vehicle Insurance Trust?

- (2) Were the firm and company to which the contract was awarded those which offered the lowest price or, otherwise, what were the reasons for their selection?
- (3) What is the total amount agreed to be paid by the Government to Price Waterhouse Associates Pty. and Rothwells Limited in relation to its study of the State Government Insurance Office and the Motor Vehicle Insurance Trust?
- (4) What is the amount offered by other merchant banks, organisations, and persons as the price for doing the same study?

Mr BRIAN BURKE replied:

- (1) Four organisations made submissions.
- (2) A firm by firm comparison on the basis of price is not possible because the two firms, Rothwells and Price Waterhouse, were appointed jointly.
A joint commission was selected because of the magnitude of the task involved and the requirements for a final report in the second half of 1984.
- (3) The fees for this joint commission are not to exceed \$140 000.
- (4) Answered by (2).

3088 and 3089. *These questions were postponed.*

HOUSING: LAND

Leeming: Sale

3090. Mr MacKINNON, to the Minister for Housing:

How many tender bids for the Leeming land held by the State Housing Commission were received on 31 January 1984?

Mr WILSON replied:

Some of the tenders were received prior to 31 January 1984 and some were received on 31 January 1984, but as is normal practice a record was not kept of the date of receipt. All of the tenders were opened by myself, the general manager, and Mr Ron Smith on the following day.

3091 to 3093. *These questions were postponed.*

HOUSING: LAND

Leeming: Sale

3094. Mr MacKINNON, to the Minister for Housing:

- (1) Can he indicate to me why in answer to question 2667 of 3 April 1984, he said in relation to the proceeds of the Leeming land that "The funds from the sale of the Leeming land will be used by the State Housing Commission to provide homes for applicants on the waiting list"; yet on 12 April he indicated that "The proceeds from the sale of the State Housing Commission Leeming land will be used for the ongoing acquisition of alternative suitable land and housing construction costs, necessary for the Government to achieve the commitment to 5 000 units of public housing over the first three year term of office"?
- (2) Which answer is correct?

Mr WILSON replied:

- (1) and (2) The answers to questions 2667 and 2938 are not in conflict. The funds received from the sale of the Leeming land will be used to meet programme requirements of land acquisition and development and construction expenditure so that houses can be built to accommodate people awaiting assistance from the State Housing Commission.

3095. *This question was postponed.*

WASTE DISPOSAL

Waste Water Treatment Plant: Sludge Gas

3096. Mr MENSAROS, to the Minister for Water Resources:

- (1) To what extent is sludge gas produced from the biological treatment process at waste water treatment plants used for energy in Metropolitan Water Authority's sewerage treatment plants or elsewhere?
- (2) Where are such energy producing plants situated?

Mr TONKIN replied:

- (1) and (2) Sludge gas is produced and used as set out below in Metropolitan wastewater treatment plants—
(a) Subiaco: as fuel for equipment which produces compressed air for the treatment process.

- (b) Woodman Point: as fuel for heating digesters and in the skimmings incinerator.
- (c) Kwinana: as fuel for heating digesters.

WATER RESOURCES: METROPOLITAN WATER AUTHORITY

Industry Organisations: Membership

3097. Mr MENSAROS, to the Minister for Water Resources:

Is the Metropolitan Water Authority, like the State Housing Commission, a member of either the Confederation of Western Australian Industry, the Chamber of Commerce, or any other such representative organisation?

Mr TONKIN replied:

The Metropolitan Water Authority is a member of the Perth Chamber of Commerce and the Australian Institute of Management (WA Division).

WATER RESOURCES

Metropolitan Water Authority: Retrenchments

3098. Mr MENSAROS, to the Minister for Water Resources:

Was it correctly reported in *The West Australian* newspaper on 7 March 1984 that hundreds of jobs in the Metropolitan Water Authority were allowed to disappear?

Mr TONKIN replied:

No.

TOWN PLANNING

Inquiry: Membership and Terms of Reference

3099. Mr MENSAROS, to the Minister representing the Minister for Planning:

- (1) Who are the members of the committee of inquiry into statutory planning?
- (2) What are the committee's terms of reference?
- (3) When is it expected to report?

Mr PARKER replied:

- (1) Mr Laurie O'Meara (Chairman)
Mr David Gray
Mr Bill Burrell
Mr Peter Solomon
Dr Maurice Mulcahy

- (2) See answer given to question 2865 by the Minister for Planning on 10 April 1984.
- (3) See answer to question 2758 by the Minister for Planning on 4 April 1984.

HOUSING: RENTAL

Rents: Control

3100. Mr MENSAROS, to the Minister for Housing:

- (1) Who are the members of the working party mentioned in his reply to question 2847 of 1984?
- (2) What are their terms of reference?
- (3) By what date are they required or, alternatively, expected to report?

Mr WILSON replied:

- (1) Mr Paul Glanville
Mr Dean Collard
Mr Frank Woodmore
Mr Les Gevers
Ms Nola Kunnen
Mr Greg Joyce
- (2) To examine the present form of tenancy and lease agreements relative to residential tenancies with a view to identifying and formulating a standard form of agreement which balances the interests of landlord and tenant;
to examine the nature of clauses in present tenancy agreements which impose harsh and unconscionable obligations upon tenants and to recommend a course of action in relation to such clauses;
to examine the methods by which a tenancy agreement may be terminated and to make recommendations in relation to the appropriateness of such methods and if considered desirable any alternative procedure which ought to be adopted;
to examine the position of bond money held by a landlord and the desirability or otherwise of requiring bond money to bear interest to the benefit of the tenant; and
to examine the desirability or otherwise of bond insurance as an alternative to bonding.
- (3) No precise date set; however, preliminary report anticipated August 1984.

3101 and 3102. *These questions were postponed.*

MEDIA MONITORING

Advisers

3103. Mr MENSAROS, to the Premier:

How will the reported expansion of the Government's news media monitoring unit in the Department of Premier and Cabinet influence the work received by small private media monitoring businesses which have as their clients Government instrumentalities such as the State Energy Commission, Metropolitan Water Authority, etc?

Mr BRIAN BURKE replied:

The Government is yet to decide whether the media monitoring unit will be expanded.

3104 to 3109. *These questions were postponed.*

TECHNOLOGY: PARK

Medical Incorporated: Land Allocation

3110. Mr COURT, to the Minister for Technology:

- (1) Has the Government allocated land for Medical Incorporated to establish its operations at Technology Park?
- (2) If "Yes", what area of land?
- (3) Have ample provisions been made for their future expansion?

Mr BRYCE replied:

- (1) to (3) The Government is continuing to negotiate with Medical Incorporated over the details of its establishment at Technology Park.

The arrangements regarding the land are the subject of these confidential negotiations and will be made available to the Parliament at the appropriate time.

TRANSPORT: AIR

Airport: Albany

3111. Mr WATT, to the Minister for Transport:

- (1) What Government initiated and/or funded improvements have been made to the Albany airport since January 1983?
- (2) What proposals does the Government have for upgrading the Albany airport in the next 12 months, and to what extent?

Mr GRILL replied:

- (1) The Albany aerodrome has been, and is to date, the responsibility of the Federal

Department of Aviation. Therefore, the Government has not initiated or funded developments at this aerodrome.

The Government, however, is very aware of the interdependence between aerodrome infrastructure and aviation services. For this reason the Government has been closely monitoring the current aerodrome local ownership negotiations between the Shire of Albany and the Department of Aviation, to ensure that the best possible deal is obtained for Albany and for the State.

- (2) With regard to these local ownership negotiations, I understand that proposals exist for—

- (a) the development of a 1 600 metres x 30 metres sealed runway to replace the existing 1 100 metres x 30 metres gravel runway. This development will permit the operation of Skywest's new Jetstream 31 aircraft on the Albany route;

- (b) the construction of an airport attendant's residence;

- (c) the renewal of runway lighting.

The financial arrangements for these important developments have not as yet been finalised. These arrangements will be finalised in negotiation between the Federal Department of Aviation and the local authority. The State has no formal role at present in this process.

QUESTIONS WITHOUT NOTICE

PUBLIC WORKS: DEPARTMENT

Mr John Valentine Fagan: Workers' Compensation Payments

768. Mr HASSELL, to the Minister for Works:

- (1) Was Mr John Fagan in receipt of workers' compensation payments at the time he was employed by the Public Works Department?
- (2) Was this fact known to the department?
- (3) Has the Minister subsequently supported departmental advice that Mr Fagan's employment should be terminated?
- (4) Was this advice rejected?

- (5) What discussions has the Minister had with the Premier on this matter in the past 12 months?

Mr McIVER replied:

- (1) to (5) Many of the questions asked by the Leader of the Opposition will have to be researched, for accuracy. I request him to place that question on notice because I cannot provide the information off-the-cuff.

PUBLIC WORKS: DEPARTMENT

Mr John Valentine Fagan: Inquiry

769. Mr GORDON HILL, to the Premier:

Has the Premier investigated the allegations made by the member for Gascoyne last night?

Mr BRIAN BURKE replied:

In the limited time available to the Government since the allegations were made, we have caused certain inquiries to be undertaken. It is in a sense of disappointment that I provide the limited information we have been able to uncover at this point, especially as we reflect on the willingness of people to raise matters in the House without first having satisfied themselves as to the degree of accuracy of some of the statements.

First of all, there is no evidence whatever of any letter written by me, as claimed by the member for Gascoyne, instructing the Minister for Works or the Public Works Department to employ Mr Fagan. To the best of my recollection no such letter was ever written. In addition, the claim made by the member for Gascoyne that the file is missing is wrong. The file was found in the Public Works Department in its normal place when it was sought early this morning.

In addition to that, the statement made by the member that Mr Fagan booked off work 48 hours after he had started is wrong. I understand from the Minister for Works that it was several weeks after the commencement of work that Mr Fagan sought leave on the grounds of having sustained a compensable injury.

I further understand, although I will stand corrected on the matter because we have not completed the details of the

inquiry, that in respect of the period during which the file was missing it had been sent to the Crown Law Department for advice as to whether the compensable injury Mr Fagan certified he had suffered was, in fact, a compensable injury, and whether he was entitled to compensation.

In addition, I can say only that the inquiry has revealed that Mr Fagan was employed on a three-months' trial basis and during that period he had claimed workers' compensation and booked off work.

Let me underline again what I said last night: This Government does not accept that someone who is a union activist should, on that basis, be denied employment. The Government does not accept that someone who is alleged to be compensation-prone—they are my words, not the member's—should be refused work unless there is evidence to the effect that it is a deliberate or malingering compensation proneness. That is exactly the situation as it relates to this matter.

Concerning the substantial points raised by the member, and as far as I am able to tell the House, he was absolutely wrong. The Government does not flee from the fact that I did discuss the matter with the Minister for Works and the Minister for Industrial Relations. I indicated to both of them, as I have indicated to the House, that I would not exclude anyone on that basis from employment within the Government service.

As far as the inquiries we have been able to make are concerned, and as I said to the House last night, I have no recollection of the letter and there is no evidence of a letter having been sent. I do not know why the member would say I wrote instructing the Public Works Department to employ a certain person.

I have not met Mr Fagan and I do not know whether the Minister for Works has met him. I suggest to members that they stop and think about this case to ascertain whether what they are saying about the man is wrong. What sort of injustice has been done to him? I do not know about the fight he had in the pub. If those things are not right, surely Mr Fagan should not be criticised by implication.

Mr Evans: Should not the member for Gascoyne apologise to the House?

Mr BRIAN BURKE: I do not know whether it is a case for the member for Gascoyne to apologise to the House. However, I think the member was wrong in his comments. The implication—leaving aside the details on which he might be wrong—was there was a direction to employ the man in the Public Works Department. No-one is saying that in discussing the matter it was not said that the man should be employed if the bar to his employment were these things. If the point at issue was that he was a union activist or, as the member for Gascoyne said, a union “radical”, I do not think the Leader of the Opposition expects me to say these jobs are open to everyone except union radicals. The Government cannot run a State in that way. That is the situation as far as we have been able to check following the member’s allegations last evening.

PUBLIC WORKS: DEPARTMENT

Mr John Valentine Fagan: Termination of Employment

770. Mr HASSELL, to the Minister for Works:

I understand if the Minister for Works does not want to answer five questions without having them put on notice, but it is obvious that he has advised the Premier about this matter only today, because the Premier has reported taking his advice on it today.

Mr Brian Burke: I did not say that.

Mr HASSELL: The Premier said he had discussed it with the Minister.

Mr Brian Burke: I did not say that at all. Last night I said I had previously discussed the matter with the Minister for Industrial Relations and with the Minister for Works.

The DEPUTY SPEAKER: Order! The Leader of the Opposition should ask his question.

Mr Brian Burke: I did not say I had taken advice from the Minister.

The DEPUTY SPEAKER: Order! The Leader of the Opposition should ask his question.

Mr HASSELL: I will ask the Minister for Works one simple question and I am sure he can remember the answer—

Does he, in fact, recall ever having agreed with advice from his department that Mr Fagan’s employment should be terminated?

Mr McIVER replied:

I preface the question by saying that what the Premier has said today is absolutely correct. Firstly, there is no such letter directing me, as Minister for Works, to employ Mr Fagan.

In reply to the member’s question the employment of Mr Fagan was discussed with me for the reasons outlined by the Premier. I referred the matter to the Premier and the Minister for Industrial Relations (Mr Dans), and following those discussions, and because of the accusations against Mr Fagan in relation to his being a union activist and a radical person, I arrived at the decision that Mr Fagan be employed on that basis.

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL

Tripartite Consultative Committee

771. Mr I. F. TAYLOR, to the Premier:

In view of the stated intention of the Opposition in the upper House to reject the industrial relations Bill, and the fact the legislation has been rejected, and the claim that it is pro-union legislation written by people from the trade union movement, I ask—

Could the Premier tell the House whether the Bill was submitted to the tripartite committee and who were the organisations represented on that committee?

Mr MacKinnon: Can you tell us who wrote the Bill?

Mr BRIAN BURKE replied:

The Opposition has a lot to learn about question time because it seems to complain all the time on the basis that it does not get the answers it wants. The Opposition has firstly to learn that it needs to ask the right questions in order to get the answers it wants. It also needs to learn that the responsibility of providing the answers is the Government’s and not the Opposition’s.

The Bill was the result of extensive consultation through the establishment of an interim tripartite consultative committee.

The committee dealt with 114 submissions from various organisations over the period April to July 1983.

The Bill finally presented to Parliament contained the recommendations of this tripartite committee and provisions of Government policy overwhelmingly endorsed by the electors at the last State elections.

In answer to the final part of the question, the organisations represented on the committee were the office of the Minister for Industrial Relations, office of industrial relations, Confederation of Western Australian Industry, Australian Mines and Metals Association (Inc.), and the Trades and Labor Council—hardly a union-dominated committee. The result of that consultation was incorporated in the Bill and the Opposition does itself no credit by trying to evade responsibility of rejecting those parts in the Bill the employers said were good, and the overwhelming parts of the general consultation process found acceptable in the face of the Government's offer by letter to the Leader of the Opposition to withdraw those sections about which complaints had been lodged.

That letter was sent to the Leader of the Opposition who did not even bother to reply. Yet he moved to cause the Legislative Council to reject the whole Bill, including those parts that the consultation process agreed were desirable.

Mr Hassell: Have you not received the reply?

ABORIGINES

Kimberley Land Council: Departmental Involvement

772. Mr MacKINNON, to the Minister with special responsibility for Aboriginal Affairs:

What is the Government policy towards the involvement of public officers and, in particular Department for Community Welfare officers, with the Kimberley Land Council.

Mr WILSON replied:

So far as there is a policy it is one which would encourage Government officers,

including officers of the Department for Community Welfare, to work with Aboriginal organisations to the benefit of Aboriginal people. I hope that is to the member's satisfaction. If there is a policy, that is it, and the Kimberley Land Council would be regarded as an Aboriginal organisation working with Aboriginal people.

HEALTH

Objectives: Steering Committee

773. Mrs HENDERSON, to the Minister for Health:

I refer to the fact that some time ago the State Government established a high-powered steering committee to set health objectives, and ask—

Does the Minister agree there is a need for similar action on a national scale, particularly in view of the World Health Organisation's goal to achieve health for all by the year 2000?

Mr HODGE replied:

It is correct I established a high-powered committee, with wide ranging representation from health providers and community representatives, to set our health objectives.

Yes, it is my view the WA initiative should be extended and encouraged on a national basis, and with this in mind I raised the matter at the recent conference of State and Commonwealth Ministers for Health in Melbourne.

I am pleased to advise the member that my Health Minister colleagues were very supportive of that suggestion and supported the concept of a national health education and promotion body.

During the course of discussions at that conference, the Federal Health Minister (Dr Neal Blewett) indicated the Commonwealth had firm plans to establish a national commission for the prevention of illness.

Mr Hassell: Are you supporting more centralism?

Mr HODGE: It is envisaged that the Commonwealth commission, which will have State representatives, will set the nation's health objectives and that the national health education and promotion

body we have proposed will co-ordinate procedures to meet those objectives.

It will then be up to the individual States to ensure policies are implemented in accordance with those objectives.

The member will be aware Western Australia has taken a lead with the establishment of its steering committee and will be giving increased emphasis to health promotion and education.

We have offered the national body the expertise and knowledge gained from our steering committee which is a unique operation combining the skills and talents of a wide range of professional and community groups.

STOCK: SHEEP

Mutton: Exports

774. Mr PETER JONES, to the Minister for Agriculture:

On 22 March the Deputy Premier advised the House that the Minister for Agriculture would be visiting Egypt on his forthcoming tour of the Middle East—

Mr Bryce: I said he could be.

Mr PETER JONES: —and would discuss with Egyptian authorities a reported mutton sale between Western Australia and that country of 1.5 million lambs. I ask—

When the Minister visited Egypt, what was the outcome of his discussions on this matter?

Mr EVANS replied:

I did not visit Egypt on this occasion, the reason being that the indications of a possibility of a mutton sale from Australia to Egypt were in a very premature stage which required firstly, the setting up of a working party to examine precisely what proposition the Egyptian Government had in mind. This still has not been ascertained. A working party has been set up involving the Western Australian Government through its various departments, and the Commonwealth.

When what the Egyptian Government intends becomes clearer, perhaps there will be sufficient data on which to make a firm approach. As to the comment of

the Deputy Premier, I understood him to say on the occasion to which the member for Narrogin referred that I may be visiting Egypt.

Mr Peter Jones: Not "may"; he made it definite you are going. He said "will" once and "is intending to".

Mr Bryce: He was intending to.

Mr EVANS: It had been intended that if there were sufficient substance to the level of negotiations indicated, that trip would have been made by changing the programme.

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL

Amendments: Loopholes

775. Mrs WATKINS, to the Premier:

The Leader of the Opposition in the upper House is reported as saying in support of his party's decision to reject the industrial relations Bill that the Opposition was unlikely to consider amending the Bill as it could not be certain that amendments would not leave loopholes that might be more damaging than the Bill. Is this a correct understanding of the industrial relations Bill?

Mr BRIAN BURKE replied:

No. To make such a statement when the Bill has been with its members since the last session of Parliament clearly demonstrates the lack of attention to the Bill by the Opposition.

To announce outside Parliament its intention to reject the Bill before it was fully debated not only makes a mockery of the Parliamentary process, but also reinforces the Opposition's born-to-rule mentality.

The Opposition must remember that it was soundly defeated at the last election by a party which had gone to great lengths to explain to the electors its intentions in a number of areas, not the least of them being the area of industrial relations.

The Opposition was defeated on this question equally as it was defeated on other issues because, as a Government, it had an appalling attitude to industrial relations, the unions, and the working people generally.

There is no doubt the Opposition responded to the demands of the more right-wing reactionary elements in the Liberal Party.

It is not possible for Opposition members to understand the legislation when one considers the present appalling Industrial Arbitration Act, the birthchild of people who have no feeling for people and no intention to be conciliatory.

UNION

Builders Labourers' Federation: Black Bans

776. Mr COURT, to the Premier:

Does the Premier join the Prime Minister in condemning the behaviour of the BLF and in calling this behaviour "outrageous" in connection with the blackmail demands for thousands of dollars to be paid in return for the lifting of bans on building sites?

Mr BRIAN BURKE replied:

Yes.

CONSUMER AFFAIRS

Electronic Funds Transfer Systems

777. Mr P. J. SMITH, to the Minister representing the Minister for Consumer Affairs:

- (1) Is the Minister aware of developments to introduce electronic funds transfer systems at the point of sales in Western Australia?
- (2) If so, can he inform the House what action he has taken to ascertain the likely impact on consumers and how best prospective electronic funds transfer system cards may be protected?

Mr TONKIN replied:

- (1) and (2) On behalf of the Minister for Consumer Affairs I would point out that the answer is a long one, and in deference to the ruling by the Speaker, I propose to hand it in. It reads as follows—

Yes, the Minister is aware that a number of banks have plans to introduce the electronic funds transfer system at the points of sale, commonly known as *EFTS POS*.

For those members who do not know, the *EFTS POS* is simply an automatic method of paying for purchases from retail stores through the direct debiting of a customer's

bank account and the instant crediting of a buyer's account.

I understand that the system will accept both Keycard and Mastercard. While a number of benefits will flow from the introduction of *EFTS POS*, including more convenient shopping for both customer and retailer, and banks will provide a better and wider service, there are many consumer concerns with the current legal arrangements relating to the *EFTS POS*.

The current position is that the contract and arrangements for *EFTS POS* are heavily weighed in favour of the supplier; that is, the banks. It is my understanding that all the onus of proof is placed on the consumer. That is, in the event of a purchase being incorrectly debited to a consumer, the consumer has to prove that it was not he who made that purchase.

It is conceded that this is a case where technological advancement can eliminate a lot of tedious paper work. But what may also happen in this case is that there are no records or paper work to record the transaction. This makes the proof of such transactions somewhat difficult. This is clearly an undesirable aspect of any automatic debit transfer system.

The Minister for Consumer Affairs in Western Australia has written to the Federal Attorney General and the Ministers for Consumer Affairs of all other States expressing his concern over the situation.

Mr Dowding has also expressed concern and disagreement with the conclusion of the Martin committee report which stated that there was no pressing case for legislation to define the rights and obligations of users and providers of *EFTS*.

Mr Dowding told all Consumer Affairs Ministers that he was concerned at the probability of the rapid uncontrolled introduction of *EFTS POS* by banks. The Minister stressed that there should already be in place a statutory regime relating to unauthorised transfer of

funds. He also asked for a clearly-defined procedure for the settlement of disputes between consumers and *EFTS* operators.

The proponents of the introduction of *EFTS* cards say there is little evidence of significant consumer concern. But it is my understanding that very few consumers know about the introduction of this debit system. While no Minister or Government would want to stop the introduction of positive technological change, it is incumbent on Governments to ensure that consumers are adequately protected. The Western Australian Minister for Consumer Affairs will continue to press his other State counterparts and the Federal Attorney General to introduce legislation to protect consumers and *EFTS* card holders.

Indeed, Mr Dowding will call for the introduction of a uniform federal law to govern *EFTS* consumer rights. The Minister has also instructed the State Department of Consumer Affairs to investigate the matter and keep a close watch on developments and to develop recommendations for implementation to protect *EFTS* users.

RAILWAYS: FREIGHT

Joint Venture: Withdrawal of Westrail

778. Mr RUSHTON, to the Minister for Transport:

- (1) Did Total West trade profitably for February and/or March 1984?
- (2) Has Westrail recommended that it withdraw from the joint venture, Total West?
- (3) Has Mayne Nickless indicated that it intends to carry on in the joint venture even if Westrail withdraws?
- (4) Has the Government abandoned its intention to re-regulate less-than-carload freight back to rail?
- (5) Does the Government intend to legislate this year to allow Westrail to directly operate road transport?

Mr GRILL replied:

- (1) No.

- (2) There is a recommendation from the land freight transport committee that the Government should continue in the joint venture as long as it is profitable to do so. We shall follow that advice.
- (3) This matter concerns that company and the member should direct his question to the company.
- (4) In relation to LCL traffic, there was never any such plan of which I am aware. Certainly I have never enunciated such a plan.

Mr Rushton: Your colleagues have.

Mr GRILL: To continue—

- (5) We are looking at certain legislation in that area. I draw the member's attention to the fact, of which he should already be aware, that that situation already exists.

Mr Blaikie: It is not allowed under the legislation at the moment.

Mr GRILL: Westrail already operates road transport, and where it does so, it has been quite successful. One of the most notable successes is in respect of cartage of mineral sands in the south-west between Capel and Bunbury. It has an enviable record for the service it provides.

EXPORTS AND IMPORTS

USSR

779. Mr BLAIE, to the Deputy Premier:

- (1) When did the State Government establish a State advisory committee on Australian-USSR trade with the prime objectives of enhancing trade between the two countries and Western Australia in particular?
- (2) Is it a fact that a number of businesses in Western Australia have already been written to by his department seeking their interest in being placed in direct contact with suppliers in the USSR?
- (3) Will the Government now adopt a similar policy of trade encouragement to South Africa?

Mr BRYCE replied:

- (1) to (3) I cannot recall when it happened. The Prime Minister of Australia wrote to every State and asked them to estab-

lish an advisory committee of the general type described by the member's question. If the member would like details about the operation of that committee, I am happy to research it.

Mr Blaikie: Because of the USSR's relationship in world policy and its attitude to other countries, will the Government now encourage trade with South Africa?

Mr BRYCE: I will not; and I would be in excellent company, including Malcolm Fraser and the majority of the former Liberal Federal Cabinet and members of the existing Cabinet.

Several members interjected.

Mr BRYCE: The Premier has indicated on countless occasions—

Mr Blaikie: You are answering the question, not the Premier.

Mr BRYCE: The Premier has answered the question three times in the last month.

Several members interjected.

Mr BRYCE: As the Premier says, if members do not like the answer given, stiff trot. The member will not get anywhere setting about the task of giving the Government the answers he wants to hear. The reality is that the Premier has already explained the situation.

This Government supports the foreign policy of the national Government in respect of the question of trade with South Africa. I remind the member for Nedlands, who is rather toey and might have an interest in the question, and the member for Vasse, that the policy currently pursued by the national Government is one pursued by its predecessors.

Mr MacKinnon: We opposed it then.

Mr BRYCE: That may constitute a fundamental difference between members on the Opposition benches and the members who comprise the Government.

Several members interjected.

Mr BRYCE: The member for Vasse does not seem to be able to understand that the basis of Australia's foreign policy attitudes—

Mr Blaikie: Is to go soft on the reds.

Mr BRYCE: We are not responsible in this Chamber for the nation's foreign policy.

Mr Blaikie: You have a lot to do with it.

Mr BRYCE: If the member for Vasse thinks that constitutes the Government going "soft on the reds", does he suggest that we cancel our interest in selling iron ore to the Chinese and stop selling wheat, the sacred grain, to Russia? Has the member forgotten that Fraser wool kept the Russians warm for years on end—the wool went straight from his farm to Russia? What sort of double-standards is the member suggesting we should adopt?

I suggest to the member for Vasse that if he intends to raise the question of foreign policy in this Chamber, he should first carry out a little research on the subject.

Government members: Hear, hear!

PUBLIC WORKS DEPARTMENT

Mr John Valentine Fagan: Reference to Premier

780. Mr HASSELL, to the Minister for Works:

- (1) Why did he refer the employment of Mr Fagan to the Premier and the Minister for Industrial Relations?
- (2) Is it normal for him to refer such questions to the Premier?
- (3) Does he recall referring any other case to those two Ministers before making a decision that a person be employed in the Public Works Department?

Mr McIVER replied:

- (1) and (2) The situation with Mr Fagan was a complex one, as already explained in full detail by the Premier to the Parliament.

I wanted further advice on the matter because it had been reported to me that Mr Fagan was a union activist and antagonist. Before I made a decision on the employment of Mr Fagan, I wanted further advice and subsequently referred the matter to the Premier. As I have said previously, in consultation with the Premier and Minister for Industrial Relations, I made the decision to employ Mr Fagan.

- (3) I do not recall referring other matters to the Premier in relation to employment.

HOUSING: LAND

Sale: Dianella, Marangaroo, and Nollamara

781. Mr MacKINNON, to the Minister for Housing:

- (1) Is the Minister aware that an advertisement appeared in *The Weekend Australian* of 14-15 April under his name, for the sale of SHC land by tender in the suburbs of Dianella, Marangaroo, and Nollamara?
- (2) Is the Minister aware that no printed information is yet available for those who make inquiries in line with the advertisement?
- (3) If so, will the Minister take action to ensure that in future the information is available prior to the advertisements being placed?

Mr WILSON replied:

- (1) and (2) I am aware of the points raised by the member. Printed material has become available today and is being distributed to all interested parties. I am not aware that the lack of printed material has caused problems to anyone other than the member for Murdoch. I understand he has made his own inquiries and I advise that information will be made available to him.
- (3) Because of the need to pursue our policy, and with the Easter break and certain deadlines coming, it was thought advisable to place the advertisements as soon as possible. An unavoidable hold-up occurred with the printing. In future I hope that situation will not occur.

I can assure the member that the information he seeks will be available after today.

RAILWAYS: WESTRAIL

Staff: Redundancies

782. Mr PETER JONES, to the Minister for Transport:

There has been some reference to the ongoing discussions which the Minister has been having with the appropriate Westrail union relative to the Westrail corporate plan and staff reductions in the great southern. I ask—

In relation to that, what progress has been made with these discussions? As I understand it, there is some opposition by the unions to

the proposed staff reductions. Does the Minister feel that the unions' opposition will delay the timetable for the announced staff reductions?

Mr GRILL replied:

There have been ongoing discussions. By and large they have been on an officer basis and within the consultative planning committee, of which the member is well aware. The unions, of course, as I think the member will accept, are keen to see that any job reductions are minimised. They have expressed doubts in a number of areas.

The situation is that I will take advice both from Westrail and from the unions on this subject. The unions are now in a position to give me independent advice. Where I think it is appropriate to take that advice I will take it, in consultation with Westrail, of course.

I think the member is concerned about his own position, or the position of his constituents in the Narrogin area.

Mr Peter Jones: On Monday at the working party which was set up—it was a very good meeting—the specific timing and the number of persons were mentioned by the Westrail representative. I was seeking to know only whether the discussions the Minister is having might delay that.

Mr GRILL: There has been a request from union representatives to delay that by perhaps some months, or to phase it in over a longer period of time. I have given an undertaking to look at that request.

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL

Effect on Housing Industry

783. Mr MacKINNON, to the Minister for Housing:

- (1) Is the Minister aware that his colleagues in another place have admitted in debate that the Government's proposed amendments to the industrial relations Bill would increase the price of a \$35 000 house by \$4 000?
- (2) Does he still stand by his previous statements that he is not concerned this would have a serious impact on the State Housing Commission's building programme?

- (3) If he does now have concern, will he ensure he represents that concern on behalf of the Housing Commission and the waiting list of tenants to make sure that that view is adequately represented to Cabinet?

Mr WILSON replied:

- (1) to (3) I am not aware that that admission was made. I will seek to confirm what the member has said and see whether that was in fact the case.

It is all rather passé now. The Bill has been defeated. I am not saying what is my attitude to the defeat of the Bill. I would simply say that should the problem arise again, and should the information that the member conveys to me be found to be factual, I will be very concerned about it.

HEALTH: DRUG

Marijuana: Penalties

784. Mr BRADSHAW, to the Deputy Premier:
Is it correct that the Government said today it is considering a reduction in the penalties for the possession and use of marijuana?

Mr BRYCE replied:

This certainly does not come within my portfolio. As far as the Government is concerned, it presumably concerns the Cabinet. The matter has not even arisen.

DEFENCE: ARMY

Kingston Barracks: Relocation

785. Mr BLAIKIE, to the Minister for Lands and Surveys:

Concerning the decision of the Government to move the army from Rottnest Island and locate it on another site, one would expect such a site to be on the mainland. I ask—

What areas are under consideration by the Government, and is the Government obliged to seek parliamentary approval should any Crown land be involved with the final decision of the Government in moving the army?

Mr McIVER replied:

I would not be able to give the member for Vasse an answer. Rottnest Island comes within the province of the Premier, and I am not able to supply the answer.

Several members interjected.

HOUSING: LAND

Building Blocks: Adequate Numbers

786. Mr BLAIKIE, to the Minister for Housing:

I understand the Minister for Housing is the Minister responsible for ensuring that sufficient building blocks are available.

Mr Wilson: That is not correct.

Mr Davies: You are a former Minister for planning; you should know.

Mr BLAIKIE: I should like to ask the Minister—

The SPEAKER: Order! The Minister has just told the member that he is not responsible for the matter raised. The member cannot continue to ask him a question relating to an area for which he is not responsible.

Mr BLAIKIE: I have not asked my question yet. I ask—

What organisation has he developed under his administration to ensure that the building blocks produced within the Housing Commission are complementary to the total provision of urban land within the metropolitan area?

Mr WILSON replied:

I have considerable difficulty in interpreting the question.

I am not quite sure what the member is asking.

Mr Evans: I do not think he knows either.

Mr WILSON: I can say only I do not have the responsibility of ensuring adequate provision of building blocks, but naturally I do keep myself informed about that particular matter. That, of course, comes under the responsibility of the Minister for Planning.

The latest information I have is that there are still adequate supplies of building blocks, and that sufficient action is being taken to ensure that the supply is adequate for the demand. There has certainly been in recent months, with the advent of the Federal Government's first home owners' assistance scheme, a big draw on cheaper blocks of land. Action is being taken to ensure that the supply of those cheaper blocks is maintained to meet that demand. More than that I cannot say.