

Legislative Council

Wednesday, 7 April 1982

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

QUESTIONS

Questions were taken at this stage.

ELECTORAL: BOUNDARY AND ROLLS

North Province: Urgency Motion

THE PRESIDENT (the Hon. Clive Griffiths): Honourable members, I have received the following letter from the Hon. Peter Dowding—

Dear Mr. President,

Standing Order 63 provides for the moving of an adjournment motion for the purpose of debating some matter of urgency.

Accordingly, I wish to advise you of my desire to move for the adjournment of the House for the purpose of discussing the interference by the Liberal Government with the democratic rights of the citizens of North Province and in particular:—

1. The allegation by the Liberal Member for North Province that the alteration of the electoral boundary between Pilbara and Kimberley is the worst gerrymander in the western world.
2. The disgraceful state of the electoral rolls for the North Province.

Yours faithfully,
Peter Dowding, M.L.C.

MEMBER FOR NORTH PROVINCE.

In order for this motion to be discussed it will be necessary for four members to rise in support of the motion.

Four members having risen in their places,

THE HON. PETER DOWDING (North) [5.07 p.m.]: I move—

That the House at its rising adjourn to Friday, 9 April at 2.15 p.m.

I move this motion because I believe that the House ought to have the opportunity to look at the position of the people of North Province as a result of two distinct aspects of Liberal Government policy.

The first is the position of the electoral boundary between Pilbara and Kimberley. Honourable members will recall that this issue was canvassed previously and that the member for North Province, the Hon. Bill Withers, indicated

that in his view, with his knowledge of the province, the positioning of the boundary was such a gross misuse of naked political power that he ought in the circumstances to resign his seat. Those were strong words and a strong stance.

That is my paraphrasing of his position, and I do not believe I can add to it except to remind members that what the Liberal Government has done in its determination at all costs to hang on to the lower House seat of Pilbara and to support the ailing prospects of the member for Pilbara at the next State election, is to take from the electorate of Pilbara every inland mining town save Pannawonica and every inland Aboriginal community save Hedland and Roebourne and lump them into the new electorate of Kimberley which is divided in its middle by about 1 000 miles of desert uninhabited except for the remote and small mining community of Telfer.

There is no doubt that this was a deliberate attempt by the Liberal Government to use the provisions of the Electoral Act to gerrymander support for Mr Sodeman's position in the Pilbara.

In the last 10 years the history of the north has been that the people of the area have been misused by the Liberal Party and, when in Government, Liberal Governments in an attempt to shore up its political position.

It is entirely consistent with democratic principles that people of the north should have a fair and free opportunity to vote in the member of the political party of their choice. Not for a moment do I seek to interfere with that democratic right. What the Liberal Government has done is to interfere in that process because by this action it has sought, I believe unsuccessfully, to ensure that the people of Pilbara and Kimberley do not have a fair and free opportunity as do people in the south to make a democratic decision about the representative they wish to have in the State parliamentary system.

One cannot but admire the member for North Province, the Hon. Bill Withers, for being a man who, when the chips were down, was prepared to make his position so clear. One would have thought that, bearing in mind the extent to which he is aware of the pulse of the electorate, the Government would have taken some notice of him; but it was not to be. So the electoral boundary has been moved in a way which is a gross interference with the democratic rights of the people of my province.

This makes no sense on a geographic basis, because the two areas of Pilbara and Kimberley are distinct geographic entities. It makes no sense on a quality or similarity of interest basis, because

the interests of the people of Kimberley and the interests of the people of Pilbara are disparate. It makes no sense in terms of the numbers of those electorates, because the Kimberley will now become larger by some 5 000 electors than the electorate of Pilbara. Whether or not it be the case that after the next election there is an anticipated increase in the size of Pilbara, at the next election it will be the case that the electorate of Kimberley will be 50 per cent greater in numbers than the electorate of Pilbara. It will be nearly down to the size of the electorates of Kalamunda, Mundaring, and other Liberal Party seats where the Government has utilised its political numbers to ensure that the democratic system is gerrymandered.

It is of great interest to read the judgment of their Honours of the Full Court of the Supreme Court of Western Australia, the Chief Justice, Mr Justice Wickham, and Mr Justice Smith, who found against the Leader of the Opposition's case that an interpretation of recent judicial pronouncements made it arguable that this gerrymander was not in accordance with the Constitution.

But none of their honours supported in any way at all the proposition that what this Government was doing was democratic or that what this Government was doing was correct. Their honours merely conceded that it was a situation which the Constitution did not prohibit.

It is of interest that the Government was unable to get from the Full Court any acknowledgement of the propriety in political terms of the steps it has taken. We know that as far back as 1962 the Full Court of the Supreme Court of the United States ruled that disproportionate electorates were unconstitutional. As has been said in previous debates, the very rules and orders of the United Nations require a fair, free, and equal franchise for all people in the world.

I make the point that, in the past, in a State with small resources and large areas of remote communities, there was perhaps a case for some disproportionate numbers in remote communities. I do not share that view or believe that in this day and age when facilities are available for communication, travel and transport, there is any justification for it. Given the proper facilities, any member of Parliament can represent a region, however remote, properly and fully without altering the number of persons in his electorate. Alternatively, if it is necessary that numerically smaller electorates should be granted for large geographical areas, there is always the remedy in terms of the voting characteristics of each member in the House.

I make the point most firmly and strenuously that this argument is no basis or justification for what happened in the Kimberley and Pilbara regions. The people of Kimberley are in the electorate most remote from the centre of Government; it is the most difficult electorate to canvass, and the most populous electorate of all the provinces and lower House electorates outside the metropolitan area.

The second point which the House should consider is that electoral rolls do not reflect the full perfidy of the Liberal Government's actions in this gerrymander. The Australian Bureau of Statistics has now brought out raw census figures for the North Province and those figures reveal that in the Kimberley on census day there were 12 941 adults—nearly 13 000 adults. On the State electoral roll for that electorate there are but 5 984 adults!

In fact, less than half of all adults who were in the Kimberley on census day were on the State roll. Of course, it can be properly argued that some people in the Kimberley were not eligible to be on the roll. There may have been people who did not meet the eligibility criteria for one reason or another, or were simply passing through the area. There could have been a number of tourists, businessmen, and the like; but I defy the Hon. Bob Pike to suggest that it is within the bounds of credibility that there could have been 7 000 adults who were not eligible to be enrolled for State elections in the Kimberley on census day, more than the total number of adults already on the State electoral roll for that area.

If one turns to the electorate of Pilbara and compares the raw census figures now available of all adults present in the electorate on census day, one finds an even more alarming discrepancy. On census day there were 31 718 persons of or over the age of 18 years in the Pilbara, yet only half of that number were on the State electoral roll, a mere 15 480 persons!

It is a well known fact that on both the Kimberley and Pilbara rolls there are some people who have moved out of the district and who have not yet, through the proper process, had their names removed from the respective rolls. If one ignores that factor, it is clear that there could not have been—and I am sure even the Hon. Bob Pike would not seek to stretch our imaginations by suggesting the fantasy—on any one day in the Pilbara 15 000 people who were not eligible to be on the electoral roll.

I suggest that those two figures clearly pick out and support the view that has been expressed repeatedly by the Opposition that the Minister is

failing in his duty generally, and also failing in his duty to the people of the Pilbara and the Kimberley to ensure that democracy runs properly in this State. If the Minister thinks that the way out of that proposition is to come up with a superficial response to a question, or to duck and dive from a proposition that there is something wrong with the system for which he is responsible, the people of the Pilbara and the Kimberley will take that attitude into account when they make their judgment at the next by-election for North Province and in the next State election.

It is inconceivable that one can say the Minister is doing his job in terms of his allocation of portfolios which, after all, are political appointments.

He has taken an oath of office to do his duty without fear or favour, and his duty as Chief Secretary in charge of the Electoral Office is to ensure that the electoral system is working and that the understaffed and overpressurised people, the public servants of integrity, who occupy the unfortunate position in the Electoral Office, are given some facilities to do the job with which the Minister is entrusted. One cannot but comment that the Chief Electoral Officer is given no staff outside the metropolitan area—in the vast State of Western Australia there is not a regional electoral office—and that the Minister and his political cronies maintain a position of gross inconvenience to people in remote areas who, to get on the electoral roll, have to find a justice of the peace, a police officer or a clerk of courts to witness their enrolment cards. With those inconveniences facing them, the Chief Secretary has an obligation to act and to see that the resources of the Electoral Department are provided to assist in doing the job.

When it suits him, apparently, the Chief Secretary is quite content to arrange for a justice of the peace, a police officer or a clerk of courts to visit somebody and get him on the roll. As recently as 2 April, the day after April Fool's Day—which reinforces me in the view that the Minister was being serious for once—he arranged for a welfare officer to visit the Hyde Retirement Village in James Street, Bassendean, to ensure that electoral enrolment cards were completed by proper witnessing authorities. It was a very proper act, if I might say so, and represents the only evidence that the Chief Secretary takes his position seriously. He is apparently not sufficiently concerned, however, to ensure that remote communities in my electorate, or indeed the town communities, have that facility available to them.

The Commonwealth Electoral Office regularly conducts a doorknock to ensure that all people in the area are properly enrolled, but the State Electoral Office is not given the facilities to conduct a doorknock. If the Minister thinks that his public servants have anything like the necessary facilities, I invite him to reassess that position.

The suggestion that the Opposition has implied by its questions is that we should adopt the position of other States and ensure that the taxpayers' money is spent wisely in an endeavour to ensure there is full enrolment. Apparently, that is a suggestion that the Chief Secretary in the political exercise of his role is not prepared to adopt.

In a letter to one of my colleagues, the Chief Secretary speaks about the difficulties of a joint roll. He asserted yesterday that to utilise the Commonwealth enrolment system represented some sort of threat to the sovereignty of the State. That remark was so fatuous and was such a plain attempt to mislead the people of Western Australia as to the Government's true motives, that it hardly deserves a response.

The Hon. Robert Hetherington: Hear, hear!

The Hon. PETER DOWDING: We do co-operate with the Federal Government on a great range of services. We utilise the Australian Bureau of Statistics' materials; indeed, the *Western Australian Year Book* is prepared by the Commonwealth department rather than the State statistical bureau. If that is a sticky-fingered interference in our sovereignty, then why is the Minister content to go along with it?

It is just arrant poppycock to suggest as the Minister does that if the Federal Government provided to the State its list of new enrolments as a facility for the State Government, that would represent some constitutional interference. It is ludicrous to suggest, as the Minister has in his letter, that Commonwealth data is collated in Canberra and that land lines might be disrupted and cause problems and it is ludicrous to use that as a justification for the proposition that we ought not to utilise Commonwealth enrolment facilities in order to assist in maintaining our own roll.

No-one has suggested that we should abandon our own computer base for that information or that we should not maintain—

The PRESIDENT: Order! I remind the honourable member that he needs to relate his present comments to the motion before the Chair. I think he is getting a bit away from it.

The Hon. PETER DOWDING: I will endeavour to do so, Mr President. I am making

the point that the state of our rolls is so bad that there needs to be some solutions.

The Hon. A. A. Lewis: You are making another one, that's why!

The Hon. PETER DOWDING: Perhaps the Hon. Sandy Lewis would listen. I was making the point that the state of the electoral roll for North Province is disgraceful and that there are a number of ways in which the facility could be increased, the roll could become more accurate, and it could be maintained at less cost to the taxpayer, simply by the utilisation of the Commonwealth electoral roll enrolment procedure. All that is needed for that to occur is a periodic update, if necessary, not by land lines from Canberra, but by mailing or couriering or in some other way sending a computer tape over to Western Australia.

The Hon. A. A. Lewis: Cooee!

The Hon. PETER DOWDING: What a load of rubbish it is to suggest that there are practical problems in that respect! How is it that the Commonwealth Government can ensure access of the Perth office of the Australian Taxation Office to its central bank of computers? One cannot but have the highest regard at least for the knowledge and efficiency of the Australian Taxation Office. I do not intend to labour the point.

I will make a couple of further points about the condition of the North Province roll. Twenty-four per cent of the total number of people enrolled at the Federal level are not on the State roll.

The Hon. Lyla Elliott: Disgraceful!

The Hon. PETER DOWDING: That 24 per cent indicates that a quarter of the total number of persons enrolled on the Federal roll are not on the State roll. The position exists where one, in four, for some reason or another, managed to get enrolled on the State roll.

The Hon. A. A. Lewis: You are assuming the Federal roll is accurate, are you?

The Hon. PETER DOWDING: I have no evidence to suggest that all the people in my electorate are on the Federal roll. If the Hon. Sandy Lewis will bear with me, I will repeat what I said earlier.

The Hon. A. A. Lewis: I do not want you to do that—I am bored enough now.

The Hon. PETER DOWDING: It is clear that he was not able to assimilate the information I was putting out that the census showed there were 31 718 adult persons in the Pilbara and yet there were 20 395 persons enrolled on the Commonwealth roll. In other words, 16 238 people were not on the Federal roll.

[Resolved: That motions be continued.]

The Hon. PETER DOWDING: That suggests that there are inadequacies in the Federal enrolment system—it is not perfect.

The Hon. A. A. Lewis: I would hate you to run any scientific experiment because your bases are wrong to start with.

The Hon. PETER DOWDING: It is quite clear that the Hon. Sandy Lewis—

The Hon. A. A. Lewis: Absolute nonsense.

The Hon. PETER DOWDING: —is becoming distinctly concerned that the Hon. R. G. Pike is not up to making a reliable response, so he likes to interfere on a subject about which he has no knowledge and no information. He makes assertions based on that lack of knowledge.

The Hon. A. A. Lewis: You have just enlightened me.

The Hon. PETER DOWDING: The Hon. Sandy Lewis clearly is becoming increasingly agitated by the direction and veracity of the slings that are aimed at the Government. I can understand his embarrassment because he does not like his own Government to behave in this grossly political and unfair way to the people of my electorate, any more than he would like it to behave in that way to the people in his electorate. No doubt he will see the reaction to that attitude recorded in the ballot box in due course.

It does not require a degree in statistics to understand that something is drastically wrong with a system that can barely ensure that at any one time half the adult people in those electorates are on the roll. It is not a point to be laboured. There may be some explanation as to how 3 per cent, 5 per cent, or even 10 per cent of the adult population is not enrolled. It may be that some people are not eligible or were visiting the area temporarily. It is beyond the belief of any sensible man—and I include the Hon. Sandy Lewis in that description—

The Hon. A. A. Lewis: I have pointed out the flaw in your argument.

The Hon. PETER DOWDING: —that all those persons could be ineligible to be on the roll.

In conclusion, it is an indication that this Government does not care specifically about the people of my electorate, and it does not care to ensure that what is essentially a fragile system—the system of democracy in this State—is in a condition where by we can have free elections and universal adult franchise without fear or favour. It is clear that this Government has slipped into the position of permitting the electoral rolls to run down, of ignoring the needs

of the people in remote areas, of permitting a massive gerrymander of electorates in the north, and of failing to ensure that electorate staff and officers are given the facilities to make up the electoral numbers so we can expect that every adult in Western Australia—without the interference of nit-picking requirements introduced into the Electoral Act—has an opportunity to cast his vote at the next election.

I would like to say with some sincerity that I note the very noble gesture the Hon. Bill Withers is making in respect of this issue. As far as I am concerned I hope it will bring home to the Hon. R. G. Pike the fact that something is very wrong in this State.

THE HON. W. R. WITHERS (North) [5.34 p.m.]: I cannot deny point number one made by the Hon. Peter Dowding because in my opinion, and on the evidence I have, the gerrymander that was created in the shifting of the Pilbara and the Kimberley boundaries was the greatest gerrymander I can discover in the western world. However, that is not news; I told the House that last year, and I remind the House I said last year that the new Kimberley electorate was 85 000 times larger than the electorate of Scarborough and yet it had only 14 per cent less electors. In fact, if all the eligible electors were on the role in the same percentage as they are in Scarborough, they would record the same number of electors, and yet the electorate would be 85 000 times larger in the Kimberley than in Scarborough. So what the honorable member has said tonight is not news. I told the House this last year.

I have also made the point referred to by the Hon. Peter Dowding about the rolls in the Kimberley. From memory I think I said approximately only 40 per cent of the people in the Pilbara and Kimberley or in the North Province were on the rolls. That is not news. Also, I have told my parliamentary colleagues in the Liberal Party that doing what they did to the Kimberley and the Pilbara electorates would give to the Opposition the greatest club that it has ever had with which to beat us over the head. Not only did we give them the club, we manufactured it, polished it, and laid our heads bare to be beaten with it. Of course the Hon. Peter Dowding is having first swipe tonight but I must say that in so doing I am pleased to see he also had the courtesy to manufacture a nice shillelagh, polish it up, and hand it to us—I am about to use it to beat him over the head. I thank him for that because he has heard my statement and he has agreed with it, that this is a shocking gerrymander and that it was a crude instrument

of government which changed the boundary between the Pilbara and the Kimberley.

In fact, I resigned from the Parliamentary Liberal Party for that reason. Why did I resign from the Parliamentary Liberal Party at that time and not from Parliament? The reason is this: The Hon. Peter Dowding recognised how bad it is to have an electorate of the size of the Kimberley with that number of electors in it. Why did I resign from the Parliamentary Branch of the Liberal Party? I resigned because it had adopted platform No. 7 of the Australian Labor Party. That is the reason I resigned, and that is the reason I was pleased to hear the Hon. Peter Dowding recognising the evil of platform No. 7 in respect of country people. I have fought against it, the Liberal Party has fought against it, and I will continue to fight against it, even outside the Parliament after 22 May. Platform No. 7 of the ALP is an evil platform in regard to country people.

The Hon. D. K. Dans: What platform are you talking about?

The Hon. Garry Kelly: What rubbish.

The Hon. W. R. WITHERS: The Leader of the Opposition has just heard his own members criticising it.

The Hon. Peter Dowding: No he has not.

The Hon. A. A. Lewis: Of course he has.

The Hon. Robert Hetherington: You did not listen carefully enough.

The Hon. W. R. WITHERS: The Hon. Peter Dowding criticised the size of the Kimberley electorate and he said that the Government's action had made the electorate a very hard one to represent. He failed to recognise that the Government, in so doing, adopted platform No. 7 of the ALP—

The Hon. Robert Hetherington: Don't talk rubbish.

The Hon. W. R. WITHERS: —and applied it singularly to the Kimberley electorate.

The Hon. D. K. Dans: You have been out in the sun for too long.

The Hon. W. R. WITHERS: That is the reason I have resigned from the Parliament.

The Hon. D. K. Dans: The tropical sun has got to you.

The Hon. W. R. WITHERS: Regardless of what is said, what legal verbirosities and parliamentary verbirosities are used, we cannot escape the truth. It does not matter how the facts are presented, we cannot escape them. If one takes the number of electors in the State of

Western Australia and then divides it by the number of electorates, that is the number of electors in the Kimberley. So the Government applied platform No. 7 of the ALP singularly to the Kimberley, and I thank the Hon. Peter Dowding for now supporting—

The Hon. A. A. Lewis: That hurts, doesn't it?

The Hon. W. R. WITHERS: —a Liberal Party principle which eluded my parliamentary colleagues.

The Hon. Robert Hetherington: The Liberals do not have any principles that I know of!

The Hon. A. A. Lewis: That is unfair.

The Hon. Robert Hetherington: But not untrue!

The Hon. W. R. WITHERS: As I have said, I am not trying to say that this is not a gerrymander. I say it possibly is the greatest gerrymander that the western world has ever seen.

The Hon. Peter Dowding: It is.

The Hon. W. R. WITHERS: I cannot find any evidence against that proposition. I am pleased that the Hon. Peter Dowding recognised the evils of platform No. 7 of the ALP.

In closing, it would be very nice for me to say "Thank you" for the statement that I am making a noble gesture in retiring from Parliament over this matter. I am not resigning from Parliament, as stated in the Press yesterday, in protest. It is not that at all. I resigned from the Parliamentary Branch of the Liberal Party in protest because it adopted an ALP principle. I am resigning from the Parliament because I have found that I cannot effectively represent my people. I said that in 1977 in this House but I also said at that time that I would see out the end of my term. So that is not new.

Members may ask why I am retiring before I complete my term. The reason is that since I have left the parliamentary branch of the party, not only am I not effectively representing the people of my province, but I am representing them even less effectively than I could do before that time.

The Hon. Peter Dowding: Why is that? Is that because the Government will not share information?

The Hon. W. R. WITHERS: If the Hon. Peter Dowding does not know the answer to that question, I can only imagine the shambles of an ALP party meeting. As I see it, an Independent is fairly useless in Parliament because he has only one brain. There are many brains at a party meeting, and a great breadth of experience. At party meetings one is able to learn information. It is there one gets the inspiration for a drive which may be otherwise lacking.

When I left that sort of situation I found that I could represent my people even less effectively than I did before. Also, I lost heart because my party had adopted an ALP principle. I was travelling up to 5 000 kilometres a week by plane, plus the road travel necessary to cover this enormous distance. Once I was able to put up with these difficulties because I had faith—I had faith in the system and in what I was going to do.

The Hon. Robert Hetherington: That gave you hope but you have lost charity, no doubt.

The Hon. W. R. WITHERS: I am representing my electorate less effectively than I did before. I think my parliamentary colleagues are a mob of idiots for adopting platform No. 7 of the ALP. They know I think that, but I only think it in regard to that one point. On other points I admire them. Many men and women in the party are far more able than I—even in my opinion and for somebody with a politician's ego that is saying something—in the political sphere. That is a sincere comment.

The Hon. D. K. Dans: I am now convinced you have been in the tropical sun too long.

The Hon. W. R. WITHERS: I make the explanation to point out that mine is not a noble gesture. In the serious side of Parliament, I was here as a representative of the people. If I cannot represent the people effectively, then I should get out.

The Hon. D. K. Dans: Do you think we have representative government in Western Australia?

The Hon. W. R. WITHERS: That is what I intend to do.

The Hon. Lyla Elliott: Just answer this question: Can you tell me how you expect members who have 80 000 or 90 000 constituents to represent them effectively?

The Hon. W. R. WITHERS: Quite simply, on a pushbike! And that is more than I can do in my province, although it could be done in the honourable member's province. I can take the point that the Hon. Lyla Elliott made, because she is trying to defend platform No. 7.

In closing, I say it is not a noble gesture I am about to make on 22 May. It is just a hard, cold analysis of the situation. I cannot effectively represent the area. I have been endeavouring to do so, but I can no longer do it; therefore, I am getting out.

THE HON. A. A. LEWIS (Lower Central) [5.46 p.m.]: I should like to refer to a few points made by the Hon. Peter Dowding. He has been dealt with rather severely by the Hon. Bill Withers as far as one-vote-one-value is concerned,

and I would not attempt to better that, because the honourable member's argument was defeated in one fell swoop.

The Hon. Peter Dowding talked about the census and compared it with the electoral roll, but he referred to only one electorate. He did not in any scientific or logical way as he should have done had he had a set of base figures, compare Lower Central or South Province and find out how many people in those provinces were in the country at that stage. I believe Pilbara is a place which is visited by a number of people on frequent occasions, but maybe I am wrong. The honourable member laughs, but he has the same sort of mentality as the Hon. Peter Dowding. He has a one track mind and he cannot think through a proposition logically.

Obviously the Hon. Peter Dowding refuted his own arguments when he compared the census with electoral rolls, because there is no way they bear any comparison, particularly as he has not given us a standard to go by. The Hon. Peter Dowding stands up, mouths off all these great words, and, without using any logic at all, gets nowhere.

The Hon. Bill Withers referred to party rooms and the fact that they had only one brain. I guess if this motion went through the ALP party room, that would be all the Opposition in this place would have—one brain. Indeed, I think members of the Opposition probably share it.

It is incredible that we can be held up in this House by a nonsensical motion such as this without any facts or evidence being given. At the same time, the Hon. Peter Dowding talked about the waste of Federal funds on door-knocking. You have heard that expression, Sir, because you have done some of it. Federal funds are wasted on door-knocking in an effort to find people to put on the roll!

I know something about the Kimberley, not as much as the honourable members for North Province, but I was there before both of them, although that is not important. In those days it was rather tough up there. We did not have as many aeroplanes and nice hostesses to fly us around as members have today. Is the honourable member dinkum in suggesting it would be possible to door knock in North Province to put people on the electoral roll? Does he suggest we should go from camp to camp, and from station to station spending the taxpayers' money door knocking to put people on the electoral roll?

The Hon. Lyla Elliott: Don't you think—

The Hon. A. A. LEWIS: Miss Elliott has broken out at last! Her leader was trying to keep

her quiet, but it got too much for her. I would love to hear the interjection, because it would be as nonsensical as the motion.

The Hon. Peter Dowding came here with a set of figures which had no basis for comparison and he then advocated door knocking every camp, station, and town. What would he do in Lower North Province? How much money would he spend door knocking all these provinces?

I was chairman of a Select Committee of which the Opposition Whip and the Hon. Ron Leeson were members and we travelled to the north. We flew over various areas and it occurred to me that the Hon. Peter Dowding would have difficulty door knocking in Rudall River. The honourable member really expects us, as taxpayers, to pick up the tab for door knocking through North Province.

This is a nonsensical motion. I am sorry the Hon. Peter Dowding ever brought it forward, because I am sure he will get no credit whatsoever for it. In a few simple words, I have just pointed out the flaws in the member's argument—or the argument he thought he had before he started—and I shall leave the balance of the debate to the Chief Secretary, because I am sure the Hon. Bill Withers and I have given the Hon. Peter Dowding only a minor serve.

The Hon. D. K. Dans: I am sure the Chief Secretary will do better than the last speaker. He will get past the first door.

THE HON. R. G. PIKE (North Metropolitan—Chief Secretary) [5.50 p.m.]: In the first instance, I categorically repudiate the three points made in the motion before the House, moved by the Hon. Peter Dowding. I regard the first point as being the "interference by the Liberal Government with the democratic rights of the citizens of North Province." I would classify that as another charge, even though the member has not put the letter together properly in terms of sequence.

The Hon. Sandy Lewis has more than competently handled the question of numbers and door knocking and, in the interests of the time of the House, I do not intend to retread that particular proposition. However, I do intend to deal with the numbers the member seems to have plucked willy-nilly from the air, because they require repudiation. I shall repudiate them by quoting from the electoral districts report of the commissioners, bearing in mind that, unlike the time available to the Hon. Peter Dowding to prepare his speech, he gave me the courtesy of approximately six minutes' notice of the motion

and that, for him, is an improvement and I thank him for it.

As at the date of this report, that is, 22 December 1981, the commissioners had a quota of 17 846 for the metropolitan area. I ask the House to note the following figures: South Perth at that time had an electoral population of 12 515; if members like, 5 331 people under the quota. At the same time Nedlands had a population figure, as far as the roll was concerned, of 13 743; if members like, a total of 4 103 under quota.

I ask members: What does that mean? It means that, within the metropolitan area where there is a set quota, the divergence in enrolments as between electorates and those that are low numbers is an average of 5 000.

I ask members: What does that further mean? It means that the seat of Whitford at that time had an over-quota figure of 31 281; that is, over double the quota. That proves that, within an electoral system where a quota is set by the commissioners, there will always be a wide divergence of numbers as far as enrolments are concerned. On that basis, the garbled figures of the Hon. Peter Dowding are repudiated.

I go on to make this point: It is a fact within the whole of Australia that central city electorates are held by the Labor Party, State and Federal. Given the large transient population of central city electorates, there is always a situation in which people do not make the effort to put themselves on the roll, despite the fact that they have a legal obligation to do so, for the same reason that, in the mining towns of the Pilbara, where there is a large transient population, a similar situation obtains.

Therefore, it is not particular to the member's heartfelt desire which in fact, of course, has been brought on, like the flu, from an announcement by the Hon. Bill Withers that he intends to resign his seat. Therefore the member—I give him credit for some political acumen—needs to use this place as a sounding board in order to set down the parameters of the forthcoming by-election as hard and fast as he can. However, in doing so, he has no regard for other electorates, figures, and quotas. I have dealt with other electorates, figures, and quotas. Because the honourable member was quoting from a letter I wrote in reply to Mr David Parker, the member for Fremantle in another place, it is proper that the House should have the whole content of that letter made known to it.

What the honourable member did not deal with and what I dealt with the other day and deal with

again, is the fact that the attitude of the coalition parties—the Liberal Party and the National Country Party—in this State in regard to electoral rolls is that we are a sovereign State and we will keep our own rolls. That was stated by me in the letter sent to Mr Parker, not published in the Press, and, of course, not referred to by the Hon. Peter Dowding. This is what I said—

I do not share your views that there is advantage to be gained in combining the State and Commonwealth rolls. The Government, of which I am a member, strenuously opposes the centralist and socialist attitudes of the A.L.P. which would eventually have Australia governed from Canberra. The centralisation of rolls would be a positive step in this direction.

That is what this issue is all about. It was best enunciated by the Hon. Mick Gayfer in a debate in this place some time ago when he said, "That is what we stand for and the electorate knows it." At every election that has taken place in this Parliament since we introduced complete adult franchise the electorate has always given Liberal and NCP Legislative Council candidates a higher average vote than it has given Legislative Assembly candidates. I ask members: What does that mean? It means that, in us, and in this voting, reposes the confidence of the people of Western Australia.

However, in order that we can deal with the so-called figures enunciated so glibly by the Hon. Peter Dowding, I shall quote from a letter from Mr David Parker. I ask you, Sir, and members of the House to note that I quote with absolute accuracy, the same type of accuracy with which the Hon. Peter Dowding purported to be delivering his speech tonight. The letter reads, in part, as follows—

In the electoral district of Swan, at the Hyde Retirement Village (2 James Street, Bassendean), . . .

I ask members to note how specific it is. To continue—

. . . of 30 people living there, only 15 are on the roll, although all are on the Commonwealth roll.

I thank the Hon. Peter Dowding for giving me the courtesy of acknowledging that I acted immediately in this matter, because what I did do was sort out the apparent facts emphasised by the member for Fremantle. Of course, they are as apparent and as false as the facts that the Hon. Peter Dowding has been putting forward here tonight, because these are the facts and I shall quote from a letter to Mr Parker to which, again,

the Hon. Peter Dowding has failed to refer, as follows—

It is obvious that your information is incorrect, for the position is that there are 33 persons in residence, 27 of them are enrolled for that address on the Swan roll. This leaves an apparent deficit of 6, . . .

The Hon. Peter Dowding: State or Federal?

The Hon. Fred McKenzie: State or Federal?

The Hon. R. G. PIKE: To continue—

. . . but it could be that some of these people are not qualified to be enrolled.

So here we have it.

The Hon. Peter Dowding: State or Federal?

The Hon. Fred McKenzie: State or Federal?

The Hon. R. G. PIKE: They are State figures.

The Hon. Fred McKenzie: Are you sure of that?

The Hon. R. G. PIKE: If one member interjects at a time, I can handle him. The Hon. Peter Dowding has difficulty keeping his mind and his mouth open at the same time, so I suggest—

The PRESIDENT: Order!

The Hon. R. G. PIKE: In answer to the question asked by the Hon. Fred McKenzie, they are State figures. The Labor Party stated, as a fact, that of 30 people living there, only 15 are on the roll, although all—that is, 30—are on the Commonwealth roll.

The answer is that in the Hyde Retirement Village there are 33 people and 27 of them from that address are on the Swan roll; that is, the State roll. Those are facts which repudiate the figures made available by the Hon. Peter Dowding.

Because teatime is drawing near and it would be a good idea to despatch this matter before the sitting is suspended, I shall finish with a quote from an article written by the Hon. Mr Joe Berinson in the February edition of the *Labor Voice*.

Recently a proposition for proportional representation was put forward by the Labor Party in the House and we, on this side of the House, maintained the basis of that proposal was without foundation.

What the Labor Party said was, "Let's have proportional representation", and the Hon. Joe Berinson is saying, "Let's not have it". He said—

Only a P.R. system in a single national electorate could guarantee that, and that is neither proposed nor constitutionally feasible.

In regard to the existing system he says—

Labor could well have won on each occasion.

He states further—

Labor's record in trying to be "clever" at electorate systems is not impressive.

Where are we? What have we got? We have the anger of the Labor Party because it no longer holds seats it once held. It now wants to change the system and its members are beating their gums about that. But they are not even sure what the system should be changed to.

Sitting suspended from 6.01 to 7.30 p.m.

The Hon. R. G. PIKE: As I said before the dinner adjournment, we have here tonight the manifestation of the Labor Party's incapacity to convince the electorate to vote for it. I remind members opposite of the statements made by the Labor leader in Queensland and by their previous leader (Mr Davies) in this State, which add up to the proposition that all they have to do to win is to obtain 50 per cent of the votes and 50 per cent of the seats. They seek to change the rules each time they cannot convince the electorate to vote for them. I have spoken of a division in opinion between what is actually presented as what should have been done in regard to voting—which is proportional representation—and an article in the *Labor Voice* of February in which the Hon. Joe Berinson expressed his opinion as to what the party should not do.

It has been stated in this House by the Hon. Mick Gayfer—in reply to a motion moved by the Hon. Joe Berinson in a previous session—that what we are all about here is the confidence of the people of Western Australia and that confidence reposes in the Liberal Party and the Country Party, the system of Government and the electoral situation as it is in this State.

I think it is proper that we consider what the Labor Party does rather than what it says it would like to do. The question I put to the House is: What does it do and what has it done? What has it done?

What did it alter at the last Federal Conference of the Labor Party? Each State was properly entitled to the same number of people at this Federal council or conference—which is the authoritative body—but the policy was altered in such a way that now New South Wales and Victoria will be able to outvote all the other States. In other words, the Labor Party followed through the principle of proportional representation, and in the process of doing that emasculated the rights of the smaller States

because the situation in that party—which is the alternative Government in this country—is that those two States can now dictate policy if they choose to vote together. I might add also that at the same conference it was moved that a percentage of members of Parliament should be females.

The Hon. Lyla Elliott: Good idea.

The Hon. R. G. PIKE: To make the point briefly, it is quite wrong, in principle, for the States to be emasculated as they are in the Labor Party's own Federal system, and that is what members opposite propose to do to the country areas of this State.

I will refer to the next point the Hon. Peter Dowding made in regard to the recent determination of the Supreme Court in Western Australia. I am not a trained lawyer as is the Hon. Peter Dowding, but I think even the credibility of this House was threatened when he said—though not very well—that their honours did not make any statement in regard to the electoral system. I read the comment carefully and he says it leaves an option open, by interpretation. The member, in his typical McCarthy type of capacity for emphasis, misrepresented the fact—and he more than anyone else should know—that their honours were not called upon to make a determination in respect of a decision that was made by this Parliament, which is the authority that makes decisions in regard to the law. It is the process of the law on which they made a determination in regard to the particular point of objection, which had nothing to do with what Parliament decided to do. Nor were the judges called upon to make that determination and nor would it have been right for them to have been asked to do so.

I use that example as an illustration of how the Hon. Peter Dowding can take apparent facts and distort them. The fact in law is that it would have been wrong for them to have done so.

The Hon. Peter Dowding interjected.

The Hon. R. G. PIKE: The Hon. Peter Dowding's laughter will not overcome the lack of proper preparation that he has made.

Several members interjected.

The Hon. R. G. PIKE: An interjection was made by one of the honourable members opposite regarding the numbers and capacity to represent people. Having been in local government for almost 15 years, having dealt with the complaints of people at that level, having represented an electorate which the Hon. Lyla Elliott would acknowledge is the largest in numbers—something like 98 000 people in the

metropolitan area—and having been able to work to the degree that I advertise every week letting the people know where they can contact me, it has been my practical experience that to service an electorate of 98 000 people which is geographically an electorate which is close together, is not—and I repeat—is not anywhere near as difficult as it is to service a widely scattered country electorate.

The Hon. Peter Dowding: How do you know?

The Hon. R. G. PIKE: The member is not very aware of the comment made by the Hon. Bill Withers which is that there are massive numbers of people in the metropolitan area compared with the numbers in the country. The end result of that is the unfortunate dominance by the Parliament of the metropolitan area of this State. The Liberal and Country Parties reject that principal and will continue to do so.

I shall conclude by making this point: The facts put forward by the Hon. Peter Dowding were, in my opinion, very competently refuted by the Hon. Sandy Lewis and the House should thank him for his concise, precise, and devastating destruction of the points made by the Hon. Peter Dowding. It seems that the Hon. Peter Dowding should now put his cue back in its rack because Mr Hetherington is much more able and competent than he to deal with matters of electoral figures, facts and presentation. I will finish where I began: The government repudiates in absolute terms the points that have been made in this motion by the Hon. Peter Dowding.

THE HON. PETER DOWDING (North) [7.37 p.m.]: I must say that it comes with a modicum of surprise to me that no-one on the Government side has been prepared to acknowledge the reason that this debate has been raised today.

The Hon. A. A. Lewis: We're awake up to you.

The Hon. PETER DOWDING: The Hon. Sandy Lewis has displayed his abysmal ignorance of the current state of my electorate by suggesting that no urban areas exist within it and by asserting that the electorate has the perspective of the Rudall River throughout. No-one has really dealt with this important issue and the Minister has simply ignored—

The Hon. A. A. Lewis: Certainly you have not.

The Hon. PETER DOWDING: The Hon. Sandy Lewis's ability to be tiresome increases with the hour. The point I wish to make is that the Minister knows, as I do, that for the first time up to date census of figures have been made available which have not been available for six years.

The Hon. A. A. Lewis: It has nothing to do with it.

The Hon. PETER DOWDING: I have spoken repeatedly about the concern expressed about this matter because of what appears to be an increasing number of people in the Pilbara and Kimberley areas, and this is the first day that we have been able to determine correctly the number of adults in those communities. That information has never been available before today, and the information is as recent as is possible to obtain. The figures of the census are only just being released, the raw figures of the adults in this electorate have not been available before today and that fact has been raised in this House by me.

The Hon. A. A. Lewis interjected.

The Hon. PETER DOWDING: It is a tragedy that the Minister does not understand the relevance of those figures.

The Hon. A. A. Lewis: Your argument is fallacious.

The Hon. PETER DOWDING: He has suggested that the somewhat quota figures have relevance to the determination of whether or not electorates are fairly dispersed. Quotas do no more than say what ought to be the average size of an electorate within the metropolitan area. The quotas have nothing to do with the actual number of adults in an electorate at any one time and it is interesting to note that the Minister simply sidestepped the issue: How is it that the Pilbara and Kimberley electorates have between them more adults than in any of the major electorates within the metropolitan area? How can it be that the Minister in charge of the electoral system does not direct his mind to the issue of how many adults there are?

The Hon. A. A. Lewis: When is the tourist season?

The Hon. PETER DOWDING: If the Hon. Sandy Lewis believes that up to 10 000 or 20 000 people can be described as tourists, he is sadly mistaken. The fact is that the Minister has before him figures which, if his is not to take a purely political line, he might have said he would analyse them to see if this new information shows that some changes should be made.

If he does nothing we will note that his Government's political actions have introduced a major gerrymander and a major malapportionment.

The Hon. W. R. Withers: As made in a very political way.

The Hon. PETER DOWDING: I am surprised that this evening politics have come into this

House. One must be concerned about that. Mr Withers has suggested to the House, as I have, that the proposition of the Government endorses a gerrymander.

The Hon. W. R. Withers: In relation to the size of the Kimberley.

The Hon. PETER DOWDING: Well, in relation to the size of the Kimberley. The point I have made is in relation to the gerrymander. I did not raise it before tonight because I thought honourable members could always read my eloquent speeches in *Hansard*.

Several members interjected.

The Hon. A. A. Lewis: What about all those facts?

The Hon. PETER DOWDING: I note the terrible inability of honourable members to take an interest in this democratic process; but the public have a serious interest in it. I understand that when the Minister gets up to speak it is a bit of a frolic because he knows he has the numbers and I know the Hon. Sandy Lewis can make assertions about the electorate because it is a bit of a frolic for him also. The difference between the Government and the Opposition in this case is that we are concerned with the democratic process.

The Hon. A. A. Lewis interjected.

The Hon. PETER DOWDING: I reject the suggestion that this is a matter for levity.

The Hon. A. A. Lewis interjected.

The Hon. PETER DOWDING: I have cause to shout in this House because I am seeking to drown out the Hon. Sandy Lewis. The point I wish to make is that Mr Withers has himself acknowledged that what is so wrong about the movement of the Kimberley-Pilbara boundary is that it was a political decision; it was not a decision made by electoral commissioners on democratic parameters, it was politically made. I object to that and so does he. I have discussed the parameters before and he and I differ as to what they ought to be. The point on which we are *ad idem* is that whatever parameters are used, the Kimberley-Pilbara boundary should not be drawn in the way it has been drawn.

There are sufficient people in the Kimberley and sufficient people in the Pilbara to retain, geographically, the idea of two electorates and retain electoral justice. In whatever view one takes of electoral justice and whether one takes the honourable member's view that isolated members' electorates should have fewer electors, or my view that the more isolated the area the more facilities the member should have, the

parameters will allow one to come to the same conclusions in this case. I think the Hon. Bill Withers and I agree on the conclusions. The conclusions as I see them are, firstly, there should never have been political interference in the boundary of those two electorates; and, secondly, it is important if possible to retain a geographical boundary to determine the proper boundaries of the electorate.

I do not think, with due respect to the Hon. Bill Withers' criticisms, that he would disagree with either of those two principles. However, the Minister has again ignored those principles: That it ought not to have been a political decision—and it was—and that it ought not to have been imposed simply to secure support for a flagging member in the lower House—which it was. It ought not to have been introduced at a time when so many people were not on the roll, and it was not introduced to reduce the vast disparity between distant and metropolitan seats. That disparity is not the disparity we are normally called upon to criticise, but the opposite; it is that there are far more people in this electorate than there are in electorates within metropolitan Perth.

It is typical of the Minister's attitude to this, the very basis of democracy, that he takes the view that people have not bothered to enrol. So what? That is not the view that he took in relation to the Bassendean old people's home, where he charged in and got a justice of the peace to enrol them—and good luck to him.

However, it is within the ambit of his political responsibility to ensure that electoral rolls include every adult in this State, and not simply to impose bureaucratic rules and regulations—politically imposed bureaucratic rules and regulations—which will interfere in that process. He has not answered that charge and he regards it as a matter of levity. He has treated the issue as though it were a novel proposition.

I would suggest that it is irrelevant whether we are debating different political voting systems although I am sure that it is consistent with his political philosophy and his party's political philosophy to discourage that sort of academic debate.

I find it tragic that some people are able to justly criticise the Minister's performance, and whether or not he has been there for only two months he has shown in his answers to questions that he as a Minister—

The Hon. G. E. Masters: He is doing a wonderful job.

The Hon. PETER DOWDING: —does not intend to depart from the politically biased

behaviour of his predecessor. He has no intention of departing from the rules established by his Government, the Liberal Party Government in this State, which indicated its intention to keep the whole electoral system weighted in a way which disadvantages the ordinary citizen, in an attempt to keep itself in power.

Honourable members have had ample opportunity to consider this matter. I therefore seek leave to withdraw this motion.

Motion, by leave, withdrawn.

ACTS AMENDMENT (CRIMINAL PENALTIES AND PROCEDURE) BILL

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [7.50 p.m.]: I move—

That the Bill be now read a second time.

As members of Parliament will be aware from public statements, a complete review of the Criminal Code is being carried out at the present time and it is anticipated that this will be available for public comment later this year.

In the meantime, however, there are a number of areas of the Criminal Code and associated Acts which require amendment at least in the interim pending detailed consideration of that review, and the Government has now found it necessary to proceed to place these amendments before the Parliament.

The first amendment is to provide for a general and substantial increase in the power to fine for code offences. At present the code provides that a person liable to imprisonment may be sentenced to pay a fine not exceeding \$1 000 in addition to or instead of imprisonment under the code. This amount has not been amended since the first Code was enacted in 1902.

Pending final consideration of the Dixon committee report and the code review, the Government proposes that the maximum fine should now be increased to the sum of \$50 000.

It may be that it will be concluded this should be changed after final consideration of the abovementioned detailed reports. Certainly, the existing fine of \$1 000 is grossly out of date and inadequate and there have been numerous suggestions made by judges of the Supreme and District Courts that it be increased. Indeed, the existing fine is so inadequate that it substantially restricts the use of monetary penalties and requires the use of other measures.

It is, of course, accepted that there will be different opinions as to what the maximum should

be and it has been suggested that this should be left entirely in the discretion of the court.

However, the better view probably is that a maximum should be fixed—at least at this stage—and that it should be in a sufficiently large sum to enable an adequate penalty to be levied upon persons who commit serious offences against property.

The object of the exercise of amending the power to fine must be to increase the use of this penalty for the less serious offender or for the offender against property.

The Government believes that the increase is merited also by reason of the fact that substantial profits may be made out of some such offences. Indeed, in relation to such offences a large fine may very well be a substantial deterrent to the typical offender.

Members are reminded that the Securities Industry Act recently passed by this Parliament provides for a similar maximum fine. Section 20 allows a sentencing court to order a sentence to be cumulative on a sentence for any other "offence".

Unfortunately, in recent years the construction has become accepted by courts that a reference to an "offence" in a State Act means an "offence against the law of the State." This means that section 20 is now construed as not enabling a court to order a sentence for a State offence to be cumulative on a sentence for a Commonwealth offence, so that, for example, a sentence for an armed robbery on a bank may not be ordered to be cumulative on a sentence for stealing Commonwealth property, as from a post office.

Commonwealth legislation allows Commonwealth sentences to be cumulative upon State sentences in certain circumstances. The lack of a reciprocal State power is an increasing difficulty with the growth of Commonwealth offences. An amendment to make it clear that a sentence for a State offence may be cumulative on any other sentence is therefore included in the Bill.

The Commissioner of Police has drawn attention to the fact that the recent amendments which reduced the penalties for some offences from life imprisonment to a maximum of 20 years' imprisonment have the effect of limiting the power of the police to use a degree of force which is commensurate with the seriousness of the offence in effecting an arrest, as that power is limited to offences punishable by death or life imprisonment.

It is proposed that section 233 be amended so that the police may use such force when arresting a person for an offence punishable by not less

than 20 years' imprisonment as well as for an offence punishable by death or by life imprisonment.

In addition, this part of section 233 is presently limited to arrest for code offences. This is because all serious offences used to be found in the code. However, the recent drugs legislation has now created many serious drug offences punishable by 25 years' imprisonment—in that other legislation rather than in the code—and the Bill therefore contains an amendment to remove the limitation to code offences from section 233.

The High Court by a majority decision given at the end of last year in the case of *Di Simoni* held that if a circumstance of aggravation was not pleaded in an indictment regard could not be had to it in sentencing. This completely changed the law as it had been understood and applied in Western Australia since we first had a Criminal Code.

In the code, if a circumstance of aggravation is pleaded, the maximum penalty to which the offender is liable is thereby increased and the practice followed in Western Australia was to decline to plead a circumstance of aggravation unless the Crown wanted to put the accused in jeopardy of the increased penalty.

The High Court has now said that to follow that practice means that the judge cannot have any regard at all to the circumstance of aggravation for any sentencing purpose. It therefore would be necessary to plead in the case of robbery that the offender was armed, was in company, and that actual personal violence was used before the sentencing judge could take those matters into account.

The amendment in the Bill in sections 582 and 656 is to have the law accord with the understanding that prevailed in this State until that decision.

The provision is to be that in considering the sentence to be passed the court may have regard to a circumstance of aggravation whether or not it has been charged in the indictment, but if not so charged, the court shall not impose on the offender a punishment that is greater than that to which he would have been liable if the offence had been committed without the existence of that circumstance.

In other words, there is a safeguard to ensure that where the circumstance of aggravation is not pleaded the offender will not receive a sentence greater than the maximum to which he is liable without the circumstance of aggravation being pleaded.

Section 585 of the code now sets forth the general rules with respect to joinder of offences in indictments in order that they may be tried together. The rules provide for joinder on the one indictment in a generally appropriate and satisfactory way by using as the test the connection between the different offences factually and legally.

Amendments to the section in 1954 widened the section to its present form and overtook the previous more limited rules. It was overlooked at that time that the provisions of section 586 (2) and (3) were rules of that more limited character, with respect to the offence of stealing, which ought now to be repealed as should have occurred in 1954.

The exception to the general rule allowing joinder is that the section by its fifth paragraph does not authorise the joinder of a charge of wilful murder, murder or manslaughter with a charge of any other offence. That has been interpreted by the courts to preclude a joinder of wilful murder with another similar charge, even if it might otherwise clearly be joined under the general rules.

Under those general rules many serious cases or charges may be joined with others. If an accused were to commit several acts of rape those acts could all be joined in the one indictment. If he breaks and enters numerous dwelling houses, the same could occur.

Generally, a joint trial will follow, although the section provides ample room for a court to order separate trials in a case where prejudice might result to the accused. It is difficult logically to see why homicides should be so singled out and exempted from those rules. Certainly, that is not the case in other jurisdictions in Australia, the United Kingdom or the United States.

A classic example is the reported English decision where the accused was said to have murdered seven people by setting fire to the premises occupied by them. The indictment presented against him contained seven counts of murder and one of arson.

All were conveniently disposed of together without in any way lengthening the trial or causing any additional prejudice to the accused. That enabled the obvious benefits to the administration of the system that all related charges were disposed of together.

That cannot happen under the existing section in our code and an amendment is therefore included in this Bill so that homicide cases may be placed upon the same basis as any other serious charge. There is a safeguard in the section

that if it appears to the court that the accused is likely to be prejudiced by such joinder the court may require all or some of the charges to be dealt with separately.

Under section 586(1) it is provided that where the accused is charged with stealing money he may be charged and proceeded against for the amount of the general deficiency, notwithstanding that that general deficiency is itself made up of any number of specifically identifiable separate takings of money. That is a very useful provision and one very often availed of to enable what is really a merger into the one offence of what would otherwise have to be a multiplicity of charges of stealing where there is a course of conduct with respect to the same general fund of property over a period of time.

The advantage is that such a course enables what is really a total matter to be looked at in total terms and not as a matter of law divided up into its several constituent parts. There is also an advantage to the accused because it enables the total matter to be disposed of without creating against him numerous charges and exposing him to the risk of a multitude of convictions.

There is no complaint about the existing form of this provision; but it is proposed that it should be extended beyond a general deficiency of money to a general deficiency of goods or items of property, where the investigation reveals a large number of different items stolen over a period of time. The accused very often will have no recollection of the order in which or the times at which the particular items were stolen, the only common element being that they were all stolen from one person. That is precisely the same situation as applies in the case of a general deficiency of money and could be conveniently disposed of in the same way. The Bill provides an appropriate amendment to section 586(1) of the code.

Amendments to the Child Welfare Act in 1970 affecting the procedure to be followed by a Children's Court when it sends a child offender to the Supreme Court or District Court for sentence have produced an unintended deficiency in section 618 of the code, which was not amended in 1970 to accommodate the new procedures. At present a child found guilty in the Children's Court and sent up for sentence may simply plead not guilty, which requires that he be tried all over again. An amendment is proposed to overcome this and also to overcome some technical difficulties of a formal nature experienced with those who have pleaded guilty following a "hand-up brief" committal.

In order to ensure that no injustice can be done to any child under these circumstances, an additional provision will be inserted in the Child Welfare Act, and is so included in this Bill, so that no plea of guilty shall be entered by a child unless the child is represented at the hearing by counsel or the court is satisfied that the child has received legal advice before entering the plea.

There is considerable overseas and interstate precedent for the enactment of a provision that notice should be given of an alibi in criminal cases triable by jury. The requirement has been a feature of English law since the United Kingdom Criminal Justice Act 1967, section 11, was enacted, following the recommendation of the criminal law revision committee in its ninth report on evidence. In Australia similar legislation has been introduced in Tasmania, New South Wales, Queensland, and Victoria.

The purpose of all these pieces of legislation is to provide for the defendant who wishes to raise an alibi by way of defence to give notice of the particulars of that defence to the Crown. The purpose of that is to enable the Crown to investigate the proposed alibi and to gather evidence which would either confirm or counter it. If the alibi is confirmed that may, of course, lead to the presentation of a *nolle prosequi* and considerable saving in time and money, as well as eliminating the possibility that the defendant would be put in jeopardy of conviction for an offence which he did not commit.

Alternatively, if evidence is gathered which would suggest that the alibi is not genuine, that may be placed before the jury together with the alibi evidence and enable a better evaluation by the jury of that issue of fact. That, in itself, must tend towards the better administration of justice in this area. A new section 636A is proposed having regard to the form of the sections enacted in other jurisdictions, but modified so as to eliminate the feature of such other legislation that the accused may in certain circumstances be refused leave to lead his evidence of alibi.

As a result of the review of the Criminal Code, an examination has been made as to the need to lock up jurors during the trial. At present the necessity for the confinement of jurors is limited to capital cases. It does not, for instance, apply to trials involving charges of rape. A majority of the other States of Australia already permit the judge a discretion in all criminal cases to permit the jury to separate before their retirement to consider their verdict, and it would seem appropriate that a similar provision should be brought into operation in this State.

An amendment to section 693 of the code has been included to endeavour to overcome difficulties in relation to sentences on appeal. When the Court of Criminal Appeal quashes a conviction or allows an appeal against the sentence for a particular offence, that decision may affect the total sentence remaining in respect of other convictions not directly the subject of the appeal. The sentences for those other convictions will have been chosen having regard to the sentence directly altered on appeal. The sentence or sentences which then remain may have thereupon become inappropriate, and an amendment to section 693 is therefore proposed to give the Court of Criminal Appeal the power to adjust any remaining sentences as it thinks fit to again achieve a proper sentence overall.

The other amendments to the Child Welfare Act and the Justices Act are consequential on amendments proposed to be made to the code in the Bill.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Robert Hetherington.

GOVERNMENT AGENCIES: STANDING COMMITTEE

Appointment: Amendments to Motion

Debate resumed from 6 April.

THE HON. MARGARET McALEER (Upper West) [8.07 p.m.]: I oppose the amendment.

We have seen such general support for the purpose of the proposed Standing Committee of this House, although with some exceptions, and we have seen such general approval for the report which the Select Committee presented 12 months ago, that it is strange that the Opposition should bring forward an amendment which was defeated soundly before, and which has not gained any support in the interim from the report of the Select Committee.

Whatever the Hon. Mr Berinson may have said, I do not believe that the terms of reference of the Select Committee precluded it from coming to the conclusion that it was not feasible for a Standing Committee of the Legislative Council to perform the proposed tasks, or even from suggesting that a joint committee of both Houses would be more appropriate. Although it is true that the previous amendment was lost when the Select Committee was being appointed, it is inconceivable that, when members of the Select Committee were examining similar purpose committees elsewhere, and when they had the Victorian joint committee before their eyes, they

would not have given consideration to the appropriateness of a joint committee for the purpose they were considering.

I can see no advantage in a joint committee as opposed to a standing committee. However, I can see a very practical disadvantage. The disadvantage comes from the simple fact of trying to bring a number of members together when they have different programmes, different timetables, and rather different concerns. Every member of this House knows that it is hard enough to bring the members of one House together at any one time. When dealing with members of both Houses, the difficulty is not simply doubled, but multiplied by a factor of about 10. In those circumstances, the possibility of the committee's working hard and long hours would be reduced very much. The members would be more likely to get on with their work if they came from one House only.

The Leader of the Opposition has said that a joint committee would be more broadly based. Leaving aside the question of why that would be a better thing, I wonder whether it would be so if we joined with members of the Legislative Assembly. In terms of the amendment, the committee would have a greater number of members; but that is not to say that the members of the committee would be more representative or representative of different geographical areas or interests.

As far as the quality of the members of the committee is concerned, I do not believe that the addition of members of the Legislative Assembly would have added to the calibre of the Select Committee, and I do not see that it would do so for the Standing Committee either.

It is not that the Standing Committee will need more members—whether more of the same, or slightly different—from the Legislative Assembly. What the standing committee will need, and what the proposed Standing Orders provide for, is access to information and access to expert opinion. Proposed Standing Orders Nos. 17 and 18 provide adequately for this requirement.

It is idle to suppose that the addition of members of the Legislative Assembly would lessen that requirement, except perhaps by chance when a matter under consideration happened to come within the field of a member's professional competence. However, that would be a minor advantage indeed. On the whole, members of Parliament are not experts, and it is not their function to be so. Their concerns are far too varied and far too general.

Neither the Standing Committee nor the Legislative Council need to have their authority bolstered by joining with the Legislative Assembly in a matter like this. In setting up a Standing Committee of this nature, the Legislative Council is undertaking a legitimate function—one that is its own—in placing the quasi autonomous State organisations under review. More than that, and contrary to the views held by some members here, it would be wrong if a Standing Committee were also to address itself to matters of a departmental nature in order to monitor performance and efficiency or, indeed, to question particular functions.

No-one would claim that it is the function of the Parliament to rule. That is for the Cabinet, the Ministers, and, I suppose, in this day and age, also the bureaucracy. It is the parliamentary function to scrutinise the performance of the rulers. In this day of complex administration, we have to devise appropriate methods of performing that scrutiny.

No-one can guarantee that this method will be perfect. However, we have good reason to suppose that it will be successful, and it can always be modified in the light of experience.

In the last decade, experiments with committees have been the order of the day from Westminster to Canberra; and the Select Committee had the benefit of experience gained in those 10 years.

As I said in a previous debate, this is a worthwhile innovation for our House, and one that is in keeping with its function of review. We should defeat the amendment and appoint the committee so that it can proceed with its work.

THE HON. P. G. PENDAL (South-East Metropolitan) [8.14 p.m.]: I rise also to oppose the amendment moved by the Leader of the Opposition, for similar and, in some cases, extended reasons to those given by the Hon. Margaret McAleer.

No-one could claim that many of the arguments put forward by the Hon. Des Dans were terribly compelling. As the Leader of the Opposition said, it is quite correct that the Victorian Legislature opted some years ago for a joint committee of both Houses.

I suppose in the circumstances it is fair to use the Victorian example as the yardstick. It is also fair in the circumstances to ask, "Why not another yardstick, one that to my knowledge has not been mentioned so far?" The example of a body in Australia with a Standing Committee system separate from the lower House is the Senate.

The Hon. D. K. Dans: I mentioned that.

The Hon. P. G. PENDAL: I acknowledge that; but my point is that if we want to use the Victorian yardstick as the reason for developing a joint committee of the Western Australian Parliament, we are entitled also to use as a yardstick the Commonwealth position, where the Senate has its own Standing Committees.

I remind the House that the contents of the Select Committee report were unanimous. There were no minority reports advocating a joint committee of both Houses; certainly there were no minority reports by the Select Committee for a membership of nine members.

I remind members as well that the Legislative Assembly already has its own committee—the Public Accounts Committee—which is intended to operate in some respects as a parliamentary scrutiny similar, to a degree, to the role this Standing Committee will play. Some people would suggest that the role of the Assembly committee in the past has not exactly soared to the heights of effective parliamentary scrutiny, but I do not want to get into a debate now about how that House conducts its affairs. The lower House has its own way of operating. That House has its own system, and if it wants in some way to take a closer look at and to involve itself more fully in the scrutiny of public bodies in this State, it already has that facility at its command.

The Hon. Joe Berinson spoke in favour of the amendment moved by the Leader of the Opposition. At the start of his address he attempted to suggest that there would be many advantages if we followed the course suggested by Mr Dans. The Hon. Margaret McAleer quite capably mentioned the extent to which a committee of nine would be downright cumbersome. She also touched on another problem.

As members know, the sitting times of the two Houses of this Parliament these days are very much at variance with what they were a couple of years ago, to the extent that the lower House now sits on Thursday mornings, a practice which apparently will continue. Now, it is very often the case that early in our parliamentary sessions this upper House does not sit on Thursdays. That is a good reason to confine a standing committee on statutory bodies to the upper House because, as members know, the Standing Orders of the Parliament do not permit a Standing Committee or a Select Committee to sit at a time when a House is actually in session. Therefore, the fact that the Assembly sits earlier on Wednesdays and Thursdays drastically reduces the amount of time in any week that a joint committee of the Parliament could sit. If ever that was to come

about—and I do not support it—it would be necessary to have the two Houses sit in tandem so that either House which might be involved in a Select Committee or a Standing Committee had a chance to sit as a committee if it were not sitting as a House.

In the short time I have been in this Parliament—a little over 18 months—on many occasions, and as recently as last week when the Hon. Garry Kelly made his maiden speech, I have heard derogatory references about this Chamber and its lack of capacity to act as a House of Review. Without expanding on that debate tonight, the point to be made is that at the very moment when an effort is being made to make more positive the review role of this Chamber by way of a Standing Committee, we are somehow wanting to be encouraged away from that, the very thing members opposite seem to believe is a healthy thing, in order that we can have a joint committee of the two Houses.

It seems to me we are big enough to handle a Standing Committee system on our own. Although the suggestion is probably made in good faith, I do not see that we need to have any feelings of insecurity that we as a House are not capable of making these reviews on a permanent basis with out the assistance of the Legislative Assembly which, I repeat, already has its own mechanism if it wishes to use it. I do not see that there is any mystical wisdom residing in the Legislative Assembly that might not reside here.

I totally support the Select Committee's suggestion that the Standing Committee on Government agencies ought to be a committee of this House. Therefore, I oppose the amendment.

Amendment put and negatived.

THE HON. ROBERT HETHERINGTON
(East Metropolitan) [8.21 p.m.]: I move an amendment—

Page 6, section 2(i) line 3—To delete the words "six members" and substitute "seven members of whom three shall be members of the opposition."

This House certainly has received what is in my opinion some well deserved criticism, and it will continue to do so. If this committee is to be a useful committee when it is established it is important that it have the appearance of a low key, bipartisan working committee. In order to do this it should have three members of the Liberal Party, three of the Labor Party, and one of the National Country Party.

It might be argued that the Labor Party's numbers are not very high in the House, but if we remove from the Liberal Party numbers the

President, the Chairman of Committees, the three Ministers, and the Secretary to the Cabinet, we find that the back-bench numbers are more nearly proportional with the Labor Party numbers.

The Hon. P. H. Wells: That is convenient mathematics.

The Hon. ROBERT HETHERINGTON: Also, the proportion would be more nearly the support of the parties in this State at present.

It would be wise to do this, because as a member of the Select Committee I found there was a great deal of bipartisan agreement on it. I signed the report but I have had second thoughts about the numbers on the committee, partly because of what I regard as some of the unfortunate statements made in public by the previous chairman of the committee when he did a certain amount of huffing and puffing about giving teeth to the Legislative Council.

The Hon. G. C. MacKinnon: Is not the President an *ex officio* member of the committee?

The Hon. R. J. L. Williams: Every member is.

The Hon. ROBERT HETHERINGTON: It does not matter whether you are or not, Mr President. The kind of statements made were unfortunate and I am glad the mover of the present motion has not repeated them.

It would be to the benefit of the House and the Standing Committee to be set up if we did increase the membership of the committee as I have moved. We are not trying to have a takeover. The chairman would have a deliberative and casting vote. If the committee did divide on party lines at some time in the future it would lose a great deal of its importance anyway. If it is going to be used for party political purposes it probably will be a failure as a committee.

The Hon. P. G. Pandal: I agree.

The Hon. ROBERT HETHERINGTON: Therefore, I suggest to Mr Pandal that not only should it be a bipartisan committee, but also it should look to be bipartisan. Justice should be seen to be done. I suggest he consider the amendment very carefully and accept it because of the arguments I have advanced.

THE HON. R. J. L. WILLIAMS (Metropolitan) [8.28 p.m.]: I oppose the motion, even if it is only on the basis of the Hon. Robert Hetherington's shaky mathematics regarding proportional representation.

The Hon. D. K. Dans: Are you opposing the amendment?

The Hon. R. J. L. WILLIAMS: Yes.

The Hon. D. K. Dans: You said the motion.

The Hon. R. J. L. WILLIAMS: The amendment is now the motion before the Chair.

While the Hon. Robert Hetherington was speaking an interjection was made by an honourable and venerable member of this House who inquired whether the President was *ex officio* a member of the committee. Unfortunately my interjection did not get across. By the proposed Standing Orders of the Standing Committee, found on page 6, paragraph 6 of the Select Committee's report, it is clearly shown that every member of this House can be involved in the committee, and every member can attend the committee and ask questions, but cannot vote; that is left to the committee members.

If we wait long enough in this place we find out all sorts of things. I found out yesterday by a confession of the Hon. Graham MacKinnon that he was the person, or one of a number of people, who torpedoed the legislative review committee functioning in this House, which was handed to an outside body in 1976.

We all know the Hon. Graham MacKinnon for his histrionic abilities and quick footwork when needed, but he does no credit to himself when he says we let pass the opportunity to have the legislative review committee.

The Hon. G. C. MacKinnon: I suppose I should take exception to that sort of smart crack.

The Hon. R. J. L. WILLIAMS: It is the truth.

The Hon. G. C. MacKinnon: It is not. I think you are a liar.

The PRESIDENT: Order! I suggest that honourable members cease their crossfire and that the honourable member addressing the Chair confines himself to the amendment before the Chair, which is whether or not we ought to delete the words suggested by the Hon. Robert Hetherington.

Withdrawal of Remark

The Hon. R. J. L. WILLIAMS: I ask that the remark "You are a liar" which has just been said by the Hon. Graham MacKinnon be withdrawn.

The PRESIDENT: Would the honourable member withdraw those words, please?

The Hon. G. C. MacKinnon: The interjection, Sir?

The PRESIDENT: Yes.

The Hon. G. C. MacKinnon: Is Mr President recognising the interjection?

The PRESIDENT: I am recognising that the honourable member has asked you to withdraw the words.

The Hon. G. C. MacKinnon: Certainly, Sir. I withdraw those remarks.

Debate (on amendment to motion) Resumed

The Hon. R. J. L. WILLIAMS: Thank you, Mr President. Thank you, the Hon. Graham MacKinnon. All members of the House under the proposed Standing Orders will have the opportunity to participate in this committee's work. As the Hon. Phillip Pandal said, nine members would be cumbersome whereas six members is considered to be an ideal number to make it a workable committee. I assure the Hon. Robert Hetherington that the furthest thing from the minds of members of the Select Committee when a recommendation was brought down was to be political in any way, shape, or form, because anything political within that committee would destroy the committee and the members of it.

The Hon. Robert Hetherington: I can assure the honourable member that no committee I was on would consider anything ideal, but it might have considered it appropriate.

The Hon. H. W. Gayfer: We will need a committee to sort the committee out!

The Hon. R. J. L. WILLIAMS: It is for the reasons of the amendment to page 6 of the proposed Standing Orders that I oppose the Hon. Robert Hetherington's amendment.

Amendment put and negatived.

Debate (on motion) Resumed

The Hon. D. K. Dans: You didn't think you could get away with it, did you, Mr Pandal?

THE HON. H. W. GAYFER (Central) [8.32 p.m.]: I was not sure whether Mr Pandal was jumping to his feet to close the debate so Mr Dowding would not have a chance to speak on it, because he was obviously jumping to his feet also.

The Hon. P. G. Pandal: How ridiculous. He is not here.

The Hon. H. W. GAYFER: There seems to be a certain amount of excitement in the Government ranks right now for putting business through by hook or by crook.

The Hon. D. K. Dans: No excitement, just resignation.

The Hon. H. W. GAYFER: The Labor Party is terribly interested in having a committee inquiring into boards and instrumentalities which would be akin to the Spanish Inquisition. The people on most of these boards are unpaid or on low pay and we are now going to be setting up a Senator Rae-type committee.

The Hon. D. K. Dans: They are good committees too!

The Hon. H. W. GAYFER: They put the fear of Christ into the people when they are around.

The Hon. D. K. Dans: Jesus, Mary, and Joseph, fancy making a statement like that!

The Hon. H. W. GAYFER: It is not a ridiculous statement, Mr Dans.

The Hon. D. K. Dans: I did not say it was ridiculous.

The Hon. H. W. GAYFER: All I am saying is that it sounds good. Mr Pandal, in speaking to the amendment, said that really and truly he opposed Mr Dans' amendment because this was a chance for the House to do something, and it has had a lack of something to do to date.

The Hon. P. G. Pandal: I did not say that.

The Hon. H. W. GAYFER: Virtually. Mr Pandal read it into every speech he has made up to this stage.

The Hon. P. G. Pandal: You had better go and read them again.

The Hon. H. W. GAYFER: The publicity that has been given to the Senator Rae committee is the main reason for a group of members of Parliament in this House setting up a body so that they can receive the same notoriety and publicity. We must be honest about it.

The Hon. D. K. Dans: We had both better get on the Committee!

The Hon. H. W. GAYFER: Those members have not considered what is happening as a result of some of the Senator Rae-type inquiries. This is of paramount importance and the effects of this committee's findings will be felt in relation to the orderly running of these boards and organisations as this committee goes on its merry way of investigation. Once it runs out at one fishing spot it can easily move to another. Mr Pandal said in his introduction of the motion, "So far as the proposed Standing Committee would be concerned, the exclusion today of this or that body is by no means an irrevocable step. Members would be aware that at all times the House remains the master of its destiny and it can reduce or add to the list of exclusions referred to in the amendment."

That is a frightening situation to conjure up in one's mind. Mr Pandal said that the committee will make further examinations as it deems necessary and will inquire into the performance, finance, accountability, extent, nature, administrative control, and methods of State Government agencies including statutory corporations.

I have not yet seen the definition of "statutory corporation." I have asked Mr MacKinnon and Mr Baxter for their opinions on what a statutory corporation is, but no doubt Mr Pental will be able to rattle a definition off without any problem. The committee also will inquire into primary produce boards, regulatory and quasi-judicial bodies, Government agencies, etc. The list goes on and on. By a simple motion in this House we can either add or delete any body or any thing such as a statutory corporation. As members might have guessed, I am not happy about the setting up of this instrumentality.

The Hon G. E. Masters: We would never have guessed!

The Hon. H. W. GAYFER: When a group of people set themselves up as a board of inquiry for the purpose of inquiring into an instrumentality when they might not have the slightest clue about its operations, they take upon themselves a job they are not capable of doing and I do not believe Parliament was set up for that purpose at all. I do not believe that the knowledge about the correct manner in which a particular board should function would be at the fingertips of anybody in this Chamber, as members would not understand the workings of it and would only guesstimate how they believe it should work.

In some cases there may be no co-operation with people giving the benefit of their experience in respect of how that board should properly and correctly be run.

Senator Rae-type inquiries create a lot of unnecessary work because managers, committee men, board members, and so on, of bodies that have been set up by Acts of Parliament may be required to appear. When inquiries are being made into every decision made by a Government board or committee, an air of instability is created. As far as auditing is concerned, accountability is okay.

The other matters that set out what the committee may investigate are so broad it is dangerous, and the list can be altered and re-altered virtually to embrace any statutory corporation or body as the committee thinks fit. Nobody in this debate so far has given a real reason for the setting up of such a committee.

I fail to see any graphic illustration here of a suspect case or a suspect board which would provide a reason for the passing of this motion. It has been said, "It could do this; it could do that" and "Parliament is the master of its own destiny." It is all there in black and white. There is no valid reason for saying, "We will investigate the reason that a certain committee should be in existence."

There must be some justification for doing so. The committee will be working virtually as a sleuth searching for something that is wrong and we will have a situation such as developed as a result of some Senator Rae-type committees, in which corporations were virtually caused to expand their numbers in order to meet demands made upon them. Yet those corporations were working in a manner which was satisfactory to the people they served.

Then the board or agency comes under extreme doubt and mistrust in relation to anything it does because a committee of inquiry has been looking into it. The publicity that Senator Rae has received is the sole reason that members of this House have joined together, hoping to set up this committee of inquiry.

I daresay the membership of this committee is already known. I do not know who will serve on it, but I will bet it has been worked out behind closed doors.

The Hon. P. G. Pental: I think you have been listening to Mr MacKinnon, and he is wrong too.

The Hon. H. W. GAYFER: I have not been listening to Mr MacKinnon. Can a man not have a brain of his own, or do we always have to be subject to Mr Pental's interpretation?

The Hon. P. G. Pental: From where I am sitting, it sounds as though you have been talking to Mr MacKinnon. I have ears.

The Hon. G. C. MacKinnon: Our minds must run along the same track, because I have not discussed the matter with Mr Gayfer.

The Hon. H. W. Gayfer: We have not talked about it. I came into the Chamber with my dictionary to enable me to look up some of the highfalutin words used by Mr Pental.

The Hon. G. C. MacKinnon: It just gives some indication of the depths to which we have sunk when private conversations are commented upon by one's own colleagues.

The Hon. P. G. Pental: I did not repeat a private conversation.

The Hon. G. C. MacKinnon: You did.

The Hon. G. E. Masters: He was talking about your speech the other day, Mr MacKinnon.

The Hon. H. W. GAYFER: If I may interject, Mr President: We seem to have reached the stage where somebody is getting a little prickly under the skin about this matter.

The PRESIDENT: Order! Members should cease their interjections. The honourable member on his feet would be best served if he directed his comments only to the Chair.

The Hon. H. W. GAYFER: Mr President, I would not like to address you in the same way as I have just addressed others around me; I will address other comments to you.

I do not believe this committee will serve the interests of the State. In fact, we may as well have supported Mr Dans' motion, and let everybody be on the committee; or, we could have supported Mr Hetherington's amendment and put seven members on the committee. After all, there are only 32 of us; let us all get into the act. Why not put all 32 of us on the committee? Then we would really be giving some publicity to this House; we would really be giving this House something to do.

It is no good giving illustrations of people simply being summonsed to appear before this committee. A great deal of work is entailed before a matter reaches the investigatory stage. I can give members practical illustrations of what can happen as a result of committees of this nature. For example, as a result of the Senator Rae inquiry, a very large board was forced to close its doors and move to rented premises while larger premises were constructed to house the additional staff—in fact, the staff of that organisation increased by at least 300 per cent—for which that inquiry created a need. The very people for whom that board worked now must pay to construct the building to house the additional staff necessary because of Senator Rae's inquisitions. That is a graphic illustration of what can happen when a person like Senator Rae places his own interpretation on the requirements of the Auditor General; it is intensely interesting, to say the least.

Some of the recommendations of the Rae committee were ridiculous in the extreme, and came about simply because, although members of the committee may have been good lawyers, they were not practical men and had no knowledge of the operations of a board. Instead, the committee demanded that the "i's" be dotted and the "t's" crossed. Good heavens, if private enterprise had to work with this bogey behind it, it would never get off the ground.

People are full of complaints that boards are not doing their job. Once we establish an inquiry such as this, boards most certainly will not do anything beyond what they are set up to do in the interests of improving the status of the people for whom they are working. At all times, they will be careful of the possibility that this committee may interrogate them on their operations. In fact, the whole atmosphere of this Chamber will be likened to the operations of the KGB, or the CIA. We will expect powerful, prominent and respected

men in our society to be at the beck and call of politicians who know nothing about the subject on which they wish to interrogate these people; these people will be expected to come running, notebooks in their hands to answer stupid questions.

As members may imagine, I do not intend to support this motion; I have never had any intention of doing so. In this, I am being consistent in my attitude in the past, when I, in company with a couple of other members, have opposed the establishment of such a body.

May I wish the committee well in what it does. At the same time, I hope its members do not go to an extremely hot place by virtue of some of the decisions they might make and the directions they receive from some people whither they goest.

THE HON. P. G. PENDAL (South-East Metropolitan) [8.51 p.m.]: I thank members who have taken part in the debate, especially those who have shown their support for what in my view is a long overdue move. I even thank those members who took part in the debate but who, so far, obviously cannot see a lot of merit in the proposal. I have not previously replied to a full debate in this House, but I assume it is proper to answer some of the matters raised by various members since the debate began some days ago.

One of the first speakers who took his feet was the Hon. Graham MacKinnon. In his address to the House he suggested that either I failed, or the Select Committee of the House failed, to come up with any concrete reasons for establishing a permanent, standing, and ongoing form of scrutiny of Government agencies in this State.

I respectfully suggest the speech I gave when launching the motion outlined that matter. Members had an opportunity to hear that speech, or at least to read it. Furthermore, I suggest the Select Committee report itself—which was laid upon the Table of the House over a year ago—was more than adequate in its coverage of the reasons for the creation of a standing committee.

Unfortunately, the Hon. G. C. MacKinnon seems to believe the move to establish a Standing Committee springs out of a desire on the part of some members of this House to be trendy, or fashionable.

The Hon. H. W. Gayfer: Did he say that?

The Hon. P. G. PENDAL: Yes indeed.

The Hon. H. W. Gayfer: I was not in the Chamber, but I congratulate him on what he said.

The Hon. P. G. PENDAL: The inference to be drawn from Mr MacKinnon's words was that we

wanted to keep up with some sort of trend, established yesterday and gone tomorrow. I think that is a reasonable interpretation of someone who simply wants to be trendy, or to keep up with the fashion.

How does that claim stand against the fact that the British Parliament—often referred to in this Chamber as the “mother of Parliaments”—has had this type of permanent, ongoing scrutiny by Standing Committees for at least nine years, to my knowledge? To me, that hardly suggests the idea is something that is merely trendy or fashionable.

I agree with the Hon. Graham MacKinnon—nobody could disagree—that it is this Parliament which creates statutory bodies. However, I would suggest, having just created such bodies, that is no reason to withdraw from them, and not to have any further interest in them. That is tantamount to saying that parents who conceive a child and then give birth to that child should throw the child to the wolves and take no supervisory role in the child's life from that point on; that would be patently absurd.

All we are suggesting in the motion before the House which seeks to establish a Standing Committee is that the very statutory bodies which are the creations of this Parliament should be subject to parliamentary scrutiny over whatever period those agencies exist. If we care to draw my earlier analogy to its conclusion, the same responsibility rests on any two parents to supervise the activities of their child as rests on a Parliament of this kind to supervise the role of one of its creations.

The Hon. G. C. MacKinnon: You are back on to clichés again.

The Hon. P. G. PENDAL: I will come to a few clichés now because, with great respect, the venerable Graham MacKinnon made a speech last night which was full of clichés. I wish to refer to the Legislative Review and Advisory Committee. I think the Hon. Graham MacKinnon referred to it during his speech, although not necessarily by that name. He intimated to Parliament that, as a Cabinet Minister at the time, he was not all that happy to see the creation of such a committee which, in effect, took away from the Parliament its right to review subordinate legislation. I think that fairly summarises his point. The Hon. G. C. MacKinnon may be surprised to learn that I agree with him.

The Hon. Graham MacKinnon went on to say that although that was his personal opinion, he was a Cabinet Minister and, presumably, was bound by Cabinet solidarity or responsibility,

therefore his hands were tied to some extent. I accept that point. However, if the Hon. G. C. MacKinnon was so concerned about the taking from Parliament of one of its legitimate functions, one is equally entitled to ask what the honourable member has done in the two years since he has not been a Minister. He has not moved as a private member to bring about a reversal of that situation. If anyone were to move for some sort of abandonment of that committee in order to return to Parliament the right to review subordinate legislation I, for one, would support it.

In his speech, the Hon. Graham MacKinnon made particular reference to Sir Donald Eckersley. If I remember correctly, he said that in taking a serious interest in this debate, he got in touch by telephone with Sir Donald to obtain his views on the matter. That was a perfectly proper and reasonable thing for anyone to do.

As members would know, Sir Donald Eckersley is known not only in this State but also nationally as a leading primary producer. I would suggest that to ask Sir Donald—as eminent a man and as a man of great integrity as he is—for any sort of dispassionate view on whether we should have parliamentary scrutiny of Government agencies is quite absurd.

The reason I say that is that Sir Donald Eckersley is a man who is involved to a very great extent in his daily life with the workings of statutory bodies. He is a member of the Senate of the University of WA, which is a body set up by this Parliament. If my research is correct, he was one of the Farmers' Union architects of the Bill to introduce the Dairy Industry Authority into this State. That is another Government statutory authority. Recently Sir Donald Eckersley was appointed to the Artificial Breeding Board, which is another Government agency in this State. He has also recently become the Chairman of the Leschenault Inlet Management Authority which is yet another Government agency set up by this State.

My comments are not to be interpreted as an attack on the man, because he is an eminent Western Australian, but I ask Mr MacKinnon why he would approach someone who, every day of his life, involved with Government agencies, to obtain from him the sort of dispassionate view Mr MacKinnon tried to put to the House last night.

Mr MacKinnon made the point—and it was a fair one—that he did not believe many people outside the House felt it was necessary for some form of scrutiny to be applied to Government agencies. A publication was placed on my desk today—possibly other members received it

also—called *Confederation Report 1982*. This publication is issued by the Confederation of Western Australian Industry. Not only are the comments I shall make in this regard relevant to the speech of the Hon. Mr MacKinnon, but also they relate to Mr Gayfer's speech, because he referred at length to the business sector of this State and the way in which it would react were it to be subjected to the sort of scrutiny we believe ought to be applied to Government agencies. On page 3 of the publication to which I have referred, the following statement appears—

The Confederation welcomes the move to establish a permanent Legislative Council committee to monitor growth and expenditure of State Government agencies.

The confederation is quite unequivocal in its attitude. It welcomes a move of this kind.

A little later, the publication says—

Mr. Atkinson went on to say: "A major cause of our high taxation is the high cost of government.

"We cannot hope for any significant reductions in taxation while we suffer from so much over-government."

I would take that as being a far more dispassionate commentary than some of the remarks we have heard in this debate and it is clear this responsible Western Australian organisation has endorsed the move for a committee of this nature.

The Hon. H. W. Gayfer interjected.

The Hon. P. G. PENDAL: That is quite irrelevant, because the committee we seek to establish will not have the power to inquire into the private sector.

I turn now to the speech made by the Hon. Peter Wells. May I say, obviously from a position of bias, that I thought his speech was an excellent one. The Hon. Peter Wells argued the point of accountability and I respectfully suggest the opponents of the motion have perhaps glossed over that matter in the belief that it is a mere cliché. The Hon. Peter Wells made one of the most pertinent comments I have heard in this House with regard to this matter when he asked the question, rhetorical or otherwise, as to whether it was the Parliament which was the weak link in the accountability chain. I believe that is the way he phrased it.

That seems to me to be a reasonable and relevant question and I shall return to it in a moment, because it ties in with a remark made by the Hon. Norman Baxter, whom I also thank for his comments.

The Hon. Norman Baxter referred to the possibility of members of a Standing Committee of this kind developing phobias and pet hates in relation to statutory bodies. I would be the first to admit there will always be that danger. As long as human beings are involved in matters such as this, there is the possibility that some will abuse the power or authority given to them.

The Hon. H. W. Gayfer: So will members of Parliament.

The Hon. P. G. PENDAL: I agree; so will members of Parliament. At any time in the future during the life of this proposed Standing Committee we may well come across the occasional member of Parliament who may develop the sorts of phobias about which the Hon. Norman Baxter expressed concern tonight.

However, I remind the Hon. Norman Baxter that the same sort of potential for someone to develop a phobia exists in the Ministry. It is quite possible that Ministers of the Crown who sit on the front bench will develop phobias of this nature.

The Hon. Peter Dowding: We have seen that!

The Hon. R. G. Pike: Careful!

The Hon. P. G. PENDAL: I do not usually get much help from the Hon. Peter Dowding. However, it is self-evident that, while I acknowledge the point made by Mr Baxter is perfectly legitimate and members of a committee of this nature could develop phobias against persons or statutory bodies, the same situation applies to Ministers of the Crown. Indeed, I would go further and say the same argument exists in relation to members of statutory agencies themselves. They are quite capable of developing the sorts of phobias and obsessions about a particular person or industry which were referred to by the Hon. Norman Baxter. Such people may well be in a position of power to attack the rights of a person who lives in Mr Gayfer's or Mr Baxter's electorate.

I acknowledge the point—I imagine any fair-minded member of the House would—that there is always the danger someone will misuse his powers. It was not a mere cliché when, in moving the motion, I referred to the fact that the proposed Standing Committee ultimately would be responsible to this House and this House, or any House of Parliament, would be rather wary about the naked abuse of power or authority by a subordinate committee it had established.

The Hon. Peter Dowding: It would be countered by the fact that each member of the committee would have his own phobias and obsessions.

The Hon. P. G. PENDAL: I thank the Hon. Peter Dowding for that interjection, because it is relevant, especially as we are now looking down the barrel of a committee of six members. In extraordinary circumstances it could well be that six members would have the same phobia about the same person in the same statutory authority, but even Mr Baxter would acknowledge the chance of that happening would be a million to one. The fact is, as the interjector pointed out, if one member of the committee developed a phobia, hopefully the other five members would be able to return him to square one. That is one of the safeguards built into the system.

The Hon. Norman Baxter asked whether hospital boards would be included within the purview of the committee. In fact they will be, with the qualification that any hospital in Western Australia that is not managed or administered by a board and, therefore, comes directly under the control of the Minister, will not come within the purview of this committee. I understand from discussions with the Hon. Norman Baxter, that a number of hospitals in the metropolitan area are in that category. Osborne Park Hospital was one, the Bentley Hospital was another, and Swan District Hospital was the third.

The Hon. N. E. Baxter: Quite a few country hospitals are included in that as well. Where is the department excluded?

The Hon. Peter Dowding: Conservatives will always come up with rubbishy arguments!

The Hon. P. G. PENDAL: The exclusions, which appear on the notice paper, include those Government departments which administer the health services of this State. I cannot pin that down accurately, because one of the departments seems to have changed its name very frequently in recent years, but it is excluded, because it is acknowledged by the committee that the various departments involved in the provision of health services come directly under the control of the Minister, but those hospitals which are administered by boards do not.

It has been suggested to me privately—not by the Hon. Norman Baxter—that hospitals with boards in fact are directly controlled by the Minister and do not have any degree of independence. If that is true, one would have to ask why the boards were established in the first place.

One has to take it that the boards administer hospitals and exercise certain functions under a Statute.

The Hon. N. E. Baxter: Do you not think the Minister controls the funds of the board?

The Hon. P. G. PENDAL: I accept the point that financial constraints are there; but if we are saying that hospital boards are so bereft of any powers or they are innocuous types of organisations, it may well be that we do not need them in any case. I am not suggesting that as a serious proposition. I accept what Mr Gayfer and Mr Baxter have said about the volunteer element that goes into many statutory bodies, including hospital boards.

The Hon. G. C. MacKinnon: You obviously do not accept my proposition that it is desirable to have community involvement.

The Hon. P. G. PENDAL: I have not said anything that would cut across that proposition. I would take issue with Mr Baxter on a further point. During his speech he said that it was not an officer's fault that a board had not reported to Parliament.

The Hon. N. E. Baxter: I did not say that.

The Hon. P. G. PENDAL: In that case I shall skip it, because I do not want to misrepresent anyone.

Mr Gayfer made a remark with which I disagree very much. Again, I do thank him for taking part in the debate, albeit on the other side to me. I was disappointed that he seemed to ascribe to members of this House who support the idea of a Standing Committee the motive that they have done so in order to gain notoriety. From my former profession I could think of many other ways to gain notoriety as a member of Parliament without the sort of work that would be involved with a standing committee of this kind. I assure him and other members who might think that way that that sort of suggestion is ridiculous.

The Hon. H. W. Gayfer: Look out that your halo does not drop.

The Hon. P. G. PENDAL: I also remind Mr Gayfer of something he ought not need to be reminded, being a man of his experience; that is, this House has the ultimate power to exclude or include bodies from the purview of the committee. The House has the power to determine these matters. He seemed to think the committee would be going off and doing its own thing. It could do its own thing only within the confines of the Standing Orders that are before the House right now. Indeed, this House could terminate the Standing Committee at any time it sees fit.

The Hon. I. G. Medcalf: Quite right.

The Hon. P. G. PENDAL: Indeed, in the reverse situation, the House has the power to set

up 50 Standing Committees should it want to. Therefore, I cannot see it was a cliché to suggest to members that the House is always the master of its own destiny.

Mr Gayfer expressed fears about people from statutory bodies having to appear before a Standing Committee in order to give evidence to it. What is the fear that a statutory body has to give evidence or to report to the very body that created it in the first place? I do not see what is sinister or what is an overuse or misuse of anyone's power in that regard.

Finally, Mr Gayfer made mention of Senator Rae, and I presume therefore that he was drawing some parallel to what is happening here in our efforts to establish this standing committee. I think he was ascribing the idea that the only motive held by people who favour this committee is the gaining of publicity. It is odd therefore that other countries of the western world where the Westminster system has existed for many years have developed the sort of system we are getting around to only now.

The Hon. H. W. Gayfer: The Spanish Inquisition.

The Hon. P. G. PENDAL: That has nothing to do with the Westminster system.

I have already related some of the United Kingdom experiences. I remind the House that in at least two or three Canadian provinces the Parliaments have an extensive system of Standing Committees. They are nothing new and they are not set up with the idea of gaining cheap publicity. They are following a trend that has developed around the world—a proved trend over a long period of years.

The legislatures in the United States have had Standing Committees for years. The US Senate has had them in one form or another for about 50 years. In this country the Victorian Parliament and the Commonwealth Parliament have them. I do not think that it is fair to suggest that the Rae committee or this standing committee are in any way attached to anyone's desire to gain publicity.

I finish on this note: The speech I delivered in launching this motion was deliberately a calm and dispassionate speech on my part. Indeed, I showed it to one or two people away from politics who suggested that if it had been any more low key it would have dropped off the edge of the piano. That is how calmly I tried to bring the work of the Select Committee to the attention of members. Therefore, I was surprised that we should have seen introduced into the debate the sorts of terms that, had I used them at the start, I would have been criticised trenchantly for doing so.

I think, and so do other members, that the step we are taking is a very good one. It is ultimately going to be of benefit to the people of Western Australia as distinct from the parliamentarians or the statutory authorities. In the ultimate, the people of this State are paying the bill that sustains many of the statutory authorities. I hope we will take the first tentative step tonight to establish the Standing Committee in the knowledge that perhaps in six months or a year or two there might be the need to set up other similar Standing Committees with specific functions in mind.

Question put and a division taken with the following result—

Ayes 19

Hon. D. K. Dans	Hon. N. McNeill
Hon. Peter Dowding	Hon. I. G. Medcalf
Hon. V. J. Ferry	Hon. N. F. Moore
Hon. Robert Hetherington	Hon. Neil Oliver
Hon. R. T. Leeson	Hon. P. G. Pendal
Hon. A. A. Lewis	Hon. R. G. Pike
Hon. P. H. Lockyer	Hon. I. G. Pratt
Hon. G. E. Masters	Hon. P. H. Wells
Hon. Fred McKenzie	Hon. R. J. L. Williams
	Hon. Margaret McAleer

(Teller)

Noes 4.

Hon. N. E. Baxter	Hon. W. M. Piesse
Hon. G. C. MacKinnon	Hon. H. W. Gayfer

(Teller)

Question thus passed.

STAMP AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. I. G. Medcalf (Leader of the House), read a first time.

Second Reading

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [9.23 p.m.]: 1 move—

That the Bill be now read a second time.

This Bill seeks to correct an anomaly in the Stamp Act which has been highlighted by recent overseas loan raising activities on behalf of the State Energy Commission.

The State Energy Commission has been declared a Crown instrumentality under section 119 of the Act, which exempts the commission from payment of stamp duties when it is the party legally liable to pay duty.

However, under part IVB of the Act, a situation can arise when the State Energy Commission borrows money at a rate of interest in excess of the rate declared for the purpose of the Act.

If a person is carrying on credit business in Western Australia and the interest involved in

transactions is above the rate declared for the purpose of the Stamp Act—currently 17.75 per cent—he is required to register under the Act.

If a lender to the commission is such a registered person or is required to register because negotiations are to be carried on in Western Australia, the lender is liable to pay the duty, if applicable. As a result, and notwithstanding that the State Energy Commission is an exempt authority in its own right, the cost involved would be passed on to the commission by the lender. This, of course, adds to the cost of borrowing which, in turn, is passed on to the consumer.

This contrasts with the situation which arises when the State Energy Commission borrows from a lender who is a person outside Western Australia and is not required to register under the Stamp Act. In this case the commission is exempt from duty.

The anomaly has been highlighted in the current negotiations for an overseas loan for the Dampier-Perth natural gas pipeline where, because of a floating interest rate facility, the potential exists for the declared rate to be exceeded. The lenders are, therefore, reluctant to negotiate in Perth because of the existing stamp duty provisions.

Clearly, this problem will continue to arise not only in respect of future borrowings of the State Energy Commission, but also in any other approaches to overseas markets such as is provided for in the Borrowings for Authorities Act.

To overcome the problem the Bill proposes that the Treasurer be empowered to designate the Crown instrumentalities with whom credit transactions are to be exempt from stamp duty. There is no loss of revenue to the State. It means simply that transactions can be negotiated with greater flexibility between the parties.

The current situation is creating uncertainty amongst prospective lenders and needs to be resolved. Because of loan negotiations currently in progress which are affected by the present anomaly in the Act, there is some urgency in the passage of this legislation.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. K. Dans (Leader of the Opposition).

QUESTIONS ON NOTICE: PROCEDURE

Statement by President

THE PRESIDENT (the Hon. Clive Griffiths): I take this opportunity to give honourable members the following information: Following

representations from the Chief Hansard Reporter the Joint Printing Committee has been giving consideration to the daily publication of the leaflet containing questions and answers in both Houses.

It has been put to the committee that the changes in the system for dealing with questions in the Legislative Assembly have caused severe overload on the *Hansard* staff at particular times of each sitting day. Part of the reason for this overload is bound up with the work necessary to meet the Government Printer's deadlines in order to publish the questions and answers leaflet.

In order to relieve this pressure on the *Hansard* staff the Joint Printing Committee has resolved that for the time being the publication shall continue in respect of Tuesday's questions only, and this leaflet shall continue to be available on Wednesdays.

Other changes related to or consequent upon this decision are—

- (a) Ministers' replies to questions on Tuesday's notice paper will need to be in the hands of the Clerks not less than two hours before the House sits on that Tuesday if they are to be included in that day's proceedings;
- (b) questions and answers on Wednesday's and Thursday's notice papers will be published only in the following weekly *Hansard*.

The committee feels that these changes will provide a considerable relief from the pressures being experienced by the *Hansard* staff at the cost of only minimal reduction in the service to members. If members care to reflect for a moment they will realise that at the present time the leaflet for Wednesday very often is not available in the House before the adjournment on Thursday. In any case, photocopies of questions and answers are readily available through the records officers.

The changes I have outlined will have effect from and including Tuesday, 20 April 1982.

ADDRESS-IN-REPLY: SEVENTH DAY

Motion

Debate resumed from 6 April.

THE HON. N. F. MOORE (Lower North) [9.29 p.m.]: Since the sitting of the House last year a very important event has taken place. I refer, of course, to the retirement of the previous Premier, Sir Charles Court.

I take this opportunity to pay a tribute to the tremendous work Sir Charles Court did for the

people of Western Australia. I have no doubt history will see him as one of the great leaders of Western Australia, if not the greatest leader of Western Australia. I had the privilege for two years to see him in action in the Cabinet situation, and I was quite amazed at the tremendous breadth of knowledge that Sir Charles Court had on so many subjects.

Sir Charles Court was able to give an opinion and a very learned judgment on practically every matter that came before the Cabinet and I take this opportunity of paying tribute to the tremendous work he did for Western Australia.

I was interested to read a letter to the editor in this morning's *The West Australian* where a suggestion was made that Adelaide Terrace should be renamed Sir Charles Court Drive. I think that is a good idea.

The Hon. Robert Hetherington: What is wrong with Adelaide Terrace? That is a good name.

The Hon. Peter Dowding: What about Barracks Arch?

The Hon. N. F. MOORE: Perhaps we could rename Barracks Arch.

The Hon. Peter Dowding: That is more fitting.

The Hon. Robert Hetherington: Why not call the courts, "Court's courts"?

The Hon. N. F. MOORE: There are many places that could be named after Sir Charles Court. We already have Forrest Place and the Brand Highway. Many places in Western Australia have been named after prominent citizens and the suggestion in this morning's *The West Australian* by a correspondent should be taken very seriously.

The Hon. Robert Hetherington: Using an old traditional street like Adelaide Terrace reminds me of what they did in eastern Europe and I do not think we should do that.

The Hon. N. F. MOORE: I am not suggesting we should rename Adelaide Terrace. It could be a street or a building that could be named after Sir Charles Court and it should be something of significance because of the significant contribution this man has made to the State of Western Australia.

I also want to congratulate the Hon. Howard Olney on his appointment to the Supreme Court. We all came to know the Hon. Howard Olney as a very competent and successful person in the way he conducted himself in this House.

I also welcome the Hon. Garry Kelly to the House. I listened to his maiden speech with a great deal of interest, and although I thought from time to time he did develop a fairly flippant

approach to some of the more important issues, I am sure that as time goes on he will change his attitude.

The Hon. Robert Hetherington: He will become terribly serious like the rest of us!

The Hon. N. F. MOORE: I was interested the other night that when Mr Ferry was speaking about the problems at Capel he was taken to task by the Hon. Peter Dowding for being so bold as to criticise the Press. I think Mr Dowding said something to the effect of, "Had you done that in the United States, you would have been laughed out of the House."

I want to be bold enough myself, for the Hon. Peter Dowding's benefit, to be critical of the Press and to criticise *The Western Mail* newspaper for an article it ran some weeks ago on the Agnew nickel project at Leinster in headlines which would compare in size to those announcing world war III! It suggested that the Agnew nickel mine was going to close, together with the town of Leinster and that something like 400 people would lose their jobs. Fortunately, the article did not bear any resemblance to the truth, but it did not seem to deter the newspaper from printing that type of article. That newspaper has a very bad habit of running such articles.

The Hon. Des Dans asked a question in the House yesterday about this matter and the Minister's answer would indicate that all is well at the Agnew nickel mine and that its future, taking into account the world nickel price is quite rosy. Following the report contained in *The Western Mail* we had the spectacle of the Federal member for Kalgoorlie, Mr Campbell, and his little lackey, the endorsed Labor candidate for Murchison-Eyre, Mr Francis Donovan, going off to Leinster crying crocodile tears about the doom of the project and saying how they were there to assist.

We all know the Labor Party's attitude towards mining royalties and mining projects is such that these projects will close down if Labor gets into office.

The Hon. Peter Dowding: You have no justification at all for saying that.

The Hon. N. F. MOORE: It does not want to make its own judgments on matters relating to the question of royalties.

The Hon. Peter Dowding: Rubbish!

The Hon. N. F. MOORE: Its leader, Mr Burke, has said that royalties must go up.

The Hon. Peter Dowding: He did not say that at all. Do not misquote him.

The Hon. N. F. MOORE: He said royalties have to go up.

The Hon. P. H. Lockyer: Yes, he did. He said it.

The Hon. N. F. MOORE: He said it. He said, "We will have more Government expenditure and we will put up royalties and we will get the money out of these rich, overfed mining companies which are bleeding the country dry. That is all we have to do to solve our problems. We will put up mineral royalties." He said that in Perth.

The Hon. Peter Dowding: He did not, and you know it!

The Hon. N. F. MOORE: Yet on the front page of the *Kalgoorlie Miner*, he said, "We are opposed to any increases in royalties", the exact opposite to what he said in Perth.

The Hon. G. E. Masters: Absolutely typical!

The Hon. N. F. MOORE: Yes, it is absolutely typical.

The Hon. Peter Dowding: Little Miss Echo!

The Hon. N. F. MOORE: He then said, "We will have a Royal Commission into royalties."

The Hon. Peter Dowding: Isn't that a good idea?

The Hon. N. F. MOORE: He is calling for Royal Commissions into every subject in the world and his biggest problem is that his party cannot make up its mind. Every time there is a problem it says, "Let us have a Royal Commission."

The Hon. Peter Dowding: Unfortunately, they won't have that.

The DEPUTY PRESIDENT (the Hon. V. J. Ferry): No more interjections, please.

The Hon. N. F. MOORE: It amuses me when we hear the likes of the member for Kalgoorlie, the member for South-East Province—

The Hon. P. H. Lockyer: And the member for Yilgarn-Dundas!

The Hon. N. F. MOORE: —talking about the Labor Party being so knowledgeable in relation to mining. Every day in the *Kalgoorlie Miner* there is an article from "Huey, Dewey, and Louey"; namely, Mr Campbell, Mr Grill, and Mr Taylor, congratulating each other on what they have been doing and saying that all the knowledge about the mining industry is contained in their collective minds.

Several members interjected.

The DEPUTY PRESIDENT: Order! It is a courtesy of the House to have the member on his feet heard in the proper style and it is extremely

discourteous for members to carry out a private conversation across the benches. If they wish to do so, I request them to leave the Chamber.

The Hon. N. F. MOORE: I was coming to the point of saying that these three gentlemen claim to know more about the mining industry than the rest of the Parliament put together. They now support the policy of the ALP on the question of mineral royalties and say that we need a Royal Commission to decide where we are to go. I find that quite ludicrous. The ALP has held the Kalgoorlie seat since its existence and should have some clues about mineral royalties without having to say that we need a judicial body to tell us what to do. This is what they invariably do when they cannot make up their own minds on a difficult situation.

That is not how Governments should operate. Everywhere I go throughout my electorate and the Kalgoorlie area, people working for mining companies say, "Heaven help the day the Labor Party gets into power and starts implementing its high royalty policies."

The Hon. Peter Dowding: That is not what they are saying. We will see in the next election.

The Hon. P. H. Lockyer: They don't even talk to you blokes; don't be silly.

The Hon. N. F. MOORE: I turn now to another matter which is causing me concern. This relates to the town of Mt. Magnet. I refer to the fact that there is no doctor resident in the township. The Hon. Phil Lockyer asked a question in the House the other day as follows—

Has any progress been made in the appointment of a doctor at Mt. Magnet?

Part of the reply was—

It has been suggested to the shire that the position may be advertised under "Regional Registration" since advertising within Australia has not been successful.

This question of "Regional Registration" is something I did not understand until I investigated the position of providing a doctor in Mt. Magnet. It seems that if a doctor is advertised for within Australia and no doctor is prepared to take the appointment, regardless of the sort of conditions the shire or the people in the town are prepared to offer, there is a board in the city which grants the town or shire "Regional Registration". This means they can call for applicants from "doctors" from outside Australia.

What is happening in remote towns such as Mt. Magnet and Meekatharra where they cannot attract a good white "Protestant Anglo-Saxon Australian doctor" is that they are entitled to

have a person from outside Australia become the medico in their town even if his qualifications are not acceptable to the Australian Medical Association. It seems a bit rugged to me.

The Hon. Peter Dowding: You would like white Anglo-Saxons there, would you?

The Hon. N. F. MOORE: That is not the point. That seems to be the rule. If one is a "white Anglo-Saxon Australian" doctor he could get work in Mt. Magnet without any problem, but if one of those people won't go to Mt. Magnet, a doctor from outside Australia whose qualifications normally are not acceptable is allowed to go there.

Those doctors can go to these outback places but are not allowed to practise anywhere else. I think that is a bit rugged for remote areas as those areas would not attract a doctor because the conditions are not as attractive there as they would be in Floreat Park or other locations where doctors reside.

We do have a difficulty in Mt. Magnet because no doctor is prepared to go there. Having a doctor from overseas whose qualifications are not accepted in Australia is better than having no doctor at all. I hope the Government will see fit to increase the visits of the current Flying Doctor to Mt. Magnet because when we have a town which has a goldmine operating in it there are quite often industrial accidents. The town has grown considerably and has a demand for some sort of medical facility.

The Hon. N. E. Baxter: Mt. Magnet had a doctor living there in my day.

The Hon. N. F. MOORE: It is unfortunate that there is not a doctor there now. When the mine closed people moved away.

Mt. Magnet has an urgent need for a new school. Unfortunately, with the main industry of a town being goldmining, there are repeated booms and depressions, and it is difficult for Governments to keep up with facilities when they open and close. The school in Mt. Magnet is not adequate now that the town has reopened and the Government should give consideration to the provision of a new district high school. There are 32 secondary students residing in the town. They attend the primary school and this is overtaxing the resources of the teachers. There is a great need for a new school. I have made urgent representations to the Minister about this and I hope he will pay attention to the urgency of the need for these new facilities.

The school was first built about 1898 and has been added to over the years. We have had four

transportable classrooms added to it, and it really is unsatisfactory.

Another matter I wish to raise relates to Cundeelee. Cundeelee is an Aboriginal community located just east of Kalgoorlie, but is in the Murchison-Eyre electorate.

The Hon. Peter Dowding: You have started to take notice of it?

The Hon. N. F. MOORE: I had expected that sort of remark from Mr Dowding.

Last year I had the opportunity to visit Cundeelee in the company of Senator Baume, the Federal Minister for Aboriginal Affairs, and the Kalgoorlie Federal member (Mr Graeme Campbell). The purpose of the trip was to find out what the community wanted, because the community wished to be relocated. There is a shortage of water at Cundeelee and it will always be a problem there. The community has been asking for a pastoral station for some time, but there has been a degree of procrastination by various Government agencies concerning the granting of a pastoral lease to this community.

Senator Baume went to Cundeelee for the purpose of finding out what the community wanted to do, and to which station it wanted to go. For some reason, the minds of some of the community members had changed because of suggestions put forward by some outsiders. They were not quite sure where they wanted to go so the Minister wanted to find out for himself exactly what the community wanted. At the meeting of the community it was made quite clear to the Minister that they wished to go to a station called Coonana which is directly south of the Cundeelee community and on the trans-line.

At that meeting the Federal member for Kalgoorlie (Mr Graeme Campbell) argued strongly against going to Coonana and suggested the community should go somewhere else. It was a pity that he tried to introduce some dissension into the meeting when there was general agreement that the community should go to Coonana.

Fortunately, Mr Campbell's opinion did not prevail, and the decision was made by the community to request the purchase of Coonana Station. The ADC has recently negotiated the purchase of this station, and I am pleased that has occurred.

Mr Dowding will recall that I made a statement last year on behalf of the previous Minister for Community Welfare saying that the State Government was prepared to accept the transfer of a pastoral lease to the Cundeelee community. Now that that decision has been

made, I hope the matter will be resolved soon and that a housing project can be developed at Coonana and that an adequate water supply can be found so that the community can be relocated.

The community has asked that the existing Cundelee Aboriginal reserve be retained as a reserve, and I trust the Government will accede to that request. While Cundelee has many shortcomings as a place for people to live, there is a very strong link between the community and the Cundelee area. If we joined the pastoral lease with the Aboriginal reserve we would have an area which would be most suitable for the location of this community; it would certainly suit their requirements.

We have read in the Press of late many arguments about the question of Sunday trading, and I wish to relate to the House a small problem which came to my attention recently.

As members are aware, my wife and I had our first child last year and we have been buying all sorts of things parents buy for their children. Not far from our home is a shop which sells baby goods. This small shop was allowed, by the Department of Labour and Industry, to operate as a small shop, and was licensed to open on Sundays.

However, the proprietor was advised that his licence to operate on Sunday had been revoked. He decided to find out the reason that this had occurred, because 30 per cent of his business was done on a Sunday, and when a person loses 30 per cent of his business he naturally becomes upset.

It appears that a mistake had been made when his original permit to operate as a small shop was granted. It seems someone mistook one word because this gentleman was selling baby ware. The decision was made that he could not continue to operate because the list of things that may be sold stated "baby wear". Because he sells more than just clothes—he sells cots and prams as well—it is classified as "baby ware".

The Hon. Peter Dowding: Which town was this?

The Hon. N. F. MOORE: It is near where I live, in North Lake Road, Myaree.

The gentleman concerned is of the opinion that a typing mistake has been responsible for his problem because clothing is included in the list of goods that may be sold. It does not state whether it shall be adult or children's clothing, or any other sort of clothing, it just states "clothing". There is a difference between the word "wear" as in clothing and the word "ware" as in goods. This gentleman believes that because of that he has had to close his shop on Sundays and lose 30 per

cent of his business. The whole question of Sunday trading needs to be looked at carefully because we have situations such as this where small businesses are finding it difficult to apply for Sunday trading, because of the funny rules that apply from time to time.

I conclude by making some comments in relation to the Mining Act 1978 and refer firstly to a Press release by the Minister for Mines (Mr P. V. Jones) on 26 March 1982 which stated—

The Minister for Mines, Mr Peter Jones said today the State Government had undertaken on a number of occasions to consider reasoned amendments to the Mining Act or its regulations.

"The Government will continue to monitor and receive comments on their operation and then, seriously consider proposals for amendments to overcome genuine problems," the Minister said.

When the Mining Act, 1978 first came to this House I voted in favour of the second reading of the Bill with very strong reservations which I expressed in my speech at that time. My reservations were that the Bill was essentially to operate according to the regulations. The regulations were paramount in relation to how the Bill should operate because there was little in the Bill in terms of how much it would cost to do certain things and it was almost impossible to get an overall view of what the new legislation was going to do. When the regulations were first made public I went on record as saying I would oppose them. I did not agree with them because they were contrary to the best interests of my electorate.

The Hon. Peter Dowding: Are you moving that in due course?

The Hon. N. F. MOORE: We will have to see what happens.

The Hon. P. H. Lockyer: You do not ask questions in this House.

The Hon. A. A. Lewis: You walked out of the House; you did not vote on it.

The Hon. Peter Dowding: We will see where your vote goes.

The Hon. N. F. MOORE: When the regulations became public I am on record publicly as having said I opposed those regulations and that I would be seeking to convince the Minister that alterations should be made to those regulations. To his credit, the Minister has made alterations to the regulations and we have now reached the stage where the new regulations are on the Table of the House and as all members

know, there is a move in the Assembly to disallow those regulations.

The trouble is that the regulations are not the only problem because other things need to be changed in the Act before it becomes acceptable to my electorate.

The Hon. Peter Dowding: Did you move any amendment?

The Hon. N. F. MOORE: Not at the time, and I am telling members now—as I read from the Press statement—that the Minister has called for changes that are necessary to the Act. I was very pleased when I received a submission on the Mining Act from the Association of Mining and Exploration Companies Inc. because it contains many of the points I have been arguing for a long time which I think ought to be changed in the 1978 Act. The submission put forward to the Minister by AMEC is in line with submissions made to me over a long period from small mining companies operating in my electorate, and I support most of it.

The first point in the submission to which I refer relates to prospecting licences. AMEC has requested the removal of the limit of the number of prospecting licences which can be held. As members are aware, under the Act the first 10 prospecting licences can be granted by the warden and any other requests for licences must go before the Minister. The association requests that the warden be able to grant any number of prospecting licences, and I agree with that request.

The association further requests that the period of title for prospecting licences be increased from two to five years. I am not so sure that five years is a sensible period of time but I think a period of three or four years should be considered by the Minister. I am totally opposed to any bond and I have said this publicly before. The 1978 Act required a bond. This provision has now been amended to reduce the bond requirement to \$500. However, I do not think there should be any bond at all.

The transfer of prospecting licences cannot occur in the first six months of a person's holding a prospecting licence. The association requests that this restriction be removed, and I agree with that also. I think the philosophy of the Bill got out of hand slightly. It has endeavoured totally to prevent speculation in the mining industry and those who know the mining industry know speculation is the cornerstone of mining.

The Hon. A. A. Lewis: They should adopt Mr Lewis's amendment.

The Hon. N. F. MOORE: One of these days I will read Mr Lewis's Bill because I think it would contain some gems of wisdom. The attempt to get rid of speculation totally is impossible. I suggest the restriction on the transfer of prospecting licences be removed.

Probably the main complaint of prospectors in Western Australia is the question of security of tenure. Normally a prospector pegs a prospecting site, holds it for a period of time, and then applies for a mining lease if he wishes to mine the land. The way the Act is worded would indicate there is no guarantee that a mining lease will be granted over the prospecting licence that is held by a prospector. In other words, he could peg a piece of land and apply for a mining lease and then find he is not granted one. It is important that the wording be phrased to ensure the prospector is given security of tenure over a mining lease provided, of course, he abides by the rules of the prospecting licence while holding it.

The Hon. N. E. Baxter: Do you think he should get a lease automatically?

The Hon. N. F. MOORE: Provided he abided by the rules of the prospecting licence. Circumstances will arise whereby we cannot follow that course, but as a general rule that should be how it works. At present the Minister "may" grant him a mining lease.

Last year we passed an amendment to the 1978 Bill on the question of private land provisions and once again I accepted that particular amendment with quite severe reservations. Mr Dowding guffawed at the time and said, "How could you have reservations on that?" The reservation I held at that time was that if I discovered farmers or freehold landowners were trafficking in the Crown's minerals, I would want to see changes. There are now several examples of farmers trading in the Crown's minerals. If the principal of the amending Act is that the Crown owns the minerals and we then pass an amendment—as we did last year—which gives ownership of minerals to farmers, there is something wrong somewhere. The original 1978 Bill proposed that there be an independent arbitrator who would adjudicate on matters of difference between the farmer and the prospector. The 1981 amendment removed that provision and returned us to the situation that existed in the 1904-70 Act. Having listened in recent weeks to some of the complaints of small mining companies, I am of the opinion that we should be looking seriously at changing our minds again and returning to what the 1978 Bill first proposed.

There should be some sort of independent arbitrator to judge whether a farmer or a miner is in the right, to adjudicate on compensation, and matters of that nature. At present a farmer can say to a miner, "You can mine on my property, but at my price" and the price can be anything the farmer likes. I do not think that is fair and reasonable when we consider that probably both industries are equally important to the economy of Western Australia.

The Association of Mining and Exploration Companies has produced several other amendments to the Act that I do not accept. These amendments relate to royalty payments, ministerial discretion, and the lack of appeal. To some degree I agree with their comments, but there is nothing to become too concerned about. In general the amendments to which I have referred tonight would go a long way towards making this Mining Act acceptable to just about everybody in the community.

From my own point of view one other amendment ought to be considered, and that relates to allowing small prospectors to prospect for gold on land held by somebody else. I will explain that concept in more detail. If a mining company pegs an exploration licence, then after a period of time—say, 12 months—a prospector should be entitled to peg for gold on top of that exploration licence in the way that temporary reserves are used now. In the same way, a prospector ought to be allowed to peg for gold on a prospecting licence say, in a 10-hectare or 20-hectare area, provided that the holder of the existing tenement is agreeable. We cannot have the situation of two competing interests operating on the same piece of land. If the Government considered matters such as these, we could reach the situation of fairly general agreement and the Act could go ahead and operate, bearing in mind once again that the Government has indicated that if any problems arise, it will amend the Act if necessary.

I wish to refer to two final matters. Firstly, I congratulate the new Minister for Lands on his decision to go ahead with the appointment of an executive officer for the new pastoral board. This appointment was held up because of the deliberations of the Cabinet expenditure review committee. I understand now that the Cabinet has accepted the Minister's proposal that an executive officer be appointed, and advertisements are appearing in the Press. It is paramount for the success of the Jennings inquiry into the pastoral industry that this officer be appointed quickly because I feel that such an appointee could do a

great deal to assist the pastoral industry at the present time.

Finally, I am pleased that the Government has made a decision on the matter of regional administration. This whole question has been in a sort of limbo for a long time. I know many regional administrators are very concerned about their situation. The Government's decision is a very good one.

The Hon. Peter Dowding: Perhaps you could tell us what it means. Even the administrators do not know what it means.

The Hon. P. H. Lockyer: How long since you have spoken to one?

The Hon. Peter Dowding: About 12 hours.

The Hon. N. F. MOORE: It means that the regional administrators will be tied up with the Department of Industrial Development and Commerce. I am on record as being a strong supporter of regional administration and I am very pleased that the Government has taken the bull by the horns. It has worked out a way to save money and still have the regional administrators working as efficiently as before.

The Hon. Peter Dowding: What does that mean? What is the effect of the decision?

The Hon. P. H. Lockyer: More efficiency.

The Hon. N. F. MOORE: We will now have regional administrators who know where they are going. In recent times nobody knew where he was going. We have not had a regional administrator in Kalgoorlie pending this decision, and I trust we will now have one, and that regional administration will work even better than it has in the past.

I support the motion.

THE HON. PETER DOWDING (North) [10.05 p.m.]: I rise on a number of matters, but before I deal with specific issues, I refer to the discomfiture that the Hon. Norman Moore and other members of the Liberal Party are clearly feeling over the issue of the Mining Act.

The Hon. N. F. Moore: No discomfiture.

The Hon. PETER DOWDING: The member for the Esperance area in another place has suddenly developed a new and passionate interest in mining. The Hon. Norman Moore is hedging his bets.

The Hon. N. F. Moore: Absolute rubbish!

The Hon. PETER DOWDING: The Hon. Norman Moore suggested that in 1978 he expressed grave reservations about the Mining Bill. If one turns to page 5191 of *Hansard* of that year, one finds that the report does not reflect his

concern or his grave reservations about the Mining Bill as he alleged tonight.

The Hon. N. F. Moore: Read the last paragraph.

The Hon. PETER DOWDING: In fact, he had this to say—

The attitude of the Government is that the minerals belong to the Crown and they should be allocated by the Crown for the general well-being of the community, whether it involves individuals or small or large companies. That is a laudable aim. The Government is concerned not only with the individual but also with large and small companies.

He went on to say, and this appears on page 5192—

Another aim is to create certainty and confidence and so help to effect the most frequent turnover of land if it is not being used... However, when we look at the aims the Government is putting forward, and consider them, we must ensure that in order to achieve those aims the people involved in the industry are in no way disadvantaged.

The Hon. N. F. Moore: That is right.

The Hon. PETER DOWDING: The honourable member then went on to comment on the way that the little prospector was protected by the 1978 Bill. He had this to say—

I would not be a party to any legislation which I believe would disadvantage the prospectors who have done so much throughout the history of mining in Western Australia.

That was what the honourable member said in 1978. He then went on to vote for the 1978 Bill.

The Hon. N. F. Moore: Read the last paragraph.

The Hon. PETER DOWDING: So he should not say, on the eve of an election when he is likely to be turfed out, that in 1978 he put up any vigorous case for the little prospector.

The Hon. N. F. Moore: You would not know—you were still a little boy.

The Hon. PETER DOWDING: I have the facility to read the honourable member's corrected words in *Hansard* where he then went on to say this about the criticism from the Amalgamated Prospectors and Leaseholders' Association—

I can only assume a great deal of the criticism has resulted from a

misunderstanding or a misinterpretation of the principles of the Bill.

The Hon. N. F. Moore: I do not agree with them now.

The Hon. PETER DOWDING: The honourable member should not squeal now.

The Hon. N. F. Moore: I am not squealing now. I do not accept their arguments.

The Hon. PETER DOWDING: The Hon. Norman Moore then went on to say—

We have not seen the regulations. The real argument will arise when we consider the regulations because they will be the practical aspects of exploration and mining.

The Hon. N. F. Moore: That is what I said.

The Hon. PETER DOWDING: Having said earlier that he would never support legislation which disadvantaged the small prospector, on page 5193 the honourable member is reported as follows—

So, with the proviso that the regulations are fair and equitable to all concerned, particularly the prospectors, I support the Bill.

The Hon. N. F. Moore: That is the proviso.

The Hon. PETER DOWDING: That is what the Hon. Norman Moore said in 1978, and he then went on to support the Bill and to say that most of the objections that the small prospectors had to the 1978 Bill were the result of a misunderstanding of the terms of the legislation.

The Hon. A. A. Lewis: Where were you? Outside the House because you didn't have the guts to discuss it.

The Hon. PETER DOWDING: I can understand Government back-benchers wishing to cover up the Hon. Norman Moore's embarrassment.

The Hon. A. A. Lewis: Nothing of the sort.

The Hon. PETER DOWDING: The fact is that the electors of Murchison-Eyre and of Lower North Province knew that when the chips were down, and when their position was under threat from the 1978 Act, Mr Moore supported that piece of legislation. It is not enough for him to say, as he now says, that he held grave reservations about it, because I suggest that he did not do so.

The Hon. N. F. Moore: You just read that out.

The Hon. PETER DOWDING: It is not enough for the honourable member simply to have said that he was a bit worried about what the regulations might contain, because he was prepared to support the very legislation about

which he is now so concerned. That is merely a matter of putting the record straight.

I understand why he is anxious to place a little speech in *Hansard* this time, because he is suggesting that he supports the view of the small prospectors in his electorate. Like the member for Roe, who also has the skids under him, the Hon. Norman Moore is trying to say that he is working in the best interests of the small prospectors in his electorate.

The Hon. N. F. Moore: That is absolute garbage. I did not support the 1904 Act.

The Hon. PETER DOWDING: The Hon. Norman Moore's printed words in the 1978 *Hansard* condemn him.

The Hon. A. A. Lewis: Would you like to deal with my stand on it?

The Hon. PETER DOWDING: No.

The Hon. A. A. Lewis: I did not think you would, because you were not even here to listen. You walked outside.

The Hon. PETER DOWDING: I was probably knee high to a grasshopper.

The Hon. A. A. Lewis: Rather than making a decision, he walked out. That is the safest way—vote with his feet.

The Hon. PETER DOWDING: I hasten to remind the honourable member that I was not in the Parliament in 1978; but that is by the by. The electors saw the light in 1980, as he will recall.

The Hon. A. A. Lewis: It would not have made any difference. You would do what your leader tells you.

The Hon. PETER DOWDING: I feel that I am part of the invasion of the Falklands. A foghorn is sounding behind me.

The Hon. A. A. Lewis: Probably an Argentine one.

The Hon. PETER DOWDING: The second point I wish to make is that the Hon. Norman Moore has tried the normal, expected tactics that we have in a pre-election year from members like himself, who run in a bit of scare tactics about some alleged—

The Hon. A. A. Lewis interjected.

The Hon. PETER DOWDING: The Hon. Sandy Lewis actually had a go tonight—

The Hon. A. A. Lewis: So have you.

The Hon. Fred McKenzie: And no-one interjected on him, either.

The Hon. PETER DOWDING: We displayed our manners.

The Hon. A. A. Lewis: Not game; that is the trouble.

The Hon. PETER DOWDING: The Hon. Norman Moore has done what he and his party members normally do in a pre-election year. He has raised the same outrageous, untrue spectre of some alleged, imagined threat if the Labor Party comes to power. I do not intend to answer every pathetic little smoke screen that the honourable member puts up in this pre-election year, when he is running so scared in his own electorate.

The stance that the Opposition has adopted in relation to a Royal Commission into mining royalties is one of the most sensible I have heard. On far too many occasions the Government has made *ad hoc* decisions about the level of royalties, when the best information has not been made available, and when Government secrecy and commercial constraints on the release of material have made it impossible for proper value judgments—

The Hon. A. A. Lewis: Why should we be subjected to this nonsense?

The Hon. PETER DOWDING: Just listen for a second—to be made on an informed basis about an appropriate level of return to the people of Western Australia. If the members of the Government, and particularly Norman Moore, suggest that there is something irresponsible about that procedure, that is completely and utterly untrue—it has no foundation in fair political comment.

The reality is that since the Hon. Norman Moore was deposed, and since the person who gave him political patronage has departed the scene, he is no longer privy to the confidential information that is made available to the Government by mining companies and the mining community. Now he is in no better position than the Opposition to say upon what basis mining royalty levels should be established. This is the sort of information which must be collected in a regulated procedure. It must be made available, and it must be analysed. The confidentiality of the commercial activities of the mining companies must be respected.

When all of the material is collected, a proper and sensible level of royalties can be set. If anyone wants to raise the spectre that somehow or another that will inconvenience or disadvantage any mining community, he is involved in base political comment, without foundation. It is only upon a proper analysis of the entire range of commercial activities that proper royalty levels can be set.

It is my opinion, for instance, that the level of royalty paid by the iron ore industry is a reasonable one; but I do not have the arrogance to suggest that all of the commercial material is irrelevant to a determination of a proper level. I suggest that all of the commercial material and all of the Government analyses should be weighed up, and a decision made. It is not practicable to make that decision simply through bureaucratic channels. Mining companies and prospectors, and those involved in the mining industry, are entitled to see the base information collected by a non-bureaucratic process. It is in their interests, as well as that of the community, that such a mechanism for obtaining the information should be used.

As the honourable member well knows but chooses to ignore—

The Hon. N. F. Moore: I would be ashamed to put that proposition.

The Hon. PETER DOWDING:—the responsible procedure to adopt is to collect all of the relevant information, to compare it, and to make that information available in a report to the Government. A Royal Commission is an ideal way in which that can be done. Interest groups can test the veracity of the materials. We are dealing with commercial enterprises which are in a position to provide information; but internalised charging systems may mean that it does not reflect the true position. On the other hand, they may have a perfectly valid case to show that a suggested level of royalty is unacceptably high.

The Labor Party is intending to achieve a fair and sound basis for the mining community to contribute towards the people of Western Australia. That implies and includes the necessary commercial viability of all of the mining operations. We do not tolerate the suggestion that we will interfere with the commercial viability of the major resource developments in this State.

Fortunately, the mining community is beginning to communicate at a good level with the Opposition. We are finding a great deal of approbative input into our proposals in relation to the Royal Commission on royalties. We intend to ensure that all the mining companies and all of the mineral activities will have a sound commercial basis.

We will not make snap judgments upon a basis of information that is not properly and fully available to us. That is the end of that, and I trust that the Hon. Norman Moore will have the political decency not to go around spreading such arrant nonsense.

I make the point further that the Labor Party has made a specific decision, because of the knowledge of those three of its members who have been criticised tonight—Mr Ian Taylor, Mr Julian Grill, and Mr Graeme Campbell—and we are in a position to make a determination about gold.

We have excluded gold from the proposed Royal Commission because, quite properly, it should be—

Several members interjected.

The Hon. PETER DOWDING: That is not the position, because, unlike the Hon. Norman Moore, we have a sound information base on that industry upon which we can make a value judgment. That is the end of that. I do not believe it gains greater credibility on the restatement. The proof of the pudding will be in the election when the Hon. Norman Moore's electorate acknowledges at the ballot box that in 1978, when he supported the present Mining Act—

The Hon. N. F. Moore: With reservations.

The Hon. PETER DOWDING: —he did so with no reservations. The Hon. Norman Moore voted for that piece of legislation. He should not seek to deceive his own electorate. He voted for that Bill without reservations apart from mentioning that he was concerned about the terms of the regulations. That is not supporting a Bill with reservations.

The Hon. D. K. Dans: How can you vote with reservations when—

Several members interjected.

The PRESIDENT: Order! I ask honourable members to cease their interjections. The Hon. Peter Dowding should direct all his comments to the Chair.

The Hon. PETER DOWDING: I wish to end this section of my speech, because I do not believe people will be deceived by the sort of clap-trap we have heard from Mr Moore. He cannot eat his cake and have it, too.

The Hon. N. F. Moore: Bill Grayden supported the Mining Bill too.

The Hon. PETER DOWDING: The Hon. Norman Moore did not act as if he were concerned about the contents of the Bill. He supported it and expressed some minor concern only that he was not sure what would be in the regulations.

The point I make is no more than this: If the Hon. Norman Moore is concerned now about the regulations, we shall look forward to his motion for disallowance.

I rise also to talk about something far more important than the Hon. Norman Moore's re-election. It is a matter which is of grave concern and which I trust will be less controversial than the issue to which I have just referred. I wish to direct my comments to the Government's proposal for the Harding River dam project. Members may be aware that, at present, the Dames & Moore environmental review on the Harding Dam project is available, on payment of a fee. There is a call in that review for representations and submissions to be made within an unfairly short span of time.

The first point I wish to make is that too often Government in the past and the present has been locked into a decision, not because all of the avenues in regard to that decision have been explored, but simply because the momentum of the examination of a particular project takes it into fruition. That position is true of the Harding River project.

Members should be aware it is proposed to spend \$40 million on a dam which, in 1974, was acknowledged to be inadequate and unsatisfactory. That is, the Government proposes to spend \$40 million of taxpayers' money on a short-term solution to the Pilbara water supply problem.

The real issue is—this is raised in the environmental report—that Millstream aquifer—a major recreational and environmental area of great importance to the wider community in terms of its recreational and conservational value in the Pilbara, its tourist potential in terms of the influx of tourists into that area, and its importance to the Aboriginal people of the region—is slowly being destroyed by the PWD by its removal from the aquifer of untenably high quantities of water.

I shall quote from the Pilbara Study Feasibility Report on Water Supply to indicate what was said in 1974 as follows—

The storage of the Millstream aquifer is the key to conjunctive use operation in the West Pilbara Supply and further proving of its storage characteristics is highly desirable within the next two years if the associated technical problems can be overcome.

Further on, in paragraph 10.2, the following statement is made—

Until this dam—

That is the Gregory Gorge dam. To continue—

—is feeding water into the system, the supply will be dependent on extractions from the Millstream aquifer's storage. Desirably,

reliance on Millstream aquifer should cease about 1980 and not later than 1982 at the outside.

That report was in the hands of the Government in 1974. In 1982 there is still total reliance on the Millstream aquifer and the only solution produced by the Government is the establishment of a dam on the Harding River.

In 1974, the analysis of the options said this—

For the least favourable of the prospective sites, such as on the Sherlock or Harding River the potential evaporation rate equals the average rate of stream flow when the storage reservoir holds a volume of only 3 times the mean annual flow.

One of the small rivers of interest in the region, the Harding, has an average annual runoff of 45 million cubic meters. Average annual rainfall over the catchment is only 300 mm, but the estimated potential reservoir evaporation is 2,300 mm annually.

Flows are extremely variable and prolonged droughts with little or no significant flow are common. Droughts may last two or three years, and are often broken by floods from tropical cyclones. It has been calculated that in any 100 year period, the 50 driest calendar years are likely to provide as little as 2½% of the total flow in that century, with 97½% of the total flow in the other 50 years.

Put briefly, the point I wish to make is that the Harding River dam is no solution to the problem of the destruction of the Millstream area by the draw on the Millstream aquifer. At best, the Harding River dam is a short-term and uncertain way to back up the Millstream position.

The real issue on which Dames & Moore were not called upon to make a determination, and which no Government instrumentality appears to be taking sufficient overview to determine, is whether the dam will ensure Millstream's continued viability.

The point is that the Millstream draw is taking about 10 million kilolitres a year. It cannot sustain that extraction rate. The demand in the Dampier-Karratha area will, in a very short time and before the completion of the Harding River dam, rise to 20 million kilolitres a year. Therefore, with no other solution presently in mind, the Millstream aquifer will be destroyed between now and the construction of the Harding River dam and worse, may I say, Mr President, bearing in mind the uncertainties of the weather cycle in that area, the Harding River dam may never provide a solution to this problem.

If there is a period of three years with no rain or significant run-off into the Harding River dam, the Karratha water supply draw will destroy Millstream, even when the dam is *in situ*.

The Dames & Moore review contains no proposal or discussion of a fall-back position in that event. A wide variety of options have been provided which have simply been ignored and I suggest that is evidence that the political wing of Government simply cannot cope, in its present structure, with the expenditure necessary to deal with the problem.

The Hon. G. C. MacKinnon interjected.

The Hon. PETER DOWDING: I suggest that it is evident that the PWD, has a particular perspective where its brief is to examine and analyse the availability of areas for dams and the way in which dam technology—

The Hon. G. C. MacKinnon interjected.

The Hon. PETER DOWDING: If the honourable member has read the report he can comment on it; if he has not he should be quiet. Mr President, subject to your approval, I challenge the honourable member to interject and say whether he has read the report. If he has not he should reserve his comments until he has done so.

The PRESIDENT: The honourable member does not have my approval to interject, and neither does anyone else.

The Hon. PETER DOWDING: Let me illustrate the sort of proposition which has not been examined by Dames & Moore, and this is an area worthy of close examination. In Israel, desalination plants operate by the extraction of fresh water from sea water, and the people there do not know what to do with the salt. In the Pilbara we have some of the largest salt evaporative processors in the world and we do not know what to do with the evaporated water. There has been no analysis to see whether we can adjust the salt extraction procedure so that we can collect the water which by necessity is evaporated from those salt plants.

In 1974 we had the only examination of desalination procedures, and that was an examination based on the use of fossil fuel, not solar energy. I do not pretend that is an answer, but I suggest that if the Government is serious about preserving areas of great importance such as Millstream, it ought to examine that as one of the options.

Instead of \$40 million being committed for what is effectively a short-term and, most likely, an unsatisfactory solution to this problem, we

should invest money on conservation and water harvesting.

The position in the Pilbara is that the average domestic consumption of water is significantly higher than in the metropolitan area. In fact, the average domestic consumption in mining towns is in the order of 1 500 kilolitres, which is something like three times the consumption in Perth. I know as well as anyone else that there are very good reasons that, in order to maintain a certain type of garden, that level of water consumption is necessary; but the best the Government has come up with in terms of water conservation is to put together a little bit of research on low-water conservation gardens through the nursery and a pamphlet on water conservation. These are the first steps that have been taken, although in 1974 the same Pilbara study recognised the urgent need to discourage wasteful water use. Nothing has been done in that area. A pamphlet put out by the regional administrator is not the only option when one is considering an alternative to a cost to the taxpayers of \$40 million.

I am very critical of the Government for its preparedness to let this issue get away from it. I am very critical of the Government because it has not been prepared to examine all the options and to ensure that all those options are given a fair examination. I suspect that this matter is out of control, that there is no political guidance on this sort of examination, and that despite the Government's myth that it is the great developer and that the Liberal Party is the party that understands how to put these projects together, the fact is that the Liberal Party in Government rolls from one crisis to the next, and the water crisis in the Pilbara will be the next major crisis.

People in the Pilbara are fast coming to the conclusion that the only solution is to have a wide-ranging inquiry into the water reserves in the area. The Public Works Department has gone into Millstream, and anyone who visits the area can see there has been substantial environmental damage. The Government's response? Resume the Millstream Station! That is the way in which the Government is dealing with these vital problems associated with the development of the north.

We support the development of the north. We believe it can be carried out in conjunction with proper environmental safeguards. Regrettably this Government is giving every indication that it has no understanding of modifying the demand for water in these towns. It is not prepared to spend money on this issue, yet is prepared to contemplate expenditure of \$40 million on the Harding River dam.

Another suggestion that can be made to the Government which has not been considered is a grid system of pipes linking all the borefield water supplies and other water supplies in the Pilbara. This would mean that as developments come and go, as developments in some areas are built up and in other areas wound down, we can see some fair sharing of water throughout those areas.

An existing pipe links the Yule, the Turner, and the De Grey Rivers. Why cannot that be fed in and linked with the Millstream and Harding River aquifers? The answer is that the Government does not have an overall proposal. It does not appear to understand how sensitive is the environment in that area. It has been content to sit back and let the mining companies take the responsibility for the development of the area and then take the gloss at election time, when it projects itself as the great caretaker.

This is a good illustration that the people of my electorate are fast realising that the Government's management abilities are limited. But there are other problems about the Harding River dam which the Dames & Moore proposal simply does not deal with in terms of their importance.

The first remark I would make at this point is that within 25 kilometres of Roebourne there will be a dam site in which bathing, swimming, canoeing, recreation, and washing is not only to be prohibited but also will be very dangerous to health. The Dames & Moore report contemplates that if someone were to come across the pool and swim in it the result could be fatal.

Because of the way in which the water is to be downgraded in value there will be a regular threat of amoebic meningitis, and there will be no way in which this dam can be made safe for people to use. No-one will be able to ensure that people in the area do not utilise that water reserve for bathing, swimming, or recreation.

The Hon. G. E. Masters: What about the Canning and Mundaring dams?

The Hon. PETER DOWDING: The Minister for Labour and Industry shows his lack of understanding about the area. It might be that we can control the Mundaring dam, but how can we do that with dams in the Pilbara? I do not know how the Minister can seriously make that suggestion.

The Hon. G. E. Masters: Have you been there? You are talking a lot of arrant nonsense.

The Hon. PETER DOWDING: I was there last Sunday.

How can the Minister suggest that this large expanse of water could be locked up to keep the

public out? It cannot be done. This is an area utilised by tourists who visit the area without knowing the dangers involved. It is utilised by the Aboriginal population who camp regularly in the area for a variety of reasons. It is an area remote from the supervision we can have over the Mundaring dam. It is not practicable to have a large expanse of water, which will be a definite threat to health, protected in the same way.

According to the Dames & Moore report there is no guarantee of the safety of the water; there is no guarantee of the safety of the recreational pool that is proposed to be established downstream from the dam.

No-one can say that 25 kilometres out of Roebourne that dam will not present a problem in terms of mosquito-borne viral diseases that are all too increasingly common in my electorate.

Since the establishment of the Ord River Dam there has been a remarkable increase in mosquito-borne and viral diseases of a serious nature. The Dames & Moore report recognised that that would be a problem, but suggested that the remoteness of the area would avoid contagion; but Dames & Moore are not in a position to be absolutely certain about that because so little is known about the movement of birds and stock and other animals prevalent in that area.

I will read from pages 115 and 116 of the report, which illustrate the problem to which I am referring tonight. In regard to arboviruses the report states—

Since the earlier report (Dames & Moore, 1975) the situation in the Pilbara has changed . . .

I emphasise that these are not my words; they are the words of Dames & Moore. To continue—

. . . dramatically, as two mosquito-borne viruses have become widespread in this geographic area. They are Murray Valley encephalitis virus (MVE) and Ross River virus (RRV). These two viruses probably constitute the most important public health problem arising from the creation of a man-made lake in the Pilbara.

The Hon. G. C. MacKinnon: Where do they get their information? Is it from Stanley?

The Hon. PETER DOWDING: The member should read the report.

The Hon. G. C. MacKinnon: I am asking you whether it is in the record.

The Hon. PETER DOWDING: In answer to the member, Dames & Moore gathered the information from a wide variety of sources. Professor Stanley—

The Hon. G. C. MacKinnon: Thank you.

The Hon. PETER DOWDING: —is one of those whose work is referred to in the bibliography. But Dames & Moore—

The Hon. G. C. MacKinnon: Stanley would be the main source because he did the main work.

The PRESIDENT: Order!

The Hon. PETER DOWDING: How would the member know?

The Hon. G. C. MacKinnon: Because I authorised the expenditure.

The Hon. PETER DOWDING: The member did not authorise the expenditure.

The Hon. G. C. MacKinnon: It was for Professor Stanley.

The Hon. PETER DOWDING: The member may live in the shadow of past grandeurs, but he did not authorise the 1982 Dames & Moore report.

The Hon. A. A. Lewis: He didn't say that. He said he authorised the expenditure for Professor Stanley, and if you had listened you would have heard that.

The PRESIDENT: Order!

The Hon. PETER DOWDING: Instead of pursuing red herrings, may I pursue viral diseases? To continue—

The changed environment could favour the movement of infected birds and animals and the breeding of mosquitoes that are the vectors of the viruses. A vertebrate host-mosquito cycle is essential for the maintenance and dissemination of the diseases.

There is no specific treatment for the infections as vaccines are not available. Mosquito control, control of potential vertebrate hosts and the separation of populations from high risk areas are the main preventive measures. The distance of the reservoir from the population centres will also help in the control of the problem.

With all due respect to the writers of that report, Roebourne is only 25 kilometres away, and 60 kilometres away is a major population centre expected to grow in the near future to 20 000 people. How can it be said with so few areas of large water facilities that the population will be held remote from that dam? Dames & Moore, having stated the dangers, do not further address themselves to the problem except to utter the pious hope that the data obtained by some future research work "may" provide some information for future control measures.

It seems to me the propositions are these: First, at the very best the dam will not be built in time to meet the major demand on the Millstream aquifer, a demand which in 1974 was regarded as having to be reduced, on the then level, by 1980 or, certainly, by 1982. Secondly, the demand created by the major population explosion expected within the next three years will not be solved by the establishment of the Harding River Dam. Thirdly, \$40 million is happily being expended on this project without any analysis of the solar desalination argument or the pipeline grid suggestion, or any of the other options that may exist in terms of water conservation. Fourthly, this project will go ahead, apparently despite the consultants who prepared the report making the position clear that there is a very serious and major health risk for which no control measures are yet available.

I wish to make some peripheral points. The report makes no mention of water harvesting. Karratha, in particular, has large bituminised areas which in heavy downpours create significant run-offs, but the water simply is poured into the sea. The question of the recycling of bath water for domestic use has not been brought forward. A pitiful attempt has been made to encourage water conservation in the town. I do not mean pitiful as a remark about the genuineness of the people involved in the effort at Karratha, but I direct the comment to the fact that those people are not being provided with the facilities they require. The facilities they have at present are not in any way reflected by the alternative expenditure of \$40 million. The final point I wish to make—

The PRESIDENT: Order! Honourable members, there is far too much audible conversation. The honourable member on his feet is finding it difficult to make himself heard.

The Hon. PETER DOWDING: The final point is that simply no acknowledgement is made in this report or in the present activities of the Public Works Department that the Harding River already is being affected by the draw on the aquifer. If the pools downstream of the Harding River Dam are further impeded by the creation of the dam, there simply will be major environmental changes in the area. Now, that does affect the people of the area, and it will affect particularly the people of Roebourne. The Government is prepared to commit \$40 million to this project, and remove the only water for swimming that the Roebourne children have, without any suggestion that this is a factor which ought to be built into the cost of the dam; without any suggestion that the wishes and needs of those children should be taken into account. Simply,

they are ignored. No analysis has taken place of the environmental impact on the occupants of the town of Roebourne. For that matter, no analysis has taken place on the impact on Wickham. Any Government worthy of its salt ought to be at least building those considerations in at some point.

It is a matter of major concern in my electorate. It is a matter in which I believe the Government has displayed an inability to cope with the magnitude of the problem. I query whether addressing it to this House will make the slightest difference, but I warn the Government that the people of that area will not be content with proceeding into the Harding River Dam option with the ongoing destruction of the Millstream area.

Debate adjourned, on motion by the Hon. N. E. Baxter.

STAMP AMENDMENT BILL

Standing Orders Suspension

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [10.48 p.m.]: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Stamp Amendment Bill to pass through its remaining stages at this sitting before the adoption of the Address-in-Reply.

Question put.

The **PRESIDENT**: To be carried, this motion requires an absolute majority. I have counted the House; and, there being no dissentient voice, I declare the question carried.

Question thus passed.

Second Reading: Rescindment of Adjournment Motion

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [10.49 p.m.]: I move—

That the Order of the House relating to the adjournment of the debate on the Stamp Amendment Bill be rescinded and that further consideration of the Bill be taken forthwith.

Question put.

The **PRESIDENT**: To be carried, this motion requires an absolute majority. I have counted the House; and, there being no dissentient voice, I declare the question carried.

Question thus passed.

Second Reading

Debate resumed from an earlier stage of the sitting.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [10.51 p.m.]: Having examined this Bill and discussed the reasons for the necessity for it to go through the House this evening, the Opposition has no hesitation in supporting the Bill in principle and in detail.

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [10.52 p.m.]: I thank the Opposition for its support of the Bill and also thank honourable members for their assistance in enabling this Bill to be passed. I am informed that it is a matter of extreme urgency that this amendment be put through to enable the negotiations for a substantial loan in relation to the Dampier-Perth pipeline to take effect during the next few days.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. I. G. Medcalf (Leader of the House), and passed.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [10.55 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 20 April.

Question put and passed.

House adjourned at 10.56 p.m.

QUESTIONS ON NOTICE

ROYAL SHOW

Fatal Accident: Machinery Inspection

121. The Hon. D. K. DANS, to the Minister for Labour and Industry:

- (1) Has the Minister noted the article in *The West Australian* of 2 April 1982, referring to a sideshow amusement ride fatality in last year's Royal Show?
- (2) Prior to examination of the ride by Department of Labour and Industry inspectors three days before the accident, when was the previous time the machinery had been inspected?
- (3) At the time of inspection by departmental officers, when was the existing certificate of inspection due to expire?
- (4) Does there presently exist under the Machinery Safety Act 1974, any provision whereby the chief inspector must be notified when alterations or modifications are made to the machinery since the date of issue of the certificate of inspection then in force?
- (5) If so, was such a procedure carried out in this instance?
- (6) If "no" to (4), why not?

The Hon. G. E. MASTERS replied:

- (1) Yes.
- (2) 18 September 1980.
- (3) The previous certificate expired on 17 September 1981. The machine was inspected on 28 September 1981.
- (4) Yes.
- (5) Yes.
- (6) Not applicable.

122. *This question was postponed.*

LABOUR AND INDUSTRY, DEPARTMENT OF

Inspection of Machinery: Staff

123. The Hon. D. K. DANS, to the Minister for Labour and Industry:

I refer the Minister to the most recent annual report of the administration of the Machinery Safety Act 1974 for the year ended 31 December 1980, and ask—

- (1) Will the Minister confirm that the inspectorate has not had a staff increase since 1973?
- (2) Will he detail the increase in workload of the inspectorate since 1973, in particular the percentage increase in required inspections?
- (3) Will he confirm that the number of inspections carried out by the branch on amusement devices decreased by a third during 1980?
- (4) Has the Minister noted the comments in the report by the Under Secretary for Labour and Industry to the effect that "... the loss of experienced staff continues to be a problem and is much regretted."?
- (5) In view of recent publicity attesting to the inadequacy of present regulations in relation to the administration of the Machinery Safety Act—*The West Australian* of 2 April 1982—what steps does the Minister propose to remedy such a problem?

The Hon. G. E. MASTERS replied:

- (1) The inspectorial staff has increased from 37 to 38. An additional inspector's item was created in December 1977.
- (2) Machinery numbers registered since 1973 have shown an increase in boilers and pressure vessels of 34 per cent and lifts and escalators 26 per cent. However, 1979 was the first full year of operation of the new Machinery Safety Act which required changes in registration and inspection of general machinery. Classified machinery as shown in returns Nos. 1 and 2 of the annual report for the year ended 31 December 1980, requires a valid inspection certificate covering not more than 18 months to enable it to be used but other general machinery is inspected when considered necessary in the interests of safety but individual numbers are not readily available.
- (3) A decrease of 25 per cent occurred.
- (4) Yes.
- (5) The present regulations are adequate.

FUEL AND ENERGY: ELECTRICITY

Kalgoorlie

124. The Hon. J. M. BROWN, to the Minister representing the Minister for Fuel and Energy:

- (1) When is it expected that work will commence on the extensions of the interconnected grid system to Kalgoorlie?
- (2) When is it anticipated that the final supply will be completed?
- (3) Are there to be any supplies to consumers between supply points?
- (4) What voltage will be supplied?
- (5) What is the proposed route of supply?

The Hon. I. G. MEDCALF replied:

- (1) to (5) As has been announced, the State Energy Commission has been engaged in planning a transmission line from Muja to the eastern goldfields by way of Merredin.

Planning has not only included actual design and specifications for the work involved, but has also involved discussions with major customers in the eastern goldfields region. These discussions are still continuing and, should an acceptable financial and contractual arrangement be reached in the near future, construction would commence.

It is anticipated that completion would be approximately two years from date of commencement.

The transmission line would be used to reinforce supplies to the interconnected system en route.

EDUCATION: HIGH SCHOOLS AND PRIMARY SCHOOLS

Vandalism

125. The Hon. P. H. WELLS, to the Minister representing the Minister for Education:

- (1) How many schools, in each Education Department region, reported vandalism to school property during the last Christmas school holiday break?
- (2) How many of these acts of vandalism were investigated by the police?
- (3) In how many cases were the culprits located?

- (4) In how many cases were the culprits prosecuted?
- (5) Within each departmental region what is the estimated cost of repairs for vandalism to school buildings—
 - (a) carried out during the school Christmas holiday break; and
 - (b) total year vandal repair costs?
- (6) How many schools reporting vandalism have a resident caretaker?
- (7) Was there any substantial difference in the repair and replacement costs to buildings damaged by vandals at schools with resident caretakers?
- (8) At the planning and building stages of schools, what efforts are made to ensure that where possible, strong, vandal-resistant materials are used?
- (9) Has the Government considered offering a reward for information leading to the successful prosecution of people responsible for vandalism of school property as a means of both encouraging more citizens to watch school buildings and as a deterrent to would-be vandals?

The Hon. R. G. PIKE replied:

- (1) to (9) The information sought in this question must be obtained from three separate departments—Public Works, Police, and Education—and will take a considerable amount of time to research. As a result, the Minister for Education after consultation with the Minister for Police and Prisons and the Minister for Works will write to the member as soon as the information is available.

AGNEW CLOUGH LTD.: MINISTER FOR RESOURCES DEVELOPMENT

Melbourne Trip

126. The Hon. D. K. DANS, to the Minister representing the Minister for Resources Development:

I draw the Minister's attention to the *Hansard* of Wednesday, 24 March 1982, page 114, wherein, in relation to Agnew Clough Ltd., the Minister for Resources Development states—

... the Government has been trying to assist the company. Indeed I went to Melbourne to have discussions to try to bring another company in to take over so that the operation could be kept going."

I ask—

- (1) When did the Minister travel to Melbourne for the purpose outlined above?
 - (2) Will he clarify precisely what operation he is referring to?
 - (3) Was the Minister accompanied to Melbourne by representatives of Agnew Clough Ltd. or was the approach to other companies made solely by the Government?
 - (4) Was an approach made to the AMP Society by the Minister while in Melbourne?
 - (5) Will the Minister provide a brief outline of what was being negotiated in his discussions in Melbourne?
 - (6) Is it a fact that his Melbourne discussions indicated a willingness on the Government's part to enter into certain commitments in relation to assistance?
 - (7) If so, is he able to indicate, in general terms, what form such assistance was expected to take?
- (2) What was the year of cartage of the above?
 - (3) What would be the cartage to the year ended 30 June 1981 of—
 - (a) sheep;
 - (b) cattle; and
 - (c) pigs?
 - (4) What are the prospects and planning for the future for stock transport generally by Westrail?

The Hon. G. E. MASTERS replied:

- (1) and (2) Westrail's records are retained for only a limited time but from the available information the greatest numbers carried were—
 - (a) 7 000 in 1964;
 - (b) 500 in 1964;
 - (c) 1 200 in 1963.
- (3) (a) 248 500 head;
- (b) 7 200 head;
- (c) 6 500 head.
- (4) Westrail has experienced a falling share in the livestock transport market and with possible easing of road transport restrictions the trend is likely to continue. Westrail will need to compete for the traffic in an increasingly competitive market, charging rates which reflect the cost of operation.

The Hon. I. G. MEDCALF replied:

- (1) The Minister had discussions in Melbourne regarding the Agnew Clough project on Thursday 4 March.
- (2) The Wundowie vanadium and prospective silicon metal operations.
- (3) No. The Minister's visit to Melbourne was a follow-up to negotiations and discussions that had previously taken place between Agnew Clough and the interested company.
- (4) No.
- (5) These matters are company confidential, but were directed to endeavouring to achieve an effective consolidation and expansion of the Wundowie operations.
- (6) No.
- (7) Not applicable.

RAILWAYS

Cattle, Pigs, and Sheep: Cartage

127. The Hon. J. M. BROWN, to the Minister representing the Minister for Transport:

- (1) What would be the greatest number ever carted in one consignment by Westrail of—
 - (a) sheep;
 - (b) cattle; and
 - (c) pigs?

WATER RESOURCES: MWB

"Water, The Abiding Challenge"

128. The Hon. N. E. BAXTER, to the Minister representing the Minister for Water Resources:

With reference to a book recently forwarded to members of Parliament, titled *WATER, The Abiding Challenge*—

- (1) What was the cost of publishing the book in 1980, and how many copies were printed?
- (2) What was the cost of the present issue, and how many copies have been printed?

The Hon. G. E. MASTERS replied:

- (1) The book was published by the Metropolitan Water Board and the cost of printing for 1 500 copies was \$6 927. The book which recounts water management since the founding of the Swan River Colony has been distributed to libraries and other relevant bodies and is a valuable medium of public education and information which will endure far into the future.
- (2) There has been only one issue.

AGNEW CLOUGH LTD.

AMP Society: Participation

129. The Hon. D. K. DANS, to the Minister representing the Minister for Resources Development:

I refer the Minister to reports in both the *Financial Review* and *The West Australian* of 31 March 1982 referring to the sale of a 49 per cent interest in Agnew Clough Ltd. to the AMP Society, and with respect to clause 20 of the schedule of the Wundowie Charcoal Iron Industry Sale Agreement, and ask—

- (1) Will the Minister confirm reports that the AMP's expected participation is at present aimed only at Agnew Clough Ltd.'s salt and gypsum projects?
- (2) In view of the reported statement by Mr Agnew that the vanadium venture might be re-opened within the next year or so, which now contrasts sharply with a previously reported six monthly closure, will the Minister indicate whether a recommissioning date for the plant has been clarified?
- (3) Will the Minister comment on the implications of the reported sale of the interest in Agnew Clough Ltd. in relation to the 1974 Wundowie Charcoal Iron Industry Sale Agreement?
- (4) Will the Minister indicate when he or the Government first became aware that Agnew Clough Ltd. were experiencing what the *Financial Review* of 31 March refers to as "liquidity problems"?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) No, but the company has assured the Minister that it will be making every effort to resume production as soon as plant experimentation and modifications can be completed and when world market conditions are conducive.
- (3) The sale opens the way for Agnew Clough Ltd. to continue with its expressed objectives of recommissioning the Wundowie plant, and establishing a silicon metal operation.
- (4) The Government has been aware for some time of the difficulties confronting the company due to the low production rate and depressed markets for vanadium. The company's position was initially prejudiced by its continuation of non-viable iron making.

TRAFFIC: ACCIDENT

Albany Highway-Denny Avenue Junction

130. The Hon. P. G. PENDAL, to the Minister representing the Minister for Transport:

- (1) Is his department aware of an accident on the evening of Thursday 25 March 1982, involving a truck and two girls at the corner of Denny Avenue and Albany Highway, Kelmscott?
- (2) Does this junction and/or the nearby rail crossing have a poor record in terms of accidents?
- (3) If so, what steps can be taken to improve pedestrian safety in the area?

The Hon. G. E. MASTERS replied:

- (1) The Minister understands an accident occurred on 23 March involving a truck and a girl cyclist crossing the highway.
- (2) No.
- (3) An investigation of the position at this location is under way.

RAILWAYS: AUSTRALIAN RAILWAY RESEARCH AND DEVELOPMENT ORGANISATION

"Report on Rail": Accuracy

131. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

- (1) Has the Australian Railway Research and Development Organisation

(ARRDO) 1981 Report on Rail been checked for accuracy by his office or Westrail?

- (2) If so, will the Minister advise whether the document is considered accurate insofar as the Western Australian input is concerned?
- (3) If it has not been checked, will the Minister have it done and advise me of the results?

The Hon. G. E. MASTERS replied:

- (1) The report has been examined by Westrail.
- (2) and (3) So far as Westrail is concerned, the report is a responsible and accurate representation of the rail situation.

AGNEW CLOUGH LTD.: WUNDOWIE CHARCOAL IRON INDUSTRY SALE AGREEMENT

Facilities, Privileges, Rights, and Services

132. The Hon. D. K. DANS, to the Minister representing the Minister for Resources Development:

Will the Minister detail the extent of services, privileges, facilities, and rights presently being afforded to Agnew Clough Ltd. by the State Government under the terms of the Wundowie Charcoal Iron Industry Sale Agreement of 1974?

The Hon. I. G. MEDCALF replied:

The services, facilities, privileges and rights are as defined by the agreement Act.

RAILWAYS

Track Maintenance

133. The Hon. J. M. BROWN, to the Minister representing the Minister for Transport:

- (1) How many men are employed by Westrail for track maintenance?
- (2) What amount of track maintenance is let out to contractors?
- (3) Who are the contractors hired by Westrail on track maintenance?

- (4) Following the tragedy in December 1981 west of Merredin, which claimed the lives of four track maintenance personnel, what has been the safety standard achieved by Westrail?
- (5) Have the men been replaced in track maintenance?
- (6) From where do they operate?
- (7) What is the future of track maintenance generally as far as Westrail personnel are concerned?

The Hon. G. E. MASTERS replied:

- (1) 582.
- (2) Contracts for maintenance, resleepering, and track restoration are entered into periodically to supplement Westrail's maintenance activities. Other than some machine hire, no maintenance is currently being performed by contract.
- (3) In response to public tenders, various private contracting firms have been used.
- (4) The tragedy referred to is the subject of a coroner's inquest, and as such it is not appropriate to release any information at this time.
- (5) Yes.
- (6) Kellerberrin.
- (7) No significant variation in current staff levels is expected.

AGNEW CLOUGH LTD.: WUNDOWIE CHARCOAL IRON INDUSTRY SALE AGREEMENT

Present Status

134. The Hon. D. K. DANS, to the Minister representing the Minister for Resources Development:

- (1) Will the Minister clarify the present status of the 1974 Wundowie Charcoal Iron Industry Sale Agreement?
- (2) In view of closures associated both with pig-iron and vanadium production, does not the Minister agree that some review of the agreement is necessary?
- (3) Is it likely that a review can be expected, and if so, when?

The Hon. I. G. MEDCALF replied:

- (1) The agreement, insofar as the current operations are concerned, is still in force.

- (2) and (3) The agreement has been under review by the Government for some time to clarify the basis for the continuation of industry at Wundowie, including the proposed silicon metal production.

INSURANCE: AGENTS AND BROKERS

Registrations and Prosecutions

135. The Hon. J. M. BROWN, to the Chief Secretary:

- (1) In Western Australia, what is the number of licensed—
 - (a) insurance brokers; and
 - (b) insurance agents?
- (2) Have there been any prosecutions or threats of prosecutions for anyone failing to register?
- (3) If so, how many?
- (4) What are the qualifications for registration for—
 - (a) insurance brokers; and
 - (b) insurance agents?
- (5) Is it necessary for bank officers, clerks of courts, motor vehicle dealers, and salesmen to register?
- (6) If not, why not?

The Hon. R. G. PIKE replied:

- (1) (a) 73;
(b) 3 300.
- (2) No.
- (3) Not applicable.
- (4) (a) Detailed in sections 10, 11 and 12 of the General Insurance Brokers and Agents Act;
(b) there is no qualification for registration as an insurance agent.
- (5) (a) bank officers acting on behalf of a bank are not required to register;
(b) Clerks of Courts acting on behalf of the Under Secretary for Law are not required to register;
(c) motor vehicle dealers, yes;
(d) motor vehicle salesman, no, if they are acting on behalf of a registered dealer.
- (6) Employees of registered agents are not required to be registered personally.

RAILWAYS: AUSTRALIAN RAILWAY RESEARCH AND DEVELOPMENT ORGANISATION

"Report on Rail": Freight and Passenger Services

136. The Hon. D. K. DANS, to the Minister representing the Minister for Transport:

I refer the Minister to page 7 of Westrail's 1981 annual report, and in particular to the reference of a detailed cost analysis undertaken in conjunction with ARRDO of Westrail freight and passenger services, and ask—

- (1) Will the Minister clarify the difference between the cost analysis referred to above, and the ARRDO report tabled in another place recently?
- (2) Is it the Minister's intention to table the detailed cost analysis referred to in the annual report?
- (3) If "No" to (2), will he give the reason?
- (4) If the Minister is not prepared to table the cost analysis, will he consider supplying information on some of its major findings?

The Hon. G. E. MASTERS replied:

- (1) The cost analysis referred to in Westrail's 1981 annual report was a study undertaken jointly by Westrail and ARRDO staff for Westrail management. The "1981 ARRDO Report" provides a comprehensive review of many aspects of all Australian Government railway systems.
- (2) No.
- (3) This is an internal document and Westrail's costs need to remain confidential if it is to perform effectively as a commercial organisation.
- (4) Information on major findings is indicated in general terms in the 1981 ARRDO Report.

EDUCATION: TECHNICAL

Rural Centres

137. The Hon. J. M. BROWN, to the Minister representing the Minister for Education:

What provisions have been made for technical and further education schemes in the State in rural centres where there are no technical schools or colleges?

The Hon. R. G. PIKE replied:

- (1) Correspondence education is available through the Technical Extension Service, supplemented by short intensive practical training periods in metropolitan technical colleges in some instances.
- (2) Various short courses are provided locally at short notice where employers contact the Technical Education Division for assistance.
- (3) A recent experimental local TAFE service based on the Wagin region has proved successful and is to be extended.
- (4) New TAFE facilities are being provided during 1982 at Collie and Esperance.

LEGISLATION

Departmental Responsibility

138. The Hon. D. K. DANS, to the Minister representing the Premier:

Will the Premier indicate the department under whose jurisdiction the following legislation falls—

Builders' Registration Act, 1939;
 Clean Air Act, 1964;
 Coal Miners' Welfare Act, 1947;
 Construction Safety Act, 1972;
 Electricity Act, 1945;
 Explosives and Dangerous Goods Act, 1961;
 Factories and Shops Act, 1963;
 Fire Brigades Act, 1942;
 Health Act, 1911;
 Industrial Arbitration Act, 1979;
 Industrial Training Act, 1975;
 Machinery Safety Act, 1974;
 Mining Act, 1978;
 Mines Regulation Act, 1946;
 Noise Abatement Act, 1972;
 Painters' Registration Act, 1961;
 Petroleum Act, 1967;
 Petroleum Pipelines Act, 1969;
 Petroleum (Submerged Lands) Act, 1967;
 Poisons Act, 1964;
 Psychologists' Registration Act, 1976;
 Radiation Safety Act, 1975;
 Shearers' Accommodation Act, 1912;
 Timber Industry Regulation Act, 1926;
 Coal Mines Regulation Act, 1946?

The Hon. I. G. MEDCALF replied:

These Statutes are included in the details of Administration published on pages 1130 to 1136 of *Government Gazette* No. 25, dated 2 April 1982, with the exception of the Mines Regulation Act, 1946, which comes under the jurisdiction of the Minister for Mines.

WATER RESOURCES

Salmon Gums

139. The Hon. J. M. BROWN, to the Minister representing the Minister for Water Resources:

- (1) Have there been any valuations following the Minister's visit to Salmon Gums, of the capital cost of water supply to the residents of the district?
- (2) If so, what is the figure?
- (3) What is the future for additional water supplies to the residents of Salmon Gums?
- (4) Has the Minister evaluated a cost for consumers at Salmon Gums?

The Hon. G. E. MASTERS replied:

- (1) to (4) As I am about to inform the shire president, proposals for the upgrading of the Salmon Gums water supply are at present being evaluated and a decision is imminent.

HEALTH: CHEMICALS

Hazardous: Legislation

140. The Hon. D. K. DANS, to the Minister representing the Premier:

- (1) Will the Premier detail the legislative arrangements which apply in WA and relate in any way to the management of chemicals potentially hazardous to health and the environment?
- (2) Will the Premier also indicate under which departmental jurisdiction each piece of legislation falls?

The Hon. I. G. MEDCALF replied:

- (1) and (2) The details requested will be researched and when a reply is compiled it will be forwarded to the member.

AGRICULTURE, DEPARTMENT OF

"Dryland Farming Institute"

141. The Hon. J. M. BROWN, to the Minister representing the Minister for Agriculture:

- (1) How did the name "Dryland Farming Institute" come to be devised for the new Department of Agriculture building at Merredin?
- (2) Is that title applicable to any particular area in the eastern wheatbelt?
- (3) If so, what is the area?
- (4) If not, then what is the reason for incorporating the words "dryland farming"?
- (5) What other areas in Western Australia would be considered in the category of dryland farming?
- (6) What was the reason to establish the Dryland Farming Institute outside the town boundary of Merredin?
- (7) Was any attempt made to find a suitable site within the town of Merredin?
- (8) If so, where were the alternative sites?

The Hon. G. E. MASTERS replied:

- (1) "Dry land farming" is an expression used world wide to describe rain fed or non-irrigation farming.
In view of the type of research and extension to be carried out, the name "Dryland Farming Research Institute" was considered to be a most suitable title for the new Merredin facility.
- (2) to (5) This expression refers to all the non-irrigated grain growing areas in Western Australia. Work at the institute will have relevance to other areas as well as the eastern wheatbelt.
- (6) The institute is being established on the Merredin Research Station so that land will not be a limiting factor for any expansion of glasshouses, workshops, laboratories, or other out-buildings which may be required in the future.
- (7) Yes.
- (8) Consideration was given to the purchase of the property adjoining the present district office of the Department of Agriculture.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

142. The Hon. D. K. DANS, to the Minister representing the Premier:

I refer the Premier to the
Commonwealth House of

Representatives Hazardous Chemicals Inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

- (1) Will the Premier confirm that, acting in his previous capacity as Deputy Premier, he indicated to the secretary of the above committee that Western Australia would not be participating in the inquiry?
- (2) For what reason was the decision made not to participate?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) It was indicated to the committee that a submission from Western Australia was not proposed as it was considered that more useful submissions would be available from the south-eastern industrial States in the light of more varied industries and closer densities of population.
For the same reason there was not official participation in the inquiry by governmental officers.

TRANSPORT: DANGEROUS GOODS

Advisory Committee

143. The Hon. D. K. DANS, to the Minister representing the Minister for Transport:

- (1) Will the Minister indicate how long the transport of dangerous goods advisory committee has been in existence?
- (2) Whom does the committee advise?
- (3) Who comprises the committee?
- (4) Does the committee meet on a regular basis, and if so, how regularly?
- (5) Did the advisory committee see fit to participate in the House of Representatives committee of inquiry on hazardous chemicals last year?
- (6) If "No" to (5), why not?

The Hon. G. E. MASTERS replied:

- (1) Approximately one year.
- (2) The committee is responsible to the Minister for Mines.
- (3) Chairman Mr D. J. Dyson — Commissioner of Transport Members
Mr H. Douglas — Chief Inspector, Mines Department, Explosives and Dangerous Goods Branch

Supt R. Hall—WA Fire Brigades' Board

Mr H. Ramsay—WA Road Transport Association

Snr Insp. E. Pegler—Road Traffic Authority

Mr M. Cox—Manager, ICI

Co-opted Members

Dr F. Heyworth—Director of Occupational Health

Capt. H. Colman—Harbour Master

Mr N. Hammer—Chief Chemist, Westrail

Mr F. Scriven—Senior Marine Surveyor, Department of Transport

Mr D. Hill—Chief Operations Officer, State Emergency Service

(4) No, the committee meets as and when required.

(5) and (6) I refer the member to the answer given to question 142.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

144. The Hon. D. K. DANS, to the Minister representing the Minister for Transport:

I refer the Minister to the Commonwealth House of Representatives hazardous chemicals inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

(1) Did his department participate in the inquiry in any way?

(2) If so, will the Minister provide details?

(3) If not, in view of the fact that matters relating to the management and control of chemicals come within the Minister's jurisdiction, will he detail the reasons for his department not participating?

The Hon. G. E. MASTERS replied:

(1) to (3) I refer the member to the answer given to question 142.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

145. The Hon. D. K. DANS, to the Minister representing the Minister for Agriculture:

I refer the Minister to the Commonwealth House of Representatives hazardous chemicals

inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

(1) Did his department participate in the inquiry in any way?

(2) If so, will the Minister provide details?

(3) If not, in view of the fact that matters relating to the management and control of chemicals come within the Minister's jurisdiction, will he detail the reasons for his department not participating?

The Hon. G. E. MASTERS replied:

(1) to (3) See answer to question 142.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

146. The Hon. D. K. DANS, to the Minister representing the Minister for Conservation and the Environment:

I refer the Minister to the Commonwealth House of Representatives hazardous chemicals inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

(1) Did his department participate in the inquiry in any way?

(2) If so, will the Minister provide details?

(3) If not, in view of the fact that matters relating to the management and control of chemicals come within the Minister's jurisdiction, will he detail the reasons for his department not participating?

The Hon. G. E. MASTERS replied:

(1) to (3) Refer to answer to question 142.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

147. The Hon. D. K. DANS, to the Minister representing the Minister for Health:

I refer the Minister to the Commonwealth House of Repre-

sentatives hazardous chemicals inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

- (1) Did his department participate in the inquiry in any way?
- (2) If so, will the Minister provide details?
- (3) If not, in view of the fact that matters relating to the management and control of chemicals come within the Minister's jurisdiction, will he detail the reasons for his department not participating?

The Hon. R. G. PIKE replied:

- (1) to (3) Please refer to answer to question 142.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

148. The Hon. D. K. DANS, to the Minister representing the Minister for Police and Prisons:

I refer the Minister to the Commonwealth House of Representatives hazardous chemicals inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

- (1) Did the Fire Brigades Board participate in the inquiry in any way?
- (2) If so, will the Minister provide details?
- (3) If not, in view of the fact that matters relating to the management and control of chemicals come within the Minister's jurisdiction, will he detail the reasons for the board not participating?

The Hon. G. E. MASTERS replied:

- (1) to (3) See answer to question 142.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

149. The Hon. D. K. DANS, to the Minister representing the Deputy Premier:

I refer the Deputy Premier to the Commonwealth House of Representatives hazardous chemicals inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

- (1) Did the State Emergency Service participate in the inquiry in any way?
- (2) If so, will the Deputy Premier provide details?
- (3) If not, in view of the fact that matters relating to the management and control of chemicals come within the Deputy Premier's jurisdiction, will he detail the reasons for the State Emergency Service not participating?

The Hon. I. G. MEDCALF replied:

- (1) to (3) I refer the member to the answer given to question 142.

FUEL AND ENERGY: PETROL

Standard: Availability

150. The Hon. PETER DOWDING, to the Minister representing the Minister for Fuel and Energy:

- (1) Is the Minister aware that no standard petrol is available in the north of Western Australia, although a large number of engines, trucks, and the like are specifically designed for standard petrol to be used, and not super petrol?
- (2) Is the Minister able to give any assurances that he can require the petrol companies to make available standard petrol in the north if the demand for it is shown to exist?
- (3) If not, is there any action that the Government will take to ensure the availability of such supplies?

The Hon. I. G. MEDCALF replied:

- (1) to (3) I am advised that standard petrol is available in drums in the north of Western Australia.

As far as is known, all engines designed to use standard fuel will operate satisfactorily on super petrol. Because the demand for standard petrol in the north-west is very small, the high costs of stocking and distributing bulk standard petrol in the region would result in super petrol being available at a cheaper price.

LAND

Ord River Farm Block

151. The Hon. PETER DOWDING, to the Minister representing the Minister for Lands:

I refer to the Minister's answer to question 74 asked on Wednesday, 1 April 1981, in relation to the release of Ord River land, and ask—

What was the interest rate on the balance of the purchase price payable over 10 years?

The Hon. I. G. MEDCALF replied:

The member is referred to the answer to question 371 of 1981.

HEALTH: CHEMICALS

Hazardous: Commonwealth Inquiry

152. The Hon. D. K. DANS, to the Minister for Labour and Industry:

I refer the Minister to the Commonwealth House of Representatives hazardous chemicals inquiry of last year conducted by the Standing Committee on Environment and Conservation, and ask—

- (1) Did his department participate in the inquiry in any way?
- (2) If so, will he provide details?
- (3) If not, in view of the fact that matters relating to the management and control of chemicals come within the Minister's jurisdiction, will he detail the reasons for his department not participating?

The Hon. G. E. MASTERS replied:

- (1) to (3) The answer to this question is the same as the answer to question 142 by the Leader of the House.

ELECTORAL: ROLLS

Federal and State: Dual

153. The Hon. PETER DOWDING, to the Chief Secretary:

- (1) Has the Minister examined the costs to be saved by the State in having an electoral roll maintained or supplied from enrolments on to the Commonwealth roll?

- (2) Has he, or will he, examine the practice in other States to see if substantial costs savings can be achieved, or have been, by those States or Territories?

The Hon. R. G. PIKE replied:

- (1) and (2) I refer the member to my reply to this question yesterday.

ELECTORAL: BALLOT PAPERS

Identification of Political Parties

154. The Hon. PETER DOWDING, to the Chief Secretary:

- (1) Is the Minister aware of any national, State or provincial legislatures which permit or require the political party of each candidate to be identified on the ballot paper at an election?
- (2) Will he give consideration to permitting or requiring this procedure in WA?
- (3) If not, why not?

The Hon. R. G. PIKE replied:

- (1) I have no wide knowledge of practices in other countries, but I am aware that it is not uncommon in the United States of America for party designations to be shown on the ballot paper. In the USSR there is no need to identify party affiliations.
- (2) and (3) I am opposed to the concept on the grounds that the electoral process must be kept clear of any involvement with party political reference. A person who nominates for election must undertake his or her own task of advertising their virtues and affiliations.

BIRTH CERTIFICATES

Children Born out of Wedlock

155. The Hon. PETER DOWDING, to the Chief Secretary:

- (1) Is a birth certificate available upon request by the parent of a child born out of wedlock?
- (2) What restriction or special requirement is imposed prior to the issue of any such certificate?

The Hon. R. G. PIKE replied:

- (1) Yes, in certain circumstances.
- (2) Certified copies of the registration of birth of a child born out of wedlock will be authorised on the request of a parent or his legal representative for issue to—
 - (a) The relative authority of the issue of a passport for a child under the age of 18 years;
 - (b) a solicitor for a specified purpose and on his undertaking that it will be used for that and no other purposes;
 - (c) to the parent where the need for a certified copy in lieu of an extract from birth entry is established.

Each such application is treated on its merits.

QUESTIONS WITHOUT NOTICE

LOTTERIES COMMISSION

Incorrect Number

45. The Hon FRED McKENZIE, to the Chief Secretary:

- (1) In the *Daily News* of Monday 5 April, and in the *Kalgoorlie Miner* of Tuesday 6 April, the winning number for the first prize in lottery 133 \$2 series is shown as 66376. In *The West Australian* of Tuesday 6 April, the winning number is shown as 66373. Would the Minister advise which number is correct, and whether the newspapers or the Lotteries Commission is responsible for the error?
- (2) What steps will be taken to ensure a similar error is not made in the future, either by the newspapers or the Lotteries Commission, so that confusion does not eventuate with the public, particularly in relation to major prize winners?

The Hon. R. G. PIKE replied:

I thank the member for his courtesy in giving me advance notice of this question.

- (1) In lottery 133, \$2 series, the winning number was 66373. This was the number released by the Lotteries Commission.

- (2) The responsibility for printing lotteries results correctly lies with the respective newspapers.

TOWN PLANNING: MRPA

Wungong Gorge

46. The Hon. I. G. PRATT, to the Minister representing the Minister for Urban Development and Town Planning:

- (1) Has the Metropolitan Region Planning Authority reconsidered the matter of the reservation of the Wungong Gorge following the disallowance of the Wungong Gorge and environs amendment by this House in 1981?
- (2) If the answer to (1) is "Yes"—
 - (a) what length of time has elapsed since the amendment was disallowed;
 - (b) on how many occasions has the matter been discussed by the authority;
 - (c) has any decision on the future of the Wungong Gorge been made by the authority;
 - (d) if not, why not?
- (3) Is the authority aware of any cases of personal hardship being experienced by landowners in the gorge due to the current delay?

The Hon. R. G. PIKE replied:

I thank the member for the courtesy displayed in giving me reasonable notice of this question.

- (1) The Metropolitan Region Planning Authority is reconsidering the matter, following an approach from the group "C" district planning committee.
- (2) (a) The amendment was disallowed by the Legislative Council on 24 November, 1981;
- (b) since 24 November, 1981, the matter was formally discussed by the authority at its meeting of 24 February, 1982;
- (c) no;
- (d) the matter is currently under study.
- (3) Yes. The authority is aware of one unfortunate case of personal hardship.