

# Legislative Assembly

Thursday, 28 July 1983

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

## BILLS (4): INTRODUCTION AND FIRST READING

1. General Insurance Brokers and Agents Amendment Bill.

Bill introduced, on motion by Mr Tonkin (Minister for Consumer Affairs), and read a first time.

2. Parliamentary Superannuation Amendment Bill.

Bill introduced, on motion by Mr Tonkin (Minister for Parliamentary and Electoral Reform), and read a first time.

3. Parks and Reserves Amendment Bill.

Bill introduced, on motion by Mr McIver (Minister for Lands and Surveys), and read a first time.

4. Exotic Stock Diseases (Eradication Fund) Amendment Bill

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

## BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL

### Second Reading

Debate resumed from 27 July.

MR LAURANCE (Gascoyne) [10.51 a.m.]: I oppose this Bill. It is very clear that we have been given the reason for the Bill's being before the House and for its being dealt with expeditiously: The Government wants to be able to increase the tax for tobacco products before a given date only a few days away.

The Government's bringing the Bill forward in this way and having to suspend Standing Orders in order to deal with it expeditiously highlights the fact that this Government has its priorities all wrong. After five months we expected that Standing Orders would be suspended in order to deal with urgent matters. We thought Standing Orders might be suspended to deal with the sorts of things that were of the greatest concern to this State, things like employment and job creation. It was to deal with such matters that we thought Standing Orders would be suspended, to enable the Government to bring forward measures for a

system to create further jobs and not to bring measures here that will cost jobs.

This measure will cost jobs and it is only one of a number of measures in this field of antismoking that will cost further jobs in the community. It is a worthwhile and commendable attitude to try to prevent people from smoking. I am not a smoker myself, but surely we should get our priorities right. Why cut jobs in this area before we have created jobs in other areas? The creation of jobs was the clear task given to this Government when it was elected five months ago.

It is an ominous sign for the people of this State that the Government has given this measure this sort of priority. As I pointed out to the House yesterday, this Government is wearing ideological blinkers. It can see only a small area of philosophy in which it wants to get involved and it is missing the major tasks. It will put aside major issues such as employment.

Mr Hodge: What about all the deaths each year?

Mr LAURANCE: We can come to that in a moment. We do not need to lose jobs. The Government can create jobs and still achieve its aim.

Mr Tonkin: People would keep smoking and we would have more undertakers.

Mr LAURANCE: The Government is hell-bent on pursuing this antismoking campaign to satisfy an ideological gimmick.

Mr MacKinnon: An ego trip.

Mr LAURANCE: It is an ego trip for one member in particular who has been pushing this barrow very hard.

Mr Bertram: Fifteen years.

Mr LAURANCE: Why should it get a first run ahead of much more serious problems in this State? The answer is that it is to satisfy one particular member who cannot see the wood for the trees, who cannot see whether they are on fire. The Government's electoral changes represent a philosophical bent, while putting aside the major concerns confronting this State at the moment.

This is all a warning for this State to show what sort of Government we have. The Government will not go ahead and deal with major issues which need to be tackled. The Government is going ahead with these philosophical things it is hell-bent on changing.

Mr Hodge: Rubbish! What could be more major than the protection of the health of our people?

Mr LAURANCE: Let us talk about the mandate claimed by the Premier very clearly in his opening address in this House on Tuesday and also claimed by other speakers from the Government side. The Government certainly cannot claim a mandate to put a further prohibitive tax on cigarettes, which will penalise many people in this community, particularly pensioners. Consider the plight of a pensioner under this Government. All charges have been put up, and that will affect pensioners. If they try to go out for a bit of relief on a Metropolitan Transport Trust bus, they will find they will be sluggish by an increased MTT fare. If they stay home to have a cigarette, they will find the Government will still take its pound of flesh.

As I indicated, this measure will cost jobs, and the associated measures foreshadowed, such as the ban on cigarette advertising, will cost even more jobs.

I agree the Government has a mandate, but that is to create jobs, not to lose them. In five months, 5 900 jobs have been lost; we are that much worse off since this Government took office—a disgraceful record.

The Premier in his address earlier said his Government would give an immediate boost to the economy, and especially to the creation of employment. His words ring hollow now. In fact, this Government has been spinning its wheels in relation to the employment situation. It stopped the initiatives put in place by the previous State and Federal Governments, and now it cannot get new initiatives started. We have had a couple of fancy talk fests, but nothing constructive has been seen in terms of creating employment.

The housing situation has been a disaster. The Federal Government has put back until October any action to boost housing, and the State Government has been trying to get some action taken before October. One certainly cannot call these endeavours an immediate boost to housing.

I ask members to consider the area with which I am most concerned—the area of transport—and in which we have seen another disaster caused by both the Federal Government and the State Government. I will give another example of this Government's not creating jobs in a way similar to the way it will not create jobs under this legislation.

The SPEAKER: I hope it is a very small example.

Mr LAURANCE: It is a small one. I refer to jobs to be created on the construction of local roads. In May of this year a request went to local authorities for submissions on how jobs can be

created, but none of the authorities has yet received a guideline as to how jobs will be created.

Mr Grill: As a result of its efficiency, this State was the first State in the Commonwealth to obtain funding for local authorities. It was the first to obtain approval for Australian bicentennial road development funds.

Mr Rushton: Who did the work?

Mr Grill: I did.

Mr LAURANCE: The work had been done already. Mr Speaker, I am not digressing, I am merely answering the interjection of the Minister.

The SPEAKER: If you stuck to the subject matter of the Bill, it would be of great help.

Mr LAURANCE: I intend to do that, but I want to answer the Minister's interjection. Yesterday, in answer to question 228, the Minister indicated that in regard to the ABRD funds local authorities were requested on 5 January 1983 to put in their requests for funds. In answer to a further question, he said 60 councils received advice on 23 June as to whether their requests had been approved, but they have not yet received any funds. He said further that, on 21 July, 46 councils received the advice, and that 33 more requests are still being processed by the Federal Government. None of them has received any money as yet, but they were asked in January to put in their requests. I cannot let this Minister off the hook.

Mr Grill: We got them through more quickly than any other State. We are the only State as yet to get approvals. You can't have it both ways. Our friend over there, the previous Minister for Transport, has tried to claim credit for what we have done.

Mr LAURANCE: The requests went out under the previous Government, but this Government has not been able to have the councils provided with the promised funds. The councils were requested in January to put in their submissions, but five months later they have not received any money, let alone advice on how to create jobs with that money. This intended boost to employment is another hoax on the part of this Government.

It has not proceeded with any of the programmes it promised to follow in order to create more jobs. In fact, this Government has allowed 5 900 jobs to be lost and has brought to this House a measure that will cost more jobs. I cannot believe that it has given this sort of legislation a priority.

The Leader of the Opposition pointed out yesterday what punitive taxes we have on tobacco products. We have very heavy Commonwealth taxes on these products; in fact, they are taxed

substantially by both the Federal Government and the State Government, and for that reason alone I oppose any further tax on cigarette products. We have before us a purely revenue-raising exercise. We have had a bit of a smokescreen about the amount that will be spent on health education. All health education is desirable, and certainly health education related to cigarette smoking is most desirable. Health education is like motherhood; not one member of this House would oppose additional revenue being spent on health education to prevent cigarette smoking.

Mr Davies: Don't you remember that your Government disbanded the Health Education Council?

Mr LAURANCE: We don't need to have a body like that to do the job. Goodness, we already have 560 such bodies.

Mr Davies: It was a most important organisation and your Government wiped it out because it was doing a good job. Then you got rid of Jim Carr.

Mr LAURANCE: We already have too many of those bodies; we have 560 of them.

Mr Davies: You need a better memory than that.

Mr LAURANCE: These interjections do not nullify my point. Every member of this House would be very happy to have additional revenue spent on health education regardless of the agency used. It is very desirable that we spend more money in this area, and I know every member of this House would agree with me. They would agree vigorously when it came to spending more money on a campaign to discourage children from smoking. There would not be one member who would like children encouraged to smoke; they would want the reverse.

Mr Davies: All we have is crocodile tears from your party.

Mr LAURANCE: The Government does not need to impose a punitive tax on cigarette products and certainly we do not need to lose jobs as a result of such a tax. The Government said it would spend at least \$2 million on its health education programme directed towards cigarette smoking. I grant that this will be a significant and welcomed increase, but does the Government need to get the necessary funds by way of this legislation?

It has been highlighted over many weeks, and was highlighted in the Parliament yesterday, that the Government does not know how much it will get from this revenue-raising exercise—it doesn't have a clue. We still have not been told what the

amount will be. We have heard varying estimates of what this exercise will bring to the State in order that at least \$2 million can be spent on this health education programme. If the Government wants to give this programme a high priority, why does it not use the funds it is already receiving from the existing tax on cigarette products? Money is already going into the Consolidated Revenue Fund from cigarette taxes. I am sure there would be positive accord on this side of the House with the Government if it said, "We will put the revenue we are already raising from cigarette taxes into this health education programme to try to prevent the number of deaths that are occurring, and so that we can try to prevent children from smoking". The Minister for Health mentioned the number of deaths already occurring, and a programme to decrease this number is laudable, as would be the decision to use the taxes already received. I am sure such a decision would receive universal support in this Parliament and in the community generally.

If the Government says that it cannot use the existing funds because they are already committed, other ways are available to it to raise \$2 million. The 3 000 people who protested yesterday outside this House are contributing along with members of this House something like an additional \$11 million as a result of pay cuts. Why does the Government not use \$2 million of that \$11 million to increase spending in this health education area? I am sure that members, who are to give up 10 per cent of their salaries to this Premier so that he can spend it wherever he wants to spend it, would be happy—indeed, I would be very happy—for part of that money to go into this health education programme.

Mr MacKinnon: Yes, instead of spending it on the State Secretary of the ALP.

Mr LAURANCE: Yes, that is where the 10 per cent of my salary will go. Good luck to Tom Butler! The point is that I would agree to these funds being spent on this programme, and I am sure every senior public servant in this State who will have his pay cut would be happy about the revenue saved going into this programme—if that money has to be taken from them at all.

The figure for earnings on the short-term money market, according to the Premier, is approximately \$37 million. It would be very easy to use \$2 million of that sum. The Premier has already indicated to the House that the funds have not been committed in the 1982-83 financial year, so those funds are available. He does not even intend to take \$14.2 million out of the available funds to balance the Budget. He said yesterday—and it is his right to do so—that he

did not believe he should balance the Budget, because he was responsible for only four months of the year and he was going to attribute the \$14.2 million deficit to the administration of the previous eight months; he was going to blame us for that and leave us carrying the can, even though the funds are available to square up that area. Even if he has decided to carry it forward to the 1983-84 financial year, why does he not commit at least \$2 million of those funds to this very desirable area of expenditure? These funds could be taken out of plenty of areas rather than a prohibitive tax being placed on tobacco products.

As I indicated earlier, very clearly the Government has its priorities back to front on this issue and I believe it is because it is wearing ideological blinkers and it is getting into the areas of philosophy and ego trips for some of its members before getting on with the real priorities and the real things which it was elected to do in this State. It should admit that this is purely another revenue-raising exercise, and this amount represents a very small portion of the funds when one thinks of the additional revenue that will be raised. It is laughable that the Premier should try to get some credit or praise for the \$2 million that he is spending out of the additional revenue being raised.

Mr Hodge: One per cent.

Mr LAURANCE: The Parliament should suspend Standing Orders and should deal with matters that will create jobs. We should be bringing forward positive measures which will create jobs and not lose them. That is what the Premier promised to do and what he was elected to do. He should get on with the job. I oppose the Bill.

MR MacKINNON (Murdoch) [11.07 a.m.]: Before speaking on this motion, I must declare an interest. That interest is that my wife smokes and consequently I am in favour of doing all that I can to stop people, including my wife, smoking. In fact, I thought that my wife's becoming pregnant would do that. I tried three times and that failed. I advise the Premier and the new Minister for Health that this step the Government is taking will have about the same amount of success as I have had with my wife in that regard.

Mr Grill: You tried it three times, did you?

Mr MacKINNON: I do not support sudden and dramatic changes such as those proposed by the Government. I also do not support proposals by the Government which are clearly a subterfuge or a smoke screen for the real intent of the Bill. I do not support the selective approach which the Government is taking on this issue. However, I obviously support, as I am sure all members do, the Government's taking active steps designed to

decrease consumption of tobacco; hopefully, my wife will soon be amongst the ranks of the resultant non-smokers.

To comment on the situation of dramatic change, I think all members of this House will recall the impact on industry in Australia caused by the dramatic decreases in tariffs imposed upon industry by the Whitlam Government. With one swift stroke of a pen, tariffs were decreased by 25 per cent. I am certainly a person who has proposed lower tariffs, but I am certainly not one who proposes a sudden change in tariffs because of the sudden and dramatic impact this would have on industry. I hasten to advise the Minister for Health and the Government that dramatic changes such as those proposed here may well have a similar disruptive impact.

For the benefit of members, I will give the history of the Bill to illustrate how dramatic that change will be. The Bill was introduced into Parliament in February 1976. The amount of tax applied at that time was 10 per cent and it remained unchanged until October 1981 when the tax was increased to 12.5 per cent. It is now July 1983, not even two years later, and the tax is to be increased to 35 per cent, which by any measure is certainly a dramatic and sudden change. Of course, the Government will find it an impossible task to change the habits of people so quickly. Because it is an impossibility, my question is: Why try? Why make such a sudden increase to 35 per cent?

As the Leader of the Opposition and my colleague, the member for Gascoyne, have pointed out, the reasons are patently obvious. They have little to do with the health aspects which are so commonly espoused by the Government. The penalties flowing from such a dramatic change will have the greatest impact on those who can least afford it, those people whom one would think a socialist Government, by nature, would support. One would think a socialist Government would be not in favour of such regressive taxation laws. However, the sudden impact, of course, will hit mostly those people who can least afford it. Since the imposition of this tax, neither the Premier nor the Minister for Health have said one word about those people who will be bearing the greatest burden and the greatest cost of this imposition.

Secondly, I do not support changes which are merely a subterfuge; the Government has attempted to bury the real purpose of the Bill beneath a camouflage of publicity. I refer to the Premier's introduction or speech on this issue wherein he pointed out that the Government has a five-point programme in this area. I will go over those five points. They are: an increase in prices,

legislation to restrict or to make more effective the restriction of the sale of cigarette and tobacco products to juveniles, the establishment of "quit centres", health education, and a possible ban on cigarette advertising.

As my colleague, the member for Gascoyne, has indicated, why would a Government blatantly bring in a Bill, one of the first for the session, to increase prices when it could have done any one of those five things? Is it really looking to control the consumption of tobacco? I would imagine the first point, and the most obvious, to consider would be the restriction of the sale of tobacco products to juveniles. The Government should have the guts to face the issue and should not consistently run away from it; it should make its announcement on the control of tobacco advertising. I am not saying I support that, but the Government should put its money where its mouth is and take quick action.

Of course, the real reason behind this Bill is to provide funds for the Government to finance its election and non-election commitments, some of which are folly, such as the reopening of the Perth to Fremantle rail link. Some were not announced prior to the election, for obvious reasons, and they include the lavish offices that Ministers seem to need and the fringe benefits of the friends of our ministerial colleagues on the side opposite.

If the real interest in this Bill is to control cigarette or tobacco consumption, why is the first measure to increase prices? Clearly, it has nothing to do with the control of the consumption of tobacco, but it has everything to do with the raising of money—I repeat—from those people who can least afford it.

If the Government were sincere in its desire, firstly, to raise funds, for health education, and, secondly, to limit the consumption of tobacco products, why is such a small percentage of the funds being committed to health education? Why such a small percentage of the funds? Let us consider the amount of money the Government is likely to raise from this increase in taxation. From the Government's best estimates, and according to a Press report which was repeated again this week, \$15 million will be received by this Government as a result of the tax. I challenge the Treasurer and the Minister for Health to say they expect to receive \$15 million this year, because I believe that statement to be untrue.

The estimates of the Opposition are as follows: The revenue estimated for the current year 1982-83 on a 12½ per cent licence fee is \$17.5 million and the estimated revenue for a 35 per cent li-

cence fee is \$49 million, or an increase of 180 per cent in revenue.

I believe a slight reduction in tobacco consumption will occur, but the demand curve for tobacco is very inelastic. That drop in consumption will be minimal and at best I estimate it will be 10 per cent; meaning that the figure will come down to \$44 million. In other words, \$44 million will be received, so something like an extra \$26 million in revenue will be received by this Government.

Government members say the figure will be \$15 million and they will fob off the comments we make today by saying, "What is the best estimate? How can you say it is going to be 10 per cent or less or more?" We cannot of course, but I can guarantee that the amount received by the Government will be far in excess of the estimated \$15 million. The Treasurer and the Minister for Health should come clean on this matter.

If the revenue to be raised is so great, why is such a small percentage of the money to go to health education? If we consider those figures we realise that the hypocrisy of this Government is apparent.

If we assume that a five per cent drop in consumption will occur over the next 12 months or so, and we take into account the Government's spending of \$6 million over the next three years, then comparing that figure with the revenue collected, the total amount to be spent—in percentage terms—is six per cent of the extra revenue generated by this Government. That is all that will be spent on health education from this extra revenue.

Mr Williams: It is nothing more than a tax rip-off.

Mr MacKINNON: That is right. A figure of 94 per cent will go to the general revenue of the Government and that is exactly what this measure was designed to do. No more will be spent on health education. The figure of \$6 million over three years is a four per cent commitment to health education, but this Government is trying to tell the public the reason for the increase in tax is to reduce the consumption of tobacco and the money raised will be put towards health education. What a lot of rubbish!

I support my leader's statement and commitment. I support his proposed amendment to the legislation so that one-third of the revenue collected by this increase will be spent on health education. I support that commitment in an effort to keep this Government honest and to ensure the intent for which the revenue being raised is honoured.

I will not support this legislation because of its dollars approach which is not the most effective means of reducing the consumption of tobacco. The Government seems to be forgetting the children, the advertisements, etc. and is placing the matter in the too-hard basket. The Government is taking the easy and gutless way out.

My other concerns about this legislation falls into five areas. The first is that I doubt the effectiveness of this programme. I am not convinced that television advertising or any form of advertising greatly influences the decision of young adults to smoke.

In my early days when I was attending school in Bridgetown, we did not have television. A couple of my friends and I used to put in 10c each to buy cigarettes and we smoked them on the way home from school. My parents did not smoke and I was not subjected to television or magazine advertising. I read comics. We smoked because we thought it was big time.

Most young people will go through the same experience and a health education programme is necessary. Of course it is a worthwhile approach, but I doubt it will be effective.

My second area of concern relates to the hard approach of the Government on the matter of tobacco smoking when it has a soft approach to the smoking of marihuana. The representatives of the Government have clearly stated their position on marihuana. I ask: Why attack tobacco smoking and not marihuana smoking? If this Government were sincere, it would introduce legislation to deal with drug abuse, such as marihuana smoking, which is potentially more dangerous than tobacco consumption.

The third area I wish to raise relates to black marketeering. The Bill will have the effect of encouraging small business people to participate in illegal activities in order to obtain a better price for cigarettes. They may import tobacco products from the Eastern States. This is a draconian measure which will encourage normally law-abiding citizens to flout the law.

My fourth area of concern is: What next? What will the Government decide is not good for us next? Will we see legislation imposed on the community which relates to the consumption of alcohol? The consumption of alcohol is as bad a practice as smoking. Why is this Government not taking action in the area of alcohol consumption? Perhaps it is because the Government feels it is far easier to obtain tax from cigarette smokers than from the consumers of liquor. Liquor is heavily taxed already and cannot be taxed much more.

Finally, I note that the amending Bill provides for a substantial increase in penalties and I hope the Premier will give this point some consideration. I highlight my statement by referring to three clauses of the Bill and comparing them with other legislation on the Statute book in Western Australia.

An amendment to section 4, which is designed to penalise those who provide wrongful information to the commissioner, or fail to comply with the request of the commissioner, has now increased the penalty from \$200 to \$5 000. The individual concerned may provide wrong information, but it may be done inadvertently. For that crime, he will face a penalty of \$5 000. A 2 500 per cent increase in the penalty! Why is that? Why does the Government want to impose such a severe penalty? I compare this penalty with that imposed under section 132A of the Liquor Act. Liquor and tobacco are often grouped together for the purpose of comparison by the community.

I point out that, under section 132A of the Liquor Act, a person who makes a false or misleading statement similar to that under clause 2 of this Bill is liable to a penalty of \$500. Compare this penalty with the penalty of \$5 000 proposed in clause 2 of the Bill.

For what reason is the Government being so draconian in its approach? Surely there are many people in the community who will look closely at that penalty and will wonder why the Government is taking this approach. Is the Government to use a "sledge hammer to crack a nut" approach every time legislation of this kind comes before the House?

Clause 4(b) refers to a licensee who carries out the business of retailing or wholesaling on premises which are not specified in his licence. A person who moves into a new shop may forget to amend his licence and accordingly is liable to a penalty today of \$250. The proposal under this Bill is to increase that penalty to \$1 000 which is a 400 per cent increase. Why is the Government imposing such severe penalties for minor offences?

The penalty for approximately eight or nine offences will be increased if this Bill is passed. I refer now to clause 4(a) which deals with the penalty for offences in relation to people who should not be trading interstate without a licence. The penalty has been increased from \$1 000 to \$20 000.

I ask the Minister whether he has seen any legislation on the Statute book which imposes such a large penalty as \$20 000. Of course he has

not. I doubt whether he has looked at the proposed penalty. Someone has dreamt up the figures—either he or the Premier—and has said, "It looks to me to be a reasonable figure". Why are the increases so great?

I refer the Minister to section 134(2) of the Liquor Act as follows—

A person who unlawfully deals in liquor commits an offence.

That is what we are referring to in clause 4(a) of the proposed legislation. However, the penalty for a first offence under section 134(2) of the Liquor Act is \$500, but the penalty for a similar offence in this Bill is \$20 000. The question we should ask is whether the Liquor Act will be amended to provide the same penalty. I am sure the people in the liquor industry—my brother-in-law, for one—will wonder whether the Government will introduce amendments to the Liquor Act to provide for the same penalty.

Mr Williams: Another attack on small business.

Mr MacKINNON: It sure is.

Mr Hodge: Does your brother-in-law smoke?

Mr MacKINNON: No, he does not. Now that he has woken up, I draw the Minister's attention to what I think is a serious crime. Under the Human Tissue and Transplant Bill which was passed in this House last year and which he would have debated, a person conducting a post-mortem examination of the body of a deceased person and who removes tissue from the body of the person, unless the removal is necessary as part of the post-mortem examination, is subject to a penalty of \$500. This is a serious offence and it brings a penalty of \$500 only; but if I fail to provide information to the Minister because I might have forgotten to obtain a licence to participate in interstate trade, the penalty, under this legislation, will be \$20 000.

Where is the relativity? What is really the intent and purpose behind a dramatic increase in penalties as proposed in this Bill? An explanation is required, but I do not think we will get it. The Premier is not known for answering questions correctly in this Parliament. In my view this is clearly an attempt at subterfuge by the Government. The real intent of this Bill is to raise revenue which will be more than the \$15 million that the Government says it will receive. The truth in that will come home next year when we will be in a position to know the actual amount received by the Government. It will be proved to be greater than \$15 million.

I support the move by my leader to keep the Government honest by reducing the commission from 35 per cent to 25 per cent.

I agree with the proposition that has been put forward for health education, but not the miserly amount of four per cent that the Government is planning to use for the purpose of health education. I urge the Government, as a matter of urgency, to bring legislation to this Parliament to increase penalties for the sale of tobacco to juveniles. If the Government is sincere, this will be one of the first things it will debate in this House rather than a Bill of this kind which penalises those who can least afford it.

MR HASSELL (Cottesloe—Deputy Leader of the Opposition) [11.33 a.m.]: The measure before the House is fundamental and has been essentially identified as a taxing measure. It is a taxing measure which attempts to raise significant revenue towards the Budget in the current financial year and is a retrospective taxing measure. We have facilitated the Government's request to have this measure debated early in the session because of our dislike for retrospectivity in relation to taxation and because we believe that the Government, having gone into the area of retrospectivity, contrary to past practice, should try to put its house in order as soon as possible.

The truth is that the Labor Party has no objection to retrospectivity and finds itself in no conflict with retrospective measures; but we do, and one of our objections to this measure is that it is retrospective.

The Government could have organised the business of the Parliament, at the cost of some revenue, of course, so that the measure would not be retrospective, but in fact it has treated the Parliament with complete contempt in this case, not only because it has taken a retrospective measure, but also because it has assumed in advance that it will be accepted by the Parliament and, indeed, in the face of considerable opposition indicated outside Parliament. It has put a number of companies, organisations, and people in the community in a position that they have been required to collect a tax even though it has no legal foundation.

Mr Laurance: It caused a great deal of confusion about when it should apply.

Mr HASSELL: As of today, consumers in this community who purchase this product are paying a tax—a very substantial tax—for which there is no statutory approval or authority whatever. In opening my remarks, I want to put on record our opposition to retrospective legislation except in the most special, particular, and exceptional cir-

cumstances, and our particular opposition to retrospective taxation legislation such as that before us, and in other forms.

A Government should have regard to a balance of reasonableness in bringing forward any tax measure. That balance should take into account a number of factors. People are prepared to accept, albeit unwillingly, taxation increases, except where a measure goes too far in terms of its harshness. Clearly, that will depend in each case on the particular imposition and the circumstances. It is not necessarily the level of the tax which makes it unacceptable, but the size and the suddenness of the change.

That is the case here. This tax is causing a great deal of public reaction because of the enormity of the change. It is interesting to note that a petition of 32 000 signatures relating to this taxation measure has been delivered to the Leader of the Opposition. In addition, he has received about 1 500 letters expressing opposition to the measure. A petition of that size relating to a taxation measure is indeed unusual because people generally accept that our Governments cannot operate without taxation, and that from time to time there will be increases of reasonable proportions in the level of that taxation. The increase before the House is not reasonable because it is so large. For that reason this taxation measure fails the test of the balance of reasonableness.

The second factor in the test of the balance of reasonableness is that a taxation measure must take into account the practicality of collection. If a taxation measure is too unreasonable people will find ways to avoid paying it, and they will find ways to circumvent it. It will become a case of diminishing returns. The Government has given no accurate figures of its estimates as to how much the returns will diminish because of this tax measure.

Two factors come into play. The first is that the Government itself expects a reduction in the consumption of tobacco and tobacco products because of the enormity of the proposed increase. We do not know precisely how much it will be, and in my understanding we have not had any clear indication from the Government. The second factor is, of course, the matter of avoidance. It may be direct avoidance through non-payment of the tax, but in the Australian Federal system a larger issue of avoidance arises through the operation of interstate trade. No doubt exists that the Government, in increasing this tax to this extent, has created a powerful incentive for people to acquire cigarettes and tobacco products from other States. That incentive undoubtedly will lead to a

reduction in local purchases, and with it a reduction in revenue and in business activity for local business houses.

It will not be long before we see advertisements in our local papers inviting people to write away to retailers and wholesalers in the Eastern States and send a money order or pay by Bankcard or some other credit card, and in return receive their tobacco products through the mail in small and large orders. Every time that occurs there is a disadvantage to Western Australia—in the revenue collection the Government wants to make and to the businesses of this State which will miss out. So again this tax measure and the enormity of its increase fail the test of the balance of reasonableness.

The measure fails also when one considers that this is a doubling-up tax. The State tax is imposed on the Federal tax. That occurs already in this and I think other areas, and, while it is undesirable, it has not caused a great deal of comment and opposition. That has been the case while the State taxes were at a reasonable level; but when the State tax jumps to such an alarming extent without regard to the impact it will have, people begin to look at these figures and realise how great they are.

We see a situation in which the Federal and State tax component on a packet of cigarettes costing \$1.50 is \$1.01, or 66.1 per cent. In other words, more than two-thirds of the cost of a packet of cigarettes comprises Federal and State taxes. The State tax is a compound on the Federal tax—it comes in on top of the Federal tax. So here again the taxation measure before the House fails the test of the balance of reasonableness which ought to be applied to all taxation measures both in the interest of the community and in the interest of the Government making the collection.

I want to deal also with the issue of how much revenue is to be collected or is estimated to be collected from what is proposed, and I believe the Treasurer has an obligation to set this matter out clearly when he responds to the debate because there have been a number of conflicting statements and a considerable body of conflicting evidence. It is on that basis that we have proposed amendments which I will move during the Committee stage to reduce the rate of tax proposed. However, before doing so, it would be only proper for the Treasurer to tell us the very best of the advice he has received as to what will be raised, taking into account the disincentives caused by the level of the increase.

There cannot be any argument but that the public statements in this area are conflicting and



do not inform either the Parliament or the people of what the Government really intends or really has in mind.

In an article in *The Western Mail* of 14 June, the Premier is quoted as saying that an extra \$15 million is to be raised. *The West Australian* of 1 July, contains a report that the Government says it will raise an extra \$16 million. In a report in the *Daily News*, the State Treasury is said to have told the *Daily News* that its estimate was that that tax would raise about \$19 million for the Government. It is not specified whether that is \$19 million extra or \$19 million altogether, but one assumes from the context of the other statements that it is \$19 million.

This article goes on to quote the Under Treasurer (Mr McCarrey) who conceded that the tax measure could return up to \$40 million to the Government compared with the \$15.5 million expected this financial year; that is, referring to the last financial year. Then again, after other increases in charges had been announced, a report in *The Western Australian* newspaper quoted the Deputy Premier (Mr Bryce) when there was a sort of final shake out and disclosure of what would be raised by the various increases in charges, and this statement read, "in addition, the tax on cigarettes will raise \$21 million".

And then to cap it off, *The West Australian* of 27 July stated, "The Government expects to raise \$32 million a year from the new tobacco licence fee; an increase in revenue of about \$15 000". So really it is a very unsatisfactory position for the public and the Parliament when all these different figures, varying enormously, are quoted and reported without the Government's undertaking its obligation to say clearly what the tax raising will be. It leads us to question, on the one hand, whether the Government can sort it out, whether it can obtain an accurate estimate, or whether it knows what it is doing in that area, or, on the other hand, does not know what it is doing and is, in fact, deliberately creating a secret fund or a secret reserve—

Mr Tonkin: A smokescreen!

Mr HASSELL: —that it would have available to it in the next financial year or at the end of the next financial year. Is the Government quite deliberately misleading the public and the Parliament as to what will be raised from this taxation measure in the expectation that it will raise a lot more than the figures which have been officially announced by the Premier and his Ministers, and will it result in a significant surplus in an area of revenue for a purpose as yet undisclosed? What will the Government collect?

I have some estimates here from the results of our advice and research as to what could be raised by making certain assumptions. These estimates are that in the event there is no decrease in the market, the present level of tax—12.5 per cent—would raise \$16.5 million; an increase to 15 per cent would raise \$20.5 million; an increase to 20 per cent would raise \$27.2 million; and an increase to 25 per cent would raise \$34 million. The estimate is that if there were a 10 per cent decrease in the market, an increase to 20 per cent would produce \$24.5 million, and an increase to 25 per cent would produce \$30.6 million. Our belief is that the Government, in fairness, ought not to go beyond the 25 per cent increase because that increase—even taking into account a decrease in the market—will prove a substantial increase in revenue, roughly equivalent to the increase of which the Premier spoke when he first announced the tax increase and it will be on that basis that the Opposition will propose amendments to substitute a tax rate of 25 per cent instead of the Government's proposed 35 per cent. In doing so, the Opposition is seeking to take a responsible course. It is seeking to recognise that the Government must take the full responsibility for its budgetary measure, that the Government must answer to the public for its budgetary measures, and that it is not appropriate or proper for the Opposition to reject a Budget in the present circumstances.

The Opposition therefore proposes that even this amended reduced fee or rate represents a very substantial increase on the present rate and that we should, within those balances of responsibility, move to amend accordingly; and that will be done in the Committee stage. I hope that the Treasurer will consider it carefully, and in the light of the very clear evidence that has been presented to this House and acknowledged by his adviser—the Under Treasurer—that the level of tax that he proposes in this legislation will raise substantially more money than the Treasurer himself indicated would be raised and was required. The only variation to that would be if, as I suggested might be the case, the Government is deliberately seeking to create an undisclosed windfall revenue fund for some undisclosed purpose of its own.

I conclude my remarks, which have been directed to the nature of this taxing measure and the amount of revenue it will raise, by referring to the other side of the coin—the subject of expenditure on health education. The Opposition believes that the Government's proposal to seek to discourage young people from smoking through an active campaign should be supported, subject to its being evaluated properly and monitored to esti-

mate its effects and its benefits so that the money is not wasted. We believe that the Government should show its good faith in this matter by making a firm commitment in the legislation to a health education programme which uses one-third of the additional revenue raised from this tax.

That is not a matter which we can appropriately move by way of amendment because, Sir, you would rule it out of order as lacking a Governor's Message, and I cannot believe that the Government would recommend a Governor's Message unless it agreed with the proposition. Therefore, we propose that commitment and ask the Government to agree to it, and to propose its own amendment.

The Opposition opposes the Bill in its present form, and it opposes the level of increase. At the same time, it will not seek to reject the legislation, because it is a Government budgetary measure for which the Government must take the full responsibility. The Opposition proposes to amend the Bill to reduce the rate of increased tax to a level which will yield to the Government the revenue which the Government has indicated it wants and hopes to raise.

**MR COURT** (Nedlands) [11.59 a.m.]: The Treasurer seems to have developed a dislike for the cigarette industry. In recent months, he seems to have treated the industry with contempt. This is dangerous, because it tends to cloud the issue and rational thought processes.

If the Government decided to spend part of the revenue that it raised from such a tax on a well thought out health education programme, it would certainly have my support and, I believe, the support of virtually all the people in this State. However, the Government's move to increase the rate of the tax from 12.5 per cent to 35 per cent is ludicrous; and it involves the retail price of this product going up by some 20 per cent.

I would like to know the reaction of the Labor Party officials when they were told that this tax would be increased from 12.5 per cent to 35 per cent. I am sure they would have been concerned that the Treasurer was prepared to shoot from the hip with such a massive increase, without doing his homework.

The Government has outlined two reasons for the massive increase in the tax: First, to enable the Government to spend more money on a health education programme; and, second to act as a disincentive to people to smoke.

The imposition of an increase in the tax to finance a well thought out health education programme is reasonable, provided the money is put

to good use. Organisations such as the Western Australian Branch of the National Heart Foundation do a great job of pushing the health education message in the community. The work of the foundation is exemplified by the recent "smoke free day" which was a great success. I believe that concept is now being used in the other States. I support fully that type of programme.

If the Government all of a sudden has millions of dollars to spend in a specific area, and if it does not have effective programmes planned for the expenditure of that money, we face a danger. In other words, the Government must be careful there is no wastage of the money to be spent on health education programmes. A problem is not solved by simply throwing money at it. That sounds good in the media, but in practice it does not work often.

The money must be spent in an effective way. Members of the Government obviously want to make big fellows of themselves by spending millions of dollars on this programme. However, we should realise that the most effective form of education in connection with cigarette smoking is in the home. It comes from within the family, and that costs very little, if anything. Parents have the opportunity to explain to their children at an early age the ill-effects of smoking, and its social disadvantages. Most importantly, parents can set an example to their children.

Children are far more aware, thank goodness, of issues such as drugs, alcohol, and smoking. This is due largely to parents being more open when discussing these subjects. A large proportion of children have the growing attitude that they feel sorry for the people who smoke. No longer is it the he-man image to which the member for Murdoch referred which attracts the children. It is to the contrary. The children see smoking as a danger to health.

Many young children are becoming fitness fanatics—perhaps not fanatics, but certainly they are well aware of their health. They have many opportunities in their education process to develop attitudes of this type.

Provided the money is spent wisely and not wasted, I would have to support the education proposals. However, a massive increase being whopped on to the price of cigarettes is the most discriminatory way the Government could introduce a disincentive to smoke. The Government proposes a flat tax which will fall heavily on the people who can least afford to pay it—the low-income groups, the pensioners, and the poor.

Cigarette smoking is one of the few luxuries that these people have in life; it is one of their few

treats. It could well be denied them now, because of the price increase.

Middle to high income earners will not have any problems meeting the higher price for cigarettes. It will create a bit of a hiccup for them, but they will continue to buy cigarettes and smoke them. However, many of the other groups I have mentioned will now have that privilege denied them.

Mr Bertram: Do you have any evidence of that?

Mr COURT: I do not have any specific evidence of that.

Mr Bertram: I have evidence to the contrary.

Mr COURT: In my electorate, a number of elderly people have taken the time to contact me to indicate they enjoy smoking and are opposed to the increased tax sought by the Government. I do not have statistical information on that subject, but am basing my comments on what those people have told me.

The Government will not change people's habits dramatically by introducing fiscal measures such as this. On the contrary, people's smoking habits will be changed by the establishment of long-term programmes designed with that end in mind. The Labor Party is hypocritical in its stance on this issue. A single-issue lobby group within the Labor Party is determined to fight the cigarette companies; they want to ban tobacco advertising, to increase taxes on cigarettes, etc. It appears that they see the cigarette industry as the enemy and they are going all out to get it. As mentioned by the member for Murdoch, another single-issue group in the Labor Party wants to decriminalise the use of marihuana and make it more accessible to the public.

I ask members: What does the Labor Party want to do? Surely one must be consistent in one's attitude on those two issues.

Mr Jamieson: Does one do as much damage as the other?

Mr MacKinnon: Potentially one does more damage.

Mr Jamieson: We don't know, do we?

Mr MacKinnon: You bet we do.

Mr Gordon Hill: How come you know so much about the Labor Party and lobby groups?

Mr MacKinnon: Because they publish so much rubbish.

Mr Gordon Hill: I think it is a figment of your imagination.

Mr COURT: It is either a figment of my imagination or that of members opposite.

Several members interjected.

Mr COURT: I turn now to the possibility of people purchasing cigarettes outside Western Australia. By the Government's instituting such a large increase in the price of cigarettes in this State relative to the price charged in other States, it will be attractive for people to legally purchase cigarettes in other States where they are considerably cheaper. This will have a detrimental effect on the economy of our State, as the member for Cottesloe said.

People are already buying goods by mail order from other States. If the proposed price differential occurs, it will become the norm for people to buy their cigarettes by mail order from other States.

People are already conditioned to purchase products by mail order and the advent of credit cards, particularly Bankcard, has made it easier for them to do so. It is certainly a practice followed by country people. They obtain a catalogue from Boans or Parrys which indicates people may buy their goods by mail order. They fill in the necessary form, include their Bankcard number, send it off to the shop, and their goods are mailed to them.

The same situation applies when people buy goods from the Eastern States. For example, a few weeks ago American Express International Inc. circulated one of its usual flashy promotions selling wine. Members who use an American Express card probably received a brochure in the mail which said, "buy your wines by mail order". I took particular notice of that brochure and looked closely at the wines for sale. Approximately 40 different brands were available and I could find only two which were produced in Western Australia.

Here we have a major international group—in this case, a national selling agency—promoting the sale of wines by mail order throughout all the States of Australia.

I wrote to the people involved in the wine industry here indicating my concern that Western Australian wines were not being given adequate exposure in that promotion. It is possible that even the credit companies, such as American Express, could become involved in selling cigarettes by mail order.

Does the Premier see that as a problem caused by the differential which will exist between the price of cigarettes in this State and in the rest of Australia? Obviously the Premier does not want to comment on that matter; however, I believe it is a very real problem.

As members know, like most commodities, the market for cigarettes is very price sensitive and when such a broad discrepancy in price exists the sorts of situations to which I have referred occur.

What will happen when people start buying cigarettes outside the State? Initially two groups will suffer; they are the tobacconists and the retailers, some of whom specialise in the sale of tobacco products. Their businesses will suffer in the same way as those of tobacco wholesalers.

Regardless of whether the Premier and the Government condone smoking, approximately 30 to 40 per cent of the adult population smokes. They enjoy smoking and their habit has to be serviced.

An infrastructure of wholesalers who distribute tobacco products has been set up to cater for smokers. This legislation poses a real threat to the jobs of many people. I am sure members receive letters from such people who are anxious about their jobs and feel that they will be threatened if the distribution of cigarettes moves out of this State to the Eastern States as a result of legal mail order promotions.

Mr Williams: What about trailer-loads of cigarettes coming in from Queensland?

Mr COURT: I shall turn to that matter in a moment. It is important that the Premier be realistic about the effects of the proposed tax to the extent that the detrimental effects of the price discrepancy created between cigarettes sold in different States will be greater than the benefits he hopes to derive from it.

Certainly the tax will be a good revenue raiser. We have heard that the Premier is not sure exactly how much revenue will be raised by the tax. It would be useful for the Premier to indicate the loss of revenue which will occur if cigarette consumption is lowered, as a result of the imposition of the proposed tax. For example, if 10 per cent of the smoking population gives up the habit, approximately how much less revenue will be collected by the Government? Instead of making stabs in the dark as to how much the proposed tax will increase revenue, the Government should set out clearly the total anticipated gain.

In my initial comments, I indicated my support for the expenditure of a portion of the funds raised by the proposed tax on a sound health education programme. However, I do not support the ludicrous size of the proposed increase. The legislation is a discriminatory measure which will disadvantage low income earners. It is a measure designed to enhance the Government's coffers and the money will be used for various purposes other than those set out by it.

It is legal for people to purchase cigarettes from other States and a saving of 30c to 35c a packet is significant.

The question of bootlegging has been mentioned and, unfortunately, this measure will attract that type of operation. We saw it happen between Victoria, New South Wales, and Queensland when those States had different rates of tax on petrol. We saw tankers moving between those States supplying petrol at different prices. Petrol is more bulky and more difficult to move than are cigarettes, so bootlegging will be a problem.

This proposed increase in tax is creating unnecessary concern in the community and, because it is a large increase, it is now starting to take away the attention which should be given to the health education programme, a programme which should be the Government's main concern.

This tax probably started out as a political stunt, but it will backfire. It may prove to be a disincentive and turn those people who will not be able to afford to buy cigarettes to other habits, such as drinking more alcohol. I do not know whether the increase in the price of cigarettes will stop people smoking; neither do I know how many people will turn to other products.

This is a straight taxing measure to enable this Government to build up its coffers, but it will backfire on the Government. However, in the process, it will hurt rather than help a large section of our community. If this increase in tax is passed, the public reaction will be bitter. I oppose the measures the Government intends to introduce.

DR DADOUR (Subiaco) [12.17 p.m.]: Firstly, Mr Speaker, I congratulate you on being elected to your new position. All I ask is that you extend to me the same courtesies you have always done previously.

I support the measure before us to increase the price of cigarettes; I think every member in this House supports it. The problem is just a matter of degree as to how much tax should be charged rather than whether members are actually against the principle of the measure.

In my second reading speech for the Bill I introduced last year to ban cigarette advertising, I stated that the elements of a total programme are variously proposed to be, first, a price increase. Well, this Bill is doing just that; it is a step towards the total argument against and demotion of cigarette smoking.

We should all know that the tobacco lobby will never admit to the real cost of cigarette smoking. The conditions caused by cigarette smoking are,

first, coronary heart disease, second, lung cancer, third, emphysema and, fourth, chronic bronchitis. The tobacco lobby will never admit this.

I tell new members in this House that they will be subjected to intense lobbying; if they have not been subjected to it yet, they will be, both by personal approaches and by mail. I ask them to stick to the principle involved, which is the harm done by cigarette smoking. Once members come back to that principle, no matter on what tangents the lobbyists might want to take them, members will not be shaken. This is very important.

When we were in Government and I introduced my private member's Bill to ban cigarette advertising, I found that a number of members who were intending to lend support suddenly ducked for cover and went the other way. I question why they did this. It was not by dint of argument or anything rational. Again I remind members to remember the harm done by cigarette smoking and not be swayed as some people were last year. I wonder how they came to be swayed.

If we compare cigarette smokers with non-smokers we find, firstly, that the life expectation of smokers is five years shorter. Secondly, a smoker faces twice the risk of heart disease. Thirdly, smokers face a 10 times greater risk of suffering lung cancer. Fourthly, smokers face an increased risk of suffering other diseases such as chronic bronchitis, emphysema, diseases of the arteries, cancer of the bladder, and cancer of the mouth and throat. We find a greater incidence of these diseases among smokers. None of us should be shaken from this argument; if we come back to it all the time and refuse to be taken off on other tangents of the type we have been subjected to, we should not be swayed.

The total antismoking programme consists of seven points: One, price increases; two, the removal of cigarettes from the Consumer Price Index; three, the reduction of outlets such as vending machines—this Government will have to see that these machines are removed from places where children may have access to them; four, bans on the sale of cigarettes to people under a certain age—and the Premier has said that he intends to do this; five, stronger and more attention-catching warnings on cigarette packets; six, antismoking advertisements should have twice the effect of cigarette advertisements; and seven, the complete ban on all forms of advertising and promotion. When the Premier introduced this measure he said his Government would be doing certain things in this area.

The only area where there was any question involved the complete ban on all forms of adver-

tising of cigarettes, and I feel it would be wrong for the Government not to introduce a Bill to bring this about. I hope the Government does introduce a Bill to do this in the very near future. I am sure it will. If it does not it will not be true to itself, because this is a part of the total programme.

Most of the arguments we have heard from members on this side of the House have been spurious except for one. The only argument I can accommodate and entertain concerns an appeal for a slight reduction in the amount of tax being proposed in this Bill. Many old people in the community have been smoking for 50 years or more and they really enjoy their cigarettes. To prevent their smoking by increasing the price of a packet of cigarettes would be to discriminate against them, which would be a pity. I would like to see the proposed tax decreased a little, although the principle is right; on that there can be no argument. The argument is just a matter of how much tax should be imposed.

I understand that there is a shortfall between the amount we receive in excise from the sale of cigarettes and the cost to the Government of cigarette-induced diseases. This increase will help to make up that difference, although the amount proposed is a bit much. I would prefer an increase of perhaps 25 per cent.

The argument about the increase in prices of cigarettes resulting in the blackmarketing of cigarettes will not last for long, because if we in this State successfully introduce a tax at this level, it will mean that it will not be long before our sister States catch on to the idea. They will realise it is a good revenue-raising measure. Members should not be taken off on tangents by the tobacco lobby.

The implications of tobacco sponsorship of sport are immense. We all associate sport with clean living and dedication. They are things we like to see in our youngsters as they grow up. When young people see advertisements such as those with the Benson & Hedges sponsorship of sport, they associate cigarette smoking with the sport. It is important that all new members realise the subtle way tobacco advertisers get around the existing prohibitions on tobacco advertising. The advertising gets into the electronic media by means of television programmes showing the sports sponsored.

We must remember that in excess of 1 200 Western Australians—a conservative estimate—die each year from cigarette smoking. We know that right now 42 000 school children smoke cigarettes and each year 10 000 more will take up the habit.

A vital part of any health education programme directed towards cigarette smoking is the demotion of smoking to the position of not being the norm in our society. In my second reading speech to the Bill I introduced last year, I referred to the three areas that should be included in a comprehensive campaign against smoking, and they were the banning of cigarette advertising and promotions, health warnings on cigarette packets, and a vigorous policy of cigarette taxation. At that time, I was rather naive because I said that the first two areas were State responsibilities, but that the third was a Federal responsibility. How wrong could I have been? This State has taken up the hatchet and let it drop in the right direction.

As I have said, the only argument I can have against this legislation is related to the percentage the Government proposes to obtain from this increase in the State tax on cigarettes, but in principle I support this measure and compliment the Government on adopting the principle of increased taxation on cigarettes, and on its intention to introduce the five-pronged attack the Premier outlined.

The first prong will be an increase in prices. The second will be a tightening of the law governing the sale of tobacco products to juveniles—an excellent move. The third will be to provide assistance to smokers who wish to give up the habit, and this will be done by the establishment of so-called “quit centres”. I wish the Government luck with that intention; I hope it works in some cases. The fourth will be to implement a public education programme, which is the most important of all its intentions. Possibly of equal importance is the fifth prong, which will be the introduction of legislation to eliminate the advertising and promotion of tobacco products. I hope the fifth prong is not just a possibility; I hope it will be a goer. If the Government does not introduce such a measure, I shall reintroduce the Bill I put forward last year. I am certain that, if I reintroduce it, there is a very good chance of its passing both Houses.

In principle I support the Bill.

**MR RUSHTON (Dale)** [12.30 p.m.]: Much has been said about this issue. I will not address the questions raised by the member for Subiaco about the disabilities of smoking. I acknowledge the remarks he made. However, as Liberals we have difficulty with this sort of issue because we believe that in the main the responsibility of the individual to make up his own mind about such things should be maintained. We fully endorse the proposition that young people should be warned of the dangers of cigarette smoking, and the intention of the Government to give special atten-

tion to the health education aspect of this social problem. This measure does give us an opportunity to consider the Government's basic intentions at this early stage of its term in office. Already it is showing its intention to be a big spending and big taxing Government, which is consistent with the Labor socialist philosophy. It is difficult to understand how this intention can be made compatible with the Government's stated intention to support small business, because the Government is diametrically opposed to the interests of small business if it continues to operate as a big taxing Government.

This Government believes it knows best how to spend the pay packets of our workers, and this legislation is a measure of that attitude. If the Premier or another Minister replies today, it would be good to hear an indication that the Government is prepared to reduce medical charges by an amount equivalent to the anticipated savings in health costs as a result of this measure. The Government claims considerable savings will be gained by the public and, in particular, the Government, by the introduction of this measure. The integrity of the Government is at test, and it has the opportunity to say it will reduce by a certain sum the charges for health services provided in this State. If it is not prepared to reduce health charges as a result of this measure, it will not be difficult to accept that the measure is basically a discriminatory tax.

One of the unsatisfactory parts of this measure is that it will impose a burden on pensioners and other low income groups. They will be the hardest hit by this measure; the rich will be able to manage for themselves. The very people who may obtain some comfort from cigarette smoking, as the member for Subiaco remarked, will be the hardest hit by this measure.

The Government intends to bring before this House another discriminatory measure, and that is the legislation to cut the salaries of senior public servants; no measure could be more identified as a discriminatory tax and totally unfair. In due course we will have an opportunity to debate it.

We understand it was initiated because the Government thought it would be popular among the general public. Many aspects are involved in that pay cut, and they will be deliberated in this place in due course.

I was somewhat disappointed in the attitude portrayed by the cartoon in this morning's edition of *The West Australian*. Members of a small group, our senior public servants, have been attacked, and if this Government intends to encourage those sorts of attacks, some quite unfortunate

reactions will occur in the community. I am not one who believes we should have a large Public Service; we should have a minimum-sized service to carry out the functions we require. I have had the good fortune to work with many public servants, and every respect should be paid to that dedicated service. We receive tremendous loyalty and dedicated work from such a group and these people who are mainly apolitical, would give the same service to the present Government, but, unfortunately, with the infiltration of party political supporters, that attitude will be destroyed and we can foresee all sorts of reactions flowing therefrom.

Mr D. L. Smith: If you are in favour of reducing the number of public servants, how many of those currently employed would you sack?

Mr RUSHTON: I have runs on the board and can indicate that when I held the Transport portfolio for four and a half years the number of public servants was reduced by about 2 500.

Mr Tonkin: Because you stopped running the service!

Mr Hodge: There was a big reduction in trains, too.

Mr Pearce: A 100 per cent cutback.

Mr Tonkin: Rubbish!

Mr RUSHTON: I say to the member for Mitchell that he cannot have it both ways. That was a demonstration of what we did while in Government, but more needs to be done. Obviously, the Government will not be able to do it because the unions will not let it do so. We had to hold the position some months back during the election on the basis that unemployment was reaching a very unacceptable figure and we obviously could not proceed with reductions then. The Premier has outlined his intentions, but he is not taking effective action. I ask the question: How effective is he?

Mr Barnett: When are you going to talk on the Bill? You have been up for 10 minutes.

Mr RUSHTON: I have been speaking on areas that were my responsibility.

Mr D. L. Smith: What about the Bowelling to Bokalling line?

Mr RUSHTON: That is all part of it. As I understand it, \$100 000 or \$200 000 will be the cost of replacement. The farmers themselves do not particularly want the line replaced, but the people at Wagin and Bunbury do. I understand the then member for Warren, who is now the Minister for Agriculture, said that the line would be reopened. I believe a decision is being made to

reopen it on a seasonal basis. What is very interesting about it—

Mr Barnett: Stop wasting the time of the House.

Mr RUSHTON: —is that, if the line had been rebuilt, it would have been washed out again in the last season and another couple of hundred thousand dollars would have been wasted. I have more to say on that issue, but will speak on it later as that is not the subject of our discussions.

Mr Tonkin: We no longer have smoking trains.

Mr RUSHTON: Another question raised by this Government in such a short time relates to medium and long-distance public transport travellers. The fares have been raised and discriminate against this section of people who need public transport more than others and who are least able to pay the fares. These fares have been raised to cover the cost of the increases which the Government directed the Metropolitan Transport Trust to make to MTT drivers' salaries which amounted to \$1.4 million. The commissioner had refused to accept this; it was rejected, but the MTT administration denied any nexus with the Victorian scene. During the wages pause, the Government directed the MTT to make this payment of \$1.4 million. In addition to that, we know of a commitment to open the Perth-Fremantle railway line. We also know that the Government claims it is doing so for social reasons. That is totally false and studies have been carried out in this regard.

The SPEAKER: Order! I hope the member can relate these remarks about transport to the Bill.

Mr RUSHTON: Yes, I am just relating them to the tax measure.

Mr Tonkin: You are going to talk about smoking steam engines!

Mr RUSHTON: It is all relevant.

Mr Pearce: It is not relevant at all.

Mr Tonkin: Absolute rubbish!

Mr RUSHTON: It is relevant to the way the Government is going. It is a big taxing Government and one which believes it can use the people's pay packets better than they themselves can.

Mr Pearce: Fares on public transport are not taxing measures.

Mr RUSHTON: I just want to relate this to the House.

Mr Grill: If they are, you should not be talking about them because your record is not very good.

Mr RUSHTON: In view of the cost of the wage increase and the cost of opening up and running the railway, and the total capital

investment, all the fares that will be increased this year will go towards paying for it. It puts us on another "high" in regard to public transport costs. We will take up this matter further.

Mr Pearce: I hope we are not going to spend the next three years with you justifying the last four and a half years in the transport arena.

Mr RUSHTON: The member need not worry about their being justified; they are there for all to see. The people will make it clear at the next election. This adjustment is basically taking away from the individual the responsibility for making sound decisions. We Liberals believe that, in the main, this responsibility should remain with the individual; it should not be taken away from him. Of course, the socialist knows better; he knows that the Government can make a judgment better than an individual, and this is what we are about to have a taste of now. The people will see it eventually and will decide upon it in due course.

My intention is to support the amendment proposed. The emphasis should be on health education. The Opposition is giving the Government the opportunity to show its integrity in this regard. On this occasion, I thought it wise to give to the Minister for Health the opportunity to consider some factors that a thoughtful person put to me. I will quote extracts from a letter relating to points this man feels should be made and upon which he wants me to answer. It places the Minister for Health in a position of helping me answer his questions.

Mr Hodge: You know how helpful I am.

Mr RUSHTON: The letter reads as follows—

It is with great concern about my future livelihood and consequently the welfare of my wife and three children, whom I solely support, that brings me to correspond with you.

This man comes from my electorate. The letter continues—

As a display representative with Rothmans of Pall Mall (Aust.) Ltd, with nine years' service in Western Australia, I am concerned at what outcome will prevail with the continued harassment of our legal industry by anti-smoking lobbyists and more importantly the Premier, Mr Burke, the Health Minister, Mr Hodge and Mr Dadour.

One hundred per cent of my working time is spent on merchandising, promoting and advertising tobacco products.

A. I personally believe that a ban on tobacco advertising will achieve nothing because advertising does not influence people to

take up smoking—it only encourages brand swapping. I read that in Singapore since 1970 when a total ban on tobacco advertising was legislated, the per capita consumption has increased by more than 20 per cent.

That is one point my constituent has put to me and I am now putting it to the Parliament.

Mr Tonkin: Twenty per cent?

Mr Hodge: I have heard that tired old argument before; it is not true.

Mr RUSHTON: We can read the statistics. Later, the letter continues in paragraph B—

I am sick of hearing about supposed statistical information associating smoking with diseases.

We have just heard from Dr Dadour who has worked in this field. He has disclaimed this. The letter continues—

It is all so vague with no names and no statistical base mentioned. I believe there are no scientifically based facts that associate smoking with disease.

Many people would disagree with that statement. The letter continues—

C. I am led to believe that one third of the adult population of Australia are smokers. I am one of this minority group and feel it would be an infringement on my democratic freedom of choice to legislate restrictions against the normal avenues of marketing a legal product. I also believe sport and culture would suffer dramatically.

These points have been often stated in the community and the reaction from the people regarding this issue has been that they object to adults being exempted from doing certain things and to the removal of their choice, whatever the disabilities or effects may be. This is the difficulty the Minister would have in bringing this forward, but he has been in a difficult area for a long time and, or course, amongst his own supporters are some people with very strong views who do not have much regard for the other side of the issue; that is, what responsibilities should belong to the individual.

The Government has demonstrated it is on the path toward becoming a big taxer. The Government is raising large sums of money and is shattering the enthusiasm of the individual. The Government is destroying the opportunity for more employment and this fact must be kept in mind.



If an individual cannot attain the wage or earning he wishes he loses interest in work and in generating work.

I support my leader's request to the Government that it reduce the tax. The Government should put more money into health education because that action would be for the public good and would be a fairer approach than that which is being inflicted upon the public.

**MR WILLIAMS (Clontarf)** [12.46 p.m.]: I do not agree with this proposition to increase taxes on the people of this State. It is a rip-off. If we have to have a tax then it should be less because the tax instigated by the Government is far too severe. For that reason I support a less punitive tax.

I object to the way in which the Government has approached this matter: Its members say one thing but the facts indicate otherwise. I object strongly to the tax grab.

The Premier announced to the media—in his glib and archbishop style—that this was a measure to help people stop smoking. He meant that he believed—or one of his Ministers, because of a hang-up—that everyone should comply with his wishes and should not be allowed to smoke. The tax has been increased by 180 per cent and this is a great impost on the people of this State.

The Government has created a dangerous precedent: The Premier and the Minister for Health are trying to impose a lifestyle upon the people of this State. It is one thing for a Government to embark upon an education programme but it is another for a Government to impose such a tax because it feels a certain action is injurious to health.

It is wrong to say "We don't agree with smoking, so we are going to make sure that you do not smoke and the only way we can do it is to impose a penalty on smoking". The penalty is a 180 per cent increase in tax.

Governments are entitled to impose taxes, if that tax will help the community, but I believe that this particular tax is a rip-off. The tax will affect one-third of our population because one-third of our population indulges in smoking. That section of our population will have to carry the heaviest taxation burden.

Thousands of millions of dollars a year are collected in customs and excise duty by the Federal Government; but people accept that because the payment of that revenue is a fact of life. However, when a State imposes such a tax, the matter can get out of hand. Where will this cease? We have an impost on cigarette smokers today; will it be an impost on beer drinkers tomorrow? Will the

owners of video machines be taxed because the Government does not agree with what is shown on those machines? Will we tax them to the hilt in order to discourage their use? I do not believe it is fair—it is a strange affair.

Surely a person who wishes to drink or smoke should be allowed to make his own decisions. It is not the prerogative of the Government to tell people what they should do in that regard. The Government is setting a dangerous precedent.

In the 1945 to 1949 period after the war, food clothing and petrol were rationed. One could not buy tyres or batteries. Those goods were rationed for a special reason by the then Prime Minister of Australia, a Labor Prime Minister, to make sure that people were kept under the thumb. People were told what they could and could not do. This cigarette taxation is reminiscent of those days.

It is interesting to note that the tax to be gathered from this licence fee is a flat tax. Who will it affect? It will affect the aged, invalid—

**Mr Hodge:** The sick.

**Mr WILLIAMS:** Yes, the sick. It will affect pensioners and veterans and those people who are finding conditions a little tough. Those people will be belted to leg by the Labor Party and many of them voted for the Labor Party at the last election. They are now reaping their just reward.

The Labor Party has poured the contents of a bucket on them from a great height. The first tax increase in revenue in this State will be levelled at those people I have mentioned. It is an absolute disgrace.

It is interesting that not one member of the Government has uttered a word on this matter, maybe because some are at variance with their leader. Perhaps they are disgusted at what he has said. Of course, the Minister for Health is not because he is one with a hang-up about smoking. Members can laugh about this but it is a fact of life that many of the back-benchers on the Government side do not agree with their Premier.

**Mr Hodge:** You wait and see how they vote.

**Mr WILLIAMS:** They would not dare vote any other way.

**Mr Pearce:** Is it a fact your leader called the member for Gascoyne to his office after he made his thinly-disguised bid for leadership and carpeted him and told him to toe the line?

**Mr Laurance:** Wouldn't you like to know?

**Mr WILLIAMS:** The member knows something I do not know.

**Mr Pearce:** That could extend to hundreds of things.

Mr WILLIAMS: I cannot answer that question.

To whack another 20 per cent price rise on the poor old consumer is pretty hard, but the Government does not care about that. The Government has increased cigarette tax by 180 per cent. Members of the Government would not understand what impact this has on business because none of them has been in business. They do not realise that the cost of cigarettes has increased by 30c a packet. Government back-benchers should be considering this, particularly those in marginal seats. What will happen is that when the retailer—who is being belted to leg—rings the till he will be saying to himself, “\$1.50 a packet for cigarettes and 30c for Mr Burke”. That is the greatest type of advertising that we on this side of the House can receive and it is the quickest way to get the Government back on this side. The retailer is getting hit to leg and he will not tolerate it.

The overall increase in cigarette tax will be 180 per cent. What would the Government, when in Opposition, have done if we, in Government, had increased a charge by 180 per cent? Would not we have copped it in the neck? However, the Government can do it with impunity. The Government said that the increase of 180 per cent will result in revenue of \$16.5 million, but this figure was incorrect because it has now become \$46 million a year. Even if the number of consumers dropped by five per cent the total increase would amount to 150 per cent. I do not know how the Government can justify that because the 150 per cent impost will be borne by one-third of the community only.

There is a way out, and that is to revert to the amount first mentioned by the Premier. Our deputy leader mentioned an alternative method that could be adopted, and I refer to it also. If the increased tax was reduced to 25 per cent and there was no decline in the market the Government would receive revenue of \$34 million. If the decline were 10 per cent in 1983-84 the amount of revenue received would be \$30.6 million, and that is not a bad grab from the public. In the 1982-83 financial year the amount received would be \$14.1 million. Frankly, I consider by far the fairest method is to reduce the increase to 25 per cent. The increased amount of revenue received would be sufficient for the Government's need. I do not agree with the 25 per cent increase, and regardless of what the Government says it is the greatest con that has ever happened.

An article that appeared in yesterday's paper said that the Government would spend \$6 million on an education programme over the next three years. I ask the Government what it will do with

the remaining moneys. Will it go into Consolidated Revenue?

Mr Pearce: A lot of it will go into a health fund to assist the people with lung cancer.

Mr WILLIAMS: Already the Government has committed itself to \$2 million for educational purposes. I query this because the educational programme over the last few years has been good. I came into this Chamber 6½ years ago and at that time 90 per cent of the members smoked. Today one could count on one hand the number of members who smoke. Therefore, education has been pretty successful, and I do not see any reason for this tax at all.

Mr I. F. Taylor: What about the growing number of children who are smoking?

Mr WILLIAMS: Children are far more aware of the dangers, and increasing taxes will not stop them from smoking. The Government can tax to the hilt but surely it knows that the more expensive an article is the more a person wants to buy it and where there is a shortage of an article it is sought after more than ever.

*Sitting suspended from 1.00 to 2.15 p.m.*

Mr WILLIAMS: Prior to the luncheon suspension I said that the 35 per cent increase in licensing tax is an impost on the people of this State. I suggested that it would be far better if this tax were reduced to 25 per cent because that, in turn, would represent a 100 per cent increase overall and would be more realistic than the figure the Government quoted; that is, it desired to raise \$15 million.

The suggestion of the Opposition to reduce the State licensing fee to 25 per cent, instead of 35 per cent, would result in revenue of \$34 million subject to there being no decline in the market. The increase in revenue for 1982-83 would be \$17.5 million. A reduction in sales of seven per cent would result in revenue of \$31.62 million for the 1983-84 financial year. A reduction of 10 per cent in the State licensing fee would still result in an increase in revenue of \$30.6 million for the 1983-84 financial year.

As the Government has stated it requires revenue of \$15 million from taxes, and it is reasonable to assume that the reduction from a 35 per cent increase to a 25 per cent increase would be acceptable.

The proposed reduction in the State licence fee suggested by the Opposition would reduce the cost to pensioners; small retailers would be assisted, and they would overcome the burden with which they are currently confronted. It is worth considering that a small retailer has a problem

when competing with large chains because it is reasonable to assume that large chains will wake up to the fact that it is cheaper to buy cigarettes in Queensland and rail them to Western Australia. This will give them an unfair advantage.

This tax will, of course, increase the incentive to the criminal element. With the price of cigarettes at \$1.85 a packet this will be an incentive for some people to steal and to engage in bootlegging. It will, as my learned friend the member for Nedlands said, result in a mail order supply from the Eastern States.

I have put forward what I believe to be a fair case; that is, the 35 per cent licensing tax will result in an overall 180 per cent increase which is unrealistic, unfair and unwarranted. It is nothing more than a tax-raising exercise.

I believe the Government should balance its books in a more efficient manner and should not put this impost onto the people concerned. The Government has stated its attitude towards health improvements and towards educating young people not to smoke. Although it goes against my grain, perhaps 25 per cent would be a fairer figure for the licence fee. I do not go along with any increase, but if I have to do so it would be better if it were 25 per cent. It certainly should not be 35 per cent which is a 180 per cent increase. Shopkeepers already are saying, "\$1.50 for the packet and 30c for Mr Burke". I hope the Premier can live with that for the next 18 months to two years. The unfortunate part about this measure is that it has come about because of the hang-up of one or two Ministers. It will backfire on them and it will be a major reason for the Government's losing the election in 1986.

**MR COWAN (Merredin)** [2.22 p.m.]: I support the proposal before the House but I would like to make some comments. It has been the Government's practice since it came to office to find some sugar coating to put around the pill when it has to introduce an unpopular measure. The Government did two things in relation to increased charges for essential services. It promised salary cuts for people in the Public Service and politicians, and also promised a welfare package for people at the other end of the salary scale and those without salaries. Both decisions were very popular which helped to avoid some of the unpopularity which comes with higher charges for essential services.

If one regards this Bill as a taxing measure, it represents quite a serious impost in the amount cigarettes smokers will be charged. The Government in its usual fashion has said this is really a health measure. However, the Bill really gives it

the opportunity only to be able to raise the levy it will get from the Business Franchise (Tobacco) Act. In his second reading speech the Premier said the Bill is the first of four or perhaps five measures the Government plans to introduce and he then pushed very strongly the concept of a health education programme. I have no argument with that, but we should be addressing ourselves to the Bill which is only a taxing measure, rather than the Premier's second reading speech.

Nothing is contained in the Bill which would indicate how much money is to be contributed to a health education programme. The second reading speech certainly mentioned a figure of \$2 million a year. While I would be quite prepared to say that the word of the Government is reasonably good at this stage, there is no guarantee that that sort of funding will be allocated to the health education programme. I accept that it is far superior to the amount of money made available by the previous Government.

One of the proposals in the Premier's second reading speech dealt with the possibility of banning cigarette advertising and sport promotion. This is a money measure and the Premier has raised that possibility. Just as I would like to have seen something more concrete in the Bill about the amount of funds to be provided for health education, so would I like to see some concrete guarantee that in the event of a ban on advertising, sporting bodies, which depend so heavily on tobacco company promotion, will receive a particular amount of tax money. I understand that at present tobacco companies contribute \$10 million nationally for sport promotion. That represents about 20 per cent of the total private sports sponsorship in Australia. I do not know the figure for Western Australia, but I would have been more reassured if this Bill contained provisions to indicate clearly that if a ban on tobacco advertising came about, the revenue lost to sports promotion would be given to sporting bodies from this source. That has not happened. All we have is a Bill to raise the percentage of the tax from 12.5 per cent to 35 per cent.

The Liberal Party recently held its annual conference and I understand a motion was passed at that conference calling for greater indirect taxation and less personal taxation. Yet every member of the Liberal Party who has spoken in this debate has opposed this particular measure. I confess I am wrong on that point. The member for Subiaco said he would be supporting the measure, but the majority of Liberal Party members have said they intend to oppose it. That contradicts completely the motion passed at the Liberal Party conference only a short time ago.

I support the measure; for me, tobacco taxation is an area in which the Government can impose whatever tax it likes. I am a non-smoker and it does not affect me. But there can be no question that indirect taxes do affect people without any consideration at all for their capacity to pay the tax. The only choice people have in this instance is to give up smoking.

I hope that is the effect of the Bill. I think the measure should get popular support, despite the fact that it increases substantially the cost of a packet of cigarettes. I am very surprised the Opposition has opposed the measure. I would have thought that if this Bill was going to have such dastardly consequences, as most have predicted, the Opposition would be supporting it in its drive to return to the Government benches. I understand the Opposition will put forward an amendment to reduce the level of taxation from 35 per cent to 25 per cent. I will not be supporting that amendment. As far as I am concerned this Government was elected and is now governing. If it wants to introduce this measure and it proves unpopular, it can take the consequences.

I would have liked to see in the Bill rather than in the Premier's speech some guarantee that an amount of money would be paid to the various areas in which the Premier said the Government intended to take action. The Premier said the Government planned to operate a health promotion campaign and to contribute \$2 million towards that. I would like that written into the Bill.

Similarly, if the Government is to ban tobacco companies from promoting sport, provision should be made to use some money raised by this measure to recoup losses to the sporting bodies concerned. I support the Bill.

**MR THOMPSON (Kalamunda) [2.30 p.m.]**: I believe smoking to be a filthy stinking habit; it is a habit which I absolutely abhor. I grew up in a household where both my mother and father smoked quite heavily; in fact they still smoke heavily and they are in their seventies.

**Mr Barnett**: Have you told them?

**MR THOMPSON**: I have told them repeatedly how I feel for as long as I can remember. Although I abhor smoking, the fact is it is a socially-accepted activity.

**Mr Davies**: It is becoming less so though, isn't it, especially if you go home smelling as though you were downwind from a barbecue.

**MR THOMPSON**: I am prepared to concede that social attitudes in regard to smoking are changing quite dramatically and that fact alone has resulted in many people in the community not

smoking. Indeed, we need look only at the members who sit in this Chamber at this time. It was not many years ago that the greater percentage of members of this Chamber were heavy smokers. In fact, behind your Chair, Mr Speaker, three or four chairs were set aside specifically to enable member to smoke in that area because of the tradition that member do not smoke in this place. Those seats were placed there to enable members to indulge in the habit. However, in recent years, those chairs have been little used for that purpose. The members of this House reflect so many community attitudes and in regard to smoking they reflect the dramatic change in the community's attitude.

Notwithstanding that fact, it is still socially acceptable to smoke. It is quite legal to smoke tobacco and there is nothing to prevent people from indulging in the habit. However, the step the Government has taken discriminates quite markedly against the poorer people in our community and especially the aged people, many of whom still smoke. Indeed, the older people grew up in an era when smoking was more prevalent than it is today.

I do not know the statistics, but I would imagine that the percentage of people in the above-50-year-old group who smoke would be higher than in the age group, say 20 years junior to them. So it would appear to me that this measure will be a burden on the older people in our community. These people are not likely to change their habits—and many of them cannot change their habits—because the Government has decided to impose this burden upon them.

It is clearly evident that this measure will discriminate against the older people in our community, many of whom are age pensioners. I just wonder whether this fact was taken into account by the Government when it decided to impose this measure on the community.

**Mr Pearce**: What is your estimate of the cost to the community of providing health care to all those people who suffer from diseases which smoking causes?

**MR THOMPSON**: I do not know. I know it is exceptionally high, but there are so many other activities that are reflected in high costs to the community to provide care in one form or another. Does the Minister for Education suggest to me that there will be, say, a 35 per cent increase in the registration fees for motor vehicles because motor vehicles contribute to very high health costs?

**Mr Brian Burke**: That is not exactly the same—the misuse of motor vehicles. There is no

safe method of smoking surely. You can drive a car safely.

Mr THOMPSON: Some people might say there is a safe level of smoking.

Mr Brian Burke: I have never heard anyone say that.

Mr THOMPSON: Some say that smokers can take certain precautions, use filters and things like that—

Mr Davies: Don't breathe it in!

Mr THOMPSON: —to minimise the impact. Just living in the community is a risk to one's health, so I suggest that because there is some cost to the community in caring for people who have become ill as a result of smoking is not a reason for the Government to take this step.

I wish the Government well in everything it can do to reduce the level of the consumption of tobacco in our community. I do not like the habit, as I said earlier; I do not like it at all. However, there are people in the community who do, and I do not believe we have the right to impose our will on them, to decide arbitrarily that we are to increase this taxation to 35 per cent and to try, by that method, to force people to stop smoking.

The principle of civil liberties is quite paramount to this issue. If the Government believes that smoking is so deleterious to the health of the community, it should legislate to prohibit smoking completely. But no, the Government is not prepared to do that. It is prepared to increase the cost of cigarettes to the extent that it hopes will prevent some people from smoking. The problem with this reasoning is apparent to all of us. Every time there is an increase in excise on liquor or on tobacco, we hear people in the community say, "Well, that is it; I am not drinking any more, or smoking any more". That effect lasts for a few days only; it is not very long before people return to their previous levels of consumption of liquor and tobacco.

Mr Brian Burke: On what do you base that claim?

Mr THOMPSON: I base it on my own observations.

Mr Brian Burke: Generalisations from observations in the community are fairly suspect.

Mr THOMPSON: Not when I make them!

Mr Brian Burke: What is your name—Morgan?

Mr THOMPSON: The clear evidence is that although consumption may fall for a while following a price increase, it will soon return to its former level.

I wonder what will happen in low-income families where pleasures are few—those families where luxuries are infrequent. What will need to go to enable mum and dad to continue to smoke? What will be struck off the list so that the parents can spend their money on a carton of cigarettes? I believe the legislation will have an impact on the health of another section of the community—the children of low-income families. Unfortunately, many families in our community are in dire straights, and are battling to make ends meet. Many of these people will say, "I do not have many luxuries, but I am going to smoke." They will continue to smoke. I imagine that the member for Kimberley represents many people in this community who, by virtue of their birth, live a humble existence, but who smoke and smoke quite heavily, and who will continue to smoke after this increase. I wonder about the families of the people that the member for Kimberley represents. What will be their fate when the breadwinner is required to pay more to buy the tobacco that is the one luxury he has in his life? Of course there will be an impact on families like that, just as there will be an impact on old people in the community.

My Mum and Dad will not stop smoking. It took me a long time to convert my father to supporting the Liberal Party. I have had him on the right road for a while, but he will never move off it, now that the Government has decided to increase the cost of one of the luxuries that he enjoys. Of course, it is pretty hard to convince Dad. I have been trying to say to him for years that smoking is injurious to his health. He is well into his seventies; and I do not know how many cigarettes he smokes. It seems to me he never has a cigarette out of his finger or out of his mouth. It has been pretty hard to convince him that smoking is injurious to his health, as it would be to many people. His grandmother died at the age of 99, and she had smoked all her life. She actually died of poison. They had a problem with some rodents, and her son, who was in his seventies, mixed up a brew to eradicate the rodents. The brew was put on the same shelf as some kerosene that my great grandmother used for medicinal purposes. Unfortunately she grabbed the wrong bottle. It was not smoking that took my grandmother off at 99; it was a bit of rat poison.

Mr Brian Burke: You see, the young bloke obviously had not been schooled properly. He got to his seventies without knowing the difference between Ratsak and kerosene.

Mr THOMPSON: He knew the difference, but Great-grandmammy did not.

Mr Brian Burke: This is murder!

Mr THOMPSON: With respect to the educational aspect, as I said earlier, I hope the Government is able to conduct a successful education programme. However, I wonder how effective it can be when opposed to the peer group pressure in our society. As the parent of four children ranging in age from 12 to 20 years, I am deeply conscious of the pressures on the young people in our society. I am not sure that the cost of cigarettes in the first place will be a factor in deterring young people from indulging in smoking. If they think it is a bit smart and a good thing to smoke, it will not matter to them if the price of the product is doubled because, when they start, they are not involved in smoking very many cigarettes. It is not until after they have become hooked that the price of smoking starts to become a burden.

The educators will be opposed by the peer group pressure which exists in our society. It is a potent force, as I am sure members of the Government and other members in the House will know. We need to do a lot of hard thinking and research to establish the best method of communicating with young people, and pointing out to them the problems of using tobacco.

It is only in the last few years that the Commonwealth decided to incorporate a warning printed on cigarette and tobacco packets—

Mr Davies: That was done when I was the Minister for Health back in 1972.

Mr THOMPSON: It is still only a few years in terms of the total context of things. It has not been going on for very long.

It is interesting to note that during the period since the warning was printed on packets, we have seen a drop in the number of people in the middle-age group who have given away smoking, but there has been a dramatic increase in the number of young people in society who have been smoking. The printing of a warning on packets of cigarettes with respect to the dangers of smoking has not had any impact on preventing those people from smoking.

Mr Davies: That was a Liberal Federal Government initiative.

Mr THOMPSON: Whoever took the initiative, it was—

Mr Davies: Sometimes they make a mistake.

Mr THOMPSON: It is a fact that the warning has been printed on packets of tobacco and cigarettes for a number of years, during which time we have seen a dramatic increase in the number of young people in the community who have smoked. Society is confronted with the problem of getting across the message to the community. I

hope the Government will be able to put the message across.

The Government is being unnecessarily discriminatory against a group of people in our society who cannot afford to accept the impost being thrust upon them. The Government has taken several measures recently; it has decided to legislate to cut the salaries of public servants at the upper level. Some people in the community will say, "Well, that is fair enough; they can afford it." The Government has done other things to correct the economy, which are directed to gathering money from the people who are in the best position to meet the increased burden. However, by increasing the tax on tobacco, the Government is imposing a slug, not on the wealthier people in the community, because they can afford the few extra bob and will continue to use tobacco—they will grumble about it, but they will continue to use it—but on the people in the lower income bracket in our society who will really be hit by this measure.

I believe the Government will suffer the electoral consequences of this matter. I would be surprised, knowing so many people who sit behind the Government, that they could be happy with what the Government has done in relation to this measure because it strikes at the people that they set out to represent. I suppose we should applaud the Government's actions, because they will be electorally damaging to the Labor Party, not so much for the motives but for the methods they have adopted.

Mr Davies: Is not any kind of sales tax a bit discriminatory? I mean, a boozier is discriminated against, and the people who do certain things following certain hobbies are discriminated against.

Mr THOMPSON: I agree with the Minister. Those taxes are discriminatory; that is why, generally, they are kept to the absolute minimum. In this case, the Government has made a calculating and deliberate decision to increase the tax, to try to bring about a change in social attitudes. I suggest that charging the community unfairly will not change the community attitudes.

The other things the Government intends doing may change community attitudes, but I believe the Government must confront some of the problems. Simply charging the community in this unfair way is quite wrong.

As I said at the outset, although I do not approve in any way, shape, or form of the habit of smoking, it is socially acceptable and I believe that the community should not be treated by the Government in the way it has in relation to this measure.

**MR BRIAN BURKE** (Balga—Treasurer) [2.51 p.m.]: I thank members for their contributions. It has been difficult to discern the Opposition's position in respect of this matter. While generally appearing to agree with what the Government is seeking to do, it disagreed, at the margin, with the practical application of that philosophy or thrust. That attitude was taken by members opposite, with the exception of the member for Subiaco whose position is particularly difficult, of course, because of a prior commitment and it seems that he may support the legislation.

**Mr Hassell:** The Opposition's position is clear. The Opposition will let your legislation go through, because it is a Budget measure, but that does not mean it supports it.

**Mr BRIAN BURKE:** Nevertheless, I make it clear at the outset that we do not intend to accept the amendment foreshadowed by the Opposition in this debate.

I guess it is a nicety of judgment to explain away an increase of 12.5 per cent—taking the tax from 12.5 per cent to 25 per cent—by using arguments that differ from, when one talks about that sort of an increase, those one would use when talking about an increase of 35 per cent. However, it seems that the arguments directed to the harshness and massive size of the increase, while to some degree relieved by the increase to 25 per cent, are not in principle attacked by an Opposition that seeks to impose such an increase itself, on the basis that it discerns or perceives some variation in the amount of revenue that the Government has said from time to time will be raised by the measure.

If one wants to argue against a proposition on the basis that the rise is harsh or unconscionable, that is one thing; but if one then seeks to impose an increase that is almost as harsh or unconscionable, I suppose that has to be explained.

**Mr Hassell:** You can't understand the subtlety of our position. We are giving recognition to your Budget responsibilities, while at the same time considering the matter on its merits.

**Mr BRIAN BURKE:** The Government does not accept that the Opposition is dinkum in this matter. Who can accept that an Opposition can suddenly become genuine in its protestations of the evil of smoking after it has languished in Government for nine years, spending 0.13 per cent of the revenue raised from the tobacco products licence fee to finance efforts to counter smoking?

Today we have the Deputy Leader of the Opposition saying, "We believe that part of this increase should be built into this legislation so that

we can see that you are going to fund an anti-smoking campaign and part of this money will go to that purpose." However, for nine years the previous Government desisted from building any such clause into the legislation it administered. For nine years the previous Government decided that spending at the level of 0.13 per cent of revenue derived from this licence was appropriate.

**Mr Davies:** They thought it was extravagant!

**Mr Hassell:** We did not say we introduced the tax as a means of discouraging smoking. We said it was brought in to get revenue. We were honest about it!

**Mr BRIAN BURKE:** The Deputy Leader of the Opposition does not even understand that we have consistently said we will fund a campaign, which we believe to be appropriate, from the proceeds of this licence fee.

How can we believe an Opposition when, as it did today, it stands up to a man to say how much it thinks smoking is a bad and dangerous habit, a habit which members opposite have tried to dissuade relatives from continuing? We have to measure that stance by the Opposition against its lack of commitment to any sort of campaign which sought to discourage smoking, particularly among young people.

**Mr Thompson:** What happens when your advertising campaign proves to be fruitless? Will you continue to pour public money into it?

**Mr BRIAN BURKE:** The member for Kalamunda has hit the nail on the head in describing the stupidity of the amendment mooted by the Deputy Leader of the Opposition, who wants to write into the legislation a commitment to spend a certain amount of money, while, at the same time, in his own words, causing the success of the campaign to be monitored. As the member for Kalamunda asked, what will happen if it is necessary to adjust the campaign when, as desired by the Deputy Leader of the Opposition, a provision has been written into the legislation that a certain amount of money should be devoted to the financing of the campaign?

**Mr Hassell:** You adjust it. In your own words, it is clear that you must adjust it and direct the funds to a more beneficial source.

**Mr BRIAN BURKE:** That is an example of the sorts of problems into which an Opposition gets itself. The Opposition is caught on the horns of a political dilemma, because it mouths off consistently about taking action in respect of certain social ills, but that is all that it does—it only mouths off about doing something.

We may be wrong; we may be making a mistake by seeking too large an increase in this tax, but at least we are trying to do something. When the Opposition was in government, it had nine years to do something about the problem to which we are now attending and, after nine years, the member for Kalamunda blithely explains to the House that the number of young people smoking is increasing dramatically. That is hardly the record of an Opposition which is to be believed and which is convincing in the propositions it puts forward.

If the Government is making a mistake, it will be judged at election time. For that reason, we do not seek to build into the legislation a clause that imposes a compulsion upon the Government to spend a certain amount of money, collected by means of this tax, on the campaign to discourage people from smoking. If we are not telling the truth about channelling a minimum of \$2 million from this licence fee towards the campaign we have outlined, the public, being aware of that fact, will pass judgment on us at the appropriate time.

We will monitor the campaign and, if we decline to spend further money on a campaign which monitoring has proved to be unsuccessful, we will explain why we are desisting; but at least we will be making an effort.

Little of substance was raised by members opposite during the second reading debate. I shall touch on a couple of the specific points mentioned by the Leader of the Opposition and some of the other members who spoke. However, I do not intend to deal with the points made by members who, like the member for Nedlands, said that the Premier was showing some dislike or contempt for the tobacco companies. Such statements are really not worth dealing with.

Mr Court: What about people buying from the other States by mail order? Will that be a problem, as you see it?

Mr BRIAN BURKE: We do not anticipate a problem in that area, but I shall touch on the matters which were raised under the general heading of avoidance, if one likes, in due course.

If members think I will bother to answer those who, like the member for Nedlands, said I was showing contempt for the tobacco industry, they will be waiting a long time, because members who said those sorts of things passed judgement on themselves.

Under the general heading of community reaction or opposition, the most persuasive point I perceived to be put forward was that by the Leader of the Opposition. By that I mean the point was

persuasive at least in the Opposition's mind. The Leader of the Opposition pointed out that a petition containing approximately 32 000 names and letters from about 1 500 correspondents had been received.

I emphasise this proposal by the Government has been subject to a well-organised and well-financed campaign of opposition mounted by the tobacco companies in this country. There is no doubt about that and if you, Sir, had seen the tobacco companies' lobbyists in action, you would understand exactly what I mean. They are flush with funds and they are professional in their techniques.

Mr Court: How can you say they are flush with funds?

Mr BRIAN BURKE: The tobacco companies' lobbyists are unstinting in their efforts to persuade people to take a stand against any move by any Government of any country to discourage smoking or to affect their markets.

That is the truth, and the Deputy Leader of the Opposition should know that. If he has been subject to the same sort of approaches as have Government members, he should know that what I am saying is the truth.

Mr Hassell: This move is not to discourage smoking. You said yourself it was a revenue, a finance, a Budget measure.

Mr BRIAN BURKE: Apparently the Deputy Leader of the Opposition was not present during my second reading speech, yet he seeks to comment on those things he has not heard; I will deal with them in a moment. Let us stay with the present point for the moment, which is that the Opposition's attempt to claim strength from a petition of 32 000 signatures and the receipt of 1 500 letters in the Leader of the Opposition's office really does not mean much when we think about the well-oiled, well-financed and professional approach of tobacco companies intent upon protecting their market regardless of how it affects the health of the community generally. That is the truth.

It is absolutely idle to say that the sort of protest the Leader of the Opposition refers to is a significant and substantial protest that should deter the Government. The Government will not be deterred from the path it has chosen to follow by that sort of protest.

I remind the Opposition that when it was in Government and was presented with a petition signed by 100 000 signatories seeking the re-opening of the Perth-Fremantle railway line, it proceeded to ignore that petition.



Mr MacKinnon: Including Mickey Mouse.

Mr BRIAN BURKE: Suddenly, a petition just one third as large as the petition rejected by the previous Government becomes a compelling argument.

Mr Hassell: We didn't say you had to follow the petition; we said we had received a petition from people affected by your measure.

Mr BRIAN BURKE: I do not want to dally with the Deputy Leader of the Opposition, because he does not appear to listen. The Deputy Leader of the Opposition should not attempt to draw strength from that sort of protest for his argument which says there is community opposition to this measure. As I have simply explained to him—a person who prides himself on the balance of reasonableness, whatever that means—when this measure is reviewed objectively by him, he will admit that the truth is the Government has been faced by a professional and well-financed campaign by the tobacco companies to protect their market.

If the Opposition is fooled by that I tell members opposite that the Government will not be fooled. If the Deputy Leader of the Opposition—who by now is starting to become a little upset—wants to check with the member for Subiaco, he will find out all about the actions of tobacco companies when they want to defeat a particular measure that might impinge on their market.

Considerable play has been made by members of the Opposition referring to my "misstatements" about the amount of money this measure will raise. When Opposition members went to the trouble of explaining what they meant they quoted me as saying the measure would raise \$15 or \$16 million, the Deputy Premier as saying it would raise \$21 million, and Mr McCarrey as saying it would raise \$19 million.

Mr Hassell: Or up to \$40 million.

Mr BRIAN BURKE: I do not know how that means I have misstated the amount of money the tax might raise, but just so that the darkness around the Opposition is lifted for a fraction of a sunny second, I explain that it is just not possible to determine the decline in consumption that will result from the imposition of this and other measures that are part of this Government's comprehensive antismoking campaign.

Mr MacKinnon: What do you expect it to be—the estimates of the decline?

Mr BRIAN BURKE: As I have said previously, any decrease in consumption that will result from this aspect of the campaign is roughly

put at between one per cent and 1.5 per cent for every one per cent above 15 per cent that the tax will rise. According to the best possible estimates we can get, that is what this aspect of the campaign is likely to cause consumption to decline by.

Mr MacKinnon: Who did the estimates?

Mr BRIAN BURKE: The estimates were calculated and advised to me by Treasury, and they were based on the different results of increases not like but similar in nature in other parts of the world.

Mr MacKinnon: It will prove to be very bad advice.

Mr BRIAN BURKE: This surface skater, who wants to chip in nastily when it suits him, does not realise that the same man whose advice he now calls bad was Under Treasurer to successful Liberal Premiers, all of whom expressed great satisfaction with his advice.

Let me deal with the point raised by the Deputy Leader of the Opposition when he said that this was a taxing measure and that no effort was being made in this measure to discourage smoking. I will tell him the situation in which was born this particular proposal.

When talking to lobbyists representing advertising industry people and tobacco industry people, I was informed that the proposal to ban the advertising and promotion of tobacco products would not work, that it had not worked in other countries and that the only way to decrease consumption of tobacco products was to increase the price. I listened carefully and as a result I discussed the proposition now before the House and decided upon it.

As soon as that was decided, one might have thought that the previous logic had never been stated, because the same people who had told me that the one way to discourage consumption of cigarettes was to increase the price of the product now maintain that nothing much would happen except that old people and poor people would be penalised.

The Government is not persuaded by that sudden change of face by those people into whose market this measure will intrude. And for the same reason, the Deputy Leader of the Opposition is absolutely wrong to say that this measure will not discourage smoking or that it is a simple taxing measure.

We have never pretended that the revenue raised from this measure will be expended to fund a campaign aimed at discouraging people from smoking. No Government member has ever said that to my knowledge. What we have said is this:

The increasing of the price of a packet of cigarettes in this manner will certainly discourage smoking. For the member for Kalamunda to say, "That might happen for a little while and then they will be back to their old habits" and then to say when asked the basis for that proposition that it was simply his own observation, and then when reminded that individuals' observations are sometimes faulty to reply that his were not, is not good enough.

The companies themselves say that in terms of market penetration they have yet to recover from the last increase in excise placed on their product. The general executive of AMATIL visited me in Sydney when I was there a few weeks ago and made that very point to me. His argument was that if we introduced this legislation in Western Australia we would decrease employment in New South Wales where people manufacture cigarettes. I am not persuaded by that argument at all.

I accept the obligation the Government has to create employment and to maintain the existing employment of so many hundreds of thousands of Western Australians, but if members opposite do not understand that the cost of the treatment in this State of tobacco-related illness is about \$65 million every year—about twice what this tax will raise—and that this cost is borne not only by those people who choose to smoke but also by every citizen of the State, it is something they should turn their attention to fairly shortly.

As I explained to the member for Kalamunda, we cannot compare a situation in which people abuse alcohol or misuse vehicles with a situation in which people smoke. There is no safe level of tobacco consumption. The Government has not set about to try to prevent people from smoking by making a law that says, "You shall not smoke." What we are saying is that smoking involves the community generally in expenditure that, in the medical treatment and hospital care of tobacco-related illnesses, apart from the expenditure in other areas related to tobacco consumption, costs the community \$65 million a year. If these fancy people on the other side with their arguments about using their money to do this or to do that, or about writing into the legislation what we are to use that money on, want to continue with those arguments, I must inform them that already more than that amount of money is spent on the medical treatment and hospital care of people suffering from tobacco-related diseases, and that amount is \$65 million a year. The money already received from the tax on cigarettes is already well and truly used.

It is an incredible situation to see this Opposition, which when in Government languished in inaction for so long, now ignoring the need for a comprehensive and sensible campaign to combat tobacco consumption, and maintaining that we should start to write into our legislation that certain amounts of money should be spent in certain areas. Well, we will not do that. We will fund a campaign to a minimum of \$2 million and monitor that campaign carefully. We will increase the amount as it is warranted, and funds can be found, and will decrease it only if the monitoring illustrates the campaign is not an efficient means to decrease consumption. That is what we will do; we will not accept an amendment that says somehow or other that 25 per cent, based on discrepancies the Opposition perceives the Government has been responsible for, is an appropriate level to which to increase the tax.

Why does the Opposition not look at itself and wonder whether it is acting responsibly by basing its amendments on some nicety about its perception of the Government's position? Why does it not sit down to work out what it thinks is a fair or justified increase, or what it thinks is an increase in tune with the Government's legislation, instead of acting in a typically member for Cottesloe fashion in saying, "Because you said that, and you did that, we are going to do this"? The situation is unbearable.

Mr Hassell: You can't bear any criticism.

Mr BRIAN BURKE: I do not object to criticism from the Deputy Leader of the Opposition.

Mr Hassell: You never answer it.

Mr BRIAN BURKE: I don't mind criticism from the Deputy Leader of the Opposition. I can cope with his criticism quite easily.

Mr Hassell: You are so good!

Mr BRIAN BURKE: I am very proud it has taken the election of a Labor Party to bring to the public of this State and to this Parliament an intelligent and comprehensive antismoking campaign. In my second reading speech I outlined to the Parliament the different parts of that campaign.

Without exception, every member participating in this debate has said that he does not support smoking and that we should discourage children from smoking. All right, if that is the truth, the Opposition should at least give the Government credit for what it is trying to do, and should not attempt to denigrate the Government on the basis of some perceived discrepancy in statements made by either the Leader of the Government, the Deputy Leader, or the Under Treasurer, knowing as the Opposition does, that the ability to accu-

rately forecast the income from this licence will depend very much on the decrease in consumption. The Government would be pleased to see no licence fees collected because that would mean, although we were deprived of revenue, we would be—if one wants to be mercenary about it—saving at least \$65 million in hospital costs. More importantly it would mean consumption of tobacco products had been substantially decreased.

I will deal now with one or two aspects touched upon by different members in talking about illegal and other avoidance procedures. The first is bootlegging. I do not know whether the member who raised the prospects of road trains rolling across the border, packed with Alpine, was serious when he said this legislation would provoke endless chains. If he were serious, it means that another member on the same side of the House, who argued just prior to these statements about road trains that the increase in the penalty was too severe, was obviously at loggerheads with his fellows. If we are to have a situation postulated by one member of the Opposition of endless road trains packed with cigarettes rolling across the border, surely the Opposition should support the increased penalties proposed, because that is exactly why those penalties were suggested.

Mr Hassell: Why don't you hang them?

Mr Blaikie: You sound like you want to be John Wayne.

Mr Hassell: You have made the stupidest argument I have ever heard.

Mr BRIAN BURKE: All I am trying to point out to the Deputy Leader of the Opposition, the liverish Deputy Leader of the Opposition—

Mr Hassell: You are.

Mr BRIAN BURKE: I am not liverish at all. If he wants to say that substantial new dangers are posed by this new law he should not complain about the proposed increase in penalties, because that is exactly why the increase has been suggested.

Mr Hassell: Should there be any limit to the penalty?

Mr BRIAN BURKE: Of course there should be a limit, but I heard the Deputy Leader of the Opposition say a moment ago that people should be hanged.

Mr Hassell: No. You are twisting the truth again.

Mr BRIAN BURKE: In regard to bootlegging the Parliament can be assured we will be assiduous in our efforts to enforce the law. Unlike other States we have certain geographical advantages

which make the breaking of this law far more difficult to achieve. If further amendments to the law are required to prevent the breaking of this particular part of it, appropriate amendments will be suggested to the Parliament.

I suspect that the question of mail orders was raised by the tobacco companies largely to defend themselves against this measure. We are aware of the ability people have to trade between the States, but of course any mass importation by mail of cigarettes to be distributed to other people in any way at all will render the distributors liable to be licensed. As far as individual importers are concerned, I can only refer members back to the prospect of droves of individuals importing packets of cigarettes singly or in cartons, and I suspect in any case that the argument is fairly hollow.

Mr MacKinnon: I take it you don't think it's going to happen?

Mr BRIAN BURKE: I certainly do not think it will happen on the scale postulated by the member who raised the matter—I think, the member for Nedlands.

Mr Hassell: I'm glad you raised that because that is what we wanted to hear. It will be very, very handy.

Mr BRIAN BURKE: These are rather odd threats.

Mr Hassell: How could you as centralists refer to interstate trade as smuggling?

Mr BRIAN BURKE: The only other matter I wanted to touch upon was the remainder of the campaign that refers to the health education programme and the consideration of the banning of the advertising and promotion of tobacco products. These things illustrate the innovations for which the Government will be responsible as part of its campaign. It may prove to be the case that we cannot discourage young people from smoking by using a comprehensive education programme throughout the schools. It may be the case that we cannot discourage people from smoking if we establish "quit" centres around the city, or shop fronts, or hot lines, or if we advertise to combat the peer group pressure other people have spoken of. As sure as eggs, and as sure as the member for Kalamunda pointed out previously, we are not doing much of a job in discouraging young people from smoking, so why is it that the Opposition is so niggardly in its attitude to a Government that at least is trying to do something? I see the member for Subiaco pointing to himself and shaking his head. I know the member for Subiaco, who is a trained medical practitioner, supports the point of view that we should have an active and

thorough programme to discourage people from smoking; how about everyone else on that side of the House who has stood and told us about civil liberties, about people having only one luxury, and about those people who are traditionally our supporters and are being affected, appealing in the crassest political sense to the rights and wrongs of the situation?

Mr Court: I said parents are the best people to educate their children.

Mr BRIAN BURKE: We are not much interested in what you said.

Several members interjected.

Mr BRIAN BURKE: A livery has to do with horses.

Mr Hassell: That is appropriate.

Mr Williams: You realize that by increasing the cost of cigarettes by 25 cents, you will increase the CPI by half a per cent?

Mr BRIAN BURKE: I am aware of the impact on the CPI brought about by this increase and of the increased charges announced recently. I was also very heartened to see that for the June quarter Western Australia had the lowest CPI increase of any State. I think the Government deserves some credit for that.

Several members interjected.

Mr BRIAN BURKE: It has really reached the stage this afternoon where, far from being co-operative, the Opposition cannot seem to see the Government doing anything right. It really is puzzling.

Mr Court: You are not far wrong.

Mr Hassell: Would you just answer one question?

Mr BRIAN BURKE: The motion is on the Table before the Parliament. We do not accept the opposition to this motion.

Question put and passed.

Bill read a second time.

#### *In Committee*

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

Clause 1 put and passed.

Clause 2: Section 4 amended—

Mr MacKINNON: During my earlier remarks, which obviously the Premier overlooked, I commented on the penalties imposed by this Bill. I ask him to make some response on that point now. To refresh his memory, the points I made were as follows: Under Clause 2 the penalty is to be in-

creased from \$200 to \$5 000; in other words, a 2 500 per cent increase. It seems to me to be a rather sudden increase, as is the increase in the percentage taken by the Government on this matter; however, the taxing revenue is not increasing at the rate of 2 500 per cent.

The penalty for which the fine is imposed is not a very serious one. It is a penalty for failing to inform the commissioner, or to comply with the direction he might make. It might warrant an increase, but does it require an increase of the order of \$5 000? The penalty under the Liquor Act for the same offence is \$500. I ask why the increase is so great and whether the Liquor Act in due course will be amended accordingly so that the penalties under that Act are also increased by such a large amount.

Mr BRIAN BURKE: This increase is a penalty for any person who prevents, hinders or obstructs the commissioner or his officers from carrying out investigative procedures, or who fails to comply with a reasonable request, or who furnishes false or misleading information.

It is true that the penalties have not been increased since 1975. It is also true, as the member indicated, that with the effluxion of time and with inflation's ravages, we could expect some increase in the penalty, but that is only one reason for the increases.

The way in which this proposal to increase the licence fee changes the aspect of this legislation is that it really changes the character of the penalties provided. We are really talking about a very large increase in the licence fee, and, as a result, we have heard accusations from the Opposition that it will engender bootlegging or other dubious criminal practices—people will flout the law. If that is the Opposition's view, it is hardly compatible with that view that the Opposition should maintain that the proposed increased penalty is not appropriate.

Two things must be borne in mind: Firstly, the fact that this penalty has not been adjusted for seven or eight years, and, secondly, the character of this legislation that results from the change in the licence fee, which all warrant absolutely the proposed increase.

The last point the member made was the same point he made previously, and I am sorry if I neglected to answer those points which he made during his second reading contribution. I did try to write out this one as being either logical or in some way relevant and requiring answering. As far as the liquor laws are concerned, I have absolutely no idea what the Minister or his department have in mind, but if I were in Opposition, I would

not be drawing any parallel between this licence fee and amendments to the Liquor Act.

Mr COURT: I am concerned about the size of the penalties involved. Has the Government set these big penalties because it believes that industry has the capacity to pay quite large fines for penalties?

Mr Brian Burke: No.

Mr MacKINNON: Firstly, the Premier would know that even if the legislation and the penalties have not been amended since 1976, inflation has been nowhere near 2 500 per cent in the last eight years.

Mr Hassell: After all, they have not been in government.

Mr MacKINNON: No. The other point is that the Premier defeats himself by his own argument when he says that if we believe that bootlegging will occur, we should be in favour of such large penalties. If he does not believe that it will be a problem, why impose the large penalties? The question remains. Any Government has a responsibility when examining this type of legislation to look at the penalties and to determine whether or not they are relevant and accurate. I can recall that, when we were in government, when we had to change penalties and amend legislation, we did just that.

We examined similar legislation and noted the relativities and decided whether the penalties should be increased, and by how much. The increase of 2 500 per cent in this legislation in regard to penalties is above what would be considered to be normal. We know the Premier believes bootlegging will not occur, but the penalty provided is unacceptable, especially when we consider the penalties listed in similar legislation; for example, the liquor industry legislation.

The maximum penalty in that area is usually \$500—not \$20 000. The human tissue and transplant legislation provides a penalty of \$500 if a person removes a human organ without permission.

The Government is using a sledge hammer to crack a nut. The Opposition has the right to criticise such penalties which infringe the basic human rights of citizens.

Mr HASSELL: One could only assume that the Premier deliberately misrepresented the position and the arguments put forward relating to penalties. He says the Opposition has pointed to the steepness of the increase in the tax, while encouraging people to avoid it, by deliberate evasion—which he calls bootlegging—by the perfectly lawful process of acquiring goods through

the post by contracts interstate. He believes that we should have no complaint about the size of the penalty.

When his point of view is reduced to its bald simplicity, we realise the Premier is saying that if an offence is to be committed, one cannot complain if that offence attracts a large penalty. On the same basis, I put the argument to him that he might just as well provide that people be hanged for committing the offence. The Premier tried to misrepresent my suggestion by saying that I thought people should be hanged. I did not suggest that at all.

The Opposition believes that the penalties are out of kilter, out of proportion, and out of balance. They are too large and unfair and no amount of misrepresentation by the Premier will alter that fact.

By comparison with similar legislation related to the collection of revenue, these penalties are out of balance. By comparison with penalties in the criminal law, these penalties are out of balance also. The Opposition has adopted a consistent position and no amount of misrepresentation will alter that fact.

The penalties are heavy handed and unfair. If we follow the Premier's argument to its logical conclusion, we should increase the penalty for speeding on the roads, because we know some people will speed at some time. That is the stupidity of the Premier's position.

Mr WILLIAMS: I would like to ask the Premier a question. The \$20 000 penalty cannot stop trade coming across the border of Western Australia. How can a retailer or wholesaler be fined if he receives a truckload of cigarettes from Queensland, with the intention of reselling them? He cannot be fined when he holds a licence.

The CHAIRMAN: Order! Will the member indicate whether he is speaking to clause 2 or 3? Clause 2 has a penalty of \$5 000 and clause 3 has a penalty of \$20 000.

Mr WILLIAMS: I meant clause 3.

Mr Brian Burke: It is a tax on his turnover.

Clause put and passed.

Clauses 3 and 4 put and passed.

Clause 5: Section 10 amended—

Mr HASSELL: I listened carefully to the comments of the Premier during the debate. I ask him to say clearly and simply exactly what revenue the Government expects to raise from the tax of 35 per cent additional to the revenue which it could expect to raise if the tax were maintained at 12½ per cent?

Mr Brian Burke: Enough to fund our campaign on smoking.

Mr HASSELL: What a disgraceful answer. We have heard conflicting statements from the Premier and his Ministers on this issue as to how much money will be raised by the tax.

I have asked the Premier a simple question which relates to the core of the issue and his answer is that the tax will raise enough to cover the campaign.

Mr Brian Burke: As I have explained to you previously, it is just not possible to calculate the decrease in consumption. I have tried to explain that fact to you three times. If you want me to keep explaining, I do not mind because I am sure I can be smarter and nastier than you can.

Mr HASSELL: I do not accept that the Premier's statement is true.

Mr Brian Burke: Well, vote against the clause.

Mr HASSELL: I will certainly amend the clause—

Mr Brian Burke: You are going to amend it, are you?

Mr HASSELL: If I can. The Premier should stop being smart. I am trying to obtain from the Premier a simple answer which relates to an important taxation measure which is part of his Budget. Why does he not answer?

Several members interjected.

Mr Brian Burke: Do not get angry.

Mr HASSELL: Is the Premier trying to tell me that there is no estimate in his department or in his notes on the table in front of him?

Mr Brian Burke: I am telling you for the fourth time, despite your anger, that it is just not capable of resolution to obtain the exact figure that you want. That presumes we are able to predict the decline in consumption. It is not possible to achieve. That is the fourth time. If you object in principle to what has been done, vote against the clause.

Mr Tonkin: It depends on the elasticity of demand, surely.

Mr Rushton: You could with the bus fares.

Mr HASSELL: If what the Premier says is the position—which I do not believe—why did he tell the public, through *The Western Mail* on 14 June 1983 that the extra revenue to be raised would be \$15 million?

Mr Brian Burke: Because that was the estimate I gave that paper. I have explained the basis of the matter and you keep insisting we should be capable of giving you a conclusive answer. That is

not capable of resolution: I do not mind telling you five times.

Mr HASSELL: The Premier did not mind repeating misleading information—he is a master at it. He is a master at repeating misleading information in the Press. If he keeps repeating untruths often enough he thinks that it will become the truth, but it does not, and he will learn that.

As is the normal practice the department, or the Treasury, has made a realistic estimate of the additional revenue that will be raised; and the Premier is refusing to tell the House and, furthermore, he is quite deliberately misleading this House by saying there is no estimate. If that is the basis on which this Premier will govern the State in relation to a vital piece of legislation affecting his own Budget, how can one expect us, or the community, to accept the Government's justification for an increase to 35 per cent in the rate of tax? The justification for an increase to that amount is entirely dependent on the fact that the amount of revenue to be raised is required either for the Government's Budget or for its educational campaign. If it is not required for the Government's Budget, the increase should not be as great; if it is not required for the Government's educational campaign then the increase should not be as great. The Premier is simply saying to the House that the Government will increase the tax.

Mr Brian Burke: That is perfectly right. It is the fourth time it has been explained and you should be able to understand it.

Mr HASSELL: I wanted to get it on record.

Mr Brian Burke: It is not possible to give that sort of figure in this place because it will permit you, in 12 months' time, to come back and say, "You are wrong".

Mr HASSELL: I am not interested in 12 months' time. I am interested in your justification for the tax increase from 12½ per cent to 35 per cent. It is a massive increase by any standard and is unprecedented in terms of State Government action in this area. Yet, the Government's justification for that depended on establishing, to the satisfaction of the House and the public, that the revenue was needed. However, the Premier now tells us he does not know how much it will raise and, therefore, it follows that the Premier cannot say that the revenue is needed. It is a shot in the dark and the Premier is misleading the House. In fact, the Premier has an estimate, but will not release it. The fact is, as suggested in my second reading speech, the Government is seeking to create some fund for purposes that have not been disclosed.

Mr Brian Burke: Trips to Russia, probably.

Mr HASSELL: Is the Premier going to joke about trips to Russia? The Government treats with contempt anything the Opposition raises. It treats seriously only matters it raises.

Mr Gordon Hill: When it deserves contempt it will get it.

Mr HASSELL: If the Premier wanted to deal with trips to Russia he should have dealt with the subject in answer to a simple question. No accusations were made, no-one was named, and we were not out to get anyone, but the Premier would not give an answer because he is the eternal smart aleck who believes he is beyond question.

The estimate that we have from our research of this matter is that, allowing for a decline of 10 per cent in the market for tobacco and tobacco products as a result of an increase to 25 per cent in the State tobacco tax, the revenue would be \$30.6 million. Such an amount of revenue would be very close to the \$15 million which the Premier originally announced as the amount that would be raised from the increase in tobacco tax. One assumes that because originally the Premier announced that was the amount of revenue he was seeking to raise and it is, therefore, on that basis that we have proposed amendments to clause 5 of the Bill to reduce the amount of tax from 35 per cent to 25 per cent. Our purpose in moving this amendment is to put the Government in a position where it receives the revenue which the Government said it required for its Budget without proposing or allowing the unnecessarily harsh and excessive increase in tax which will most likely produce much more revenue than the Government said it required.

It is on that basis that we will move this amendment and, as the Premier has misrepresented our position on this matter, I must explain to him again that the Opposition's position is clear. The Opposition does not agree that this increase is reasonable, whether the increase be 25 per cent or 35 per cent. Because it is part of the Premier's Budget and it is a financial measure, as the Premier said when he introduced the Bill, the Opposition would not move to throw this Bill out of this Chamber or the other place. Therefore, although constrained in that way, we nevertheless believe that the Government should be honest in its own position and, as the Government announced its revenue increase would be \$15 million, our amendments are intended to confine the revenue raised to \$15 million. This is approximately the amount of the increase that would be obtained if the tax were 25 per cent. As I mentioned before, that figure was from the research which we have

undertaken. It is on that basis that I move an amendment—

Page 3, lines 33 and 34—Delete the words "thirty-five per centum" with a view to substituting the words "twenty-five per centum".

Mr MacKINNON: It seems strange as the Deputy Leader of the Opposition has pointed out, that the Premier is not prepared to come clean in the Parliament and give us a figure that he estimates his taxing legislation will raise.

I refer the Premier to an article which appeared in either Tuesday or Wednesday's *The West Australian* which referred to a figure of \$15 million that the Government is estimating this taxing measure will raise.

In reality it probably does not matter that the Premier is not prepared to come clean in the Parliament because the public of Western Australia has seen from his public pronouncements exactly what he believes the legislation will bring in revenue.

As I indicated this morning in my contribution to the debate, it is my personal view that the income from the increase in the tax will be far greater than the amount the Government has estimated. I disagree slightly with my deputy leader in respect of the estimate of income that will be forthcoming. In my view, if we take the figure of 25 per cent, the estimate is likely to be in the order of \$21 million, but let us give the Premier the benefit of the doubt. The point at issue is that we are endeavouring to bring back—

Mr Brian Burke: He is disagreeing with you now.

Mr MacKINNON: It is an estimate; I am using the Premier's words.

Mr Hassell: We do not have available to us the Treasury facilities that you have.

Mr Brian Burke: The truth is you are disagreeing with each other.

Mr Blaikie: We would be delighted to know the truth.

The CHAIRMAN: Order!

Mr MacKINNON: There is a significant difference between an increase of \$15 million and something like \$27 million, if one estimates that the income will decline. The Premier's arithmetic is not so bad that he does not know that that is a difference of \$12 million, or 100 per cent.

Mr Brian Burke: What is the difference between your figure and the Deputy Opposition Leader's figure?

Mr MacKINNON: The Deputy Leader of the Opposition has said we will reduce the figure

from 35 per cent to 25 per cent which should raise in the order of \$15 million.

Mr Brian Burke: You are saying it will raise \$21 million.

Mr MacKINNON: I am saying that in my view it will raise more than that—\$21.7 million to be exact.

Mr Brian Burke: The same difference between the Deputy Premier and myself has occasioned this fuss. Now, the difference between you two does not matter.

Mr MacKINNON: The dim-witted Premier cannot understand that my estimate is far in excess of his. I believe the Deputy Leader of the Opposition is erring too far on the side of conservatism.

Our amendment is designed to attempt to bring the Government back to reality and to its commitment to bring in about \$15 million. I believe the Government's current proposal to increase the fee to 35 per cent will result in an increase of \$26 million, a far greater figure than the \$15 million the Premier stated. The Government no doubt will oppose this legislation. The truth of the saying that chickens come home to roost will be seen 12 months from today when we sit in this Parliament and the Opposition will point out to the Government the truth of what we have said.

The Premier is being totally dishonest with the people of this State. He believes he can get away with total misrepresentation. One can do that for only so long. His chickens will come home to roost in 12 months. I hope he will sit there and take responsibility for his actions because he certainly will need to do so.

Mr BRIAN BURKE: I will answer this argument once and point out the absurdity of the position now occupied by the Opposition. In drawing strength for this amendment from what it perceived to be the Government's position, the Opposition outlined the difference between what the Deputy Premier had said was the likely revenue and what I said it might be. That difference was \$6 million. It provoked this amendment by the Opposition, yet the first and second speakers for the Opposition in estimating what will be recovered from this increase gave amounts which are \$6 million different from each other.

I do not know how the Opposition can escape the same challenge it throws to us when it says, "Tell us what this measure will raise", because it is telling us what it thinks the measure will raise and is giving two different amounts. That shows the absurdity of the Opposition's position. Different calculations have been made and I am not sure to what information the Deputy Premier had

recourse when he mentioned the figure of \$21 million. He could be right, and the Under Treasurer who said \$19 million could be right.

Mr Hassell: Or \$40 million.

Mr BRIAN BURKE: When he said \$40 million I think he was talking about the total brought in, not the difference.

Mr MacKinnon: Why did you say \$15 million?

Mr BRIAN BURKE: I guess because the calculation was made on a different basis.

Mr MacKinnon: You guess!

Mr BRIAN BURKE: Why did the member for Murdoch say \$21 million when the Deputy Leader of the Opposition said \$15 million?

Mr MacKinnon: Clearly, my estimates differ from his.

Mr BRIAN BURKE: Mine clearly are different from those of the Under Treasurer.

Mr Court: Tell us on what assumptions you have made your estimate.

Mr BRIAN BURKE: I have tried to outline the basis for the difficulty in estimating the decrease in consumption when one considers this is one part of a five-part campaign. I do not know whether the education campaign will result in a decrease of three to four per cent, or whether the Opposition thinks it will be a different increase. I do not know whether the increased price will result in a decrease of 10 to 13 per cent, as it has in the UK, and whether a ban on advertising promotion, if undertaken, will cause a decrease in consumption, as some claim, or will not affect consumption as others claim.

Mr Blaikie: The facilities you have would enable you to provide a range of options.

Mr BRIAN BURKE: The Deputy Leader of the Opposition has provided a range of options. As far as I can see they range from \$15 million to \$21 million. Even if one gave him all the accumulated wisdom in this place and accepted that that is the range of options, I cannot see why we are guilty of a grievous error and the Opposition is not when it quotes figures which vary by the same number of millions of dollars. That is the truth of the situation.

It may be the variation in the consumption will be attributable to one part or another of the campaign. The Deputy Leader of the Opposition is not interested, he says, but the member for Murdoch is interested because he is looking forward to it. I promise that in 12 months the Government will report on the revenue raised and the Opposition will be able to determine, to poke sticks at, deride, and convict the Government of



any sin of which it may be guilty. If the Opposition expects me to say this particular piece of legislation will raise X millions of dollars of revenue and attempt on that basis to justify the specifics of the legislation—the revenue-raised basis—I say it would be unwise and I will not do it.

Mr Hassell: You are twisting and misrepresenting the situation again.

Mr BRIAN BURKE: I do not know what is wrong with the Deputy Leader of the Opposition.

Mr Hassell: I know what is wrong with you. You are a congenital bloody liar!

#### *Withdrawal of Remark*

The CHAIRMAN: Order! The term used by the Deputy Leader of the Opposition—

Mr Hassell: Mr Chairman, I withdraw.

#### *Committee Resumed*

Mr BRIAN BURKE: I always think people who react in that way say more about themselves than about the object of their insults.

Mr Clarko: Remember how you carried on about the Ugle case and the stolen files?

Mr BRIAN BURKE: I will answer the Opposition's argument once. The difficulty in estimating precisely the revenue to be gained from the legislation was reflected perfectly in the Opposition's, difficulty in arriving at a projected revenue itself. The difference in the amount put forward by each of the speakers who preceded me when predicting how much the changes to the licensing fee would raise was exactly the same as the difference we were guilty of in our public statements, and it has occasioned this amendment.

That shows the difficulty I have been trying to detail throughout the debate on this legislation. I presume that in 12 months' time for the Opposition's benefit we will table full details of how much the measure has raised. The Opposition then can say we have raised more than we thought or that the campaign to discourage smoking is not working, or for some other reason the tax should be adjusted. It is not possible to predict the decrease in consumption which may occur as a result of the total campaign. For that reason the precise amount of revenue that will be raised is impossible to nominate.

It will be substantial; it will be a very substantial increase in the licence fee. No-one is saying that the revenue to be raised is not substantial. It may be \$15 million, \$16 million, or \$21 million, but it will be substantial and the difference could

be \$5 million or \$6 million—and I suspect it may be even greater than that one way or the other if the campaign is successful. Whatever the difference is, in 12 months' time it will be reported to Parliament in the normal processes of government.

Mr MacKinnon: It has to be.

Mr BRIAN BURKE: We will not tolerate an amendment based on what the Deputy Leader of the Opposition perceives to be some difference in arithmetical calculations of the Government. We well may say that the same sort of difference was expressed by Opposition speakers whose estimates vary from that proposed by the Opposition. We reject the amendment.

Mr COURT: I support the amendment because I believe the question of the amount of revenue to be raised by the increased tax is quite important. The Opposition has made its point clear; at the very worst, working on the assumption of a 10 per cent decrease in consumption and a 25 per cent tax, the measure will raise \$15 million.

The other reason I support the amendment is because the Bill will decrease the discrepancy in the relative prices in the States. The Government could well find that many cigarettes are now purchased from the Eastern States. By taking such a big step it could well be that the Government will lose revenue.

If the Government had increased the fee from 12.5 per cent to 25 per cent, people would have continued to buy their cigarettes in this State. However, as a result of being greedy, it could well be that revenue declines. For this reason the Treasurer should give us estimates as to the level of revenue that will be raised. He believes that people will not buy their cigarettes by mail from the east but the feedback we have received is that such a trend is commencing already.

Mr MacKinnon: Sunrise Industries.

Mr COURT: It can be done quite legally. For those reasons I support the amendment.

Mr HASSELL: I made my withdrawal, and I meant it because I made my remark to the Premier in anger and one should not get angry in these debates. The reason I became angry is simply that the Premier persistently misrepresents the positions, and misrepresents our position in relation to this matter. I did not say I was not interested in next year, so it was not correct for the Premier to say that I said that I was not interested in next year but that the member for Murdoch said he was. I said that the issue I was dealing with currently was not related to next year but related to the issue in this debate. The issue in this debate is the amount of the increase in the rate of the li-

cence fee—an increase from 12.5 to 35 per cent. Surely that increase has to be justified on some basis. The Premier and Treasurer has sought to justify it in different ways but fundamentally he did so honestly in his second reading speech when he said it is a taxing measure which seeks to raise revenue. However, he then effectively destroyed the total of his justification because he said he did not know, even by estimate, how much the taxing measure will raise.

The Premier and Treasurer said that I said the Opposition wanted to know what he would say the tax would raise. Again that is not what I said. It is not what we expect of the Premier and Treasurer. What we expect of the Government, what we are entitled to expect of the Government, is that it should put before the Chamber, and more importantly before the tax-paying public, a reasonable estimate of the amount of revenue to be raised as the very basis of justification for the massive increase of several hundred per centum of the rate of tax to be applied.

The Premier persists in saying that he has no idea how much tax revenue this tax measure will raise and I ask the Premier again: Is it not true that basic estimates have been made in the Treasury Department? Is it not true that the Under Treasurer has suggested that one of those various estimates is the best estimate, the appropriate estimate to use, in calculating for the purposes of the Budget, what can be expected to be raised? Is it not true that for the very purpose of budgeting the 1983-84 Budget, one of the estimates must be chosen, or will the Premier come to this place on a day in September and present his Budget and say that he does not know how much money will be raised by the State in that Budget?

Such a proposition would be ludicrous even for the present Treasurer because no Government anywhere at any time has ever presented a Budget to the Parliament in which it declined to say how much money was expected to be raised. It has on occasion no doubt indicated that there were variables, as any intelligent person would know. If there were no variables, there would be no need to budget. However, somewhere along the line, somewhere in the Treasury, somewhere in the advice to the Treasurer, in my belief—based on my experience in Government—an estimate is being used, or it will be used by the Government, of the amount of revenue that this measure will raise.

That is the estimate we have asked the Premier and Treasurer to use in this Parliament in a debate relating to a budgetary measure and that is an estimate that the Premier and Treasurer not only refuses to give to us but claims does not exist. What absolute nonsense. I believe the

Treasurer has misled the Chamber and in the fullness of time he will be shown to have misled the Chamber.

Mr WILLIAMS: I find the unfolding of this story to be unreal. It staggers me that the Treasurer cannot give us the exact figures to make up the tax that he requires within a matter of thousands of dollars. The Department of Treasury is capable of providing the information, but perhaps it finds distasteful what is happening. We know that the Treasurer is not capable of making such calculations. If the Treasurer is fair dinkum and he wants actuality, the Bureau of Statistics could show him exactly how many cigarettes and how much tobacco were sold in the State last year; and he could base his estimates upon that. I cannot understand why he has not gone to the tobacco industry, which has exact figures on sales.

He could have gone to the customs and excise people to obtain exact figures for sales in the last 12 months. If he had pursued any of those lines, he would have the exact figures.

It is staggering that the Treasurer should put up a tax by 180 per cent in one hit and say that he cannot estimate the value of the increase at \$46 million. We had no trouble in making that assessment of \$46 million.

If this amendment is passed, in the 1983-84 Estimates, even with a decline of seven per cent in smoking, we will have an increase in turnover of \$31.62 million. The Treasurer says all that he requires is \$15 million; but he has doubled his estimate already. If there is a decline of 10 per cent in smoking, the Treasurer will receive \$30.6 million. These figures are easy to work out.

Either the Treasurer is not capable of working out these figures, or he does not wish to disclose the facts. I believe the latter is the case, because the Treasurer is embarrassed. He has not done his homework. He did not follow it through; now he realises he will raise much money from many pensioners and the like; and he cannot face up to reality.

The Treasurer has no excuse. His object is to mislead the Committee and mislead the public. It is about time he resigned.

Mr BRIAN BURKE: During his second speech, the Deputy Leader of the Opposition asked a different question from the one he posed initially. The question he asked in his second contribution went to an estimate that must exist. Of course an estimate exists; it was made by the Under Treasurer at \$21 million. That is different from the question, "What will this increase in licence fees raise?"

It remains to be seen whether the Under Treasurer is right in that estimate, or whether the Deputy Leader of the Opposition or the member for Murdoch is right in his estimation. That was not the point I was trying to make.

Mr Hassell: You are wriggling on the hook. Do not worry about that.

Mr BRIAN BURKE: I do not mind giving to the Deputy Leader of the Opposition an estimate that will be included for budgeting purposes as the revenue to be raised from this measure; but at the same time I repeat the warning I issued previously, that the estimation, in the fullness of time 12 months from now, may well prove to be right or wrong. If the Deputy Leader of the Opposition or anyone else in the Opposition wants to say that because on this occasion I have given a figure, and because in 12 months' time that figure is right, then the case is as I have tried to outline it.

The estimate made by the Under Treasurer is there. He believes that it will be \$21 million. I am not sure that I agree with him. I suspect that for budgeting purposes we will include the figure he suggests; but that is not certain because the process is not completed.

On the basis of what the Deputy Leader of the Opposition has said, I believe that the Opposition will withdraw the amendment.

Mr HASSELL: I thank the Treasurer for giving us the figure; but unless he has special powers, which I am sure he has not, the record of the debate this afternoon will show that, when finally confronted with the truth of his position, the Treasurer has again misrepresented himself as a means of getting off the hook. How could I possibly have asked the Treasurer for anything other than an estimate? We are talking about a budget which is totally an estimate. We are talking about what will happen in the future, which is necessarily an estimate. It is simply not true for the Treasurer to suggest that my first request for information was a request for a fact as distinct from a subsequent request for an estimate.

I am interested to see the way in which the Treasurer has carefully laid the ground for justifying himself next year if the estimate should vary by an enormous percentage. If it is \$21 million instead of \$15 million, the estimate of \$15 million will be at least 50 per cent out. If it is \$40 million, it will be 300 per cent out. That may be a fair position.

I have not done the calculations personally. I have not considered all the factors to be taken into account; but I know that is a substantial difference on the part of the Treasurer. Since he became the Treasurer, all he has talked about is the

potential Budget deficit of \$15 million, or \$21 million, or \$31 million left by the former Government. Any of those figures represents less than one per cent of the total Budget which we framed a year ago.

Amendment put and negatived.

Mr HASSELL: I do not intend to waste the time of the Committee. The points have been placed on the record. I will move, in a formal way, the balance of the amendments.

I move an amendment—

Page 4, lines 16 and 17—Delete the words "thirty-five per centum" with a view to substituting the words "twenty-five per centum".

Amendment put and negatived.

Mr HASSELL: I move the following further amendments—

Page 4, line 33—Delete the words "thirty-five per centum" and substitute the words "twenty-five per centum".

Page 5, lines 6 and 7—Delete the words "thirty-five per centum" and substitute the words "twenty-five per centum".

Page 5, line 19—Delete the words "thirty-five per centum" and substitute the words "twenty-five per centum".

Page 5, line 31—Delete the words "thirty-five per centum" and substitute the words "twenty-five per centum".

Amendments put and negatived.

Clause put and passed.

Clauses 6 to 9 put and passed.

Title put and passed.

### *Report*

Bill reported, without amendment, and the report adopted.

### *Third Reading*

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

### **ADDRESS-IN-REPLY: THIRD DAY**

#### *Motion*

Debate resumed from 27 July.

MR CLARKO (Karrinyup) [4.24 p.m.]: I congratulate you, Sir, on your election to this, the highest office in the House and, as my predecessors in the debate have said, I have complete confidence in your ability to do the job. However, I must say that recently you had a bad week in

your other interest of sport and I was delighted when my football team, Claremont, really cut your team to pieces!

Mr Blaikie: I think that you might lose some of the support of your colleagues on this side for saying that sort of thing!

Mr CLARKO: I take the opportunity also to welcome the new members to this House and I hope the time they spend here will be satisfying for them. I pay tribute to the officers of the House for the inestimable work they continue to perform on a day-to-day basis.

I shall speak in this debate on the policies and actions of the Government in regard to industrial relations. The most reprehensible element of the Government's industrial relations policy is the way in which it seeks to put unions above and outside the law.

I remember reading with interest some years ago comments by an industrial relations expert from, I think, the University of Sydney. He put forward the view that some militant unions which continued to defy the desires of the community should be outlawed in the way that Robin Hood was, so that they lose the protection which goes with being part of a civilised society.

The reason I say that the policies of the Labor Government in this State seek to put unions above the law is that a section of its platform says, "Union rights will be insulated from certain legislative Acts". Those legislative Acts include the Fuel, Energy and Power Resources Act, the Essential Foodstuffs and Commodities Act, and the Police Act. I find it absolutely amazing that the platform of the ALP of this State should seek to place unions beyond the Police Act.

Mr Bertram: Which section of the Police Act?

Mr CLARKO: The platform does not indicate which section; it simply refers to the Police Act. Indeed, the platform reads as if the whole Police Act is involved. I do not know whether to place the blame for that on gross militancy or gross ineptitude; but members opposite can make that judgment.

In addition, the platform of the ALP on industrial relations covers itself, in most places, by pretending that its proposals will relate both to employers and employees. However, it is interesting to note that this particular section of the platform does not do that. It seeks to support a position in which the Trade Practices Act and actions for tort do not apply to unionists, but do apply to employers. I suppose members of the ALP would realise the difficulties one would have with a Trade Practices Act which does not apply to employers.

The other crucial element of the platform of the Western Australian ALP is the section that proposes that an industrial matter means "any matter". I presume that provision exists to give unions the opportunity to indulge in all matters of partisan politics and, indeed, to do almost anything. If an "industrial matter" covers everything, it could be said that if one does not like the weather, one could regard that as being a matter over which unions should have some gross powers.

The green paper which apparently was the basis of the policy speech presented this year by the Premier, sets out full employment as being the Government's first objective. As has been indicated already in the House, every Western Australian should realise that if one compares the number of people in employment in Western Australia at the end of March, which was just after the Liberal Government left office, with the position three months later, at the end of June, one sees employment in this State has fallen by 5 900. That is a very significant number in a State with our level of population.

Mr Jamieson: A degree of seasonal adjustment should be carried out in relation to that figure.

Mr CLARKO: I am talking about employment in this State and the fact that it has fallen by 5 900 in the three months to the end of June last. The member is welcome to make some further points on this matter later in the debate, because I am interested in it. Bearing in mind the short time the Government has been in office, I do not try to suggest that I should attribute large and copious amounts of blame to it.

The first point is that unemployment will be resolved. In fact employment has been significantly reduced. In addition, as part of the policies and actions of this Government, the decision to appoint Mr Butler, the President of the ALP in this State, as the industrial relations adviser to the Premier, is something else which is completely intolerable and completely out of character with all the decisions made politically in the State before.

Mr Laurance: Scandalous.

Mr CLARKO: It must be realised that the people of Western Australia are now paying the President of the ALP \$34 000 a year to do what ALP presidents presumably have always done whenever they were lucky enough to find a Labor Premier.

Mr Bertram: They are paying you that much.

Mr CLARKO: Presumably a Labor Premier always gets a great deal of industrial advice from the president of his party, but that person has never before been paid by the taxpayers. I do not

think I should say that this is the greatest Tammany Hall practice that has been practised by the Australian Labor Party in this State, because I really believe the loan that went with the purchase of Curtin House absolutely takes the cake. That loan represents the biggest and best of such actions and I do not think it will be bettered. It was a smart trick that gave the Labor Party a loan to build a huge city building and make a tremendous profit. That would represent the smartest trick of all. This one, in which the President of the ALP is paid presumably \$34 000—plus a year for doing what previous men in that position did for free, certainly takes some beating.

The central matter within the State ALP's policy on industrial relations is a matter which members opposite call tripartite consultation; that is, the bringing together of three parties, one representing the Government, one the unions, and one the employers. That is like supping with the devil, because there will be one person on one side and two on the other. A Labor Premier is, without doubt, the tool of the union movement and, especially in this State, the extremist union movement. So if we have a tripartite consultative process we will always have the employer alone and up against a Labor Government nominee and a unionist.

Mr P. V. Jones: The President of the TLC was here yesterday morning giving out a few orders.

Mr CLARKO: Does he have one of the jobs for the boys, or has he missed out? I have been talking about the President of the ALP, but I think also that the junior vice-president, Mr Bill Thomas, has been advising the Government and is on the payroll of the Minister for Employment and Administrative Services. What Mr Thomas would know about planning—planning meaning the development of land—I would not know. I have known the man for many years; he was once a student of mine, although not one to be very proud of. He was very good then at planning demonstrations and the like. In fact at one stage almost every photograph that appeared in the newspapers in this State showing a demonstration featured Bill Thomas in the front. Someone said recently that for the first time he had seen the photograph of someone other than Bill Thomas leading a demonstration. Recently I wondered who was on the bottom of a heap of people grappling with the police. As I watched the television and saw them all get up I found that Bill Thomas was right at the bottom. He now gets \$30 000 a year, and he is the Junior Vice-President of the Labor Party. I would be very aggrieved if I were a senior officer of the Labor Party and had not been given a job.

Mr Bertram: You wouldn't be admitted.

Mr CLARKO: There cannot be many jobs left. I have been told that the Minister for Employment and Administrative Services, the Hon. David Parker—I do not know whether he wants to claim credit for this—is the person responsible for introducing concrete stoppages into this State. I do not know whether he was involved when he represented the Building Workers' Industrial Union.

Mr Parker: The BWIU does not get involved in concrete stoppages. It does not have members employed in that area.

Mr CLARKO: Has the Minister never been involved in concrete stoppages? Has he been involved in organising or witnessing a concrete stoppage?

Mr Parker: I witnessed them.

Mr CLARKO: So the Minister went along to see them. I suppose he sat there knitting at the bottom—Mr Defarge!

Several members interjected.

The SPEAKER: Order!

Mr CLARKO: We have plenty of time. If the human bone wants to speak he should return to his own seat.

What about the magnificent piece of industrial skill shown by the Labor Party over the Perth City Council outside workers' strike. Was that not tremendous? One morning I listened with great interest to the radio—it may have been Howard Sattler's show—when the Minister, Mr Dans, was asked from where he got the \$300 000 that he was to use to help break that industrial dispute. The Minister said that the Government had some money left over from the wage freeze. The Minister thought it would cost the Government only \$300 000, but it has been put to me that the more likely cost would have been \$1 million, and that is the reason the Minister was keen to pull out of the deal at seven minutes past 12 instead of allowing those few minutes beyond which he said he would not make the money available.

That dispute was most unsavoury because everyday we saw policemen, ordinary men in blue uniforms, having to subject themselves to all sorts of things while protecting ordinary citizens who were trying to go about their ordinary day's activity when going to work. These workers had to be protected from the union thugs and union leaders who were gathering outside the PCC gates each day threatening the life of people who were trying to go about their ordinary civil duties and responsibilities.

That is one of the reasons I look forward with great interest to the amendments which are to be introduced to the Industrial Arbitration Act. At that time I will look to see whether the Labor Government has any interest at all in protecting individuals who want to go about their work and to be protected from bullying pickets.

Mr I. F. Taylor: Do you totally approve of the Perth City Council's handling of the dispute?

Mr CLARKO: There is no place in Australia for bully boys from the union movement or from anywhere else. These people should not be able to go out and intimidate men who want to go to work; nor should policemen be subjected to having to wrestle with larrikins and people who throw paint and splatter policemen, an action which some people consider to be a great joke. Every day we could see union leaders at the gates, union leaders who are out of touch with the ordinary unionists.

I have among my papers a report of a study done by McNair Anderson on union leaders and their views on compulsory unionism and on strikes. Their views are shown to be diametrically opposed to the views of the rank and file of the union movement. It is these extremist unionists to whom members opposite have to kowtow in order to gain election. That is a matter of great concern.

A policy which enables people to be intimidated, bullied and punched should not be tolerated. Such is the policy of members opposite, which contains some very fine-sounding words and which talks about democracy and the like. I am amazed that the Government's policy should align itself with this sort of intimidation.

Another important part of Labor policy is to set up a labour resource plan unit. I am interested to know what it will cost and who will staff it. Will the Government appoint industrial relations experts or will it continue to take its union cronies from the Labor Party and use people who have great records as union extremists?

It was interesting to read the following article in the 27 July issue of *The West Australian*—

A WA Government lawyer told the Arbitration Commission in Melbourne yesterday that the State Government's handling of a bus drivers' wage claim earlier this year had been embarrassing.

It certainly was. It is interesting to hear the Civil Service Association describe itself as under attack from the Burke Labor Government and say—

At the same time—

That is the time at which they were denied salary justice. To continue—

—it has recently—

That is the Labor Party. To continue—

—allowed substantial pay increases to its own wages employees in the meat industry, hospitals, MTT, schools, prisons, child care centres and in other areas.

This is what I based my statement on yesterday. The first attempt to cut the wages of the tall poppies was at a wage level of \$24 000, but it was subsequently raised to \$29 500. The newsletter of the CSA continues—

The Premier has stated publicly that his first intention was to begin reducing salaries as low as \$24 000 per annum.

The Labor Party's policy has within it what they call a 12-point plan. Some of the points of that plan are like motherhood. The first refers to full employment, but as I have pointed out already, in the last three months we have witnessed a fall in employment of 5 900. As its second point the plan provides for co-operation rather than confrontation, and I have described the co-operation which existed at the Perth City Council work gate! Also there is this magical new word "consensus", which is something like the word used by one of our back-bench members a few years ago. He spoke about things being germane, and he was not talking about Germaine Greer. As all members realise, the in word for everybody today is "consensus". Mr Hawke uses it regularly, and it appears in the policy of the Labor Party. But members opposite think "consensus" is a Greek fruturer; they have no idea of what consensus is. Bullying, intimidation and blackmail are the stock in trade of Labor Party industrial policies, whether they be adopted in Western Australia or Australia as a whole.

#### *Point of Order*

Mr TONKIN: Mr Speaker, I draw your attention to the language of the member, although I will not ask for a withdrawal. I am well aware that some people on that side of the House object to even the mildest words, such as "rigged". If his language is the sort acceptable—coming from that member it is quite acceptable—members should be aware of that kind of language, which was used by this member at this time.

The SPEAKER: Order! The Leader of the House has made his point.

*Debate (on motion) Resumed*

Mr CLARKO: I shall give proper notice to what the member has just said. The ALP platform also says—

The Government in managing its relations with its employees will so act as to be a model in employer/employee relations for other employers.

I wonder how that lines up with the arbitrary cutting of the pay packets of just a few—4 000 of the 96 000 civil servants. That is a fine model. Is it the model that will be used generally? Will it be the standard?

The platform and policy of the ALP says also that its first emphasis will be on consultation, but I do not believe there was any genuine consultation on that 10 per cent pay cut. As far as I understand, when finally the people involved were able to talk to the Premier he told them, "That is it, and it will remain". As I said yesterday, which I want to emphasise, Mr Burke made a statement on 23 June through Channel 7 in which he said—

Part of the reason for the cut has been to provide an example of sacrifice.

Who else will be sacrificed? It is clear that if the cut-off figure for pay cuts had been \$24 000 instead of \$29 500 many more lambs would have had their throats cut.

One of the points explicitly stated in this party platform introduced in September of last year was that the Labor Party would support all moves for shorter working hours, yet as part of the gross inconsistency of this Government, it has not supported shorter working hours. *The West Australian* of 15 March 1983 states—

The WA Government has declared its opposition to the 36-hour week campaign in the building industry.

This Government says one thing, but does another. The platform actually says this—

Recognising the importance of moves to shorten the working week as a way of both preserving current jobs and opening up new job opportunities a State Labor Government will support union campaigns for a shorter working week with no loss of pay.

The first point is that there is that contradiction, and the second point is this: How can the Western Australian Treasury be run reasonably at present, if the Government supports actions which are really pay increases? If an employer must pay a person the same amount of money to work 36 hours instead of 38, the employer in fact pays an increase in salary. Surely there could not be a more appropriate time than the present to take action against shorter working hours.

I ask members to consider the question of the tall poppies from a different point of view. The platform says—

Labor will ensure that awards and/or agreements cannot be varied or interfered with other than by those party to them.

Mr Pearce: That shows we are not the slaves of the union movement, doesn't it?

Mr CLARKO: No, it shows that the Labor Party contradicts its policy in two ways. Firstly, the platform is not the model it will follow; and, secondly, the Labor Party does not follow that part of its platform which states consultation will be used. The platform also uses the term "consultation" in general terms.

Mr Pearce: You have tried to say we are the slaves of the trade union movement, but what you have just said is a contradiction.

Mr CLARKO: I have not at all said the Labor Party is a slave to the union movement, although I think it is.

Mr Pearce: You have just said it now.

Mr CLARKO: I do think it is, but even slaves have a day off from time to time. It is true that the trade union movement controls the Labor Party. Its members say they are not controlled 100 per cent by the union movement, and I will not disagree with them; but the union movement is their master.

Mr Pearce: They don't control us at all.

Mr CLARKO: The Labor Party is the child of the union movement. Members opposite should not try to run away from that fact. I thought they were proud of it.

A further point of the ALP platform is that the Labor Party will "eliminate harsh and unworkable penalties". I would like to know what that statement really means. I look forward with keenness, as I said before, to the Government's amendments to the Industrial Arbitration Act, because in those amendments we will really see what the Labor Party is all about, and really find out whether it is the slave of the union movement. We will determine whether this Government is prepared to continue deregistration proceedings under the powers of the Industrial Commission, or continue suspensions, fines, and so on.

As members know, for a long time throughout Australia there has been an almost total disregard by certain unions of punishments and penalties as applied by industrial commissions. I understand that the Clarrie O'Shea case in Melbourne went a long way to ending, if not totally, the application of penalties by the Commonwealth Conciliation and Arbitration Commission.

The ALP platform states also that the Labor Party will "conduct an inquiry into the public service". I find that interesting because I remember that members of the Technical and Further Education section of the Education Department were unhappy when it was decided to have an inquiry into technical education, and subsequently—and recently—the Dormer committee was attacked by the Teachers' Union. It will be interesting to hear what members of the Public Service think of an inquiry into their institution. I should say they would be wary indeed in light of this Government's record in terms of the way it has stabbed the CSA in the back.

It was interesting to note that this Public Service inquiry will consider trade union training. No doubt the unions will try to make arrangements for trade union training, as did teachers when I was the Minister for Education.

What a farce! They get 12 or 13 weeks off a year and suddenly a teacher in the Pilbara, who is pro-Labor for a start, is given time off to do some union training. I believe the Government will seek to have the Civil Service Association make more such arrangements; perhaps get it to join up with the TLC, or perhaps get it to be a completely integral part of what Labor seeks to have in Western Australia.

Mr Tonkin: Don't you think we have done our dash on that at the present stage?

Mr CLARKO: I am not too sure. A lot of civil servants would like to believe that the Government has something to offer them. Many of them would have rethought the subject, not only the 4 000 who have been caught by this legislation. Many of the 92 000 remaining are very disturbed by what the Government has done. I suppose that is the price of being in Government over a period of time. A government progressively alienates various groups and I think the Government is doing exceedingly well in this regard in its first months.

Lord Oates said that the Federal Government seemed to have the record for making more mistakes in the least period of time than any Australian Government he knew of. In regard to the Civil Service Association, we have seen the remarkable policy whereby the Labor Government has been prepared to grant increases to blue collar workers and the like under the escape clauses of the wages freeze legislation yet it has refused to grant or even consider seriously, I suggest, the CSA application for an 8.5 per cent increase which was sought before the operation of the wages freeze.

The CSA is concerned that when the system begins again civil servants will be starting too far behind scratch. It is very important to have an industrial relations policy based on consultation without giving the umpire or the arbitrator sole power—some people would say perhaps having no arbitrator at all, and just having matters agreed to by conciliation. That sort of approach will not work in Australia because, without question, certain unions are pacesetters in the field of industrial blackmail.

Mr Tonkin: There's that word again!

Mr CLARKO: They are prepared to go to any lengths. I was talking earlier about the concrete ball and chain. Those people are prepared to bash up people. I was a shipping clerk when I left school and there is no doubt about it that at the Fremantle wharf, when talks were held on future courses of action by the union, if one did not put up one's hand at the right time, and if one went across to the Plympton or another pub after work, one would quite likely find after going out the back to the toilet that one would return with an eye a different colour from the other one.

Mr Brian Burke: That was 60 years ago.

Mr Bertram: That may have been due to your unfortunate personality.

Mr CLARKO: I might give that impression. In fact, one of the Government's Federal members of Parliament, a man called "Stormy Normie" had the job of the vigilante officer at the Port Adelaide wharf.

Mr Bertram: Did he ever catch up with you?

Mr CLARKO: Stormy Normie was quite happy to say that he used a little bit of physical action to encourage those people who voted against the party line to vote differently.

Mr Bertram: Stormy Normie or Stormy Bill?

Mr CLARKO: Stormy Normie was this fellow's name. The other interesting aspect of industrial relations at the workplace is: When votes are taken on a particular course of action, the assembled meeting is told, "Those people who want to vote against what we, the union executive, are recommending, walk over there"; and at the end of the strike or whatever it is, they say, "Those people who do not want to go back to work can stand up and be identified". It is a great pity that threats and physical intimidation are part of some elements of the union movement.

Mr Tonkin: Hear, hear!

Mr CLARKO: It is also true that there is a need in a community like ours for research tools so that when a group of people such as those operating electricity boards and power stations of a



great city decide to go out on strike, the community has some sort of emergency power legislation to ensure that people do have power and that they can exist. To me, striking is a very improper, unjust and unfair weapon. It is very discriminatory. Think of the poor little old lady pensioner living on her own in a flat without power to cook her meal. What is gained in a particular industrial confrontation by denying her the opportunity to lead an ordinary life, to prevent her having power, water and a whole range of essential items which everybody in our community is entitled to have? As far as I am concerned, there should be a group of people, some sort of force, that can move in and operate power stations which suddenly go on strike and deny the community their entitlement to power. This situation applies also on the waterfront.

People are denied the essential items without which a person in a modern day community cannot really exist. The problem of the Hamersley worker who withdrew from his union and was then sacked was being processed by the previous Government. We now have the situation where the Minister seems to have got cold feet in terms of applying the law as it should be applied. That is a serious problem that occurs when Labor Governments are in office. They think they are above the law and suddenly decide not to take steps to process the law, because of how they see the situation.

I am pleased that the Premier has returned because it is important for him to tell us soon precisely what he has done to create new jobs in Western Australia. I have mentioned several times that there has been a fall in employment of 5 900 workers between March and June.

Mr Brian Burke: What about unemployment?

Mr CLARKO: I am talking about employment. The Premier can talk about unemployment, if he likes.

Mr Brian Burke: There has been a fall in unemployment.

Mr CLARKO: Really, employment is the more important figure. If we have more employed people, clearly it must increase the chances of the unemployed obtaining employment. Blind Freddie in the dark would pick up that point. It is important; it is the prime point; it is the one we regard as "paramount".

Mr Brian Burke: Paramount!

Mr CLARKO: When the Premier left school at 14 it was probably pronounced differently. It used to be pronounced the other way. I want the Premier at some stage to explain to the Opposition

what the Government is really doing about creating more jobs.

The Government's figures have been very fragile. The Government should be trying to create more jobs. It will be interesting to see that carried through. We will not argue with the Government if it increases the number of employed persons in Western Australia. We will give it every credit for doing so; I think that is very important. We are also equally keen to see the unemployment figure drop. The Government knows it has a serious problem.

Mr Brian Burke: The employment figure? What are you talking about, unemployment?

Mr CLARKO: We are keen to see the unemployment figure drop; that is what I said.

Mr Brian Burke: No, the important thing, you said, was the employment figure. You told me not to worry about the unemployment figure.

Mr CLARKO: I said the number of employed persons rose and the number of people unemployed fell and I just told the Premier that he cannot deny that he has a problem.

Mr Brian Burke: I am really concentrating on what you are saying.

Mr CLARKO: I will make this point and the Premier can comment on it. The Government has a problem. Many people are coming into Western Australia from other States and, while nobody wants to stop that happening, it does increase the number of jobs wanted in Western Australia.

Mr Brian Burke: To increase employment—

Mr CLARKO: The Premier will find that will be a factor worth considering.

Mr Brian Burke:—or to increase unemployment?

Mr CLARKO: To increase jobs. I discovered the Premier had difficulty with the words "employment" and "unemployment" so I began talking about jobs instead. I am talking about jobs. I was trying to help the Premier.

Mr Brian Burke: I am really trying to follow you because you have asked me to detail what the Government has done about the employment situation, but I cannot understand exactly the niceties between the way you switch from employment to unemployment.

Mr CLARKO: I prefer to talk about employment because it is more important and is the better indicator of success. I wish to make an additional point that the Premier's unemployment figure includes a number of people from the Eastern States and, the more he improves his position in Western Australia so that people believe West-

ern Australia is a good place to come to, the greater is the difficulty for him to reduce the element which is unemployed.

Mr Brian Burke: Those who come here get jobs. They do not join the unemployed.

Mr CLARKO: They come here looking for jobs, particularly when a Liberal Government is in office. I do not know the case when a Labor Government is in office.

Mr Brian Burke: I do not know what you are saying. I think you are just trying to be smart now.

Mr CLARKO: Another matter which must be addressed without question is the statement in the ALP platform that preference to unionists will be re-introduced.

Mr Brian Burke: It is certainly there, but it is not just like that. What it says is that we will give the Industrial Commission power to determine each case.

Mr CLARKO: Not in each case. Would members like me to read this section so they know exactly what it is?

Mr Brian Burke: Go ahead.

Mr CLARKO: It states—

To re-introduce the power of the industrial commissioner to grant the inclusion of preference to union members clauses in awards.

It will be a sad day if we do have an increasing number of awards with preference to unionists in them because that is an intrusion into the rights of the individual worker. The Universal Declaration of Human Rights says explicitly that no-one should be compelled to belong to an association against his wishes. I understand the ILO agreement says something which is pretty much the same as that.

Mr Brian Burke: I agree that is in our policy.

Mr CLARKO: It is in the policy and if it is introduced the Government will be interfering in the basic rights of individual workers.

Mr Brian Burke: We did argue that when you were in Government and you amended the Act, so you cannot say we are being inconsistent; we are being consistent.

Mr CLARKO: I am not measuring all the inconsistencies, I am just saying I am looking to the day when this is done and that will prove whether the Government is consistent. The Government has not done all those things, it has just promised. Some of the Labor Party's promises have not been met. The Premier has not worked out what "immediately" means.

Mr Brian Burke: When we said we would open the train service you said we should not and then you said it should be done immediately.

Mr CLARKO: We did not say it should be done immediately, but it has been done already. The Labor Party said also that 50 year 1 teachers would be provided immediately and nothing has been done about that.

I think the Premier needs to go back to the dictionary to look up the word "immediately" to find out what it means and maybe while he is there he can look up the word "paramount"—if he knows on which side it will come.

Mr Brian Burke: You have lost me.

Mr CLARKO: It does not take much to lose the Premier; he is a man who, in five months, has made five times more arithmetical mistakes than one of the biggest primary schools in New York.

Mr Brian Burke: Which one?

Mr CLARKO: The biggest one where police are stationed in the aisles and have revolvers, which we of course do not have in Western Australia.

We have seen a serious problem in regard to industrial relations and, Mr Speaker, I am certain your party's policies and platform will make the situation worse. We have troubles of this sort all the time.

I wish to quote from *The West Australian* of Friday, 6 May 1983 which states under the heading, "Severance Pay Disruption" that the police were called to clear picket lines set up by metal workers at two entrances to the North-West Shelf project facilities on the Burrup Peninsula. It stated also that at Worsley the alumina refinery halted the recruitment of production workers until the severance pay dispute there had been settled. It said that in both cases the unions were claiming an hourly allowance to be paid when workers quit the job. The managing director involved in both projects said that the Industrial Commissioner had already rejected the Burrup workers' claim, that there was a one-day strike last week, and that on Tuesday a campaign of rolling strikes had started. Apparently the freeze on recruitment had already affected 50 jobs and another 500 were to come. The article stated that the freeze would not be lifted until the dispute, expected to be heard in the Industrial Commission, later that month, was settled.

The problem of this business of tripartite arrangements, which the Labor Party seeks to have, with a Labor Minister perhaps or his nominee and representatives of the employers and employees is that the employers, as far as I can gather, abide

by the decisions in most cases. Some unions ignore the decisions of a commissioner in almost every case and that is the problem. That is the reason that the honeyed consultative procedures and processes, the so-called Greek fruturer approach of consensus—that order—will fall on the floor when certain unions are dealt with. I refer to unions such as the ones the Minister for Employment and Administrative Services knows all about—the Builders Labourers' Federation and the Building Workers' Industrial Union—and other unions which hold our community to ransom and use strike methods to punish people who are not involved in the position whatsoever. A body may ignore the commission and in its own ham-fisted way try to force its particular position, even to the point of punishing the individual involved. That was the situation in regard to the Perth City Council outside workers' strike. The men who were involved in the strike I understand were garbos and were voted out by other outside workers. When the men came back on the job, I am told, the man who was the shop steward is now working on a street job instead of a garbo's job and he received something like \$60 a week less. What good was it to him? What good was it to those couple of hundred workers who missed their weekly pay packet of \$200 to \$300? Their wives and children went without.

We had the situation where Commissioner Coleman was trying to work out the details of consultation and the Minister for Industrial Relations popped in with a spare \$300 000 in his pocket. He said he would do something about the situation if it were fixed up by high noon. Anyone would think he was John Wayne. When seven minutes past noon was reached and a solution had been reached, the Minister said it was too late. No doubt there was a sigh of relief from the Cabinet because that probably saved \$1 million.

#### *Amendment to Motion*

I finish my address with an amendment to the Address-in-Reply. I move—

That the following words be added to the motion—

But we regret to inform Your Excellency that this House condemns the Government for its industrial relations policies and actions which are unsound, inconsistent, discriminatory and unjust.

I think I have demonstrated that that amendment fits the motion perfectly.

**MR TRETHOWAN** (East Melville) [5.08 p.m.]: I second the amendment and in doing so I would like to discuss what I believe to be one of

the most discriminatory and unjust practices and policies of the current Government; that is, secondary boycotts. For those members who are not aware of what is a secondary boycott, it is the use of an industrial action against someone who is not a party directly involved in the industrial dispute, to exercise influence upon parties who are part of an industrial dispute.

To give an example, we can take a motor car manufacturing plant. It may be extremely difficult to organise effective disruption to the production if a dispute arose between the appropriate unions and the management. It may be extremely easy to prevent the operation of that plant by putting a boycott on suppliers of a vital part to the manufacturing process, a part which would prevent the production of any machinery or any finished product.

A subcontractor, or producer of that particular part, would be prevented from supplying the manufacturing plant with the part to complete the process. The business would be put into jeopardy, although not directly involved in the dispute between the management and the various departments. Quite rightly, this form of intimidation and outright blackmail is condemned by every fair and just person.

That practice should not be allowed to take place in the industrial relations arena because it victimises directly and discriminatorily innocent parties to the dispute.

The policy and actions of this State Labor Government indicate quite clearly that it condones entirely the use of secondary boycotts in industrial disputes. It endorses the use by militant unions of intimidation and blackmail in the exercise of their power to achieve their way in an industrial dispute. It plays into their hands and supports what can be described as little else than thuggery by the extremists in the union movement.

I reinforce that claim by quoting from the green paper which was used by the current Government as the basis for its promises in the industrial relations area. Not only did it state, in terms of the rights of unions and employers, that the rights of the industrial relations process needed to be insulated from such legislation as the Fuel, Energy and Power Resources Act, the Essential Foodstuffs and Commodities Act, the Government Agreements Act, and the State Energy Commission Act, which are serious enough and which, in fact, would place the unions above the law which the rest of the community must abide by, but they also indicate, as the member for Karrinyup quoted earlier, that they seek to

insulate the unions separately from the employers from the effects of the Trade Practices Act and actions for tort. It is this insulation from the Trade Practices Act and actions for tort that indicates support for the practice of a secondary boycott. For members who do not know, actions of tort are actions to redress a civil wrong, actions which are available normally to every person in the community to claim redress for a civil wrong that has been done to them.

Under common law these actions allow a person to take action against someone on whose premises the person has an accident caused by the negligence of the owner of the premises. Such a law is universally accepted by the community.

Mr Bertram: They are not universally accepted because some are very unfair.

Mr TRETOWAN: I am very interested to hear the member's statement that it is grossly unjust that someone should have redress under common law for a civil wrong. That is interesting and I conceive from that statement how the party in power in this State can progress to condoning such actions as secondary boycotts. Any party that would seek to insulate the union movement from redress of civil wrong or from anyone they may hurt financially or physically or by any other action they may claim is setting the unions above common law which is accepted by the rest of the community. It is discriminatory and grossly unjust to propose that form of insulation for unions. It means they can carry out actions on anyone in the community without being liable to be sued in the courts of one of the fairest systems in the world.

Secondly, the intention is to insulate the trade union movement from the Trade Practices Act. It is interesting to note this applies only to trade union movements because obviously it would not be condoned to insulate employers from the Trade Practices Act. The Trade Practices Act is set up to prevent discriminatory trade practices. It is set up to ensure, as far as possible, that there are competitive practices in the marketplace in the community. It is set up to prevent groups of suppliers discriminating in price or in supply against any individual; it is set up to prevent groups of producers or sellers from fixing prices in the marketplace to the detriment of the community.

Obviously these discriminatory practices cannot be condoned by the Government. However, it can condone insulating the trade union movement from this discriminatory practice that means fundamental damage to the profitability or availability of an innocent company or an innocent individual not directly involved in the industrial dispute, but one whose products or services

can be used as a lever of power to bring pressure on an employee who may be involved in an industrial dispute.

The unjustness and lack of fairness is obvious to anyone who looks at the sort of proposal that secondary boycotts should be countenanced, and that legal exemption should be made to ensure the existing provisions of common law and the Trade Practices Act cannot be made applicable to the union movement in any of its actions.

I would like to draw the attention, Mr Speaker, of members of the Chamber and yourself to the actions of the Government in a recent industrial dispute in this State. I refer to the dispute which existed between the Perth City Council and the Government. I direct members' attention to the process of that dispute in which conciliation took place. Conciliation took place quite early in that dispute on 24 June. The Government says its industrial policy should be based on conciliation and not on sanction; that is precisely the process that occurred in this dispute. The conciliator brought down his findings and suggested that the men return to work, and this was not complied with. The dispute worsened and some thuggery occurred and offences were committed under various Acts from which this Government proposes to exempt trade unions. Further intimidation was offered in the form of a secondary boycott by the trade union movement and offered publicly to elected officers within this State.

I quote from the *Daily News* as follows—

- Unions affiliated with the TLC took reprisals against PCC councillors. About 20 employees of the Lord Mayor, Mr Mick Michael, walked off the Merlin Hotel site and Brewery Employees Union members banned beer supplies to Cr. Rod Evans's Carlton Hotel.

A classic example of secondary boycotts—a classic example obviously condoned by this State Government because it took no action. It is not only the State Government's responsibility to protect the rights of citizens of this State but also to protect the publicly elected officials. If it happened in any tier of government but local government in this State, they would not have waited for the Government to take action. In order to show how serious this matter has been considered in the past and how seriously the community considers it, let me draw members' attention—although undoubtedly members are already aware of it—to what could have happened if the sort of action taken against the mayor and councillors of the Perth City Council, had been taken against members in this House.

I quote from the Privileges Act as follows—

8. Each House of the said Parliament is hereby empowered to punish in a summary manner as for contempt by fine according to the Standing Orders of either House, and in the event of such fine not being immediately paid, by imprisonment in the custody of its own officer in such place within the Colony as the House may direct until such fine shall have been paid, or until the end of the then existing session or any portion thereof, any of the offences hereinafter enumerated whether committed by a member of the House or by any other person—

A number of matters are listed but the most important of them states—

The assaulting, obstructing, or insulting any member in his coming to or going from the House, or on account of his behaviour in Parliament or endeavouring to compel any member by force, insult, or menace to declare himself in favour of or against any proposition or matter depending or expected to be brought before either House.

It says "by menace", and if the imposition of a secondary boycott is not "menace", I do not know what is. I remind members of the provisions of the Criminal Code which says in section 55—

Any person who advisedly, by force or fraud, interferes or attempts to interfere with the free exercise by either House of Parliament of their authority, or with the free exercise by any member of either House of his duties or authority as such member or as a member of a Committee of either House, or of a joint Committee of both Houses, is guilty of a misdemeanour, and is liable to imprisonment for three years.

That is how seriously the matter is seen in relation to the State Government and the Constitution of this Parliament.

Mr Tonkin: Your Speaker ignored that.

Mr TRETHOWAN: This Government condones such actions taken against the third tier of government, against publicly elected officials of local government and councillors and the Mayor of the Perth City Council because there is no provision to protect them as there is to protect members of this House.

I ask the Government whether in its endeavour to exempt the union movement from the rule of law, particularly in regard to the imposition of blackmail through secondary boycotts, it will consider repealing or amending those sections relating to this House to exempt the union movement

from any action it may take by way of secondary boycott against members of this House? It would be a logical progression from the Government's policy and actions to date.

When the people of Western Australia see the way in which it is proposed to exempt and protect the union movement in this State and place it above the law, and above the rights of publicly elected officials who should be answerable only to their electors, the public will reject not only the Government's industrial relations policy but also the Government itself, soundly and completely at the next opportunity.

I do not know of a more heinous or serious crime than blackmail. Most members of the community would agree, and it is treated very seriously under the criminal law. I do not know of a more serious crime than intimidation of public officials by a power group from outside.

Mr Bertram: Did you lodge a complaint with the police about this?

Mr TRETHOWAN: I can imagine what action this Government would take if a developer put similar pressure on a publicly elected official or councillors and said, "If you do not pass my proposals, I will see the supply of goods and services you need for your businesses is stopped." I suspect this Government would have no hesitation in seeking every means of redress against such intimidation and to bring such a person before the criminal courts because it should be a criminal offence. It is a criminal offence if committed against a member of either of the Houses of this Parliament and I am sure it is a criminal offence to do the same against a member of the House of Representatives or the Senate. Unfortunately, it is not a criminal offence at present if it is carried out against a publicly-elected official in the third tier of government in this State.

I believe it should be an offence and I would hope a sensible Government would take action. This Government will not do so because it condones the removal of all sanctions against any action a union may take in pursuing its power interests in the industrial arena or outside that arena. This is a most serious matter. I believe this House has every right to regret to inform His Excellency that this House condemns the Government for its industrial relations policies and actions which are unsound, inconsistent, discriminatory, and unjust.

MR PARKER (Fremantle—Minister for Employment and Administrative Services) [5.26 p.m.]: I oppose the amendment moved by the member for Karrinyup. It is a ridiculous amendment; it has no basis whatever in fact. It shows

the lack of knowledge of the member for Karrinyup and the Opposition in general on industrial relations questions. I have spoken many times in this House on that and it is clear that the Opposition lacks information about industrial relations, and particularly was this so among its Ministers handling that area. They had no knowledge or understanding of the situations that arose.

Mr Court: That is totally incorrect.

Mr PARKER: That is not just my own view. It is shared throughout the length and breadth of the community, and in particular it is held by industrial relations practitioners, major employer organisations, and employers in this State. Let that be clear to the House and anyone who wishes to listen to and read the reports of this debate. That view is uniform in our community.

The member for Karrinyup tried—and I think the Leader of the Opposition and the Deputy Leader of the Opposition also have attempted in the past couple of days—to say that this Government intends to legislate to place unions above or outside the law. Let me make it clear to the House that no such intention exists on the part of the Government.

Mr MacKinnon: We will see.

Mr PARKER: The member will see. I will be specific and take a few examples mentioned by the member for Karrinyup. He mentioned the Police Act and asked whether it was the Government's intention to place unions in such a position that the Act will not apply to them as it does to other citizens. Let me answer the question simply: No, that is not the Government's intention. No amendments will be made to the Police Act which will place unionists or union leaders in a position different from that of other people in the community.

The member for East Melville mentioned the Criminal Code, the Parliamentary Privileges Act and the Local Government Act. In relation to those Acts or any other Act that falls in that sort of category, the Government has no intention whatever of amending them in such a way that the people who are affected are treated differently, whether they are unionists, union officials, or involved in the trade union movement.

Mr Clarko: It is in your platform.

Mr PARKER: There is no intention to amend the Arbitration Act in such a way that unions or unionists will be in a different position from other members of the community. To answer the member for Nedlands' specific question: There is no intention that the Industrial Arbitration Act should operate in such a way as to impact on the Police Act, the Parliamentary Privileges Act or

the Criminal Code, to mention the Acts referred to by members of the Opposition. There is no intention to amend the Industrial Arbitration Act to place unionists who operate under that Act in a different position to other members of the community with respect to the Police Act the Criminal Code or the Parliamentary Privileges Act.

#### *Points of Order*

Mr HASSELL: Mr Speaker, on a point of order, it has been a long standing practice and custom of this House that at this time the speaker on his feet should seek leave to continue his speech at a later stage so that questions can be taken in the customary way. Is that the intention to be followed today?

Mr TONKIN: On the same point of order, Mr Speaker, what may have been the custom in the past is not necessarily the custom now and if members of the Opposition think they can move an amendment to the Address-in-Reply, tell a lot of untruths, and deny our speaker the chance to reply they will cut out their own questions. Our speaker must have a chance to answer.

Mr LAURANCE: On the same point of order, we have had a change to sessional hours as a result of a motion moved yesterday and the motion stated that we shall sit until 6.00 p.m. on Thursdays and from 7.15 p.m. onward if requisite. It would appear that the Government will not allow us questions at this time and it will be necessary to sit at 7.15 p.m. this evening.

#### *Debate (on amendment to motion) Resumed*

Mr PARKER: If Opposition members want to pull stunts like this just before question time, then on their own head be it.

Mr MacKinnon: It is another example of how you will not allow free debate.

Mr PARKER: Not allow free debate?

#### *Point of Order*

Mr HASSELL: On a point of order—

The SPEAKER: If a member rises on a point of order, he should put the point of order before the Speaker and not engage in debate with other members. I am prepared to listen to the conclusion of your point of order.

Mr TONKIN: It was not a point of order, Mr Speaker; he was continuing the debate.

The SPEAKER: That was not the impression I had.

Mr PARKER: I was just continuing my speech.

*Speaker's Ruling*

The SPEAKER: I have to rule on a point of order raised by the other three members, and in particular by the Deputy Leader of the Opposition. The position is this: Notwithstanding past practices that the member alludes to, questions without notice are taken at the Speaker's discretion. This evening an amendment was moved and a member of the Opposition had his allotted time of 20 minutes to speak to this amendment. I took the view that in order to balance up in regard to the amendment moved by the member for Karinyup a member on the Government side should be allowed to speak for 20 minutes also. If the Opposition wishes to have questions without notice after that, they can be taken until 6.00 p.m.

*Points of Order*

Mr HASSELL: On a point of order—

Several members interjected.

Mr HASSELL: You have not heard it yet.

Mr Tonkin: There is no point of order and you know it.

The SPEAKER: Order!

Mr HASSELL: My question is whether it is within our Standing Orders that I may move dissent from the exercise of your discretion. That is the question I want to raise by way of point of order.

The SPEAKER: If the member can refer to the Standing Order under which he has risen, I will be happy to hear his point of order. I believe—and this is not an original saying by me but one by other Speakers—that the Deputy Leader of the Opposition may have a point of order but he may not have a point of order.

*Dissent from Speaker's Ruling*

Mr HASSELL: Therefore, I move—

That the House dissent from the Speaker's ruling.

The SPEAKER: Is there a seconder?

Mr CLARKO: I second the motion.

Mr Barnett: It is quite clear that under Standing Orders, questions are at the discretion of the Speaker.

Mr HASSELL: Can I speak to my motion to dissent from the ruling?

Mr Tonkin: You sat down.

The SPEAKER: You rose to move the motion; it has been seconded now, and that is the end of your discussion.

Mr HASSELL: If you are to take that technical point on me, Mr Speaker—

Mr Tonkin: Throw him out.

The SPEAKER: The Deputy Leader of the Opposition must realise that he got to his feet and moved dissent from my ruling and the motion was seconded by one of his colleagues. The Leader of the House has risen and I intend to give him the call to debate the matter.

Mr TONKIN: In the matter of the dissent from your ruling, of course this is a most improper motion because you have said, Mr Speaker, that you will allow questions at your discretion and you do that because it is provided for in the Standing Orders. The Opposition apparently is very concerned that we have a speaker on his feet who has shown the amendment moved by the member for Karinyup to be a series of fabrications and so Opposition members now say, "we must shut up this person and have our questions". If the Opposition wishes to move an amendment to the Address-in-Reply—which is a motion of no confidence—an hour before we are due to rise at 6.00 p.m., and then expects us not to answer its arguments and just to answer questions, then it has another think coming.

Mr Rushton: You are breaking a practice.

Mr TONKIN: The fact of the matter is, that Opposition members think it is quite fair that after a 40 minute speech by the member for Karinyup and 20 minutes from the member for Nedlands—one hour—the Minister for Employment and Administrative Services should not have 20 minutes, or one-third of that time. If members opposite, think that is fair, they have a very strange sense of fairness. We have seen their sense of fairness—look at the Electoral Act, for instance.

Mr Hassell: The Minister for Employment and Administrative Services can have all the time he wants at the next sitting or after dinner.

Mr TONKIN: We see the Deputy Leader of the Opposition saying that the Minister can have as much time as he wants after dinner. I am informing him that we are not sitting after dinner, and the time-honoured practice of this House—

Mr Hassell: Is to have questions at 5.30 p.m.—half an hour before we adjourn.

Mr MacKinnon: You are afraid to answer the questions.

Mr Hassell: There are no blasted Ministers here to answer them and you are scared to deal with them.

Mr TONKIN: The time-honoured practice is that questions are at the Speaker's discretion. We will not sit after dinner.

Mr Hassell: If you had questions you would not have the trouble.

Mr TONKIN: Therefore we believe that the Minister for Employment and Administrative Services has every right to speak.

Mr MacKinnon: So do we. We will listen to him whenever you like. We want our question time.

Mr Hassell: We want question time in the usual way.

Mr TONKIN: The Opposition should not have moved an amendment at a time that would preclude one of our members from speaking.

Mr Hassell: We did not choose the time, you did. The time was chosen because of the time your leader mucked around with his Bill.

Mr MacKinnon: I like your definition of "democracy".

Mr TONKIN: Members opposite chose the timing of their amendment.

Mr Rushton: What about co-operation?

Mr Court: Consensus?

Mr TONKIN: I do not quarrel with that.

Mr Laurance: Bold as a rubber stamp, you are.

Mr TONKIN: If the Opposition chooses the time, it must expect the Minister for Employment and Administrative Services to have the opportunity to reply.

Mr Hassell: Look, if you are going to cut off question time, you are not likely to get any co-operation from us from now until the end of the session. Let me promise you that if you cut off questions you are done on co-operation completely.

Mr Laurance: You are a disgrace—sit down and go home.

Mr TONKIN: Of course we have not cut off question time.

Mr Hassell: You have, and you know you have. It was quite deliberate. What has happened is that the Speaker has decided, all on his own I suppose, that it is fair to give the call to a member of the Government.

#### *Withdrawal of Remark*

The SPEAKER: I regard the remark made by the Deputy Leader of the Opposition as a reflection on the Chair and I would like him to withdraw it.

Mr Hassell: Mr Speaker, I withdraw.

#### *Debate (on dissent from Speaker's ruling) Resumed*

Mr TONKIN: Mr Speaker, you have indicated quite rightly that you have the discretion to allow questions without notice. You have, therefore, made that ruling. We now have a most petulant Deputy Leader of the Opposition moving to dissent from your ruling. He cannot show anywhere in the Standing Orders—

Mr Hassell: You know this House does not run by the Standing Orders exclusively. You have been the first to call on it when it suited you.

Mr TONKIN: There is no Standing Order which says the Leader of the Opposition has the right to decide when question time will be.

Mr Hassell: Look, it has been the practice for as long as you can remember, and for as long as you have been here, hasn't it?

Mr MacKinnon: And long after you leave.

Mr TONKIN: In fact, questions without notice are at the discretion of the Speaker.

Mr Hassell: Under the rules but not under the practice.

Mr TONKIN: I can remember the member for Kalamunda, as Speaker, calling off question time when he decided to. The Speaker has done the right thing. I am shocked that the Deputy Leader of the Opposition should move dissent from the Speaker's ruling on this matter.

Mr Hassell: You will be more shocked by the time you have finished if you cut off question time, I am telling you. It will be the end of your chance of any reasonable relationship in this House.

Mr TONKIN: I think the Opposition should have question time. The discretion is given to the Speaker under the Standing Orders.

Mr Speaker, we reject this motion of dissent from your ruling.

Mr CLARKO: I rise to support the motion. I do not do so in the narrow sense of the words, but I speak at this moment in order to have an opportunity to put forward the point of view of the Opposition.

Standing Order No. 1 makes it clear that the House should operate and take cognisance of the practices and usage of other orders of the House. In the short time of nine years I have been in the House, it has been the rule that we be given the opportunity to ask questions. I say to the Leader of the House, not in an aggressive way, that we as



an Opposition must be given the opportunity to have our say.

Last night, somebody made the comment, "We"—that is, the Government—"have the numbers and therefore we will do what we want to do." However, that flies completely in the face of what the Parliament is about. If the Government worked purely on the basis of numbers, there would be no point in our assembling. The quintessence of the Westminster system is that the Opposition be given the opportunity to question the Government. Any Government that rides roughshod over an Opposition ultimately finds that the House becomes unworkable.

The House should be run as a partnership. It has two diverse groups, and those diverse groups must meet and come to a certain set of understandings based, not on narrow views, but on the Standing Orders.

I put to you, Mr Speaker, and to the members of the Government, that you must give us the opportunity to be heard. You must give us the opportunity to ask questions in a proper way. There may be times when questions may be deferred or postponed. That has happened in my time in the House. However, if you trample on the Opposition, you trample on the most precious element of our system of political life. It is a most precious thing that we have, and you must give us the opportunity to ask questions. You must give us the opportunity to work with you.

Government members interjected.

The SPEAKER: Order!

Mr CLARKO: In regard to the comments by the Premier, I say without equivocation that the decision to move the amendment was made at the beginning of this week. It arose at the time it did purely because of the time taken with the other matters before the House this week. The Opposition had no intention to affect the rights of Government members to speak.

Mr Tonkin: You wanted questions instead of Parker speaking. What are you talking about? Just tell the truth.

Mr CLARKO: The Leader of the House keeps making that statement but I think he is a stranger to it.

The claim has been made that this was a stunt. I deny that categorically. That is false. There was no attempt on the part of the Opposition to create a situation in which we would, in some magical way, utter brilliant words which would capture the imagination of the media, and the Government would be left without the opportunity of replying. I assure members opposite we had no

intention of doing that. If we had that intention, one would have spoken about the matter in a different way.

Mr Tonkin: If you had questions at 5.30, the Minister for Employment, Planning and Administrative Services could not have spoken. You know that.

Mr CLARKO: One of the most disappointing features of this week as far as I am concerned—this first week in the Parliament—is that the Leader of the House takes an approach which ill befits him, and is not appropriate to the House. He is becoming a stand-over merchant, blatantly trying to use the numbers. He should know that his methods will not improve the workings of the House, and will not be to the advantage of the citizens of Western Australia.

For the sake of everybody—for the sake of the people who are interested in what we, the Opposition, have to ask—I ask the Leader of the House to reconsider and give us an opportunity to work with him in a cordial way. He should be fair and give us the opportunity to have our say by way of questions.

It is absolutely unacceptable for the Minister to behave as he has done this week in regard to the hours, contrary to our views. As I said by way of interjection on the member for Welshpool yesterday, the better way to have organised the new hours would have been to have had a committee such as the one we had before. We had a group which included the Parliamentary Secretary of the Cabinet, the member for Welshpool, the present Leader of the Opposition, and myself. The four of us met and had discussions about the sitting hours. When we came to an agreement, we took it back to our party rooms. Ultimately, complete harmony was reached. There was no disharmony on the hours that we sat.

The previous hours had been in operation for many years. The member for Welshpool could tell me how long those hours were in force.

Mr Jamieson: Since Adam was a boy.

Mr CLARKO: That was something that we were able to achieve. The four of us met and came to a simple and clear decision in a short period of time.

This week, the Leader of the House has forced the hours onto us, particularly those in regard to Tuesday afternoons. We have many members who represent country areas; and we live in one of the biggest political units in the world. It is quite difficult for our members to come from the far-off places and spend three days of each week in the city. They need time to travel to their electorates, and time to meet with their constituents. As

everyone in the Chamber knows, that is something that we all regard as a vital part of our job.

Now we find that we have lost our Tuesday mornings, because that time will be taken up with party meetings. Members opposite will find the same.

Mr Tonkin: And you gained the recess weeks.

Mr CLARKO: Will the first week off be the Government's Australian Labor Party Conference week?

Mr Davies: No.

The SPEAKER: Order! The member ought to talk to the motion before the Chair.

Mr CLARKO: Certainly, I will do that.

What I was attempting to do, as part of my association with the motion to dissent from your ruling, Sir, was to express, on behalf of the Opposition—unfortunately the mover of the motion did not have the opportunity to express his point—the views that we hold. We are at the start of a period of three years which, without doubt, will be a most unpleasant one and, I believe, an inefficient one if we cannot work in a form of co-operation. The Leader of the House said to us earlier this week—on Tuesday—that it was his intention to operate in a way that was more efficient. He argued strongly that he did not want to use a system based on legislation by exhaustion.

When he said that, I was tempted to ask him whether, while he was Leader of the House, he would never take the opportunity to have the House sit for long periods, because I would be very surprised if, in the three years during which members opposite will govern—they will not be in Government any longer than that—they do not find a matter of urgency with which they will want to deal during a long sitting of the House.

The sittings of the House this week have already been longer than those during most of the weeks we sat last year, with the exception of the last few weeks of the session.

Mr Davies: We will get extra pay for you!

Mr CLARKO: I think the position is opposite to that put forward by the Minister for the Environment, because in fact the Government intends to take money away from us, which is contrary to its industrial policy.

We must be given the opportunity to ask questions without notice and you, Sir, know that many devices can be used by a Government to deny an Opposition a fair go during question time. Indeed, we have seen such a situation occur this week when some Ministers have made rather long and tedious replies.

Several members interjected.

Mr CLARKO: I have gone out of my way to avoid asking many questions of the Minister for Education, because we know how he likes to go on.

One of the propositions put to us is that the House should adjourn at 11 o'clock every night. It is not possible to have such a system unless the gag or guillotine goes with it.

If that is not the case, Opposition members can filibuster and it is impossible for the Government to pass its legislation. I understand that situation applied between 1971 and 1974 when very talkative members occupied the Opposition benches, with the result that the progress of legislation through the House was hampered.

This issue is fundamental: The Government has the numbers and the power to deny the Opposition the right to put forward its point of view.

Mr Tonkin: You spoke for an hour and yet you don't want the Minister for Employment to speak for 20 minutes. You should talk about putting forward points of view!

Mr CLARKO: I cannot speak for an hour—

Mr Tonkin: You spoke on the previous motion, smart Alec. The two of you spoke for an hour.

Mr CLARKO: I am not "him". I might look like him—

Mr Tonkin: The two of you spoke for an hour.

Mr CLARKO: The Leader of the House said that I spoke for an hour and I did not.

Mr Tonkin: I said, "You". I used the word "you" in the plural.

Mr CLARKO: The Leader of the House must be cross-eyed—

Several members interjected.

Mr Laurance: You didn't consult on it! You just stormed over—

Several members interjected.

The SPEAKER: Order! The member for Karrinyup has the floor.

Mr Hassell: You are certainly annoyed about the situation in respect of adjourning at 4.30 p.m. However, we didn't play any games. I told you the truth.

Mr CLARKO: It is not an accident that Standing Order No. 1 is the broadest—

Several members interjected.

The SPEAKER: Order! If I have to draw attention to the conduct of the member for Gascoyne again, I may have to take certain action.

Mr CLARKO: Of all the Standing Orders, Standing Order No. 1 is the broadest. It refers to,

"In all cases not specially provided for . . ." and it is in relation to that provision that we believe we are not being given a fair opportunity now. The Opposition certainly did not agree to changing the normal time at which we adjourn on Thursdays from 4.30 p.m. to 6 p.m. I do not think we were ever asked about it or given an opportunity to consult with the Government on the matter, which is the quintessence of the industrial relations policy of the Labor Party.

We were simply presented with a *fait accompli*, as a result of which 6 p.m. has become the time at which we adjourn on Thursdays and thus we are placed in our current dilemma.

Had the arrangement been that, at 4 p.m., the whips consulted and said, "Now we shall deal with questions", the debate could have been adjourned and questions could have been taken between 4.00 and 4.30 p.m. and this problem would not have arisen.

We are placed in this dilemma because the Government is not prepared to be conciliatory or co-operative. It is not prepared to adopt the philosophy of consensus (*con. sensus*) of the Greek fruiterer! We certainly need more of that.

Mr Tonkin: Why didn't you let the Minister for Planning speak for 20 minutes then? You deliberately shut him up!

Mr CLARKO: I find it very difficult to shut up the Minister for Planning. I wish we could.

Mr Tonkin: That is right!

Mr Parker: That is right—that is just what it is.

Mr CLARKO: And sometimes the situation is vice versa.

Several members interjected.

Mr Parker: You want to tell lies about industrial relations matters, but you are not—

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

Mr Rushton: We have never yet tried to stop you speaking.

#### *Withdrawal of Remark*

Mr CLARKO: As I understand it, the Minister for the Environment used the word "lies". I understand that word is unparliamentary. Would you, Sir, ask him to withdraw that, please?

The SPEAKER: Order! The member for Karrinyup has complained of a certain word being used by a member. I did not hear the word of which he complained, but if it was used, perhaps the member concerned would withdraw it.

Mr PARKER: I believe the member for Karrinyup was referring to me, and, as I understand it, the phrase to which he took offence was that I said he wanted to tell his lies about industrial legislation and not give me the opportunity to tell the community of Western Australia how untrue the statements were. I withdraw the word "lies" and insert the word "untruths" in that statement.

#### *Debate (on dissent from Speaker's Ruling) Resumed*

Mr CLARKO: Thank you, Mr Speaker. At the moment we are talking about much more than dissenting from your ruling, Sir. Indeed, we are talking about much more than what should happen tonight. In fact we are talking about the future of this Parliament and the co-operation between the Opposition and the Government.

The Government needs our co-operation. As you well know, Sir, the system of pairs will not function satisfactorily if the Opposition does not co-operate with the Government. If pairs were not granted this Government for the next three years, it would be in a serious dilemma and its ability to do its job would be inhibited. I am sure the Government does not want the situation to reach that stage.

I believe that in the past some parties in this Chamber found it opportune to withdraw pairs at certain times when it has suited them—

Mr Parker: Like your party, for example.

Mr CLARKO: —but in the time I have been here, my party has never withdrawn pairs.

Mr Davies: Yes, it has.

Mr CLARKO: When has my party done that?

Mr Davies: When we had a censure motion.

The SPEAKER: Order! I have asked the member for Karrinyup to refer his remarks to the motion before the chair. I ask him again to do so.

Mr CLARKO: I certainly shall, Mr Speaker.

I was trying to develop the argument that the issue which had led to the moving of this unfortunate motion is more important than just the events of this afternoon; that it relates, firstly, to our sitting hours and, secondly and more importantly, it relates to the whole matter of interaction between the Opposition and the Government.

It might be okay for the Leader of the House to be strong and firm tonight in terms of what he wants to do. He might intend to proceed with his exercise of attempting to push us into the mud, but even if he succeeds in doing so tonight and denies us our democratic rights—those things which are so important to people and which are part of

this Anglo-Saxon system of Parliament—the mud will be around for quite a while and even the best dry cleaners in the world—

*Point of Order*

Mr THOMPSON: The member for Karrinyup has three minutes remaining and it is two minutes to 6 o'clock. The sessional order—

Mr Brian Burke: That clock is fast.

Mr THOMPSON: —requires that the House rise at 6 p.m. and, therefore, I assume that, at that time, you, Sir, will leave the Chair and return at 7.15 p.m.

The SPEAKER: Order! I am well aware of that situation and I am also aware of the time.

*Debate (on dissent from Speaker's ruling) Resumed*

Mr CLARKO: I repeat that we are not just talking about what happens this afternoon; we are not just talking about what has happened this week; we are talking about the next three years and, more importantly, the most fundamental principle of this House, which is that members should have the opportunity to stand up and present their cases within the rules of our parliamentary procedures. We are not asking for anything more than that. It is a tradition of this House.

I have been a member of this House for just over nine years and, as far as I can remember, questions have been taken at 4 p.m. and the House has adjourned at 4.30, giving the country members the opportunity to return to their remote locations. Here we have a situation in which we have been denied the opportunity to ask our questions. We have also been denied the opportunity to establish a proper rapport with the Government. We will get nowhere if that situation persists, because the rules of the House provide an indication of behaviour for members, and are a guide for conduct in this House.

Mr Speaker, I do not wish to speak for very much longer.

Mr Parker: Just as well.

Mr Bertram: Start saying something.

Mr CLARKO: I thank the member for Mt. Hawthorn for his interjection, because I have not replied to his interjections today. I might find it convenient to start now.

This begs the question, because the fundamental thing that has been tried this afternoon is to shut the Opposition up and to prevent us having an opportunity to ask questions.

Mr Tonkin: There is the man who has been gagged!

Mr CLARKO: The Government has tried to make false allegations that there was some form of deep plot that led us to move our amendment at the time we did. The sole reason that the amendment was moved when it was is the amount of time taken by various members of this House during the week when speaking on other matters felt to be important. So, I do not know whether I should rephrase what I have been saying, but I will do so for the benefit of the member for Mt. Hawthorn.

*Point of Order*

Mr LAURANCE: Mr Speaker, are the sessional orders to be adhered to under your speakership or are we to have a different set of sessional orders?

Mr TONKIN: On that point of order, any member with any modicum of fairness will remember that when the Speakers came from the conservative side of politics, time after time two or three minutes were taken in order to see that the right thing was done.

Mr MacKinnon: Yes, so you could go into your question time.

The SPEAKER: Order! In answer to the point of order raised by the member for Gascoyne I indicate that I am required to leave the Chair at 6 o'clock and, if requisite, to sit again at 7.15 p.m. That is a sessional Standing Order and I must obey it because it was made by the House.

*Debate (on dissent from Speaker's ruling) Resumed*

The SPEAKER: I will leave the Chair until 7.15 p.m.

*Sitting suspended from 6.02 to 7.15 p.m.*

The SPEAKER: The member for Karrinyup has one minute remaining.

Mr CLARKO: I conclude on this note: I suggest that the Premier and the Leader of the Opposition each nominate two persons from either side of the House—no doubt the Leader of the House and my deputy leader and one other each—so that they can get together and try to take the course that led to the alterations to the previous Standing Orders which had stood for so many years. I believe if we had such a committee of four people representing two from either side, they would be another way to resolve such a contretemps.

*House to Divide*

**MR GORDON HILL** (Helena) [7.16 p.m.]: I move—

That the motion be now put.

Mr Hassell: The gag!

Motion put and passed.

*Debate (on dissent from Speaker's ruling)  
Resumed*

The **SPEAKER**: The question is, "That the motion moved by the Deputy Leader of the Opposition moving dissent against my ruling be put."

Motion put and negatived.

*Debate (on amendment to motion) Resumed*

Debate adjourned, on motion by Mr Tonkin (Leader of the House).

**QUESTIONS: ON NOTICE**

*Questions 252 and 260: Speaker's Ruling*

The Speaker ruled questions 252 and 260 out of order. (See pages 511 and 513).

**ADJOURNMENT OF THE HOUSE**

**MR TONKIN** (Morley-Swan—Leader of the House) [7.20 p.m.]: I move—

The the House do now adjourn.

Question put and a division called for.

Bells rung and the House divided.

*Remarks during Division*

Mr Laurance: Frightened of questions—running scared already!

Mr Bertram: Who of?

Several members interjected.

Mr Hassell: Running scared already—goodness me!

Mr MacKinnon: Can't even answer questions.

Several members interjected.

Mr MacKinnon: We have had all this talk about wanting to get through the business of the House, but now you're trying to get out of it.

Several members interjected.

Mr Laurance: Very scared today.

Mr Rushton: They can't even run their own business.

Several members interjected.

Mr Thompson: What happened to the maxim that Oppositions will have their say, but Governments will have their way?

Several members interjected.

Mr MacKinnon: It's a black weekend for the Burke Government.

Several members interjected.

An Opposition member: We've got Hitler over there!

Several members interjected.

*Result of Division*

Division resulted as follows—

**Ayes 24**

Mr Barnett	Mr Hodge
Mr Bateman	Mr McIver
Mrs Beggs	Mr Parker
Mr Bertram	Mr Pearce
Mr Bridge	Mr Read
Mrs Buchanan	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Terry Burke	Mr A. D. Taylor
Mr Burkett	Mr I. F. Taylor
Mr Davies	Mr Tonkin
Mr Grill	Mr Troy
Mrs Henderson	Mr Gordon Hill

(Teller)

**Noes 17**

Mr Bradshaw	Mr McNee
Mr Clarko	Mr Old
Mr Court	Mr Rushton
Mr Coyne	Mr Spriggs
Dr Dadour	Mr Thompson
Mr Hassell	Mr Trethowan
Mr P. V. Jones	Mr Tubby
Mr Laurance	Mr Williams
Mr MacKinnon	

(Teller)

**Pairs**

Ayes	Noes
Mr Wilson	Mr O'Connor
Mr Bryce	Mr Crane
Mr Carr	Mr Mensaros
Mr T. H. Jones	Mr Grayden
Mr Evans	Mr Watt
Mrs Watkins	Mr Blaikie

Question thus passed.

*House adjourned at 7.23 p.m.*

**QUESTIONS ON NOTICE**

**TRAFFIC: MOTOR VEHICLES**

*Roof Racks: Police Permits*

69. **MR BATEMAN**, to the Minister for Police and Emergency Services:

(1) Is it a fact that permits will not be issued to people carting materials on roof racks when those materials exceed 1.2 metres?

(2) Is he aware that many plumbers, roofing contractors, etc., cannot carry their materials any other way owing to the welding, electrical equipment and fixing materials they have to carry in their vans or utilities to prevent stealing and weather damage?

- (3) If "Yes" to (1), will he give full reasons for such a regulation?
- (4) If "Yes" to (2), will he bring about a regulation to modify this situation?
- (5) If not, why not?

Mr CARR replied:

- (1) to (5) The vehicle standards regulations set out standards for all vehicles travelling on roads.

Regulation 1104 (1) prohibits loads and equipment upon a motor vehicle from exceeding 1.2 metres.

Regulation 1107 provides an exemption to those requirements by the Commissioner of Main Roads or a person approved by him to issue such a permit. I am advised the policy of Main Roads Department is not to exempt vehicles as described in the question.

#### HARBOUR: HARDY INLET

##### *Boat Loading Facilities*

210. Mr BLAIKIE, to the Minister for Works:

- (1) What is the proposed cost of boat loading in loading facilities in Hardy Inlet?
- (2) When is it expected that works will commence and be completed?

Mr McIVER replied:

- (1) The estimated cost of the proposed jetty is \$195 000.
- (2) It is intended that the works will be constructed during 1983-84. However, this is totally dependent on appropriate funds being included in the final works programme.

#### TRANSPORT: BUSES

##### *Linc: No. 760*

236. Mr COURT, to the Minister for Transport:

Has the Metropolitan Transport Trust made the necessary transport arrangements for school children in the Claremont to Mosman Park area when the 760 linc bus is discontinued?

Mr GRILL replied:

The MTT will be closely monitoring Stirling Highway and school bus services in the area. Extra buses will be on stand-by in the initial change-over period to cater for unexpected loading problems.

#### INDUSTRIAL RELATIONS: DISPUTES

##### *Criminal Offences*

237. Mr MENSAROS, to the Premier:

- (1) To prevent threats against elected representatives of the community, as recently happened with the Perth City councillors, is he prepared to introduce legislation which would make it a criminal offence for unions, union members or anyone to cut Government utilities or other services to consumers when the utility in question is not involved in any industrial action?
- (2) If "Yes", can he undertake that his Government will not interfere with prosecuting offenders for resulting criminal offences?
- (3) If the answer to (1) is "No", why not?

Mr BRIAN BURKE replied:

- (1) The Government is of the view that there is ample legislation in the form of the Police Act, Criminal Code, etc., to accommodate all types of anti-social behaviour.
- (2) Yes.
- (3) Answered by (1).

#### AUSTRALIAN LABOR PARTY

##### *Luncheons*

238. Mr HASSELL, to the Premier:

- (1) Since the election has the Labor Party continued to conduct luncheons for invited guests at a cost of \$20 per head (a substantial increase over the cost applicable before the elections) and are these functions known as decision makers' luncheons?
- (2) Is it a fact that an officer or adviser of the Premier or one of his Ministers who is on the Government payroll has, since his employment by the Government, been responsible for promoting and organising those Labor Party luncheons?

Mr BRIAN BURKE replied:

- (1) Yes.
- (2) The basic organisation for the luncheons is undertaken by paid and unpaid volunteers, who are not employees of the Government.

However, requests from time to time have been received by the department concerning the luncheons and for obvi-

ous reasons these requests are handled by an officer of the department.

# CONSERVATION AND THE ENVIRONMENT: LESCHENAULT INLET

*Laporte Australia Ltd.: Effluent*

239. Mr BRADSHAW, to the Minister for Water Resources:

- (1) What surveys were carried out by his department following the spillage of Laporte effluent into Leschenault Inlet?
- (2) Can he say whether any damage was done to the estuary or estuarine life?
- (3) What assurances can he give that any future problems will be either completely overcome or diminished?

Mr TONKIN replied:

- (1) Environmental consultants, LeProvost, Semenjuk & Chalmer were commissioned immediately following the spill in February 1983 to study and document the short-term effects of the spillage. This study commenced two days after the spillage occurred. The cost of this study is being shared by the State and the company.
- (2) The report on the results of the investigation is in the final stages of completion and will cover the effects of the spillage on
  - water quality;
  - sediment;
  - fish;
  - benthic fauna;
  - benthic flora; and
  - avifauna.
- (3) It is not possible to provide complete security against pipeline bursts. Additional leak detection equipment has been installed on the pipeline on the peninsula to provide greater protection. In addition, methods of containing the spillage from a burst or leak in the section of pipeline across the estuary are being studied.

# HOUSING: BOULDER-KALGOORLIE

*Construction*

240. Mr I. F. TAYLOR, to the Minister for Housing:

- (1) How many State Housing Commission houses and/or flats have been con-

structed in the Kalgoorlie/Boulder area in each of the past five years?

- (2) What is the proposed State Housing Commission building programme for the Kalgoorlie/Boulder area in 1983-84?

Mr WILSON replied:

(1)	Houses	Flats	Aged Pensioner Units
1978-79	—	—	—
1979-80	—	—	—
1980-81	4	—	—
1981-82	26	—	—
1982-83	10	—	12

- (2) The State Housing Commission building programme for 1983-84 cannot be finalised until the State Budget is brought down when total funding arrangements will then be known. Every consideration will be given to the housing needs at Kalgoorlie/Boulder area when the programme is established.

# HOUSING: WELFARE

*Expenditure*

241. Mr I. F. TAYLOR, to the Minister for Housing:

Would he provide a statistical breakdown of expenditure on welfare housing in Western Australia over the past decade up to and including 1982-83?

Mr WILSON replied:

This information is available in the State Housing Commission annual reports except for the 1982-83 figures which are not finalised.

# HOSPITAL: KALGOORLIE REGIONAL

*Redevelopment*

242. Mr I. F. TAYLOR, to the Minister for Health:

- (1) Is he aware of the previous Government's plans for a lengthy staged redevelopment programme for the Kalgoorlie Regional Hospital?
- (2) If "Yes", could he explain what steps are now planned to bring about a rapid conclusion to the hospital redevelopment?

Mr HODGE replied:

- (1) Yes.

- (2) Detailed planning is proceeding with a view to calling tenders in February 1984 for stages 3 and 4 of the redevelopment programme. These stages involve—

- (a) Replacement of general and maternity wards.
- (b) New birth suite.
- (c) Permanent care ward.
- (d) Upgrading of children's ward.
- (e) New kitchen.
- (f) New pharmacy.

Subject to funds becoming available in the 1983-84 capital works programme work could commence in April 1984 and will take two years to complete.

#### EDUCATION: COLLEGE OF ADVANCED EDUCATION

##### *Bunbury: Cost*

243. Mr BLAIKIE, to the Minister for Education:

- (1) What is the level of work so far undertaken to have a college of advanced education in Bunbury?
- (2) Has any estimate been made of—
  - (a) the costs involved;
  - (b) the number of students; and
  - (c) the range of subjects?
- (3) (a) Will this project be a State or joint State-Commonwealth funded project;
- (b) what is the expected proportion of costs?

Mr PEARCE replied:

- (1) to (3) Action on the development of an advanced education facility for Bunbury is in hand and an announcement by myself and the Minister with special responsibility for Bunbury 2000 will be made shortly.

#### FISHERIES: DOLPHINS

##### *Monkey Mia*

244. Mr BLAIKIE, to the Minister for Fisheries and Wildlife:

- (1) Has the Department of Fisheries and Wildlife investigated assertions that the proposal to develop a motel tavern at Monkey Mia could be prejudicial to the "friendly" dolphins in the area?
- (2) If "Yes", what was the result?

- (3) Has the Shark Bay Shire Council sought advice of the department?

Mr EVANS replied:

- (1) No.
- (2) Not applicable.
- (3) No.

#### STATE FORESTS

##### *Nurseries*

245. Mr BLAIKIE, to the Minister for Forests:

- (1) How many nurseries and their localities are operated by the Forests Department?
- (2) How many trees are produced each year for—
  - (a) departmental;
  - (b) public requirements?
- (3) What is the value of (2)(a) and (b)?

Mr BRIAN BURKE replied:

- (1) The Forests Department operates six tree nurseries at Hamel, Narrogin, Manjimup, Nannup, Gnamagara, and Broome.
- (2) The approximate number of trees produced each year is—
  - (a) for departmental requirements 5 284 800;
  - (b) for public requirements 818 400.
- (3) The approximate value of—
  - (2) (a) \$381 000;
  - (b) \$269 000.

#### STATE FORESTS: PINE

##### *Donnybrook Sunklands: Review*

246. Mr BLAIKIE, to the Minister for Forests:

- (1) Has the Government requested the Forests Department to review the Donnybrook sunklands pine planting project and proposals?
- (2) When was this request made?
- (3) Will he table a copy of the report?

Mr BRIAN BURKE replied:

- (1) Yes.
- (2) 27 April 1983.
- (3) The information will be made available when the report has been considered.



**FUEL AND ENERGY: ELECTRICITY***Power Station: South-west*

247. Mr BLAIKIE, to the Minister representing the Minister for Fuel and Energy:

- (1) Has an environmental study been carried out into the proposal to establish a power station in the south-west?
- (2) If "Yes", who carried out the study?
- (3) When was it—
  - (a) commenced;
  - (b) completed; and
  - (c) how many submissions were received?
- (4) What was the cost of the study?
- (5) Where was it proposed to site the power station?

Mr BRYCE replied:

- (1) No, but environmental investigations are progressing.
- (2) to (4) See (1).
- (5) The matter has not been determined.

**ALUMINIUM SMELTER: SOUTH-WEST***Environmental Study*

248. Mr BLAIKIE, to the Minister representing the Minister for Fuel and Energy:

- (1) Has an environmental study been carried out into proposals to establish an alumina smelter in the south-west?
- (2) If "Yes", who carried out the study?
- (3) When was it—
  - (a) commenced;
  - (b) completed; and
  - (c) how many submissions were received?
- (4) What was the cost of the study?
- (5) What areas were under consideration?

Mr BRYCE replied:

- (1) No, but environmental investigations into an aluminium smelter are progressing.
- (2) to (5) Not applicable.

**RAILWAYS: FREMANTLE-PERTH***Reopening: Statistics*

249. Mr RUSHTON, to the Minister for Transport:

- (1) Referring to my question 110 of 1983 respecting the Fremantle-Perth railway,

will he give me the answers immediately to the items for which the information must be readily available as the Fremantle-Perth rail service is to be reintroduced this weekend?

- (2) If "No", does this mean the Government is reintroducing this rail service without knowing the impact of its decision?

Mr GRILL replied:

- (1) and (2) I thank the member for his great patience. The answers to his question 110 have now been compiled and are as follows—

- (1) I table a schedule herewith.

*The schedule was tabled (see paper No. 186.)*

- (2) None.

- (3) Nil.

- (4) (a) 88.

- (b) 88.

- (c) 88.

- (5) There will not be any additional public risk insurance to that already in force. Repairs have been carried out to the coaches and none is unsafe.

- (6) The cost in 1982-83 was \$569 000.

- (7) Final figures are not yet available. The most up-to-date estimate of total re-opening costs is—

- (a) Material and Contracts \$821 000

- (b) Labour \$312 000.

- (8) The Government will be monitoring the position and will move to provide an electrified system when justification exists.

- (9) Yes, when the report has been properly examined.

- (10) The line service originally operated with 17 line buses. Through rationalisation of the 760-761-766 service it currently operates using 13 line buses.

The 4 line buses have been deployed as follows—

- 2 buses—Rockingham-Perth (route 166)

- 2 buses—Heathridge-Perth (route 727)

- (11) None.

- (12) 50.

(13) None.

(14) The member refers to a three-year trial, of which I have no knowledge. The service is being re-introduced on a permanent basis.

Owing to the ticket issuing system it is not practicable to record details of patronage on individual rail lines. However, normal cordon checks and surveys will be conducted and annual ridership for the entire suburban passenger system will be reported in the trust's annual report. Cost information applicable to rail and bus services will be recorded in the normal manner.

## FUEL AND ENERGY: ELECTRICITY

### *Power Station: Bunbury*

250. Mr MacKINNON, to the Minister representing the Minister for Fuel and Energy:

- (1) In relation to the proposed Bunbury power station, what groups, or consultants, have been appointed to provide the Government, or the State Energy Commission, with any environmental or economical feasibility studies for the power station?
- (2) Have these reports been completed, and if not, when is it anticipated they will be completed?
- (3) What costs have been incurred to prepare these reports, or will be incurred in the preparation of these reports?
- (4) Has the Government, or the State Energy Commission, commissioned any other studies of sites other than the Bunbury "C" power station site, and if so, who has been commissioned for these studies, and on what sites?

Mr BRYCE replied:

- (1) A total of 13 consulting organisations have been engaged by the State Energy Commission to study the various environmental effects of siting a power station at Bunbury.

An engineering consultant was engaged by the commission to prepare capital cost estimates.

- (2) The studies are not all completed.
- (3) The cost will depend on the extent of investigation required.
- (4) Other sites are under investigation and appropriate studies will be necessary.

## LIQUOR: DISTILLERY

### *Swan Valley*

251. Mr MacKINNON, to the Premier:

- (1) Referring him to an article in *The West Australian* of Thursday, 21 July, where it was stated that the Government has agreed to provide funds for a new still for Swan Valley grape growers, how much will the new still cost in total?
- (2) What amount of funds will the Government either be providing, or guaranteeing, for the project?
- (3) What contribution will the grape growers be making towards the project?
- (4) Who will manage the distillery once it is completed?
- (5) What amount of interest rate subsidy is the Government providing on the guaranteed loans?
- (6) What is the estimated cost of this subsidy over the next five years?
- (7) What is the estimated profit, or loss, that the distillery will make in each of its first five years of operation?

Mr BRIAN BURKE replied:

- (1) to (7) Tabled for the member's information is a copy of a Press release referring to this matter.

*The paper was tabled (see paper No. 188.)*

## OFF-SHORE SOVEREIGNTY

### *Australian Labor Party: Policy*

252. Mr MacKINNON, to the Minister representing the Minister for Mines:

The Federal Platform of the Australian Labor Party, in relation to offshore sovereignty states—

- "1. Commonwealth legislation to be passed for regulation and exploitation of all offshore resources within the 200 mile economic zone.
2. Introduce legislation to establish a Mining Code to enable the Commonwealth to supervise offshore exploration and development"—

- (1) Does he support these policies in total, or in part?
- (2) If he disagrees with any of the policies, could he explain why?

*Speaker's Ruling*

I rule that this question is disorderly. Specifically, it seeks information from the Minister on matters which have no bearing on his responsibility to this Parliament as a Minister of the Crown. Further, the opinions sought are based on the hypothesis that the Federal Labor Party may or may not take action. Questions to Ministers should relate to those particular public responsibilities connected with the administration of departments and authorities directly under their control. Accordingly, I rule the question to be disorderly.

**TOURISM***Penalty Rates*

253. Mr MacKINNON, to the Minister for Tourism:

- (1) Referring him to question 36 of 1983 respecting penalty rates, what was the outcome of the discussion by Ministers at the Australian Standing Committee on Tourism meeting held on 24-25 March concerning penalty rates?
- (2) What future action was determined by this meeting?
- (3) As a consequence, is he now in a position to advise me whether or not the Government is in favour of taking action to reduce, or to do away with, penalty rates?

Mr BRIAN BURKE replied:

- (1) The question of penalty rates was referred to the Tourist Ministers' Council meeting in Sydney on 27 May.
- (2) and (3) That meeting considered an in-depth national study may be necessary on the question and that this was a matter for Commonwealth consideration.

**MINING: ACT***Private Landholder Provisions*

254. Mr MacKINNON, to the Minister representing the Minister for Mines:

- (1) Does the Government intend changing the private landholder provisions currently in force in the Mining Act?
- (2) If so, in what way?

Mr BRYCE replied:

- (1) and (2) This matter is part of the terms of reference of the announced inquiry into the Mining Act 1978-82. No decision will be taken pending receipt of the committee's report.

**EDUCATION: PRIMARY SCHOOL***Leeming: Library-resource Centre*

255. Mr MacKINNON, to the Minister for Works:

- (1) I have been advised that the Leeming primary school library resource centre had its completion delayed due to problems associated with the installation of carpet in the centre: What was the reason for the delay in the carpeting installation in the centre?
- (2) Where was the carpet manufactured?

Mr McIVER replied:

- (1) The building, including carpeting, was completed ahead of the contract completion date.
- (2) Victoria.

**EDUCATION: HIGH SCHOOL***Rossmoyne: Parents and Citizens' Association*

256. Mr MacKINNON, to the Minister for Education:

- (1) Referring to a letter dated 16 May 1983 addressed to him from the Rossmoyne Senior High School Parents and Citizens' Association, when is it likely that the association will receive any acknowledgment, or response, to that correspondence?
- (2) Could he provide the reasons for such a long delay in responding to that correspondence?

Mr PEARCE replied:

- (1) and (2) The letter from the Rossmoyne Parents and Citizens' Association on 16 May contained a statement that parents were seeking financial support from the Canning and Melville local authorities. Confirmation of this source of support by letter from the association was not received at my office until 11 July. A reply to the Rossmoyne Senior High School Parents and Citizens' Association advising of procedures they should now follow has been signed today.

**MINING: URANIUM***Yeelirrie: Government Policy*

257. Mr MacKINNON, to the Premier:

- (1) Referring him to an article in *The Bulletin* magazine of 15 March 1983 which

states, in relation to nuclear power plants in Japan, "With 25 plants in operation, four more are to start up in 1984, three in 1985, and three in 1986. Construction of four more recently gained final approval and the programme is to continue to a total of 54 nuclear plants, totalling 46 000 megawatts, by 1990 and 100 plants, totalling 90 000 megawatts by 2000". Bearing in mind that this is a great potential market for Australian uranium, will he give an assurance that, should the Yeelirrie project come before his Government for approval, providing it meets environmental and safety safeguards and controls, it will be given approval to proceed?

- (2) If "No", will the Government give consideration to a claim from the company to recompense it for the many millions of dollars it has spent proving up the project?

Mr BRIAN BURKE replied:

- (1) The question is hypothetical and is therefore inadmissible.  
(2) Answered by (1)

#### BUSINESSES: SMALL

##### *Government Regulations Review Committee: Report*

258. Mr MacKINNON, to the Minister for Economic Development and Technology:

Now that he has recently released the report of the Government regulations review committee, when can we expect decisions, and action, on behalf of the small business sector, as a consequence of this report, to be taken?

Mr BRYCE replied:

This matter will be the subject of an announcement by the Minister for Economic Development and Technology in the near future.

259. *This question was postponed.*

#### ECONOMY

##### *Policy: Statement of Accord*

260. Mr MacKINNON, to the Minister for Economic Development and Technology:

- (1) In the statement of accord by the Australian Labor Party and the Australian Council of Trade Unions regarding

economic policy it states—"Taxation of companies will be reformed to ensure that companies pay their fair share of tax on income earned in Australia and overseas by such measures as eliminating corporate tax loopholes, abolishing the investment allowance as an across-the-board concession, and introducing a resource rent tax on the super profits of mining companies". Does he—

- (a) support the proposal that recommends "abolishing the investment allowance as an across-the-board concession";  
(b) support the proposal that recommends "introducing a resource rent tax on the super profits of mining companies"?

- (2) If "Yes" to (1), could he explain why?

- (3) If "No" to (1), can he explain why not?

##### *Speaker's Ruling*

The SPEAKER: I rule that this question is disorderly. Specifically, it seeks information from the Minister on matters which have no bearing on his responsibility to this Parliament as a Minister of the Crown. Further, the opinions sought are based on the hypothesis that the Federal Labor Party may or may not take action. Questions to Ministers should relate to those particular public responsibilities connected with the administration of departments and authorities directly under their control. Accordingly, I rule the question to be disorderly.

#### FUEL AND ENERGY: GAS

##### *North-West Shelf Project*

261. Mr MacKINNON, to the Minister for Economic Development and Technology:

- (1) What is the total value of contracts let to date for the North-West Shelf project?  
(2) What proportion of the total project expenditure does this constitute?  
(3) What percentage of the contract value has been let to—  
(a) Western Australian companies;  
(b) other Australian companies;  
(c) overseas companies?

- (4) (a) What was the nature of contracts let to Western Australian companies;
- (b) what was the value in dollar terms of the contracts let to Western Australian companies;
- (c) which Western Australian companies received the contracts?
- (5) (a) What was the nature of the contracts let to companies in other parts of Australia;
- (b) what was the value in dollar terms of the contracts let to other Australian companies;
- (c) which other Australian companies received such contracts?
- (6) (a) What was the nature of the contracts let to overseas companies;
- (b) what was the value in dollar terms of the contracts let to overseas companies;
- (c) which overseas companies received such contracts?

Mr BRYCE replied:

- (1) The value of contracts let for the North-West Shelf gas project as at 30 June 1983 is \$1 372 million.
- (2) The total project expenditure to 30 June 1983 is not available.  
The total value of contracts let is approximately 85 per cent of total commitments to 30 June 1983.
- (3) (a) 61 per cent;
- (b) 10 per cent;
- (c) 29 per cent.
- (4) (a) As more than 400 contracts have been let to Western Australian firms and organisations for many different aspects of the project it is not possible to identify these contracts under any one concise area of expertise.
- (b) \$841 million.
- (5) (a) The same comments apply as in 4 (a).
- (b) \$129 million.
- (6) (a) The same comments apply as in 4 (a).
- (b) \$401 million.

Answers cannot be given to questions 4 (c), 5 (c) and 6 (c) as this information is

provided to the Government by the developer on a confidential basis.

## FUEL AND ENERGY: STATE ENERGY COMMISSION

### *Employee Participation*

262. Mr MacKINNON, to the Minister representing the Minister for Fuel and Energy:

- (1) Regarding the report on employee participation in decision making in the State Energy Commission of Western Australia, who prepared the report?
- (2) By whom, and on what authority, was the report commissioned?
- (3) What were the terms of reference?
- (4) What consideration to implementing the recommendations has been given by the Government, or the State Energy Commission?
- (5) Has the report been discussed with the Trades and Labor Council of Western Australia, or any of its members?
- (6) What attitude has been expressed to the Minister by the Trades and Labor Council regarding the recommendations in the report?

Mr BRYCE replied:

- (1) Professor Charles Mulvey, Professor of Industrial Relations, University of WA.
- (2) By the State Energy Commission in June 1982 under the authority of the State Energy Commission Act.
- (3) To review the arrangements for employee participation in decision making which already exist in the State Energy Commission and to recommend how employees' participation might be further developed.
- (4) The scope of the report has been broadly traversed by both Government and State Energy Commission with knowledge that any proposed moves to introduce such a system would need to be carefully related to other departments and instrumentalities and the general Government policy.
- (5) Yes. With all relevant unions and the Trades and Labor Council.
- (6) The unions will shortly be advising the State Energy Commission of their combined views, with the intent of undertaking joint discussion with the Ministers

for Fuel and Energy, Industrial Relations, and Employment.

## NOISE

### *Cannington Light Industrial Area*

263. Mr BATEMAN, to the Minister for Health:

- (1) In view of the continual complaints by ratepayers regarding noise in the light industrial area in Cannington, what action should the local authority take to abate the nuisance?
- (2) Why should a senior council officer advise a ratepayer to take private action against the noise offender?
- (3) What action is open to a ratepayer to control excessive noise in an instance where he has received from a council mayor advice that the matter has been rectified, when in fact the noise nuisance is worse than at the time of the original complaint?

Mr HODGE replied:

- (1) The local authority has power under the Noise Abatement Act and its regulations to abate noise nuisance.
- (2) This question should be directed to the local authority concerned.
- (3) The Noise Abatement Act, section 33, provides for legal action by any three or more persons occupying land or premises aggrieved by noise nuisance. Advice may also be obtained from the Public Health Department. There is always also the possibility of action at common law.

## MINISTER OF THE CROWN: PREMIER

### *Equipment: Additional*

264. Mr O'CONNOR, to the Premier:

Will he detail the cost of any additional equipment purchased, hired or obtained by his department since he took office in February 1983?

Mr BRIAN BURKE replied:

- (1) Standard Telecom office systems have been used to upgrade some outmoded equipment—

Installation	\$1 422
Rental	\$5 196 p.a.

- (2) Two standard television receivers with video recorders—

Rental	\$1 260 p.a.
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- (3) Four word processing units.

These are identical to the two units which were in use in the Department prior to February 1983, and replaced four electric typewriters.

Purchase cost \$57 710

- (4) One small photocopier.

Purchase cost \$3 490.

## GOVERNMENT VEHICLES

### *No. 6WA 037*

265. Mr O'CONNOR, to the Premier:

- (1) Is Government vehicle 6WA 037 allocated to a Government adviser?
- (2) If so, who?
- (3) If "No" to (1), who has the use of the vehicle and is it made available for the personal use of that or other persons?

Mr BRIAN BURKE replied:

- (1) No.
- (2) See answer to (1).
- (3) 6WA 037 is a Government garage pool vehicle allocated to the Department of the Premier and Cabinet.  
It is available for use by all officers of the department during the day and by the Deputy Director-General of the department outside normal working hours.

## CONSUMER AFFAIRS: BUREAU

### *Food Prices: Survey*

266. Mr O'CONNOR, to the Minister for Consumer Affairs:

- (1) Does the Consumer Affairs Bureau survey the price of foodstuffs in selected locations in the State?
- (2) If "Yes", at which locations or towns are the surveys made?
- (3) How frequently are the surveys carried out?
- (4) Are the prices translated into the price of the same "basket" of items used by the Bureau of Statistics to determine their food group index?
- (5) If surveys of food prices are not carried out by the Consumer Affairs Bureau, why not?

Mr TONKIN replied:

- (1) Yes.

- (2) Regular surveys are made at certain supermarkets in Perth city and Subiaco. Special surveys have been made at supermarkets at Karratha and South Hedland.
- (3) The surveys in Perth city and Subiaco are done on a monthly basis. The surveys made at Karratha and South Hedland have been on an *ad hoc* basis.
- (4) Surveys are not based on exactly the same comprehensive range of goods comprising the basket of items in the C.P.I. food group index.
- (5) Not applicable.

#### STATE FORESTS: DEPARTMENT

*Mr S. Shea: Replacement*

267. Mr O'CONNOR, to the Premier:

- (1) Subsequent to the appointment of Mr S. Shea to his department, was his former position in the Department of Forests filled from within the Public Service?
- (2) If "Yes", by whom?
- (3) If "No" to (1), is any officer receiving a higher duties allowance for acting in this position?
- (4) If "Yes" to (3), will he give details of the total on-cost involved in the creation of Mr Shea's position in the Department of Premier and Cabinet?

Mr BRIAN BURKE replied:

- (1) No.
- (2) Answered by (1).
- (3) Yes.
- (4) I refer the member to the answer to question 125 of Tuesday, 26 July 1983.

#### TRANSPORT: BUSES

*Tender*

268. Mr O'CONNOR, to the Minister for Transport:

In approximately March 1983, the Government let a contract to Porters of Fremantle for 10 bus bodies. Will he please give the contract sum and also the price of the lowest tenderer?

Mr GRILL replied:

This contract does not relate to any agencies in the Transport portfolio.

#### MINISTER OF THE CROWN: PREMIER

*Office: Renovation*

269. Mr O'CONNOR, to the Premier:

- (1) Was new wallpaper hung within his ministerial suite during an extensive refurbishing programme undertaken earlier this year?
- (2) Which company supplied the wallpaper?
- (3) What area of wall was covered at what total cost?
- (4) What was the range of prices in dollars per metre of wallpaper used?

Mr BRIAN BURKE replied:

- (1) to (4) There has been no extensive refurbishing of my ministerial suite.

Some minor modifications have been carried out re-using existing partitioning with the existing wallpaper thereon and utilising existing furniture and fittings.

#### GOVERNMENT ADMINISTRATION: APPOINTMENTS

*Additional: Statistics*

270. Mr O'CONNOR, to the Premier:

- (1) Would he list each and every new position created by the Government since coming to office in—
  - (a) Ministerial offices;
  - (b) the Public Service;
  - (c) statutory authorities, including all ministerial advisers, support staff and research officers?
- (2) What are the duties of each position?
- (3) To which ministerial office, departments or authority is each allocated?
- (4) What salary, allowances or remuneration is applicable to each position?
- (5) If contract, what is the duration of each contract?
- (6) Which officers have the use of Government vehicles for—
  - (a) driving to and from work and home;
  - (b) private use?
- (7) Would he list Public Service staff transferred to support positions listed under question (1)?

Mr BRIAN BURKE replied:

- (1) to (7) I refer the member to the answer to question 125 of 26 July 1983.

271. *This question was postponed.*

**MINISTER OF THE CROWN: MINISTER  
FOR ECONOMIC DEVELOPMENT AND  
TECHNOLOGY**

*Staff: Designations*

272. Mr O'CONNOR, to the Minister for Economic Development and Technology:

What are the designations of each member of his ministerial staff located in—

- (a) the Superannuation Building;
- (b) the State Government Insurance Office Atrium?

Mr BRYCE replied:

- (a) and (b) The matters raised in the member's question will be canvassed in a statement to be made to the House by the Premier in due course.

**MINISTER OF THE CROWN: MINISTER  
FOR MINES AND MINISTER FOR FUEL  
AND ENERGY**

*Appointments: Additional*

273. Mr O'CONNOR, to the Minister representing the Minister for Mines, Fuel and Energy:

- (1) Will he detail the number of new appointments to his office since February 1983?
- (2) Will he list the occupations of these staff, stating whether regular civil servants or otherwise?
- (3) Will he list the wages for this staff?
- (4) Will he detail the cost of any additional equipment purchased, hired or obtained for this office since February 1983?

Mr BRYCE replied:

- (1) to (4) The matters raised in the question will be canvassed in a statement which the Premier will make to the House in due course.

**ROAD: SERVETUS STREET**

*Metropolitan Region Scheme: Amendment*

274. Mr RUSHTON, to the Minister for Planning:

- (1) Is the Government going to remove the road status of Servetus Street within the metropolitan region scheme by—

- (a) the usual advertising of intention and tabling of amendment in both Houses of Parliament; or

- (b) legislating to remove Servetus Street from the metropolitan region scheme?

- (2) When will the Government introduce the intended action?

- (3) How many houses are still to be purchased by the Metropolitan Region Planning Authority within the metropolitan region scheme Servetus Street reserve?

- (4) How many requests have been received to extend Servetus Street to West Coast Highway along the rifle range route to relieve Rochdale Road from through traffic?

Mr PARKER replied:

- (1) and (2) I am assessing the merits of all options available as a possible solution for the movement of traffic in the western suburbs and will shortly report the results of my investigation to Cabinet. The question of further action will be assessed in the light of Cabinet's decision.

- (3) 27 houses are still to be acquired; however, the owners of eight of those houses have approached the Metropolitan Region Planning Authority inquiring about purchase.

- (4) Three, including a petition containing 326 signatures.

**CONSERVATION AND THE ENVIRONMENT: PEEL INLET**

*Management Authority: Dredging*

275. Mr BRADSHAW, to the Minister for the Environment:

- (1) Has the Peel Inlet Management Authority asked for funds to dredge the Peel Inlet?

- (2) If funds have been asked for, have they been granted?

- (3) If funds have not been granted, why not?

Mr DAVIES replied:

- (1) Yes. The authority is looking for funds to dredge several navigation channels.

- (2) No.

- (3) The application is still under review. The Budget has not been finalised.



## CONSERVATION AND THE ENVIRONMENT: LESCHENAULT INLET

### *Laporte Australia Ltd.: Employees*

276. Mr BRADSHAW, to the Minister for Works:

- (1) How many people are employed at Laporte Titanium at Australind?
- (2) Has investigation started into the possible resiting of Laporte?

Mr BRYCE replied:

- (1) 300 employees.
- (2) Resiting of the Laporte factory is not one of the options being investigated at this stage due to the high capital cost involved, estimated to be about \$100 million.

277. *This question was postponed.*

## HOSPITALS AND NURSING HOMES

### *Regulations*

278. Mr GRAYDEN, to the Minister for Health:

- (1) How do the proposed private hospital-nursing home regulations relate to the requirements of the Australian Council of Hospital Standards?
- (2) What does the Government have in mind in "generally updating and strengthening the Health Act" in relation to private hospitals and nursing homes?
- (3) In view of the fact that Medibank Private has unilaterally categorised private hospitals in Western Australia, does he contemplate using Medibank's criteria for any purpose?

Mr HODGE replied:

- (1) Regulations generally set minimum standards and are more concerned with structural safety, fire protection, and the safety of patients than the Australian Council on Hospital Standards accreditation guide, which is more concerned with the quality of patient care, administration, and how the hospital should be managed.
- (2) The only amendment to the Health Act proposed in this area is to prevent unregistered premises, such as boarding houses, from calling themselves nursing homes. The regulations regarding pri-

vate hospitals and nursing homes will be considerably strengthened.

- (3) No. Any contemplated policies involving the classification of private hospitals will be determined following joint consultation with both the health insurance industry and the Private Hospitals Association.

## MINISTER OF THE CROWN: MINISTER FOR HEALTH

### *Political Adviser*

279. Mr GRAYDEN, to the Minister for Health:

- (1) What is the name of his personal political adviser?
- (2) What are his academic or other qualifications?
- (3) What was his former occupation?
- (4) What is his salary as personal political adviser to the Minister?

Mr HODGE replied:

- (1) to (4) The Premier has indicated the matters raised in the question will be canvassed by him in a statement to the House in due course.

## RAILWAYS: FREIGHT

### *Joint Venture: Westrail Vehicles*

280. Mr OLD, to the Minister for Transport:

- (1) How many Westrail vehicles are currently involved in Total West operations?
- (2) Is it the Government's intention to increase this involvement?
- (3) If "Yes" to (2), will this be at the expense of private operators providing feeder services from major country towns?
- (4) If "No" to (2), what plans are there for the disposal of surplus Westrail vehicles, if any?

Mr GRILL replied:

- (1) On the assumption the question refers to road vehicles only, the answer is "nil".
- (2) No.
- (3) Not applicable.
- (4) This will depend on the outcome of the current small freight study.

# NATURAL DISASTER: DROUGHT

## *Subsidies*

281. Mr OLD, to the Minister for Agriculture:

- (1) Are subsidies for fodder purchases and agistment of livestock still available to farmers in drought declared areas?
- (2) If not, has he made any approach to the Commonwealth Government to have the decision to abolish these subsidies reversed?

Mr EVANS replied:

- (1) Agistment subsidies are still available to farms in drought declared areas that have been assessed as prone to severe wind erosion. This subsidy will be available to these farmers until the drought declaration is revoked.

Purchases of fodder are no longer subsidised. This scheme was fully funded by the Commonwealth; and it terminated the subsidy on 30 June 1983.

- (2) Several approaches were made to the Commonwealth on behalf of Western Australia, urging that the fodder subsidy be maintained until the present crisis had passed. Submissions were made by me.

# CONSERVATION AND THE ENVIRONMENT: PEEL INLET

## *Management Authority: Chairman*

282. Mr BRADSHAW, to the Minister for the Environment:

- (1) Is it a fact Mr Arthur Bickerton has been appointed chairman of the Peel Inlet Management Authority?
- (2) If "Yes", is he a former Minister of a previous Labor Government?
- (3) Is it a fact that Mr Bickerton is not a resident of the Mandurah district, and therefore has no direct knowledge of the area?
- (4) How many other persons were considered for the appointment?
- (5) What were their names?
- (6) Why were those members of the Peel Inlet Management Authority with many years' experience on the authority not appointed chairman?
- (7) Were the local authorities consulted?

Mr DAVIES replied:

- (1) No.
- (2) to (7) Not applicable.

# RAILWAYS: FREMANTLE-PERTH

## *Refurbishing*

283. Mr LAURANCE, to the Minister for Transport:

- (1) How many men have been employed on resleepering the Fremantle-Perth line and generally refurbishing the track and the stations?
- (2) How many of these workers were transferred from country centres in order to undertake this work?
- (3) From which country centres were the men transferred?

Mr GRILL replied:

- (1) 130.
- (2) 20.
- (3) This was Westrail's mobile resleepering team which moves around the system as required.

# RAILWAYS: FREMANTLE-PERTH

## *Reopening: Festivities*

284. Mr LAURANCE, to the Minister for Transport:

What is the expected cost of the festivities associated with the re-opening of the Fremantle-Perth passenger rail service on Friday, 29 July?

Mr GRILL replied:

As the expenditure on the festivities associated with the re-opening of the Fremantle-Perth passenger rail service is being shared between many community organisations, no realistic total cost estimate can be made.

Organisations which are contributing are local authorities, chambers of commerce, retail traders, commercial interests, historical societies, and organisations concerning the arts, culture, sport and many others. Although many of these contributions do not involve a cost in terms of money changing hands, their value is enormous.

The MTT is responsible for the co-ordination of this activity through its advertising agency, Marketforce. The expected cost of co-ordinating these promotions and MTT involvement in the promotions was budgeted at \$13 000.

This does not include costs incurred in the equipment, catering, etc., for the re-opening ceremony, which are estimated at approximately \$3 000.

#### RAILWAYS: FREMANTLE-PERTH

##### *Reopening: Breakdowns*

285. Mr LAURANCE, to the Minister for Transport:

What contingencies have been planned by the Metropolitan Transport Trust in order to cope with the "increased likelihood of breakdowns" referred to in the Taplin report on the reintroduction of the Fremantle-Perth passenger rail service?

Mr GRILL replied:

Westrail, which operates the suburban passenger service on behalf of the Metropolitan Transport Trust, is arranging to adjust its maintenance programme for the railcar fleet in anticipation of the increased workload arising from the re-introduction of the Fremantle-Perth passenger train service. This is being done in order to maintain the reliability of the railcars consistent with the increased train-kilometres run.

#### TRANSPORT

##### *Deficit*

286. Mr LAURANCE, to the Minister for Transport:

Will he give precise details on the overall deficit incurred by the Government transport services during 1982-83, in view of the fact that receipts on grain freight during the year were \$11 million more than budgeted for and deficits for the Metropolitan Transport Trust and State Ships were close to the budgeted figure and yet the Premier has stated to the Parliament that the transport Budget allocation was exceeded by \$8 million?

Mr GRILL replied:

There is a formal process by which all Government transport agency accounts are presented to Parliament. Detailed figures are now being finalised so that the information can be made available. The member will receive the information he seeks in due course, as part of that process.

#### INDUSTRIAL RELATIONS: WESTRAIL

##### *Inquiry: Terms of Reference*

287. Mr LAURANCE, to the Minister for Transport:

- (1) What are the terms of reference for the inquiry into industrial relations within Westrail being conducted by Dr N. Dufty?
- (2) Have any reports, interim or otherwise, been produced by Dr Dufty in connection with this inquiry?
- (3) If "Yes" to (2), will he make copies available to me?

Mr GRILL replied:

(1) Terms of Reference—

1. An examination of the objectives and policies of the industrial relations functions within Westrail and its relations with line management. External influences such as Government policy directives and relationships with the Industrial Commission shall also be considered.
2. An investigation into the extent of and causes of the lack of harmonious relationships between Westrail and the various unions covering its employees.
3. An examination of the amount of authority over industrial relations matters held by different levels of line management and by the industrial relations function.
4. The inquiry should be broad in scope and include, if appropriate, matters of occupational health and safety in so far as they affect industrial relations and should take into account Westrail's function of providing efficient transport services to the people of Western Australia.
5. The report of the inquiry should include recommendations intended to increase the level of harmony between Westrail and its employees whilst at the same time paying due regard to the role and function of the trade unions. The recommendations should also consider ways in which Westrail employees and their representative organisations can make a constructive contribution to Westrail's operations.

6. The inquiry should also examine, after consultation with the Trades and Labor Council, and those other Associations not affiliated with the Council, ways in which the unions themselves may co-operate with each other in such a way as to improve their overall relationship with Westrail.
7. No written or oral comments made by any person or organisation shall be included or quoted in the final report of the inquiry without the approval of that individual or organisation.

- (2) No.
- (3) Not applicable.

#### TRANSPORT

##### *Students Subsidy Scheme*

288. Mr LAURANCE, to the Minister for Transport:

What are the terms of reference for the review of students' travel subsidy scheme currently being undertaken by the Government?

Mr GRILL replied:

While there are no formal terms of reference, a working party has been set up to undertake a total review of the present student subsidised travel scheme, to examine the question of student-assisted travel throughout the State, and report back to me with its findings and any recommendations for modifying or extending the present scheme.

#### TRANSPORT: STRATEGY COMMITTEE

##### *Perth Central City Area*

289. Mr LAURANCE, to the Minister for Transport:

What matters are currently under consideration by the transport strategy committee on transport needs of the Perth central city area?

Mr GRILL replied:

I quote from the terms of reference of the committee—

The Committee should make recommendations regarding desirable policy or legislative changes, investment or development, traffic management, research or any other

actions deemed desirable, with an indication where possible of priority and timing, with respect to:

- (i) Access to the Central City, by private car, public transport, or other forms of transport.
- (ii) Movement within the Central City, by private car, public transport, goods vehicles and pedestrians, or other forms of transport.
- (iii) Parking facilities, including needs, type, location, ownership and operation.

#### RAILWAYS: FARES

##### *Increase: Revenue*

290. Mr LAURANCE, to the Minister for Transport:

What additional revenue will be raised by Westrail in the 1983-84 financial year from the 10 per cent increase in intrastate road and rail fares which took effect from 1 July 1983?

Mr GRILL replied:

\$400 000 (estimated).

#### EDUCATION: PRIMARY SCHOOLS

##### *Welshpool District: Enrolments*

291. Mr JAMIESON, to the Minister for Education:

- (1) What are the respective enrolments for each State primary school in the Welshpool electoral district?
- (2) What were the comparative enrolments at this time last year?

Mr PEARCE replied:

- (1) and (2) I seek to table a paper in reply to these questions.

*The paper was tabled (see Paper No. 187.)*

#### ELECTORAL: ENROLMENTS

##### *Districts and Provinces*

292. Mr JAMIESON, to the Minister for Parliamentary and Electoral Reform:

- (1) What are the present number enrolled for each of the 57 Assembly districts?

(2) What are the present number enrolled for the 17 electoral provinces of the Legislative Council?

Mr TONKIN replied:

(1) and (2) The numbers enrolled for electoral districts and provinces at 25 July 1983 were—

METROPOLITAN AREA			AGRICULTURAL, MINING & PASTORAL AREA		
Electoral Province	Electoral Districts therein	Number of electors therein	Electoral Province	Electoral Districts therein	Number of electors therein
Metropolitan	Cottesloe	16 921	Central	Avon	9 410
	Floral	18 370		Merredin	9 031
	Nedlands	15 832		Mount Marshall	8 901
	Perth	16 670		Total	27 342
	Subiaco	16 137	Lower Central	Collie	8 653
	Total	83 930		Narrogin	9 027
North Metropolitan				Warren	8 205
	Joondalup	18 294		Total	25 885
	Kurrinyup	18 850	Lower West	Dale	10 150
	Scarbrough	16 661		Mandurah	9 556
	Whitford	17 792		Murray-Wellington	9 447
	Total	71 597		Total	29 153
North Central Metropolitan	Balcatta	17 806	South	Albany	8 610
	Balga	17 167		Katanning-Roe	9 068
	Mount Lawley	17 183		Stirling	8 748
	Nollamara	15 303		Total	26 426
	Total	67 459	South-East	Esperance-Dundas	10 523
North-East Metropolitan				Kalgoorlie	9 501
	Ascot	15 892		Total	20 024
	Helena	17 646	South-West	Bunbury	8 813
	Maylands	16 458		Mitchell	9 984
	Morley-Swan	18 732		Vasse	9 358
	Welshpool	17 105		Total	28 155
	Total	85 833	Upper West	Geraldton	9 601
South Metropolitan				Greenough	8 778
	Cockburn	18 639		Moore	9 290
	Fremantle	16 183		Total	27 669
	Melville	18 233	West	Darling Range	9 269
	Rockingham	16 879		Kalamunda	9 118
	Total	69 934		Mundaring	9 193
South-Central Metropolitan				Total	27 580
	Clontarf	15 913	NORTH-WEST—MURCHISON-EYRE AREA		
	East Melville	16 413	Lower North	Gascoyne	4 125
	South Perth	16 549		Murchison-Eyre	3 212
	Victoria Park	16 164		Total	7 337
	Total	65 039	North	Kimberley	13 549
South-East Metropolitan				Pilbara	11 254
	Armadale	16 794		Total	24 803
	Canning	17 441	SUMMARY		
	Gosnells	17 426	Metropolitan area		514 966
	Murdoch	19 513	Agricultural, Mining and Pastoral Area		212 234
	Total	71 174	North-West—Murchison-Eyre Area		32 140
					759 340