Legislative Council

Wednesday, 18 April 1984

The PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.15 p.m., and read prayers.

HOMOSEXUAL ACTIVITIES

Legislation: Petition

On motions by the Hon. P. G. Pendal, the following petition bearing the signatures of 491 persons was received, read, and ordered to lie upon the Table of the House—

To the Honourable Members of the Legislative Council of Western Australia in Parliament assembled. The humble Petition of the undersigned citizens respectfully showeth:

That the proposed changes to the Criminal Code relating to homosexual acts should be withdrawn, and the Code be maintained in its present form, in the best interests of the whole community.

Your Petitioners humbly pray that the Legislative Council in Parliament assembled:

Reject any proposal which in effect would expose the community and our children to unnatural sexual acts, which destroy the code of decency, and legitimises acts of depravity.

And your petitioners will ever pray.

(See paper No. 766.)

BILLS (2): INTRODUCTION AND FIRST READING

1. Land Valuers Licensing Amendment Bill 1984.

Bill introduced, on motion by the Hon. Peter Dowding (Minister for Consumer Affairs), and read a first time.

2. Legal Practitioners Amendment Bill 1984.

Bill introduced, on motion by the Hon. Peter Dowding (Minister for Planning), and read a first time.

RESERVES BILL AND RESERVES AMENDMENT BILL 1984

Second Reading

Debate resumed from 10 April.

HON. D. J. WORDSWORTH (South) [2.24 p.m.]: We are seeing the Reserves Bill in a new form following a Crown Law opinion that an addition to a Class "A" reserve should be brought to Parliament, whereas previously it had always been considered that the matter had to come before Parliament only if the total area of a Class "A" reserve was being reduced. It was argued that an addition of land could only enhance a national park and therefore there was little point in bringing it to Parliament. The object of bringing matters to Parliament was that if the total area was to be reduced or an excision was to be made, the public and the Parliament could have the opportunity of protesting and having an input. As it happens, under the Reserves Act a small excision can be made from a reserve for the purpose of the building of roads and the like, providing it forms only a very small percentage of the total. Since we amended the Reserves Act, when an addition is to be made to a national park the matter must come before Parliament in the same manner as an excision; we did not allow for minor additions to national parks or reserves. I refer to both, although I have perhaps highlighted national parks. It would seem that if a road adjacent to a national park is to be closed and the matter is to come before Parliament before that land can be added, that is quite a ridiculous situation.

Hon. D. K. Dans: What did you say was ridiculous?

Hon. D. J. WORDSWORTH: That we should have to bring the matter before Parliament if a very small addition to a national park is to be made.

Hon. D. K. Dans: All we are putting before you is something your party agreed to last year.

Hon. D. J. WORDSWORTH: I am honest enough to suggest that perhaps the Leader of the House should look at that matter.

Hon. D. K. Dans: Fair enough. You should have said that in your party room because it was agreed in the party room.

Hon. I. G. Pratt: Mr Dans, you are a bit touchy this afternoon.

Hon. D. K. Dans: Not really. I have had a very lovely lunch with Dennis Conner and I am in very high spirits.

Hon. D. J. WORDSWORTH: It would appear that conciliation—

The PRESIDENT: Order! Honourable members are to discuss the Bill before the Chair and not their luncheon arrangements.

Hon. D. J. WORDSWORTH: I did not realise the honourable member opposite had a mortgage on reconciliation. As a previous Minister for Lands, I was responsible for setting aside many

"A"-class reserves without bringing them to Parliament. It was always quite a problem in that one had to bear great responsibility before signing a piece of paper to recommend to the Governor that it become a national park, a flora or fauna reserve, or whatever the case may be. One needed to do quite a bit of study of the file which would reveal other applications for the use of that land over probably 100 or more years.

One of the difficulties with a Reserves Bill is that members of the House do not have the benefit of having a Lands and Surveys Department file to assist them in making their decisions, and I only hope that members have gone through this Reserves Bill and have not put it aside because of its size. It is a lot larger than previous Bills.

Previously a Reserves Bill comprising 10 pages was regarded as a large one, whereas the current one comprises 30 pages. When I was Minister I would look at that Lands and Surveys Department file and I would often find that an officer of that department had indeed written to the Department of Fisheries and Wildlife and suggested that it could take an interest in a particular area. In other words the department itself had not been the slightest bit interested in the land and it would appear that the Lands and Surveys Department was really trying to find a home for this block of land.

Most of the applications for "A"-class reserves, of course, came from recommendations of the Conservation Through Reserves Committee reports. At the time I was Minister we had half a dozen Conservation Through Reserves Committee reports which covered the entire State and which looked closely at which reserves should be set aside for conservation. However, in spite of this, one still found proposals coming forward without prior recommendation of the Conservation Through Reserves Committee. Of course, it was this that caused the Minister a certain concern. Nevertheless, when we look back with hindsight, perhaps we should be very grateful as a State to the diligent officers who were seemingly trying to get all that vacant Crown land classified and set aside for a particular purpose.

Now, of course, we have the Seaman inquiry recommending that land which is still vacant Crown land could be subject to an Aboriginal land rights claim.

Hon. Peter Dowding: Is not that just a discussion paper? It is not a recommendation yet.

Hon. D. J. WORDSWORTH: I read it as a recommendation from that inquiry.

Hon. Peter Dowding: No, it is not. It is a discussion paper, and that is the basis on which it was circulated. If you had read it, you would have known that.

Hon. D. J. WORDSWORTH: I have read it.

Hon. Peter Dowding: That is a pity.

Hon. Mark Nevill: It is a suggestion, not a recommendation.

Hon. D. J. WORDSWORTH: It appears that it is a sensitive point.

Hon. Peter Dowding: No, it is a matter of accuracy.

Hon. D. J. WORDSWORTH: Whether or not it is a recommendation, it has been likened to the situation in the Northern Territory where there was a very strong recommendation that land rights should be granted in respect of vacant Crown land.

It is rather interesting, and perhaps it is poetic justice, that one of the large areas of vacant Crown land in the South-West Land Division is adjacent to my property in Esperance. At one time it was proposed that this area be made a reserve for the picking of wildflowers. The Esperance Shire Council has applied for the land to be vested in it, in order that it could use portion of it for a chalet development.

I wonder how such matters will be handled if this land is claimed by Aborigines under their land rights claim because the land has already been refused for a number of purposes—chalet development, picking of wildflowers, and farming. If and when this land is granted as a reserve, I wonder what the Aboriginal people will be able to use it for and whether it will be subject to the same scrutiny as it has been over the last 100 years.

Undoubtedly this vacant Crown land has not just been found, it has been well and truly recognised by many people who had hoped to have it granted to them, but the Lands and Surveys Department, in its wisdom, considered there was a more suitable use for it. I guess the same could apply to most of the vacant Crown land within the South-West Land Division. I am referring in particular to the large area of vacant Crown land between Denmark and the Leeuwin which is situated adjacent to the South Coast National Park. It has certainly been considered to include that area of land in the national park.

This Bill has an unusually large number of clauses. This is the result of the Select Committee on National Parks which was chaired by the Hon. A. A. Lewis. The committee pointed out that the creation of new national parks had not been presented to the Parliament under the National Parks Authority Act, but had been handled under the

Land Act. Of course, this enabled the reserves to be created before being presented to Parliament.

As a previous Minister for Lands I was quite happy to join with the Hon. Gordon Masters in setting up the South Coast National Park. Under the Land Act I had the ability to undertake this work, but perhaps the Hon. Gordon Masters did not have that ability under the Act for which he was responsible. However, part of that land was set aside for a national park with the object of adding to it when necessary.

While some of the land that surrounded the national park was vacant Crown land it was not in a form that allowed it to be included in the national park. Quite often this raises difficulties because roads have to be closed and it may be necessary to acquire freehold land.

Another point I would like to make is that last year was the first time we have seen the Parliament rise at Christmas without passing the Reserves Bill. I cannot compliment the Government on that action because it is an important Bill.

Hon. D. K. Dans: If it is so important, why are you talking about it now? Let it pass. Why are you nitpicking your own legislation?

Hon. D. J. WORDSWORTH: It is not my legislation. I am saying that the Government failed to introduce the Bill before the Parliament rose at Christmas. The Bill went to the Assembly last October and it has taken from then until now for it to reach this House.

Hon. D. K. Dans: We had to modify your legislation to make it more acceptable to the public.

Hon. D. J. WORDSWORTH: As it is an important Bill, I will conclude my remarks.

HON. MARGARET McALEER (Upper West) [2.37 p.m.]: I support the Bill. As the Minister pointed out in his second reading speech and as was also pointed out by the Hon. D. J. Wordsworth, the Bill contains an unusual number of clauses dealing with variations to Class "A" reserves.

The Minister attributed this to—and Mr Wordsworth agreed—the requirement to bring additions to Class "A" reserves to Parliament for approval. This requirement was embodied in the Act by the previous Government.

I welcomed this amendment because it seemed an illogical omission from the Act and it is a matter of considerable interest to members of Parliament, because it is of interest to many of their constituents, the shire councillors, conservationists, or the local neighbours.

Generally speaking, the creation of reserves is well supported in country areas, but at the same time some difficulty does arise because a large number of existing reserves are unknown to the people who live in the country. This occurs especially where there are large tracts of uncleared Crown land. Only some of this land is in the form of Class "A" reserves and it is difficult to ascertain if one is crossing the boundary of such a reserve. People do not have maps which would show that the reserves exist. An example of this was brought to my notice about 12 months ago when the Eneabba Pony Club was on its annual pilgrimage to the bush. While riding along quietly and minding their own business they were intercepted by a ranger who had come from Moora. He did not know them and they did not know him. Members of the pony club were told to take their horses forthwith out of the reserve.

They had no notion that they were in the reserve. They had to send for special maps to ascertain the boundaries afterwards. Although the ranger knew where the reserve was on the map he did not know where the physical boundaries were. It was a very unclear situation. I made inquiries on their behalf to find out why it was not possible to continue the annual rides which until that time had been allowed. I discovered that it was because the ponies were not allowed on "A"-class reserves. On further inquiry I was told that horses were generally hard on the environment; small animals and plant life suffer from the incursion of horses. Even if the event took place only once a year, concern was expressed that the area may become flooded with horses.

In past years the area was the home of brumbies. For as long as I can remember they had roamed over this part of the country and at one stage the police were interested in trying to protect the brumbies from being shot by people wanting them for pet meat. The police trying to protect the brumbies faced considerable hazards. As the brumbies have roamed over the area I queried whether horsemen could do any worse damage. I received the reply from the wildlife people that perhaps they would consider destroying the brumbies. I find this an illogical situation because although brumbies are not native wildlife, they have been there a long time; the locals are proud of them and considerable care has been taken to try to preserve them. It is a pity that this position has arisen.

Only one reserve in this Bill concerns the Upper West province; that is, the addition to the Watheroo National Park which is in the Dandaragan and Moora shires, and possibly the Coorow shire. This addition has been made in order that the ranger's house might be built in the national park. In spite of the fact that the Bill was

not introduced before Christmas, the ranger's house has been completed for some time. I imagine all the connections have been made and it is now fully operational. It has been welcomed by the Dandaragan Shire in particular which has many national parks in the area, including Nambing which contains the famous Pinnacles area, as well as Badgingarra and Drovers Cave. Up to this time all these national parks were looked after by two rangers from Cervantes. Much of their time was spent looking after the Pinnacles, which is a very fragile area much visited by tourists. The addition of the house means the ranger will not have to go from Cervantes to the Watheroo National Park and will be able to give better protection to the area.

I was surprised that the shire councils should have been so welcoming to the additional land, because by and large where local councils have many national parks within their boundaries they feel the loss of revenue. They are inclined to eye the parks as so much possible agricultural area which could be used for farming and, therefore, produce rates. Perhaps it is symptomatic of the times that both shire councils were happy to have the parks and to have them taken care of. The only sad note was that the Moora Shire felt the ranger should have been stationed at Watheroo. However, I understand it is too far away from the boundary of the park and there is no suitable connecting road.

When looking through this Bill I was disappointed to notice that it has not yet been decided how to amalgamate all the reserves in the Mount Lesueur area into one large reserve. This area is very rich in flora and I understand is rated almost equally with the Fitzgerald River area.

It has a large number of reserves and has attracted the interest of mining companies. Local conservationists, as well as the wildflower societies throughout the State, have taken a great interest in the area and are anxious that it be preserved in the best possible way. I understand the reserve to be created will be "C"-class. However, the conservationists are of the opinion that it should be an "A"-class reserve. As the work has not yet been completed for the amalgamation of the smaller reserves into one large reserve, I hope some consideration may be given to making it an "A"-class reserve.

Debate adjourned, on motion by the Hon. I. G. Pratt.

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL 1984

Ministerial Statement

HON. D. K. DANS (South Metropolitan—Minister for Industrial Relations) [2.44 p.m.]: Mr President, I seek leave of the House to make a ministerial statement.

Leave granted.

Hon. D. K. DANS: The institution of Parliament is the central bastion of our democratic society.

The number of persons living under such parliamentary democracies as ours diminishes every year. We therefore have an obligation, not only to the people of Western Australia but to the world. We must make sure our democratic institutions operate in accordance with democratic and representative government principles. We, as the elected representatives of the people, are the vital guardians of those principles.

At present, central elements of our parliamentary democracy are under attack from the Opposition. The attack on the integrity of the Parliament is on two fronts in regard to the Opposition's plans to reject in whole the Acts Amendment and Repeal (Industrial Relations) Bill 1984.

Firstly, the Opposition chose to debate the Bill outside the Parliament. It then announced to the Press its decision to reject the Bill before Parliament had had the opportunity to consider the matter in detail. Secondly, the Opposition is now refusing to allow the Parliament to debate the Bill on a clause-by-clause basis. This refusal is a denial of the very essence of Parliament.

Parliament belongs to the people. The people of this State have an inalienable right to debate the Bill clause by clause. The people must ask why the Opposition will not allow informed debate to take place in the Parliament. Further, why are they being prevented from gaining an objective understanding of the clauses of the Bill?

Parliament is the proper forum for debate on legislative change. That is its fundamental role. It is unprecedented for this right to be taken away from the Parliament—even more so, by parties that do not reflect the majority will of the people.

The Government is prepared to remove completely the two clauses that the Opposition has identified as being the foundation for its proposed rejection of the Bill; that is, the definition of "employee" and new section 80ZF which deals with unfair contracts.

These two provisions are proposed to be referred to a mutually agreeable chairman at a mutually agreeable time, with mutually agreeable

terms of reference. That chairman would then report to the Parliament on his findings.

I call upon the Opposition to let good sense prevail. The integrity of the Parliament and our whole democratic processes are at stake. Accept the Government's fair proposal and allow the Bill to go to the Committee stage so that open, informed debate can occur.

The people of Western Australia deserve nothing less.

I have copies of this statement available for all members.

Several members interjected.

WESTERN AUSTRALIAN WATER RESOURCES COUNCIL AMENDMENT BILL 1984

Second Reading

Debate resumed from 10 April.

HON. W. N. STRETCH (Lower Central) [2.51 p.m.]: It is some time since the Minister's second reading speech, so I will remind the House briefly of the contents of the Bill. It is a small amendment; but the importance of the Western Australian Water Resources Council should never be underestimated.

The PRESIDENT: Order! I draw the attention of the Hon. Garry Kelly to his breach of Standing Orders. They absolutely disallow him from walking in front of another honourable member.

Hon. Garry Kelly: I am sorry, Mr President.

Hon. W. N. STRETCH: When one considers the purposes of the council, one finds that it was set up to advise the Minister on any matter affecting water resources and water services. It can also, of its own motion, make representations, tender advice, and make reports to the Minister. In collaboration with appropriate departments and instrumentalities of the State, the council can initiate or co-ordinate studies, etc., for the benefit of us all. It can publish guidelines or formulate by-laws for the conservation, management, and protection of water resources.

Although the Western Australian Water Resources Council is an advisory body, it is certainly very influential. If members need any evidence of that, I refer them to the amendments to the Country Areas Water Supply Act in 1979 which led to the clearing controls in the south-west, which applied to a large part of my electorate. We can all recall the repercussions of that very important piece of legislation. Indeed, it led to one of the greatest controversies ever to rage throughout the south-west. As the Hon. Graham MacKinnon will recall, it was certainly very controversial. It was a very demanding and emotional time, and it cost a considerable amount of money which was spent by the Government of Western Australia in compensation. When members consider the $20 million or so expended on land compensation, which was recommended by this body, they gain some understanding of the importance of this council. We hope that the steps taken at that time will be effective and worth the money that was spent.

According to the Minister's second reading speech, the provisions of the Bill are fairly minor. They enable deputies to be appointed for *ex officio* members of the council. However, I would like a couple of points cleared up, for the sake of members on this side of the Chamber.

The Water Resources Council was established with some appointed members and some *ex officio* members from Government departments. On page 2 of the Minister's speech he said—

> The council acts in an advisory manner only and it does not have executive power.

That is quite true; but we should not underestimate the importance of the council based on that. It sounds a little derogatory, but I am sure it is not meant that way. The Minister's speech continued—

> In order to ensure that the council's advice reflects opinions from a wide range of sources, the members of the council have been selected from a broad spectrum of the community.

That also is quite true.

When we refer to the wide range of resources, we must remember that the Government has in mind the amalgamation of several major Government departments. In the case of a merger, who will represent those interests on the newly constituted Water Resources Council? When we have the new megadepartment, will the Government appoint the head of the megadepartment that will take over from several other departments, and thereby remove the other heads of departments from their seats, or will the subdivisional heads of the departments be on the council? Will it be something totally different? This is an important question, because the *ex officio* members will be given the right to appoint deputies to attend the meetings and those people must be able to give a relevant input. This will happen under a responsible Government; I just bring it to the attention of the Minister and ask that if these powers are to be given, they must not be given or taken lightly.

Obviously it will mean more than minor adjustments, and I urge the Government to retain a

sensible balance of representation on a body which has made such a valuable input in the past.

I particularly urge the Government, when it deliberates on whom to appoint to the body, to take cognisance of the importance of the rural industries. They are often the guardians of the water catchments of Western Australia as well as major water and land users. It is essential that their rights and points of view be strenuously represented and sternly defended.

With those reservations, the Opposition supports the Bill.

HON. PETER DOWDING (North—Minister for Planning) [2.53 p.m.]: The Government thanks the Opposition for its support and notes the comments of the previous speaker.

In the second reading speech, the specific interests of people with specific rural roles are noted, and it is the intention of the Government to retain those interests.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

EASTERN GOLDFIELDS TRANSPORT BOARD BILL 1984

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. Peter Dowding (Minister for Planning), read a first time.

Second Reading

HON. PETER DOWDING (North—Minister for Planning) [3.00 p.m.]: I move—

That the Bill be now read a second time.

The Eastern Goldfields Transport Board Act came into force in 1947 for the purpose of constituting a board to manage and operate public transport in the Kalgoorlie-Boulder region, and to take over the operations of Kalgoorlie Electric Tramways Ltd. The Act has subsequently been amended over the years, with the most recent amendment being made in 1970.

As members will appreciate, over the past 14 years—since the last amendment to the Act—considerable changes have been made to operational procedures, and modern day business practices are a far cry from those that existed then.

In the past year or so, a major review has been undertaken of the Eastern Goldfields Transport Board Act, with the object of more appropriately reflecting current operation and management trends. The purpose behind the present Bill is to put such proposals into effect. In order to achieve this object it has been considered necessary to introduce new legislation rather than attempt to amend in piecemeal fashion the existing legislation.

In August 1983, the Minister for Transport met with members of the board in Kalgoorlie to discuss generally the provisions which are now enshrined in the Bill—many of which provisions had been put forward by them—and there was general recognition on all sides of the need for this new and revised legislation. The board and the Government see this Bill as essential to enable future public transport in the goldfields region to be operated in the most efficient and effective manner.

The Bill has been designed to remove a number of anomalies from the Act, particularly relating to the election of the board itself, and to provide for more realistic representation and terms of appointment.

In considering the method of appointment of the chairman, the Government has been particularly conscious of the continuing need for the State to make available capital funds as well as contributing towards losses incurred in the past and those that may be incurred in the future. It is this Government's firm view that its responsibility in this area should be properly reflected by having far greater flexibility in the appointment of the chairman than has existed in the past, and it therefore proposes the adoption of the normal practice within statutory authorities of providing for the Minister to appoint the chairman.

Also, the legislation will now provide for the appointment of alternative members to act in the absence of local government members, which seems a fair and reasonable action to ensure that both the Town of Kalgoorlie and the Shire of Boulder are adequately and continuously represented on the board.

In addition to the membership requirements, the Bill also proposes changes to a number of the financial aspects of the Act, and is aimed at bringing the board's financial dealings in line with modern accounting practices.

Among the new proposals is the provision to invest funds in a recognised and approved investment account, and the lifting of the board's overdraft limit from its present figure of $40 000, subject to the Minister's approval.

As mentioned earlier, the Government has, as a matter of policy, made a substantial contribution towards the board's operating losses—and capital requirements—over many years. As the Act presently stands, the two local authorities, namely the Town of Kalgoorlie and the Shire of Boulder, are responsible for making good any losses, and they share in profits.

It is now proposed that any financial input by the Government which will vary the method by which the board's losses are recouped, will be prescribed by regulation. Equally, this will also apply to the distribution of profits.

To ensure that the board has a greater accountability to the Government, it will now be required to submit an audited statement of account to the Minister for Transport each financial year.

The opportunity has also been taken to clarify and codify the administrative functions pertaining to the board's operations.

Other amendments of a minor administrative nature have been incorporated, including such things as rewording or deleting those sections from the Act that refer to trams, trolley buses, or the generation of electricity.

Another proposal raises the maximum penalty for a breach of the board's by-laws from the rather antiquated figure of $40, to a more realistic $200. Further provision acknowledges that the board may adopt a trading name and this formalises and gives a degree of official recognition to the present style of "Goldfields Bus Service".

The proposals in the Bill are straightforward and designed solely to update the previous Eastern Goldfields Transport Board Act, and bring its terminology and meaning more in line with modern business, accounting, and operational practices. The Bill will also delete reference to those aspects of the board's activities that have long since disappeared.

The board has provided a first-class service for many years, and, operating under a revised and updated Act, the Government is confident it will continue to provide an effective and efficient public transport service for residents of the goldfields for many years to come.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. J. Wordsworth.

WATER AUTHORITY BILL 1984

Second Reading

Debate resumed from 12 April.

HON. W. N. STRETCH (Lower Central) [3.05 p.m.]: This Bill is a very vital piece of legislation. I congratulate the Minister on his second reading speech and thank him for the superb lesson on geography and the comments about the importance of water to this State in one of the driest continents, something of which we should be all well aware.

In general the Opposition supports the amalgamation of the MWA and the relevant sections of the PWD. In fact, when we were in Government we were in the process of creating a single authority. The aim of our merger was for more efficiency and, hopefully, more realistic rates for water to customers of the authority. Unfortunately, with this legislation we do not look like getting a cheaper service. Nevertheless, we wish the Bill and the amalgamated departments well. It is never easy to bring together departments of this size and importance. Naturally some headaches will be involved. I was one of the members who last week enjoyed the tour of the Metropolitan Water Authority's operations in the southern part of the metropolitan area. The authority has its act very well together and we wish it well in amalgamating with the relevant sections of the PWD.

A couple of points do bother us and the first concerns the country water boards of Bunbury, Busselton, and Harvey. The Bill provides that these water boards can be taken over at any time by ministerial direction. We would rather see any amalgamation resulting from an application from these boards to the Minister when the boards believe it is in the interests of their consumers to amalgamate with the proposed water authority, rather than being subjected to a ministerial takeover at his whim. We do not oppose the legislation in principle, but we do urge the Minister to consult with the country water boards so that, should they be taken over, it will be done in a smooth and dignified manner, and bearing witness to the good work those boards have done over many years.

Another concern is that the proposed water authority, as a statutory authority, will not have its appropriations open to scrutiny by Parliament. When we consider budget expenditure of the magnitude of the proposed authority, we are concerned that Parliament will not have an input or an ability to look at the figures.

Further, the Bill proposes to indemnify any Minister from any civil litigation in the event of major disputes. This provision goes a little against our Westminster system and it is something that deserves to be looked at carefully. We will not insist on an amendment at this stage.

With those few remarks, I indicate the Opposition's support of the Bill.

HON. G. C. MacKINNON (South-West) [3.10 p.m.]: This matter has been under consideration for a long time. Indeed, during my period of incumbency the country areas water supply took over one area of water supply which was being looked after by the local authority.

The Metropolitan Water Authority has existed for a long time, variously known under different names, and a country areas water supply has operated for some time as well. Whether or not they should be combined has been a matter of some discussion over a number of years. At one stage the Minister of the day was in favour of it, but in the next period it would just go back into the limbo of forgotten things. It happens that at this time the Minister has been persuaded that it is a good thing. I do not not know whether it will be a good thing. I do not believe that it will be any more economic than the present system. During my period of incumbency, the idea of amalgamation was not approached with any great degree of enthusiasm.

The Metropolitan Water Authority has for a number of years supposedly been run on a non-political statutory basis. The theory has been that it should make a marginal profit to cover itself. However, it has not always done that. It has not succeeded because of political interference rather than because of its own management ability. Now and again union problems have militated against its success. I noticed one member sat up straight when I mentioned the word "union". In the main the problems have been that the Metropolitan Water Authority has not been allowed to increase its rating for electoral reasons, or whatever. It has generally been forgotten.

The largest single component of the cost of the Metropolitan Water Authority is the interest charged on its borrowings. Of course, this is compounded when it is not able to make a profit or sufficient money to cover its costs. It has to go to the market and borrow the money for which it has to pay interest.

The point I wanted to make is that the Metropolitan Water Authority—I am using its present name—is a very efficient organisation. It is an organisation which has quite a good morale, a good *esprit de corps*. That applies not only to the executive staff, but also to the body of the union as well. Mr Piantadosi would be well aware of that; I am sure he would back up my assertion. It is run efficiently and has kept itself as apolitical as possible. It has been as fair and even handed as possible.

We are all aware that businessmen claim that they are charged too much for their water service and some people say that the charges should be more equitable. Be that as it may, money has to be secured from every household, business, or industry and the authority has done that the best way possible. It has to keep the service up to date and look after any accidents that occur. I repeat: The morale is good, and the authority breaks even pretty well.

It is said that we will save money with an amalgamation. I doubt that. I think we will have someone in charge of the whole organisation, but we will have divisions and someone in charge of those divisions. It will be completely different from what we know now.

What worries me most—and members will realise after I have explained that there is some justification for that worry—is that the country areas water supply makes a formidable loss. I think that the figure would be somewhere in the area of $30 million a year. There can be no argument about that. I have lived in the country all my life and I know how difficult it is to get water.

As an anecdote, it was not until the Brand Government days—the early 1960s—that water supplies were introduced into the country towns in this State. I have made mention of the time when I was six years of age and the school I attended had water tanks and a can system for toilets. When I returned there, as a member of Parliament in the early sixties, it had the same system; that was until the water supply was provided to country towns. Augusta was the first town to receive a water supply and we had to give encouragement to a firm of plumbers to work there. We had to encourage a firm of engineers to do the consulting work because no-one in the State had the capacity to do it. It was done at a great cost.

We will now amalgamate the two organisations: One which breaks even and one which makes a loss. I suggest it will take the management skills of a genius to keep up the morale of a single organisation, especially when we consider one has always been dedicated to the proposition of breaking even and the other has always accepted the fact that it cannot possibly break even and has measured its losses in millions.

Indeed, it is known that if any extensions were required in the outskirts of the metropolitan area, wherever possible it was put out to the country areas water supply so that the loss would be swallowed up and would not become an embarrassment to the Metropolitan Water Authority, which was charged with the responsibility to break even.

I am suggesting that two such disparate systems are difficult to combine under any circumstances. It would be difficult to combine them in the sense that when a forecast were made that they would break even we would have to say that they would break even at the end of the year, however, on one side a massive loss would be made. There will be interminable arguments about losses when one section has to absorb all costs because the other side will say it would have broken even if it had not been required to carry the country areas water supply losses. It will be difficult to overcome these problems. Mr Tonkin thinks differently. I think in the long run, seeing as all the losses are there, it probably does not matter a great deal, except I think it may well be that the people who work for the authority in the metropolitan area might suffer to some great extent. They might suffer the loss of feeling that a job has been well done, when they cannot see their figures separately. It has been an efficient organisation and they have done a first-class job.

Another angle I would like the Minister to deal with relates to clause 19. The Minister might spend some time explaining it to me because I gained the impression that he is as bemused by it as I am. I am referring to the fact that any person who is a member of a board or a committee and is a Minister is not personally liable for any civil proceedings issued against him.

It was always my understanding with the many authorities in health, education, and other portfolios I held over the years, that I was responsible—that the buck stopped with me. I remember discussions in Cabinet when the then Attorney General (The Hon. I. G. Medcalf) explained to us in some detail that we carried a degree of liability, and that if we were sued the degree of protection we got would depend on an act of grace. It could be that I misunderstood it at the time. I had a fairly keen interest when the scientologists served me with a writ at the back of the Chamber—quite improperly, they should not have been on the premises.

Hon. H. W. Gayfer: Have you still got your wreath? Mine is upstairs in the office.

Hon. G. C. MacKINNON: Mr Gayfer reminds me that I was sent a wreath as well. Unfortunately it was sent to where I was living at the time and delivery was taken by my mother who was quite upset about it. However, I was made aware that I was not exempted from liability. This matter struck me as a little unusual, and perhaps the Minister might explain it. I gather from reading Mr Tonkin's comments in answer to Mr Mensaros that he would not be averse to an amendment to take it out of the Bill. I do not know whether that is advisable. I am sure Mr Dans can tell me why this provision is in the Bill and whether Mr Tonkin has given authority to pursue his vague suggestion that an amendment be moved to remove it.

I wanted to put that comment on record because I am concerned that two organisations which are so diametrically opposed in their accounting—one is close to getting out of the woods after a few years of difficult financing, and the other will never get out of the woods—should be brought together. I am concerned to know how the management will effect the marriage. Certainly I would think the country areas water supply, if it is the damsel in this case, is coming to the marriage devoid of any sort of dowry. I would hate to think metropolitan water ratepayers would have to be rated at a level sufficient to pay for the debts of the country areas water supply. The CAWS is designed in such a way as to make the living conditions of people in remote country areas more bearable than they used to be.

Hon. H. W. Gayfer: Some of the more remote people.

Hon. G. C. MacKINNON: Some, certainly. There are one or two areas for which we have not been able to do anything, such as Agaton.

Hon. D. K. Dans: Your record in country water supplies was dismal.

Hon. G. C. MacKINNON: I suppose anyone who has not been in Government for the last two or three decades could say everything has been dismal. If the Leader of the House will make it possible for me to be here in 35 years' time I will make a judgment then on how much better the situation is.

Hon. D. K. Dans: If it were in my power you could be here for 100 years, you are such a charming person.

Hon. G. C. MacKINNON: I know that the Minister, having run up against something of a brick wall in relation to Bunbury and Busselton, has decided to include the power to take them over. It has been something of a comedy watching this exercise. Having convinced himself of his stroke of genius in combining them—perhaps he did not do the necessary research to find out that every Minister for 50 years had discussed it at length—he decided not only to take over the country areas water supply and combine sections of the Public Works Department with the Metropolitan Water Authority, and rename the latter, but also to force the Harvey, Busselton, and Bunbury Water Boards into it. It seemed to come as a terrible surprise to him that those boards did not particularly want to do that, and when the

shadow member for Bunbury, Phil Smith, interjected—

Hon. Tom Stephens: You mean the excellent member for Bunbury.

Hon. P. G. Pendal: When he felt the chilly wind of local opinion.

Hon. G. C. MacKINNON: That shows the value of training in journalism. I must get Mr Pendal to write down that phrase for me.

The Minister has left himself plenty of room to enforce the use of fluoride and to cut the boards off short at the socks in relation to loans or money. I have no doubt at the proper time he will force them into the fold and we will suddenly find the cost of water supplies in Bunbury will rise.

Hon. S. M. Piantadosi: What about Harvey?

Hon. G. C. MacKINNON: It will be the same.

Hon. S. M. Piantadosi: You mentioned only Bunbury.

Hon. G. C. MacKINNON: I wish the honourable gentleman would listen. I said "Harvey, Bunbury, and Busselton".

Hon. S. M. Piantadosi: The emphasis of your speech has been on Bunbury. You should talk about Harvey and Busselton as well.

The PRESIDENT: Order!

Hon. G. C. MacKINNON: The shadow member for Bunbury came out from under Ernie Manea who does not give the poor fellow a chance to get his name in the paper, and made a few noises that made Mr Tonkin back off.

Hon. Kay Hallahan: He must be a very effective member.

Hon. D. K. Dans: He will be there for a long time.

Hon. G. C. MacKINNON: They are always going to be there for a long time, according to Mr Dans. We will see whether that is so. I do not want members to distract me with jocular comments about who will last and who will not. I want Mr Dans to take my comments seriously.

Hon. D. K. Dans: I always do.

Hon. G. C. MacKINNON: I am concerned about how the Government intends to marry these two disparate groups. I would like the Minister to explain it in some detail and give examples of other Acts in which the Minister is exonerated from liability and responsibility, and to explain how such a provision was inserted into this Bill. Will he explain why it is included here and not in other Acts?

This proposal has been discussed for many years and such was the trend of events it would probably have taken place whoever was in Government. I never approached it with any great degree of enthusiasm, but some Ministers did and so did some personnel in the departments. They thought there would be some advantage in respect of buying power and the like. We will finish up with much the same sort of structure but with another manager superimposed above the two existing departments, as is usually the way with Government managerial procedures.

I support the legislation.

HON. H. W. GAYFER (Central) [3.29 p.m.]: I view with some alarm the little history lesson the Hon. G. C. MacKinnon gave us a moment ago. He referred to the extension of water mains in near metropolitan areas which was going to prove an embarrassment and a loss to the metropolitan area, so the work was done within the realm of the country water supply scheme. This revelation, made by an ex-Minister of the Crown—an ex-Minister for Works—is quite interesting to a country boy like myself. If that is the attitude that generally prevails between the metropolitan water scheme and the country areas water supply, this Bill perhaps should have been introduced years ago if only to get that sort of thinking—country versus town—out of the system.

On the other hand, if this proposal is accepted, and no doubt it will be, I believe that country people will be in mortal danger of being overcome by the weight of numbers and the need to take on board the overall cost, or to balance it, which was possible previously only because of the weight of numbers in the metropolitan area. Mr MacKinnon said that would never come into being, so God help the country as far as future water supplies are concerned.

I admit that most country water supplies and the ability people have to get water on their properties comes about by the grace of the original country comprehensive water scheme which was introduced by the Hon. A. R. G. Hawke back in 1946.

I admit all that. I admit it was this Chamber which, through its short-sightedness, did not allow for the completion of that magnificent dream to cover the whole southern country area. Nevertheless, that is what happened and that is history.

Hon. D. K. Dans: Was the Hon. Graham MacKinnon in the Chamber?

Hon. H. W. GAYFER: I do not know, he has been here a long time.

Several members interjected.

Hon. H. W. GAYFER: A man gives a compliment to a member of one's party, and he will not

admit it! The rejection of futher expansion of the country water supply scheme was short-sighted. Anybody would know that who travelled through the country.

In 1965 the third extension scheme would have cost $6 million to service 6.75 million acres. The same scheme would cost 10 times as much today. Perhaps it was struck off the list as a non-viable proposition, even by Mr MacKinnon when he was Minister—

A member: It was struck out by the Federal Government.

Several members interjected.

Hon. H. W. GAYFER: It did not go much further. Everyone is looking for an excuse, just as is the Metropolitan Water Authority. In the words of Mr MacKinnon, the authority, not so many years ago, looked for a way of opting out of the expense of the extensions into the outer metropolitan area. No wonder there is no development taking place in the country when the country gets the dirty end of the stick all the time.

A member: It always does.

Hon. H. W. GAYFER: Fair enough. The point I want to make to the Leader of the House is that I support this Bill. I think it shows some rationale. At least we are getting together for the good of Western Australia, particularly now when the city people see the problems we have in the country areas where there is no water. Some compassion might be shown for the overall good of the State. If such an authority is to be weighed down by city interests to the detriment of anything in the country, we should be giving serious thought to whether we should support such a measure. I had not realised this biased thinking towards balancing the books, or almost fudging the books, took place years ago to make the metropolitan water scheme pay for itself and the country water schemes accept more of a loading as far as losses were concerned. I am appalled at this revelation. I have been wondering how many more pretty gowns hide dirty bloomers. Above all, if this has taken place, we in the country should know about it Then when we are informed about it we are very surprised, and hence we air that surprise.

HON. D. J. WORDSWORTH (South) [3.35 p.m.]: I am apprehensive about the amalgamation of these two authorities, mainly on the same grounds as those the Hon. Graham MacKinnon has stated in that the Metropolitan Water Authority has the objective of being self-contained and able to carry its own costs. I find it hard to picture how it will be mixed, almost like water with oil, with the country areas water supply. I say this because a number of extensions are required still in rural areas, as well as water schemes in their own rights. I refer to town water schemes which cannot be connected by the usual pipeline.

While Mr Dans said the record of the past Government was not good, he is a little unfair, because it did complete probably two country towns every year. We reached the stage where towns such as Kendenup were being completed. To give the House some idea, a scheme there cost $900 000 to connect 30 houses. That is $30 000 a house. The cost of connecting water to each house was probably greater than the value of the house itself. At 10 per cent interest—and we do not see much 10 per cent interest money nowadays—that would cost each householder $3 000. Fortunately it has not cost the householder $3 000. Country householders get their water on a unit charge which is higher than the metropolitan water supply, but nevertheless well below the cost of serving those towns. In the next year the country water supply section will run at a loss of something like $30 million. So Governments have been realistic enough and far-sighted enough to say, "Let us do a couple of these schemes which we can somehow or other fit into our Budget".

So be it; that has been excellent. However, quite a few towns in my electorate, which is in one of the outer areas, are yet to be connected to the water supply. I am thinking of such places as Munglinup and Condingup. I am referring to some of the newer towns which are perhaps 20 years old. They are now able to anticipate that they will get a water supply.

Hon. H. W. Gayfer: Let us hope they get it, Mr Wordsworth.

Hon. D. J. WORDSWORTH: I hope that under this new, amalgamated water authority we can still find the money to do that.

Hon. G. C. MacKinnon: Where do they get the water out there?

Hon. D. J. WORDSWORTH: They get it from the same place as anywhere else—from the sky. They build a catchment.

Hon. G. C. MacKinnon: Can you build dams in that country?

Hon. D. J. WORDSWORTH: One can build dams anywhere, even if one has to use plastic to build the envelope and then develop a sealed catchment. There are costs involved, but those sorts of methods have had to be used to collect water.

Hon. G. C. MacKinnon: But you don't have any underground water there?

Hon. D. J. WORDSWORTH: Some of the towns which require a water supply do have

underground water. The last one we did was Hopetoun and that cost $700 000 or $800 000 for some 40 families. They are very disappointed that more land for housing cannot be opened up at Hopetoun, because many people want to go to the seaside and retire.

Hon. G. C. MacKinnon: They have a pretty restricted aquifer there.

Hon. D. J. WORDSWORTH: Yes, that is the limiting factor. There is a good bowling club and the first thing they want is to have water for it. This is one of those very difficult matters.

I hope that somehow or other future Governments will be able to maintain the viability of the metropolitan water scheme while at the same time appreciating the difficulties experienced in this respect in rural areas, and setting aside money to establish one or two schemes each year so that ultimately country people will have reticulated water as do their city cousins.

Debate adjourned, on motion by the Hon. Margaret McAleer.

SUPPLY BILL 1984

Second Reading

Debate resumed from 11 April.

HON. GARRY KELLY (South Metropolitan) [3.43 p.m.]: The tradition is that in the debate on the Supply Bill a member can range over any subject he desires. I shall talk about a couple of issues. Firstly, I relate my comments to the situation in respect of criminal or police records which people have acquired in the past. A line must be drawn as to the period during which the people concerned must divulge their criminal or police records when completing various applications, such as applications for jobs and the like.

Most of these crimes have been committed when the people involved were fairly young and they have served whatever punishment was imposed. However, they are saddled with the record for ever and a day under the present regulations.

We have the situation where a person may be applying for a job and a section must be completed on his application form where the question is asked, "Do you have any previous conviction?" That person is in something of a catch 22 situation, because as soon as he divulges his old record, it is like opening a cupboard, bringing out the skeleton, and rattling it around. It will militate against his chances of getting a job. However, if he did not put the information on the form, in many cases, he would be committing an offence, because he would not be telling the truth about his previous conviction. Such people are damned if they do and damned if they do not.

It is time a decision was made by the Government in this respect so that by some method the necessity for these people to make such disclosures is limited in some way.

Sitting suspended from 3.45 to 4.01 p.m.

Hon. GARRY KELLY: Before the afternoon tea suspension I was referring to the need to find some method of dealing with old police criminal records in order that people would not have to keep having them dragged up throughout their lives—particularly records which have been acquired when the people were reasonably young. These people may become outstanding citizens following their rehabilitation—if that is the proper word—but they have skeletons in their closets and when the need arises to complete forms put before them they have to state their previous record and if it is not stated they commit another offence. Either way they are in a position to lose out.

I understand that a tribunal has been set up in Canada where people can apply for a form of pardon. I am not sure how it works, but what it means is a person can be exonerated from offences and he is not required to keep restating past offences when filling in forms.

I understand that the Law Reform Commission has issued a discussion paper on this question, and that is good to see. I think it is an area of law reform which needs to be acted upon quickly. I first became aware of this matter in the mid-1960s. A chap was elected to the Victorian Legislative Council in 1966-67. He had been involved in armed robbery at the age of 16 years, and because it was an indictable offence and subject to punishment for a period not less than six months he was ineligible to hold his seat in that Parliament. In the interim, he had lived his life as an outstanding citizen, but he had a stain on his record. If a Parliament of the State or country cannot afford to say that that person has made a transgression and has served his time, and if forever and a day that person can never seek to hold parliamentary office, what sort of example is that for people in other parts of society?

If the Parliament is not prepared to let people live down their records, how can anyone expect other employers to do the same thing?

Hon. Kay Hallahan: There is certainly no encouragement for rehabilitation.

Hon. GARRY KELLY: That is right. I am not saying that the area is not difficult, because certain offences spring to mind where people would not employ someone with a record because

he could commit those offences again. However, there is a whole range of offences, especially those committed by juveniles, and once their time has been served and an interval has elapsed, we should bury the hatchet and say that the past is the past, and amend their records accordingly.

I would like to move to another topic.

Hon. John Williams: That is the most sensible thing I have heard you say.

Hon. GARRY KELLY: I have said quite a few sensible things, but I would suggest that people who are interested in this matter should respond to the Law Reform Commission's discussion paper because there should be an avenue for people in the community to make a contribution.

Hon. Kay Hallahan: Can we count on support from the other side to bring in something like this?

Hon. GARRY KELLY: Another issue I would like to mention is the question of third party property insurance for motor vehicles. As members are aware, people are not required to insure a vehicle, either comprehensively or for third party p operty. A person can buy a vehicle and drive it on the road, but he must be covered for third party personal injury insurance and the vehicle must be licensed.

Quite often I have heard cases of people who have had quite serious accidents and their vehicles have been badly damaged, in some cases written off, and the other vehicle is not insured at all—there is no comprehensive insurance or third party property insurance. The person whose vehicle is damaged has to take the party who is at fault to a civil court because he is not insured. The uninsured party could say, "You can take a running jump, I will not pay for your vehicle". Once a person has to resort to a court the cash registers ring and he has to spend a great deal of money in order to have the damage paid for. Quite often people are involved in accidents which are not their fault. The person who is at fault has not insured his car, and the other person has to fork out money to repair his own car.

Third party property insurance does not cost much—in the order of $40 a year—and there should be some means by which car owners and drivers are required to insure against third party property damage. Those people who are quite often the innocent parties to accidents are forced to pay for repairs to their vehicles because the other person is not insured. I know this is a difficult situation and I am not saying the problem is easy to solve, but it is an issue that needs to be looked at. However, a lot of people are being put in the position of paying out large sums of money because the driver of the offending vehicle does not care less about paying out of his own pocket, he is not insured, and to resort to civil action is not realistic under the circumstances.

This is something which the community must look at and perhaps it is something the Law Reform Commission should consider.

With those few remarks, I support the Bill.

HON. W. G. ATKINSON (Central) [4.07 p.m.]: Let me say from the outset that I support the Supply Bill as it is essential for the continuation of the operation of the Government, but I do not, thereby, indicate support for many of the Government's policies. However, this Bill gives me the opportunity to speak on matters other than finance and I intend to take the opportunity to raise several issues.

The first matter I wish to raise was first raised in this House by the Hon. Tom Knight and was then taken up in the other place by Mr Matt Stephens. I refer to the subject of the licensing of firefighting trailers. It is a matter of serious concern to farmers that this matter has dragged on for several years—both under the previous Liberal-National Country Party Government and now under the Labor Government.

During the summer period many farmers make use of their boom spray trailer units as firefighting units because they have pumps which are capable of delivering considerable volumes of water at high pressure, which is necessary for firefighting purposes.

Hon. Tom Knight: It is legal.

Hon. W. G. ATKINSON: It is legal only if the booms are left on.

In the present economic climate it is only commonsense to make use of a farm implement for as much of the year as possible. However, this is being denied because of the wording of the Traffic Act which allows this type of unit on the road as a boom spray, but if one were to take off the booms it is then illegal to take the unit onto the road.

Naturally enough the unit is not fitted with brakes, lights, mudguards, etc., which would be necessary to have it licensed as a trailer in the normal sense. Such units are normally drawn by either a tractor or heavier type of four wheel drive utility and to my knowledge this has not yet caused any accidents. The tragedy and loss caused by bushfires is only too well known and any move to assist in the prevention and in the fighting of fires is one worthy of support of all members.

The West Australian newspaper had some fairly biting comments in an article on 18

February headed, "It's bureaucracy at it's worst, say firemen". The article stated—

> VOLUNTEER firemen in the Plantagenet shire are angry at bureaucratic anomalies which they say make it almost impossible to license fire-fighting equipment for travel on highways.
>
> There are 255 fire-fighting units in the shire and more than 170 are trailer-mounted.
>
> The shire's chief fire officer, Mr Ron Williss, has labelled as ridiculous a situation which allows unlicensed farm machinery to travel on main arterial roads, but not fire fighting equipment.

This situation applies not only in the Plantagenet shire but also throughout the State. It is regrettable that something has not been done to correct these anomalies by now. Farmers are very safety-conscious people and are sensible in the use they make of machinery and units such as these fire trailers. It is because of their desire to be as safe as possible that they leave the units parked in the paddocks during harvest, in order to have them at the scene of any fire as quickly as possible. During the remainder of the fire season these units are parked in the shed at the ready to enable farmers to quickly contain fires on their own property, or to travel to fires in the nearby vicinity. The units are also used during burning-off operations as a precautionary measure. It is only commonsense that such units should be allowed to travel on roads not only to the scene of fires but also to properties to be ready if needed during harvesting or burning-off operations. They can be quickly on hand to prevent any outbreak developing into a major disaster which could result in the destruction of farmlands, forests, housing, and, in a number of instances, considerable loss of life. At the moment, the authorities are turning a blind eye to the use of such units on the roads. However, that situation is not good enough.

Farmers are extremely concerned that no insurance cover is available for the units. It could be that farmers may become reluctant to continue using them on the road, which would inevitably lead to larger and potentially more damaging bushfires as insufficient units would be available to contain fires.

Apparently there is a ray of hope on the horizon; I am let to believe that the road traffic review committee is currently reviewing the situation in regard to these units. I trust a positive move will be made by that committee to correct this anomaly and that the Government will be prepared to act and correct the situation. The Government should be allowed to make an endeavour to correct it. However, I give warning that should it not do so, I am prepared to move to correct these anomalies.

Hon. Kay Hallahan: How long have they been anomalies?

Hon. W. G. ATKINSON: It is certainly far too long now. Drawing these trailer units along roads quite illegally is a practice that other farmers and I have adopted. It is quite unfortunate that this situation has developed because if we leave the booms on the units they are quite legal. It is a ludicrous situation, and I am sure sensible people would like to see it corrected. Surely it would be a small price to pay with regard to safety on the road compared with the potential saving of a large amount of money in terms of land and property, and possibly loss of life.

I refer to a further matter relating to the huge increases in sales tax on trucks and the effects of those increases. Last year I drew attention to the possible ramifications of such increases. Unfortunately, my words are now becoming only too true. This is indicated in an article in *The Sunday Times* on 15 April headed, "Truck slump blamed on Govt.", which stated as follows—

> The WA Government's increased stamp duty has been blamed for a "disastrous" first two months of truck sales in the State.
>
> Figures for January and February show that WA was the only State or territory in the Commonwealth where sales of heavy duty trucks declined.

The article also stated as follows—

> Official figures of WA heavy-duty truck sales for January and February show that 255 units were sold compared with 351 in the same period of 1983.

That is a reduction of almost 100 units. The article continued—

> In South Australia, which is similar to WA, 270 trucks were sold compared with 222 in 1983. Every other area had increased sales.

The article is quite enlightening and I ask the House to bear with me while I quote further—

> A spokesman for the Commercial Vehicle Industry, Mr Dave Ashby, said that as a result, a new approach would be made to the WA Government to get it to rescind its Stamp Duty changes of last November.
>
> "We are writing to them again with the new-vehicle sales figures and asking them to return to the old duty limits before everyone in this industry is out of business and there are more jobs lost," he said.

"Notwithstanding the drought situation in the Eastern States, there has been a distinct increase in sales of heavy trucks across Australia.

"Unless there is an improvement here, there will be a reduction of the labor force in the truck industry and there may not be enough people to sell, service or maintain the trucks."

Stamp duties were increased by 100 per cent, setting at 3 per cent of market value, any vehicle sold and without any upper payment limit. Previously, the amount payable was 1½ per cent of market value with a maximum of $900.

Under the new stamp duty rates, truck-buyers are paying 400 per cent and even more.

If a truck's value is $150 000, the stamp duty is $4 500.

I draw the Government's attention to this matter and ask it to consider this as a matter of urgency when it is reviewing other Budget items. It is apparent that the heavy increases in sales tax are damaging the sales of trucks in this State. Obviously if the figures could be obtained they would indicate that high sales tax is leading to the situation of which I warned. Units for use in Western Australia are being purchased in the Eastern States and not in Western Australia. That represents not only a loss of sales revenue to the local firms, but also a loss in initial registration fees to the Government of this State.

It would be remiss of me at this stage not to draw attention to the serious plight of farmers, particularly in the north and north-eastern parts of this State. As most members are aware, they have suffered a considerable period of drought, and they are now suffering a huge and rapid escalation in prices, to the extent that many farms are no longer viable. In fact, the committee investigating this matter has already identified 1 000 units in this category. It is unfortunate that farmers are at the end of the line and cannot pass on their cost increases. They have no avenue to set prices, particularly when it comes to selling their products on world markets.

Not only has it become an economic problem, but it has also rapidly become a very serious social problem in the effect it is having on farmers and their families, and indeed, the lives of many people who live in country towns. Several recent articles in the *Daily News* have attempted to draw the attention of city people to the problem. No doubt many city people understand the situation, and hopefully the rest of the community will come to an understanding of the difficult situation facing farmers.

I could do no better than to quote several passages from the *Daily News* of Wednesday, 11 April, which appeared under the headline "Worst I've seen, says farmer". In the article, the following appears—

Since June 1980 the increase in total prices paid out by farmers has risen at an annual rate of 10.9 per cent. Prices received have gone up by 4.7 per cent.

That such a discrepancy has been allowed to occur is "absolutely bloody ridiculous", according to Bob Griffiths, the Northern Zone President of the Primary Industry Association.

In the seven years from June 1976 to June 1983 there has been a 62 per cent increase in fertiliser; a 247.1 per cent increase in fuel and lubricants; a 264.1 per cent increase in rates and taxes; a 110.6 per cent increase in equipment and livestock; a 97.4 per cent increase in freight; an 85.6 per cent increase in marketing expenses.

Such rising costs plus drought have forced farmers to borrow.

Hon. Mark Nevill: An 80 per cent increase in pesticides.

Hon. W. G. ATKINSON: Certainly many figures are available, and the magnitude of them should be only too apparent to the Hon. Mark Nevill. He, too, has the privilege of representing a country electorate.

Hon. S. M. Piantadosi: Since when have these costs escalated?

Hon. W. G. ATKINSON: It has gone on for a number of years, but the ones I have been quoting have occurred since 1976.

Hon. Kay Hallahan: Another long-term problem we need to rectify.

Hon. W. G. ATKINSON: I am glad that comment came forward. Certainly it is a long-term problem that needs to be rectified. In fact, the Australian Conciliation and Arbitration Commission has a serious deficiency in not looking at the effects of insistent wage rises due to union pressure. That is one of the major causes in forcing up costs.

Hon. Kay Hallahan: The converse of that is that the people will live in poverty.

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): Will the member address his remarks to the Chair and ignore the interjections.

Hon. W. G. ATKINSON: The farmers are not able to pass on the costs or contain them, but they must compete on world markets. They cannot overcome the hurdle of continually rising wages in this country. They cannot pass them on; and each farm that becomes non-viable will lead to another farm becoming non-viable. It will not be in the drought areas only that farmers have financial problems; the problems will start to arise closer and closer to the city. Then perhaps the people in the city will realise where the wealth of the country comes from.

It would be asking too much of the international markets to increase prices to meet the sort of increases we are experiencing at home. We would be looking at an increase in the price of wheat of something like $40 a tonne. That is not possible in a market which is already oversupplied.

Another matter which I wish to raise—I have raised it in the House on many occasions in the short period I have been a member—is the proposed Agaton water scheme. The proposal has been around for a number of years, and it was the subject of an intensive report which successive Governments failed to act upon. Everyone seems to be washing his hands of the scheme at the moment, and that includes the present Government which made an election promise that it would implement the scheme.

Hon. Mark Nevill: We put a proposition to the Federal Government.

Hon. W. G. ATKINSON: The interjection does not ring true, when compared with the answers I have received to questions in this House. First of all, the Government ignored the promise to implement the scheme that was made during the election. In fact, the Federal Government of the same political colour as the State Government has seen fit to slash the funding for water supplies in this country compared with the funding given by the previous Liberal-National Country Party Government.

Hon. Kay Hallahan: Can you substantiate that?

Hon. S. M. Piantadosi: He can not.

Hon. W. G. ATKINSON: I do not have the exact figures with me, but it is my recollection that some $750 million was allocated by the previous Federal Government to the improvement of water supplies in this country. After the allocation of some $500 million prior to the last Federal election—the promise was that the Agaton scheme would be considered—an allocation of $250 million was made. However, the Federal Labor Government has seen fit to slash that $250 million allocation to zero, and that is where the situation remains.

Nevertheless, it is on record that this Government made a promise to implement the scheme as soon as possible. It also made a promise that it would raise the order of priority of the scheme. In an answer to my question on the priority of the scheme, I learnt that the Government has no intention of moving to implement the scheme. The Government falls back on feeble excuses because the Federal funding has been slashed. The scheme can no longer be considered, and therefore it has no priority rating.

Unfortunately, at this time of what should be financial constraint we have seen the Government embarking on many spending schemes that have used far more money than the Agaton scheme would have cost. In fact, the $50 million received in lieu of building the townsite for the Argyle diamond venture would have substantially implemented this scheme.

This scheme would have improved the social conditions for many country families and assisted in increasing stock carrying capacity in these dry and remote areas. It is inevitable that this scheme will eventually come to fruition. We hope that one day we will have a leader with enough vision to implement the scheme, because it will be an asset to the country—a huge underground water supply. I hope the planners are not keeping their eyes on it and thinking that it is a possible future water source for the metropolitan area and therefore should not be tapped at this stage because it would be better to use it when the metropolitan area grows.

I thank members for their indulgence, and I give my support to the Bill.

HON. G. C. MacKINNON (South-West) [4.31 p.m.]: This afternoon we saw what I thought was a very clever move by the Leader of the House when he made a statement on the virtues of motherhood. We cannot argue with that or with statements such as that the number of persons living under such parliamentary democracies as ours diminishes every year. We know that to be factual. We know that virtually every nation in Africa has seen the cessation of democracy as we know it and the transfer to a one-party system of Government.

Hon. Kay Hallahan: What nonsense. They didn't have democracy.

Hon. G. C. MacKINNON: They started off that way. Zimbabwe is now in the process—if one can accept what is written in the papers—of switching from a two-party system to a one-party system.

Hon. Kay Hallahan: And how many people had the vote?

Hon. G. C. MacKINNON: That is quite beside the point. I am agreeing with a statement made by the Leader of the House. The Hon. Kay Hallahan is as bad as Mr Kelly. She is letting her bias show. Mr Dans made a statement extolling the virtues of motherhood, a statement with which no-one can fail to agree, yet the honourable member is now arguing with me about it.

It was good PR work. I do not know who wrote the statement or who suggested it, but it was a good bit of PR work. I must hand it to Mr Dans, it is good stuff.

Mr Dans went on to talk about the bastions of democracy and about parliamentary systems. I thought one bastion of democracy was that a member was allowed to stand and speak and be given a hearing, and that bias was not allowed to show through to the extent that the speaker was not heard. That is what Mr Dans has said. He has said that we, as elected representatives of the people, are vital guardians of those principles. Perhaps we should have a copy of this statement. Perhaps members of the Government ought to have a copy.

Hon. Kay Hallahan: We all have one.

Hon. G. C. MacKINNON: Then the member should read it. Some of the principles about which Mr Dans is talking might then be put into practice. The member should not sit there and allow her bias to show and to blame one lot of people for an attitude of mind and not another. Mr Hetherington wanted to make these statements when we were in Government, and he was at liberty to do so. No-one stopped him from making speeches. From memory, he made many speeches.

But I would like to discuss this statement. Unfortunately, I find myself remarkably constrained. I know I am not allowed to discuss the Acts Amendment and Repeal (Industrial Relations) Bill 1984 when addressing myself to the Supply Bill. Indeed, the industrial relations Bill is not allowed to be discussed at any time in this House unless it is actually before the House. I read that from a statement made by the Leader of the House.

Hon. D. K. Dans: I haven't called for a point of order and I haven't interjected, yet.

Hon. G. C. MacKINNON: I assure members that it is improper to discuss aspects of a Bill other than when the Bill is being discussed before the House. One of the bastions of democratic Parliaments is that practice. If the Leader of the House is to start teaching lessons to the rest of us, he should first learn those lessons himself.

Firstly, he said the Opposition chose to debate the Bill outside the Parliament. I would think we are all elected on adult franchise and that it is perfectly proper we should have handed it around to our electors and asked for their opinions. When I complained bitterly the other day that I had had only four days to deal with a Bill, I echoed the statements of Mr Dowding who complained for half an hour at one time that he had been given only 26 days in which to study a Bill. Mr Dans went to great length to say that I had had the Bill for four months.

Hon. D. K. Dans: Five.

Hon. G. C. MacKINNON: Mr Dans cannot have it both ways in a parliamentary democracy. If we had the Bill for five months, surely I could have gone out over that time and talked about the Bill. In the event, I did not talk about the Bill, because I thought Mr Dans had woken up to himself and had decided to drop it. It was a shock to me to find that it was introduced—I am not so closely associated with these arrangements nowadays.

What a cheek the fellow has. Firstly, he said the Opposition chose to debate the Bill outside the Parliament. We used to give the previous Opposition time so it could go out and debate legislation outside the Parliament. I am very aware of some Bills that members opposite sent around outside Parliament before they were introduced into the Parliament. That is something I never allowed to happen.

Mr Dans has also said in his statement that the Opposition is now refusing to allow the Parliament to debate the Bill. I was not here last night, because through the goodness of Miss McAleer's heart and with the co-operation of Mr Gayfer, I was given a pair. However, I understand the debate was adjourned last night by the Hon. Mark Nevill.

Hon. Kay Hallahan: After news media comments that your party was chucking it out.

Hon. G. C. MacKINNON: This statement is a smart PR move. It will succeed because from my observations, with the possible exception of one or two Eastern States ABC programmes, the ALP, both State and Federal has the media in the palm of its hand. It is employing enough media people, and I will get onto this later.

Hon. D. K Dans: Very effectively, too.

Hon. G. C. MacKINNON: The ALP really does have good media access.

Hon. D. K. Dans: You had the wrong journos.

Hon. G. C. MacKINNON: I am not arguing with the member about that or about his statement. Virtually everything in his statement, es-

pecially the piece about mother love, is good and no-one could argue with it. It is a very smart use of a heap of pious platitudes. I know Mr Dans, and this is not his style. He would rather punch them in the nose than go into all this heap of rubbish. We had four or five reporters in the gallery earlier, but only one has remained. This statement will have been typed out and handed to the Press so it will be able to be printed—that is the modern way.

Hon. D. K. Dans: Didn't you know Mr Masters was one of our moles in your party?

Hon. G. C. MacKINNON: The statement goes on to talk about the Bill and about the definition of "employee". However, there is no way I will stretch the friendship between us, Mr President, a friendship established over many years, by commenting on the Bill to which the Leader of the House referred in his pious declaration, and it was a pious declaration. It is a backdoor method of having another stab at some aspects of the Bill. This is quite improper and I wanted to make sure I expressed my disapproval of this sort of action. If the Leader of the House wants to do this, he should move that the statement be noted in order that it can be debated, rather than doing it like this and trying to get away with it.

Hon. D. K. Dans: You won't change anything.

Hon. G. C. MacKINNON: I do not think I have ever shown myself wanting in debate; as a matter of fact, every year I promise myself that I will not make many speeches, and I break my word in five minutes.

Hon. D. K. Dans: You have been here too long.

Hon. G. C. MacKINNON: I must have been brought up on "talkie" rusks. The Hon. Des Dans raised the matter of access to the Press, and I desire to discuss that matter. I have not retained the title in my mind, but a little book was written about ministerial responsibility by that redoubtable United Kingdom politician, Enoch Powell, who was a member on several occasions of both the large Cabinet and the inside Cabinet of the United Kingdom Government.

Hon. D. K. Dans: A well-known racist, as I remember him.

Hon. P. G. Pendal: You blokes know all about racism.

Hon. Tom Stephens: We have learnt all about it from you guys.

The PRESIDENT: Order!

Hon. G. C. MacKINNON: We can debate racism because I was in Cabinet when we removed from the Act those restrictions on Asians working. The original racial restrictions were inserted at the insistence of the Labor Party and the union. The Eureka Stockade was fought to get the Chinese out.

Hon. D. K. Dans: You are talking about the battle in the Ovens Valley. You have got it all wrong. The Eureka Stockade was fought for miners' rights. You don't even know your Australian history. Get it right. I will help you if you like.

Hon. G. C. MacKINNON: Only in my time as a Cabinet Minister have we removed sections of the Act that were put in at the insistance of the AWU for the Government to stop Asians working in mines or in other places around the mineral fields of this State.

Hon. Tom Stephens: We have learnt our history lesson.

Hon. G. C. MacKINNON: The Liberals removed that section from the Act.

Hon. Tom Stephens: Didn't they take it out in 1974?

Hon. G. C. MacKINNON: I want to talk about responsibilities of Ministers. See how little they think about bastions of democracy and about the proper method of change!

Hon. D. K. Dans: You are getting a few things right. That must be the greatest quote of all time, that the Eureka Stockade was fought about Chinese miners. My great-grandfather was there.

Hon. H. W. Gayfer: What was his name?

Hon. D. K. Dans: The same as mine.

The PRESIDENT: Order! I must ask all honourable members to cease this constant cross-talk in the Chamber. It is bad enough when debates get heated, but in a debate such as this, for goodness sake, let us listen to each other.

Hon. G. C. MacKINNON: Thank you, Sir. It is difficult when people are talking, particularly when members of the front bench are standing and one member is talking with his back to me; it is hard to pursue proper parliamentary procedures, I admit.

Ministers are appointed in order to provide a political input to the departments which are administering the various laws of the State. Ministers are elected people who deal with departments, and any analysis of a Minister's proper duty would show that he must have political input. Civil servants give advice which is often conflicting. Anyone who has been a Minister for even five minutes knows that he often has to make up his mind on a political basis; that is what he is there for. The people elect members of Parliament to pass the laws and Ministers are selected or elected according to the party system in order to run the departments and be responsible for those

things. That is the way the people understand the parliamentary system and that is the way it has been. All of a sudden we see a change. All of a sudden the reality is being made known. I have seen no sign of that, but the reality may be out. Apparently Ministers can be absent from their departments when decisions are made because they are made by paid advisers, people in radio station 6PR or some other media post, who can broadcast or write up this information nicely.

Hon. D. K. Dans: I haven't got any of that. I haven't got any union advisers.

Hon. G. C. MacKINNON: I know the Leader of the House sent his adviser back when he found he was a failure. That is good. I have always said that Mr Dans serves as a model for his party. It is a pity that more people are not like him.

Hon. Mark Nevill: What about Mr Evans?

Hon. G. C. MacKINNON: The electors of this State have the right to know that their elected Ministers make decisions. They have the right to know that the man whom they sent back to Parliament—by whichever means he got there as a Minister—will have the final decision and will say, "That is what will be done because in my political judgment that is the right thing to do".

There is a remote possibility that I may be wrong in my supposition, and that that is not happening. Maybe people other than Mr Dans are making decisions, but I get the distinct impression that many of the decisions are made between people in those positions, not just by the elected representative or the Minister, but by a number of paid political advisers, men who are employed not to give unbiased advice, but who will swear to give the Minister advice which will sweeten his lot for the State executive of his party or with the newspaper which is reporting him or the radio station that happens to have the current *imprimatur* of the Premier.

The proper function of a Minister or a member of Parliament who has been promoted to the rank of Minister is to take political responsibility for the decisions he makes, not to hide behind a multitude of advisers. I have nothing against advisers. I approached the previous Premier (Sir Charles Court) with the prospect that we should use an adviser; but I do have objections when a Minister is surrounded by advisers. It is even obvious in statements we hear in the House where the verbiage is alien to the Minister speaking and it is as though he were speaking another language.

Hon. D. K. Dans: Gaelic.

Hon. G. C. MacKINNON: A foreign language. Maybe the Minister can speak Gaelic. I almost said Hebrew or possibly Sanskrit. I do not know if anybody here can speak Sanskrit.

Hon. D. K. Dans: It is not a language. It is a writing.

Hon. G. C. MacKINNON: Mr President, I am sure you understand what I mean. This was the burden of the advice contained in the book written by Enoch Powell. As a matter of fact, the principal line he pursued was that Ministers could remain too long in a department and by so doing become so possessed with the thinking of the department that they start to use the verbiage of the department and reflect the view of the department rather than the view of the public. I wonder if I make myself clear. In short, he insisted that Ministers' views should always be political ones and they should always put a political and not an expert angle into them. Some Ministers are so surrounded by experts that the view they are putting into the scheme of things is either a view that will look good, a view that will go to staff members at the State executive, or a view that reflects purely and simply the expert knowledge of a person who understands computers and such things. What a Minister is supposed to do ought to be done from a political point of view.

On those grounds I object quite feelingly to the proliferation of advisers. An adviser ought to offer advice in the sense that he offers options from which the Minister can choose and on which the Minister can exercise his political judgment.

I will give an example of what I consider is the wrongful use of political judgment. It was made by Barry Hodge. I have written a couple of letters to the paper about it without much success. It has to do with the reduction in the strength of whisky.

Hon. D. K. Dans: That is what is giving you gout. I told you to give it up.

Hon. G. C. MacKINNON: This might occasion some hilarity. I am going to quote from a missive written by Dr W. S. Davidson, CBE, who was for many years Assistant Director of Health in Western Australia, and for many years subsequent to that, Director of Health. He was for 25 years Chairman of the State Food and Drugs Committee and was a member of the National Health and Medical Research Council. I could go on; he is a man who knows what he is talking about. He held those positions while I was Minister for Health and shared with me a liking for whisky. I speak not just as a former Minister for Health but as a person who drinks whisky.

As the doctor says in his letter, alcoholic liquor is drunk for a variety of reasons—to assuage a thirst, to get drunk, or whatever. It is reasonable if one wants to drink a fair amount of beer, for ar-

gument's sake, that one drinks beer with a light alcoholic content because it is drunk as it comes. It is only in places like Darwin or Queensland that I have seen people add iceblocks to it, and only on rare occasions, because it kills the beer.

One can buy beer of various strengths such as Swan Gold, and more recently Swan Special Light beer has proved a boon to those of us who occasionally want a drink in the middle of the day and want to drive. Whisky is a totally different kettle of fish. One determines the strength at which one will drink it by diluting it, as with all spirits. Very few people are silly enough to drink spirits neat.

Hon. D. K. Dans: You can drink a lot of whisky mixed with water.

Hon. G. C. MacKINNON: One pours the measure of whisky and adds water to it. For more years than I can remember the distributors have been applying to the department to make the alcohol content of whisky standard at 37 per cent in line with the Eastern States. I cannot find anywhere in the world, and neither can Dr Davidson or anybody else—and we did an exercise on this before—that has 37 per cent as the standard. The world standard, if there is such a thing, is 43 per cent as in Western Australia

The reason the distributors and wholesalers want Mr Hodge to reduce the level—and they have pressed every other Minister for Health—is that they make more money out of it. On present prices it would cost an extra $18.00 to buy the 14 bottles required to equal 12 bottles of our present standard—to get exactly the same alcoholic effect, if I can put it that way. So we are being robbed. The distributors out of the kindness of their hearts will offer a reduction in price of about $1.00 a bottle.

It is said that the National Health and Medical Research Council made the recommendation. That council makes recommendations as to strength, but its business is health. The strength of whisky is a determination of its purity and that is all the council is interested in. How it can make such a recommendation, if it did, is beyond my understanding.

All whisky is diluted when drunk and all that will happen if the level is lowered to 37 per cent is that one will put in less water at home. Diluting whisky from 43 per cent to 37 per cent is equivalent to a reduction in alcoholic strength of 14 per cent. That means one has to consume 14 bottles instead of 12 to get the same sort of headache. One does not drink whisky like that. One reduces it to the strength one wants and this reduction which has been accepted by Mr Hodge after about 50 years of trying by the distributors, shows he has fallen for the three card trick. I am certain that no-one in the department would have tendered that advice to him. He has probably got it from one of his famous advisers.

Hon. Robert Hetherington: He may have made up his own mind.

Hon. G. C. MacKINNON: I am suggesting he did that on the basis that it is a good thing to keep in with the distributors of scotch so that they can make a bigger profit.

I refer to Dr Davidson's letter in which he says in part—

> . . . it was always my contention that this dilution of whisky was an adulteration to benefit the Distributor and not the customer. It was therefore my duty to oppose it. To bring an N.H.&M.R.C. recommendation into the matter is a somewhat doubtful argument. The N.H.&M.R.C. is primarily concerned with health, and in food standards it recommends maximum content standards for things it considers harmful or undesirable and minimum standards for those things it considers necessary and should be present. The new standards now being recommended are in the latter category—minimum standards.

This does not apply to gin because it is cheaper and flavoured. The letter goes on—

> Scotch whisky is bottled for the U.K. Ireland and Canada at 40% spirit content. Standard Export whisky from the U.K. is at 43% spirits, the same as the W.A. standard. I know of no country, apart from the Eastern States where it is as low as 37%.

The pressure has come, as it was put on me, from distributors and wholesalers because it is more profitable to sell whisky with a 37 per cent alcoholic content than with a 43 per cent content. I cannot understand why the Labor Party is espousing the cause of wealthy distributors and not that of people who pay exorbitant prices for scotch. In this State more than any other we face a double disadvantage in that the long distances of haulage make any product such as this pretty expensive. I cannot understand how a party which is supposed to espouse fair play has fallen for this stunt. I suppose it reckons the only people who drink whisky are wealthy politicans and the like. I assure the Government that quite a few people prefer it.

If the Government wants to make a difference, why not do as Dr Davidson suggests—

The proper standard to be printed on the label in bold print no less than 10 point in size. So that labels read—

Standard 43% Alcohol.
OVER Standard 45% (and above) Alcohol.
REDUCED Standard 37% to 42% Alcohol.

The whisky could then be priced accordingly.

Instead of just happily making us come into line with the Eastern States, it would be infinitely better to make the Eastern States come into line with us. My good friend, the Hon. John Williams, reminds me of a point I made some years ago when I received a letter about it, and he is absolutely right: In next to no time all the mixing and bottling will be done in the Eastern States. The producers will promise Barry Hodge, as they did me, and that promise will last till the man resigns as manager and his place is taken. All the whisky will be bottled in the Eastern States and we will be short of jobs in this State.

There is only one reason that Mr Hodge could have fallen for this, and that is that he listened to his advisers or to the distributors. It was a con job. Those of us who drink whisky can taste it. One has to put in another measure to get any flavour because it is so weak. It is all right for those in the Eastern States.

Hon. H. W. Gayfer: You must be getting stronger in your old age.

Hon. G. C. MacKINNON: Perhaps the member is right.

Just after the Labor Party took office, both Mr Smiths, Mr Dave Smith, the member for Mitchell, and Mr Philip Smith, the member for Bunbury, were making noises about the Preston drainage district. That is the area bounded on the north by the Preston River and abutted by the estuary, and it used to be very flat. It was initially the flood plain of the Preston River.

The Preston River has been the subject of a tremendous amount of drainage work. The last time it flooded from the ocean was at the time of cyclone "Alby", when there was an ocean surge of eight or nine feet and the water swept in close to the old harbour and inundated much of that area.

The history of that area was that there were insufficient drainage works at one time, and the then Premier (Sir Charles Court) suggested that a levy of some $10 per block per annum be levied. The Hon. Ray O'Connor was Minister for Works at the time. When I took over it was pointed out to me that this levying had been done without proper legal sanction, so I had to reimpose it. Although it was in my own electorate I was not averse to that, because much of my electorate was subject to drainage rates. What is sauce for the goose is sauce for the gander.

The Labor Party suggested that those who were being levied should refuse to meet their just debts. That was disgusting. Some people paid and some people did not. A drainage rate is a charge against the estate. When the property is sold or if the property owner dies the rate can be recovered.

Most people paid the rate. Incidentally, the Labor Party promised to remove it; but my figures for that election were down by two votes.

Hon. P. G. Pendal: Mr Smith and his wife.

Hon. G. C. MacKINNON: The moment the Labor Party was returned to Government it tried something very shrewd. I wrote to Mr Tonkin. Three months later I had not recieved a reply so I asked Mr Dans a question. I got two pages in *Hansard* of gobbledegook—not the sort he gave us today, but gobbledegook nonetheless. The Government appreciated very fully that to lift the rate was illegal, so it cancelled the drainage area. It said the Preston area will no longer be considered a drainage area. Mr Pendal knows that a decent rain makes it wet. If one wants to check whether the tide is in one has only to dig a hole a foot deep in the backyard; if it fills with water one knows the tide is in.

The Government told the local authority that if it wanted to take over the drainage area it could, but it would have to spend another $40 000 on the area and because the levy was cancelled nobody could pay drainage rates.

But all the good honest pensioners who had been paying their drainage rates—did they get their money back? Oh, no. Basically, fundamentally, and philosophically, the Government is dishonest, and this proves it.

Hon. A. A. Lewis: Members of the Government do not even murmur about it; they accept it.

Hon. G. C. MacKINNON: It is said the Government has agreed to accept this work at an estimated cost of $40 000. It will also continue to maintain the river and levy system at the State's cost under the provisions of the Public Works Act until such time as the Land Drainage Act is revised. I will come to that in a minute.

The letter continues concerning construction and development work throughout the State, and says—

> However, the Government has decided not to continue to provide funds for the Glen Iris Drain. Therefore, if Council wishes to maintain a drainage system in that area, it will

need to assume responsibility and carry out any future maintenance on the drain.

The interesting part of that is that having taken that attitude in regard to the Preston River, the Government then revised the drainage rate in July 1983 and put everyone else's drainage rates up to compensate for what it would not collect in the Preston area. Those who live in Boyanup pay because the Government reckons David Smith has a nice, safe seat, and the people in Bunbury, where Phil Smith won by only 100, do not pay. Those who do not have to pay cannot care less.

What I object to is the basic dishonesty. On the one hand we have that sort of dishonesty and on the other hand the Hon. Des Dans reads us a lecture.

Hon. D. K. Dans: That was a ministerial statement, not a lecture.

Hon. G. C. MacKINNON: A ministerial statement on parliamentary democracy. I have heard some lectures on parliamentary democracy, but when and how can one area have charges removed while charges are increased in other areas for the same service? We hear this lecture about parliamentary democracy, but I think it is hard to keep a straight face.

Hon. D. K. Dans: You don't mind if I adopt a novel approach during the second reading debate and talk about the Bill, do you?

Hon. G. C. MacKINNON: I trust members have found those comments interesting.

Hon. D. K. Dans: Interesting, but boring.

Hon. G. C. MacKINNON: I sincerely hope that the Government will take note of the serious criticism I have brought forward on the Supply Bill, which, of course, I support.

HON. TOM KNIGHT (South) [5.11 p.m.]: I also support the Bill, and I take the opportunity to raise some points which relate to my electorate, as I often do at the appropriate time when the Appropriation and Supply Bills are debated in the House in the winter session. I promise the Leader of the Government that I will not take as long to do so as I have previously.

Several members interjected.

Hon. TOM KNIGHT: The first point I shall raise relates to the Police Traffic Branch. This is a very touchy matter and I realise it is very awkward for that branch to police traffic throughout a State as large as this one.

I know officers of the Police Force are very highly respected and some are close friends of mine. They are conscientious people who are out there doing a job in the interests of the people of the State. I have stated previously on the floor of the House that in every basket there is a rotten apple and I stand by that. I cast no reflection on any members of the Police Force other than those whom the cap fits.

The following is a matter which needs to be brought to the attention of the House. A letter has been sent to the Minister for Police and Emergency Services by a constituent of mine who was very concerned about the attitude of certain police officers when they apprehended his wife who was travelling to Perth with a horse trailer some time in March.

I shall read the letter, because I want members to be fully aware of the sequence of events that led up to this matter and the reasons that my constituent wrote to the Minister and also forwarded a copy of the letter to me, because he was concerned and upset about the issue. The letter is addressed to the Minister and reads as follows—

> Dear Sir,
>
> On Wednesday 28 March, my wife was stopped by a police patrol while travelling to Perth, the reason given being for a routine brake check on our horse float which she was towing. This action in itself is not unreasonable, however I strongly object to and condemn the conclusions reached by the two officers present.
>
> Our horse float is equipped with a vacuum power braking system which is infinitely more effective than the over-ride type systems usually seen on trailed vehicles, and this fact is acknowledged by any competent authority. The police officers present, however, did not recognise this braking system, nor were they conversant with its operations; and claiming the horse float brakes inoperative, placed a work order on the vehicle, also mentioning a lighting defect, (you will note that the work order is even dated incorrectly).
>
> Following normal practice I checked both lighting and braking systems on the horse float before my wife commenced this trip, and I did so again on her return on Saturday 31 March. On both occasions, all lights and brakes operated efficiently, as they did when the horse float was inspected and passed at the Albany Licensing Centre on 2 April. Therefore we have been subjected to unnecessary cost and time wasting frustration by two officers who were not qualified to carry out a task taken on themselves; it is a basic principle of employment that persons should not be required to carry out duties for

which they are not competent or for which they lack knowledge.

Petty, officious encounters such as this do not instil confidence in the travelling public and do little to improve the poor image of traffic patrols held by most regular users of the country highways.

I consider it only reasonable to request three remedies of your department as follows—

1. An apology from the officers concerned.
2. Reimbursement of the inspection fee for my horse float, $11.00.
3. Adequate recompense for my time, which was wasted on a needless vehicle inspection.

Your early reply would be appreciated.

Countless incidents like this are brought to my attention and I daresay the same can be said for other members. They usually occur as a result of an officer stopping a person for an offence which he sees in his mind's eye. When it comes to pass that that offence has not been committed or the police officer has made a mistake, unfortunately he is frequently not prepared to back down, but rather finds some reason for writing a ticket for the person on some trumped-up charge.

This attitude gives the Police Force a bad image. It lessens the respect the public have for the Police Force. Incidents such as this should be brought to the notice of the Parliament and the Minister concerned. At the time of police graduation, the Minister should impress upon cadets and policemen that it is their job to help and advise the public. They should be told that officiousness does not get anyone anywhere, and Policemen should and would be held in high regard by the public, and they would be assisted by the public wherever necessary or possible if that feeling existed.

I hold the Police Force in high regard, yet some of the stories that come to my office and some of the experiences I have had with the police lead me to believe that, unfortunately, in every basket there are always a couple of rotten apples. It is a pity because that reflects back on a tremendous group of people who are doing a fantastic job.

Police officers such as those referred to in the letter I have quoted need to have this brought to their attention. They should be told what they have done and that it is wrong. As my constitutent has suggested, those two police officers would be much better off if they apologised to the lady concerned whom they held up on the road and embarrassed when they did not understand what they were doing.

Why do not people say, "We don't understand. We don't know what we are doing. Can you send a letter to the Police Department, if necessary, to explain this new type of system so that it can be circulated among police officers and we will be aware of what we are doing?" However, they did not do that. Those police officers made a mistake. They pulled up someone, and as a result, they felt they had to issue a ticket.

In addition, when a ticket of this nature is issued, the vehicle concerned must be inspected for which an $11 fee is charged. On top of the embarrassment caused to this lady, she had to pay an $11 fee to satisfy the officers who on that occasion would not accept that they were wrong. They made that offence—I call it an "offence"—worse by forcing those people into that situation.

Recently the Albany Special School Parents' and Citizens Group approached me. The people involved had written to the Minister for Health regarding the lack of trained people specialising in particular aspects of intellectually disadvantaged and handicapped people. At present some 120 people within the Albany area need assistance or treatment of this nature. Three or four times a year qualified people go down to Albany from Perth. They spend two or three days in the area during which time they treat and advise 120 people. The time which can be allocated to those people in the Albany area is totally inadequate. It is too much to expect these trained persons to cater adequately for the needs of 120 people. In the time available they cannot assess individual cases, make the necessary recommendations, and depart happy in the knowledge that what they have suggested is in the best interests of the children or parents involved.

As a result of this, the group wrote to the Minister with my support and asked for the establishment of a divisional medical team at Albany. They requested a medical officer, a psychologist, a social worker, an occupational therapist, a physiotherapist, a speech pathologist, and a secretary-typist. I suggested to them that this team might be a little too much to ask for at one time. Following discussions with them and the receipt of a letter from the Minister in which he said that the Government's resources were stretched to the limit, making it impossible to appoint a seven-man team, I suggested that the Minister be asked to consider establishing part of the team at this time.

If one or two members of the team could be established in the area, the wheel would have been put in motion and over ensuing years we might eventually finish up with a full team in this heavily-populated area. Without such a team in the area, my constituents have to travel the long distance to the metropolitan area to obtain treatment which should be available in country regional centres such as Esperance, Albany, Bunbury, and Geraldton. The group supports my view and the Minister has said he will look into it. We have all experienced being told that something will be looked into. It is looked into this year and next year and finally ends up with a low priority in the Estimates and it is not until 10 or 15 years later that anything is done.

On so many occasions a speech therapist or occupational therapist has occasion to help with preschool or pre-pre-schoolchildren. If a child has a speech impediment and begins school without having received attention, the problem is hard to correct. I will continue to push for this sort of service to be available in country areas, particularly the regional areas, to eliminate the need for people in these areas to travel long distances to the metropolitan area, especially when both Liberal and Labor Governments have indicated time and again that they agree a need exists for decentralisation.

The best chance to create decentralisation is for Governments to make a move, and here is an instance where the Government can help decentralisation by making this medical team available. I therefore respectfully request the Minister to give close consideration to the appointment of at least some of the team. Hopefully I can look forward to the Estimates to be introduced later this year having an allocation for what I have requested.

The Hon. Graham MacKinnon mentioned the Preston drainage district. I will quote now from a letter I received from the Minister for Water Resources (Mr Arthur Tonkin) as follows—

> The Preston Drainage District was created to enable rating to be applied to land protected by levee banks constructed along the River by the Public Works Department. This land had previously been flooded from the Preston River.
>
> Because of an anomaly in other areas such as Carnarvon and Greenough, which were not rated for similar flood mitigation works, it was agreed that the State would take over the maintenance costs of this system without charge to the Bunbury community.

In regard to the Elleker-Grassmere-Wilson drainage scheme, I have had a request from residents of the Balston Road area and the Mt. Lockyer suburban area. During the early part of 1983, following representations to the then Minister for Works and Water Supplies (Mr Andrew Mensaros) and following an investigation of levels in the area undertaken by me in conjunction with other people, we proved beyond doubt that the run-off from that area, which was rated as a drainage area, could not possibly run off into this drainage scheme. As a result of our investigations, an area was eliminated from having to pay drainage rates.

People living on the other side of Balston Road and those living in the immediate area of this—which I can say quite categorically is drained into the Yakamia drainage area—are still paying drainage rates for what is supposed to be run-off from their area into the Wilson drainage scheme. Because of the natural fall and the natural watercourse, a minute part of the area would or could produce run-off into the Wilson drainage area. However, it runs from that point only because of a natural watercourse established hundreds or possibly thousands of years ago. When we talk about the Wilson drainage scheme, I can say for a fact that the water coming from this area finally ends up in the Princess Royal Harbour. I know this because I was brought up within 100 yards of that stream, which in the 1940s was dug out by drag line and made into the drainage system. I do not know how far the Government can go in charging people a drainage rate when they live in an area drained by a natural watercourse. I believe these people have a case for not having to pay these rates.

The Minister has said that he is not prepared to do anything more, yet the information I received about the Preston drainage area—and I checked with departmental officers and also rang people in Bunbury—indicated that this was all connected to the Government's promotion and sponsoring of its "Bunbury 2000" project. The ALP said that if it were to be elected to office it would abolish the drainage rate for the Preston drainage district. This means that those people in the Preston area are not paying a drainage rate, even though the area is subject to drainage from a system established there for the express purpose of draining the area. At the same time, the people in Albany in the area I have mentioned believe they do not need a drainage system, because the area has its own natural watercourse draining the area, although a system was established which drained into the Elleker-Grassmere-Wilson system. They have been told that the system services their area and that it allows the area to be drained, so giving the farmers more area to be cultivated in po-

tatoes. But they believe the people in the residential areas of Mt. Lockyer and Balston Road should not be paying a drainage rate, because they are on top of a hill two miles from the drain. It has to be admitted that the only way the run-off can get to the drain is by following the natural watercourse, one which was dug out by a previous Government to serve as a drainage system. They are upset, especially now that the Preston rating system has been dropped.

If the Government has been prepared to drop the Preston rate, it should be prepared to do a similar thing in this area. The people in the Mt. Lockyer area should not be paying drainage rates. Their new drainage rate involves a minimum rate for a quarter-acre block of about $13, even though they are not advantaged by the drainage system.

I have received letters from numerous farmers and other people living in what is known as the Wilson-Grassmere-Elleker drainage area and they have indicated that their buildings and properties are on the other side of the hill to the drainage services, and although they do not get any direct advantage, they must still pay a minimum drainage rate of $13, or $1.09 a hectare, for indirect benefit, which means that some people are paying $300 or $400. The drainage system cannot be of any advantage to these people because the water is on the other side of the hill from where the drainage scheme operates.

I have received letters from Mr Cadee, the under secretary of the department, and from the Minister, saying that the people did receive an advantage by the drain's having been established. I do not see how water can run up over the crown of the hill and down into the drainage area, thus allowing the people to be charged a drainage rate.

The Hon. Gordon Atkinson mentioned the subject of firefighting units. I wholeheartedly support his comments on this subject and agree that recent Governments have acted inconsistently by not doing something positive to assist people in dire straits who are trying to overcome regular bushfire problems. We have the situation where these vehicles are allowed on the roads with boom sprays, yet the minute the booms are removed and the vehicle is used for firefighting purposes, it is considered to be no longer legal to be on our roads.

When a bushfire is at its height, vehicles are not supposed to be travelling on the road. The firefighting officer should have the sole right to take control of vehicles for firefighting purposes and to protect persons and property. Those vehicles should be allowed to travel on the road for firefighting purposes and should be covered by third party insurance at a nominal fee.

If need be the senior bushfire officer should be given the authority to control the area and ring in to a central point and say, for example, that he has given permission to Bill Smith to drive a vehicle within a certain area to assist in the firefighting. There are so many simple answers to the whole situation that I cannot understand the reason it has taken so long to resolve the matter.

I was disappointed when a Bill was thrown out of the Legislative Assembly last week on a technical fault. If something is not done by the end of the month, or nothing is achieved as a result of the meeting held yesterday by the central traffic authority, and approval is not given to use these vehicles for firefighting purposes, I will, in conjunction with my colleague, the Hon. Gordon Atkinson, prepare a private member's Bill. Something must be done soon.

The Esperance Shire Council wrote to me early this year because it had requested the Premier to waive the stamp duty of $359.35 applicable to a lease agreement for a football club in the Esperance area. The Premier indicated it was not possible to do so. I believe that as a move has been made to allow charitable organisations and churches to be exempt from FID and other taxes we should look at the situation as it applies to sporting groups and bodies which often have to operate on money raised within the community. These sporting groups are an asset to the community, recreation-wise and health-wise and should be exempted from such taxes. In many cases they have to raise money beyond their resources, sometimes for amounts as low as $400. I hope this matter is brought to the attention of the Premier, because some of these sporting bodies are up against the wall as a result of this loss of revenue. They have to pay many fees for the establishment of service and sporting facilities. We must remember these sporting groups spend money to train young recruits who are the future of this State.

I support the Bill.

Debate adjourned until a later stage of the sitting, on motion by the Hon. P. H. Wells.

QUESTIONS

Questions were taken at this stage.

TOTALISATOR AGENCY BOARD

Allegations of Corruption: Ministerial Statement

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.45 p.m.]: I seek

leave of the House to make a ministerial statement on an article in the newspaper this morning alluding to corruption through the TAB.

Leave granted.

Hon. D. K. DANS: I draw the attention of the House to a statement published in today's copy of *The West Australian* and attributed to the member for South Perth, in which article it was claimed that organised crime would launder money through a Totalisator Agency Board-run casino in WA.

The statement, as reported, claimed that the Western Australian TAB and TABs throughout the world were notorious for attracting vice and corruption of every kind. It went on to claim that TAB election procedures opened the door for corruption.

I must say that I was amazed that any member of Parliament could make such a claim with absolutely no supporting evidence. I would challenge the member for South Perth to produce any evidence he has in support of these claims so that it may be fully considered and so that appropriate action might be taken if indeed there is proof for his allegations.

However, I suspect that the statement itself was more a figment of the imagination of the member rather than one with any foundation in truth.

The TAB was established in this State under an Act of Parliament and has operated since March 1961 for the sole purpose of eliminating vice and corruption which, prior to that time, had been associated with the operations of starting price bookies.

There is no evidence of which I am aware to support the suggestion that money from criminal activities has been laundered through the TAB and I have yet to hear anyone other than the honourable member speculate that this may be the case in the future.

Trotting and racing interests currently submit nominations to the Government for inclusion on the Totalisator Agency Board, to serve under an independent, Government-appointed chairman, who is assisted by the TAB's general manager, and a deputy chairman who is appointed under the Act.

The board is also subject to closely monitored accounting and audit procedures which ensure that its operations are subject to full public scrutiny.

It is quite stupid, therefore, to suggest that Western Australia's TAB has gained notoriety for attracting vice or corruption, because this was precisely the type of activity which the board was established to prevent.

SUPPLY BILL 1984

Second reading

Debate resumed from an earlier stage of the sitting.

HON. MARGARET McALEER (Upper West) [5.47 p.m.]: In supporting the Supply Bill I wish to make use of the opportunity to raise one or two matters of importance to my electorate. In particular I wish to refer to the situation of distressed farmers, a subject which has already been raised by Mr Atkinson.

I draw attention to the concern expressed by the Morawa Shire Council. As members will be aware, the Shires of Morawa and Perenjori are among those most severely afflicted by drought over the last eight years. In both shires many farmers have been afflicted by drought in every one of those eight years. The situation does not pertain to all farmers in the Shire of Morawa but it pertains to some. The shire council has written to me in the following terms—

> My council express great concern over comments made that the Commonwealth Development Bank requires farmers to be able to demonstrate viability and advise that 70 per cent of the applications are being rejected because they do not satisfy this criterion, especially after an officer with the C.D.B. gave an indication to some 200 people attending a meeting at Perenjori that any application would be favourably received.
>
> Because of the lateness and of the number of farmers who have yet to receive carry-on finance, my Council urge that immediate steps be taken to rectify this very serious problem.

The Morawa Shire Council is referring to advice it received from the Minister for Agriculture, David Evans. It refers to a recent offer by the Commonwealth Development Bank to provide long-term loans and at the same time to consolidate non-bank debts for applicants. At the meeting held at Perenjori some weeks ago to discuss the indebtedness and hardship being experienced by farmers in the area, a member of the staff of the Commonwealth Development Bank attended and explained the scheme to farmers present, of whom there were about 200. I would not say, in fact, that the officer said any applicant would be favourably received. However, he did say that where hardship could be proved or where disaster could be shown to have occurred, because of drought for instance, that would be discounted in

favour of looking at the problem in the light of the farmer's ability or skill as a farmer. Therefore, the probability is that, given carry-on finance, he could trade his way out if the seasons were favourable.

I imagine that, because commercial credit is extremely hard to come by for farmers who, after so many years of drought, are heavily in debt, there is a great deal of enthusiasm for the new scheme, and therefore we must expect many applications. For some weeks a rumour has been circulating around the districts that absolutely no applications have been viewed favourably. As members can see from the letter, it is suggested that some 30 per cent of the applications actually were accepted.

No matter what fresh funds are available to the Commonwealth Development Bank, I know that it must still observe some commercial principles. It may well be that in determining the situation of each applicant on his merits, it could only find 30 per cent of the farmers who would fall within its guidelines. However, the fact is that when the Minister advised the shire council that the farmers were not viable, nobody was really sure what "viability" meant, because it was known before the applications were made that most of the farmers applying would not have been acceptable to the commercial banks that were operating in the area until this time. It is not understood whether, in fact, the Commonwealth Development Bank viewed the applicants almost solely in the light of their personal ability to farm, given reasonable circumstances.

I know that the Minister established a special committee of his department to investigate rural indebtedness, and that in addition a Select Committee of the Legislative Assembly has been inquiring into rural sector hardship, and is due to report on 1 May. Perhaps one could not expect that the Government, apart from the $5 million it made available, would take hard and fast steps to help distressed farmers before the reports were received; but the fact is that the season may well have already started. Not only have we had unusual summer rains, but recently most of the area has also received about two inches of rain, which means that ploughing and cultivation of various kinds are taking place in a widespread way. For the farmers who have no access to carry-on finance, that means that they will be behind the eight-ball. Nobody can tell how the season will develop. As is the way with such things, the people of the area are optimistic. They say, "It seems that we have come back to the better seasons. We are having an early start. We must have a good season". One hopes that that will be so.

It is important that the farmers take advantage of an early start, because the early rains are important in the growing of a good crop. I urge the Minister to make every effort to come to a decision about how to help those farmers, if indeed he intends to help them, so they may be able to take advantage of a better season. If they do not put in a crop this season, obviously they will be beyond help.

I raise one other matter which is of interest to the whole of the province, and I refer to the Budget allocation for the Library Board. My attention was first drawn to the problem some months ago by the Shires of Wanneroo and Three Springs. The two shires have very different sizes and very different financial resources. They have different sized populations and a large difference in the number of libraries, but both shires are equally sensitive to the cutbacks in book supplies from the Library Board in 1983-84. The supply of books from the board has been a worry to the Shire of Wanneroo for some years, so the problem is not one of the making of the present Government. However, I believe it has been aggravated during the term of the Government.

Before the Australian Labor Party won Government it recognised the problem and promised to improve the situation. Its promise was so enthusiastic and convincing that the Library Board seems to have been taken in. With the advent of the new Government in February, the board suddenly began to raise its rate of book buying. In so doing, it inadvertently compounded the problem. In April, the Treasury advised the board that there were problems related to the balancing of the Budget in 1983-84; and later it advised that changes in Commonwealth and State financial relations would make the situation even worse in 1983-84. However, when the Budget was brought down it was found that the number of books which could be bought for the succeeding year was reduced by 48 000 from 212 500. That number would have been needed to keep the level of new books at 13 per cent.

At the same time, it was found that it was not possible to buy any more books for development in 1984. In fact, the Library Board had a target of about 15 per cent—the level which it had enjoyed before 1981-82. Then it was forced to reduce the level to 13 per cent, and now I understand the level is down to about 11.5 per cent.

As a result of the anxiety expressed by the Shires of Three Springs and Wanneroo, I made inquiries of a number of local authorities through-

out the province. While the replies were not uniform, a great number of authorities believed that their libraries were affected severely by the cutbacks. They expressed a great deal of anxiety about the future if the cutbacks were to continue.

The Shire of Wanneroo has six libraries serving 66 000 residents, although not all of them are necessarily readers. Prior to November 1983, the shire was able to provide 200 books per week; but during the period since November it has been reduced to 80 titles per week. In Geraldton, where there is a similar situation although only one library, the number has been reduced from 51 titles per week to 16.

The Town of Geraldton has a population of almost 20 000, and in addition it serves the Shire of Greenough which pays a certain sum of money to the Town of Geraldton in order to have use of the library. The library is an extremely important one to the town; not only does it serve the adult population, but because of the very large school population it also serves as an additional resource centre. There are two senior high schools and about 11 primary schools in the Geraldton area alone. In addition, the Geraldton Library acts as a back-up for all the smaller libraries throughout the region, which is very extensive and goes from Mullewa to Badgingarra and all the Shire of Dandaragan.

Sitting suspended from 6.00 to 7.30 p.m.

Hon. MARGARET McALEER: Before the tea suspension I was proposing to illustrate the problem of cutbacks in libraries by quoting letters from various local government authorities which illustrate the effect of the cutbacks; the uses to which the libraries are put; the increasing percentage of local government input, as compared with that of the States; and, finally, to advance the suggestion of the Northampton Shire about the possibility of continuing with town libraries. I now read from a letter from the Shire of Wanneroo on the subject of the effect of the cutbacks in a general way, as follows—

> Gaps in subject coverage and the lowering of the currency of subject matter in existing stock are being discovered at all libraries as older titles and worn-out copies cannot be replaced with new material. This is leading to the increased use of the inter-library loan scheme which is costly in staff time and postage and is frustrating for users. Waiting periods for needed titles are becoming longer due to the limited number of copies available and the number of requests being dealt with both by the Board and by individual libraries. Our larger libraries are anticipating an increased number of requests on their stocks from other smaller libraries who have not been able to order a fraction of the titles wanted by their readers. Consequently, new books received by our libraries will have to service not only our own residents but a growing number of other readers throughout the State.

The Town of Geraldton, writing about a similar problem, refers to the use to which the library is put as follows—

> Libraries are a very important recreational and informational source especially in small towns where other facilities and resources are scarce and new exchanges are eagerly awaited by many people who have "read everything" already in stock! It must be remembered that among the books there will always be a proportion that some readers will not read. With fiction, for example, westerns, science fiction, romance etc all have their devotees, but many do not read them all and this narrows the choice even further. Libraries in the region already use Geraldton Library whenever possible and we try to assist whenever we can. Demands on our stock will increase too and the bestsellers, for which we often have long waiting lists will now take even longer to supply, since there will be fewer copies in the system.

One of the libraries which has a relationship with the Geraldton Library and which is in the Greenough region is the Badgingarra Library. The librarian wrote to me as follows—

> It may interest you to know that though small in size and stock our library is the most vigorous country library in the Greenough Regional Groups; our readers take out more books and make better use of the Request & Information Services than the nineteen others in this large region.

The letter later states—

> Badgingarra Library will be effected in that:
>
> (1) Our 2-monthly exchanges of books will reflect the drop in buying of the latest books. There will not be enough copies to share around. Metropolitan librarians who choose their own exchanges will be advantaged over library officers like myself who must depend on the Boards officers in Perth.

It later states—

> Badgingarra, like the other regional libraries, uses Geraldton as a source of extra

fiction and non-fiction reading; in the past Geraldton has responded to any calls for supplementary reading with speed and imagination. Now the supply must be limited in every way.

I now read from a copy of a letter I received from the Toodyay Shire Council which raises another problem as follows—

> What concerns Council is that whilst we are prepared to meet ever-increasing expenditure to provide a service to the library users, your Board—

This is the State librarian. It continues—

> —is apparently not able to do the same because of budgetary constraints.

Earlier the letter stated—

> User statistics for the Toodyay Library disclose an active growth pattern and this is reflected by significant increases in expenditure by the Council to meet the demand. For example operation expenses budgeted for 1983/84 are 93 per cent higher than the year 1980/81. Further, a substantial upgrading of the premises was carried out recently to improve the appearance and operations of the facility.

In a similar fashion, the Shire of Irwin wrote as follows—

> My Council is also concerned regarding the ratio of contributions by the Library Board as compared to Local Authorities. It does appear that this ratio is continually rising in favour of the Library Board and the detriment of the local ratepayers.

Finally, the Shire of Northampton, when discussing the problem, referred to the available funding for libraries, particularly the Kalbarri and the Northampton libraries. It said it had been compensating for the cutback in library facilities by the donation of books. In the case of Kalbarri, the council is able to maintain a large supply of paperbacks, and the Northampton library has received strong community support, and through specific donations from the Binnu branch of the Country Women's Association, it has acquired many cassette books for the elderly and the infirmed. The letter goes on to say—

> In both instances the public libraries are supported by libraries at the relevant schools, however it is in this area that Council feels there is room for negotiation. Jointy funded Libraries attached to Schools appear to be the most efficient utilisation of resources. The Education Department provide funds for buildings, books and staff: The Library Board provides books and Councils provide buildings and staff. Surely this duplicity of effort could be combined somehow. It is my understanding that there is a joint project at Lesmurdie however I do not know the full details. Perhaps this idea could be examined and fostered.

I could read more excerpts from other letters from shires, because every shire replied very rapidly. When one takes into account the fact that shire councils often take a long time to reply to letters from outside sources, this speed indicates the measure of their concern about the problem of the cutbacks in library funds.

I hope the Minister who is in charge of the Budget will give consideration to the needs these people have expressed. These days people are inclined to think that in a few years' time we will all have stopped reading because of new communications systems, and that books will probably be obsolete; in fact, they wonder why we should worry about the three R's because they will not be needed in the way they are needed today.

The PRESIDENT: Order! There is too much audible conversation in the House.

Hon. MARGARET McALEER: These new communications systems are an additional benefit to us, but they are not a subsitute for reading. Reading still has a very important place both in the city and country areas and it would be very shortsighted of the Government if it were to ruin the library system which has been, one might say without too much exaggeration, one of the glories of our State. Certainly, anyone who remembers the time before the State Library system was instituted will know what a tremendous benefit it has been to the State. Libraries should continue to be supported.

I support the Bill.

HON. MARK NEVILL (South-East) [7.38 p.m.]: I support the Supply Bill and in doing so I want to raise two matters, one of general interest to agricultural areas, and one specifically related to my electorate.

The first matter I want to raise is the disposal of pesticide containers. This topic comes to us from discussions I have had with a crop consultant from Watheroo, Mr Ralph Burnett. In 1983, six million hectares of land was sprayed with herbicides in cereal producing districts. This represents a total of $47 million worth of organic chemicals. The result of this spraying is an estimated 220 000 chemical containers which require disposal. It is probable that only a very small percentage of these containers are actually disposed of properly, most of them being put in farm

gulleys and town tips. The other day in *The West Australian* newspaper I read that the pesticide market in Western Australia is now worth $200 million and has grown by 73 per cent in the last five years. The result of this is an increasing risk to human health and to the environment from chemical containers.

Section 21 of the pesticides regulations is quite specific in regard to dealings with and the disposal of pesticide containers. The main problem I see is in educating pesticide users to dispose of these containers in a safe and acceptable manner. The regulations have been in place since 1971, and this is an area in which the Public Health Department and the Department of Agriculture need to do a lot of field work, hopefully in co-operation with farmer groups such as the PIA.

The other thing I want to see is a pilot scheme for developing special disposal pits with drum crushers. Pilot schemes should be tested in some of the major cereal growing areas. These chemical container disposal pits should be controlled by the local shires. The first few pits and drum crushers established under such a pilot scheme should attract a Government subsidy.

Hon. H. W. Gayfer: I do not think a drum crusher would be too expensive to advocate.

Hon. MARK NEVILL: The estimated cost of a drum crusher, which cost was supplied to me by Mr Burnett, is about $4 000. The explosion in the use of pesticides has caused this problem to which we should address ourselves.

The second matter I want to raise relates directly to my electorate and to netting in Stokes Inlet. Stokes Inlet is about 80 kilometres west of Esperance. It is a beautiful site which is surrounded by a national park. At the moment it is completely land-locked. The major rivers flowing into it are the Young River and the Lort River. The present situation is that amateur and professional netting is banned between 1 December and 30 April. These regulations were introduced a couple of years ago. Seine nets are also banned so the bottom is not dragged. These controls have penalised amateurs. The goldfields residents who used to travel down to Stokes Inlet every Christmas and Easter cannot net any more. I do not know who brought out the regulations, but they are directly to the benefit of professional fishermen. The result of these regulations has been a fall-off in the number of visitors to the Stokes Inlet National Park.

Despite these present controls on fishing, the fish stocks in Stokes Inlet have been dangerously depleted. The area suitable for netting is about two kilometres long by two or three hundred metres wide, and some fishermen use nets up to 800 metres long with a 1.5 metre drop. Members can see how thoroughly they can clean the fish out. My inquiries reveal that nine professional fishermen fish the estuary from time to time. These fishermen have estuary licences, and their average returns for the last four years have been about 10 500 kilograms or 10.5 tonnes, and at $2 a tonne this represents about $2 300 in gross income to the fishermen. Some fishermen travel from Denmark, which is many hundreds of kilometres away, so putting a moratorium on netting will not have a major effect on those fishermen's income.

The fish species that are no longer caught in Stokes Inlet in any significant quantity are King George Whiting, Skipjack, and Flathead.

I refer to a recent visit by 19 members from the Esperance Surfcasters—a group of amateur fishermen—to a venue at Stokes Inlet. Although the visit was reported as successful it was only because those fishermen caught five sharks in the ocean near the estuary mouth. However, in the estuary they caught 102 bream, with an average weight of 400 grams, which is a small size. A few of the larger fish were caught in the Young River This represents about one fish per hour per person. I believe enough evidence is available to show that too much pressure is being put on the Stokes Inlet by netting. The fish stocks in Stokes Inlet are dangerously depleted. The Stokes Inlet National Park is losing one of its main attractions, which is good fishing, and people no longer talk about it. The residents from Esperance and the eastern goldfields area generally are well aware of what is occurring at Stokes Inlet and they want a netting ban placed on it. Until the bar opens between the estuary and the sea, and the estuary is restocked, I believe a moratorium on netting would be in order. The moratorium would need to be for at least three years.

I would eventually like to see the Stokes Inlet included in the Stokes Inlet National Park. It would not prevent access to that inlet by amateur fishermen.

HON. C. J. BELL (Lower West) [7.47 p.m.]: I support the Supply Bill and I would like to make a couple of comments about two issues which affect my electors.

The first deals with the perennial problem of the Peel Inlet. I would like to draw the Government's attention to comments which were made in January 1983 by the now Premier and reported as follows—

> Opposition leader Brian Burke said he believed the estuary situation was both a "pressing and depressing problem".
>
> He said the situation with which the area was confronted was one of neglect and the Government must share the blame for this.
>
> "The discharge out of the estuary could be done at once, apart from harvesting the weed," he said.

That statement was made 15 months ago. The Premier envisaged a simple solution to the problem which exists in the estuary, but to date nothing has been done.

I would also like to quote from the *Coastal Districts Times* of 6 April 1984. The article was titled "PIMA Losing weed battle" and referred to the conditions of the estuary. It stated that local residents had said, "It is like living on top of a burst septic tank". Fifteen months ago the Premier said that he would fix the problem immediately. He said that there was no problem; it was just a matter of spending a few dollars to fix it.

Hon. S. M. Piantadosi: Has that problem only become noticeable in the last 12 months?

Hon. C. J. BELL: That is not the point. The Premier said 12 months ago that he would fix the problem immediately. However, we still have residents in the area saying that they live virtually on top of an open septic system. The article continues—

> In truth, Coodanup foreshore looks like a giant septic tank. A black, porridge encrusted with rotting weed stretches for two kilometres along a shore blackened by decayed weed.

Hon. S. M. Piantadosi: Caused by whom?

Hon. C. J. BELL: That is not the point. The Premier said he would fix it and that there was no problem.

Hon. I. G. Pratt: He also said he would not raise taxes.

Hon. C. J. BELL: He did. However, the situation is that the shire council does not care because it believes it is the Government's problem and the Government does not care because it says that the problem is outside its jurisdiction.

Hon. S. M. Piantadosi: Farmers cause the problem.

Hon. C. J. BELL: In the *Coastal District Times* of 28 January 1983 the now Premier made a firm statement that he would fix the problem at the Peel Inlet.

Hon. S. M. Piantadosi: Who caused the problem?

Hon. C. J. BELL: It does not matter who caused the problem.

Hon. S. M. Piantadosi: Who are the people still causing the problem?

Hon. C. J. BELL: In that article the Premier is reported to have said—

> We would require all agriculture landholders to test the soil and we would cover the costs—over-fertilisation would be stopped. History has revealed that the problem has been caused by over-fertilisation.

The article continues—

> Mr Burke also said a Labor Government would make efforts to see if it were possible to buy back farmlands around the estuary and investigations would be made to ascertain the part played by bird life in the estuary problem.

The realities are that none of those things has occurred. Mr Burke is also reported as follows—

> He said he did not consider the expenditure of $500 000 over three years to be adequate or sufficient to deal with the problem.
>
> "Jobs would be created by doubling the amount to $1 million in the next three years to deal with the problem", he said.

If one looks at last year's Estimates of Expenditure and Revenue one will find that expenditure for the Peel Inlet increased by less than 25 per cent.

To revert to the situation which exists today, the Government had a full year to do something about it.

Hon. Mark Nevill: Do you use slow release superphosphate?

Hon. C. J. BELL: I do not, because I am not on that catchment area.

The Government said it would clean the Peel Inlet, but the machinery which is used has been broken down for substantial periods during the last season and there has been no urgency to fix the machinery; in fact, little money has been spent to solve the problem.

The weed harvester has been battling against the problem, but it is a bigger problem than was envisaged by the previous Government. This Government has done nothing in the last 15 months for the Peel Inlet.

Another strange thing is that the Minister for the Environment made a statement which appears to be in total contradiction to a statement made by Dr Hodgins at a public meeting in Mandurah about three months ago. He said he believed the problem was more serious than he had

thought—it may be irreversible. However, Mr Davies is reported in the *Daily News* on 11 April as follows—

> The Government is confident of controlling the algae problem in the Peel Inlet and Harvey Estuary within the next three or four years.
>
> The Minister for the Environment, Mr Davies, told Parliament yesterday there had been tangible results from new soil testing programmes.

Either there has been a huge turnaround in the knowledge which is available, or alternatively the Government is trying to mislead those people who live adjacent to the Peel Inlet. The area has very substantial problems and no-one should deny that—no-one will deny it as far as I am concerned.

Mandurah has the third highest unemployment rate in Western Australia. In excess of 19 per cent of employable people in that area are unemployed and nothing has been done to alleviate the problem. I believe the Government should address itself to the problem and start to do something about the things it said it would do. I hope that in the forthcoming year we will see some attention paid to those problems rather than hear words coming from the Government.

Another matter to which I wish to address myself concerns the dairy industry and some of the problems which are being forced upon it because of the present situation. There appears to be an assumption that the dairy industry in this State is going along nicely. The BAE figures which are available are, in fact, two years out of date and the situation is that there has been a dramatic turnaround in the dairy industry's profitability, and this applies to many of the rural industries in Western Australia.

Since March 1982, which was the last quarter in which the previous Government made an adjustment to dairy farmers' returns for liquid milk supplied, there has been a 25.8 per cent increase in costs to the dairy farmer. Only one price rise for milk has occurred since that time; it was 3.1 per cent at the retail level and to the farmers a 2.6 per cent increase in return.

Quite frankly, the majority of costs which have been borne by farmers in that time have been as a result of an increase in Government costs. Power and irrigation water are two prime examples of those increases.

This industry must be looked at seriously in order to maintain it at a viable level for the needs of Western Australia. There is no doubt that this is only one of two severe pressures which have been imposed on the dairy industry in Western Australia. The other problem stems from the international marketplace and the decisions made at a national level which have impacted on the dairy farmers of this State.

Last year a Bill was passed through this House to amend the Dairy Industry Act and one of the amendments to the Act was to eliminate the dairy assistance fund. This fund provides to dairy farmers of this State a substantial increase in returns for manufacturing milk and for out-of-season licence production of special milk products.

The considered intention of the Minister at that time was that at the next price rise the fund would be phased out, but the reality of that intention is that at the next price rise there will be no increase to farmers' returns, it will be simply a transference of money from one farmer's pocket to the other farmer's pocket. The worst aspect of this situation is that those farmers who are least able to afford it will face a drop in income, and those farmers who are best able to cope with the problem will receive an increase. One wonders what that would mean. I have obtained some figures which concern one farmer, but I am not able to identify him because it would not be appropriate to do so. That farmer will be faced with a loss of income in dollar terms of at least $7 000 and it could be as high as $13 000, depending on how it is structured.

One might say that that is absurd. I suggest that it is unrealistic to expect any dairy farmer to absorb those sorts of costs in the present tight rural economy.

I know that the Minister has recently been involved in negotiations at a Federal level with regard to a national dairying agreement, a proposal for which is before the Agricultural Council. I would hope that the Minister is well aware of the procedures concerning those proposals, because if he is not and if he does not understand the impact of the proposals, there is no doubt that Western Australia will lose at least $2 million a year in returns. If we add $1.6 million, which will be the amount transferred from one farmer's pocket to another farmer's pocket, to $2 million we have a total of $3.6 million and this represents an amount of $6 000 which will be lost to each individual farmer's income next year.

When that comes straight out of the farmers' disposable income it has dramatic repercussions through the south-west region. I do not intend to say more than that. I hope the Government will take notice of the two problems I have raised.

I support the Bill.

HON. P. H. WELLS (North Metropolitan) [8.01 p.m.]: I support the Bill and in doing so I wish to raise a few important issues. They include comments on the ministerial statement made to the House; reference to the Government's grab of $50 million of civil servants' funds; the complete disregard for confidentiality; and the small business squeeze currently going on.

I refer firstly to the ministerial statement made in connection with the Acts Amendment and Repeal (Industrial Relations) Bill. The writers of that statement must have very short memories. Many of the statements were motherhood type comments referring to the fact that Parliament is a democratic bastion and this is the area where matters should be debated. Certainly the Parliament has certain powers. I am sure that one of the rights of members of Parliament is that each individual member be permitted to study legislation and, if he considers it to be defective, to reject it. The statement also commented that the Opposition chose to debate the Bill outside Parliament and then announced its decision to reject the Bill. On a whole host of issues the ALP has a policy under which it decides on its position and tells its members where they will stand and how they will vote before a Bill is drawn up.

A number of Bills have come before this House on which members have no choice because a Caucus decision had been made to conform with ALP policy. The public know quite well on such occasions that there is no doubt about how Labor members will vote. Many of them have not looked into the Bill to see if it is doing the right thing.

Hon. G. C. MacKinnon: They have decided and told their members how to vote.

Hon. P. H. WELLS: Yes, and if they dared to forget there would be no chance of preselection at the next election.

The statement said it is wrong for members to debate in the public arena and let people know what is going on in the parliamentary arena. I wonder what the union rally was about outside Parliament House the other night; it was certainly not Opposition inspired. The statement queries the right of members to take issues to the public and debate them so that the public are aware. There will probably soon be a law to stop the Press reporting on issues because they may be debated in public.

Several members interjected.

Hon. P. H. WELLS: Last night I mentioned a number of policies and stated that members of the ALP had short memories. Despite my efforts to ensure that every member hears me, it would appear from the debate that some have not heard.

Several members interjected.

Hon. P. H. WELLS: I took the trouble to check whether a precedent had been set. I wonder whether experienced members around the House recall the Industrial Arbitration Amendment Bill (No. 2) of 1982 which is an example of when the ALP totally opposed a Bill. They were told to vote against it and they opposed the second reading. I do not want to go through the list of such Bills but I quote one of the Government's members who rose to a very high position within the party. On 4 November 1982 on page 4807 of *Hansard* we find this member, Mr Jamieson, prior to the second reading debate stating—

> It ill behoves anybody to support legislation that will cause a reasonably organised community to develop into a shambles of a community when it is not necessary to do so.

That was not just some new chum who had come into the ALP. One could not just cane him and say, "Listen boy, sit down". That man was elected by the members to become leader and in 1982 he made the above statement just prior to the second reading stage of the Industrial Arbitration Amendment Bill (No. 2). That is an indication of how the present Government attacked legislation when it was totally opposed to it.

I refer to another example, a Bill introduced in this House; that is, the Fire Brigades Amendment Bill. Mr Hetherington was looking after this Bill for the ALP. He fought all the way for this Bill and divided on the second reading vote. When the Bill went to the Assembly Mr Parker got up and said the Opposition opposed the Bill at the second reading stage. Page 5619 of *Hansard* on 17 November 1982 refers to this.

I question the statement that it is wrong for members of Parliament, having debated the second reading stage and seen that the Bill will lead to a shambles and is poor legislation, to have the right to call a stop at that stage.

Several members interjected.

The PRESIDENT: Order!

Hon. P. H. WELLS: I have quoted ALP members and their attitudes shown in the past—dividing at the second reading stage and hoping some members will be caught in the toilets or in the rooms so that the ALP can win.

Several members interjected.

Hon. P. H. WELLS: I suggest that we look at further examples to ascertain whether other Parliaments have acted in the same way and whether in fact this is an attack on the parliamentary system.

Several members interjected.

Hon. P. H. WELLS: I suggest that members should read the statements made. When in Opposition members of the present Government adopted one attitude and now they are in Government and they are aware of the circumstances they conveniently change their minds and their concept of what are the reponsibilities of Government.

Several members interjected.

Hon. P. H. WELLS: I checked in the library whether the same situation had occurred in other Parliaments; I did not have time to go through every other State but I reached for our nearest neighbour, South Australia. On 23 March 1983 when debating the Alsatian Dogs Act Repeal Bill the Opposition sought to get rid of the Bill at the second reading stage.

Several members interjected.

Hon. P. H. WELLS: Again on 1 June 1983 a division was called on the Casino Act Amendment Bill at the second reading stage with a view to defeating it.

Obviously there are precedents throughout the Westminster system where Parliaments after a fair debate of the second reading speech have sought to get rid of Bills. This has happened when members of Parliament have arrived at the decision that the Bill is not in the interests of the community. Each member must accept that responsibility of not wasting the time of Parliament, once having made a decision on an issue.

Several members interjected.

The PRESIDENT: Order! Order!

Hon. G. C. MacKinnon: Do you think the ministerial statement was pious gobbledegook?

Hon. P.H. WELLS: I think that is a very good description of the statement.

Mr Hetherington will have noticed that I referred to his opposition to the Fire Brigades Amendment Bill, when the then Opposition divided on that issue. It also happened in the Assembly.

Hon. Tom Stephens: We were talking about a rigged upper House, that is the difference.

Several members interjected.

The PRESIDENT: Order!

Hon. P. H. WELLS: I find it interesting to note how many members have forgotten to speak but they find when I open my mouth that they like to join in. Perhaps we should take more time and get together to form a choir; I will get them in tune.

Several members interjected.

The PRESIDENT: I have been very lenient indeed and my patience is drawing to a close. I ask members to cease interjections. As I indicated earlier, every member has an opportunity to speak in this place and has an opportunity to speak without interjections from other members. There is no requirement that members agree with what the person on his feet is saying and they will have an opportunity to disagree when they rise to address the Chair.

In the meantime I suggest to the member addressing the Chair that it is necessary for him to ignore the interjections. He should not reply to them but should address his comments to the Chair. As I have said before, from here the member will get no interjections.

Hon. P. H. WELLS: Thank you, Mr President. I have made it clear that many precedents exist within the Westminster system whereby after adequate debate Bills have been defeated at the second reading stage.

I want to raise an important matter which deals with Parliament in terms of its Government. It seems that the message I get from members opposite and from the disturbance of the Government today, is that it finds it inconvenient to report to Parliament. It seems to think that Parliament is there to approve and rubber stamp every decision of the Government. As I have said, the 15 members of the Ministry that govern this State have a responsibility to report to Parliament and it is within these precincts that the decisions are made. It is the responsibility of members, regardless of the party to which they belong, to consider legislation.

Our founding fathers decided that only one half of the upper House would retire at each election. Thus was built in a cushion against radical change, ensuring that the people had an opportunity to have their voices heard. A movement is afoot that seeks to replace the review of legislation, and to establish the Parliament as a rubber stamp of the Government. The people are entitled to have their voices heard. I was elected by the people of my province to speak in this place, and I have a responsibility to put the Government under examination.

Having said that, I raise a matter which I hear on the grapevine is about to happen. Mind you, Sir, it may well have happened already. If I had done it, I would have been put in gaol for embezzlement. The Government is intending to put its hands on someone else's money. All of sudden, the grubby little fingers have found a nice little nest egg of $50 million. The Government rubbed its hands and said, "We'll get our hands on that".

I believe that a complete review of the Superannuation Act is in progress and has been since

the O'Connor Government was in office. A fair number of things need to be investigated. I believe that under the Act, at the last minute a person can jump into the superannuation scheme and retire with a pension for life. When the Act came into existence, it did not take into consideration the large number of women who are now in the work force.

The charge for units in the superannuation fund has been worked out by an actuary, based upon what the fund may have to pay out. On three previous occasions when an actuarial review took place, it was found that the fund had a surplus. The excess money was returned to the contributors, across the board. They were given increased benefits because they were the people who had paid into the fund.

The distribution in 1980 was stopped because the review was in progress. The actuarial surplus determined at that time was $20 million. Before that time, the surplus had been distributed immediately. However, because of the review, which I though would have been completed—I understand there are some complications—that has not taken place.

In 1983, a further actuarial review showed another $30 million surplus, which means a total surplus of $50 million. This is dealt with in *The Civil Service Journal* of 9 March. A contributor to the fund pays a portion of the pension, and the Government pays a large portion. There is need for a considerable review, as the Government has the responsibility to meet increases in the Consumer Price Index.

A matter of concern is that the Government acts as its own insurer. It does not contribute during the life of the fund, but it meets its pensions as they arise, unlike a private enterprise employer who must contribute to the superannuation scheme during the life of the fund, when any CPI increase is covered by the earnings of the fund.

The Government has said, "We'll use that $50 million to pay the CPI rise and provide a cash flow for our early retirements". It would appear to be premature for the Government to start putting its hands on the $50 million that many civil servants have contributed. First of all, it should have received the report and tabled it so that it could be examined by the many pensioners in this State who contributed throughout their lives to the fund. The $50 million really came from their pockets, and they are entitled to examine the report to ensure that whatever decision is made about the $50 million is a reasonable one.

I accept that if the report were tabled, we may find the Government has some ground for its action. In the past, the fund's costs have been paid out of Consolidated Revenue, and I accept that they should be a charge against the fund.

I cannot accept that prior to the completion of a review that will almost certainly change the character of superannuation, the Government finds an easy $50 million and says "We'll use it". Many pensioners are saying, "They are our contributions. We paid that money in". The only reason for the surplus is that the actuary determined a contribution rate higher than was necessary, and the return on the fund was higher than expected.

The people are saying loudly and clearly, "Why are we not getting it paid back?" I am not saying that the Government should not meet the costs out of the fund; but I am saying that without tabling the report that will change the character of the fund, and without allowing the people who have made contributions to know what is going on, the Government is putting its hands into the fund and taking $50 million of the civil servants' money. I call upon the Government to take its hands off the fund's money and table the report so the people know what is going on.

The next concern relates to the Government's move into sessional arrangements for doctors at the Wanneroo and Osborne Park Hospitals. During the week, I asked the Minister whether it was certain that doctors operating at Wanneroo and Osborne Park Hospitals would be guaranteed positions as sessional doctors in those hospitals under the new arrangements. The reply was that they would; but many of the doctors have told me that they can have one or the other, but they are not allowed to operate at both hospitals. Some surgeons have decided not to stay in West Perth or on the Terrace; they have gone out to the people in Wanneroo, Greenwood, and various other parts of my electorate. They have local surgeries so that they are conveniently available for the people. However, they must say to the people, "I'm sorry, because the Government won't let me operate at that hospital. You'll have to go to Wanneroo", or "You'll have to go to some other hospital, maybe Royal Perth, where I'm allowed to operate".

Hon. Mark Nevill: Did they not walk out of those hospitals?

Hon. P. H. WELLS: The sessional arrangements are still operating while the Government is sorting it out; but the message from the doctors is that they will be allowed to operate at only one or the other.

Because of the distribution of people in the suburbs, the specialist surgeons have their surgeries in different areas to suit the convenience of the

people. However, the surgeons will be disenfranchised, and they will not be able to provide their services to people in their localities.

Prior to the completion of the sessional arrangements, the Government expected a problem; but it has not finalised the arrangements. The Government should ensure that no doctor is inconvenienced and that the people are not inconvenienced.

The situation relating to confidential information in this House concerns me greatly. If any of the members here found that a confidential letter had been distributed to other members, they would go berserk. In this House, a confidential letter to the Premier was quoted by a member. That sort of precedent should not be tolerated.

That shows the Government's complete disregard for the feelings of people who write to it in a confidential manner. It must make people question whether they can address letters to Ministers and the Premier in a confidential way and not have a backbench member from the same party reading the letter in the Parliament. I am suggesting the Government cannot be trusted. I draw to the attention of the Government that the practice cannot be tolerated, and it should cease.

Small business is starting to feel the squeeze; and prior to coming into the House this afternoon I received a call from a small business person who employs 17 people, but has cut back recently from 35 employees. He pointed out to me that current bank charges, with the introduction of the financial institutions duty and other Government charges, have increased by about 300 per cent.

The small business people are finding difficulty in obtaining a cash flow to balance their accounts month by month. They believe that the Government has a policy of complete disregard in relation to small businesses. The Treasurer claims that the FID is a small tax, but it hits many businesses many times, depending on the nature of the business. That applies particularly to motorcar dealers who find themselves having to advance money. Not only do they get caught with what they pay in, but they have the duty charged on the money borrowed to run their businesses. The charges that the Government has been putting up are squeezing small businesses to the degree that they must put people off. That is increasing unemployment and causing a fair amount of pain in the community.

Recently the Hon. Phillip Pendal asked a question of the Minister relating to the Institute of Public Affairs, and the figure quoted was 23.9 per cent. It is interesting that the Premier did not know about that survey.

Hon. P. G. Pendal: The only man in Australia who did not know that was the Premier.

Hon. P. H. WELLS: As the Government subscribes to a large number of journals, I am rather suprised that it could not afford the $10 to subscribe to the IPA journal and keep itself informed. If the Government cannot afford to purchase a copy, perhaps it might avail itself of the copy available on occasions in the Parliamentary Library.

The IPA survey showed that this State had the highest increase in taxation. If I remember correctly, the figure under the O'Connor Government was something like 7.9 per cent, and it rose to 23.9 per cent under the Burke Government.

If we consider the increase in tax from seven per cent to 23 per cent, we see it is an increase of more than 300 per cent. That is a frightening figure, especially when we realise that the housewife and the man in the street have to dig deeper into their pockets at a time when they have less to spread about. Many of the things people used to do are now beyond their means.

This has been brought about by a Government that said, "We won't increase charges". The Government has really gone back on its word and the people of Western Australia are feeling the pinch and being hurt in many ways. The Government told lies to buy votes.

The day of reckoning will come when people see through the type of promise which does not produce results. It seems the Government has a short memory and has forgotten the promises it dished up when in Opposition. Now the people in my province are realising that the Government is certainly not keeping the promises it made during the last elections.

It is certainly important to support the Supply Bill and so ensure that the necessary money is made available for the Government to carry on. Nevertheless I remind the Government that the province I represent is the fastest growing region in the metropolitan area. It has great needs.

It does not have enough police in the area; additional police stations need to be established. The Joondalup police station, which is on the drawing board, should have its starting date brought forward. In the event that does not happen, a temporary police station should be established at Whitford. The Nollamara police station, which is just outside my province, should be moved to Mirrabooka, where the Government's State Housing Commission developments are continually pushing up the population. The police need to be more visible in the Mirrabooka area.

Hon. Garry Kelly: Why didn't your lot do it?

Hon. P. H. WELLS: Many of the problems developing in the Mirrabooka area, an area which has been developed only recently, are a result of continual SHC development. The Nollamara station was built for a sergeant and a couple of policemen.

The PRESIDENT: Order! I remind honourable members that audible conversations are unparliamentary and out of order. I am having difficulty hearing the Hon. Peter Wells!

Hon. P. H. WELLS: The people in my province, in this the fastest-growing area of the metropolitan region, rightly deserve to be recognised. Many families are coming to the area and establishing themselves, and we have many retired people.

The Government made a decision to establish three senior citizens' centres each year. A great need exists for the proposed Whitford senior citizens' centre to be approved. Its application has been on the boards since about 1976. The Treasurer has replied to my requests for this to happen by saying such a move is impossible. Knowing the system of funding, it is up to the Government to make the decision. The Wanneroo Shire has already made provision in its own budget for its share of the money required to enable the centre to be developed.

As the Government begins to draw up its Budget and starts to decide where it will spend its money, I remind it that the people in the North Metropolitan Province are deserving of attention.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [8.35 p.m.]: The Supply Bill is a document with only a single page and only two substantive clauses. That reflects its very narrow scope. Its sole purpose is to authorise funds for the ordinary purposes of Government until the Budget appropriations can be passed. On the usual timetable, that will be in about six month's time.

By contrast with the narrow scope of the Bill itself, the breadth of the debate on it has been close to awesome. That is in keeping with the traditions of the Parliament, and no-one can have any complaint about that.

For practical purposes, a debate of this nature does not permit a detailed response of the usual kind. Members' comments will be brought to the attention of relevant Ministers and their views will receive attention in that way. The various matters having been aired in the manner we have experienced, I need do no more at this stage than to commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. J. M. Berinson (Attorney General), and passed.

COUNTRY TOWNS SEWERAGE AMENDMENT BILL 1984

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. K. Dans (Leader of the House), read a first time.

Second Reading

HON. D. K. DANS (South Metropolitan—Leader of the House) [8.39 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to amend a number of sections of the Country Towns Sewerage Act.

An amendment is proposed to extend the purposes for which sewerage rates may be made; an additional provision is proposed to enable by-laws to be made for prescribing certain fees; and a new section is proposed to enable the issue of infringement notices for various offences under the Act.

Also, amendments to various sections are proposed in order to increase a range of penalties imposed for offences under the Act.

I will now deal with the amendments in the order in which they appear in the Bill.

Clause 3 provides for a minor amendment to the definition of "sewer" in section 3 of the principal Act. The existing word "sewerage" included in this definition is incorrect terminology and it is proposed to amend it to the word "sewage".

Clause 4 relates to the inclusion under section 67 of an additional purpose for which rates may be made. In many individual sewerage districts insufficient rates may accrue, particularly in the early years of a scheme, to meet the various expenses attributable to that scheme. The amendment now proposed is to allow the level of rates in later years to include a provision for reimbursement of those amounts which have needed to be subsidised from the Consolidated Revenue Fund.

Clause 5 proposes to widen the range of by-laws which may be made under section 102, to enable fees to be prescribed for the issue on request of statements concerning rates, charges due, and

amounts paid. This amendment will enable fees to be raised for services provided under the Country Towns Sewerage Act as are presently raised for identical services under the Metropolitan Water Authority Act.

Clauses 6 and 7 relate to a proposed new section in the Act to enable the issue of infringement notices for offences committed against the Act. At present, where an offence is committed against the Act, it is necessary to prosecute the alleged offender in a court of law. This is time consuming and costly for both the department and the defendant.

The infringement notice powers will enable immediate fines to be applied in respect of offences which are not considered of sufficient importance to warrant prosecution through the courts. Such offences include the discharge of industrial wastes into a sewer contrary to conditions specified by the Minister and without approval of the Minister, and also, the discharge of rain water or surface drainage water into a sewer.

The imposition of infringement notices will effectively mean that an offender electing to pay rather than allow a decision to be determined in court will receive a modified penalty in lieu of a more substantial fine should a guilty verdict be returned.

I will now deal with the various subsections of the proposed new section 115.

Subsection (1) contains definitions in relation to the offence, the offender, who may issue infringement notices, who may collect payments, and who may withdraw such notices. A modified penalty is also defined and, in monetary terms, this is not expected to exceed $50 for an offence, compared with a general maximum of $500 under other proposed amendments to update penalties.

Subsections (2), (3), (4), and (5) enable infringement notices to be issued, and explain the option available to the alleged offender. Subsections (6) and (7) grant the powers for notices issued to be withdrawn, including that to refund any modified penalties paid.

Subsections (8) and (9) ensure that a person electing to pay a modified penalty or having a notice withdrawn is not subjected to further legal proceedings in respect of the alleged offence.

Subsections (10) and (11) convey the necessary powers to the Minister in respect of the authorities required.

Clause 8 details the proposed increases in penalties under the Act. The level of penalties which may be imposed has not been reviewed since the Act was proclaimed in 1948 except for those contained within sections 40(2) and 40(4) which were increased in 1982. Further increases in the level of the more recently updated penalties are not considered necessary. The new penalties listed in column 3 have been adjusted in accordance with inflationary trends to bring them up to logical realistic levels.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. W. N. Stretch.

PODIATRISTS REGISTRATION BILL 1984

Receipt and First Reading.

Bill received from the Assembly; and, on motion by the Hon. D. K. Dans (Leader of the House), read a first time.

Second Reading

HON. D. K. DANS (South Metro- politan—Leader of the House) [8.45 p.m.]: I move—

That the Bill be now read a second time.

This Bill proposes to repeal the existing Chiropodists Act which was first introduced in 1957 and proclaimed 24 years ago.

Many of the skills associated with chiropody have changed in the past two decades and so substantial are those changes that the practitioners of the skills involved now call themselves podiatrists rather than chiropodists. The name "podiatry" now more accurately reflects the skills of the profession. The existing Chiropodists Registration Board has requested that the Act be amended, both to reflect this name change and bring to that board provisions now encompassed in similar, more recent legislation. The profession submits that the word "podiatrist" more properly describes dealing with feet disorders, whereas the word "chiropodist" relates to hands and feet and is no longer appropriate.

The name of the profession's own association has changed from the West Australian Association of Chiropodists to the Australian Podiatry Association (Western Australia), a name change accommodated in this Bill.

In this same context of change, it is necessary that this Bill widen the definition of the practice of podiatry so as to embrace the many different areas of the body which may influence disorders of the feet. The podiatrist today needs this broader definition so that there is a greater understanding of advice and education he or she gives patients in preventive health care.

Among changes in this profession during the past 20 years has been the education of its practitioners. The existing Chiropodists Registration

Board is responsible for the training standards in the profession. That responsibility used to be discharged by the board arranging its own training courses for students of podiatry and setting its own qualifying examinations for these students. Now, the Western Australian Institute of Technology carries out this role and the board simply approves the curriculum of the course and its subsequent examination.

This Bill proposes membership of the Podiatrists Registration Board be increased from five to six persons so that a representative of an educating authority may join the professionals on that body.

While on the subject of education, an important amendment made in this Bill is that which allows for the temporary registration of individuals—usually visitors to the State—for study, research or teaching. This will meet the increasing need for temporary registration of individuals wishing to engage in postgraduate study, research, or teaching at a research or teaching institution.

For many years now the existing Chiropodists Registration Board has insisted that only qualified practititioners can apply for registration. Consequently, this Bill deletes the now outmoded provision which related to registration of unqualified practitioners.

Members will be aware from their own experiences that one of the inadequacies of implementing outmoded legislation is that penalty provisions, where applied, quickly become ineffective. This Bill increases the maximum penalty for offences under the Act from $50 to $1 000 with penalty provisions being more clearly stated.

It also strengthens the disciplinary powers of the board by inserting a requirement that certificates to practise podiatry be surrendered on deregistration or suspension, and introducing separate penalty clauses.

These clauses cover—

offences relating to registration;

making false statements to the board;

employing unregistered podiatrists;

falsely pretending to be a registered podiatrist; and,

advertising violations.

I will now go into a little more detail on specifics. This Bill, for example, adds some additional routine interpretations to the existing Act, together with a statement that the board is not an agent or servant of the Crown.

A clear statement of the functions of the board is made and another provision allows the Minister to direct the board to perform its functions, duties, or powers, where necessary, and the board is required to give effect to those directions.

The Minister is not able to direct the board to make a particular decision in a particular matter, but can direct the board to exercise its function in relation to that matter.

Another provision requires all courts and justices to recognise the board's common seal when affixed to a document.

One of the processes used in preparation of this Bill was to review and assess matters at present in the existing board's regulations and rules. The objective was to bring important matters into the Act and allow procedural matters to be placed, or remain, in the rules. There is very little difference between a board's regulations and its rules and, over the years, the regulations have been amended and now include matters which should more properly be authorised by Parliament in the Bill. The proposal is then to have only rules made by the board. Consequently, the regulation-making powers in the present Act have been deleted from the Bill.

I will explain this further. We bring to this Bill such regulatory matters as—

the power of the board to effect registration, suspension and restoration of registration;

the keeping of the register;

annual renewal of registration;

disciplinary inquiry procedures; and

terms of office of board members.

Under the Bill now before the House, the board will retain provision to make rules on the other matters which are at present in regulations.

These include rules relating to—

(a) prescribing forms;

(b) prescribing permitted advertising;

(c) determining attendance fees and allowances for members;

(d) the approval of acceptable qualifications; and,

(e) recognition of tertiary education institutions.

Under this Bill, the board may make additional rules to constitute committees of the board and to regulate their proceedings, to regulate the practice of podiatry, and to allow a discretionary authority to be conferred on any person.

This Bill incorporates a number of other provisions to upgrade the legislation to the level of that affecting similar registration boards. These include such provisions as allowing board mem-

bers to resign or be removed or have their appointments terminated by the Governor if they become bankrupt, become incapable of performance, or if they are absent from three consecutive meetings without reason.

Other steps to upgrade the present Act formalise the requirement for books to be kept and audited by an approved auditor annually and for the board to present, through the Minister, a report to Parliament annually.

There are also provisions in relation to legal proceedings, averment, repeal of the Chiropodists Act and special transitionary provisions. These transitionary clauses enable board appointments and current practitioner registrations to continue uninterrupted and for the current licences to practise to be regarded as certificates of reregistration under the new Act.

Other clauses allow the board to carry on inquiries and proceedings that may be in process and for the assets and liabilities of the present board to be transferred to the new board.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Pratt.

The DEPUTY PRESIDENT (Hon. John Williams): I remind members that it is apparent from this Chair that the level of audible conversation has increased considerably, due to the amplification equipment. Some of members' quieter conversations with colleagues are fairly audible from the Chair. I ask for your co-operation and for members to cease their whispered conversations.

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL 1984

Second Reading: Defeated

Debate resumed from 17 April.

HON. MARK NEVILL (South-East) [8.53 p.m.]: I support the Bill in its present form because it will result in a fairer system of wages in Western Australia, based on equity and justice. It is not a radical Bill as the Opposition has claimed.

I wish to restate the improvements this Bill seeks to bring about. First, the Bill seeks to bring State legislation more into line with Commonwealth legislation. It provides for wider access to the Industrial Commission. The Bill rationalises existing industrial tribunals and places emphasis on conciliation. It gives the Industrial Commission more flexibility in handling disputes and it places greater onus on employers and unions to resolve their disputes.

Most Opposition members seem not to want disputes to be resolved. They seem to have a vested interest in promoting industrial unrest and confrontation. That has always been a lucrative source of votes for them. I believe that is the truth behind the reason they oppose this Bill.

The Opposition has ignored the progressive changes proposed in this Bill. It has concentrated on two or three clauses in the Bill. I believe Opposition members have frightened themselves with their own rhetoric.

I wish to centre on two areas where the Opposition has become carried away and where I think it could be said the Opposition has perhaps duped itself on this Bill. Those members opposite who oppose other workers having access to the Industrial Commission are opposed to those persons receiving a fair living wage. Wider access to the Industrial Commission would allow those persons to establish fair minimum conditions in areas not covered by existing awards—minimum piecework rates would be established.

In many cases piecework rates would be established in new awards. Members in this House should be supporting efficient employers who abide by award provisions and pay a decent wage to their employees.

The Opposition seems to be defending the "sham subcontractors"—as the Hon. Kay Hallahan aptly called them last night—who evade the provisions of awards by hiding employees behind a corporate veil.

Those subcontractors should have to cope with minimum piecework rates and conditions. To claim that the subcontracting system will be destroyed by giving some of these exploited people access to the Industrial Commission is exaggerated nonsense.

Point of Order

Hon. A. A. LEWIS: On a point of order, the member is not following Standing Order No. 73 and is reading his speech.

The DEPUTY PRESIDENT (Hon. John Williams): I have observed that the member is referring to his notes. I do not think there is a point of order.

Debate Resumed

Hon. MARK NEVILL: I cannot see the reason that some of these independent and hard-working people cannot have a minimum rate of pay and conditions given to them by the Industrial Commission. People like the Hon. Peter Wells know that the underground mining industry in the east-

ern goldfields has been based on a piecework rating system for the last 80 years or so. All those subcontractors are working under an AWU award. There are set rates for the work they do and they get paid accordingly. The experienced people earn more under the piecework system.

I cannot see any reason that this system which has worked so well in the goldfields where the mining industry is surviving—

Several members interjected.

Hon. MARK NEVILL: I cannot see any reason that similar piecework rates should not be applied for people like bricklayers.

Several members interjected.

The PRESIDENT: Order! I ask honourable members to come to order—that means everybody.

Hon. MARK NEVILL: I do not believe the Opposition has established a case to reject this Bill. Opposition members should take this Bill to the Committee stage so that it can be debated clause by clause.

Hon. A. A. Lewis: You are not capable of it.

The PRESIDENT: Order!

Hon. Tom Stephens: We know your capabilities, that is the problem.

The PRESIDENT: Order!

Hon. MARK NEVILL: I urge the Opposition not to treat capriciously or frivolously the offer of the Leader of the House to withdraw those two clauses which the Opposition considers controversial and give this Bill a second reading, so that we can give it serious scrutiny in the Committee stage.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [8.58 p.m.]: I wish to support the Bill and in supporting it I wish to pay tribute to the Minister in charge. I noted that when the Hon. Gordon Masters was speaking in the second reading debate he made reference to the Minister doing the bidding of left-wing unions. I have never heard such nonsense before. I have heard a great deal of nonsense from members opposite but to say that the Hon. Des Dans does anything at the bidding of anybody else is just nonsense.

Hon. A. A. Lewis: He is not intelligent enough.

The PRESIDENT: Order!

Hon. ROBERT HETHERINGTON: I have known the Hon. Des Dans for many years and I know he is one of the most intelligent members in this House. It may not be obvious to the member who just interjected, but then it takes one to know one, and perhaps that is his weakness.

Several members interjected.

Hon. ROBERT HETHERINGTON: I have heard the Hon. Des Dans discussing things to improve the arbitration system and get better industrial relations in this State. I have heard and have sat by him as he talked about the need to get greater flexibility into the industrial relations system and the arbitration system. I know one of his ambitions is to bring down a good Bill and that is what he has just done.

Hon. P. G. Pendal: Do you agree it should add $4 000 to the cost of a house?

Hon. ROBERT HETHERINGTON: I will come to the subject brought up by Mr Pendal in interjections in a moment. They do not make a lot of sense, but most of the honourable gentleman's interjections on industrial relations are like that.

Several members interjected.

The PRESIDENT: Order! I ask the honourable member to ignore interjections altogether.

Hon. ROBERT HETHERINGTON: I will do my best.

Hon. A. A. Lewis interjected.

The PRESIDENT: Order! The Hon. A. A. Lewis is defying the Chair and I ask him to cease.

Hon. ROBERT HETHERINGTON: This Bill basically does what the Leader of the House has wanted to do for many years; that is, it gets rid of the confrontationist attitude towards arbitration and industrial relations. It will bring much greater flexibility to the system and, if it is passed, will allow more negotiation and mediation and less confrontation in the industrial relations system.

For this reason I believe anybody who votes against the second reading of the Bill is taking a very grave responsibility, partly because it is a good Bill and partly because we got a mandate at the last election to change the industrial relations system from the confrontationism of the last Government to one of mediation and discussion.

The honourable gentleman on my right—and that is his right place—the Hon. Phillip Pendal asked whether I believed we should raise the price of houses by $4 000.

Hon. P. G. Pendal: Do you?

Hon. G. C. MacKinnon: Do they have any strikes in New South Wales?

The PRESIDENT: Order!

Several members interjected.

Hon. ROBERT HETHERINGTON: When I can raise my voice above the other speeches I will point out that I am not talking about $4 000 or $12 000 or any number of dollars. When I saw in the Press that people were saying that if this Bill

became an Act it would raise the cost of housing, I said across the breakfast table to my wife, "Who is being screwed?" If this is to happen under a Bill which brings wage justice to this State and it will raise the price of housing, who is screwing whom on the wage front? I believe we should have wage justice in this State. We do not believe housing should be kept down at the expense of subcontractors who are forced to subcontract under cost in order to survive.

The Hon. Peter Wells was so eloquent last night about new section 80ZF, and I will come to that in a moment.

Hon. Peter Wells: I am glad you listened.

Hon. Tom Stephens: We did not have much choice in your case.

Hon. ROBERT HETHERINGTON: I often listen to members when they are developing an argument to see if it stands up. It seems that Mr Wells' argument does not stand up. He said the clause would give the Industrial Commission the power to look at a contract or arrangement to see whether it, to quote the clause—

(a) is unfair;

(b) is harsh or unconscionable;

(c) is against the public interest;

(d) provides or has provided a total remuneration less than a person performing the work would have received as an employee performing such work; or

(e) avoids, or was designed to avoid, the provisions of an award or industrial agreement.

One point that interested me in listening to the debate was that Mr Masters complained that the new industrial relations commission will not have enough authority, by which he meant it will not be able to hand down enough punishment. It will not be authoritarian enough for him; he wants it to have more power to punish.

Hon. S. M. Piantadosi: To enforce.

Hon. ROBERT HETHERINGTON: That is right.

Hon. A. A. Lewis: That is all the unions do.

The PRESIDENT: Order!

Hon. ROBERT HETHERINGTON: On the other hand Mr Masters and Mr Wells say that if this Bill is passed we will not be able to trust the commission—the same commission they believe should have more power—to see that contracts are fair.

Hon. P. H. Wells: Did I say that?

Hon. P. G. Pendal: It is you we cannot trust, your mob.

Hon. I. G. Pratt: Misquoting again!

Hon. ROBERT HETHERINGTON: I am referring to the impact and implication of the honourable gentleman's speech last night because he talked as though people would be ground down under this Bill. Yet all the section to which he referred does is to give the commission certain powers. Mr Wells does not trust the commission; nobody opposite trusts the commission, they are all paranoid about it.

Several members interjected.

Hon. ROBERT HETHERINGTON: Their paranoia about the commission is astounding because the commission in this State has done a good job and it comprises honourable and trustworthy men.

Hon. P. H. Wells: I did not challenge the commission.

Hon. P. G. Pendal: Stick to the facts.

Hon. ROBERT HETHERINGTON: When the gentlemen on the front bench opposite—

Hon. A. A. Lewis: There are a few more than on your front bench.

Hon. Tom Stephens: There is quality on our side.

The PRESIDENT: Order!

Hon. ROBERT HETHERINGTON: I am doing my best to talk to you, Mr President, above the idiotic interjections on my right.

When the Hon. Gordon Masters talked about people in the unions who were allegedly putting left-wing pressure on the Minister he mentioned Mr Owen Salmon who is one of the commissioners. For anyone to list him as a person who is left-wing or militant is so stupid as to be unbelievable. He has been one of the best union leaders we have had in this State. Mr Owen Salmon is one of the people for whom I have the greatest respect, and everybody else in the union and labor movements, left or right, has the greatest respect for him because they know he believes in fair play and a fair deal.

Hon. Fred McKenzie: And among employers, too.

Hon. A. A. Lewis: That is not right.

Hon. ROBERT HETHERINGTON: This Bill is after a fair deal for everybody. It looks after the interests and freedoms of the individual and stops them from being exploited by the owners of capital in the building industry who can screw down contractors.

The Leader of the Labor Party in this House is an honourable and decent man who believes in consensus, and this is an important Bill with much in it that is good even if some of the good points have to be sacrificed. One of the points the Leader of the House made in his statement has been referred to by a number of people—

Several members interjected.

Hon. ROBERT HETHERINGTON: I would hope that if Mr Wells listens to what I am saying—

Hon. A. A. Lewis interjected.

Hon. ROBERT HETHERINGTON: I do not want protection, certainly not from the likes of the Hon. A. A. Lewis.

Hon. P. G. Pendal: What did you have for tea that upset you?

Hon. ROBERT HETHERINGTON: I want to be heard above the raucous interjections.

The PRESIDENT: Order! I ask the honourable member to ignore the interjections and they will be less frequent.

Hon. ROBERT HETHERINGTON: I am doing my best.

The important point in the Leader of the House's statement that has been ignored is that he took this as a way of offering in the House—and it was the only device open to him before he made his second reading speech—to withdraw in the Committee stage of the Bill, if it is allowed to go to Committee—

> The two clauses that the Opposition has identified as being the foundations for their proposed rejection of the Bill.
>
> That is, the definition of "employee" and section 80ZF which deals with unfair contracts.
>
> These two provisions are proposed to be referred to a mutually agreeable chairman at a mutually agreeable time, with mutually agreeable terms of reference. That chairman would then report to the Parliament on his findings.

That is the offer. It is a fair, decent, and honourable offer and one that might be accepted if members opposite were dinkum.

Hon. Tom Knight: What rubbish!

The PRESIDENT: Order! All audible conversation has to cease when I call for order. I suggest to honourable members that everybody is acting in a very unsatisfactory way this evening. One of the reasons I have not taken any drastic steps is that it is necessary to keep a quorum. I suggest all members cease interjections and certainly all members should cease all audible conversation. I ask the Hon. Robert Hetherington to address his comments to the Chair and to ignore all other members.

Hon. ROBERT HETHERINGTON: Thank you Mr President.

This is an honourable offer. Even if these clauses went out altogether there is much in the Bill that is worthy and worthwhile. We would like to save this Bill even if we lose important pieces of it against the overwhelming tyranny of numbers of the Opposition. Whether the Opposition will accept that, I do not know. I think it will do a grave disservice to this State if this Bill, put forward by a Minister who knows more about industrial relations and negotiation within the labour movement than anybody else in this House—this honest and intelligent Minister—is rejected. We would be rejecting a very worthwhile Bill.

For the Hon. Gordon Masters to speak as if the Bill had been foisted on the Minister by somebody else is to talk the most arrant nonsense. Earlier in the evening on another matter the Hon. Graham MacKinnon waffled on about ministerial responsibility.

Hon. A. A. Lewis: That is not so. Mr MacKinnon never waffles; only you do that.

The PRESIDENT: Order! The Hon. A. A. Lewis is again defying the Chair. I suggest to him it is the last time.

Hon. ROBERT HETHERINGTON: Although the theory he put forward was good, the practice as far as this Government was concerned was bad.

Hon. G. C. MacKinnon: I know it was bad practice; that is why I pointed it out.

Hon. ROBERT HETHERINGTON: The member has got me wrong. He was putting forward practice as being a fact. The example he gave of Barry Hodge making an error of judgment as a result of advice from his advisers is so ludicrous it is unbelievable. If that Minister makes a mistake it will be his own.

Hon. G. C. MacKinnon: You were right the first time, it was bad practice.

Hon. ROBERT HETHERINGTON: It would be if it were followed, but it is not.

Hon. G. C. MacKinnon: You said it was bad practice and I am agreeing with you.

Hon. ROBERT HETHERINGTON: We have a Government of Ministers who make their own decisions. Fewer Ministers in this Government are prisoners of their departments than in any other Government since 1967. I think we are very fortunate in the calibre of Ministers in this State and in the calibre of the Minister in charge of this

Bill. If members opposite listened to him with more care and passed the Bill, even if they want to reject some parts of it, we would do better and we would have a better system of arbitration. I have looked forward to aspects of this Bill for a long time—minor matters, but important ones which will bring academics and teachers under the aegis of the commission. It will allow employees of this House to appeal from Big Brother no matter how kindly he may feel towards them and how honourable he may be in his conduct and attitude.

They will have somewhere else to go besides the paternalistic members of this House. I would suggest to honourable members that they should vote for this Bill. They should vote for it as it is in accordance with our policies which resulted in the Labor Party winning the election; they should vote for it because it is introduced by someone who knows a great deal about industrial relations; they should vote for it because of its own merits; and they should vote for it in order to look more closely at it in Committee if they want to. Certainly any member who wants this House to be taken seriously as a House of Review should think very carefully before rejecting this Bill outright. I have great pleasure in supporting the Bill.

HON. D. K. DANS (South Metropolitan—Minister for Industrial Relations) [9.17 p.m.]: I want to try a novel approach in replying to this debate. I want to try to address my remarks to the principles of the Bill only, to things which have been said in this House and, of course, outside this House.

I have never been in a situation similar to that in which I find myself tonight, where so much utter nonsence, and so many lies and misunderstandings have been spread through the community with gay abandon. Last night the Hon. Gordon Masters, in a rather emotion-charged tirade which, when boiled down, was nothing more than another episode of union bashing, suggested the reason we were persisting with this Bill was that we were in the hands of left-wing unions, and that we had brought the Bill before this Parliament so that it might be thrown out.

Let me say here and now that would be an unprincipled position for anyone to take, and it is certainly not the position I occupy here. I brought this Bill to Parliament in good faith. This Bill has had more consideration, more discussion, and more offers of assistance from my office—not only to the members of this Chamber on both sides but to the public at large also—than any previous Bill.

In the first instance there was an active tripartite agreement, warts and all. There was a copy of the explanatory notes with the first Bill, and again on the second occasion. So the cry that the Opposition did not know what was in the Bill, or could not understand it, seems false to me. It seems to me to be a deliberate attempt to mislead, which is still being carried on right up to the present time.

Several members interjected.

Hon. D. K. DANS: I have come to understand Mr Pendal's inaccurate and inane interjections because he starts to equivocate inside his stomach.

Hon. P. G. Pendal: There was no equivocation on this Bill.

Hon. D. K. DANS: There is no equivocation on my part. Let the Opposition know that we are still the Government and I am still the Minister for Industrial Relations. I have operated under that filthy legislation brought in by that man over there. I have worked around it and I will continue to do so in the future. I will not forget some of the hard things—and I will refer to them in a moment. Far be it from myself or the Government to be in the grip of left-wing unions; that is simply not true. I extended the olive branch this morning in good faith.

Hon. P. G. Pendal: Five months too late.

Hon. D. K. DANS: It was in good faith, and the public at large can judge the Opposition on its inability to debate this Bill in Committee. I said that we would take the Bill piece by piece; the Bill could be debated clause by clause, and if the Opposition is not prepared to debate this Bill it deserves what it will get. Members opposite know every one of the points they tried to make in addressing the principles of the Bill cannot be answered in this forum and can certainly not be substantiated. If the Opposition wishes to toss out the Bill it has the numbers to do that, but I am telling members opposite that they cannot do that. There is no justification for what they are doing. People who are close to this, who disagree with some of these clauses, are appalled at the actions of the Opposition.

That is fair enough; if they toss it out, they can at least use the parliamentary process. It was known to me some days ago that Mr Masters had agreed with the recommendation from the Chamber of Commerce to throw this Bill out. The Confederation of Western Australian Industry (Inc.) was appalled by the decision. I know very well what the Confederation of WA Industry wanted in this Bill. It wanted one clause right out, another substantially amended so that it was as good as out, and about eight other clauses

amended. It certainly was not in favour of the Bill, but it did not have the intestinal fortitude to toss all the garbage around which has been tossed by the Opposition in this forum.

I object most strongly to Mr Kusel's Press statement on 12 April 1984.

Several members interjected.

The PRESIDENT: Order! Members will come to order. I will not tolerate any member interjecting during the course of this debate. I am suggesting that members refrain from doing so.

Hon. D. K. DANS: I will return to the interjector and refer to a transcript of comments made concerning Gordon Masters, and this House can judge for itself the amount of intestinal fortitude the man has.

This is the Press statement from Mr Kusel. It says—

> The noticeable lack of comment by the government in response to the outcry from business organisations and members of the public alike about the proposed I.R. Legislation, and the fact that the Government has failed to admit that there is a secret government report indicating that the legislation will result in the government itself having to outlay hundreds of thousands of dollars more on state housing, provides strong evidence that the government does not really want the legislation at all.
>
> By introducing this sort of legislation the government has curried favour with some of its more radical trade union supporters. Yet the government is clearly going to be pleased that a defeat in the upper house will permit it to balance the budget that much easier.
>
> This sequence of events might be politically attractive to the government, but it hardly represents the good economic management that the business community looks to any government to provide.
>
> There are a lot of very worried business people in our community whose livelihoods are completely jeopardized by this legislative threat.

Let me first of all say this: There is no secret Government report. This Bill goes far beyond the housing industry. If the figures which have been tossed around, even by the Hon. Sam Piantadosi and others, are correct, then we must assume that every contractor in this State engaged in the housing industry is screwing the backside off his subcontractors. I had a call yesterday from a man representing 80 reputable builders who said this was probably the greatest legislation ever introduced, for the simple reason that bricklayers, which is one class of worker only, are now being paid less than 50 per cent of what they received some 10 years ago. If one goes around the suburbs one will see them laying bricks in the rain. Anyone with experience of the building industry knows what happens when one lays bricks in the rain.

That comment by Mr Kusel is quite misleading. There is no way to quantify—and we tried to do it—how much extra cost would be involved. The vast majority of contractors are honourable people; they are trying to do the right thing. However, others are not. The end result, if we talk about the housing industry, is a shoddy home because the job is done at such a low rate that people just cannot make a living at it and the end result is that they have to work as quickly as they can in order to get enough money to keep body and soul together.

First of all, let me say in this Chamber to Mr Kusel that there is no secret Government report. That question was asked of me in this Parliament and there simply is no secret report.

It is true that myself and others tried to quantify what it may cost, but there is no way of doing that. Everything is only a guess. So, far from us being in the hands of left-wing unions, it is more like Mr Masters is in the hands of the Chamber of Commerce—and those are not my words.

Hon. S. M. Piantadosi: Unscrupulous employers.

Hon. D. K. DANS: To move on from that situation, yesterday, Tuesday, I obtained a transcript of an interview.

Hon. P. G. Pendal interjected.

Hon. D. K. DANS: I am not bad friends with anyone. The fact that he is incompetent and untruthful is by the way. That statement from Mr Kusel is untrue.

Hon. G. E. Masters: I challenge you to say that outside the House.

Hon. D. K. DANS: I challenge Mr Masters to say many of the things he has said outside the House.

The news is headed "Transcript of news item on 6PR at mid-day, Tuesday, 17/4/84 re: Proposed changes to WA's industrial laws" and reads as follows—

> A meeting is getting underway at Gloucester Park in protest at the State Government's proposed changes to WA's industrial laws.

> Perth's Chamber of Commerce Executive Director, Brian Kusel (?) says the meeting has been organised to point out to sub-contractors and small businesses just what the legislation will mean to their livelihood. Mr Kusel says if it's made law, the legislation will add hundreds of thousands of dollars to the cost of housing in this State. He says people at today's meeting will be urged to protest strongly and vocally against the proposed laws.

Here, as Mr Masters did last night, he fails to qualify his statement. Mr Kusel replied—

> Well, there are some very good elements in the proposed industrial relations legislation, but they're buried amongst so much else that it is almost impossible, in fact, we would say impossible, to amend the existing legislation.

I want you, Sir, to listen to this. Far from left-wing unions guiding me!

To continue—

> So, we are urging the Opposition to toss it out.

However, he had already told Mr Masters to toss it out. He did that the week before, according to the information conveyed to me by a very responsible person.

Several members interjected.

Hon. D. K. DANS: An interjector is saying it is quite lawful to be directed by the Chamber of Commerce.

Hon. N. F. Moore: To be requested by it.

Hon. D. K. DANS: However, members opposite throw the charge at us without any substantiation that, somehow or other, we are directed by the extreme left-wing element of the unions. They cannot have it both ways. To continue—

> So, we are urging the Opposition to toss it out completely, to use the numbers in the Upper House because it is a horrendous piece of legislation—to toss it out completely and perhaps replace it with a new bill, which in fact incorporates the good features.

I made the statement a moment ago that we are the Government and will be for some time. Industrial relations are doing reasonably well in this State and they will continue in that vein. I do not want Opposition members to go around with their heads in the clouds thinking they have 100 per cent support in the community, because they simply have not. They do not have 100 per cent support in their opposition to the Bill and they have certainly lost a great deal of support in the last 24 hours in the way in which they have demeaned the Parliament.

Hon. N. F. Moore: Rubbish!

Hon. D. K. DANS: That is one of the member's favourite words. Coming from him I am not particularly worried about it. In a Bill which is horrendous, the proper place to expose the Government is through a detailed examination in the Committee stage.

The Opposition's numbers can be used to great effect, firstly, to show what a pack of liars Government members are; secondly, how incompetent I am; and, thirdly, to indicate all the things the clauses in the Bill will do. But, of course, Opposition members cannot do that. Not only is that the case, but also their Shadow Minister is incapable of doing it. He is thoroughly incompetent.

One of the great strengths of Australian society—I hope Mr Masters is listening to this—

Hon. G. E. Masters: I am listening.

Hon. D. K. DANS:—is that we have the greatest democratic country in the world. I do not think I would find any argument with that. We also have something else going for us—I know Mr Masters hates this; he loathes this; it makes his skin crawl—we have the greatest egalitarian society in the world. Despite the activities of the Fraser Government to break down that egalitarian society, Labor Governments in Australia are putting it back in place again.

Let me make another point to the Opposition members who were belly-aching about how much more it will cost to build a house. Federally we are doing all we can to boost the housing industry. We are doing that, firstly, because we need houses and, secondly, because the housing industry is an industry which generates much employment and, in the State's sphere, we are backing that up.

Would we not be quite stupid and incompetent if we introduced a Bill into the Parliament which was designed to erode those kinds of activities?

Hon. N. F. Moore: That is what is going to happen.

Hon. P. G. Pendal: They said it would cost $4 000 more.

Hon. D. K. DANS: I answered that question previously.

Hon. P. G. Pendal: No, you didn't.

Hon. D. K. DANS: Would we not be stupid, would we not be hauled over the coals publicly by the Federal Minister for Housing, and would not the Prime Minister of Australia, who is not loath to tell people what he thinks, be on the hot-line immediately saying, "Hey, toss that out"?

We are a Labor Government and we want to assist the housing industry. We want to maintain an egalitarian society. We do not want to put brother against brother and build a reservoir of substandard citizens, nor do we intend to do that. That is what Mr Masters and his mates want to do, but it is not going to happen, because we intend to see that it does not occur. Therefore, Opposition members can put to bed most of those stupid suggestions that have been floated around the tracks.

I hope that not only would our egalitarianism remain as is, but also that it will continue to grow because it is one of our great strengths. As a Labor Government we do not intend to pump money into an industry so that a very small few can benefit. Those small few are the people the Chamber of Commerce is talking about, and the 8 000 members of the Confederation of Western Australian Industry (Inc.). The Opposition is taking its advice from the wrong group of people; to use the political term, it is taking its advice from the *petite bourgeoisie.*

It is doing that so that this very small group of people can feed on the advances we are making in that industry. That is simply not on, despite what is done to the Bill here. Opposition members stand condemned out of their own mouths in the public arena already.

I turn to some of the more valid parts of the Bill. I shall make a few general observations as to what the Government is all about and what we are on about in this Bill. I do not intend to address myself to the detail of the Bill, unless it goes to the Committee stage. I shall have plenty to say about it later—not in Parliament.

The underlying aim of any Government is to build a civilised society based on fair and equitable treatment of its citizens. History shows clearly the drastic effects that result from the structure of society becoming more and more divisive with different expectations causing all kinds of problems. If members want any further explanation of that, they should travel the world and see where the democratic process has been eroded and why that has occurred.

The democratic process has been eroded because divisive structures have been brought into play where there is one super group of people and a vast army of others living in substandard conditions. No matter how many people are affected by this Bill, that is what Mr Masters is really saying. He is saying nothing more than that, "we want the right to determine how much that man will get there". Because unfortunately there is an unemployment problem, people sometimes get themselves into all kinds of trouble. I make it perfectly clear—I cannot emphasise it enough—that we are not talking about every contractor. That is certainly not the case. The average Australian believes in a fair go. We are talking, as the Hon. Kay Hallahan quite correctly said, of those sham deals that abound in the community.

Does the Opposition support our young people being taken for a ride on the so-called contractors' couriers? Does the Opposition support our young people being taken for a ride on the so-called home help schemes? Does the Opposition support our young people being taken for a ride by bodgie cleaning contractors? One could go on until the end of time, but those are the kinds of situations Opposition members are defending.

Sure, I did not expect this Bill to come into this Parliament and not be hotly debated, bearing in mind the recommendations of the tripartite committee. I knew that better than anyone. I was aware there were areas of disagreement where the Government had to apply its policy. However, Mr Masters has forgotten to say during this debate that the tripartite committee examined 78 separate items and agreed with over 30 of them.

Hon. I. G. Pratt: And disagreed with the rest.

Hon. D. K. DANS: The committee did not reach any conclusions on these. The member should read the report of the committee. There was no attempt to cover it up. It was brought in, warts and all, as I said it would be.

I shall just touch on one aspect where Mr Masters revealed himself to me as a person who had not read the Bill. He said, "Why is the Government amending section 101 to take away the right of the Industrial Commission to charge a person with contempt?" It was a unanimous decision of the tripartite committee that that should happen. Do members know why that happened? It happened because, for a number of years, people in the industrial arena who have gone to the commission have known full well—there are some very good case histories and a former Premier of this State was going to get dragged over the coals for this—that it was not the right of a lay court to charge a person with contempt.

All we have said is that, if there is contempt of the commission, that contempt shall be dealt with in the Supreme Court. Mr Masters simply took that out. That indicates the way in which he read the Bill. That was one aspect on which the tripartite committee agreed. Therefore, when Mr Masters studied the Bill very carefully, it must have been either late at night, Mr Masters cannot read, or what he sees does not register in his brain.

Hon. G. E. Masters: Did you discuss it with Commissioner Kelly?

Hon. D. K. DANS: Mr Kelly was given all the—

Hon. G E Masters: Did you discuss it with him?

Hon. D. K. DANS: Yes.

Hon. G. E. Masters: And he was agreeable?

Hon. D. K. DANS: He was agreeable because he knew that, at one stage, he was going to charge Sir Charles Court with contempt, but we pointed out to him that it was not the right of the Industrial Commission to charge people with contempt. Contempt is contempt, and, as I have said on a number of occasions in respect of penalties, where people get involved in a fracas on building sites or anywhere else and physical violence occurs, it is not the right of the Industrial Commission to deal with it. We have the law—the Criminal Code, etc.—to deal with it, and no-one can argue with that.

To be more specific, the community is hearing from this Opposition the same inhumane views as those expressed by opponents of William Wilberforce when he was fighting to end slavery. I do not doubt that if one traced Mr Masters' ancestors, one would find they were violent opposers of William Wilberforce, because Mr Masters is violently opposed to the Bill, and those sorts of attitudes are usually hereditary traits.

Hon. Neil Oliver interjected.

Hon. D. K. DANS: There are good and bad Methodists, as there are good and bad Catholics. Indeed, there are good and bad Jews and good and bad Masons.

Several members interjected.

Hon. D. K. DANS: In principle the views are the same. We see the basic denial of the worth of another human being, so vested interests can continue their exploitation of another class of people. That is exactly what the Opposition is holding up. That is what Mr Kusel was trying to say when he had Mr Masters over there, teaching him what he must say. Finally, Mr Kusel decided Mr Masters was such a bad pupil that he got a lawyer to do the job; he is not all that well trained either, but he then caved in, as the seagulls tell me.

Hon. Neil Oliver: That isn't a bad speech.

Hon. P. G. Pendal: You know what else the seagulls do, don't you? I think it is all in that speech.

Hon. D. K. DANS: And when this is finished, it will be all over the member. I know they are very strong words, but they are apt.

Hon. I. G. Pratt: Who actually wrote this speech?

Hon. D. K. DANS: We have been putting this together for some time, Mr Pratt, and there are only some little headings. Mr Pratt can have them later.

Hon. I. G. Pratt: You have been putting this speech together for some time?

Hon. D. K. DANS: The member can get on his feet and make an independent contribution to the debate. The member has been here for many years now and I have been hoping that he will come good, but, to date—

Hon. I. G. Pratt: Mr Dans, confide in us and tell us why you have taken so long to write this speech.

Hon. D. K. DANS: —that has eluded the member, but he should keep trying.

Hon. I. G. Pratt: Why have you been taking so long to make this speech?

Hon. D. K. DANS: All the world loves a trier, Mr Pratt.

Hon. I. G. Pratt: I am trying to help you, Mr Dans.

Hon. D. K. DANS: Mr President, may I address a remark to Mr Pratt? May I suggest that the member goes outside and tries to help himself because that will do a lot more for him than he has already done. I appreciate the member's offer of help, but, quite frankly, I do not require it.

Hon. I. G. Pratt: You were about to explain why you have been preparing this speech for a long time.

Hon. D. K. DANS: I knew a while ago what Mr Kusel instructed Mr Masters to do, so forget it. In simple terms, this Opposition is still trying to act as the discredited former Government.

Hon. Garry Kelly: A Government in exile.

Hon. D. K. DANS: It is still representing the narrow vested interests and the financial position of some people.

Hon. P. G. Pendal: Housing, home buyers, subbies.

Hon. D. K. DANS: It is too much for them.

Hon. P. G. Pendal: Builders.

The PRESIDENT: Order!

Hon. D. K. DANS: It is too much, and they would like to deny some protection to a very small class of exploited workers in the building, transport, and cleaning industries by allowing them to receive a fair living wage from the Industrial Commission. It grieves me that people still adrift in the community are expressing exactly the

same views as those people who condemned William Wilberforce for trying to abolish the slave trade. He was not dissuaded. He kept on, and of course the slave trade eventually disappeared.

I want to make a few quotes. Up until today Mr Medcalf, I notice, was agreeing with me.

Hon. I. G. Medcalf: I was just wondering about the similarity with Wilberforce.

Hon. D. K. DANS: What some of the very small group of people in the industry are doing is working for less by far than award wages—not a very big group of them, but some—and this practice should be stopped for the very reason I gave at the beginning of my speech. In the hysterical atmosphere that has been whipped up, Mr Kusel, his friends, and Mr Masters have been talking about hundreds of thousands of dollars and trying to paint a picture that every reputable builder, transport worker, and cleaning contractor in this State does the same thing, and that is not true at all. We are only talking about a very small group.

It is important to distinguish the class of workers that this amendment will affect from somebody exercising free will.

As Lord Henley L. C. said in the case Vernon *v.* Bethell (1762)—

Several members interjected.

Hon. A. A. Lewis: Come on Dans, fair crack of the whip. Don't read any more of that.

Hon. P. G. Pendal: Who stuck that bit in?

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. DANS: What is the member getting worried about?

Hon. J. M. Berinson: His conscience.

Hon. D. K. DANS: The member's conscience is worrying him.

Hon. G. C. MacKinnon: Bring in a few words like "resile" again.

Hon. D. K. DANS: To quote what Lord Henley said—

> Necessitous men are not, truly speaking, free men, but will submit to any terms that the crafty may impose on them.

Hon. G. E. Masters: Who wrote that speech?

Hon. D. K. DANS: The crafty are the people that Mr Masters and the member are protecting here tonight. This fact also reflects the need to have section 88F of the New South Wales Industrial Arbitration Act in our Act. This provides, in part, for any person performing work in any industry, redress where contracts entered into are unfair, harsh, unconscionable, against the public interest, or provide for remuneration less than awards or avoid award provisions.

That is what we are talking about in cases where a contract is unfair. I suppose most members, including Mr Wells, would have a number of trade unionists and a number or ethnic workers in their electorates.

Hon. P. H. Wells: I know a lot of them personally.

Hon. D. K. DANS: I have many ethnic people in my electorate, particularly people who have come to Australia in the last few years and who even find it very difficult to fill in a form. On many occasions when they come to see me thinking they have been dudded, to use their term, and I see the conditions they are working under, I have to be pretty hard-hearted not to let it affect me. There are plenty of such cases. We must not laugh this off as something that some left-wing unionists wanted to impose on them, because that is not the case. Many reputable builders in this State support them. Many reputable transport companies support this legislation in its present form.

Hon. P. G. Pendal interjected.

Hon. D. K. DANS: I heard what the member read out there. Never in a prayer was it the people we spoke to. Our extended definition of "employee" is based on the need to support the maintenance of the industrial conciliation and arbitration system from its awards being avoided. Even in the so-called industrial policies put forward by Ian MacPhee—and I have a great regard for Ian MacPhee; I confess here and now there are problems with our arbitration system in Australia, and we have some of them in this Chamber—he says—

> There must be minimum conditions and the commission will set on site the minimum rate.

What is the minimum rate? The minimum rate is the award rate, not the minimum wage.

Hon. Neil Oliver: That is not what the Premier said.

Hon. D. K. DANS: I am not worried about what the Premier said. As I said, I was not worried about what Mr Piantadosi said. It is like the old story of "Who is robbing this coach, you or Ned Kelly?"

Hon. G. E. Masters: You made a big mistake, Sam. You dropped a clanger.

Hon. D. K. DANS: Let me quote another example. A clear example is the recent case reported in 64 WAIG, p. 346. This concerned a sal-

aried design draftsman who was forced to enter a contract for services a mere six weeks before his 10 years' service with his employer had elapsed. Members should listen to this. If I wanted to bore them I could quote here tonight thousands of cases like this.

Hon. Garry Kelly: Just before his long service leave was due?

Hon. D. K. DANS: Yes. The new arrangement therefore denied this person *pro rata* long service leave which would have been due to him in six weeks. I quote from the decision of the chairman of the board, as follows—

> I accept that an employer, anxious to escape from his statutory liabilities under the Act, may offer to an employee, and indeed press that employee to take up, a contract for services, thus depriving that employee under a contract of service of the benefits which the award confers upon him.

Plenty of examples of that can be found almost daily. The department has inspectors out in the field recovering wages all over the State in areas that are heavily unionised. Just recently we examined a case in a south-west town and I gave the instruction not to just go along and look at one business, but indeed to look at all the other businesses in the town, because if the officers went only to one place it would look a bit pointed. We found that a particular gentleman had been underpaid some $900, but, lo and behold, when we went through the whole town we found that not one business in that town was paying an award rate, nor were they complying with the Act in keeping time and wages books. I must confess I could do very little about it because of the cost to most of the businesses. If I had taken them to the cleaners or to the court, I would possibly have put them out of business.

Hon. W. N. Stretch: That would tell a story.

Hon. D. K. DANS: They pleaded they were ignorant. Since then they have been paying award wages and are happy to do so. The fact is that one could travel from Wyndham to Albany to Kalgoorlie and to some of the places we might regard as bastions of trade unions; the complaints we get from people who are afraid to give their names are many. The complaints we receive from young girls who have been sexually harassed and who are afraid is frightening. Believe it or not, that is part and parcel of what we are trying to fix in this Bill.

Underlying these proposed changes is the need to support the continued existence of the conciliation and arbitration system against attempts to avoid the awards of this system. Increasing avoidance of awards weakens this system and results in increasing divisions developing wherever workers perform the same work.

This Opposition—in opposing these amendments, and specifically those that are designed to protect the conciliation and arbitration system—is aiming to destroy this system. This Opposition does not want to see wages set according to equity and good conscience but rather by vested interests that can, through their market power, enforce subsistence wages on workers. This Opposition wishes to encourage avoidance of awards by employers. I can come to no other conclusion. Of course that is true.

Hon. P. G. Pendal: No, you are barking at the wrong member.

Hon. D. K. DANS: The member said it was true.

This policy sits well with the Opposition's support for tax avoidance, as evidenced in the "bottom of the harbour" schemes debate last year. It supports that policy very easily. I am afraid that the Opposition will never come to grips with it and will never realise that we are in the 20th century.

The people of Western Australia do not want the vested, narrow interest policy of this Opposition which can be summarised quite simply as being a supporter of award avoidance, tax avoidance, harsh, unfair, and unconscionable work contracts, and opponents of the industrial system that has existed in this State and across Australia since federation. One cannot reach any other conclusion. I have tried very hard to find some reason for the Opposition's attitudes. Of course, that was prior to some few weeks ago when I knew the Opposition had received its instructions from its right-wing friends in the WA Chamber of Commerce, and of the difficulties they were experiencing in trying to teach Mr Masters how to come in here and put forward their views.

Vested interest groups have made baseless claims on the impact that the change to the definition of "employee" would have on home building costs. I specifically refer to a claim by *The Sunday Times* that building costs for an average $30 000 home would rise by $15 000. I say that *The Sunday Times* made up that figure, because Mr Stephens from the Housing Industry Association has stated he did not make such a claim.

Hon. Neil Oliver: How did you work out your figures?

Hon. D. K. DANS: Even though the newspaper attributed that comment to me, the editor in his usual balanced manner did not publish my detailed denial of the $15 000 claim. I refer to the

letters to Mr David Webb. As another journalist said to me, they gave some backhanded kind of apology, but since then Mr Stephens has admitted that he never made such a claim.

A member: It was *The Sunday Times*.

Hon. D. K. DANS: I am not blaming the Opposition for that. I am just saying one gets among the community and scores the points for them through assertions and incorrect statements.

Hon. Neil Oliver: Where did you get your facts from, Mr Dans?

Hon. J. M. Brown: You are still asleep.

Hon. P. G. Pendal: Where did they get that $4 000 figure from?

Hon. D. K. DANS: Where did I get my information from?

Hon. P. G. Pendal: The great Ministers over there.

Hon. D. K. DANS: I am only relating the facts to the House. I am trying to say to the Hon. Neil Oliver that what he is doing is wrong.

Hon. Neil Oliver: I do not know what I am doing wrong at the moment.

Hon. D. K. DANS: I do not know what the Hon. Neil Oliver is doing at the moment, but he is not being very intelligent.

The proposed amendments to the definition of "employee" are necessary because the common law description of a master and servant relationship no longer accords with the way in which work is performed today by persons working for substantially labour only charges. The evolution of English private law over the last seven centuries is the origin of our present master-servant common law. The historic background to that evolution is not relevant in today's society. It has been known for a long time by people who are in the industrial relations arena.

The then Senior Commissioner Kelly in his review of the Industrial Arbitration Act in 1978 stated—

> The common law test of discerning whether a relationship is one of an employer and employee or one of employer and independent contractor are often less than satisfactory in the modern industrial relations context. Lord Denning of the Privy Council stated that it is almost impossible to give a precise definition of the distinction between a contract for services and a contract of service. This is because statute law has not provided directions for the course in this area. Statute law has been slow to bridge this gap.
>
> These amendments will bring clarity to this next question that courts have to grapple with because statute law has not provided the necessary direction to cope with the 20th century working relationship.

No doubt, that is one of the things to which the Hancock inquiry is addressing itself now, and I am sure the Opposition will make a submission to it. I hope it does—I am not being smart.

The courts have recognised that employees under the guise of "independent contractors" have entered into such arrangements so that work can be done for less than the award rate. I refer to Gascoyne *v* McGowan, 1941, pages 645 and 648 of the arbitration reports.

There is a significant cost to the community of the present subcontracting system. If one adds those costs—and this is the matter the Opposition wants me to speak about—to the cost of building a house, the lower cost becomes more apparent than the real cost. Specifically these costs are income tax revenue forgone, high bankruptcy rates among builders and tradesmen, unemployment payments, loss of workforce skills as price cutting makes it uneconomic for tradesmen to continue to work in the industry, industrial accidents, and social costs which come from living on the poverty line. They are all real things, and we did not arrive at those conclusions lightly.

This Bill is the result of a vigorous and extensive process of consultation which began in April 1983 and is still continuing. At that time the Government established the interim tripartite labour consultative committee to consider and report on a review of the Industrial Arbitration Act, and in total 114 submissions were received.

For the record let me say that that interim tripartite committee became a committee in reality when I put the Bill through this House. As a result of the Government's inexperience in entering this arena it probably faced up to the situation quite wrongly. I have been reading of late what happened in South Australia under a Liberal Government. Members may recall that the Liberal Government of the day gave a commission to a magistrate—I cannot recall his name—to inquire into the State's industrial laws in a tripartite situation. His report was completed, but the Liberal Government lost office.

Members may also recall that the deputy leader of the new Government, Mr Jack Wright, who was also the Minister for Industrial Relations, had to threaten the previous Government with a court action to get the report of that committee. The committee report was excellent, because rather than bring the recommendations back to a

committee it has actually rewritten the Act. Every clause in that Bill was agreed to in principle, including the very thorny question of subcontracting. I must confess that it is a different proposition.

It has just been pointed out to me that the person who conducted that inquiry was Mr Cawthorn. That Bill will go into the South Australian Parliament. As I understand it, it will go through the Assembly and the upper House unchallenged. The Bill addresses itself to all things the Opposition is going crazy about.

Hon. Garry Kelly: Bananas!

Hon. D. K. DANS: Yes, that is another good term. It seems that the South Australian Government can come to an agreement regarding this situation. A similar type of legislation has been operating in New South Wales since 1959, and for years a similar Act has been operating in Queensland. That legislation has not caused the problems which have occurred here.

Hon. P. G. Pendal: Why do you refer to the inquiry in New South Wales? Last night you did not know about it.

Hon. D. K. DANS: We are quite aware of what happened in New South Wales, but the underlying feature is that the sections to which I am referring in the New South Wales legislation remain in the Act.

Hon. P. G. Pendal: Tell us what he said at the inquiry?

Hon. D. K. DANS: No, the Hon. Phil Pendal told me that last night.

The falsehoods must be answered in order that the community can see for itself the cheap and crude methods the Opposition uses to spread unnecessary concern in the community. This policy of using rhetorical slogans shows up the lack of substance and vision which is the hallmark of the Opposition.

While we have tried to make it easy for Opposition members to debate this legislation by offering to remove two of the clauses completely, that did not imply that they had to agree to any of the clauses in the committee stage, so one can only assume what I said before—that they are afraid they cannot and that they are incompetent.

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. DANS: I will not sleep on it, Mr Pendal. I know which people will sleep on a bed of nails—do not make any mistake about that. We are still the Government, and I am still the Minister for Industrial Relations.

Hon. A. A. Lewis: Not for long.

Several members interjected.

Hon. D. K. DANS: One of the good things about being the Minister for Industrial Relations, particularly in a Labor Government—and I have heard it applies in Liberal Governments—is that no-one ever wants the job.

Hon. A. A. Lewis: After a couple of the mistakes you have made, you will have to be sacked.

Hon. D. K. DANS: I am in no danger.

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. DANS: When I leave this Chamber I will still be standing here.

Hon. A. A. Lewis: When you leave the Chamber, you will still be standing here—that is right!

Hon. D. K. DANS: The Opposition is very unsure of itself.

Even after nine years of continually amending the Industrial Arbitration Act the Opposition still does not understand some of the amendments—and I mean some of its own amendments. It is hoped the legacy of the Opposition's inability to understand the need for rational discourse in industrial relations will be removed by the Government's proposed amendments. However, the Opposition took the unusual step of announcing its decision to the Press before it came to the Parliament, so not only does the Opposition treat this place as some kind of game, but it even bypasses the Parliament.

Hon. G. E. Masters: Didn't you have a Press conference this morning?

Hon. D. K. DANS: That is quite correct.

Hon. G. E. Masters: Didn't you make an announcement before you brought it to Parliament?

Hon. D. K. DANS: The Opposition made an announcement yesterday to the Press that it would reject the Bill.

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. DANS: Therefore, the Opposition treated the Parliament with complete disdain. One would have thought the Opposition would have come into this House and said, "We are not going to do that", and then made a Press statement.

Several members interjected.

Hon. D. K. DANS: A person like Mr Masters only comes along once every 20 or 30 years and the Government loves him. He is the greatest gift to this party.

Hon. G. E. Masters: Will you put that in writing?

Hon. D. K. DANS: I will give the Hon. Gordon Masters an illuminated address so that he can hang it on his wall.

Hon. G. E. Masters: I do not think your signature would do me much good.

Hon. D. K. DANS: The Government's aim has been to try to depoliticise industrial relations. One of the reasons I have consistently stayed away from the Press—and it is one of the reasons I did not become involved in public debate over this Bill; I suppose we all have rather strange quirks—is that I believe the place to debate this Bill is in this House. For the record I will say that I neither encouraged the 61 union members at the demonstration, nor did I encourage the 301 members who met at Gloucester Park. I do not believe that in the final analysis those kinds of actions, or the actions of people writing threatening letters, enhance the question of human relations on the job; incidentally, they are not all that bad.

I think the Government has proved, since it has been in office, that it has consulted with industry. It has had an even-handed approach and that has been welcomed by the industry leaders I have met.

I will digress a moment and advise members that recently I was in the United States, and after giving one of the corporations a rundown on what I thought was the problem in the Pilbara, I was asked if I would meet one of its former industrial relations managers who is now retired but was still retained as a consultant. I was asked if I would meet him in Washington where I was to discuss the general overall position of industrial relations and labour problems—

Hon. I. G. Medcalf: Did you say Washington?

Hon. D. K. DANS: Yes. The consultant met me in Washington—he came from New Jersey—and he said something that surprised me. He said, "You people do not know how lucky you are—particularly in Western Australia. In my opinion you have the finest labour forces in the world and in the Pilbara, where I still go three or four times a year, you have the finest labour force in the world. The problem is, and we have been trying to tell some of our partners for a number of years, that they are so badly managed that it makes us very angry". I was talking to the company which had lost $16 million from that pointless exercise over three apprentices. If members think about that issue they will find it was one of the most horrific exercises of all time and the existing Act made it almost impossible for the Government to resolve that issue.

Hon. G. E. Masters: How was it resolved in the end?

Hon. D. K. DANS: It was resolved by me probably breaking the law—

Hon. G. E. Masters: You wouldn't do that, Mr Dans.

Hon. D. K. DANS: —in order to get them back to work because Mr Masters' Act had the situation sewn so tightly.

Hon. G. E. Masters: You know it was well sorted out and that it resolved itself after a long time. I hope you are not taking the credit for resolving it.

Hon. D. K. DANS: I did not resolve it, one of the commissioners resolved it. Commissioner Collier resolved it. I ask the Hon. Gordon Masters to tell me who resolved it?

Hon. G. E. Masters: You tell me.

The PRESIDENT: Order! The Leader of the House knows that the member would be out of order if he took the opportunity he is extending to give that explanation.

Hon. D. K. DANS: I was trying to learn a thing or two from Mr Masters. However it is well known that he does not know anything and he demonstrated this in his second reading speech. He is hopeless and confirms this from his own mouth.

Hon. G. E. Masters: Tell us.

Hon. D. K. DANS: I will tell the member privately.

Hon. G. E. Masters: Why not now?

Hon. D. K. DANS: I am not supposed to react to interjections and the member is not allowed to interject.

Several members interjected.

Hon. D. K. DANS: What is the real position of this legislation tonight? I believe the Opposition has a complete lack of understanding and knowledge of the industrial system operating in Australia and particularly that operating in Western Australia. It scaremongers, basing its statements on incorrect interpretations and takes those interpretations to extreme conclusions. The Bill introduced before Christmas was withdrawn with the agreement of the Acting Leader of the Opposition in the Legislative Council, Mr Masters, to allow for continued consultation and for changes to be made. It was open to public scrutiny for five months.

Hon. G. E. Masters: You took it away. You picked up your bat and ball and went home.

Hon. Kay Hallahan: You had possession of it for some time.

Hon. D. K. DANS: The amendments are not radical as claimed by the Opposition. They bring the State legislation more into line with Commonwealth legislation; they emphasise conciliation and provide for wider access to the industrial tribunal. Until that happens we shall have situations which are incapable of being solved in the short term.

We propose a rationalisation of industrial tribunals, and I do not think any industrial practitioner would disagree with that. We have the ludicrous situation of having 15 separate arbitration systems operating in the country. The States of Victoria and Tasmania manage to get by with some 400 wages boards and industrial tribunals. People who operate in this area would want to see a consolidation or rationalisation of industrial tribunals. My own thoughts have been put to the House; there should be one system in Australia with branches in the various States. That system would encompass the situation in a manner similar to that which exists with the WA Family Court, which was the result of a fine piece of legislation introduced by the former Attorney General. The Bill has put a greater onus on the parties to resolve their own disputes. Any move to improve relationships between employees and employers seems to offend Liberal Party policy.

The objects of the Bill are to prevent and settle industrial disputes. The first aim is to prevent the disputes, and that point is often overlooked. If we get past the preventative stage, the object then is to settle. It is mischievous for the Opposition to state that industrial disputes will be allowed to drag on indefinitely. One aim of this legislation is to achieve speedier settlement of disputes. If Opposition members read the Bill carefully they will find the proposed system would become the most speedy in Australia. However, whether the system is speedy or slow usually rests with the people administering the Act. This will give a great deal of flexibility to get to a dispute and solve it as quickly as possible.

Hon. I. G. Pratt: Is that what happens in New South Wales?

Hon. D. K. DANS: I am talking about Western Australia at present, not New South Wales. I would not want to come within a bull's roar of the provisions in that part of the New South Wales legislation.

We were looking for a simple system with the emphasis on conciliation and speedy resolution of disputes. It is not true to say we have removed all the penalties. We have provided for only one penalty to be imposed and many people agree with that decision. Mr Masters said that that penalty is chickenfeed. However one penalty is imposed for any offence whatsoever at any stage of the dispute, conciliation or otherwise; that is, a $2 000 fine.

It can be seen upon reading the Bill carefully that deregistration of a union would become a very speedy process rather than making it impossible to deregister people.

Hon. G. E. Masters: That is not right.

Hon. D. K. DANS: It certainly would make it speedy. I know the intention of the Bill and how it would operate. I still believe that deregistration is the ultimate threat against any union. No union wants to be deregistered. A union may give cheek, but when it reaches the stage of deregistration the dispute is generally resolved. No-one wants to deregister unions, but if provision is made for deregistration it is a more effective deterrent than any fine.

Hon. G. E. Masters: Would you agree that suspension of registration is quite effective? It solved the ETU dispute.

Hon. D. K. DANS: A few other things were involved, although that was one factor. Suspension is just another word for deregistration. The ETU could not have afforded to be deregistered. In that particular dispute 70 per cent of union members were working.

Hon. G. E. Masters: Many of them in that dispute were under great threat.

Hon. D. K. DANS: It was just as difficult for me in that dispute to stop some of the contractors paying as it was to get the people back to work. Above all, they had a good case in that dispute; people on both sides said the agreement was in black and white. They were caught by the wages accord and the guidelines. In no way could we allow the union to proceed because the accord and wages restraint would have gone down the drain. It was a harsh situation and I did not like being involved in it, nor did any of the participants.

Hon. G. E. Masters: It was a terrible strike.

Hon. D. K. DANS: That is true. The contractors said that they entered into the agreement, went to the court, and had it put in the award. That was a difficult dispute to solve. Had we not had our accord there would have been no dispute and everything would have been fine and dandy. Unfortunately that union, and I had great sympathy for it, was caught in that situation and we could not allow those people who wanted to pay the money to do so. We had to make that very definite in a number of areas.

Hon. G. E. Masters: Some terrible things went on.

Hon. D. K. DANS: Yes, I know. Desperate men do desperate things. That should always be remembered.

Hon. G. E. Masters: Who were the desperate men working for? Not the working men.

Hon. D. K. DANS: There is a point where commonsense goes out of the window. We are dealing with human beings after all. Kangaroos go to the same waterhole every night, no matter how many one shoots. Human beings are individuals and that is one of the things Mr Masters fails to understand.

Hon. G. E. Masters: I know kangaroos go to the same waterhole.

Hon. D. K. DANS: I know, and if one shoots a man, he never comes back again.

The question of allowing the Industrial Commission to alter or vary contractual arrangements which are determined to be either unfair, harsh, unconscionable, against the public interest, or designed to avoid industrial awards, has been in operation in legislation in New South Wales since 1959. All this provision is aimed at doing is supporting and protecting industrial standards and providing a much-needed avenue for individuals to seek redress where contracts relating to the performance of work have unfairly or harshly taken advantage of such individuals. That happens almost daily, and each and every member of Parliament here, including Mr Pendal, who has constituents coming to his office, must encounter these problems from time to time. There is very little or nothing one can do to obtain redress.

This will be of great assistance to small businessmen as the New South Wales experience has shown, who, in terms of contract negotiations, are in very weak bargaining positions. The existence of repressive contracts is well known to businessmen in many sections of industry.

I shall give members an example of this. Some members claim to be experts in the business field—small or large. I have a friend who is a printer. He has a good printing business. He employs 10 or 11 printers and they are all mates. I know one big transport firm and they surprise me—they do not pay the printer for nine months, so he becomes their banker. The threat is, "If you want to collect your money for the last nine months, you won't have the contract any more".

I could go on and on and every member of this Chamber, if he is honest, would be aware of situations like that. That is not the exact situation with which we are dealing, but plenty of people have entered into these bodgie contracts. Again I say this is not the regular position.

This is where the Opposition comes unstuck. It takes too big a brush, uses too big a canvas, and points out to the public that it will cost hundreds of thousands of dollars to do these things. It paints a picture that every small businessman, every contractor, and every subcontractor in this area—indeed, every contract that is made—will be challenged with the commission. That is nonsense. There are not many in this position, but there are too many and it is about time it was stopped.

The Australian experience of a fair go is still abroad, but there are people in the community who, because of the current economic circumstances, as they always have done, take advantage of the situation.

Many small businessmen may well ask why the Opposition is opposed to their having this avenue of redress. Whose interests are the Opposition representing in trying to prevent this provision being passed? Only the party that performs the work designated in a contract can seek redress. Nobody else can do that; it is only that individual who can. If he goes along to the commission, puts his case, and it is found that he is doing some of the things or trying to do something someone has suggested tonight he may do, he will be thrown out of court.

What annoys me is that the implication has been made that somehow or other the industrial commissoners in this State, performing a very fine job under very difficult circumstances, are not competent—

Hon. Garry Kelly: Are irresponsible.

Hon. D. K. DANS: —or are irresponsible. It is difficult to get people to serve on the commission. As Mr Medcalf would know, it is difficult to get judges to serve in the Supreme Court. No-one wants to go into those positions. People certainly do not want to become industrial commissioners.

When we appointed the last commissioner, Mr Salmon, Mr Masters would be aware that he was offered the job by the Tonkin Government and by previous Liberal Governments, and it took a lot to talk him into accepting the position. Had he not accepted that position, it would have been well near impossible to get someone competent enough to do so. Sure, we can get people who just want an easy ride and have no expertise in this field. We can get any number of those people. We can get an articled clerk and make him the Chief Justice. We can do that if we are up against it, but we would have to be really up against it to do so.

The people on the commission are very competent and would know how to deal with this kind of situation.

The Opposition's flair for making reasonable and necessary legislative change sound extreme and arbitrary in its effect is highlighted here. It is stated by the Opposition that contracts freely entered into will be subject to alteration by the commission and that "deals"—to use the Opposition's term—will no longer be "deals". This new provision which has been in operation in the New South Wales Industrial Arbitration Act since 1959 recognises that not all contracts are freely entered into. Further, it recognises that small businessmen who, in many cases, are in practical terms employees, need protection against contracts that contain provisions which are unfair, harsh, unconscionable, against the public interest, or attempt to circumvent award obligations.

In a book titled *The Common Law of Employment* by the Law Book Company, written by three eminent members of the legal profession, section 88F of the New South Wales industrial Act was referred to as a "settled, workable, and useful piece of legislation". Had it not been, it would have been thrown out of the Act years ago.

I turn now to the definition of "employee". Originally this was based on the master and servant relationship rather than on other contractual arrangements which have now become more prevalent.

That approach has led to anomalies, when it is remembered that the judicial interpretation of the concept of "employee"—that is, the master and servant relationship—is geared to the 19th rather than the 20th century notion of the employment relationship.

The need for legislative change is well examplified in the findings of the New South Wales Industrial Commission inquiry into the transport industry in 1970 and the then Senior Commissioner Kelly's report and review of the Western Australian Industrial Arbitration Act 1978.

We come now to the other matter which seemed to stir up people; namely, the definition of "industrial matter". Paragraph (j) of the proposed definition of "industrial matter" reads as follows—

> any matter, whether falling within the preceding part of this interpretation or not, where—
>
> (i) an organisation of employees and an employer agree that it is desirable for the matter to be dealt with as if it were an industrial matter; . . .

What is wrong with that? It is quite different from what members of the Opposition have been saying outside. There is nothing wrong with that. It is where they agree. It continues—

> (ii) the Commission is of the opinion that the objects of this Act would be furthered if the matter were dealt with as an industrial matter.

There are two aspects to be considered: Firstly, the parties must agree to it, and, secondly, the commission has to say, "Okay. I agree this is a matter we can deal with".

Hon. G. E. Masters: You agree it is one employer, don't you?

Hon. D. K. DANS: It relates to an organisation of employees, and an employer. There is only one employer. Naturally there are more employees than employers.

Hon. G. E. Masters: I am saying one employer could make an arrangement which could flow right through.

Hon. D. K. DANS: As can be seen from the complete definition, the commission can invoke the discretionary power only where the employer and employee agree that it is desirable for the matter to be dealt with as an industrial matter.

That is quite different from what Opposition members have been telling the people outside the House. The parties themselves will decide whether the Industrial Commission should be asked to assist in such matters. I want Mr Masters to listen to this. There is ample evidence of it; for example, the Mt. Newman Mining Co. Pty. Ltd. dispute in 1983 over the employment of apprentices would support the need for such a provision.

Here again can be seen the objective of allowing the parties directly concerned to decide. It also increases the access parties have to the Industrial Commission, and therefore it will improve the speed with which disputes can be resolved.

Had that prescription been there when the Mt. Newman dispute occurred, we could have settled the dispute in less than a week. I have no doubt about that. That is what we had to do in the long run.

The point I am making is that even in these few examples it can be seen that the stuff peddled around in the public arena by members opposite had no semblance of truth whatever. That is the reason the Government is anxious to debate this Bill in the Committee stage. It will give us an opportunity to provide explanations of every clause in the Bill. We would be able to refute all the allegations and distortions that have been made by the Opposition under the instructions of its right-

wing masters in the Perth Chamber of Commerce.

Hon. N. F. Moore: No-one has instructed me, Mr Dans.

Hon. D. K. DANS: I reject the imputation that we brought the Bill here hoping it would be thrown out. That is wrong. I reject the allegation that we are in the grip of left-wing unions. We have extended the olive branch. We want to debate the Bill in Committee so that we can record our explanations. That is the part members opposite do not like. They do not want the explanations and the truth recorded in *Hansard*. That is the reason members opposite are not prepared to take this Bill through to the Committee stage.

Hon. Kay Hallahan: They want industrial disputation.

Hon. P. H. Lockyer: What a stupid statement.

Hon. S. M. Piantadosi: You thrive on it.

Hon. D. K. DANS: That is about the only hope the Opposition has of stirring up the population—trying to promote confrontation. We have ample evidence to show that that is the role taken by conservative Governments in this country; it is called "divide and rule".

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. DANS: I do not know why simply telling the truth in this Chamber invites all these interjections. I could well understand it if I were telling lies, but when I tell the truth, it worries me.

We then come to conciliation proceedings. One of the aims of the Bill in emphasising conciliation is to encourage the parties directly concerned and the commission—where necessary—to deal with the causes of disputes rather than their effects. What in the name of heaven is wrong with that? In other words, disputes are more likely to be resolved faster, thereby significantly reducing their effect.

One of the problems of our current system is that a stoppage has to occur before any effective action is taken. It is a crazy situation. The Opposition, though, still objects to our proposals. Our legislation provides that this procedure would be a requirement; people would be required to have a look at the cause of the dispute rather than its effect. The people involved would have to talk about it.

Clause 21 proposes to give the commission, when using conciliation to resolve a dispute, the power to issue directions and orders when considered necessary. Some countries have a compulsory conciliation system; the people there are compelled to conciliate. If they do not reach agreement they can go away and do what they like. I have always been a great believer in conciliation. It can work; it has worked for me on many occasions.

Conciliation proceedings would prevent the deterioration of industrial relations while conciliation or arbitration resolved the matter; they would enable conciliation or arbitration to resolve the matter. They are commendable objects and even Mr Masters could not object to them if he thought the matter through. The commission will still be able to issue return-to-work orders. This seemed to send Mr Masters into one of his usual anti-union tirades.

Hon. G. E. Masters: You carry on and read all that is written into the Bill, and it will still be very difficult.

Hon. D. K. DANS: No, it will not; but we will never find out because I will have to operate in the industrial relations arena by administrative action.

The Opposition is correct in presuming there would no longer be suspensions of union registration. This power would be removed and the commission would be able only to cancel union registration. This is the part Mr Masters loved. With the emphasis on conciliation and the broad range of powers the commission would have for enforcement of its conciliation orders, deregistration proceedings could be expected to be rarely required. The knowledge that deregistration proceedings carried only cancellation might well moderate behaviour before that stage was reached. As I said previously, the commission would still be able to issue orders for the enforcement of awards during conciliation proceedings.

No-one in his right mind would get up and say that the Act introduced by Mr Masters has worked, because it simply has not worked. It is the only Act in this State that has been opposed by both the unions and the employers.

Hon. Kay Hallahan: It was not meant to work.

Several members interjected.

Hon. D. K. DANS: I point out to Mr Oliver that I will not be standing again, so I do not need to look for endorsement. I am in the happy position of not having to look out for knives in my back or my front, or having to go before preselection panels or anything else. If I wanted preselection, I would get it.

Mr Masters spoke about the penalties. Penalties have not worked since the beginning of time, and they never will work. Deregistration remains

as the ultimate penalty for unions which do not meet the obligations required of them under the industrial legislation. The commission would have the power to issue fines of up to $2 000 where persons fail to comply with any provision of the Act or direction or order issued by the commission.

Mr Masters said the penalties were peanuts, but we are talking about any offence being liable to a fine of $2 000. There could be 10 offences in one day.

The next subject is compulsory unionism—a horrifying thing to members opposite. The Opposition claims that the Bill enforces compulsory unionism. This is blatantly untrue. The Bill simply continues the commission's previously long-held jurisdiction to deal with matters related to membership or non-membership of unions. That is all it does. It is a system that worked adequately for years and it was a system put forward by the commission itself in the first instance. It always worked well.

I come now to ministerial interference. New section 80ZE would allow the Minister to refer to the commission for inquiry any matter which affects or may affect industrial relations. A similar provision exists in the Industrial Arbitration Act. It would be a useful source of independent judgment.

Is there anything wrong in getting a skilled person from the commission to conduct an inquiry on our behalf? We would not be bound by his findings. If he recommended a change to the legislation, that recommendation would have to come to Parliament.

What nonsense it is to say what the Opposition has said in various pamphlets and other guff it has spread around the neighbourhood about the question of specialised tribunals. Mr Masters has suggested in a newspaper interview that the reason I wanted rationalisation of the tribunals was to appoint Labor Party people to the commission.

He should know as well as I do that I do not need to amend the Industrial Arbitration Act to do that right now. If I wanted to take it into my mind tomorrow to appoint another 10 industrial commissioners, without amending the legislation I could go and do it, so when the member makes those stupid statements it makes me doubt very much whether he has even read the Bill or understands anything about it.

The rationalisation of tribunals is very important in bringing about greater uniformity of treatment of employees. This will be important in maintaining the policy of wage restraint as presented in the Prices and Incomes Accord. The potential for leap frogging will be reduced.

Anyone who knows anything about tribunals must support my contention that there are simply too many tribunals in Australia. We pleaded for uniform railway gauges, uniform divorce laws, uniform company laws, and uniform stock exchange laws, but we have never tackled the thorny problem of uniform industrial laws. I am not talking about a central system operating from Canberra. I am talking about a uniform system—

Hon. Neil Oliver: I suggested that and you criticised me.

Hon. D. K. DANS: —similar to the way this State operates its Family Court. It works under a Federal jurisdiction with its own judges. Picture a commissioner in North Queensland giving an increase of, say, $3 a week in a certain case. By the time that decision has bounced down the east coast of Australia through all the tribunals to WA, the figure has probably been increased to $10 because everyone wants to be loved just a little. Then it bounces back again and we get this horrible word "nexus". Then we get different commissioners in the same jurisdiction of the Commonwealth on the same day, dealing with the same industry, giving different decisions. These are ready-made prescriptions for industrial problems. There is the sense in the Commonwealth's thinking.

I was on a couple of committees when we were in Opposition and certainly now we are in Government we are trying to address those problems constitutionally. I often get concerned that we go about it the wrong way. We go along and we say we all agree with this, but before we go away everyone is saying, "Look, you cannot do this because the Constitution says this, that, or the other thing". The proposition I will put in the future is this: We will put together a change of wording in the way we think fits, and go along to the lawyers and say, "Fit it into the Constitution because the present system is crazy and it is killing us".

Hon. Neil Oliver: Is that what you have got in the Bill?

Hon. D. K. DANS: I was not talking about the Bill. I was talking about the fairly feeble effort in the area in which we can operate regarding rationalisation of tribunals—something that was mounted by Mr Masters in the Press. He said I was going to use that to provide for more commissioners. I do not even have to amend the Act to do that. I could go out now and make every left-wing unionist in Western Australia a com-

missioner. I could stop the unemployment problem by making them commissioners.

Hon. I. G. Pratt: I thought you would make them advisers.

Hon. D. K. DANS: Not I. We simply have not received an answer on the question of advisers. It is not the subject of this debate, but we have not received an unequivocal statement from the Opposition that when it becomes the Government it will not use advisers. My advice to members opposite is that advisers are a great help and, I am sure, the success of this Government will prove that.

Hon. G. E. Masters: If you retire—

Hon. D. K. DANS: I do not want to be jocular, but I have always made the statement that when I retire, I retire.

The Opposition claims that the Government will use this change to appoint more employee representatives to the commission.

That is crazy. We do not want to swamp the commission. All I am currently trying to do is to return the balance to the commission, and we have done that. The Opposition disturbed that balance when it was in Government and it appointed Mr Fielding as a commissioner. I am not blaming the Opposition for that. Perhaps it was a very difficult task for it to get the right blue collar worker. Mr Fielding has operated very successfully with the Collie miners and in other areas, but the previous Government disturbed the balance. The balance is there now, at least for the time being, until I decide to swamp the commission, without coming here, with all those people I said I would put on the commission if this Bill went through. I can do it without the Bill, but I assure members that I have no intention of doing any such thing at this time.

Hon. Kay Hallahan: He would not bring in an unfair Bill, either.

Hon. D. K. DANS: Regarding retrospectivity, the commission already has the power to grant retrospectivity.

Mr Gayfer was not in this Chamber at the time of the debate in 1973. This amendment merely seeks to bring Western Australia into line with Commonwealth legislation in this regard and to allow for greater flexibility in dealing with matters. The extending of recovery of underpaid benefits to six years is in accord with Commonwealth legislation and the civil court time limit for recovery of debts.

What is wrong with that? A person could go along to the civil court—if he happened to be under a Federal award and he had been working for someone for a long time who was knocking him off for the right amount of money—as every person who has an unpaid debt is able to do, and claim retrospectivity for the previous six years. If Mr Gayfer had a debt owing to him he woud be able to go to a civil court and claim retrospectivity for six years; there is no doubt about that, and he knows that. What is wrong with a person who sells his labour and has not been paid the correct amount having the same prescription? There is nothing wrong with that. As I pointed out previously by way of interjection to Mr MacKinnon, that prescription would operate only from the introduction of this Bill. I know that some speakers during this debate have tried to suggest—very crudely, I might add—that this prescription or clause would operate way, way back. That is not correct.

The amendments are aimed at improving on a permanent basis the relationship between employers and employees. One element here is the encouragement of the development of conciliation processes between parties directly concerned. If these amendments were to be carried—and I have no doubt that they will be—they will result in a stronger free enterprise economy built on mutual trust between employers and employees, and a strengthening of the industrial arbitration system, achievements the Opposition obviously wishes to prevent by its divisive and extremist rhetoric.

[Quorum formed.]

Hon. D. K. DANS: Mr MacKinnon said that the Opposition had no time to study the Bill, but there were very few changes in the Bill that was withdrawn on 20 December 1980. That Bill was withdrawn with the agreement of the Government leaders in this House. The comments that were made by the Opposition were that even after nine years we were unable to understand the Act, let alone this simple Bill. Perhaps Mr MacKinnon was being truthful because I can remember no other Bill, with the exception of the local government Bill and the tobacco Bill, that has been brought to this Parliament on several occasions. It will go back and go back, because no matter what Bill we have, unless the participants in its arena have a full understanding of what it is about, no Bill, including the Bill that I have put up, will be 100 per cent perfect. Certainly, the Bill put forward by Mr Masters has not worked because employers in the main will not allow it to work. I refer members to the Moffatt case.

Mr MacKinnon spoke mainly about the past. I should not say it, but he seemed to have the mental attitude that we should embrace some kind of confrontationist philosophy in regard to industrial relations. I do not think the things he said were

constructive at all. He went on to say—and this is rather amazing; it is symptomatic of things the Opposition members have said—"Teachers are not important enough to warrant a separate tribunal". I would like to remind Mr MacKinnon, who is so interested in the past, that teachers have had a separate tribunal for many years.

The important change for teachers, Government officers, academics, and railway officers is they will be able to have an independent umpire to which they can turn. The potential for disruption to the community would therefore be reduced.

Mr MacKinnon spoke about the employees being out of step with future employment patterns and recognition of changing work patterns; things that really have nothing to do with the Bill. He said he supported many aspects of the Bill such as broadening the definition of "industrial matters", public interest to be established before the commission, only parties to awards to vary the awards, democratic conduct of legal affairs, legal remedies against adverse union rule, and the need for amalgamation. He welcomed all that. He sought clarification on the retrospective effects of the Bill. I told him, as I have just mentioned to members, that the retrospective provisions could not come into play until such time as the Bill was made law.

I do not want to go through all of the things he said, but clearly Mr MacKinnon gave us a very good speech based on history and his misconceptions of the Bill.

Mr Atkinson made some observations on the Bill also, but missed the main point again. He objected to the commission's being able to deal with the hours of pastoral workers. Let me say here and now the amendment will not automatically lead to any changes. Organisations will have to apply to the commission for inclusion in the hours of work clause. The commission would then have to decide the merits of the case. The Government's proposals are very sound.

The Government has the mandate for this legislation, a mandate that it received so overwhelmingly at the last State election. The proposals in the legislation were developed through most thorough and exhaustive processes in which all the party was involved.

The legislation is a chance for a new start in Western Australia and for new industrial harmony which will allow us a better future. It would be the best mechanism available through which previously unresolved disputes can be solved and through which harmony and understanding can be reached.

The proposed legislation incorporates nearly 80 recommendations of the interim tripartite consultative committee which was developed for conciliation and consensus. All parties agreed on the rationalisation of industrial tribunals proposed in the Bill, and the wisdom of achieving this end. There was general agreement on the need for an industrial relations commitment complementary to that of other States in the Commonwealth.

It is a Bill in the interest of the community, rather than for narrow vested interests. The Bill provides for a stronger, freer industrial arbitration system, remote from the pressure of party politics. A stronger, free enterprise system will result under this legislation.

Mr Masters talked about consultation and said that the previous Government set up the Ministers for Labor advisory committee. I would like to say to Mr Masters—after reading some of the transcript notes—that he did not consult with anyone before the 1982 amendments were introduced.

Just as a little side issue: When I was thumbing through some files in my office I came across some notes of the review discussions of the Liberal Party committee on industrial relations. The notes stated the time the meeting commenced, 9.30 a.m., on Monday, 13 September 1982.

In those days the committee consisted of Mr George Spriggs, Mr Nanovich, Mr Trethowan, Mr R. Court, Mr P. G. Pendal, Mr I. G. Pratt, Mr G. C. MacKinnon and Mrs Win Piesse. I will not bore members with the details, because it was one of those wearisome meetings and the real thinktank people of that committee really got down to work. The Minister referred to paragraph 30 of the amending Bill which contained the new part VIA.

The Minister was frightened the party room would throw it out. It was the part which dealt with the freedom of choice and compulsion to join a union. Some discussion took place as to the use of the word "person" being desirable instead of the words "employers and employee organisations", which are not neutral. It was thought that the word "person" included corporations as well as all those to whom that expression normally applied.

Mr Court then raised the question of whether the intention of the Bill would result in industrial disputation. The Minister indicated that it was likely. What an understatement! If that was his thinking then, think how worse is it now that he is a bit older. If one is a dill at 10 years one is a dill at 100 years of age.

Age does not bring wisdom, it just brings bald heads or grey hairs. The then Minister indicated that it would be likely that it could result in opposition from major employer organisations. He did not say "left-wing employer organisations". He must have been in a good mood that day. The Minister also advised that notwithstanding anything the Government was able to do on large sites—this is an interesting one—closed shops would continue to exist.

He said that it was what the Bill was all about—getting rid of closed shops, throwing them out of the window. And here he is in the confines of his party room saying, "Listen boys, we can get them with VIA, but really this is not going to get rid of closed shops. We will say this because we have something good going for us. We know we are not going to achieve much with this Bill, but boy can we stir up some industrial strife. We are going down the tube and if we can cause disputes right across, or all around the metropolitan area, it will give us something to hang our hat on". Of course, the rest is history.

The Minister went on to indicate that the area most needed in industrial relations was that of the middle ground; that being the smaller operation. He said, "Forget about the large money companies; they are in cohorts with those left wing unionists".

The transcript continues—

> . . . the subcontractors and their employees. Mr Court indicated that efforts should be made to decentralise industrial relations which to him indicated that shop or industry groups should be encouraged to participate in wage bargaining and that employers always seemed to end up paying for the price of enforcement of choice of union membership. The Minister indicated it was not up to the Government to ensure that union recruitment should continue.

That is a mouthful. It continues—

> Mr Pendal—

Hon. P. G. Pendal: I will quote that letter you wrote to your wife if you are not careful.

Hon. D. K. DANS: It continues—

> —indicated he supported the legislation, however—

Hon. P. G. Pendal: It was a bit too left-wing.

Hon. D. K. DANS: Mr Pendal knows about the person who plays in both camps; all he ends up with is the splits.

Hon. G. E. Masters: You should know.

Hon. D. K. DANS: It continues—

> —he did have private reservations that the objectives would not be achieved.

Hon. J. M. Berinson: Did he say that in debate?

Hon. D. K. DANS: No, he did not say that; he forgot that part. I will say what Mr Pendal said without referring to *Hansard*. He said that if it had not been for the latest stoppage—whatever it was—the legislation would not have been before the Parliament because the Opposition had no intention of amending the Bill.

Hon. G. E. Masters: When was that?

Hon. D. K. DANS: It was when we were debating the 1982 legislation.

Hon. P. G. Pendal: Who did you steal that from?

Hon. D. K. DANS: It was in my office.

Hon. P. G. Pendal: You are unprincipled; you are a bloody disgrace.

Hon. D. K. DANS: I would ask Mr Pendal to withdraw that remark. This correspondence was on file in the office of the Minister for Industrial Relations.

Hon. P. G. Pendal: It is unprincipled.

Hon. D. K. DANS: When I took over that office all the things in that office became my property.

Hon. P. G. Pendal: You have the morals of a rat.

The PRESIDENT: Order!

Hon. D. K. DANS: I do not want Mr Pendal to withdraw that.

Withdrawal of Remark

The PRESIDENT: Order! The Leader of the House has no say in this matter. I am the person who interprets the Standing Orders of this House and I ask the honourable member to withdraw that comment.

Hon. P. G. PENDAL: I do withdraw that remark.

Debate Resumed

Hon. D. K. DANS: Mr President, I did not need that withdrawal.

Hon. P. G. Pendal: He has not got the morals of a rat.

Hon. D. K. DANS: I ask Mr Pendal whether he is afraid of this stuff? This correspondence shows Mr Pendal as a fine upstanding citizen and a person who backs his judgment on all occasions. He comes into this House and says something quite different. Mr Pendal should be very proud

and he should commend me for reading the letter to the House.

Hon. I. G. Medcalf: What about dealing with the Bill?

Hon. D. K. DANS: I am dealing with the Bill—do not worry about that. I am just drawing a comparison with the 1982 Bill and the things that were said in support of that Bill. It is a law which does not work and this is a Bill which will work, but the Opposition is not game enough to go into the Committee stage.

I made an offer to the Opposition that I would withdraw two clauses and it can debate every clause if it likes, because the Government can answer every one of the Opposition's untruths and the Bill can then be thrown out. I would be quite happy if that occurred. The Opposition will not go into the Committee stage because of this kind of tripe—this doublespeak.

The correspondence continues—

> Mr Pendal said that if that was the case the other option was compulsory unionism—the reverse of what is proposed which would lead to political suicide.

Hon. P. G. Pendal: Who said that?

Hon. D. K. DANS: Mr Pendal said it. He indicated as follows—

> In five or 10 years' time an effective collective bargaining system would be the decentralisation of authority which would perhaps be the most effective way of dealing with industrial relations.

I probably agree with him.

Hon. P. G. Pendal: Can you read that again, because I think you have a false document. It was the part about decentralisation.

Hon. D. K. DANS: I am agreeing with that statement.

Hon. P. G. Pendal: I don't care if you agree with it or not, but I am asking you to read it again.

Hon. D. K. DANS: I will repeat it as follows—

> In five or 10 years' time an effective collective bargaining system would be the centralisation of authority which would perhaps be the most effective way of dealing with industrial relations.

Hon. P. G. Pendal: I would agree with that. I thought you said "decentralisation".

Hon. D. K. DANS: I hope Mr Pendal agrees with the next part. It reads as follows—

> Such a system, of course, said Mr Pendal would have to embrace compulsory unionism at the bargaining level—

Hon. P. G. Pendal: Is this still me?

Hon. D. K. DANS: It continues—

> —having regard for these considerations Mr Pendal said there is no other alternative at the moment than to support compulsory unionism.

There is an old saying: There is many a slip twixt the cup and the lip; and from the time Mr Pendal left the party room and came to this House he changed his mind.

Hon. P. G. Pendal: It was not in the party room.

Hon. D. K. DANS: No, this was not in the party room, but when Mr Pendal went to the party room and found that his party supported compulsory unionism he came to this House—

Hon. P. G. Pendal: We have that right.

Several members interjected.

The PRESIDENT: Order!

Hon. P. G. Pendal: Round the sheep up and put them into the abattoir.

Several members interjected.

Hon. D. K. DANS: I am pointing out to the House the brains of members of the Opposition.

Several members interjected.

Hon. D. K. DANS: The document continues—

> Mr Pendal said there is no other alternative at the moment than to support compulsory unionism. The Minister indicated that next year he would put in train action to try and devise a different system of industrial relations for Australia—

Several members interjected.

Hon. D. K. DANS: It continues—

> —which would have an emphasis on private contracts and arrangements.

I knew that Mr Masters did not understand industrial relations at all, and that is an opinion shared by many people in this arena, but I did not know he had gone off his loaf. It is not something that happened in the last couple of weeks, because on reading this document I find that he has become paranoid. He has illusions of grandeur. Not only was he going to fix up the industrial relations system of this State—we all know how he fixed it up so that it could not work—but also he was going to do it for the whole of Australia. He was going to move out of Western Australia and bring his undoubted expertise into play across the length and breadth of this country. All I can say

is, "My godfathers, the people of Western Australia should thank their lucky stars that we won Government".

Hon. G. E. Masters: They are not thinking that now.

Hon. D. K. DANS: The Government had a private survey conducted the other day and it is rather startling—the Opposition is continuing and Mr Masters assists it by doing what I told the Opposition it was doing before the last election. I will tell the Opposition the result of that survey. The Opposition is consistently going down.

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. DANS: The Minister is reported as follows—

> He envisaged separate legislation to deal with private contracts outside the industrial relations system and Mr Pendal said his approach was in line with his thinking.

Hon. P. G. Pendal: I will have to reassess my entire political future.

Hon. D. K. DANS: If Mr Pendal were a horse he would be the greatest steeplechaser of all time—Red Loop would have nothing on Mr Pendal.

Several members interjected.

The PRESIDENT: Order! Let us get some order into this House.

Hon. D. K. DANS: The document continues—

> Mr Pendal said this approach was in line with his thinking.

He considered it should be made part of the policy statement before the next election. It continued—

> The Minister said the current legislation was to attend to compulsory unionism and subcontracting matters.

That was nothing like—

Hon. P. G. Pendal: Would you let us have a copy of that?

Hon. Tom Knight: Will you table the document, Mr Dans?

Hon. D. K. DANS: I will table it if members want me to—I will table my file. The member can read the lot, including the snippets from his green monkey friends up the road.

Hon. P. G. Pendal: Provide us with the name of the officer who gave it to you, because he ought to be sacked.

The PRESIDENT: Order!

Hon. D. K. DANS: Mr Pendal is an extremely foolish person for making such an attack on any public servant.

Hon. P. G. Pendal: Give us the name.

Hon. D. K. DANS: The member had better get in the FBI. It was a properly recorded meeting in my office. I can honestly say here I would never in my life deal with a leaked document. I would put it in the paper shredder. That document was in the filing cabinet in my office. Mr Masters knows that.

Hon. G. E. Masters: I do not.

Hon. D. K. DANS: No, the member would have taken it out otherwise. If there is a change of Government while I am there I will attend to the files personally.

Hon. G. E. Masters: Do you have something to be ashamed of?

Hon. D. K. DANS: Probably something like that, Mr Masters.

In winding up the debate I make it clear I am disappointed that the Opposition has taken this action. I believe the Bill we proposed was a good Bill. I was aware long before it came here that it would be amended; we were quite prepared for that. We went through all the necessary processes. I have said that had I known of the South Australian experience I might have put the tripartite committee together in a different manner.

Hon. A. A. Lewis: Before you sit down, will you start to answer the points made in the debate on this Bill, instead of reading a prepared speech?

The PRESIDENT: Order!

Hon. D. K. DANS: It was very difficult to answer Mr Masters—

Hon. A. A. Lewis: What about Mr MacKinnon who destroyed you?

Hon. D. K. DANS: I answered him.

Hon. A. A. Lewis: Not a skerrick of argument.

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. DANS: This is a good Bill, an excellent Bill. It should be given more consideration by the Parliament. The Liberal Party is a great political party. It is one of the few parties I have ever seen steadily destroy its own integrity while in Opposition. That is a fact. Members opposite will not allow this debate despite the overtures we made to dump two of the contentious clauses. We are not asking the Opposition to pass the Bill.

Hon. A. A. Lewis interjected.

Hon. D. K. DANS: One hears a kind of bull-like roar and when one turns around one is met with a bovine stare; it is Mr Lewis.

Hon. A. A. Lewis: You cannot see this far.

Hon. D. K. DANS: The member would be surprised. He should put his head back in the chaff bin.

It is a good Bill. It was brought here in a serious vein. We did not put up this Bill to have it tossed out here as has been suggested. I believe Mr Masters said on radio that we are now running for cover. He cannot have it both ways. We brought the Bill here in good faith because we wanted it to go through the parliamentary process.

Hon. G. E. Masters: It has.

Hon. D. K. DANS: It has not.

Hon. G. E. Masters: It is going through the second reading.

Hon. D. K. DANS: I remind Mr Masters and I want him to remember that we are the Government and I am still Minister for Industrial Relations, and will remain so. I resent very much the imputation in his second reading speech that we are here to please and appease left-wing unions.

Hon. G. E. Masters: I expected you to dislike that.

Hon. D. K. DANS: I have demonstrated quite adequately here tonight that the decision to oppose this Bill was made by the Chamber of Commerce.

Hon. G. E. Masters: Where was your decision made—with the union leaders in your office?

Hon. D. K. DANS: The Opposition has had this Bill for five months.

Hon. A. A. Lewis: Is this the second or third Bill?

Hon. D. K. DANS: We brought it here in good faith. The Confederation of Western Australian Industry does not support the action the Opposition is taking. Members opposite know that as well as I do.

Hon. Kay Hallahan interjected.

Hon. G. E. Masters: Read their latest Press release.

Hon. D. K. DANS: I do not care what it says.

Hon. Kay Hallahan interjected.

Several members interjected.

The PRESIDENT: Order! The Hon. Kay Hallahan has constantly interjected through the entire debate and I am getting sick and tired of calling for order. Her constant interjections are provoking other people to interject with the result that everybody is in it. I suggest she ceases interjecting and that the Leader of the House totally ignore the Hon. Gordon Masters and address his concluding remarks directly to the Chair.

Hon. D. K. DANS: I will do that.

We are not being controlled by left-wing unions or unions of any colour. I have demonstrated to the House that the decision to reject this Bill was made by the Chamber of Commerce.

Hon. N. F. Moore: That is not so at all.

Hon. G. E. Masters: Read it to me, Mr Dans.

Hon. D. K. DANS: Last week I was assured that the Confederation of Western Australian Industry did not support the throwing out of this Bill.

Hon. P. G. Pendal: Read the statement Mr Masters has.

Hon. D. K. DANS: The only reason the Opposition is not prepared to go into Committee is that it cannot answer rational and reasoned debate. It is not prepared to be shown to the people for what it is. With a Bill as important as this one would think the Opposition would accept the olive branch and go ahead and defeat the Bill.

Hon. P. G. Pendal: We will.

Hon. D. K. DANS: I knew last week the Opposition would defeat the Bill and to use a naval term, I took evasive action right then. Some of the Opposition's cohorts may regret advising it in the way they did.

We do not take our orders from outside the Parliament, but the Opposition does. Members opposite have not advanced one argument in support of their action; they do not have the intestinal fortitude to debate this Bill clause by clause despite our offer that we did not care whether they defeated the Bill after the debate. The Opposition knows it can do that. It is unprincipled and completely and utterly reckless, and members opposite will live to regret it.

I have said before that Mr Masters is the greatest asset the Government has. He will prove as time goes by to be a liability to the Opposition and an asset to us as we move towards the next election.

The PRESIDENT: The question is that the Bill be now read a second time. Those in favour say "Aye"; to the contrary, "No". I think the "Ayes" have it.

Hon. D. K. Dans: Divide!

Hon. G. E. Masters: Divide!

Bells rung and the House divided.

Remarks during Division

Hon. G. C. MacKinnon: Unless my ears served me wrongly, I think Mr Dans called the wrong way. I would like your ruling on that, Sir.

Several members interjected.

The PRESIDENT: Order! The Hon. G. C. MacKinnon has asked me for a ruling as to whether the Leader of the House called for a division and I am ruling that he did.

Hon. G. C. MacKinnon: I claim his vote.

Several members interjected.

The PRESIDENT: Order!

Hon. D. K. Dans: You can count me on the other side but I am not crossing over.

Hon. P. G. Pendal: Only you know the significance of that, Mr Dans.

Several members interjected.

The PRESIDENT: Order!

Result of Division

Division resulted as follows—

Ayes 10

Hon. J. M. Berinson	Hon. Garry Kelly
Hon. J. M. Brown	Hon. Mark Nevill
Hon. D. K. Dans	Hon. S. M. Piantadosi
Hon. Kay Hallahan	Hon. Tom Stephens
Hon. Robert Hetherington	Hon. Fred McKenzie *(Teller)*

Noes 17

Hon. C. J. Bell	Hon. N. F. Moore
Hon. H. W. Gayfer	Hon. Neil Oliver
Hon. Tom Knight	Hon. P. G. Pendal
Hon. A. A. Lewis	Hon. I. G. Pratt
Hon. P. H. Lockyer	Hon. W. N. Stretch
Hon. G. C. MacKinnon	Hon. P. H. Wells
Hon. G. E. Masters	Hon. John Williams
Hon. Tom McNeil	Hon. Margaret McAleer
Hon. I. G. Medcalf	*(Teller)*

Pairs

Ayes	Noes
Hon. Graham Edwards	Hon. V. J. Ferry
Hon. Peter Dowding	Hon. D. J. Wordsworth
Hon. Lyla Elliott	Hon. W. G. Atkinson

Question thus negatived.

Bill defeated.

ACTS AMENDMENT AND REPEAL (INDUSTRIAL RELATIONS) BILL 1984

Ministerial Statement

HON. D. K. DANS (South Metropolitan—Minister for Industrial Relations) [11.29 p.m.]: I seek leave of the House to make a ministerial statement.

The PRESIDENT: It is usual to indicate the purpose of the ministerial statement when seeking leave.

Hon. D. K. DANS: In view of the rejection of the Bill, I want to give an explanation of how the Government feels about that rejection.

Leave granted.

Hon. D. K. DANS: Today is indeed a sad and sorry day for every person in the community. Here we have a discredited and degenerate Opposition that has taken upon itself to destroy in a real sense what is a positive and reasonable piece of Government industrial legislation and, I might add, a piece of legislation which this Government has a mandate to introduce and should be able to implement. The community at large should be fearful of only one thing; that is, the conservatives in this State are the most right-wing extremists in Australia. They reflect nothing more than a jack boot, right-wing, extremist mentality which many of us fought against in World War II.

Withdrawal of Remark

Hon. G. C. MacKINNON: As an ex-serviceman who served some time for this country, I object to the inference that I am a jack boot, right-wing extremist. I think I served my King and country at that time far more effectively than Mr Dans looked like serving it. I ask for the withdrawal of that comment.

The PRESIDENT: The Leader of the House knows that he is in contravention of Standing Order No. 87 and I ask him to withdraw.

Hon. D. K. DANS: I will withdraw the remark, but while people are playing on rusty bugles—

The PRESIDENT: Order!

Hon. G. C. MacKINNON: Under the Standing Order, Mr President, when you call for the withdrawal of a remark, it must be withdrawn without qualification. I do not want another lecture on the withdrawal of the statement to which I have objected.

The PRESIDENT: I asked the honourable member to withdraw the statement and took it that he had done so. If the Leader of the House was making a qualification, I ask him to remove the qualification.

Hon. D. K. DANS: I remove the qualification, but object to the remark by Mr MacKinnon that he served his country in the war far more than I ever did. I served my King and country from the age of 16½ right to the end of the war.

The PRESIDENT: Order! The Leader of the House has leave of the House to make a ministerial statement. He does not have leave of the House to debate the point of order raised.

Hon. D. K. DANS: I will bow to your decision, Mr President, but let me say that I do not think

we are here to determine who served his country most.

Ministerial Statement Resumed

Hon. D. K. DANS: The Opposition, by using its numbers in the way it has—

Point of Order

Hon. I. G. MEDCALF: I draw attention to Standing Order No. 83: No member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded. I ask for your ruling, Sir, in relation to the present comments of the Leader of the Opposition.

President's Ruling

The PRESIDENT: Before I rule on the point of order raised by the Leader of the Opposition, I ask that all honourable members maintain order while I make my comments. During the course of this debate it has always been my desire and intention to ensure that the debate is carried out without a constant barrage of interjections. Indeed I indicated that each member was entitled to make his speech and to be heard.

I have been in this Parliament for 20 years; during that time some really controversial pieces of legislation have been debated. I do not believe that I have ever seen such a demonstration of undisciplined conduct in the whole of my 20 years in this Parliament as I have seen tonight. I shall forget that I heard one honourable member when the bells were ringing make a comment which reflected upon the actions of the President. I shall forget that, because in the spirit of allowing a Parliament to operate, I believe that the stand I take is a stand that is conducive to allowing the operations of this place to continue with the best possible speed.

The decisions I make from time to time may not please everybody. However, honourable members should know, and indeed I think I am entitled to accept, that everybody here knows that I make those decisions and I interpret the Standing Orders and the intentions associated with this House in a fair and proper way.

Some members, incidentally, may wonder why I am able to make reference to this. One of the tasks of the President is to endeavour to anticipate what might happen along the way. Because of my ability to anticipate what might happen, I have had a look at this particular matter.

Having said that, I want to say this in regard to the point of order raised by the Leader of the Opposition: The authority concerning ministerial statements is very slight. References to such statements in other Parliaments suggest that they should be restricted to providing Parliament with information as to the Government's intentions or planned course of action relating to public affairs. That will be found, if members wish to look, in Erskine May.

Strictly, and by analogy with the rules governing answers to questions, such statements should be free from controversial or debatable material: The reason being that because no question is before the House, there can be no debate at the conclusion of the statement.

Accordingly, it is unfair to other members to provoke debate within the context of a ministerial statement.

The statement which has been made, in my opinion, contravenes the spirit of what I have just said. In addition, I suspect that it contravenes the Council's Standing Orders relating to reflections on a vote of the Council and, to some extent, Standing Order No. 79 which relates to a right of reply given to a Minister or member who has moved a substantive motion.

It is impossible for me, or for anybody else that I know of, to know what will be contained in a ministerial statement until it is given. I do not get an advance copy of it, therefore it is impossible for me to give any advice on a statement until I actually hear it. Similarly I am in the same position now because I do not know what is in the balance of the Minister's statement.

However, I am prepared at this point to say this: I am not inclined to rule the statement out of order in this instance at this stage, but I would caution the Leader of the House, bearing in mind all that I have said, to moderate the balance of his statement if the balance of it is couched in the language that the first part was.

Ministerial Statement Resumed

Hon. D. K. DANS: Mr President, I will not continue with my statement, but I will issue it outside the House. I sought leave to make a statement and that leave was granted by the House; but if the devices which are being raised to prevent me making statements continue, then very little use is served, and it would only cause disturbance in this House. I will not continue with the statement; it is obvious to me that the Opposition does not want to hear the truth. I will issue the statement publicly.

ADJOURNMENT OF THE HOUSE: SPECIAL

HON. D. K. DANS (South Metropolitan—Leader of the House) [11.40 p.m.]: I move—

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

Question put and passed.

ADJOURNMENT OF THE HOUSE: ORDINARY

HON. D. K. DANS (South Metropolitan—Leader of the House) [11.41 p.m.]: I move—

That the House do now adjourn.

Totalisator Agency Board: Ministerial Statement

HON. JOHN WILLIAMS (Metropolitan) [11.42 p.m.]: I will not keep the House for very long. I only wish to correct, with the help of the Leader of the House, the ministerial statement he made earlier this evening. I am not blaming the Minister for that particular ministerial statement, but I am asking for his co-operation in dealing with whoever passed the draft to him and said it should be read.

It concerns the ministerial statement published in today's *The West Australian* which picked up an error in a speech by the member for South Perth in another place. The reason I bring it to the notice of the House is this: According to *Hansard*, the Minister made his statement in this House three hours and 26 minutes after the person concerned had stood in another place and made a personal explanation for what had appeared in the Press this morning. I have it on good authority that *The West Australian* acknowledged its printing mistake and intended to correct it tomorrow. The member for South Perth was misquoted as a result of a plain, simple slip of the tongue.

There is no need for me to go into any further explanation of this matter; it is on record. The member for South Perth acknowledged that he had made a mistake, and the mistake was compounded by an inaccuracy in *The West Australian*.

What alarms me is that the member for South Perth having made that explanation, three hours and 26 minutes later someone gave this statement to the Leader of the House (the Hon. Des Dans) who I know would never have made that statement had he known a personal statement had already been issued.

It is a perfectly simple matter because I know, despite the heat of the debate tonight, he would never ever go to the extent of maligning somebody about whom an untruth had been stated.

I ask the Leader of the House to request the person responsible for allowing it to occur in that way to apologise to the member for South Perth (the Hon. Bill Grayden), because that would be only fair. I am sure the Leader of the House acts in a scrupulous manner when it comes to matters of this kind.

Question put and passed.

House adjourned at 11.45 p.m.

QUESTIONS ON NOTICE

947. *This question was postponed.*

HOUSING

Aborigines: Bunbury

948. Hon. N. F. MOORE, to the Minister for Planning representing the Minister for Housing:

(1) Did the Minister advise the Aboriginal Legal Service that Mrs Isla Bellotti would have to vacate the house at 40 Westwood Street, Bunbury?

(2) Is the Minister aware that the Bunbury Aboriginal Housing Committee recommended that Mrs Bellotti be permitted to occupy this property?

(3) Did the Chairman of the Aboriginal Housing Board override the local committee's decision, or did the board itself override the decision?

(4) Does the Chairman of the Aboriginal Housing Board have authority to override decisions of local Aboriginal committees on the question of allocating housing?

(5) Does the Government intend to disband the Bunbury committee?

(6) How many applicants are currently listed for Aboriginal emergency housing in Bunbury?

(7) How many houses are currently under construction by the State Housing Commission for Aboriginal occupation in Bunbury?

(8) Will the Minister reconsider his decision to evict Mr and Mrs Bellotti and their asthmatic son from 40 Westwood Street, Bunbury?

(9) If the Minister insists that the Bellottis be evicted, who will take up residence at 40 Westwood Street, Bunbury?

Hon. PETER DOWDING replied:

(1) to (9) It has been a longstanding practice not to make public the personal details of an applicant or tenant of the State Housing Commission.

The matters raised in the questions will be examined and an answer will be made by letter.

PORNOGRAPHY AND VIOLENCE: VIDEO FILMS

Distribution: Control

949. Hon. P. G. PENDAL, to the Minister for Administrative Services:

In view of the Government's announced intention of clamping down on the sale of pornographic video material, does the Government intend to rescind the decision of its advisory committee and withdraw the approval given by that committee to 322 videos?

Hon. D. K. DANS replied:

No. The State advisory committee's recommendations were made in accordance with guidelines agreed to at a meeting of Commonwealth and State Ministers responsible for censorship.

950. *This question was postponed.*

PORNOGRAPHY AND VIOLENCE: VIDEO FILMS

Dealers: Licences

951. Hon. P. G. PENDAL, to the Minister for Administrative Services:

How many licences have been issued by the department for video dealers to sell pornographic videos since 1 January 1984?

Hon. D. K. DANS replied:

Since 1 January 1984, 433 persons wishing to sell, hire, or distribute restricted publications in the form of video tapes have been registered with the Department of Administrative Services.

However, this figure includes those persons selling and hiring video tapes of movies classified "R" by the Commonwealth Film Censor.

WATER RESOURCES

Connection and Consumption

952. Hon. NEIL OLIVER, to the Leader of the House representing the Minister for Water Resources:

Referring to page 50 of the Metropolitan Water Authority annual report for 1982-83—

(1) How many of the 312 000 properties connected with water were—

(a) residential; and

(b) non-residential?

(2) How much of the 167.2 million cubic metres of water consumed was for—

(a) residential use; and

(b) non-residential use?

Hon. D. K. DANS replied:

(1) (a) 276 000 services;

(b) 36 000 services.

(2) (a) 98.9 million cubic metres;

(b) 68.3 million cubic metres.

RECREATION: FOOTBALL

Bunbury Match: Financial Assistance

953. Hon. N. F. MOORE, to the Minister for Planning representing the Minister for Sport and Recreation:

Further to my question 935 of Thursday, 12 April 1984, will the Minister advise—

(a) whether or not the two teams lost financially because the game was played in Bunbury; and

(b) whether or not the $10 000 which has been offered by the Government could be used to compensate East Perth Football Club and Swan Districts Football Club for loss of income from gate, bar, restaurant, etc., sales which resulted from the game being played in Bunbury?

Hon. PETER DOWDING replied:

(a) No request has yet been received by the WAFL for Government funding related to expenses incurred in the Bunbury league football fixture;

(b) the Government is in no position to presume loss of income and will rely on the WAFL to provide information when that body sees fit.

PORNOGRAPHY AND VIOLENCE: VIDEO FILMS

Advisory Committee: Guidelines

954. Hon. P. G. PENDAL, to the Minister for Administrative Services:

(1) What guidelines were given to the advisory committee to enable it to decide whether or not video tapes could be placed on sale?

(2) Will the Minister table a copy of those guidelines?

Hon. D. K. DANS replied:

(1) The State advisory committee uses as a base the Commonwealth guidelines which were agreed to in principle in July 1983 by Federal and State Ministers responsible for censorship. Queensland is an exception. Under the existing guidelines, material that depicts child pornography, bestiality, sex with violence, drug abuse, torture, terrorism activity, or cruelty especially in combination with some sexual element or between non-consenting persons will be banned.

(2) No. Answered in (1).

LAND: ABORIGINES

Rights: Inquiry

955. Hon. N. F. MOORE, to the Minister for Planning representing the Minister with special responsibility for Aboriginal Affairs:

Further to his answer to my question 930 of Wednesday, 11 April 1984, will the Minister provide the following information:

(a) itemised details of the expenditure incurred under the heading "Meetings" which totalled $14 667.68;

(b) itemised details of the expenditure incurred under the heading "Wages" which totalled $20 406.79;

(c) the model and year of the vehicle purchased for $11 753.80; and

(d) the current location and future use of this vehicle?

Hon. PETER DOWDING replied:

(a) to (d) Allocations have been made to Aboriginal groups to allow them to prepare submissions to the Seaman inquiry. When all of those submissions have been finalised and expenditures have been

checked and audited the information requested will be made available.

RAILWAYS

Northcliffe-Pemberton

956. Hon. A. A. LEWIS, to the Minister for Planning representing the Minister for Transport:

Is Westrail about to close the Pemberton to Northcliffe railway line?

Hon. PETER DOWDING replied:

No, but the Minister is expecting a report and recommendations on the line's future from Westrail before the end of the year.

LAND: ABORIGINES

Rights: Inquiry

957. Hon. N. F. MOORE, to the Minister for Planning representing the Minister with special responsibility for Aboriginal Affairs:

(1) Will the Minister provide a list of the persons and organisations in the Kimberley who received State Government financial assistance to make submissions to the Seaman inquiry?

(2) Will the Minister also indicate the amount of assistance provided to each person or organisation?

Hon. PETER DOWDING replied:

(1) and (2) Allocations have been made to Aboriginal groups to allow them to prepare submissions to the Seaman inquiry. When all of those submissions have been finalised and expenditures have been checked and audited, the information requested will be made available.

RECREATION

Grants

958. Hon. A. A. LEWIS, to the Minister for Planning representing the Minister for Sport and Recreation:

(1) Have the latest set of recreation grants been announced?

(2) If so, would the Minister list the projects the money has been granted to?

Hon. PETER DOWDING replied:

(1) Yes.

COMMUNITY SPORTING AND RECREATION FACILITIES FUND
1983/84 PROGRAMME

(2)

LGA	APPLICANT	PROJECT	RECOMMENDED $
Armadale	Armadale Tennis Club	Court resurfacing	8 000
Bayswater	Bayswater-Morley Y.C.	Clubroom extension	20 000
Belmont	Y.A.L.	Carpeted form floor	1 700
Beverley	Dale River Tennis Club	Resurfacing	700
Boulder	Boulder City Tennis Club	Upgrade facilities	1 600
Bridgetown	Greenbushes Sports Club	Bldg improvements	6 000
Broome	Broome Tennis Club	Construct tennis courts	17 000
Bruce Rock	Ardath Golf Club	S.E.C. connection	800
Capel	Capel Basketball Assc	Basketball/tennis	4 900
Chittering	Bindoon Tennis Club	Resurfacing	600
Cockburn	Fremantle Pistol Club	Indoor Pistol Range	10 000
Collie	Collie Lawn Tennis Club	Machinery Storage shed	1 250
Coolgardie	Kambalda Fire Brigade	Brigade training track	7 530
Coorow	Leeman Basketball and Netball	Courts/Lighting & fencing	11 000
Dalwallinu	Buntine Tennis Club	Courts & shelter shed	10 000
Dardanup	Eaton Basketball Club	Additional court	4 000
East Fremantle	East Fremantle Women's Lacrosse Association	One floodlight	1 050
East Pilbara	Newman BMX Club	Power & concrete start ramp	3 300
Esperance	Esperance Rifle Club	Retic/toilets/target machines/ shed	7 500

COMMUNITY SPORTING AND RECREATION FACILITIES FUND
1983/84 PROGRAMME.—*continued*

LGA	APPLICANT	PROJECT	RECOMMENDED $
Geraldton	Geraldton Netball Assc	Resurface Courts	9 000
Goomalling	Jennacubbine Sports	Sporting complex	13 000
Irwin	Dongara Golf Club	Line Dam (with clay)	400
Jerramungup	Boxwood Sports Club	Synthetic turf	700
Koorda	Koorda Rifle Club	Upgrade & extend Rifle Range	2 200
Manjimup	Northcliffe Bowling Club	Construct 8 rink greens	3 000
Meekatharra	Meekatharra Cricket Club	Cricket practice wicket	1 300
Melville	Melville & Districts Amateur Athletics	Upgrade facilities	10 000
Morawa	Morowa Cricket Club	Reconstruct pitch	750
Mullewa	Diandi Club Inc (Aboriginal)	Construct concrete cricket pitch	300
Northam T.C.	Northam Railway Inst. Tennis Club	Build new Courts	4 900
Port Hedland	South Hedland Bowling Club	Retic/toilets/patio/ pergola etc.	4 000 (stage 6)
Perth	Vic. Park Cricket Club	5 practice nets	3 550
Ravensthorpe	Fitzgerald Progress Association	Connect SEC to Fitzgerald Comm Centre	3 100
Sandstone	Sandstone Tennis Club	Fencing & walktopping	2 000
	Sandstone Cricket Club	Synthetic cricket pitch	600
Stirling	Nollamara Bowling Club	Premises & bowling green	20 000
Victoria Plains	Gillingarra Sport & Recreation Club	Resite hall & extend facilities	20 000
Wandering	Pumphreys Bridge Tennis Club	4 tennis club	2 400
West Arthur	Darkan Rifle Club	Reconstruct toilet clubrooms	2 900
West Pilbara	Tom Price Basketball	Spectator seating	4 850
Westonia	Westonia Tennis Club	Walktopping tennis court	1 600
Wickepin	Ten Mile Tennis Club	Resurface Courts	6 000
Wyalkatchem	Wyalkatchem Rifle Club	Construction of clubrooms	2 600
Yilgarn	Southern Cross Gun Club	Isu Skeet layout	1 500
			237 680

APPENDIX A

COMMUNITY SPORTING AND RECREATION FACILITIES FUND
1983-84 PROGRAMME

LOCAL GOVERNMENT PROJECTS

LGA	PROJECT	RECOMMENDED $
Albany Town	Indoor Heated Pool	190 000
Bassendean	Cyril Jackson High—Hall/Gym	200 000
Boyup Brook	Hockey Ground Improvements	8 000
Carnamah	Niven Park Sporting Complex	160 000
Esperance	Indoor Sports Stadium	80 766
Kalamunda	Ray Owen Reserve—Basketball Stadium	140 000
Kulin	Pingaring Community Hall	30 000
Mount Magnet	Community Sporting Complex	27 000
Murray	Community Sports Centre and Hall	30 000
Narembeen	Mount Walker Sports Centre	40 000
Northam	Jubilee/Henry Street Oval Reticulation	14 800
Serpentine-Jarrahdale	Briggs Park Community Pavilion Extensions	25 000
Trayning	Recreation Grounds—Watering Proposals	11 000
Wanneroo	Kingsway Netball	33 000
Waroona	Indoor Sports Complex	140 000
West Kimberley	Derby Tennis Courts	25 000
West Pilbara	Tom Price Oval—Bore Reticulation	20 000
	TOTAL (17)	1 174 566

EDUCATION

Primary School: Middle Swan

959. Hon. NEIL OLIVER, to the Minister for Planning representing the Minister for Education:

I refer to question 442 of Wednesday, 21 September 1983, regarding the Middle Swan Primary School and the subsequent undertaking that the car park area would be upgraded and resurfaced with gravel.

Will the Minister advise when this work will be commenced?

Hon. PETER DOWDING replied:

The regional minor works committee has had this matter under consideration for some time but has been advised by the Public Works Department that the project is beyond the committee's funding capacity because substantial formation work is a first requirement.

At the same time the school has asked for substantial upgrading of the children's bitumen play area which is to be resurfaced.

LAND: ABORIGINES

Rights: Inquiry

960. Hon. N. F. MOORE, to the Minister for Planning representing the Minister with special responsibility for Aboriginal Affairs:

(1) Were the "Legal Fees" referred to in his answer to my question 930 of Wednesday, 11 April 1984, paid to Mr Phillip Vincent?

(2) If so, is this person the same Phillip Vincent who contested the seat of Dale at the last State election?

Hon. PETER DOWDING replied:

(1) Allocations have been made to Aboriginal groups to allow them to prepare submissions to the Seaman inquiry. When all of those submissions have been finalised and expenditures have been checked and audited, the information requested will be made available.

(2) Yes.

LAND

South-West Land Resource Task Force: Recommendations

961. Hon. A. A. LEWIS, to the Leader of the House representing the Premier:

(1) Has the Government accepted the land resource management report in whole or in part?

(2) If so, what actions are being taken to implement the report?

Hon. D. K. DANS replied:

(1) In part.

(2) (a) The Chairman of the Public Service Board is currently supervising the preparation of legislation and the arrangements necessary for amalgamation of the Forests Department, wildlife section of the Fisheries and Wildlife Department, and the National Parks Authority;

(b) the proposals and recommendations of the land resource task force with respect to land use planning have been referred to the committee of inquiry into statutory planning, and Dr Maurice Mulcahy has been appointed as a member of that committee.

LAND: ABORIGINES

Rights: Inquiry

962. Hon. N. F. MOORE, to the Minister for Planning representing the Minister with special responsibility for Aboriginal Affairs:

Will the Minister provide itemised details of all expenditure incurred by all persons and organisations who received financial assistance from the State Government to make submissions to the Seaman inquiry?

Hon. PETER DOWDING replied:

Allocations have been made to Aboriginal groups to allow them to prepare submissions to the Seaman inquiry. When all of those submissions have been finalised and expenditures have been checked and audited, the information requested will be made available.

LAND

South-West Land Resource Task Force: Under Secretary of Lands

963. Hon. A. A. LEWIS, to the Leader of the House representing the Premier:

Is it envisaged that due to the land resource management report the Chairman of the Bush Fires Board will cease to be the Under Secretary of Lands?

Hon. D. K. DANS replied:

At this stage, consideration of the question of the Chairman of the Bush Fires Board has been delayed until further progress is made on the formation of the land management department.

LAND: ABORIGINES

Rights: Inquiry

964. Hon. N. F. MOORE, to the Minister for Planning representing the Minister with special responsibility for Aboriginal Affairs:

(1) Did the Aboriginal Liaison Committee decide which persons or organisations would receive financial assistance to make submissions to the Seaman inquiry?

(2) If so, will the Minister provide the names of the members of this committee?

Hon. PETER DOWDING replied:

(1) Yes.

(2) Mr Ernie Bridge, MLA (Chairman).
Mr Rob Riley.
Mr Darryl Kickett.
Mr Alfred Barker.
Mr Thomas Newbury.

QUESTIONS WITHOUT NOTICE

FIRES: BUSH

Firefighting Equipment

228. Hon. GRAHAM EDWARDS, to the Leader of the House:

Can the Minister advise the House whether any progress has been made on resolving the issues surrounding the use of farm firefighting trailers at bushfires?

Hon. D. K. DANS replied:

The issue of farm firefighting trailers being used in an emergency to fight bushfires is a multi-faceted one, involving considerations of expediency, safety, and legal liability of farmers.

I am pleased to inform the House that the Traffic Board has, after careful consideration of all of the aspects, today proposed a solution to the problem to the Government.

The board's recommendations will be placed before Cabinet for its consideration without delay.

FIRES: BUSH

Firefighting Equipment

229. Hon. A. A. LEWIS, to the Leader of the House:

Are farm firefighting trailers to have protective braking systems under the proposal given to the Minister, which obviously he understands because he had pre-warning of the previous question.

Hon. D. K. DANS replied:

As much as I would like to give my good friend the Hon. A. A. Lewis the information, I am not prepared to divulge it until the matter has been considered by Cabinet.