

Legislative Assembly

Wednesday, 28 April 1982

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

FISHERIES

Two Rocks Marina: Petition

MR CRANE (Moore) [2.19 p.m.]: I wish to present a petition which reads as follows—

To The Honourable The Speaker and members of the Legislative Assembly in Parliament Assembled

We, the undersigned residents in the State of Western Australia do herewith pray that Her Majesty's Government of Western Australia will vary the Two Rocks Yacht Harbour Agreement to provide an appointed Minister to arbitrate where necessary in any dispute between the Yacht Harbour Management and the Two Rocks Professional Fishermens Association.

Your petitioners, being Professional Fishermen operating from the Two Rocks Yacht Harbour therefore humbly pray that your Honourable House will give this matter earnest consideration and your petitioners as in duty bound will ever pray.

This petition bears 51 signatures and I certify that it conforms with the Standing Orders of the Legislative Assembly.

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

(See petition No. 8.)

LAPSED BILLS

Restoration to Notice Paper: Motion

MR O'CONNOR (Mt. Lawley—Premier) [2.24 p.m.]: I move—

That under the provisions of Standing Order No. 417 the undermentioned Bills be restored to the Notice Paper at the stages which they had reached in the previous session of Parliament, namely—

Petroleum (Submerged Lands) Registration Fees Bill.

Second reading. Adjourned debate.

Petroleum (Submerged Lands) Bill.

Second reading. Adjourned debate.

Question put and passed.

PUBLIC SERVICE AMENDMENT BILL

Second Reading

Debate resumed from 25 March.

MR I. F. TAYLOR (Kalgoorlie) [2.25 p.m.]: The Opposition has no objection to this Bill; however, I believe a number of points should be made. The Bill itself sets out to improve the situation of acting arrangements in the Public Service and this is a very worthwhile amendment to the Act.

The Public Service and the Opposition believe that the Public Service has three basic aims: To improve its efficiency, to improve its effectiveness, and, above all, to be economical in the service it provides to the community. In general terms this Bill will improve the efficiency and effectiveness of the Public Service. We should go a step further to improve the efficiency, effectiveness, and economy of the Public Service and introduce performance audits.

To some extent performance audits already are required in the Commonwealth Public Service and they are quite common overseas. I understand from my reading that the Commonwealth Audit Act already has provision for the Commonwealth Auditor General to conduct efficiency audits. However, I understand that at this time he is having difficulty in coming to grips with the concept of efficiency audits. In general terms, efficiency audits, or performance audits, mean that the taxpayers will be able to ensure they are getting value for money. That is one of the most important aspects of public administration today.

The Opposition is well aware of the great drain on taxpayers by the Public Service because of the community's wide-ranging requirements for services to be provided by the Public Service. Therefore, it is essential that money is spent wisely and well.

I understand that already there has been pressure from the Public Service itself to try to make sure it is doing the best possible job. The Chairman of the Public Service Board, in his most recent annual report, expressed concern at Government cutbacks which already are making for great difficulties in public administration. I shall quote from the chairman's latest report in which he mentioned the opposing forces of providing a service to the community and being required to provide that service while attempting to cope with the Government's cutbacks in funding. I quote as follows—

These opposing forces, when continued for some years as they have been, must lead to

some rethinking. They inevitably raise the question of how long one can go on increasing the functions to be undertaken and tightly containing staff resources before there is a weakening of the total management structure with consequent implications for the future effective and efficient operation of Departments.

I do not know whether the Premier was aware of those comments in the chairman's report. They indicate that the board is concerned with the level of efficiency and effectiveness in the Public Service while trying to provide an economical service.

Mr Davies: It is becoming increasingly noticeable to the casual observer.

Mr I. F. TAYLOR: Performance audits can assist greatly to overcome these problems. Performance audits are able to tell the Parliament, the people of the State, and above all the Public Service departments themselves, what the requirements of the departments might be for them to function well and to provide a service. The idea is that the department or instrumentality would be aware of these requirements and of its functions. Those functions and requirements are then measured by the auditor against the performance of the department. This is a very opportune way to point out to the Public Service in general and the departments in particular where they may be falling down in the performance they want to achieve. The Public Service Board Chairman went on to say—

The Public Service has been under growth restraints for a number of years. It has responded with improvements in operational practices; with the application of new developments in technology; with better management techniques; and in some instances with *ad hoc* measures of short term advantage.

It must be of concern to the Parliament and the Government that the Chairman of the Public Service Board went on to say also—

By now the scope for this type of approach is nearly exhausted, there is little, if any, capacity for further significant moves of similar nature, and the Public Service is now stretched close to the limit of effective operation.

If that is so—I believe it is, as does the Opposition as a whole—the Public Service Board and the Public Service in general are now stretched to the very limits of effective, economic, and efficient operation, and there must be a great necessity for the introduction of performance audits so that we

can determine what should be and can be done to improve the operation of the Public Service.

It seems at present that we consider the Public Service or particular Government departments or instrumentalities only when something goes wrong, and in that case the Government says, "We should have an inquiry or a review of the operations of that particular Government department or instrumentality." That is a reaction, not action; the Government should act rather than react so that potential problems within its departments and instrumentalities are picked up before they arise. If performance audits are carried out regularly—we suggest on a five-yearly basis—they would ensure that departments and instrumentalities function at their most efficient levels. It is only if they function at their most efficient levels that they can provide at the most economic cost the services needed by our community.

While supporting the Bill, we ask the Government to give consideration to the introduction of performance audits. We make the Government aware that in 1983, if we become the Government, one of our first moves to improve the efficiency of and to upgrade the Public Service will be to introduce performance audits to try to help departments and instrumentalities to come to grips with the demands of the public.

Mr Watt: Do you see the conventional audits being done internally and the Auditor General's audits being performance audits?

Mr I. F. TAYLOR: No. We see a need for internal audits which really are concerned with dollars and cents—to ensure that funds are spent as they should be. The Auditor General's activities are outside the problems to which I have referred, and basically are concerned with money problems: how money is spent and should be spent. We suggest that in addition the Auditor General and, perhaps, the Treasury and the Public Service Board, should be involved in conducting performance or efficiency audits. That function would be something over and above the present role of the Auditor General.

Mr Watt: I agree with you in principle, but I'm not quite sure about the application.

MR O'CONNOR (Mt. Lawley—Premier) [2.32 p.m.]: I thank the member for Kalgoorlie for his general support of the Bill and the particular comments he made. I will discuss with the Public Service Commissioner the points he raised and ascertain whether from that point of view a need exists to take further action in line with the member's suggestions. However, I do think there is little room left to improve efficiency in

departments and instrumentalities; we have been working for a long time to improve efficiency and to reduce costs. After all, the money to meet these costs comes from only one area; that is, the pockets of taxpayers.

The member's having been with Treasury would enable him to understand this situation as well as I do. We must obtain the maximum efficiency possible in our Public Service if we are to achieve a result acceptable to taxpayers.

Mr I. F. Taylor: It always has perturbed us that the Government has been concerned with the actual costs or money saved, but at the same time has not looked along the lines of improving efficiency. The Government thinks that just because it will save money in a particular area, the efficiency of the Public Service will be improved, but it doesn't follow.

Mr O'CONNOR: I do not agree that has happened. We know we must have a proper balance of all the issues. Anyone who understands business—in fact, government is business—would understand that in the Public Service something done affecting one department will affect others on the way through the system. All this must be taken into account. The member can rest assured that I will take up the points he has raised to determine whether something can be done.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Connor (Premier), and transmitted to the Council.

SUPREME COURT AMENDMENT BILL

Second Reading

Debate resumed from 25 March.

MR BERTRAM (Mt. Hawthorn) [2.37 p.m.]: Last year I asked the then Minister for Police and Traffic whether the Government would take some action to reduce the work load of justices of the Supreme Court by relieving the Chief Justice of his duties in respect of the Electoral Boundaries Commission, and the Minister intimated that our Supreme Court justices were well able to cope

with the then work load, and he therefore did not see any reason to abide by or do anything about the suggestion I made. With that background it comes as something of a shock to find before the House this Bill, the main purpose of which appears to be to increase the number of Supreme Court justices from seven to eight.

It should be remembered that since 1 January 1960 the number of judges in Western Australia has increased by 16. In his second reading speech the Minister did supply some statistics, but certainly they were not sufficient to justify an increase from seven to eight in the number of justices of the Supreme Court.

Accordingly, I asked further question 326 on 6 April and when one considers the answer one becomes even less convinced that there is justification for again increasing the number of judges. In his second reading speech the Minister said—

Since 1960 there have been several changes to the court's jurisdiction which have been the establishment of the District Court of Western Australia and the Family Court of Western Australia . . . The District Court has eight judges and the Family Court has five judges, hence an additional 13 judges are now sharing the work.

If one speaks in terms of "since 1960", that is correct, but if one talks about the period commencing 1 January 1960, one must add another three. Since then two additional Supreme Court judges have been appointed. The Master of the Supreme Court now is regarded as a constituent member of the Supreme Court. We have 16 more judges in Western Australia and now the number is to be increased to 17.

We have heard of Commonwealth razor gangs. A razor gang was established by the Court Government and another gang has been constituted by the O'Connor Government. I do not recall precisely how many gangsters there are—I think three or four—or who they are.

Mr Nanovich: You are the only gangster! Did you mention gangsters?

Mr BERTRAM: I was explaining there is a razor gang here.

Mr Nanovich: Did you refer to them as gangsters?

Mr BERTRAM: I said I did not know whether there were three or four gangsters in the Government and, furthermore, I do not know who they are. It is immaterial. One of their tasks is supposed to be the paring back of bureaucracy. That razor gang should have given consideration

to the provisions of this Bill which will increase the number of judges. Possibly it has given consideration to the proposition and has approved of it. In any event, the Minister has not indicated one way or the other. I am rather inclined to think that the State razor gang has not considered this matter. It is one of those things which it should have considered. It is not good enough for the razor gang to be paring off here and there whilst being divorced from, and apparently knowing nothing about, other moves to increase the echelons which are paid for out of the Consolidated Revenue Fund.

All judges are paid substantially from that source. The Opposition is inclined to support the increase in the number of judges because it believes that the Chief Justice and other judges of the Supreme Court would not submit the proposition unless a very good case existed. At the same time, I do not believe the Chief Justice or the judges of the Supreme Court would expect anybody to accept the argument put forward in the Minister's second reading speech as being adequate to justify an increase in the number of judges as the case is not made out and, to all intents and purposes, there is no proposition at all.

The District Court was established on 1 January 1960 when it had four judges; now it has eight judges. The Family Court was established in 1976 and started off with three judges; now it has five judges. We see that 13 extra judges have been appointed since 1960. If we add to that the 1 January 1960 figure of two judges plus the master, we have another three judges of the Supreme Court, totalling 16 judges.

Prior to 1960 a lot of the work currently done by the Family Court was done by the Supreme Court, such as divorces and matters ancillary to divorce actions. When the Family Court came into existence in 1976 it dealt with 2 861 dissolution of marriage petitions. That number does not include ancillary applications, but does include some matters which were transferred to the Supreme Court. An extraordinary hiving off of the work load from the Supreme Court has occurred. Nobody complains about it. The Family Court was established and it is probably a good thing. However, that represents 2 861 cases which the Supreme Court did not have to deal with in that year. Now the figure would be greater. That represents a tremendous saving of time and an easing of the work load of judges of the Supreme Court.

The District Court was established in 1970. A lot of the work handled by the District Court was done by the Supreme Court prior to the District Court's coming into existence and we see again a

very real amount of work and time now being spared the Supreme Court because of that work being dealt with in the District Court.

In his speech the Minister made reference to the fact that the Supreme Court grows as the population of the State grows. That seems fair enough, but it is an extraordinarily imprecise type of comment to make. It is not a scientific calculation. It is an observation, and that is about as far as one can go to describe it.

There has not been anywhere near the increase in the number of judges in the High Court of Australia to cope with the increased population we have in Western Australia. This Bill has been put up and no real attempt has been made to maintain any dignity of the House by informing it of the facts. The Bill has just been put up, a few words have been spoken which were called a second reading speech, and because the Government has the numbers, it is just being let through. It is an abuse of the process of Parliament. When the Government brings in a measure it should give us a *prima facie* case to justify it. That has not been done in this instance; indeed, in many cases it is not done.

Apart from raising those objections to the Bill, and because of the way the Parliament is treated by this Government, one cannot do very much more at this time. The other matters in the Bill are not of any great significance. On looking at some of the items on the notice paper including this Bill, one gains the impression that the Government is sending out an SOS to its Ministers to send in some legislation. It does not matter what sort of legislation they present as long as they dot the "i"s and cross the "t"s", otherwise the Parliament will collapse for want of some business before it. The rest of this Bill tends to come within that sort of classification. The Minister in his second reading speech has justified the other proposals in the Bill.

MR RUSHTON (Dale—Deputy Premier) [2.51 p.m.]: I thank the Opposition for its support of the Bill. I will put to the Attorney General the views that the member for Mt. Hawthorn has presented to the House. The Attorney General should be commended and applauded for the diligent way he carries out his work. I might add that in representing him in this House I am in charge of eight Bills, all of which are of some substance. I would agree that the Bill before the House has its importance. In fact, it is before us on the recommendation of the Chief Justice.

I appreciate the remarks of the member for Mt. Hawthorn and the evaluation of the members of

the Opposition, and I 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

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Rushton (Deputy Premier), and transmitted to the Council.

**POTATO GROWING INDUSTRY TRUST
FUND AMENDMENT BILL**

Second Reading

Debate resumed from 25 March.

MR EVANS (Warren) [2.55 p.m.]: This Bill has been sought by the members of the potato-growing industry and, as it involves them, the payment of finance into the trust fund, and the usage of that fund, it is in that sense purely an industry matter. It is of importance to the potato-growing industry and it is, of course, an insurance against the outbreak of disease. The purpose of the measure is to review the level of rating and the usage of revenue that is derived from the potato industry levy. Some changes have been made in this regard. The existing rate is 40c per tonne from which an income of \$24 000 per annum is raised and this, together with investments, results in a total revenue of approximately \$50 000 per annum.

However, the expenditure of the Potato Growers Association of WA (Inc.) has increased to the level where it has now reached almost the whole of the income of the trust fund—something in the vicinity of \$45 000. There is a need to increase the levy on growers, as only 50 per cent of the annual income can be utilised for administrative purposes. The other 50 per cent is put into reserve to ensure there is a fund for the reduction of outbreaks of disease, and for compensation to growers. The Bill proposes to increase the levy to 10c per 50 kilograms, but in the initial stage a levy of 6c per 50 kilograms will be applied. This will make available annually an amount of \$27 000 which, with investment returns and other sources of finance available to the association, will give a total estimated income of \$98 000.

The measure seeks to maintain a reserve fund to protect the industry against an outbreak of disease and for that purpose the Bill restricts expenditure on "other activities" to 80 per cent of the anticipated annual income of the trust fund and to 50 per cent of the annual income on any one of the three purposes which are specified for the application of the amount.

I refer now to a letter from Mrs Nan Kettle, the Secretary of the Potato Growers Association of WA (Inc.): to a large extent it indicates the bona fides of the Government in introducing this legislation. I suppose also that it indicates the bona fides of the Opposition in making sure that the measure conforms completely with its intentions and meets the requirements of the growers. Mrs Nan Kettle's letter reads as follows—

The facts as contained in the second reading speech notes cover most of the points raised by the Association when submitting proposed amendments to the Minister. In preparation for presentation to Parliament, these Amendments have been altered slightly but they remain in context with the Association's original aims.

Naturally some points of deviation would have arisen once the draftsman had brought his expertise to bear upon the amendments. The letter continues—

The growers were concerned that the level of funding, which had remained static since 1966, could no longer guarantee the running costs of the Association. In fact, since 1976, this had become obvious and the Association's Annual income was augmented by growers' contributions over and above the Trust Fund.

This is one area in which an obvious problem arose. Mrs Kettle's letter continues—

We were anxious therefore, to have a more secure means of maintaining our services to the growers. Notwithstanding this, there is a strong awareness that research requirements must be provided for and growers are becoming increasingly conscious of their responsibility in identifying areas of priority, and if necessary, assisting in the funding of these. With a higher level of funding, growers can exercise this responsibility through contact with their State Executive and grower members on the Trust Fund Advisory Committee, in discussing pertinent areas of research.

Prior to our approach to the Minister, I addressed meetings of growers in all the

growing areas. The proposals had the support of a large majority of growers who attended these meetings. Several articles in the "Potato Grower" also highlighted the recommendations.

The *Potato Grower* is the journal which is the official organ of the association.

Mr Tonkin: And a very good one, too.

Mr EVANS: Some members in this Chamber would not even be aware of its existence.

Mr Blaikie: Fair go. Some members may not be, but other members would be.

Mr Spriggs: It would be on your side.

Mr Tonkin: That is the last time I give you any support.

Mr EVANS: The point I make is that the growers had an opportunity to express a view at meetings which they could have attended if they had any violent objection to the amendment. The point is made in the letter; and the association has acted correctly. The letter continues—

The proposed level of funding at 10 cents would hopefully cope with inflation for some time. The initial rate of 6 cents would adequately cover our annual expenditure, and with an overall limit of 80% on all deductions, gives the fund ample room to operate and expand. As with all Funds, the interest on investments is a vital component and will in the future help to maintain the rate below the 10 cent maximum.

Mrs Kettle concludes by expressing appreciation to those people who have shown an interest in the industry and in the fund.

Mr Acting Speaker (Mr Tubby), as you are a man of the land yourself, you will know that it is essential to have appropriate measures in some rural industries to ensure that the entire burden of a disease outbreak is not borne by an individual farmer. Some occurrences of bacterial wilt and other things have been experienced in the lower south-west and in the south-west generally. It is fortuitous, in some ways, that these outbreaks have been eradicated with the minimum delay and inconvenience.

My attention has been drawn to several instances in which the grower has been concerned that the trust fund has not acted in his interests. However, when I allow for human bias in these things, I am not prepared to criticise the administration of the trust fund for what transpired.

One further matter is contained in the amendment, and that is in connection with the staggering of the terms of office of grower

members of the trust fund committee, and the deletion of the requirement for a commercial producer to be qualified to vote at the election of a member of the Legislative Assembly. That does away with a certain restriction, and it will give a degree of flexibility. Probably it will obviate an anomalous situation which could arise.

Briefly, that is the content of the amendment. The Opposition raises no objection to the measure as it is presented.

MR NANOVICH (Whitford) [3.06 p.m.]: I wish to make a brief comment on the Bill before the House. I am supporting the Bill; and perhaps some members are a little amazed that I am supporting a Bill which will benefit the potato-growing industry in this way. I have never been a very keen supporter of board control; and one such board is the Potato Marketing Board.

One of the most inefficient boards ever created was the Onion Marketing Board—

Point of Order

Mr EVANS: On a point of order, how does the member relate the Onion Marketing Board to a matter involving potatoes?

The ACTING SPEAKER (Mr Tubby): There is no point of order.

Mr Pearce: Onions and potatoes go together.

Mr Evans: He is in a stew.

Mr Old: You are bringing tears to my eyes.

Debate Resumed

Mr NANOVICH: I was summarising briefly my impression of boards. I was emphasising my criticism of the former Onion Marketing Board which had control over the selling of onions, but not over the growing of onions. The board with which we are dealing in this legislation allows a person who has a licence to grow potatoes on a certain area of land.

It is about time that the levy was increased, because it has not been increased since 1966. An increase of 300 per cent, which will bring it to \$1.20 per tonne, will generate some benefit for the potato-growing industry, which has had its problems. In particular, it cannot build a sound, economic export trade. During the year, for a very short period—I think it is a month or so—some potatoes go to the Singapore area. I think it is referred to as the Berang coasts. Of course, those exports are made only when we have a surplus of potatoes which have to be sold; and they are sold at lower prices.

During the months of November and December, some potatoes are sent to Sydney.

However, the potato growers have very little opportunity to engage in a prosperous export of potatoes.

The varieties of potatoes grown are very limited, the most popular variety being Delaware. About 85 per cent of the potatoes grown in Western Australia are of the Delaware variety. The other varieties grown include the Sebago, the Coliban, the Cenebacker, and, of course, the red potato known as the Pontiac. The Sebago and the Coliban are processed mainly for chips. Of course, the most popular potato variety is still the Delaware, because of its ability to carry.

Last year the growers received a little more than \$200 per tonne. The increase in the levy will certainly go a long way towards exploring the avenues of an export trade in potatoes. It will assist in further research for a more efficient method of growing potatoes. We have to keep down the costs of production if we are to compete against other countries like New Zealand and Canada, in which countries the growers are heavily subsidised by the Government.

The extra levy will assist to control the spread of disease through the potato-growing areas which affect not only current crops, but also the future crops that are planted within the affected areas.

The amendment is welcomed by the industry. I have spoken to a number of people who grow potatoes, and they have welcomed the legislation, as the Minister outlined in his second reading speech. The members of associations have expressed their support for the increase in the levy.

It will certainly give a much healthier account with which to operate and to research better methods of potato production and of the eradication of diseases that affect the industry. I understand also that a task force has been committed to the industry to try to exploit all avenues for the industry's benefit. Perhaps in the not-to-distant future members of the public will be able to go into a supermarket or shop and buy the potato of their choice, rather than be told they must take one particular type because that is all that is available.

That is why I have always opposed the control of products by boards. Perhaps one day, if it were open to growers to produce the potatoes, we might see an increase in exports and the cost of production may decline. That would give the industry a more competitive base on which to move the product overseas.

With those few remarks I support the measure before the House.

MR OLD (Katanning—Minister for Agriculture) [3.12 p.m.]: I thank the member for Warren and the member for Whitford for their support of the Bill. It is not really what one would call a world-shattering Bill, but, as the member for Warren mentioned, it is very important to the State's potato growers. It has the support of the majority of growers and it has the support of the Potato Growers Association. It is true that in the past the association has found difficulty in funding the activities of its administration as there has been a limitation of not more than 50 per cent of the income from the fund being spent on administration. For that reason it has been necessary to levy producers in order to keep the association active. It may not seem terribly important, but the Potato Growers Association plays an important part in the industry in Western Australia. This was pointed out very well by the member for Warren and I am pleased that he made inquiries to ascertain the association's attitude to the Bill because it lends weight to the statement that the majority of producers favour this levy increase.

It is not a terribly large levy. It amounts to \$1.20 a tonne, at the rate of 6c per 50 kilograms, and that money can be spent in three different ways; namely, on research, on administration of the association, and on specific activities as approved by the Minister, which can cover such things as promotion. The Bill contains a safeguard that no more than 50 per cent of the total income earned can go to any one of those activities, and no more than 80 per cent of the total income earned can go to the total of the three activities.

Once again I thank members for their general support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

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

SEEDS AMENDMENT BILL*Second Reading*

Debate resumed from 8 April.

MR EVANS (Warren) [3.17 p.m.]: This measure is not so much an industry Bill as a departmental or machinery measure. It has arisen because an anomaly has been detected by the departmental officers who are responsible for the operation of the Seeds Act. The difficulty that has arisen is in connection with labelling, and concerns the provision that the label must show the correct portion of germinable seed that the sample or the lot contains. The present Act requires this proportion to be calculated on a weight basis. It has been found that this is less simple than calculating the proportion of germinable seed from a given number of seeds or samples. It can be readily appreciated that the correlation between number and weight is quite precise and it is for this reason that the officers of the department are seeking this amendment.

Traditionally, germination tests have been made on a percentage of a given number of seeds that have been planted. It is really a reversion to the situation where it can be converted to weight relatively simply. The Opposition has no objection to this measure.

MR OLD (Katanning—Minister for Agriculture) [3.19 p.m.]: I thank the member for Warren for his support of the Bill. He has outlined the situation very clearly and I do not believe there is any need for me to elaborate on the matter.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

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

**MOTOR VEHICLE DEALERS
AMENDMENT BILL***Second Reading*

Debate resumed from 31 March.

MR TONKIN (Morley) [3.22 p.m.]: The Opposition supports this measure which seeks to

bring wreckers within the ambit of the Motor Vehicle Dealers Act. It appears there is an impediment in the Act which results in an inability to license people who buy motor vehicles for the purposes of wrecking. This loophole was discovered on appeal to the Supreme Court. It is important that wreckers be brought within the ambit of the legislation in order to cover situations which result from the theft of motor vehicles. Under a licensing system the purchase of motor vehicles will be policed better and the flow of transactions in that regard will be monitored better. It is unsatisfactory that these sorts of dealings in motor vehicles should escape the provisions of the Act simply because the vehicles were bought for the purpose of wrecking, rather than for sale.

Another reason for the amendments in the Bill is the importance of maintaining an accurate system of records. The Minister referred also to the fact that it is important to police the return of number plates. It is clear those are valid reasons for the introduction of this Bill.

It is just as important that dealers involved in motor vehicle wrecking be licensed as it is that all other motor vehicle dealers be licensed.

Another amendment requires that certain particulars in respect of the acquisition of motor vehicles by licensed dealers be given to the Government. It appears that under the present Act no authority exists to require dealers to provide the necessary details, especially those relating to drivers' licences. It is essential these details be furnished in order that the movement of motor vehicles might be recorded on the computer system through the alphabetical listing of drivers' names. If the particulars in relation to drivers' licences are not available, the necessary information cannot be obtained. Hitherto it was not possible to insist that these particulars be provided, but this amendment will remedy the position and the Opposition agrees with it.

I draw attention also to the practice in which some motor vehicle dealers, salesmen, and finance companies are involved in the sale of motor vehicles. Many examples of this practice have been brought to my attention since I have been in this Parliament and I shall cite one case in which I was involved recently. A young lad bought a motor vehicle and the salesman encouraged him to provide inaccurate information in relation to his income and address when completing the finance application form. The salesman suggested the young man should indicate he lived at home in order that the impression would be given that he had a higher disposable income than that which he would have

were he living elsewhere. The deal was completed on that basis.

It was agreed that, if the hire-purchase agreement were accepted, the trade-in price on his old vehicle would be \$2 000 and, if it were not accepted, it would be \$1 700. That sort of falsification of documents goes on every day.

When the Tonkin Government was in office I was a member of the Royal Commission which inquired into the Hire-Purchase Act, and I became aware of the prevalence of the "jacked" deal. The member for Mt. Marshall was the chairman of that commission and he also would be aware of that practice which still flourishes. In the example I gave, a boy of 18 was persuaded to falsify particulars in relation to his income and address and an inaccurate trade-in figure was provided. Pressure of this kind on young people occurs in our society where advertising persuades people to buy bigger and faster cars and some motor vehicle dealers are culpable.

This matter should be policed more strictly. I know the name of the salesman involved in the case I cited and his licence should be revoked. Finance companies should ensure people involved in hire-purchase agreements can meet the required repayments.

Time and time again I have been assured by the Australian Finance Conference that the last thing it wants to do is to repossess vehicles or goods. Therefore, it is concerned about repayments. That sort of policy statement is made at the highest level of the Australian finance industry—that is, the Australian Finance Conference—but that attitude does not square with the practices in which some finance companies are involved.

It is incumbent upon the board to look carefully at the licensing of motor vehicle salesmen and dealers. Likewise finance companies have to be licensed. These licensing authorities should ensure that high ethical standards are adopted. If those involved do not meet the required standards, action should be taken against them. I am sure all members who take an interest in their constituents would be aware of cases such as the one I cited which is only one of many that occur. This is something to which the Government should pay attention. However, after that slight digression, I indicate the Opposition's support for the Bill.

MR McPHARLIN (Mt. Marshall) [3.31 p.m.]: It is interesting to note that the Minister had the following words to say in his second reading speech—

In March 1981, in an appeal to the Supreme Court by a wrecker against his

conviction for unlicensed dealing, the court found that motor wreckers who do not sell "whole" vehicles need not be licensed.

That is the basic reason for this measure being before the House; we must protect the public against unscrupulous people. As the member for Morley said, we must protect them from an outlet for stolen vehicles. Any amendment such as this which will protect the public should be welcomed by members of this House.

The member for Morley and I were members of a Royal Commission which inquired into the hire-purchase and credit-purchase industry in this State. That commission made 17 recommendations and nearly all, if not all, were adopted. They were designed for the betterment and protection of the public generally.

As time has progressed and loopholes in our legislation have been found by unscrupulous people in an endeavour to exploit the public, it is encouraging to see that amendments such as those contained in this Bill have been introduced. I fully support the Bill.

MR YOUNG (Scarborough—Minister for Health) [3.32 p.m.]: On behalf of the Minister for Labour and Industry, I thank the member for Morley and the member for Mt. Marshall for their general support of the Bill. I will draw the comments of the member for Morley to the attention of the Minister so that he can look at the matters raised by the member.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Trethowan) in the Chair; Mr Young (Minister for Health) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 5 amended—

Mr BERTRAM: The clause proposes to insert after the word "dealer" in the definitions, the words "a person whose business consists of or includes buying vehicles for wrecking." I notice in the Act that there appears to be no attempt to define what is meant by the word "vehicle." It may be that it is necessary that the word "motor" should be inserted before the word "vehicle". As the term "motor vehicle" is very important in this measure, could the Minister satisfy the Committee that the word "vehicle" should not be replaced by the words "motor vehicle"?

Mr YOUNG: As the member's question is one of legal interpretation I cannot give him an answer except to say that anyone who would read

the amendment and think the word "vehicle" meant anything other than "motor vehicle" would be misinterpreting the amendment. However, I will raise the matter with the Minister responsible for the Bill. Should any correction need to be made, which I doubt, it could be made in another place.

Mr BERTRAM: The Road Traffic Act contains a definition of "motor vehicle" which reads as follows—

"motor vehicle" means a self-propelled vehicle that is not operated on rails; and the expression includes a trailer, semi-trailer or caravan while attached to a motor vehicle;

It may be that there is some significance in the fact that there is a real distinction between "vehicle" and "motor vehicle".

Clause put and passed.

Clauses 4 and 5 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

ACTS AMENDMENT (JUDICIAL APPOINTMENTS) BILL

Second Reading

Debate resumed from 31 March.

MR BERTRAM (Mt. Hawthorn) [3.39 p.m.]: This Bill appears to address itself to what could be described as relatively minor matters, and the Opposition has no objection to the amendments.

Relatively speaking, these days very few people are seen any longer to do anything unless they are paid, whereas in yesteryear people would do things and never think of being paid. These days the tendency is to think of payment and only afterwards satisfy oneself that, after all, one should not be paid for what one has done.

However, when judges have taken on higher duties such as those of the Acting Chief Justice, they have been paid for those extra responsibilities, but only on an *ex gratia* basis, and not because of any legal entitlement to that payment. To put the position right, the Bill seeks to make such payments legal. The Bill does not

seem to be of monumental importance; there do not seem to have been problems in regard to judges being paid for these extra duties. With the passage of this legislation judges will receive, as a matter of law, payments for higher duties.

I suspect the real purpose of the Bill is to make good the defects currently appearing in the District Court of Western Australia Act and the Stipendiary Magistrates Act which do not contain any requirement at law for magistrates and District Court judges to be sworn in upon appointment. They have been sworn in, but not at law; it has been the habit that they be sworn in. Whether judges and magistrates sworn in, but not as a matter of law, will find that their appointments are ineffective, and they are required to be sworn in again, I do not know, because those matters are for the administration of the courts, and the Government, to decide.

The strange aspect of this Bill in regard to the District Court of Western Australia Act and the Stipendiary Magistrates Act is that it provides for the swearing in on oath or affirmation; but if one reads the comparable section in the Supreme Court Act, section 9(2), one can see that there is provision for judges to be sworn in only on oath, and not on affirmation. It seems to me to be an omission, and the requirement to be sworn in on oath or affirmation should be provided in each of the three Acts. The time to bring each Act into line is now, not at some future time.

The law generally is complicated as it is, without having fundamental and elementary differences between similar pieces of legislation, when on the face of the matter those pieces of legislation should provide similar provisions, for example, for swearing in. The Minister has not taken the opportunity of this Bill to bring each piece of legislation into line; he is making changes only part of the way and the Opposition proposes to do something about that at a more appropriate time.

MR JAMIESON (Welshpool) [3.45 p.m.]: Whilst I go along with what the Bill proposes in general, I would like the Minister to explain whether stipendiary magistrates when acting as the Chief Stipendiary Magistrate already are paid properly for higher duties, and whether provision is made in the Stipendiary Magistrates Act for payment of paid higher duties.

The Bill deals with the various courts as mentioned, and, of course, with the Stipendiary Magistrates Act in regard to the swearing-in of magistrates. It is interesting that such an amendment has come before us. I do not think the people in those positions have been bad

administrators of the law for not having been sworn in properly, but somebody has taken the point. This matter gets back to whether we as elected personnel would be lesser persons if we did not take an oath of allegiance upon entering this place. I doubt very much that we would be. It has been a tradition, and tradition dies hard; it is difficult to get rid of the *pro forma* which has existed for a long time.

The Bill ensures proper payment for higher duties by amending the Supreme Court Act, the Judges' Salaries and Pensions Act, and the District Court of Western Australia Act. The Bill refers also to the Stipendiary Magistrates Act, but in that regard is concerned only about whether stipendiary magistrates take an oath or affirmation of allegiance. Whether the salaries of magistrates and, in particular, the payment for higher duties have been considered, was not referred to in the second reading speech. The Minister might like to explain the situation to me. Magistrates already may be covered by the Act, but if they are not this Bill may have been an appropriate way for them to be covered along with other judicial personnel in regard to the payment for higher duties.

MR RUSHTON (Dale—Deputy Premier) [3.47 p.m.]: The information I have indicates that a review was carried out, and it was decided that the existing *ex gratia* payments to judges of the Supreme Court and the District Court when performing higher duties as the Acting Chief Justice or the chairman of judges of those courts, should be formalised. It is not clear whether such payments to magistrates acting as the Chief Stipendiary Magistrate are provided for in the legislation. Discussions were held with the Under Treasurer and the Chairman of the Judges' Salaries and Pensions Tribunal, and it was decided that the most appropriate method would be to amend the legislation, as is indicated by the Bill, but it may not go as far as the member suggests it should. I will take up the matter with the Attorney General to determine what can be done.

I appreciate the support of the Opposition and thank the member for Mt. Hawthorn and the member for Welshpool for their contributions.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Crane) in the Chair; Mr Rushton (Deputy Premier) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 10 repealed and substituted—

Mr BERTRAM: I simply mention at this stage that I will move for a new clause to be inserted after clause 3 to be called clause 4, for the purpose of improving the situation mentioned in the Minister's second reading speech.

Mr Rushton: I have not got the notice of the amendment. Do we have a copy?

Mr BERTRAM: Yes. I am happy to give the Minister a copy, but I cannot deal with it until we reach the end of the Bill as I understand it. It is a new clause.

Mr Rushton: That is all I wanted at this time.

Clause put and passed.

Clauses 5 to 17 put and passed.

Title put and passed.

New clause 4—

Mr BERTRAM: I move—

Page 2—Insert after clause 3 the following new clause to stand as clause 4—

4. Subsection (2) of section 9 the Principal Act is amended as follows—

Page 8, line 17—Insert after the word "Oath" the words "or affirmation".

Page 8, line 18—Insert after the word "Oath" the words "or affirmation".

In his second reading speech the Minister said that the second matter contained in the Bill relates to oaths and affirmations of allegiance declared by District Court judges or magistrates. He said, "oath or affirmation". As a matter of practice, District Court judges and magistrates take an oath or affirmation upon appointment, but, strictly speaking, it is not a present requirement under the District Court of Western Australia Act or the Stipendiary Magistrates Act. Although the requirement in respect of an oath or affirmation originally appeared in the Stipendiary Magistrates Act, unfortunately it was omitted when substantial amendments were made to that Act a few years ago.

In his second reading speech, the Minister referred to oaths or affirmations, not merely oaths.

If we turn to section 9(2) of the Supreme Court Act, we confirm the absence of a principle of an affirmation. The section reads—

Every person appointed to be a judge of the Supreme Court shall when he enters on the execution of his office take in the presence of the Governor the oath of

allegiance and the judicial oath as prescribed in the second schedule of this Act.

That wording is very similar to the wording which now will be found, thanks to this amendment, in the District Court of Western Australia Act and the Stipendiary Magistrates Act. The only words which are missing are the two words which I have now suggested by this amendment should go in; namely, "or affirmation." Now is the convenient and sensible time and place to be inserting those two words. There could be a time when a person wanted to be appointed a judge of the Supreme Court and for some reason he was not prepared to take an oath, but was prepared to make only an affirmation. Under clause 9(2) he could not be sworn in and could not become a judge. He could become a District Court judge or a magistrate, but not being able to affirm, he could not become a Supreme Court judge.

I suppose then either he would not become a judge because of this rather obvious loophole or unsatisfactory provision, or he could be assigned to one of the lower echelons of the judiciary or magistracy.

There is really no reason that the comparable clauses in the Supreme Court Act, the District Court of Western Australia Act, and the Stipendiary Magistrates Act should not read as nearly as possible the same. Why we should have three Acts with different provisions, I do not know. Legislation at all times should involve simplicity and should not forego the accuracy, desirability, or efficacy of measures. Where it is possible to have these qualities present, why should they not be? Here is a case where it can be done.

This is not a very earth-shattering amendment; it is just a tidying-up amendment so that if a person wishes to become a judge and for his own reasons does not wish to make an oath, but simply to affirm, he should have the right to affirm. It does not mean that he will not be a good judge if he does not make an oath.

I can think of at least one leading lawyer in Australia today who would not take an oath. It would be a pretty odd situation if a person of great competence was stopped from becoming a judge until such time as we brought in another Bill to allow him to make an affirmation. That would be an absurdity. These days obviously there is a need for an affirmation provision just as in yesteryear when it was almost universal by the contrary. I have made provision for this now. The amendment here is an obvious one and is relatively minor in terms of how many words are

involved. I simply commend the amendment to the Committee.

Mr RUSHTON: On a quick reading of the amendment moved by the member for Mt. Hawthorn, I am not convinced that it is necessary; however, I acknowledge that the member for Mt. Hawthorn is most persuasive and has a greater legal knowledge than I. I undertake to refer the amendment to the Attorney General for his consideration.

New clause put and negatived.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Rushton (Deputy Premier), and transmitted to the Council.

LAND TAX ASSESSMENT AMENDMENT BILL

Second Reading

Debate resumed from 6 April.

MR I. F. TAYLOR (Kalgoorlie) [4.04 p.m.]: The Bill before the House seeks to exempt from land tax assessment and land taxation itself certain land set aside for forestry business subject to certain conditions which are, of course, set out in the Bill.

The current situation is that there appears to be an inequity in the present land tax legislation in regard to the provision for forestry. The Bill seeks to remove the inequity and the Opposition does not object to it. However, I would like to make a few comments on the land situation in this State.

I believe the Deputy Premier, who introduced this Bill, overlooked one important matter in relation to all taxation legislation where the Government seeks to provide certain exemptions. The Government should endeavour to cost such exemptions; in this instance the Opposition does not believe an attempt has been made to cost the proposed exemption. We believe the exemption will amount to \$20 000 annually in terms of revenue foregone—

Mr O'Connor: It will not be a great deal because of the area involved; I think you will agree with that.

Mr I. F. TAYLOR: As I said, the Opposition supports the legislation. We believe it provides a modest form of tax relief to the primary producer. It will encourage and facilitate reforestation processes in Western Australia and will assist farmers to diversify primary production. We understand that the legislation is supported by the industry; in particular, I refer to the Australian forest development institute. The value of relief is in the vicinity of \$20 000 which amounts to about 0.5 per cent of the total amount of anticipated tax collections in 1982-83. We estimate that in 1982-83 the Government will be seeking to raise \$36 million or \$37 million from land tax.

Land tax is a wasteful tax from the point of view of revenue collection. In 1979-80—the latest figures available to us—it cost about \$5 for every \$100 of tax collected. I have studied the latest report by the Commissioner of State Taxation and no attempt was made in that report actually to cost the collection of various forms of State taxation revenue. It is the first time, to my knowledge, that the commissioner has made no such attempt. In his 1979-80 report the commissioner went to considerable lengths to prepare a chart containing this information. It is not possible to incorporate that chart in *Hansard*, but it shows that land tax collections are very expensive in relation to other forms of State taxation collections. If the Premier peruses the chart in my hand he will see that in 1975-76 it cost as much as \$10 to collect every \$100 of land tax. That cost now has fallen to about \$5 for every \$100 of land tax collected. In comparison with other taxes, the collection of land tax is very expensive; I refer to stamp duties, which costs 0.77c; betting taxes, 0.37c; pay-roll tax, 0.18c and, tobacco licences, 0.17c.

I refer to another matter which concerns Government taxation and to two Government reports on taxation which have been presented in recent years. The reports to which I refer are the 1975 Keall committee report and the 1981 McCusker committee report. Both committees came to the conclusion that in order to restore equity to the collection of land tax it would be necessary to apply that tax universally or to abolish it. I do not consider it should be abolished because I am in favour of tax on all forms of wealth, including land. It is surprising that the matter of exemptions has come before the House at this time—before the recommendations of the McCusker report were presented to the House. I understand that at this stage the Government has failed to act on any recommendations contained in the McCusker report despite the strong support

the Premier gave to the formation of the committee.

One could say that the committee was the baby of this Premier. However, because no action was taken on the recommendations of the McCusker committee no relief from increasing taxation resulting from escalating land values has been provided to small business enterprises in our community. The only form of relief that we have seen is the limitation of the Metropolitan Water Board rate increases to no more than 50 per cent annually.

It is important that the Government should look at the problems associated with small business in relation to land tax, and also at the rate of increase in the value of land.

I conclude my remarks by saying I support the legislation before the House. However, I urge the Government to take note of the recommendations of the McCusker committee, particularly those relating to the tax burdens in our community.

MR BRIAN BURKE (Balcatta—Leader of the Opposition) [4.10 p.m.]: The member for Kalgoorlie has summed up very ably the Opposition's attitude in respect of this Bill. We do not oppose the relief proposed by the Government, but we do take the opportunity to draw to the attention of the Government a number of very pertinent facts—firstly, about the system of land tax; and, secondly, about the incidence of this tax and all other taxes on the community in general, and on specific sectors of the economy in particular.

As the member for Kalgoorlie said, in its collection land tax is a most inefficient tax. The relief that is being proposed is a piecemeal approach to a taxation system imposed by this Government in Perth and by its counterpart in Canberra. That system is repressive. It works towards the destruction of small businesses in this economy. It is making it extremely difficult for people across the nation to persist in the standard of living that they enjoyed previously.

While not detracting from the relief proposed in this Bill, I wonder when we will see from the Government some evidence that it realises the massive difficulties being imposed upon the cost structures of small business as a result of the taxation policies being implemented by the Government in this State and by the Government in Canberra. At times of flaccid and falling demand, small businesses rightly become preoccupied with their cost structures, and that preoccupation highlights one of the major costs being faced by businesses in Australia at

present—the scale of Government taxes and charges.

While not detracting from the minor concession proposed in this Bill, amounting to \$20 000, it seems strange to us that it does not include a more substantial, sensible, comprehensive, and settled policy on the part of this Government in respect of taxes and charges, of which land tax is just one inefficiently imposed, but nevertheless onerous, part of the system.

Mr Nanovich: Why is it inefficiently imposed?

Mr BRIAN BURKE: Obviously the member for Whitford was not listening when the member for Kalgoorlie highlighted the cost of collection of other comparable taxes. For example, the latest figures estimate that the cost of collection of land tax is five per cent of the total receipts. In the case of stamp duties, the cost of collection is less than one per cent; in fact, it is 0.77 per cent; in the case of betting taxes, it is less than 0.5 per cent; in the case of pay-roll tax, 0.18 per cent; in the case of tobacco licences, 0.17 per cent. On that basis, it is self-evident that the land tax is inefficient in its collection.

We do not oppose the concession that is proposed. However, we want to tell the Government that the taxation system, of which it and its sponsorship are a part, is a labyrinth of harshness imposed upon small businesses. It is one of the most significant factors affecting the cost structures of small businesses, and the incidence of it will increase alarmingly.

This Government has been deficient in its failure to produce a sensible, settled, and comprehensive policy for the system of taxation that is imposed at its behest.

Mr Herzfeld: Are you saying you would eliminate land taxes if you had the opportunity?

Mr BRIAN BURKE: Perhaps the member for Mundaring was not here when the member for Kalgoorlie was stating the Opposition's attitude—

Mr Herzfeld: I was.

Mr BRIAN BURKE: —so I will repeat it for him. No, we are not saying that we oppose the principle—

Mr Herzfeld interjected.

Mr Tonkin: Oh, listen!

Mr Herzfeld: You have just been criticising it because of its inefficiency. If it is inefficient, what about making suggestions to improve it?

Mr BRIAN BURKE: If the member for Mundaring says that pay-roll tax is a disincentive to employment, that does not mean that we oppose its imposition and collection. If that is too

subtle for the member for Mundaring, I am not sure how I can explain to him that people can support policies to which they have some objection.

Mr Herzfeld: You are doing your usual stunt of criticising and not offering any alternatives.

Mr BRIAN BURKE: The Opposition's objection is outweighed by the need to review what is involved in other propositions.

Mr Herzfeld: You are just a knocker!

Mr BRIAN BURKE: The Opposition says that this Government needs to develop a comprehensive, settled, and rational policy towards the taxation measures that are within its control. Striding beside that settled policy, the Government has an obligation to explain to the business community particularly, and the public generally, that it supports a series of measures aimed at improving its own efficiency.

Mr Herzfeld: You have the chance to say how you would do it differently, and you never do.

Mr Rushton: He could not.

Mr BRIAN BURKE: We are talking about a comprehensive—not a piecemeal—package of taxation measures that involves pieces of legislation like this, which are piecemeal forms of relief. We are saying also that, specifically, when we talk about being in government, we believe this Government should accept the principle of performance auditing, and subject Government departments to the scrutiny of experts drawn not only from the Treasury and the senior departmental officers but also from private industry.

Mr Herzfeld: This Government has performance auditing. What are you talking about?

Mr Carr: You have not done a thing about it.

Mr Herzfeld: That just shows how little you know about it. Go and have a look at the Metropolitan Water Board. Ask the members of the Public Accounts Committee, and see what performance audits have been done. That is just one example. You do not know.

Mr Tonkin: People on that side would not like the example he gives—the Metropolitan Water Board.

Mr BRIAN BURKE: What I have said, and what I repeat, is that while we are looking to this Government for a comprehensive policy, dictating the details of the taxation measures that it intends to impose, the incidence of those measures will affect different sectors of the economy. The Government should indicate how the rationality would be maintained in the taxation package

imposed by this Government. We also are looking to the Government for some sort of guarantee about its own efficiency—for example, performance auditing.

Perhaps the member for Mundaring is privy to information that the Government has not yet announced; but as far as I am aware, there has been no exposition in any forum of a system of performance auditing to which this Government adheres. As far as we are concerned, people would much prefer to have guarantees from the Government in the form of settled performance auditing techniques than to have piecemeal relief of this sort.

Perhaps the member for Mundaring does not understand that the auditing system of the Metropolitan Water Board is an internal auditing system, far from what is proposed in performance auditing.

Another of the ways in which we should parallel an efficient taxation system is by the insertion of sunset clauses into legislation establishing Government boards and authorities. We have heard continually from Government members about the number of statutory boards and authorities that, apparently, are inefficiently consuming the taxpayers' money.

In the light of its own complaints, the Opposition proposes to the Government that we should insert into every piece of legislation establishing any board or authority a sunset clause, so the board or authority would be forced to justify its existence or to go out of existence. Now, what is wrong with that?

As far as the Government's performance in this particular field is concerned—that is, the field of taxation and the guarantees of efficiency in government—it has been lacking in definition and direction as to this State's taxation policies. It has been lacking also in guarantees of efficiency in government to the public in general, and the business community in particular. That is something which we should not tolerate. The Government should move quickly to remedy those deficiencies.

I conclude by saying this: While it looks after its own backyard, it is high time this Government took a much more visible stance in opposition to personal income tax rates which are amongst the most iniquitous in the world and which are destroying initiative in areas members opposite claim to have a special responsibility to represent.

Mr O'Connor: Do you think there should be a maximum limit or something similar?

Mr BRIAN BURKE: I am perfectly happy to take the Treasurer through progressive and

regressive taxation systems, but if he wants to put forward a question in the abstract form which has no relation to anything, he cannot expect me to answer it.

Mr O'Connor: It relates to income tax. It does not matter. I was not trying to be smart. I was just asking a question.

Mr BRIAN BURKE: It is like asking me about the Falklands crisis and whether it was right that Britain should take South Georgia. The Treasurer cannot ask a question like that and expect me to give a simple "Yes" or "No" answer.

However, a State Government has a responsibility to take a much more visible stance in respect of personal income tax rates in this country, rates which are destroying the initiative in those sectors members opposite claim to represent. As a result, tax avoidance is being turned into a billion dollar industry. Only a few years ago, I do not think any of us would have been able to name people we knew who were working full time in advising people on tax avoidance. These days all of us would know of the activities of people whose full-time occupations are to go from businessman to businessman proposing schemes which will allow the avoidance or evasion of tax. That is a despicable situation not only in the permission it gives those people to do something immoral, but also in the burden it thrusts on the rest of the community who, as wage and salary earners, do not see their tax before it is taken from them.

The social evil, let alone the dampening of initiative, which is being forced upon the population of this country is illustrated best by reference to people who I have always considered, in individual cases, are fine, upstanding citizens and who find now they cannot continue in business unless they take every possible step to minimise their taxes. I am not talking about rip-off merchants who will save every cent they can, regardless of their incomes. I am talking about honest citizens who find it almost impossible to continue in business or in their professions unless they attempt to minimise their taxes. This has been forced upon this country by the most repressive income tax scales we have ever seen.

There are three aspects to the matter: The first is we are looking for a comprehensive, settled taxation policy from this Government. Secondly, we are looking for guarantees, evidenced in practical and announced policies, that we will have efficiency in government as far as that is possible. Thirdly, we are looking to this Government to take a much more visible stance in

the fight against repressive and iniquitous personal income tax rates.

MR O'CONNOR (Mt. Lawley—Treasurer) [4.25 p.m.]: This Bill was introduced in an effort to exempt certain forestry areas from land tax. This occurs in primary industry also and it is an exemption which applies in most States of Australia.

As a result of the conditions which exist here, it is almost impossible for some people to obtain the percentage of income required to qualify them for the exemptions in the Act. Frequently it is many years before these exemptions can be claimed.

I thank the Opposition for its support of the Bill. Land tax collection costs were referred to and, in many areas, they are much higher than we would like. However, as pointed out by the member for Kalgoorlie, in recent years collection costs have been halved in this State. That indicates a Government which is concerned about these costs and which endeavours constantly to reduce them further. The expenditure review committee has been working in this area and the Government shall continue to ensure these sorts of collection costs are reduced as much as possible.

Members referred to small business and the McCusker report's recommendations, some of which the Government is investigating. It is not possible for any Government to implement all recommendations contained in every report which is presented.

Reference was made to pay-as-you-use charges and it is clear that these sorts of charges benefit some people more than others. For example, pay-as-you-use water charges operate in a beneficial way for people on the higher rate, because they will reduce progressively, especially for those involved in big business in the metropolitan area. It is a fact that this burden must be borne by someone, because the MWB has to maintain a certain level of revenue. It is essential we look at who should bear these costs and the Government, as well as the Opposition, is concerned about placing the burden fairly, in order that people who can ill-afford to meet these charges are not taxed unfairly.

I am not saying all businesses can afford to pay all the charges levied on them, but it is very easy to say certain recommendations should be implemented. However, had we implemented them, I am sure we would be criticised today for doing so.

The Leader of the Opposition referred to improving efficiency and the member for Kalgoorlie indicated that, in the Public Service, a

number of people are stretched to capacity already. I agree with that.

Mr I. F. Taylor: That is not efficiency, is it? It is bordering on inefficiency.

Mr O'CONNOR: It indicates we have trimmed the surplus fat from staff numbers. The Government will continue to ensure maximum efficiency is achieved in all departments.

I thank the Opposition for its support of the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

MR O'CONNOR (Mt. Lawley—Treasurer) [4.29 p.m.]: I move—

That the Bill be now read a third time.

MR I. F. TAYLOR (Kalgoorlie) [4.30 p.m.]: In reply to the Premier's comments on the efficiency of the Public Service, I point out to him that just because the Public Service is stretched to the limits of its ability to cope from the point of view of funds available and the manpower it has presently does not necessarily mean the Public Service is working efficiently. In fact, it could mean quite the opposite.

Efficiency can be measured. The Leader of the Opposition quite clearly pointed out that one method of measuring the efficiency of the Public Service is to introduce performance auditing which sets out to determine the functions of a Government department or instrumentality, and what it should or should not be doing. A department or instrumentality must be aware of its tasks in relation to the overall public services provided to the community. Once a department does that it is possible for performance auditors to determine whether a particular department or instrumentality is coming up to the required level of efficiency. That would be a measure of how the Public Service is doing.

The blame for the very fact that the Public Service does not have sufficient resources, can be levelled at only this Government and the Fraser Government: but that does not mean the Public Service should not be working efficiently. The Treasurer should get these points quite clear in his mind. Just because people are not able to

cope—in fact, the Chairman of the Public Service Board made it clear in his annual report that the Public Service is having difficulty coping under the present circumstances—and just because this situation applies throughout Australia today, does not mean the Public Service is more efficient than it has ever been. In fact, it could be said that the Public Service of today does not have the resources available to it to allow it to do the job it should be doing.

MR BRIAN BURKE (Balcatta—Leader of the Opposition) [4.32 p.m.]: To add one or two comments to the points raised by the member for Kalgoorlie, I inform the House the Treasurer does have an obligation to get clear in his mind what we mean by performance auditing. The concept could be best likened to a cost-benefit analysis. We are not talking simply about the number of pens used and the number of pages for which each pen is responsible for writing—

Mr O'Connor: Performance over a period of time, yes.

Mr BRIAN BURKE:—prior to its being thrown out. We are talking about a cost-benefit analysis of the performance of particular Government departments, and we are looking to the Government for some lead in that direction.

Mr Clarko: Wouldn't you agree that it is very difficult to measure many of these things?

Mr BRIAN BURKE: It is difficult to measure many of those things, but it is not something from which we should shy away simply because it is difficult to do.

Mr Clarko: It is impossible in some cases.

Mr BRIAN BURKE: I do not know whether it is impossible.

Mr Clarko: You cannot measure a particular general service in terms of dollars.

Mr I. F. Taylor: That shows how much you don't know about it.

Mr BRIAN BURKE: Private industry appears to be able to carry out cost-benefit analyses quite well by performance auditing.

Mr Clarko: That does not apply in welfare matters.

Mr BRIAN BURKE: I am not sure from which source the member for Karrinyup draws his strength—

Mr Clarko: I was Chairman of the Public Accounts Committee, and involved in a number of committees and discussions on this matter. The Commonwealth Auditor General (Mr Steele Craik) discussed this at a conference held in Sydney four or five years ago. I am not saying

you are wrong, but it is very difficult in some parts.

Mr BRIAN BURKE: I did not argue with the member when he said performance auditing was difficult, but I understood him to say it was impossible.

Mr Clarko: That is in some areas.

Mr BRIAN BURKE: All I am saying is that we do not accept it is an impossibility in areas where it never has been from our knowledge proposed seriously or considered in detail by this Government. If after consideration is given to the matter the Government says performance auditing is impossible, we will look at it again. But in the absence of that consideration we have every right to say to the Government that, because it is not providing public evidence of what it is doing, it is falling down on the job.

The second aspect I wanted to touch on was the question raised by the Premier in connection with water rates. I agree with him when he says that if we shift from one part of the charging system—that is, the commercial system—to the domestic part of the ledger, we will have to impose on domestic users much higher rates; but that is no excuse for the Premier's failure to rationalise the charging system within the commercial part of the ledger. Leaving aside any transfer from one side to the other, considering the anomalies presently involved in the commercial charging sector of the Metropolitan Water Board, the biggest users of the services provided by the board are being subsidised to the tune of millions of dollars by small business people. The Government has made no move towards relieving that pressure.

Mr Herzfeld: That is not true, though.

Mr Bertram: It is true.

Mr BRIAN BURKE: I have explained it—

Mr Herzfeld: The Government set up a committee to look at this, and the Government is implementing the recommendations.

Mr BRIAN BURKE: I do not know whether the member for Mundaring will grasp the matter when it is explained, but in detail it is simply this: The biggest users of the board's services, the biggest consumers of water, pay for each kilolitre of excess the same amount as do domestic consumers, and the smallest users within the commercial part of the charging system pay what amount to tens of dollars for each kilolitre of water they use.

Mr Herzfeld: No, they don't; they pay a rate.

Mr BRIAN BURKE: For the benefit of the member for Mundaring let me repeat that the

smallest users within the commercial sector of the board's charging system pay what amounts to tens of dollars per kilolitre. Whether that be in the form of rates or in the form of excess water charges, I am sure does not change the number of dollars they pay. That explanation is for the benefit of the member for Mundaring.

The other aspect this Government consistently has failed to understand is that because of the location of small businesses in busy and highly rated retail sections of the city, small business people pay rates which invariably are much higher than the rates paid by big users of water such as those who have factories situated, for example, at Pinjarra or Canning Vale. Proportionately they do not have the same rates to pay because their properties are not as highly rated, although they are as commercially valuable. So, small business people get a double "wammie"; not only do they pay more in rates because of the locations of their businesses, but also they pay what amounts to tens of dollars per kilolitre of water used because they never get to use the water available. The biggest users of water—businesses which depend on the consumption of water—pay the same rate for the use of water as do domestic users.

Let us not have this rubbish about the only option to be studied being the transfer of costs from the commercial sector to the domestic sector. Within the commercial sector of the board's charging system, small businesses pay massive subsidies to the board's biggest users. This has been pointed out to the Government time and time again, and nothing has been done. The same system proceeds despite—

Mr Court: What about the changes?

Mr BRIAN BURKE: The member for Nedlands may well know of changes that were not incorporated in the second last set of accounts sent out, but the ones sent out most recently maintain that system. I will tell the member for Nedlands why in some ways it has been maintained. His silly Government made special agreements with people who have squandered the State's water resources; they were provided with water at bargain basement prices.

Mr Herzfeld: People have got jobs as a result of those developments.

Mr BRIAN BURKE: This horrible—

Mr Herzfeld: They got jobs.

Mr BRIAN BURKE: —little man—

Mr Watt: Don't be personal. We don't need to get into personalities.

Mr BRIAN BURKE: I have pandered to the member for Mundaring—

Mr Herzfeld: It is your ignorance.

Mr BRIAN BURKE: —for 10 minutes, answering at great length each of his interjections trying to explain the situation to him.

The ACTING SPEAKER (Mr Trethowan): Order! I would ask the Leader of the Opposition to confine his remarks more closely to the nature of the Bill in this third reading debate, and to ignore the interjections.

Mr BRIAN BURKE: Thank you for your guidance and I am in complete agreement with it as members should not make interjections.

Mr Herzfeld: Do you promise you will not make any interjections for the rest of the day?

Mr BRIAN BURKE: The problem confronting this Government in many cases is that agreements have been signed that cannot be changed legally until they run their course. So in trying to comply with your guidance let me repeat two points that I have attempted to make.

The first was a form of cost-benefit analyses involved in performance auditing. It does not refer to the number of times a pen is used before it is thrown away, the number of inefficient tasks on which a public servant is engaged, or the inability of the same public servant to do no more in his day. We are talking of cost-benefit analyses.

The second point is that the Treasurer mentioned the problem of off-loading charges from the commercial to the domestic sector—and his example was water. That is all very well if we maintain expenditure and outlay within the commercial sector. However, it appears that massive subsidies are being paid to big business at the expense of small businesses. The Treasurer, in his capacity, has signed agreements to allow certain firms to operate without their paying for the water they use.

MR HERZFELD (Mundaring) [4.42 p.m.]: I enter this debate at this late stage to point out the hypocrisy displayed by the Leader of the Opposition when he gets up in this House and claims to be an oracle on questions such as the one he spoke about earlier. If he believed in performance auditing and cost-benefit analyses he would not have stood up in this House, only yesterday, opposing the legislation to allow Westrail to enter into a joint venture arrangement. It was as a direct result of the cost-benefit analyses that he is promoting that the Government brought forward that legislation because it was very quickly demonstrated that there would be a considerable saving for the

taxpayer if the Parliament agreed to that measure. I simply point out to members that neither they nor the people of Western Australia can believe the words that come from this Leader of the Opposition and his party—

Mr Bertram: We do already.

Mr HERZFELD: —when they get up and sprout words about efficiency and performance for the specific purpose of attracting votes from small business. Let them prove they really believe in performance by supporting the sort of legislation the Government is bringing forward. Let them support the arrangement to facilitate the joint venture of Westrail.

The ACTING SPEAKER (Mr Trethowan): Order! I do not believe it is appropriate to refer to any other debate that has been held in this House during this session. I ask the member to confine his remarks to the nature of the legislation before us.

Mr HERZFELD: Thank you, for your guidance, Sir. I think I have made my point; and that is to emphasise the hypocrisy of this Leader of the Opposition.

MR O'CONNOR (Mr. Lawley—Treasurer) [4.45 p.m.]: I thank the member for Mundaring for making the point—which obviously did not please members of the Opposition—that work is, in fact, being done by this Government. On the matters of performance auditing and cost-benefit analyses the Government is keeping a strict watch. In fact, last year we were concerned in areas as indicated by the expenditure review committee which worked on the basis of trying to achieve economy by taking something like \$40 million from various areas. That indicates in itself that this Government is concerned and is genuinely trying to overcome some of the difficulties involved. The committee is continuing with its work and will be going through department by department—

Mr I. F. Taylor: You missed the point.

Mr O'CONNOR: —to see how it can improve operations generally. This will be done in conjunction with the Treasury Department which has the most competent people to look at various aspects in this State.

The Leader of the Opposition mentioned the contracts which were signed years ago and to which the Government is committed. These contracts are with companies which are providing food for 10 000 people in this State, and one to which I refer is the contract with Alcoa of Australia Ltd. This is the sort of thing the Government has been required to do; that is, to

attract companies to this State by way of contract.

Mr Brian Burke: Not all of them.

Mr O'CONNOR: That is what I refer to—

Mr Brian Burke: If you increased royalties, it would involve a change in the agreement.

Mr O'CONNOR: At one stage the Opposition suggested that the companies involved should be charged more royalties, and then it changed its mind.

Mr Brian Burke: I am not objecting to renegotiating them—you are. I am talking about 30 per cent of the commercial sector.

Mr O'CONNOR: When was I objecting to renegotiating any of these contracts?

Mr Brian Burke: You said something like it.

Mr O'CONNOR: Some agreements have been renegotiated. In connection with this issue there is no doubt that if a large proportion is to go from one sector, the householder would be affected considerably. Members opposite may say, "No, that is not the case." Let us look at this situation logically. If I recollect, about 50 per cent of the water rates come from the commercial sector and the remainder from the residential sector. If one takes 20 per cent from one area in order to balance the budget one must be careful to what area it is placed, because while helping small business we do not want to jeopardise the householder.

Mr Brian Burke: As far as the domestic side is concerned everyone is charged the same rate.

Mr O'CONNOR: That is correct. They are charged \$60.

Mr Brian Burke: And 28c per kilolitre. On the commercial side everyone is charged differently. We should leave the domestic side apart from the commercial side.

Mr O'CONNOR: In the commercial area the rates can differ greatly because owners of shopping centres can charge different rates to various occupants. For example, small shopkeepers could be charged three times the amount charged per square metre to Woolworths (WA) Ltd. or G. J. Coles and Co. Ltd. in that same district.

Mr Brian Burke: That is for rent.

Mr O'CONNOR: As the member would know rating is based on rental values.

Mr Tonkin: It does not have to be.

The ACTING SPEAKER (Mr Trethowan): I request the Treasurer, as I did the Leader of the Opposition, to associate his remarks more closely to this legislation.

Point of Order

Mr BRIAN BURKE: It has been the practice in this House that orderly cross-Chamber interjections are acceptable. I cannot see anything harmful in that and I hope we are not going to see the situation where views cannot be exchanged in an orderly fashion and in a dignified manner.

The ACTING SPEAKER (Mr Trethowan): The point I raised was not in relation to the interjection, but to the subject of the interjection and to the reply by the Treasurer. I reminded the Leader of the Opposition when he was speaking that it was the practice of this House that the third reading debate be restricted to the content of the Bill. It is not as wide a debate as the second reading debate.

When the Treasurer was speaking, I drew the attention of the Leader of the Opposition to that fact. I allowed him latitude to raise in brief some matters that the Leader of the Opposition had mentioned, which were not strictly in accordance with that particular practice. I made the point that it appeared to me that those matters had been covered sufficiently; and the interjections were still dealing with matters outside the nature of the third reading.

I remind the Treasurer that he should move on to the subject matter of the Bill.

Debate Resumed

Mr O'CONNOR: Mr Acting Speaker, I assure you that I will stick closely to the subject matter of the third reading of the Bill.

I commend the third reading to the House.

Question put and passed.

Bill read a third time, and transmitted to the Council.

RACING, TROTTING AND GREYHOUND RACING APPEAL TRIBUNAL BILL

Second Reading

MR BATEMAN (Canning) [4.52 p.m.]: Our private members' time has been bitten into a little this afternoon. Be that as it may, we are in business, and that is what it is all about. I move—

That the Bill be now read a second time.

I would like to make it abundantly clear to the Chamber that in no way have I introduced this Bill in an endeavour to assist the case which is presently before a court. By rights, I should not be allowed to mention that case because it is still *sub judice*; that is the Miller case.

This Bill is not introduced to protect the Millers, Webster, any other jockey, or any other

person connected with the racing game. It is designed for a specific purpose, and that is to establish a completely independent tribunal to assist the people who feel aggrieved and who feel that the stewards have not done the right thing in their decisions. It is easy to understand how some aggrieved people become upset when the stewards bring down decisions which they feel are contrary to what should have been done.

As this is the second reading of the Bill, I should not become involved in some of the problems which have occurred over the years. However, it is always the standard practice for members, when introducing either private members' Bills or Government Bills, to read second reading speeches. Of course, that gives other members the opportunity to read the speech in full and to learn what the Bill is about, and so be assisted to understand the Bill point by point. You will bear with me, Sir, if I read a fair bit of this, because that would be following a rule of the Chamber.

Members may recall that I endeavoured to have this Bill passed by the Legislative Assembly on Wednesday, 13 September 1978. Unfortunately, the Government had been lobbied strongly by the committee of the Western Australian Turf Club; and the Bill did not proceed. As a matter of fact, I was accosted by three of the committeemen of the WATC when this Bill was introduced; and I was not happy at the way that one of the committeemen kept poking me in the chest until I almost committed an act of aggression which would have caused the committee to expel me, and which would have caused me a great deal of embarrassment.

The following appeared in a newspaper in 1978—

Turf club opposed to tribunal

The WA Turf Club has come out against a move to set up an independent tribunal to hear appeals against decisions made by stewards in racing, trotting and greyhounds.

Since that appeared, we have seen a dramatic change. If this Bill were to be passed, it would have to be amended to a great extent, because the Western Australian Greyhound Racing Association is establishing its own greyhound racing tribunal headed by a very competent person who is not connected with greyhound racing, but who is connected with another aspect of the law in Western Australia. It would be unfair and not right or proper to mention that person's name. However, he will head the tribunal of the Western Australian Greyhound Racing

Association. That will be a completely independent tribunal.

When I tried to introduce my Bill previously, the Greyhound Racing Association was vehemently opposed to it. However, it has done an about-face, because it has investigated the reasons for the proposal and has seen the reality of it.

The establishment of the tribunal removes from the committee members any onerous responsibilities which may occur because they own greyhounds.

The Western Australian Trotting Association has an *ad hoc* appeal tribunal which was established after the introduction of my Bill in 1978. Members will recall that Mr Evans, who is now the Western Australian Ombudsman, was the president or chairman of the Trotting Association's tribunal. Unfortunately, however, the Trotting Association had two other members on the tribunal, and they were associated very closely with the trotting industry. That is not how it should be.

If we are to have a tribunal, it must be completely independent and removed from the industry. We must bear in mind that the industry employs something like 23 000 people. It is a multi-million dollar industry. It should be protected by every avenue and at every bend. It is a big winner for the Government. The industry pays a lot of money into Consolidated Revenue; and it pays out a lot of money in a host of other ways. It is an important industry and one that should be examined thoroughly.

At this stage, I wish to refer to the proposed Baxter Select Committee into racing and trotting. This morning in *The West Australian*, we saw that the President of the Legislative Council (the Hon. Clive Griffiths), the Hon. Mr Lockyer, the Hon. Mr Wells, and the Hon. Mr Williams met with jockeys, Mr Graeme Webster, Mr Rod Kemp, Mr Ian Albino, Mr Bernie Ryan, and Mr Mark Sestich; but the paper indicated that only one person did the talking, and that was the Hon. Clive Griffiths. He put forward his own ideas. It would have been better for those concerned if they had come out of that meeting with the ideas of the jockeys. I am not knocking this approach. Do not get me wrong. I will support to the backbone anything that will bring about orderly racing in Western Australia. I will go out of my way to support it. I will do everything humanly possible. However, I do not think that committee will achieve anything. It will not get any further off the ground than did the independent tribunal in 1978. As I said then, it was a *fait accompli*.

The members of the committee of the WA Turf Club feel they have some divine right to run racing in Western Australia. When I introduced a similar Bill previously, they lobbied Cabinet and, of course, the Bill did not see the light of day. A great deal of time and effort was expended on the drafting of the Bill and I was extremely grateful to the lawyers who performed the work. The Bill was defeated and it was unfortunate that a little more time was not spent on its consideration.

Members of the Western Australian Trotting Association and the Western Australian Greyhound Racing Association have considered this matter and done something about it, but it appears that the Western Australian Turf Club will not have a bar of the proposed tribunal.

A report by John McGrath appeared in *The West Australian* of Friday, 3 March 1982 under the heading "Is a tribunal the answer?" John McGrath went on to say—

The Mark Miller "rein-pull" case has revived the old catch-cry for an independent tribunal to hear appeals by those in racing who have been dealt with by the stewards.

That article did not trigger my desire to revive the possibility of the establishment of an appeal tribunal. The President of the Legislative Council came out strongly in support of a committee of inquiry into this matter. He already has met with various jockeys and has tried to do something about the problem. Therefore, I felt that, if I introduced this Bill, I might get some support from the other House. It is clear the establishment of the tribunal proposed in the Bill is inevitable.

Two facets of the racing industry have accepted that a tribunal of this nature should be established. Were I a member of the WA Turf Club, I would want an independent tribunal to be set up in order that the responsibility would no longer rest with me, because the members of that association are involved in the racing industry and employ the stewards. When I read my notes, you, Sir, will understand why it is necessary that we should have an independent tribunal.

John McGrath asked, "Can we afford an independent tribunal?" Of course we can. You, Sir, would not allow me to introduce a Bill like this if the proposals in it were to be a cost against the Crown. Therefore, provisions are incorporated in the proposed legislation which will cover the cost of the tribunal.

Recently in the House I asked a question in relation to this matter and, had John McGrath read it, he would be aware that we can afford this sort of tribunal. I ask members: How do we pay

for all the other tribunals which operate in the fields of trotting, greyhound racing, and football? It concerns me to see this sort of irresponsible journalism by a person such as Mr John McGrath.

On 31 March last I asked the following question of the Minister representing the Chief Secretary—

What was the total amount of money paid into Consolidated Revenue Fund for the 1980-81 financial year for Totalisator Agency Board winning dividends not collected for that period?

The Minister replied—

Winning dividends totalled \$668 856.

There is something wrong if that sum of \$668 856 could not meet the cost of all the racing tribunals in Western Australia. Perhaps Mr John McGrath was motivated by the interests of some other section of the racing community, but, had he done his homework, he would have been aware that we can afford a racing tribunal.

I shall turn now to the details of the Bill. This matter has concerned me for many years and in no way has any person who has been found guilty of misconduct by the stewards influenced me in my stand on the action I have taken to introduce the Bill.

The Bill was framed four years ago by the Parliamentary Draftsman and is being presented in its original form, because I believe now, as I did then, that the Bill contains the correct measures to ensure that any person so aggrieved as to feel he has not been fairly treated by the stewards, has the right of an appeal to a body which is truly independent. Members also may recall that, when I introduced this Bill previously, I thanked the various associations connected with the racing industry which had written to me expressing their support, and which have again come out strongly in support of my action. Only this morning I received a telephone call from a person in a particular sector of the racing industry who supported the measures incorporated in the Bill.

I also am well aware that the committee of the Western Australian Turf Club again will be putting pressure on all concerned, including the Premier, to throw out this Bill. I was quite amazed at the lengths to which certain members of the committee of the Western Australian Turf Club went last time to lobby the Government and other racing bodies, associations, etc. One would feel they must have a certain vested interest they are trying to protect, because in no way does this Bill impinge or infringe on the administration of

the Western Australian Turf Club, the Western Australian Trotting Association, or the Greyhound Racing Association.

As a matter of fact I have been asked by committee members why I am so eager to introduce this Bill. With your indulgence, Mr Speaker, I would like to read some notes to help the Minister concerned and others who are interested in the Bill, to understand my reasons for introducing it.

In proposing this tribunal, I would like to make a comment with respect to the governing rules of racing in Western Australia in events conducted for gallopers, trotters, and greyhounds. Those people who are employed or involved in the racing industry are subject to and face severe penalties for some offences which, by their nature, are difficult to prove or disprove. These penalties can be most damaging to both reputation and income.

All those so employed are equally vulnerable. Under the circumstances it is particularly important that every care be taken to ensure there is no miscarriage of justice and that suitable avenues of appeal are open to all parties concerned.

The principles governing the administration of natural justice which we accept as essential to peace and order in our community life, have not always been apparent in the administration of racing. A vital element is lacking.

Under our system of law, Parliament is the law-maker, the police prosecute for alleged breaches of the law, and the courts adjudicate between accuser and accused and impose penalties when appropriate. The courts' decisions are subject to appeals.

Each law agency functions independently within its own sphere of authority. Under the rules of racing, penalties are imposed by stewards who may be not only the complainants and the witnesses for the prosecution, but also the judges. This may be inevitable, but it bears no relation to the accepted forms of administration of true justice.

Therefore, all those employed and involved in the industry feel most strongly that their last court of appeal should be both truly independent and experienced in law.

The only appeal now open to them against the stewards' decision is to the committee of the principal club, whether it be the Western Australian Turf Club, the Western Australian Trotting Association, or the Western Australian Greyhound Racing Association.

Under the rules of the two horse-racing bodies concerned, the committee's powers are absolute and their decisions are final. Such a committee cannot be considered to be truly independent.

As a body, it is both the maker of the rules and the employer of the stewards. As individuals, members of the committee may have been financially affected by the events in question, either as owners or bettors. On either ground, members of the committee must be considered ineligible to act as judges or even jurors in such a case.

I believe that, in cases where reputation or livelihood is at stake, an independent appeal tribunal is an essential part of any acceptable system of government for racing.

Therefore, I submit that this independent tribunal should be accepted by the Government as it is intended to be both truly independent and experienced in law.

I would now like to break the Bill into its component parts, to try to explain what it means. That will make it easier for those interested in it.

The Bill will cover any person, syndicate, partnership, firm, company, stud, or any other combination of persons owning, racing, leasing, or having any other interest in a racehorse, trotting horse, or greyhound and also includes the jockey, rider, or driver of a racehorse or trotting horse.

The tribunal shall consist of three members. Two shall be legal practitioners, one of whom will be the chairman and the other shall be a veterinary surgeon.

My reasons for this are mainly to ensure that the tribunal shall be completely independent and its members are in no way associated with any of the three sports. The appointment of the two legal members is to ensure that true legal justice can prevail and give those so aggrieved a chance to air their grievances to a truly legally qualified tribunal, which is not available to them now.

The appointment of a qualified veterinarian is to assess those appeals concerning fitness of animals and the treatment of horses and dogs with certain vitamins and stimulants.

I am sure members will understand that it is necessary for people with particular qualifications to be appointed to such a tribunal.

In relation to the right of appeal to the tribunal, where any person or body connected with a racehorse, trotting horse, greyhound, or club is aggrieved by a decision given by the stewards of any of the aforementioned clubs, he may appeal to the tribunal to have his case heard even though he may have an appeal pending with the

controlling authority of the racing or trotting club or in the case of greyhounds, the greyhound racing committee.

My reason for that is this right of appeal gives the dissatisfied person or persons a second and final avenue for appeal which he cannot complain contains a bias of any nature.

The tribunal, in point of fact, can do whatever it decides is proper and is not bound by any legal precedent or rulings other than rules relating to hearsay evidence and can inform itself on any matter at all, in any manner as it considers just.

Any decisions made by the tribunal in respect of an appeal shall be final and binding and shall be enforceable and be regarded as a judgment in any court of competent jurisdiction.

My reasons for that are that, under the existing rules of racing, a controlling authority has absolute power and discretion, and under the existing rules of racing, its decision shall not be questioned in any court of law. However, should the appellant be dissatisfied with such a decision by the controlling authority, he would have recourse to this tribunal for an unbiased decision.

The salutary effect of this final and independent avenue of appeal is that, in the absence of recourse to it, matters arising in the administration of the sports concerned are still domestic. Outside interference is not being foisted upon anyone, but the right of final appeal is available for those who seek it.

The decisions of the tribunal shall be reported in writing to the Minister and the Governor to ensure that there shall be a full and open report available to the Government on any decision that has been reached.

The tribunal shall be funded by the three main controlling bodies; namely—

the Western Australian Turf Club;

the Western Australian Trotting Association; and

the Western Australian Greyhound Racing Association.

All those bodies shall be contributors on a pre-set scale, as set out in the Bill. There shall be a levy from the three associations to the fund and they shall be liable for any shortfall in the annual income of the fund.

Previously I have explained that this Bill, if adopted, will provide any aggrieved person or body from any of the three sports the opportunity of a second and final avenue of appeal. Because the State coffers benefit so much from TAB proceeds generated from the three sports, those who patronise the TAB should be assured from

the existence of a truly independent and final appeal tribunal that the betting avenues and the consequences of alleged mispractices are properly and fairly supervised.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Hassell (Minister for Police and Prisons).

Point of Order

Mr HASSELL: Mr Speaker, I appreciate that the member for Canning has very carefully framed the Bill so that it should not be subject to the need for a message. I do not ask you to rule on it now, but I submit that you should consider whether the Bill requires a message and give us a ruling in due course so the Government may determine its position if that is the case.

Mr Bateman: It already has been done.

The SPEAKER: I will take the opportunity to look at the Bill and consider the point of order taken by the Minister. Until such time as I have made a determination I direct that the Bill be placed at the bottom of the notice paper.

EQUAL OPPORTUNITY BILL

Second Reading

MR PEARCE (Gosnells) [5.18 p.m.]: I move—

That the Bill be now read a second time. This is the third occasion on which the Opposition has brought a substantially similar Bill to the Parliament. It is the third attempt to underline the Opposition's commitment to equal opportunity and to indicate that this Bill, if it is unsuccessful during the course of debate in this Parliament or in the next, will be an early priority for the next Labor Government.

Mr Brian Burke: Hear, hear!

Mr PEARCE: One of the things that led us to bring this Bill forward for a third occasion was the fact that there is now a new Premier and, effectively, a new Cabinet, in name if not in face. We wondered whether the Government would have a new attitude to legislation of this type. We were heartened when the Premier announced last week that he intended to appoint a women's adviser.

Mr Shalders: That is not what he said.

Mr PEARCE: If it is not what he said I would be interested if the Honorary Minister for whatever he is would indicate whether he has become the Premier's spokesman in these matters. It seemed that the Premier was taking a rather more progressive attitude on women's matters than did his predecessor. If that is not the case, I am sorry to hear it, because it would be a step in the right direction.

One wondered whether it was a serious commitment by the Premier to iron out some of the difficulties faced by women in our society or whether it was merely a public relations gesture; that is, to appoint a woman to advise Cabinet, but not appoint a suitable person to the position and, in fact, not pay any attention to any advice received. It seemed to me that the commitment to that appointment would be made this afternoon following my speech on this Bill—that is, if the Government really is serious about doing something for women in this State in the area I describe loosely as women's issues.

The Government's attitude to this Bill will be a clear indication to many people of what its attitude is to be. If there is to be a different approach this time to the Opposition's third attempt, perhaps we can say that the Government is more progressive than were its predecessors. However, if I get the same story about the Government's not being prepared to provide the money for this Bill at this time it will be shown no more interest in the women of this State than did its predecessor.

Mr Herzfeld: That is a lot of rubbish!

Mr PEARCE: I am in a position to know the Government's attitude on this matter, and I will comment on this further a little later.

I make it clear that the discrimination experienced by members of our community is not lessening as time goes on. The need for legislative change in this State is as great now as it was when the member for Warren introduced a similar Bill in 1977 and when another Bill was introduced last year by me. A considerable amount of discrimination still exists in the State.

In the areas where discrimination is being broken down it is to our shame that actions taken which have led to this breaking down of discrimination are not those of our own State Government or instrumentalities, but are deliberative actions and, in some cases, are legislative actions taken by other Governments. We are finding there is a changing attitude to these matters in the community, but the change is being made and led not by this Government or this Parliament, but by Parliaments in Victoria and New South Wales and to a slightly lesser extent by the national Parliament and the national Government in Canberra.

It seems to me it ought to be up to us as the parliamentarians and the Government of this State to make proper moves to protect the citizens of the State and to ensure that all of them have an equal opportunity in various areas, which is what this Bill seeks.

Before I say any more I would like to counter the argument which is used occasionally when discussing whether there is need for legislation in areas such as this which are primarily to do with people's attitudes. Sometimes this form of argument is encapsulated in the phrase, "You cannot legislate people's attitudes." It is said that while we may all pontificate and put something in the law, the attitude of 1.5 million Western Australians is thereby not changed at all; and since the problem of discrimination is essentially a problem of people's attitudes, it is futile to adjust these things by legislation.

I believe that is an untrue statement for two reasons: The first is that it is up to Parliament to set a lead in these areas. If we are to be involved in changing people's attitudes for the better we must give the lead ourselves. We underline the reasons for our attitudes by making laws on different things. Simply to make a law about discrimination, even if it were totally non-enforceable, is a lead to the community and starts off the attitude-changing process. I instance the consumer affairs legislation in this State. That is a remarkably toothless piece of legislation, but it has led to a slightly better situation in consumer affairs and a greater realisation on behalf of both consumers, and producers and providers of goods and services, that they are likely to be subject to scrutiny in this area.

Mr Herzfeld: Would you introduce legislation into this place even though it were unenforceable?

Mr PEARCE: That is not what I said. I said that even if that were the situation, where legislation was virtually unenforceable—and the consumer affairs legislation is virtually so—it could help to change people's attitudes. My own attitude is that we should bring in legislation which is enforceable. If the member for Mundaring had the time to run his eyes over my Bill he would see that not only is it enforceable, but also it contains fairly substantial penalties for people who fail to do the right thing in accordance with the Bill.

The second point about our not being able to legislate people's attitudes is wrong in another respect and is demonstrated by what is happening in other States. The instance I have used before in this regard involves the Ansett woman pilot. Members may remember that a young lady named Debbie Wardley attempted to become a jet pilot with Ansett Airlines of Australia, which had a policy which was probably the outcome of years or centuries of inbuilt traditional attitudes that there were some jobs women could not do, such as that of jet pilot. The airline fought tooth and nail to prevent this young woman becoming a

pilot. It was the Victorian Equal Opportunity Board which ensured she had the opportunity to train as a jet pilot. She is now a jet pilot and flies jets all over Australia, and there are now one or two other women in training. The belief that women cannot become jet pilots was broken down by legislation introduced into the Victorian Parliament and by judicial process. The stage has been reached now where women are pilots, and no-one questions that they can pilot jet planes. That is an example of legislation breaking down people's attitudes.

Mr Herzfeld: Do you believe the employer has a right to choose whom he wants to work for him?

Mr PEARCE: Yes, provided he does not make a decision on discriminatory grounds. Employers work in a society in which it is very important that the values of compassion, tolerance, and humanity are apparent. They should not generate a situation where individuals are heavily discriminated against and where they might put up a sign saying, "No Chinese." This is a situation which the community should not tolerate. Any individual in a community who draws his living from the community by supplying goods and services has no right to flout community values by refusing to employ in his factory individuals from particular groups. The community should not accept that situation. If the House were to adopt my Bill, such a practice would become illegal—if it is not illegal now—and no-one could do that anywhere in Western Australia.

That leads me on very neatly to the next point I want to make about the need for tolerance and understanding in the community, and how we need a harmonious community, but do not have one. In these circumstances, the Opposition has amended and extended its original Bill which dealt with discrimination against people on sex and marital grounds so that it now covers discrimination on a range of grounds. For example, the Bill covers discrimination on ethnic and religious grounds. Our commitment to equal opportunity in these areas is strong and that is why we have extended the Bill.

I mention now three areas which are not covered in the Bill, and it is important that I do mention them. The first is discrimination on the basis of age; the second is discrimination on the basis of physical handicap; and the third is discrimination on the basis of political attitude. With both discrimination on the basis of age and physical handicap there is a need for legislation in this State, but the specific problems confronting people in these areas merit the setting up of specific boards to deal with them. A greater

consideration of the sorts of problems raised is necessary, for example, with discrimination in employment because of physical handicap or age when applying for a particular job, and the type of employment offered. That is much less serious when compared with the areas covered in the legislation before us.

As for discrimination on the basis of political belief, this, too, is very important, but I have left it out on the ground that I do not wish this Bill to be seen as the Opposition's making a special plea for its own particular circumstances. As the member for Victoria Park pointed out, we had a clear instance last night of the Government apparently attempting to exercise discrimination in employment on political grounds. That is not something we should tolerate, but to provide other benefits for the community I was prepared to leave it out.

I have one last thing with which I wish to deal before I move onto the provisions of the Bill and the way in which our anti-discrimination legislation shall work in practice; that is to deal briefly with the language of the Bill.

Members may recall that a week or two after the last time I announced my intentions regarding this Bill a columnist in *The West Australian* ran a rather humorous little section pointing out that the Bill itself was, in fact, drafted in what might be termed sexist language and suggested per medium of woman quoted in the column that I should take myself down to the Equal Opportunities Resource Centre and discover how to phrase a Bill in non-sexist language. The point that was made is essentially valid; in fact, many presumptions are made in parliamentary drafting.

Mr Grewar: Did you go down there?

Mr PEARCE: No, I did not go down there. I will explain to the member why I did not do so. The presumptions which underly a lot of parliamentary drafting do contain the sexist implications about which many women complain. Members will know as well as I do that in fact any Bill that is to be successful here must conform with the provisions of the Interpretation Act. If I were to cast my Bill here in terms acceptable to the Equal Opportunities Resource Centre it may not be acceptable to the Speaker or members of Parliament. This is nevertheless an area which requires further research on the part of the people who draft these Bills in respect of the Interpretation Act.

Mr Parker: Anyone who dresses like the Speaker does would be fairly interested in equal opportunity!

Mr PEARCE: I, nevertheless, reject the proposition that the Bill was drafted in this way out of unconscious irony or because I was unaware of how to phrase this in less sexist terms. It was purely, as we all know, a legal requirement at the time.

I move on briefly to discuss the way in which the Bill will perform in practice. What it would do is set up an office for equal opportunity which would comprise a commissioner having certain functions and an equal opportunity board having certain other functions. The emphasis upon solving disputes always will be upon conciliation; that is to say, somebody who makes a complaint that he or she has been discriminated against, on whatever grounds, would make it to the commissioner who would then recognise it and try to resolve the situation without any further action. He would talk to the person who was allegedly discriminatory and attempt to resolve the matter amicably between the disputing parties and only if that failed would the matter be referred to the equal opportunity board which would then have the power to make a determination about whether or not discrimination was being practised, and, if so, a non-discrimination order would be issued, in effect, ordering the offender not to discriminate. Only if a person upon whom such an order was placed continued to defy the proper standards of the community would penalties be invoked. These penalties would be a flat fine of \$2 000 for failure to obey a non-discrimination order and the equal opportunity board would have the ability to award damages to be awarded to the party discriminated against for any loss or injury that the person may suffer because of the discrimination, such injury to include injury to feelings.

The board itself would have as its chairman a person who is a judge or a prominent legal person and the other members of the board would be community members who will be appointed by the Government. The areas of discrimination in which the Bill makes provision for offences lie essentially in those areas of employment, education, and the provision of goods and services, accommodation, or premises. In that sense, I suppose it is not completely utopian. It does not cover all areas.

Even under the provisions of this Bill, it would be very difficult to make sure that women had the same access to credit facilities as men now have. I have played a small part in getting certain credit unions around the place to adjust their rules to make provisions for women and men to have equal access to loans on the same basis.

On occasions there are some legal difficulties in legislation and these are the sorts of things to

which more attention will have to be given. I am not claiming that my Bill is a utopian measure. All I am saying is that it is a substantial step in the right direction and it covers the main areas in which discrimination currently is practised. In essence, that covers the main provisions of the Bill with which I want to deal.

I refer now to the Government's attitude to this whole matter. This comes around to the question of whether or not messages ought to be provided for legislation of this type. The last time I brought this Bill forward—and I said this on that occasion—I expected that it would require expenditure by the Crown. Obviously, the commissioner would have to be paid, and the board would have to be set up; they would have to have offices, telephones, and staff and the board members would have to be paid. The cost to the Crown would be moderately substantial. For a small operation like this it may run into something like \$100 000 a year. That is a substantial amount to me, but is a very small amount in Government terms to pay for the sorts of benefits to be obtained from this legislation.

It is purely upon a technicality that, time after time the Government has tried to have this Bill ruled out of order on the grounds that it is not prepared to provide the funds. Mr Speaker will remember that when this point of order was taken at the end of the last session I agreed that money would have to be made available. I conceded that point. I did not argue that money would not be required. I wanted to make clear that the Government did not give sufficient priority to this Bill and was not prepared to provide the money. When that was made clear by the Premier I had to accept that it was indeed out of order. The point has to be made about the Government: Each time it seeks to invoke these technicalities, what it really is doing is saying, "We do not give a sufficient priority to the legislation or the operation of the equal opportunity board in this State to provide the money that is required to set it up."

The Opposition differs in that respect because it is prepared to do that. My leader already has indicated it will be a very early priority of a Labor Government. A very important part of the equal opportunity boards in other States is the education section from which people go out into the community and spread the word about anti-discrimination legislation on a basis whereby people become aware of discriminatory practices before they get involved in using them. In that way, those Governments obviate the necessity for problem or dispute-solving mechanisms that otherwise would be necessary. That would be a

very important wing of an office of equal opportunity in action. It is very difficult to legislate for those sorts of administrative things. Nevertheless, the next Labor Government will enact this equal opportunity legislation, or something like it, and will set up an equal opportunity board. The commissioner on the equal opportunity board will be a woman and there will be a substantial education wing of that equal opportunity board to try to prevent disputes arising as they currently do.

To avoid the errors that were experienced last time this legislation was brought before the House, I wrote to the Premier as soon as my Bill was given a first reading. I sent him a copy in advance and asked him to advise the Governor to send a message to the Parliament indicating that he recommended that expenditure should be made available for this matter. I wrote to him and said, in effect, "Here is my Bill. It has got good things going for it. The principles it encompasses are valuable. How about providing the cash so that it can be set up?" Had the Premier agreed, the Bill could not have been ruled out of order as has been the experience with a similar Bill on two subsequent occasions.

This is the response I received from the Premier this morning following a question I asked last week—

Dear Mr Pearce,

I acknowledge your letter of 31st March concerning your Private Member's Equal Opportunity Bill and your request that I advise the Governor to send a Message so that the Bill will not be ruled out of order.

I have sought advice on the matter from the Attorney General, and he has advised me as follows:—

"The Government of the day should be able to control the finance of the State and not be liable for unbudgeted items such as would be entitled if the Bill were passed. If the Government decided that a Bill such as Mr Pearce's were needed, financial provision could be made in the budget and the Bill be sponsored by the Government."

I am therefore not prepared to advise the Governor to send a Message.

Mr Tonkin: That ducks the point.

Mr O'Connor: It is telling you exactly what the position is.

Mr Tonkin: No, it isn't!

Mr Hassell: If you don't know what it means, see if you get a message!

Mr PEARCE: It means no message will be forthcoming. I understand that perfectly well.

Several members interjected.

Mr Laurance: I will say this about you: You are sharp!

Mr Evans: It is not you; it is the Government!

Mr PEARCE: That is right. Fundamentally, what this means is that the Government is not prepared to provide the money to set up the equal opportunity board which we and the community believe is so important. If, finally, the Government can be talked around to this point of view, it may put forward a Bill of its own at some stage and I would not object if that were done. I am perfectly prepared to pass this Bill over to the Government and let it bring it back with the Premier's name on it next session after the Budget.

Mr Laurance: You are all heart!

Mr Tonkin: Are you saying the Governor is just a tool in the hands of the Government?

Mr O'Connor: We are being kind in leaving the member for Gosnells on his feet.

Mr Tonkin: You didn't answer that. Is the Governor just a cypher?

Mr O'Connor: No.

Mr Tonkin: What is he then? What does this show?

Mr O'Connor: I have told the member very clearly that we are not going to let the Opposition take the business of the Government out of the Government's hands on the subject of finance.

Point of Order

Mr O'CONNOR: As I have indicated to the honourable member, I draw attention to the point he has drawn. On page 6, clause 10 of the Bill says—

The members of the Board shall be entitled to receive such allowances and expenses as the Governor may from time to time determine.

I believe this Bill does require a message and therefore is out of order.

Mr Nanovich: Hear, hear! Totally!

Speaker's Ruling

The SPEAKER: Order! Naturally, my interest was directed to this particular piece of legislation because the very title of it would give an indication that it could be similar to a Bill which had been introduced previously, which Bill was ruled out of order in that it needed to be

accompanied by a message from the Governor. However, I have not had the opportunity to study the Bill. The first I saw of it was when it was introduced here tonight. I will examine the Bill, in the light of the point of order taken by the Premier, and will give a determination of my attitude to it after I have had the opportunity of studying it. In the meantime, I direct that the Bill be placed at the foot of the notice paper. I will give the member for Gosnells the opportunity to continue his remarks if, in fact, the Bill is one that properly can be brought before the Parliament.

Debate Resumed

Mr PEARCE: I will short-circuit the whole thing. I can see absolutely and clearly that the Bill requires a message. I do not dispute that at all. The point I was making before was—

Mr Tonkin: Once again, they vote against it!

Mr PEARCE:—simply this: It is out of order if there is to be no message. That is the point. If there was any chance of there being a message—

Mr Tonkin: The Governor has not sent a message.

Mr PEARCE: Normally it has been the practice to allow the second reading speech to proceed and wait until there is a message. If there is no message, it suggests that the Premier is not prepared to put out the money, so there will be no message and the Bill would be out of order.

I make a counter-suggestion now that I will stop and we will not attempt to do any more with regard to this Bill and leave it until the next session to allow the Government to appoint a woman chairman or adviser to the board and consider the matter in detail.

Speaker's Ruling

The SPEAKER: Order! The member for Gosnells will resume his seat. I presumed the member for Gosnells would dispute the point of order raised by the Premier, but it appears that he wants to continue making remarks similar to those that have been made before the Premier raised his point of order. I adhere to my ruling and I will take an early opportunity to have a look at the Bill.

Debate thus adjourned.

QUESTIONS

Questions were taken at this stage.

Sitting suspended from 6.15 to 7.30 p.m.

LOTTERIES (CONTROL) AMENDMENT BILL

Second Reading

MR PARKER (Fremantle) [7.30 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to allow bingo to be played on licensed club premises. Virtually it is identical with the Bill introduced last year by the Leader of the Opposition and passed in this House, but rejected in the Legislative Council on the casting vote of the President.

At that time, during the debate on the measure in this House, the then Chief Secretary, the member for Cottesloe, said *inter alia*

... we now accept the Bill presented by the Leader of the Opposition as an extension of the recommendations of the liquor inquiry ...

... it appears to the Government and its advisors to be drafted in good form and will effect the objective without distorting the structure of the Act ...

Very briefly, the history of this matter is that bingo was legalised in 1972 by the Tonkin Labor Government as a fund-raising measure for charitable and social organisations. The ban on the playing of the game on licensed premises was neither proposed nor intended by the Government of the day, but was imposed by the members of the Legislative Council.

Following the Government committee of inquiry into the Liquor Act—which recommended this measure—the Government brought forward all of the recommendations of that committee except this one. Those other recommendations have now — with some minor amendments — become law. This recommendation apparently was rejected by the Government parties' caucus for reasons which have never been explained.

Mr Mensaros: We haven't got a caucus this year.

Mr PARKER: The Government parties seem to operate something as a caucus.

Mr Tonkin: You have a party meeting.

Mr PARKER: If the Minister for Water Resources really believes that the Government parties do not have a caucus he does not know the meaning of the word "caucus".

Mr Tonkin: You meet every Tuesday.

Mr PARKER: When someone like the member for Subiaco does not want to participate in such things the Government wants to take his pre-selection from him.

Mr Tonkin: When did you cross the floor last?

Mr Mensaros: When did you?

Mr Nanovich: You normally kick them out of the party.

Mr PARKER: We have never kicked anybody out of the party.

The SPEAKER: Order! If the interjections do not cease I will kick somebody out of the Parliament.

Mr PARKER: I invite the member for Whitford to tell me when the Labor Party kicked one of its members in this State out of the party.

Mr Tonkin: Skidmore resigned to save subscription money.

Mr Nanovich: You would have kicked him out.

Mr Brian Burke: Yes, and the Germans would have won the war if there were no Russians!

The SPEAKER: Order!

Mr PARKER: However, one can assume that some of the reasons advanced by some Government members in the Legislative Council debate on this matter last year also were advanced to their colleagues in the privacy of the party room.

Despite this, during debate on the Liquor Amendment Bill last year five Government members indicated that they were in favour of lifting the ban. They were the members for Karrinyup, Albany, Darling Range, Murray, and Moore. In the event, all those members, with the exception of the member for Moore, translated their position into support for the legislation late last session. The member for Moore's position was doubly strange because all his other Country Party back-bench colleagues voted for the matter in the Legislative Council.

The Association of Licensed Clubs and its members are strongly in favour of this measure and, indeed, I am advised, recently asked the Premier in a letter to him to implement just such a measure. It is not surprising that they feel this way because, quite apart from the lack of logic or equity in support of the current prohibition, these clubs in Western Australia suffer from very many more restrictions on their operations than their counterparts in any other State. With the decline in liquor consumption in licensed premises generally, and the greater competition in liquor retailing of all sorts, the sale of liquor by licensed clubs has become a marginal proposition at best and the profits therefrom are no longer as available to support the other—and most important—facilities of clubs. In many cases the licence is kept up simply as an amenity to members.

However, the facilities that are provided by these clubs make a tremendous difference to the communities in which they operate—a difference invariably for the better. In addition, many clubs which have licences spend the better part of their time and income training youth, whether it be in sporting or more general community activities. Like any other social or community group they need the opportunity to raise funds. They have often fully committed themselves on providing clubrooms, sporting grounds, or other facilities; and to force them, as the current prohibition does, to hire separate, and often inferior facilities, does no-one any good; nor does it help the smaller, non-licensed community organisations, because it is well to remember that there is nothing to stop licensed clubs including, for example, league football clubs, from conducting bingo games, provided they obtain permits. They are prohibited from doing so only on their licensed premises.

The legislation properly cannot be opposed on the grounds of opposition to gambling although with this Government's well-known hypocritical attitude—or attitudes—on that subject, anything can happen. Gambling legally is permitted on racehorses, pacers, dogs, in connection with lotteries, and, indeed, in relation to bingo. Government agencies—the Lotteries Commission and the Totalisator Agency Board—annually spend tens of thousands of dollars of community money advertising their particular forms of gambling and encouraging people to participate. TAB agencies now operate right in the middle of licensed hotel premises.

The Government officially acknowledges and tolerates the existence of illegal gambling casinos, which turn over millions of dollars each year and which benefit only a handful of individuals, some of whose identities are known and some of whose identities remain a closely-guarded secret.

By contrast, all this Bill seeks to do is to extend the range of premises on which an already legal activity may be carried out and to improve the physical surroundings in which those who like to play bingo may do so to the advantage of a valuable section of society and for no-one's personal gain.

Mr Brian Burke: That is immoral!

Mr PARKER: I imagine the Government, which has a strange attitude towards morality in that it believes that action which is illegal is moral, but that action which is legal is immoral, might feel that my proposition is immoral, and obviously some of its members do.

The Bill itself is relatively simple. It seeks to alter section 18 of the Lotteries (Control) Act by

inserting two new subsections which will give the Lotteries Commission the right to grant to the holder of a club licence or to the nominee of a club a permit to conduct bingo on licensed premises, subject to conditions. These conditions are—

That the proceeds be applied only for the benefit of the club; and that the participants in the game may be only members of the club and their guests to a maximum of three guests per member.

The commission also may impose whatever other terms and conditions it sees fit.

The adoption of this legislation will meet a clear community demand without any ill-effects.

There is obvious community support for this proposition, and apparently some support for it from Government members. I have no doubt this House will once again support the proposition, as it did last year.

It is strange that the Legislative Council, which is supposed to be the House of Review in this Parliament, and which has not rejected a Bill proposed by this Government, did not reject a single piece of legislation introduced by the Brand Government, rejected only one piece of legislation during the period of the Court Government, but rejected 21 pieces of legislation during the period of the Tonkin Government, chose to reject the one Bill transmitted to it from this House last year on a motion by the Opposition.

Our House of Review again revealed itself to be an obstacle to the wishes of large sections of our community. The support of the community for this legislation amply has been demonstrated to members of the Opposition and other members in this House, and to members of the Legislative Council by way of letters, personal visits, and telephone calls. There is no basis whatsoever for opposition to this legislation, which I commend to the House.

Debate adjourned, on motion by Mr Hassell (Minister for Police and Prisons).

LIQUOR AMENDMENT BILL

Second Reading

MR BRIAN BURKE (Balcatta—Leader of the Opposition) [7.36 p.m.]: I move—

That the Bill be now read a second time.

This rather small and, I suppose, unimportant measure in the general frame of things, appears to have excited considerable interest, at least amongst some Government members. I heard tonight that the Chief Secretary will introduce in

the Legislative Council a measure almost identical to this one. I am complimented that he should follow my example in this matter.

Mr Watt: How could he be following your example when the Bill has just been introduced?

Mr BRIAN BURKE: For the benefit of the member for Albany, who has been in this place for some years I indicate this Bill was given a first reading a number of days ago, and following that a rather detailed exposition of the legislation appeared in the Press. I presume the member for Albany would want me to give him the credit of reading daily newspapers, and if I give him that credit I can hardly give the Minister less.

Mr Hassell: The Bills are not identical. There are several differing matters dealt with.

Mr Tonkin: They are cosmetic.

Mr BRIAN BURKE: I am pleased the Government has followed the Opposition's example, and I wish to correct an anomaly resulting from changes made last year to the Liquor Act. I hate to say "We told you so", but members present in this House last year during the course of the debate on this matter will recall that the member for Welshpool warned this House that if the changes intended were to proceed, the circumstances that have arisen would arise. Of course, what was foreshadowed has proved to be the case; the comments of the member for Welshpool have been borne out to be true by what has happened in practice.

The Bill is designed to overcome difficulties being experienced by sporting clubs because of amendments made to the Liquor Act last year.

Amendments to section 35 (3) last year had the effect of allowing only members, officials, and those assisting a visiting team contesting a sporting event, to be admitted to licensed premises as honorary members on a particular day.

Before last year's amendment, sporting clubs could admit visitors on match and competition days without the red tape of having them signed in by a member of the host club. As a result of last year's amendment, all other visitors besides members, officials, and assistants of visiting teams have to be signed in by members of the host club. Some licensed clubs have complained that there are administrative problems involved in signing in visitors.

The Bill seeks to return the situation to one in which sporting clubs can admit visitors on match and competition days without their being signed in by members of the host club.

Those people who have been to football clubs following the completion of matches will

understand that there are very significant administrative problems in signing in what in some cases amounts to several hundred people seeking admission to club premises at one time, usually through the same doors. It is a situation I do not believe was envisaged by those people who supported the change in the legislation, and I do not think it is a situation which most members would want to continue.

I should mention also—and this will be of passing interest to members—that the Premier approached me a few days ago and agreed that this matter should be given a second reading. I think it was No. 7 in the list of Government business on the notice paper. I said that I did not mind, that he was in charge of Government business, and that if he wanted to give some sort of precedence to what amounted to a private member's matter, I would accept the fact.

Members can imagine my surprise when the next day, I found the matter was languishing at the bottom of the notice paper. I simply accepted the situation, with the forebearance one is wont to develop in this place as things proceed as they have been proceeding over the past three or four weeks.

Mr Hodge: Did the Premier give you his undertaking on the matter?

Mr BRIAN BURKE: I am not sure what happened, but I do know I was told the matter would be given a second reading when Government business was being dealt with. I then found it had been "demoted" to the bottom item on the notice paper on private members' day. I am not sure how that happened and I do not know that the Premier really knew it would happen. But then, he is not often in possession of the details of how things will proceed in this place.

Mr Hodge: It makes one wonder who is running the show.

Mr BRIAN BURKE: I suspect no-one is running it; in any case, we are now at the stage where this Bill is to be given a second reading debate.

As I have said, the Bill proposes a sensible change. It is not a major matter; it is a minor matter. I do not think members will object to what the Bill contains, particularly as I understand similar provisions are contained in a Bill introduced in the Legislative Council by the Chief Secretary.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Hassell (Minister for Police and Prisons).

RAILWAY: FREMANTLE-PERTH*Reinstatement: Motion*

DR DADOUR (Subiaco) [7.46 p.m.]: I move—

That in the opinion of this House the Perth/Fremantle passenger rail service be reinstated immediately.

The decision to close the Perth-Fremantle rail passenger service was a blunder of the greatest magnitude. The decision was made without any consideration of the electors, without any rapport, and, in fact, without any consultation with me—and I happen to be a member of this Parliament and also a back-bencher of the governing party—in spite of the fact that I had requested of successive Ministers for Transport and the then Premier that if a decision were to be made it should be brought to the party room for discussion. In my 11 years in Parliament this request always was granted, but on this occasion it was denied.

This blundering decision was made by the previous Premier because of another abortion that passed through this House just prior to the decision to close the Perth-Fremantle passenger rail service; namely, the Mining Bill 1978. Members will recall that I voted against that Bill at all levels. The regulations should have been disallowed. My reward for voting against the Premier's mining fiasco was the closure of the railway passenger service without warning, consultation, debate, or justification.

I say this to the present Premier: "You are aware only too well of all I have said. You were one of the Ministers of whom I requested a party room debate on the subject. You know the circumstances only too well—that this was a decision of the past Premier."

The Premier knows that fares were not being collected from the passengers on this line for two years before the line was closed. I informed him I had received a number of complaints about this. This was a cunning ploy to falsify the true number of passengers and make that particular line appear to lose more money and be a greater burden on the taxpayer than it actually was. Yet, even in spite of this blatant dishonesty, the Perth-Fremantle passenger rail service was still a better paying proposition than the other two suburban lines, and the Premier knows it was closed out of sheer bloody-mindedness and vindictiveness. Does he intend to perpetuate this lie or will he act in character and rectify the wrong? This is one of those issues on which the Premier can gain a lot of prestige by reversing the decision.

As for the present Minister for Transport, he was not even present at the Cabinet meeting that made the terrible decision. That was his excuse to me as to why that decision was not brought to the party room first—as I requested of him and other Ministers—before it was made public. The present Minister is completely in the hands of the bureaucrats; he is a puppet. I say to him, "Wake up and be a man; face reality; admit you have made a mistake and rectify it."

Mr Hodge: It sounds like the Minister for Health.

Dr DADOUR: The Minister for Transport should stop his expensive charades such as the Travers Morgan inquiry. This was a sop—a complete waste of time and money. That firm will make a report to the Minister's liking as it has done repeatedly in the past when employed by other States. I refuse to make any report or submission to that company because, as a member of Parliament, it is my duty to bring my report to Parliament and put my chin on the line and vote accordingly and openly.

Mr Coyne: Why don't you become objective?

Dr DADOUR: Look at the Servetus Street decision; that was another blunder. I have not yet been convinced of the need for the widening of Servetus Street and I say here and now that I have every intention of voting against the proposal when it comes before this House later this year.

Mr Coyne: As an Independent, I hope.

Dr DADOUR: I shall even move to have it disallowed. I feel a great compassion for the unfortunate people of that area. I refer members to an article in today's *Daily News* under the heading "Road plans suit the Cabinet" the last paragraph of which states—

... in Cottesloe, the road, together with a future mass transit route, would generally occupy the Perth-Fremantle railway reserve

I remind other members involved that the first loyalty of every member is both directly and indirectly to the electors and their vote on that subject, as on this particular subject, will be noted by their electors and they will vote accordingly next time around.

Mr Coyne: They should also be loyal to their party affiliations.

Dr DADOUR: If there are any differences of opinion, we on this side of the House are at liberty to vote according to our consciences. I will not listen to any more rubbish from the member for Murchison-Eyre.

Mr Jamieson: He was crying tears of blood when the Government closed his railway.

Dr DADOUR: Also to the Minister for Transport I say that the idea of a rail bus is just not on. They will not activate the present signals, so they will be dangerous; and to change the signal system would be far too expensive.

The face-saving proposal of rail buses will not bear examination as no credible action could be seen until perhaps just before an election, which would do more harm than good. The rail bus has not been proved and we could be buying a "pup". I wish to bring to the Minister's attention the following points—

- (1) Rail buses are designed for the lowest level of British Rail's rural services. They are not suitable for metropolitan work.
- (2) They are still in the prototype stage.
- (3) Recent United Kingdom trials on the Bristol-Severn Beach line, planned for 14 October 1981, were deferred at the last minute when local operating and signals and telecommunications staff were dissatisfied with the vehicle's ability to trip track circuits reliably. Problems with lightweight vehicles failing to provide a satisfactory electrical link between the rails for track circuit currents are not new. This also applies to activating boom gates and it means that Westrail would have to resignal all suburban lines with more sensitive equipment.
- (4) Many railway engineers consider that the rail bus does not meet rail safety standards. They are concerned that it may crumble if it collides with another train or, say, a heavy vehicle at a level crossing.
- (5) Rail buses have been discarded by the German federal railways, which has had more experience than most of rail buses.

The sooner the Government publicly rejects rail buses in principle, the more face it will save.

At this stage I wish to say that by a process of elimination I have arrived at the conclusion that there is no real planning for a comprehensive public transport system for the Perth metropolitan area. Perth possibly is the only civilised city in the world of its size and potential to be completely left without such a system, or planning for such a system. It is only too obvious that the bureaucracy and the Government plan for the private car instead of public transport.

Mr Rushton: Is that your personal point of view?

Dr DADOUR: I arrived at that conclusion, and it was not very hard.

Look at Servetus Street again. Also, one has only to get onto any highway to see just how much the buses—especially linc buses—clutter up the roads and impede the traffic. Only last week, when the bus strike was on, I found myself wondering why the traffic moved far more quickly than normally, despite the fact that there appeared to be more cars on the road. I suddenly realised it was because there were no buses. It takes about five minutes to go from Daglish station to Perth centre at all times by rail, yet in the peak hours it can take up to 35 minutes by bus.

Public transport in any city is a service. It is not expected to pay and the bigger that city becomes so that service becomes more expensive.

If the planners for Perth had any insight or honesty they would be looking to electrify the present train services and add spurs to the northern suburbs, as was planned in years gone by. But no, the present planners wish to leave all options open and do nothing, except spend more and more on roads for the private car, although they are aware that oil will become dearer and scarcer as time passes. I think they must be waiting on a miracle such as one sees in science fiction comics; that is, the transference of matter by will. If that ever arrives it could be very embarrassing to have one's mother-in-law suddenly appear in the bedroom!

We need honest men with vision—not the bungling bureaucrats with whom we are burdened and not totally irresponsible and incompetent Ministers.

I warn the Government that this motion must and should be passed; electorally we can go down the drain on this and other issues with regard to which past Governments blundered. The vote for those members whose electorates were affected by the Perth-Fremantle passenger rail service closure and who supported that issue went down by five per cent and at the next election I anticipate a further five per cent drop on this and other issues.

Mr Cowan: So can I.

Dr DADOUR: I must warn the new member for Nedlands he will not enjoy my level of vote in Subiaco and Shenton Park which becomes part of his electorate for the election early next year. In fact, I predict that if he does not support the return of the rail passenger service, he will be in serious trouble.

On 12 August 1981 I made the following points in this House in what I believed to be the public interest, when speaking on a similar motion—

The decision to close the Perth-Fremantle passenger service was a blunder as a result of poor advice . . .

I ask all members of the House to listen to common sense and reason . . .

Our public transport system is in a state of chaos . . .

In any normal business anybody acclaiming such a performance would be sacked on the spot.

We should all be ashamed of their efforts or lack of effort.

There is no doubt that I was absolutely justified in seeking the retention of the Perth-Fremantle railway. I am still seeking its return.

To return to the present: The public have been informed in the media that the Government's credibility is low and the Premier has admitted that there is only one way to move; namely, upwards.

Statements issued to the Press suggesting the purchase of rail buses for the Fremantle line confirm in the public mind that the decision to close the service was wrong and the suggestion that the existing tracks should be used confirms that, irrespective of any studies on hand, a decision has been considered to reopen the line. But there is no specific decision on how it should be done.

The Government has about 10 months or less to recover public confidence on this issue and the longer the rail service to Fremantle is not reinstated, the more its eventual reinstatement will appear as an electoral gimmick.

In relation to the Fremantle Line, if we do not face up to this issue, we are condemning our own credibility. If we wait for advice from the sources that led us into the present trap, we are likely to get further into the mire, particularly with relation to rail buses. We have seen publicity of an intention to consider rail buses at \$285 000 each, even though unsuitable. That is a calamity on its own.

It is to be remembered that 28 per cent of the rail service was removed from the Fremantle line, together with all the railcars, yet the only varied use on the other lines has been—

Weekdays per day

Armadale and return

100 to 107—an increase of 7.

Midland and return

127 down to 120—a decrease of 7.

Any slight passenger increase on these two lines is of little consequence, but the MTT's annual report, which is long overdue, may clarify this aspect. The inescapable fact is that we now have 10 more railcars, six already delivered, than when we closed the Fremantle line, and have virtually had little need to use them on other services as none of the older railcars has been scrapped. If they have been used, they have only been pushing wind.

The public can be as aware of this as anybody, and the proposal to spend more money on rail buses when the service can be reinstated tomorrow with existing railcars is pure folly.

It is suggested that the only course open to us is to say that we have had sufficient time to study the situation, and in view of the ordering and delivery of new railcars, we are now in a position to establish a 12-minute service on all three lines pending electrification studies.

The improvement in the service will be appreciated by the public, and we hope that by proper bus co-ordination, patronage trends will justify a reduction in fares as an encouragement for more patrons. We should reschedule line buses to tasks suitable to their design, which will enable us to economise on bus replacement costs for a period. Staff adjustments to cater for the increased rail service in time can be balanced against the bus staff increase in the line bus area—66 increase.

There is a great deal more to be done on this fiasco, but it can happen after the reinstatement of the service.

Existing railcars can provide a 12-minute service now. Throughout the world all commuter trains are designed to provide more standing capacity than seating. Each of Westrail's two-car sets can accommodate 252 passengers—152 seated and 100 standing. The rail bus will carry 104—64 people seated and 40 standing. Unfortunately, Westrail's policy is to provide seats for all passengers—one very seldom sees people standing in suburban trains. This may be very comfortable, but it is unprofitable! It means also that Westrail has more railcars than it really needs.

At present Westrail's railcar fleet stands idle for the greater part of the 24-hour day. For 2½ hours during the morning peaks, nine train sets run on the Midland line, and at 9.00 a.m. they revert to four trains until the evening peak.

The off-peak trains stand at terminals for 25 per cent of their time, and this is in addition to

normal station stopping times. It can be seen therefore that staff are being paid to do only 75 per cent of the work they are able to perform; and, in fact, trains are not running in the interests of the public. Idle trains cost money because they represent an underutilisation of capital equipment—that is, railcars, lines, signals, stations, etc. By proper scheduling of the service on the Midland-Fremantle line—trains used to run through from Fremantle to Midland before the Fremantle closure—one train every 12 minutes can be run instead of the normal 20 minute service, and only seven trains are required instead of nine on the peaks. Five trains are required for through-day service. This is achieved by using two spare train crews for quicker turn around at Midland and Fremantle.

At the moment, the trains that are running stop for 15 minutes at Midland, and stop again for 15 minutes at Perth. If these 15-minute periods were to be eliminated, and the crew were to change immediately, enough time would be allowed to run the train from Midland to Fremantle in the same running time, without wasting the two 15 minute periods at each end.

No more railcars are required because since the Fremantle line closed, 10 new railcars have been purchased. At a cost of \$7 million for 10 new railcars, it is criminal to let these units stand idle and not earn income. Basic running is based on single cars reinforced by the remainder of the fleet as necessary. Similar principles also apply to the Armadale line.

The current fleet strength is—

32 power cars which can run singly;

15 power cars which run with a single trailer each—that is, 15 matching trailers;

20 trailer cars which can be added as required;

19 additional carriages are available for hauling by diesel locomotives.

By running the minimum — but sufficient — number of cars per train, the question of fuel consumption, which was never a big expense item in any case, hardly deserves consideration.

The number of departures and arrivals in the timetable now can be achieved by this method, in addition to the Fremantle service which was run with the original fleet before acquisition of the 10 new railcars. Running speeds are no different from those at present, and seven minutes on each 72-minute run from Fremantle to Midland has been provided for turn-around time. This is excessive, but it fits into scheduling a train every 12 minutes. If this service were introduced it

would be possible to provide a very simple timetable covering every station. From an economic point of view, this is the only way to make the railways more efficient.

If we are to avoid losing too much credibility as a Government, we need to take action within the next two weeks to reinstate the Fremantle service until such time as an electrification proposal can be tabled. There is no refuting the fact that the ALP's policy to electrify the suburban rail service is the correct one; and the only practical recovery we can make is to demonstrate that we, as a party, are not all talk, but can do it to a better standard, more quickly, and with greater public benefit.

The secret is to use proven technology and realistic planning rather than engage in fantasies of science fiction transit. We need to place in service a new, efficient, no-frills electric system that will work for the city rather than bankrupt it. I suggest that we investigate a light rail electric system such as the Tyne and Wear Metro, Newcastle, United Kingdom. This system was recommended by Elrail. It would be very suitable for Perth and it is relatively cheap.

I commend the motion to the House.

MR COWAN: I second the motion.

Debate adjourned, on motion by Mr Rushton (Minister for Transport).

ACTS AMENDMENT (MISUSE OF DRUGS) AMENDMENT BILL

Second Reading: As to Resumption of Debate

MR RUSHTON (Deputy Premier)
[8.07 p.m.]: I move—

That Order of the Day No. 14 be now taken.

The ACTING SPEAKER (Mr Trethowan): Because of a procedural problem in putting the question I will leave the Chair until the ringing of the bells.

Sitting suspended from 8.08 to 8.10 p.m.

ADJOURNMENT OF THE HOUSE

MR RUSHTON (Deputy Premier)
[8.11 p.m.]: I move—

That the House do now adjourn.

Question put and passed.

House adjourned at 8.12 p.m.

QUESTIONS ON NOTICE

TRANSPORT: BUSES

Terminal: Toilets

683. Mr TONKIN, to the Minister for Transport:

- (1) Is it a fact that the toilets at the main bus terminal in Wellington Street, Perth, are not open at weekends?
- (2) If so, what hours are they open during a full week?
- (3) If "Yes" to (1), what is the reason for this?
- (4) Will he investigate this matter with a view to making the use of the toilets more convenient to the public?

Mr RUSHTON replied:

- (1) and (2) Toilet facilities at the Perth Central Bus Station are open between 0700 and 1830 hours Monday to Friday, and 0800 and 1300 hours Saturdays.
- (3) The MTT advise that the limited hours of availability are mainly due to the cost of having the toilets attended as the facilities are quickly rendered unserviceable by vandalism.
However, on request, the key may be obtained for after hours use of the toilets.
- (4) The trust has investigated this matter but because of the vandalism problem and the prohibitive additional annual costs of manning the toilets it decided there would be no change to the hours indicated above.

HOUSING: RESEARCH INFORMATION CENTRE

Funding

688. Mr WILSON, to the Premier:

- (1) Can he confirm that the Government is to discontinue the annual grant to the Western Australian housing research information centre in 1982-83?
- (2) Has this decision been made without allowing the centre to put a case for continued funding?
- (3) Is it a fact that this decision is likely to force this centre, which is the only independent consumer housing information and research organisation in Western Australia, to close?

- (4) How does he explain this decision during a time of crisis in the availability of housing, when access to accurate information about the housing needs of people is crucial for determining the Government's priorities?

Mr O'CONNOR replied:

- (1) Yes.
- (2) Yes.
- (3) The decision was conveyed to the centre's administration to enable it to make alternative funding arrangements prior to the commencement of the 1982-83 financial year.
- (4) The centre's services are of benefit to the housing industry through the provision of advice on architectural standards and technical matters and it was expected that its activities would eventually become self-supporting.

COMMUNITY WELFARE

Staff: Salary Structures

689. Mr WILSON, to the Honorary Minister Assisting the Minister for Community Welfare:

- (1) Is it a fact that new salary structures for professional division staff in his department arising from the recent Public Service Board decision, place these officers with four years of tertiary education on lower salaries than general division welfare officers with lesser qualifications so that, for instance, a level 3 supervisor with considerable administrative and decision-making responsibility will receive less than a senior family welfare officer with much less responsibility, who would have received a recent salary increase of over \$2 000, which was approved by the Public Service Board?
- (2) In view of the apparent disincentive for officers to seek training and responsibility implied in this new salary disparity, is his department concerned about the possible effect on the morale of officers as a result of this parity?
- (3) If "Yes" to (1) and (2), what action does he propose to take, and if "No", why not?

Mr SHALDERS replied:

- (1) There is concern that the relativities of some officers have been changed by the Public Service Board's determination. It is true that some staff in the general division will receive more than staff with tertiary qualifications doing similar duties. In some instances, people with supervisory responsibility are to be paid salaries lower than those paid to their staff. These instances have been referred to the Public Service Board seeking a review.

In regard to the member's example, the argument he has given is incorrect. The salary range for social work supervisor level 3, is \$21 679 to \$23 230. The range for a Senior Family Welfare Officer is \$20 555 to \$21 195. At no point is the supervisor paid less than the senior family welfare officer. It should be pointed out to the member that the recent increases awarded to the general and administrative and clerical division officers were the outcome of a decision by the Public Service Arbitrator. They were not the result of sole approval by the Public Service Board.

- (2) As outlined in (1) above, representations have been made by the Director for Community Welfare to the Public Service Commissioner, seeking a review of various matters that would affect officer morale.
- (3) I will await the Public Service Commissioner's consideration of the matters raised with him.

COMMUNITY WELFARE

Staff: Establishment Ceiling

690. Mr WILSON, to the Honorary Minister Assisting the Minister for Community Welfare:

- (1) What is the Department of Community Welfare's staff establishment ceiling for 1981-82, and how does this differ from that applying in 1979-80 and 1980-81?
- (2) What was the actual staff establishment as at 28 February 1982?

Mr SHALDERS replied:

- (1) 1981-82—1521
1980-81—1535
1979-80—1525
- (2) 1444.

HOUSING: STATE HOUSING COMMISSION

Staff: Establishment Ceiling

691. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

- (1) What is the State Housing Commission staff establishment ceiling for 1981-82, and how does this differ from that applying in 1979-80 and 1980-81?
- (2) What was the actual staff establishment as at 28 February 1982?

Mr SHALDERS replied:

- (1) The State Housing Commission salaried staff establishment ceiling for the years 1979-80 to 1981-82 are—
1979-80—699
1980-81—700
1981-82—700
- (2) The actual staff establishment as at 28 February 1982 was 649.

COMMUNITY WELFARE

Youth Services Programme

692. Mr WILSON, to the Honorary Minister Assisting the Minister for Community Welfare:

- (1) What funds are to be made available for re-funding a new funding allocation under the youth services programme?
- (2) How are any such funds to be redistributed?
- (3) (a) Does he intend to reconvene the advisory committee; and
(b) if so, when?
- (4) (a) Does the State Government intend to expand its current level of commitment in this field; and
(b) if so, when will an announcement be made to this effect?

Mr SHALDERS replied:

- (1) The Commonwealth Minister for Social Security has advised me that the Commonwealth Government is willing to support this scheme for the 1982-83 financial year but that the final level of Commonwealth support will be determined in the Commonwealth's budget context. An interim allocation of \$49 790 has been made to bridge the period between 1 July 1982 and the anticipated passage in November of the Appropriation Bills.

- (2) This is effectively a one year extension of the present scheme. Guidelines will remain unchanged and priority will be given to ensuring that currently funded projects which are operating satisfactorily are able to continue at a viable level. It is not proposed to call for new applications for funding at this time.
- (3) (a) and (b) I am currently considering proposals in relation to the role and membership of this advisory committee.
- (4) (a) and (b) State budget allocations for next financial year have not been finalised. Any budget initiative for 1982-83 will be announced at the appropriate time.

RECREATION

Youth Organisations: Grants

693. Mr WILSON, to the Minister representing the Minister for Recreation:

- (1) What has been the total of grants made to youth organisations in each of the past five financial years?
- (2) What agencies have applied for such grants in each of the past three years?
- (3) What were the sums requested in each case, and what were the projects for which these funds were sought?
- (4) What criteria were used to determine—
(a) eligibility for grants;
(b) the successful applicants?
- (5) Is the Minister aware of concern which has been expressed by some youth organisations about lengthy delays in the allocation of grants and the lack of field consultation in the decision-making process?
- (6) If "Yes" to (5), what action is to be taken to overcome such problems?

Mr HASSELL replied:

- (1) to (6) As the answers required are so detailed, the Minister for Recreation will forward the information direct to the member when it is available.

STATE FINANCE: EXPENDITURE REVIEW COMMITTEE

Community Organisations

694. Mr WILSON, to the Premier:

- (1) Has the Cabinet expenditure review committee recommended the discontinuation of some grants provided

by the State to charitable, welfare and other community organisations in the 1982-83 financial year?

- (2) If "Yes", which of these groups have already been advised of the discontinuation of their grants and what are the amounts involved in each case?
- (3) (a) How many such groups are to be affected in all; and
(b) what are the other groups included in the committee's recommendations and the amounts involved in each case?
- (4) (a) Were these groups given the opportunity to put a case for the retention of their grants; and
(b) if not, why not?

Mr O'CONNOR replied:

- (1) Yes.
- (2) The groups concerned have been advised but it is considered that the individual amounts and the names of the organisations are a matter of confidentiality between the Government and the organisation at this time.
- (3) (a) 13;
(b) not applicable.
- (4) (a) No;
(b) the Government was able to assess the position of the affected groups from its past association with them.

I would like to add for the information of members that the Government has taken this action with deep regret. It in no way reflects upon the integrity and meaningfulness of the work these organisations are performing. The decision was taken as part of an overall review of Government expenditure which was made in an effort to contain the growth in the demand for public funds. Most of the cutbacks were made in Government services themselves but in some cases private organisations which have enjoyed Government financial assistance have been affected.

HOUSING: ABORIGINES

Transitional Houses

695. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

How many families are still living in ex-Department of Native Welfare transitional houses?

Mr SHALDERS replied:

The information sought involves considerable research and I will let the member have my reply by letter when the details are known.

HOUSING: ABORIGINES

Accommodation: Service

696. Mr WILSON, to the Honorary Minister Assisting the Minister for Community Welfare:

- (1) Can he confirm that the Aboriginal accommodation service has been forced to curtail its operations because of the current housing crisis?
- (2) If "Yes", what action does he intend to take to enable this service to continue to operate to fulfil the objectives for which it was formed on the instigation of his department?

Mr SHALDERS replied:

- (1) There is an increasing demand for private rental accommodation within the metropolitan area. Officers of the Aboriginal Accommodation Service continue to pursue private rental houses for Aboriginal families. Within this competitive rental market, the success rate of securing such accommodation has lessened due to overall demands.
- (2) Not applicable.

HOUSING: FLATS

Vacancies

697. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

- (1) How many State Housing Commission flats are currently vacant?
- (2) Where are they located?
- (3) What is the State Housing Commission's policy with regard to the construction of any new flat accommodation?

Mr SHALDERS replied:

- (1) The number of family type flats currently vacant is—
183
 - (2) Located—
- | | | |
|-------------------|--------------------------|-----|
| METROPOLITAN AREA | Metro. South East Region | 31 |
| | Metro. Fremantle | 42 |
| | Metro. North | 89 |
| | TOTAL | 162 |
| COUNTRY | Albany | 9 |
| | Bunbury | 12 |

- (3) The Commission has not of recent times constructed flats for family accommodation and no such plans are currently envisaged.

HOUSING

Cash Balances and Carry-over Amount

698. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

For each of the last three years to 30 June 1981, what were the cash balances and the carry-over amount respectively for the—

- (a) State Housing Commission account;
- (b) Commonwealth-State housing agreement account;
- (c) Aboriginal housing trust fund;
- (d) home builders' account?

Mr SHALDERS replied:

- (a) to (d) The member is requested to refer to the respective annual reports for the information.

I also would like to inform the member that since 1 July 1979 the operations of the State Housing Commission and the Commonwealth-State Housing Agreement have amalgamated.

DEPARTMENT FOR YOUTH, SPORT AND RECREATION

Staff: Establishment Ceiling

699. Mr WILSON, to the Minister representing the Minister for Recreation:

- (1) What is the Department for Youth, Sport and Recreation's staff establishment ceiling for 1981-82 and how does this differ from that applying in 1979-80 and 1980-81?
- (2) What was the actual staff establishment as at 28 February 1982?

Mr HASSELL replied:

(1)	1981/82	Public Service	95	Total 117
		Other	22	
	1980/81	Public Service	95	Total 117
		Other	22	
(2)	1979/80	Public Service	90	Total 111
		Other	21	
	As at 28/2/82	Public Service	89	Total 111
		Other	22	

SEWERAGE

Thornlie

700. Mr BATEMAN, to the Minister for Water Resources:

- (1) Are the sewer mains in the Thornlie area continually being blocked?
- (2) If "Yes", is this not a serious health risk to the residents of Thornlie?
- (3) Is he also aware that approximately every two months the pumping stations in Hume Road and Warton Road break down?
- (4) As residents continually complain that after they advise the Metropolitan Water Supply, Sewerage and Drainage Board it sometimes takes up to eight hours before workmen attend the blocked mains, and that they are inconvenienced by not being able to use their showers, sinks, toilets, etc., will he take immediate action to have this matter rectified?
- (5) If not, why not?

Mr MENSAROS replied:

- (1) No.
- (2) Not applicable.
- (3) Warton Road pumping station has not broken down in recent months. Hume Road pumping station has broken down twice in the past six months due to the pumps being blocked with rags. This same station has also been subject to intermittent electrical faults, causing short term breakdowns. These pump failures have caused flow to back up in the sewers.
- (4) The MWB is not aware of any such repairs taking as long as "up to 8 hours" to complete from the time the fault was actually reported—immediate attention is always given in such cases. It must be understood, however, that where backing-up of waste water flows is caused by pumping station failures, it is inevitable that it will take some hours to dispose of the waste water trapped in the station sump and carry out the necessary repairs.

Action is under way to:

- (a) determine the cause of the intermittent electrical problem;
- (b) investigate the possibility of connecting this station to the MWB central control room alarm system;

(c) again appeal to the public not to dispose of rags and other solid materials into the sewerage system.

(5) Not applicable.

HEALTH AMENDMENT BILL

Clause 3

701. Mr HODGE, to the Minister for Health:

- (1) In respect of clause 3 of the Bill to amend the Health Act—
 - (a) is there already an officer with the title "Deputy Commissioner";
 - (b) is it intended that this amendment will result in a new position being created and a new officer appointed; and
 - (c) if so, how much will this cost?
- (2) Will he provide details of the present number of deputy or assistant commissioners employed in both the Public Health Department and the Department of Hospitals and Allied Services and also outline their duties and salaries?
- (3) In respect of clause 8 of the abovementioned Bill, why is it felt necessary to give industry representatives on the pesticides advisory committee voting powers if their inclusion on the committee is merely at the discretion of the appointed committee members and for the purpose only of tendering advice on manufacturing processes?
- (4) Can he provide details of the Statutes and regulations that require all ingredients and strengths to be clearly shown on pesticide containers?

Mr YOUNG replied:

- (1) (a) Yes;
- (b) no;
- (c) not applicable.
- (2) Hospital and Allied Services—Nil.
Public Health Department—2.
Deputy Commissioner—salary \$54 916.
Deputies for Commissioner of Public Health. Assists Commissioner of Public Health with day-to-day activities. Responsible for administration of community health services generally. Represents the department on boards and committees.
Assistant commissioner—salary \$46 878.

Deputises for deputy commissioner. Assists Commissioner with day-to-day activities. Administers health promotion activities. Develops joint health and educational initiatives. Administers Education Services Branch. Responsible for cancer registry. Represents the department on boards and committees.

- (3) The calibre of persons who may be co-opted to the Committee for the purpose of advising on trade requirements, gives rise to the logical sequence that such persons will be experts in the particular problems for which they have been invited and which will have been discussed at a particular committee meeting or committee meetings. The normal courtesies of Government extend to the granting of a deliberative vote on the matter for which an expert is co-opted.
- (4) Yes. Paragraph (c) of regulation 9 of the Pesticides Regulations made under the authority of section 241D of the Health Act specify this requirement.

702 and 703. *These questions were postponed.*

HEALTH

Kidney Dialysis Machines

704. Mr CARR, to the Minister for Health:

- (1) What is the approximate average usage of water per week per patient in the operation of a kidney dialysis machine in the home?
- (2) Is any concessional water charge available to users of a kidney dialysis machine?
- (3) If "Yes" to (2), will he please provide details?
- (4) If "No" to (2), is he prepared to make representations to the Treasurer and/or Minister for Water Resources seeking some form of concession?

Mr YOUNG replied:

- (1) I am advised that approximately 3.6 kilolitres of water per week would be consumed by patients on a dialysis machine for an average of eight hours, three times a week.
- (2) No.
- (3) Not applicable.

- (4) I have already made representations to the Minister for Water Resources seeking some form of concession and am advised that many requests are received from organisations and individuals for various forms of concession. The Metropolitan Water Board is unable to give special treatment to any one segment of the community, however deserving the case may be. The Commissioner, Metropolitan Water Board, has advised that every consideration will be given to persons who exceed the allowance of 150 kilolitres thereby allowing them to clear the account by instalments.

POLICE

Recruits

705. Mr CARR, to the Minister for Police and Prisons:

With reference to police recruits during the last five years, will he please advise how many recruits were of each age level at the time of recruitment?

Mr HASSELL replied:

289 at 19 years of age
101 at 20 years of age
94 at 21 years of age
70 at 22 years of age
51 at 23 years of age
53 at 24 years of age
54 at 25 years of age
42 at 26 years of age
34 at 27 years of age
28 at 28 years of age
33 at 29 years of age
9 at 30 years of age
1 at 31 years of age
Nil at 32 years of age
2 at 33 years of age

861

TRAFFIC

Driver Education Programme

706. Mr CARR, to the Minister for Police and Prisons:

Further to his answer to question 388 of 1982 in which he said the timing of a decision to replace the driver education scheme cannot be determined at this stage, what are the impediments

preventing the Government from acting promptly in this matter?

Mr HASSELL replied:

The matter of a replacement scheme for the driver education scheme is a very complex matter. A number of proposals have been considered and rejected, and further investigations are being undertaken. The impediment to the Government acting promptly is the requirement to ensure that the replacement scheme, together with its funding, contributes to improving driver capability and awareness without imposing an unnecessary financial burden on the community.

707. *This question was postponed.*

SHOPPING: GROCERS' SHOPS

Opening Hours

708. Mr DAVIES, to the Minister representing the Minister for Labour and Industry:

- (1) What are the legal opening hours of grocers' shops?
- (2) What restrictions are placed on delicatessen/grocery "corner stores" in relation to—
 - (a) hours of opening;
 - (b) goods that may be sold?
- (3) Are there any exceptions to these rules?

Mr YOUNG replied:

In accordance with the Factories and Shops Act—

(1) Normal Shops (section 85)—

8 a.m. to 6 p.m. Monday, Tuesday, Wednesday, Friday

8 a.m. to 9 p.m. Thursday

8 a.m. to 1 p.m. Saturday

Closed on Sundays and Public Holidays.

Exempt Shops (section 86)—

No restrictions on opening hours

Privileged Shops (section 87)—

8 a.m. to 11.30 p.m. Sunday to Friday

8 a.m. to 11.45 p.m. Saturday.

Small Shops (section 88)—

6 a.m. to 11.30 p.m. on any day.

- (2) (a) The shops may be exempt shops, privileged shops or small shops and hours of opening are answered in (1).

- (b) Exempt shop—any goods prescribed to be exempted goods in the shops (exempted goods) regulations 1974 may be sold.

Privileged shop—food and grocery lines which are not included in the shops (exempted goods) regulations are required to be locked behind screens after 6 p.m. on Mondays, Tuesdays, Wednesdays and Fridays, after 9 p.m. on Thursdays, after 1 p.m. on Saturdays and all day on Sundays and Public Holidays.

Small shop—the only goods which may be sold are food and grocery lines, goods included in the shops (exempted goods) regulations and such other goods as the Minister, on the recommendation of the retail trade advisory and control committee, approves.

- (3) Exceptions as to opening hours may be provided—

(i) by the retail trade advisory control committee, subject to the approval of the Minister, to meet the needs of the public or because of the celebration or the observance of a special occasion; or

(ii) where the shop is located in a holiday resort which has received approval for extended trading hours.

QUESTIONS WITHOUT NOTICE

UNITED NATIONS ORGANISATION

Community Aid Bodies

195. Mr BRIAN BURKE, to the Premier:

- (1) Is he aware that the State Government is refusing to fund the efforts of the United Nations Organisation's community aid project, the United Nations Children's Emergency Fund, ASSCO, and the Freedom from Hunger Campaign for 1982-83 and subsequently?

- (2) If so, why is this action being taken in view of the major efforts by these bodies to ease suffering and for other humanitarian purposes?

Mr O'CONNOR replied:

- (1) and (2) I am aware of this. A number of other operations are having their funding reduced or restricted. This was as a result of the expenditure review committee's operations last year whereby, because of the shortage of funds, we felt we had to direct our funds to the areas that were most needed. These areas were not those into which we felt we needed to inject expenditure.

SEWERAGE

Perth Main Sewer

196. Mr HERZFELD, to the Minister for Water Resources:

Recent reports in the media state that certain work on the Perth main sewer has stopped because the MWB has refused to pay a 25 per cent allowance awarded by the Industrial Commission. I ask—

Could the Minister inform the House if the reports are accurate and whether there will be any inconvenience to the public?

Mr MENSAROS replied:

Certain preventive maintenance in a section of the Perth main sewer has been stopped while the matter of a claim for an allowance for this work is finalised.

The Industrial Commission found reasons for payment of a 25 per cent allowance and directed the parties to confer on an appropriate order.

Discussions between the union and the MWB have not taken place yet, therefore the Industrial Commission is not in a position to issue an order. Consequently, there could not have been an appeal, as reported in this morning's *The West Australian*. When and if an order is issued an examination of its full implementation will be undertaken. In the meantime there will be no inconvenience to the public if the work is not completed immediately.

GOVERNMENT RAILWAYS AMENDMENT BILL

Absence of Minister for Transport

197. Mr I. F. TAYLOR, to the Minister for Transport:

- (1) In view of the Minister's absence from the Parliament last Thursday when we were debating the joint venture legislation which he has agreed is the most important railway legislation to come before this House, does he consider that, in terms of his ministerial responsibilities, it was proper and appropriate for him to be flying high, indulging himself in champagne, oysters and giant strawberries marinated in Grand Marnier rather than attending to this vital legislative matter?

- (2) If "Yes", why?

Mr RUSHTON replied:

- (1) and (2) Obviously, the question is quite facetious.

Mr I. F. Taylor: It was not facetious; it was very serious.

Mr RUSHTON: However, taking the question seriously, as I take all transport matters, I inform him that the newspaper report of the good things available on that flight was incorrect in one detail: They were not enjoyed by me. The Government could well have brought on the legislation at a later time; however, we wished to accommodate the member for Avon, who wanted the legislation proceeded with at an earlier date. In accompanying the inaugural flight to Esperance, I was supporting what I believed to be a very worth-while service on the Perth-Esperance route.

Mr I. F. Taylor: And ignoring your responsibilities in this House.

Mr RUSHTON: I was not ignoring them at all.

Mr O'Connor: He has been through all the documents on the weekend; he read what you had to say, which was nothing.

Mr RUSHTON: Some time ago I was invited to accompany the inaugural flight to Esperance, and to participate in the celebrations organised at Esperance. Members would be aware that the Esperance Shire Council extended its airport at a cost of something like

\$400 000. The company has provided a first-class service which has been strongly supported by the local members; namely, the member for Roe in this place, and Legislative Council members.

Mr Brian Burke: And the member for Yilgarn-Dundas. Do you think Esperance is on the up and up now?

Mr RUSHTON: Complimentary remarks were made even about the Federal member, who had been very supportive of the new service. The member for Kalgoorlie treats this matter in a light-hearted manner, and has made a personal attack on me; however, it finishes up back in his own face, because we do take very seriously the problems of transport in Western Australia. We have been successful in promoting this new service. We will continue treating transport seriously, and will not make facetious comments, as the member for Kalgoorlie has chosen to do.

STATE FINANCE: EXPENDITURE REVIEW COMMITTEE

Savings

198. Mr WILLIAMS, to the Treasurer:

Various figures have been quoted on the savings effected by the Cabinet expenditure review committee. Would the Treasurer please explain why this is so and whether any contradiction is involved?

Mr O'CONNOR replied:

Different figures have been used to cover different aspects of the committee's work, but there has been no contradiction. The situation was spelt out in the Budget speech and in subsequent news releases. If anyone had cared to read the news releases, he would have found the detail he required.

There are two main aspects of the committee's work in relation to the 1981-82 Budget. They are reductions in current activities, and rejection of proposed expansion of services. The first were estimated at \$12 million for 1981-82, rising to \$17 million in a full year. The second were estimated at \$20 million, making a total of \$32 million for the year. Other cuts were planned to begin from 1982-83 and some were still

under consideration at the time of the Budget, so in this on-going context the estimate of about \$40 million for a full year has been used and is reasonable.

EDUCATION: STUDENT GUILDS

Legislation

199. Mr PEARCE, to the Honorary Minister Assisting the Minister for Education:

Is it a fact the Government will not legislate this year to amend the student guilds' legislation?

Mr CLARKO replied:

It is not a fact that the Government will not amend legislation relating to services and amenities. As I have pointed out before to the member for Gosnells, the matter is under active Government consideration.

STATE SHIPPING SERVICE

Future Operations

200. Mr BRIDGE, to the Minister for Transport:

The Minister may be aware that a considerable amount of uncertainty exists in the north about the future operations of the State Shipping Service, particularly in regard to the frequency of calls to Derby. In view of this uncertainty could he—

- (a) give an assurance that in future a regular scheduled service will operate into Derby and other northern ports; and
- (b) correct the irregularity of calls which currently are occurring at Derby so that local residents can organize the delivery of supplies of goods with the knowledge that a frequent and reliable service will be provided by the State Shipping Service?

Mr RUSHTON replied:

- (a) and (b) The member would be aware that the State Shipping Service is being supported by a ship on charter, due to the grounding of the *Pilbara*. We expect the *Pilbara* to resume operations within the next few weeks. As future scheduling is being prepared, I invite the member to place his question on notice so that I can give him a complete answer.

POLICE: CRIME

Commission

201. Mr WATT, to the Minister for Police and Prisons:

- (1) Has the Minister seen an article on the front page of today's *The Australian* under the heading, "Anti-corruption Bureau plan" which states—

The Federal Government is set to establish a permanent crime commission in conjunction with the States as a result of the alleged involvement of former Deputy Police Commissioner Bill Allen ...

- (2) Was Western Australia consulted on the establishment of such a bureau, in conjunction with the States?
- (3) What is Western Australia's attitude to such a plan?

Mr HASSELL replied:

- (1) Yes.
- (2) The Federal Minister for Administrative Services (Mr Newman) has not consulted me in relation to this matter; I have not heard from him on the matter to this stage.
- (3) Our attitude is that if the Commonwealth Government puts forward proposals which can be described as "genuinely co-operative" we certainly would be prepared to examine them positively. However, if the Commonwealth is putting forward proposals that the Australian Federal Police should take over some part of the general law enforcement role which properly belongs to the State police, we will have nothing to do with it. We have made very clear our position in this matter, and it is a view shared by the other States. The general responsibility of law enforcement rests with the State Police Forces. Indeed, the Australian Federal Police is one of the smallest and, certainly, the most inexperienced police force in Australia. It has no proper role as an overseer of State Police Forces.

From time to time the Federal Police has had its own difficulties in relation to the question of propriety in that area. The State Police Forces are answerable to their own State Governments for what they do, and that will continue to be the position in this State. Also, I have made it clear that we would not be

prepared to see the establishment in this country of an FBI-type of operation. I will be interested to see what comes forward from the Federal Government in relation to this matter.

Very substantial steps have been taken in recent years in relation to co-operation between Australian Police Forces, including the establishment of the Australian Bureau of Criminal Intelligence; various other proposals currently are before the Police Ministers' conference, which is to meet again next month in Queensland. I do not know what further steps the Federal Government thinks might be desirable. However, I repeat that if it is putting forward a genuinely co-operative proposal we certainly would be prepared to have a look at it. However, if the proposal will lead only to the growth of the activities of the Australian Federal Police, we would not be interested.

HEALTH: RADIATION SAFETY ACT

Amendment

202. Mr HODGE, to the Minister for Health:

On 7 April this year I directed to the Minister question 467 relating to the Radiation Safety Act, and associated matters. The Minister did not answer the question in this House, but instead provided me with the answer in letter form. I now ask the Minister—

Would he oblige by formally providing me with the answer through the Parliament, so that it can be recorded in *Hansard*?

Mr YOUNG replied:

The question to which the member refers contained 34 parts, which was why an answer was not provided in the normal way; we did not know how long it might take to get the information to him. As he pointed out, the answer has been supplied in the form of a letter; however, I am quite happy to table a copy of the letter.

SUGAR INDUSTRY

Ord River

203. Mr SODEMAN, to the Minister for Primary Industry:

- (1) Is the Minister aware of a report in *The West Australian* today of a statement by

the Hon. J. D. Anthony on the possibility of a sugar industry on the Ord?

- (2) What steps have been taken to establish such an industry?
- (3) Has there been consultation with the Queensland industry?
- (4) Has the Western Australian Government sought from the Commonwealth Government any subsidies for the production of sugar?

Mr OLD replied:

- (1) Yes; I am sure most members have seen the article. It is not really an accurate account of what has happened.
- (2) The steps taken to establish a sugar industry in this State are well known to members.
- (3) Despite what is contained in the newspaper article, there has been close collaboration between the Queensland industry and Western Australia. I have visited various parts of the sugar industry districts in Queensland on some three or four occasions, and have consulted not only with local cane grower officials but also with sugar manufacturers. It comes as somewhat of a surprise now to hear that the Queensland industry is making representations to the Minister for Trade and Resources and the Prime Minister not only to have the Western Australian industry curtailed but also to convince the Federal Government to refuse to provide assistance to get a sugar industry going in this State.

Of course, in the event that we do start a sugar industry in Western Australia outside the existing Australian industry, it will be necessary that we receive an export permit from the Commonwealth Government. However, that is going a little far down the track, because this Government has always made it quite clear that, if and when we do start this industry, we would very much prefer to do so under the banner of the Australian sugar industry. We wish to become a part of what is loosely called the "Australian Sugar Club". However, if we are not accepted into that club, we must take other action. We have already invited submissions from interested parties both within Australia and

overseas, and we expect initial submissions to be in the hands of Government by 31 May, after which a short list will be invited to submit firm proposals for the establishment of an industry in Western Australia.

- (4) It was indicated in Mr Anthony's reply in the House yesterday that the Western Australian Government should not expect any subsidies from any Government in Australia. I should like to put on record that the WA Government has never asked for a subsidised sugar industry. It has asked for the opportunity to put a well-proven pilot operation into an industry and I am quite confident it can operate standing on its own feet.

FIRE BRIGADES AMENDMENT BILL

Consultation

204. Mr PARKER, to the Minister Assisting the Minister for Emergency Services:

- (1) Can the Minister advise what consultation took place between him and local government authorities in relation to the amendments to the Fire Brigades Act currently before the House?
- (2) If there was any consultation, with whom did it take place?

Mr HASSELL replied:

- (1) and (2) The amendments to the Fire Brigades Act which have been put before this House were considered over a period of time. They were certainly discussed with the Fire Brigades Board, on which local government is represented.

EDUCATION: GERALDTON REGIONAL EDUCATION OFFICE

Relocation

205. Mr CARR, to the Honorary Minister Assisting the Minister for Education:

My question concerns the department's proposal to move the regional education office in Geraldton from its present site to a site on Bluff Point and is as follows—

- (1) Has that move now been delayed for some two or three years because of problems with the Bluff Point site?

- (2) Is that office now to be located on the first floor of the Geraldton shopping centre at a cost of something like \$20 000 a year?
- (3) In view of the problems the department is having with this move to Bluff Point, will the Minister reconsider the move and leave the regional education office at its present appropriate site adjacent to and in co-operation with the community education centre?

Mr CLARKO replied:

- (1) to (3) I shall deal with part (3) of the member's question first. Several weeks ago I visited Geraldton, attended at the existing site of the regional education office, and listened to views put forward by certain people that the department should not proceed with its decision to move the office to Bluff Point. I returned to Perth and obtained as much information as I could in order that I might reconsider the matter fully. The department is of the very firm view that Bluff Point is a much more suitable site for the office, because a much greater area of land is available there. From the department's point of view the land available at the existing site—even allowing for the new piece of land which was acquired recently—is not sufficient to enable the office to operate satisfactorily.

Mr Carr: They are a bit greedy, then!

Mr CLARKO: The department believes the office needs a much greater area of land than is available at the present site and this would be achieved by the move to the Bluff Point site where adjacent facilities also would be able to be used.

As a result of carefully considering all the views put forward, I could not agree with the representations made to me at Geraldton and I support the move of the regional education office to Bluff Point.

I am not aware of the delay and the need for temporary accommodation to which the member referred. If he asks me a specific question in the House or by way of correspondence I shall be happy to provide him with the information.

PARLIAMENT

Four-year Term

206. Mr JAMIESON, to the Premier:

Has the Government back-bench committee which is inquiring into the advisability of a four-year Parliament presented its report to the Government and, if so, can we expect any legislation arising out of it this year?

Mr O'CONNOR replied:

No, the committee has not presented a report at this stage and, therefore, legislation resulting from it is not likely to be introduced this year.

RAILWAYS: FREIGHT

Joint Venture: Deregulation

207. Mr COWAN, to the Minister for Transport:

The Minister has claimed that one of the important factors in the joint venture between Westrail and Mayne Nickless Ltd. is that deregulation will allow greater competition and thereby greater efficiency in the transport of rail freight. As he stated in answer to a question yesterday that some commodities will remain regulated, will he concede that rural carriers will be unable to compete successfully against the joint venture and will have little prospect of expanding their businesses and remaining profitable?

Mr RUSHTON replied:

I assume the member is referring to either bulks or the fact that, in some areas there is a need for a franchise service, because of lack of competition. Such a service will be required in some remote areas, not so much the area represented by the member for Merredin, but perhaps in some remote country regions. Perhaps that is the situation to which the member is alluding.

Mr Cowan: I am talking particularly about wool which is hardly a bulk commodity.

Mr RUSHTON: It is considered to be a bulk commodity. Consideration is being given to this matter at the present time and this morning the details involved were being worked out. In the near future I hope to be in a position to give the member details as to the handling of

wool in small lots. The handling of wool in bulk, which is not carted by the farmer, will be carried out by Westrail and the details in that regard will be available soon. I discussed this with the responsible parties this morning in an effort to achieve a firm understanding so that the farming community may be informed as to what will take place.

HEALTH: MENTAL

Community Development Centre

208. Mr HODGE, to the Minister for Health:

Can the Minister explain to the House why the Government has decided to close the Community Development Centre?

Mr YOUNG replied:

For some years now the Community Development Centre at Shenton Park has been run under the auspices of Mental Health Services. I am sure most people would recognise the value of any public health or educational facility designed to encourage people to learn how to adopt a more healthy lifestyle, be it in relation to physical or mental health; however, all members would realise that priorities must be considered when one is confronted with urgent problems.

The member for Melville, along with other members of the Opposition, would not be unaware of the fact that private psychiatric hostels in this State are accommodating more and more people who perhaps ought to be motivated towards adopting a better lifestyle than that which they lead currently in those institutions. Were more staff available in private psychiatric hostels, improvements could be made in the care of the residents.

It was necessary to weigh up the priorities represented by the continued operation of the Community Development Centre, the urgent needs which exist in the community psychiatric division and certain other areas of need in the department to arrive at a conclusion. Taking all these factors into account, it was decided the Community Development Centre should close and that staff should be made available for the proper surveillance and

monitoring of residents in private psychiatric hostels. This decision was not made easily, nor was it one we would welcome making under normal circumstances. However, it was a matter of balancing the more positive problems of the community psychiatric division and other areas of Mental Health Services against the present and past performances of the Community Development Centre.

Mr Hodge: Were you unhappy with its past performances?

Mr YOUNG: I did not say I was unhappy with its past performances. It is impossible to judge in statistical terms the performance and results of a unit such as the Community Development Centre. Were I to ask the member for Melville whether he was unhappy about the state of the private psychiatric hostels and the staff who were supervising the residents, I am sure he would answer that he was unhappy with it and was not satisfied with the number of people supervising them.

FIRE BRIGADES BOARD

Revenue and Expenditure

209. Mr PARKER, to the Minister Assisting the Minister for Emergency Services:

I remind the Minister that in answer to my question on notice 2709 and my question without notice 850 of last year, he undertook to table a full set of accounts of the Fire Brigades Board. In fact, what he tabled was a copy of the board's annual report, which could be described only as a very abbreviated and simplistic account of income and expenditure and was not a set of accounts at all. Will the Minister now undertake to provide a full set of accounts, as the term is usually understood, for the last financial year?

Mr HASSELL replied:

I do not know whether there are fuller and more detailed accounts available—

Mr Parker: The insurance companies think there are.

Mr HASSELL: —than those provided to the member from the annual report of the board. If he feels that he has not been provided with sufficient material and believes more is available, and if he can

specify in some way what in particular he is after, I will see if I can get it to him.

EDUCATION: HIGH SCHOOL AND PRIMARY SCHOOL

Wickham

210. Mr SODEMAN, to the Honorary Minister Assisting the Minister for Education:

- (1) As the realignment of the Roebourne to Point Samson road is not scheduled to be completed before September this year, is the Minister aware of the safety problem confronting students attending the newly constructed Wickham District High School?
- (2) What steps can be taken by the Education Department to overcome the problem?
- (3) If there are measures on which the Education Department can embark to solve the problem, when is it planned to implement such measures?

Mr CLARKO replied:

- (1) to (3) It is true that the realignment of the road adjacent to the Wickham District High School and the Wickham Primary School will not be completed until September. In recent weeks I have been to those schools and there is no doubt that the removal of the road will overcome a great deal of difficulty for children attending the schools. The steps to be taken by the Education Department were foreseen by the teachers themselves prior to the completion of the high school. The teachers are quite aware of what needs to be done. The department has had discussions on this matter and the regional superintendent has discussed it with his staff at the schools. A footpath is to be built between the two schools and this will have the effect of directing the children along one path. It was understood by the staff and the regional superintendent before the district high school was built that there would be problems. At the moment there is no doubt that the schools have taken the necessary steps to instruct the children in how to overcome these temporary problems.

POLICE: FIREARMS

Legislation

211. Mr CARR, to the Minister for Police and Prisons:

- (1) Does the Government propose to introduce legislation this year to tighten controls on firearms?
- (2) If "Yes", when can we expect to see the legislation?

Mr HASSELL replied:

- (1) and (2) A great deal of work already has been done on the Dixon report, a report which involves a lot of detail. I certainly hope to be able to introduce legislation this year. Although I am working towards that end I cannot say I will be able to complete the work in time.

LAND

Pastoral Board

212. Mr SODEMAN, to the Minister for Lands:

In view of the Government's stated intention to reorganise the Pastoral Board and the operations of the pastoral branch of the Lands Department, will the Minister advise—

- (1) How many applications have been received for the newly created position of Executive Officer to the Pastoral Board?
- (2) What do the duties of this position entail?
- (3) When can a decision on the appointment be expected?

Mr LAURANCE replied:

- (1) Thirty four applications have been received including 29 from outside the Public Service and several from other States.
- (2) The new executive officer will be responsible for the administration of the pastoral section of the Lands Department and the day-to-day operations of the Pastoral Board. Liaison with the pastoral industry also will be a major part of the executive officer's role.
- (3) Interviews have been concluded and an announcement of the successful applicant should be made within the next week.