

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

DAYLIGHT SAVING BILL (NO. 2) 2006

Second Reading

Resumed from 15 November.

HON ANTHONY FELS (Agricultural) [10.10 am]: I will continue where I left off last evening. I was talking about the effect that daylight saving has on mothers, in particular, and families, and the children who catch school buses home from school in the afternoons in the summer when we have daylight saving. It is already a hot part of the day, and whether it be in the country or in the city, the children must wait to catch a bus and then travel on the bus. Quite often those buses are not airconditioned. I know that in the country they are generally not airconditioned. Whether those children are going back to their farms or to their suburban homes in Perth, they must get off at a bus stop and walk a distance to their homes. When there is daylight saving, they are effectively being sent home an hour earlier, when it is closer to the hottest part of the day under normal standard time.

Another issue that I will raise, so that members are aware of it, is the Darkan school bus incident last year. A group of preschool children were left on a bus in the morning after the other children had been delivered to their primary school. The bus driver had headed off, parked the bus and forgotten to drop the preschool children at the centre that they were going to. Inadvertently, they were locked inside the bus for the rest of the morning and early afternoon until that bus driver returned to the bus to do the afternoon pick-up. He then discovered that the children had been left on the bus. These are real incidents that can occur in the summer.

Hon Kate Doust: Didn't that come down more to the incompetency of the person driving the bus? It had nothing to do with the daylight hours.

Hon ANTHONY FELS: It had more to do with that than the daylight hours, but I am just pointing out, for the benefit of Hon Kate Doust and others, that these are the sorts of issues that country children face when they are travelling to school on a bus every day.

Hon Graham Giffard: What does it have to do with daylight saving?

Hon ANTHONY FELS: In case Hon Graham Giffard missed it -

Hon Graham Giffard: I heard everything you said. It's just a stupid point to make.

Hon ANTHONY FELS: The fact is that children will come home in the afternoons in the summertime an hour earlier according to standard time, which is towards the hottest part of the day rather than the coolest part of the day.

Hon Graham Giffard: Those kids would have been in the school bus in the cooler part of the day, so we should have daylight saving because kids might get locked in school buses.

Hon ANTHONY FELS: It is probably hotter at three o'clock in the afternoon than four o'clock in the afternoon. When Hon Graham Giffard went to school in Victoria, he might not have experienced -

Several members interjected.

The PRESIDENT: Order, members! Hon Anthony Fels has the call. I note that the Leader of the House expressed a view that some members were interested in concluding the debate earlier rather than later. I gather that those members who are interjecting are not of that view because they are prolonging the debate.

Hon ANTHONY FELS: Thank you, Mr President. Rural residents have no difficulty conducting their affairs with business houses in the eastern states prior to beginning their other business. They have never felt constrained by the clock. Businesses these days, much more than 15 years ago, have the use of the Internet, mobile phones with SMS, and even fax machines, which were probably only just coming into operation in a lot of businesses at the time of the last referendum on the issue of daylight saving. I know that farmers are able to look up grain prices first thing in the morning and check their bank details or the stock market. Small businesses can do all that too. It is quite beneficial in the mornings when there is a three-hour time difference between Western Australia and the eastern states, because the people in the eastern states have all started work. With the major four banks based in the eastern states, banking details are updated in the early hours of the morning in the eastern states. At seven or eight o'clock in the morning, people in Western Australia are able to get an update on their position. They can look at what is happening on the stock market before they start work for the day. Under the present system, it is quite an advantage to be able to do that in the morning. In fact, when the eastern states open for business an hour earlier, it is more convenient for people to look up all this information, plan their day

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and check what business they must do before they even walk out the door. If people need to start work earlier, they still can.

However, daylight is sometimes a requirement for many jobs. Under daylight saving, people effectively start an hour earlier. Stockbrokers already basically have daylight saving. In the eastern states, I think the stock market opens at 10.00 am Eastern Standard Time, which is 8.00 am in the west in winter, and when the eastern states have daylight saving, it is 7.00 am in the west in summer. Therefore, the stockbrokers and anyone participating in those financial markets arrive at work an hour earlier in the summer, and I think they finish at one o'clock in the afternoon. I believe that is when the market closes according to Western Australian time. I do not think those people rush off to the beach an hour earlier, but they have finished their business for the day. Therefore, there is no real benefit for them in daylight saving, unless they want to sleep until later in the morning.

Country people do not oppose daylight saving lightly, nor do they oppose daylight saving simply because they dislike change. They oppose it because it increases the difficulty of their lives while providing no offsetting benefits. They already miss out on many services in the country. I refer to issues such as road funding and the condition of roads in the country, schools, hospitals, electricity and water. Whatever service we care to name, virtually all services are worse in the country than they are in the city. Country people put up with that, and they strongly make the point that daylight saving does not suit them. I do not think members of Parliament should condemn country people to one more discomfort on top of everything else that they are already faced with.

During the course of the debate, members raised various benefits that they consider will come under daylight saving, and particularly the benefits that we will enjoy because of Perth's wonderful climate. One of those issues is that it will lead to a supposed reduction in obesity, because we will all be outside walking, running, swimming or doing other physical activities because of an extra hour of sunlight at the end of the day; that we will all leave work feeling more energised and looking forward to being more active and more family oriented at the end of the day. Why would this be so when all the other pressures of life remain unchanged? Meals must still be prepared at the same times, homework still needs to be supervised and television programs still occupy the same number of hours in our day and in our children's day, or probably more, under daylight saving. I expect that the majority of kids who get home an hour earlier are more likely to sit in front of the television screen and watch programs for an extra hour in the late afternoon, drinking their coca-cola and other soft drinks and eating their junk food, or doing whatever else they tend to do when they are either unsupervised or at home before the evening meal with the family. Moving the clock forward one hour does not give us more hours in the day, nor does it give more time to engage in new activities. Life's demands on our time remain the same.

With the age of information technology and the electronic transfer of information, businesses are not bound by the clock. That is a false and misleading argument, or, at best, a weak argument. Perth may be the world's most isolated city, but Western Standard Time also includes the world's current powerhouse, the People's Republic of China, which Hon Kim Chance mentioned in his speech on this issue, and the hub of the world trade around the city of Hong Kong and the nations of Singapore, Taiwan, the Philippines and Indonesia. The highest populated time zone in the world is the Perth time zone. We do business all around the world, and managing time differences is part of our ongoing business practice. Internet technology is a facilitator of international trade, and time is no longer a barrier.

Government ministers and Alan Carpenter must be very pleased that daylight saving has been brought on for debate this week, and so late in this Parliament, particularly with all the problems confronting ministers and the government at this time. It has taken the spotlight off the government and off those ministers who are performing very poorly at the moment.

Hon Graham Giffard: If you want to clear the decks, pass the bill today, so we can get onto the other stuff. Pass it today.

The PRESIDENT: Order! Again, Hon Anthony Fels is addressing the issue. He has been interrupted by interjections which, with the greatest of respect to members, do not make sense. That is because members would have some understanding of the standing and sessional orders. It is impossible for this bill to be dealt with unless standing and sessional orders are suspended.

Hon ANTHONY FELS: This bill is imposing something that close to half the population - we will not know whether it is slightly more or slightly less until we have had a referendum in three years - does not want. That referendum could well fail, just as the last three referendums have failed. This government has allowed this bill to go through when there is so much other important legislation on the notice paper, which I am sure the government will want us to push through quickly at the end of this year. It may well turn out that the majority of Western Australians do not even wish to have daylight saving. It is undemocratic. Every referendum on this

Extract from Hansard

[COUNCIL - Thursday, 16 November 2006]

p8335a-8375a

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issue has been opposed, and I suspect that the next one will also. If we had rejected this bill at the first reading, we would have saved a week of debate in this house.

I will talk briefly about a bit of my childhood. For 12 years from the age of five, I caught a school bus to and from Esperance every morning and every night after school. Living on a farm, I had to get up at about 6.30 in the morning. There were five children in our household and all five of us were in the same primary school for a year, which put a bit of pressure on the family to get us organised for school in the morning. Spending an hour on a bus to school meant getting up at around 6.30 am, catching a school bus at about 7.30 am and arriving at school at 8.30 am. School finished about 3.25 pm, but the bus would come from the high school, which is on the other side of town. It had to pick up those students and come over to the Castletown Primary School to collect us. It would be close to four o'clock by the time we were picked up, and, on a good day, it would be close to five o'clock by the time we got home. The bus run was quite a long trip, and had a dogleg in it. We used to share that between people who lived at the top of Fisheries Road, and those at the bottom. We would have two weeks of what would be called the early run and then two weeks of the late run. There was about a 10-minute difference, depending on whether we went the direct route or turned down the other road. Generally, however, we would get home at about five o'clock in the afternoon.

That is not so bad in Esperance, because there is a regular sea breeze, even on a very hot day. Esperance can get as hot as it gets in Perth. I remember one day when I was harvesting clover early in 1982. I think it was just before I started university. The temperature in Esperance town was 45 degrees that day. It was considerably hotter than that on the clover harvester on the farm. I remember it well. I worked doing that job from early in the morning until sunset. In Esperance the sea breeze always comes in the afternoon. On that day it was late, although it comes in earlier than in Perth. People living in Perth and north of Perth do not always experience an early sea breeze. Having an extra hour of sunlight is great for people who can spend that time at the beach, but those members who do get to the beach will find that during the summer months it is much nicer in the morning than in the evening. The Fremantle doctor comes in all along the coast. There are a few nice warm nights in February and March when people go down to the beach, but they will do that regardless of what time it is. It is done according to the sunlight, not what time of day it is.

If Alan Carpenter's government were serious about being fair, we would be considering a trial for one year, and not three years. This bill is not about fairness at all. A three-year trial really means that daylight saving will be a significant issue at the next state election. The referendum proposed in this bill will be held four or five months after the state election. Members can be assured that anyone supporting or opposing daylight saving will be lobbying all members of Parliament and talking about this issue from now until the referendum in three years. The government must be very happy with this, because it will take the spotlight off the deficiencies of this government and its performance, particularly some of the ministerial performances, during the entire term of this government. It is a sell-out for rural and regional Western Australia. People in the country simply do not want this, and many city dwellers and residents of some of the major towns around the state have always shown their opposition to this in the past. The Daylight Saving Bill (No. 2) 2006 is not democratic. I oppose it because I am considering what my electorate wants, and it is not right to impose this legislation on so many people who will be affected by it. The idea of a referendum is a good one, and I would not have any problem with holding a referendum on this issue to decide whether we want a trial. If the state wants a trial, I would welcome it. If the state votes to support daylight saving after three years, I will go along with that decision. However, I do not feel that it has been implemented democratically. Thinking that people need a three-year trial of daylight saving is declaring them as very ignorant. The real issue of a three-year trial is that those who support daylight saving want to implement it for as long as they possibly can, in the hope that at the end of that period even people who had been opposed to it will be used to it and will vote for it at the referendum. No members of Parliament would like this referendum to be an issue during the election campaign. If the referendum were proposed to be held at the same time as the next state election, I am sure that the vote on this bill would be very much different. It will cost between \$5 million and \$10 million to hold a referendum on this issue at a different time from the election.

A final point on this bill that I have mentioned already is that we should be debating far more important issues, such as this sloppy government's performance in recent times; the crisis affecting the government in the police wages dispute; the issues of outcomes-based education and sexual abuse in the Department of Education and Training; the ongoing crisis in the health area, in which there has been no reduction in waiting lists of people needing elective or non-elective surgery; the issues of water in this state; the problems with the Department for Community Development; and the recent debacle with ministers' involvement in communications with former Premier Brian Burke. I wonder whether Brian Burke has been involved in lobbying any members one way or the other on this issue.

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Hon Graham Giffard: Did he ask you to filibuster on this issue?

Hon ANTHONY FELS: I have not spoken to Brian Burke. The last Labor Party leader to support the introduction of daylight saving was Dr Carmen Lawrence, 15 years ago.

It has always been said, "This will be the last referendum on this issue". Of course, it never is. One thing members might wish to consider if this bill proceeds to a third reading is whether we should include a sunset clause so that we have a referendum every 15 years and we do not have to waste the time of Parliament debating the issue again and again; it will just happen. There will always be members trying to make daylight saving happen until it is introduced. Alternatively, we could have a clause stating that there will be no further referendums.

The government has shown it cannot manage the Western Australian economy in the boom times we are enjoying. Despite our booming economy, its performance in all areas demonstrates that our economic success is not due to the government. The government cannot even plan this daylight saving bill properly.

Several members interjected.

Hon ANTHONY FELS: We are debating this bill only because the government has allowed the debate to come on urgently ahead of all other legislation this week.

Several members interjected.

The PRESIDENT: Order, members! The occasional interjection is fine, even though I have already made the point that those interjecting seem to be prolonging the debate. However, cross-chamber interjections are just not on.

Hon ANTHONY FELS: Thank you, Mr President. The proposal is to introduce daylight saving two weeks from now and to have a trial. The eastern states run daylight saving from the end of October to the end of March, so this is not even a proper trial this summer; it is a rush job so that those who support daylight saving can get it introduced, regardless of the consequences. If we are to have a trial, we should have it over the normal time period.

Hon Vincent Catania: I want to vote on it.

Hon ANTHONY FELS: The honourable member will get his chance to vote on it. He has had one chance to vote on it already.

If we are to have a trial, why are we starting it on 2 December and not on 28 October next year? We really are too late for a complete trial this year, so we should set the matter aside and have a proper debate when we are not constrained by other legislation that we are trying to get through. We should look to bring it in next year so that people can prepare for its implementation. At the moment people do not know whether it will be introduced in two weeks' time or not. There may be people who will miss flights because they have booked and paid for a ticket at a certain time and the planes will leave at another time.

Hon Ken Travers: And they will all blame this speech for delaying the planes!

Hon ANTHONY FELS: They will blame those people who supported daylight saving. On the issue of flying, when I fly to those eastern states with daylight saving - it is better during daylight saving times than at normal times - there is a three-hour time difference. I can catch a midnight flight to Sydney or Melbourne and rock up there at 6.00 am or 7.00 am the next morning. I may not have had much of a sleep overnight but I will be ready to do a day's work there. Similarly, returning to Western Australia after doing a day's business in the eastern states, one can get on a plane at seven o'clock or eight o'clock at night and be back in Perth at virtually the same time. It might be a long day, but if one is in business it is actually quite an efficient way of using one's time to get over there and do whatever one wants to do.

Hon Ken Travers: So you support daylight saving for the eastern states; is that what you are saying?

Hon ANTHONY FELS: I do not care what the eastern states do. Western Australia does not have to worry about the eastern states. The main argument I have heard from people who say we should have daylight saving is that it will bring us into line with the eastern states and it is easier to phone people when there is a two-hour time difference. People can do that earlier in the day or they can make contact via the Internet or send an SMS. If people miss a business contact in the east to whom they want to talk, they can ring him on their mobile phone. That was not available 15 years ago for most people.

This bill is a nonsense and a con, because members supporting it know that a referendum would be lost after a one-year trial, and possibly a two-year trial. They hope that if they wait until after the next election, some

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members may not be around to lobby, promote or debate one way or the other on the referendum and the population will be used to daylight saving after three years.

I recently visited the Tiwest mineral sands mine at Cataby, a couple of hours north of Perth, in my electorate. It had an open day on the Friday before last. It was a very useful tour and the Tiwest Joint Venture is doing a good job of mining and also of improving, restoring and revegetating land after the mining activities. One of the main issues I was asked about as a member of Parliament was what was going to happen with daylight saving. There are far more important issues around the state, issues that affect the economy, than what might happen with daylight saving. One of the mine managers who had worked at a mine in Mount Isa, Queensland, before he joined the Tiwest Joint Venture said to me - I have not verified this - that when a referendum was held in Queensland some time ago on daylight saving - Queensland is similar to Western Australia in that it is north of New South Wales and Victoria and it is very prosperous, and everyone from New South Wales and Victoria wants to go to either Queensland or Western Australia to work or live - 98.5 per cent of the population voted against daylight saving. There is no benefit when people are working in the middle of Queensland or the north-west of Western Australia, or anywhere that might be a bit warmer than Melbourne, in getting home from work an hour earlier.

Another issue these days, which is a lot different from the situation 15 years or more ago, is the predominance of fly in, fly out workers in the mining regions. For workers who fly to a mine site and work for seven to 10 days and then fly back to Perth - which I do not support in any case, but many do it - and spend seven to 10 days at home with their families, daylight saving is no real advantage at all. In fact, it is probably a disadvantage because they will finish an hour earlier on their shift at the mine and there is nothing to go home to. They do not have wives and families to go home to up there. When they are back in Perth, or whichever town they may come from, on their time off, daylight saving will not give them an extra hour with their families at the end of the day because they have a whole week of that time.

There may be some benefits to some people from daylight saving, but the annoyance, disturbance and disadvantage caused to others, particularly those who live in rural and regional areas and those with young families, far outweigh the marginal benefit to those who just want to give it a go.

I want to make one final point about energy savings. Some people have promoted the view that daylight saving will lead to one hour's less energy consumption in offices and businesses during the day. I believe Hon Paul Llewellyn intends to look at this issue in the trial period. That should be part of the bill if supporters of that argument really take it seriously. A trial of daylight saving is not just a trial to see whether people like it or not. One of the things that might lead them to decide that they like daylight saving is the potential saving in energy use. However, we may well find that city people who leave their offices in the afternoon and go home will flick on their airconditioner as soon as they get there. There will still be a number of people in the QV1 building, Dumas House, "Silver City" in East Perth, or wherever it might be, and the airconditioning systems will be left on for as long as people are working in those buildings. I will be interested to see whether any energy monitoring goes on in those buildings, particularly government-owned buildings around town. It should if the government is serious about seeing whether there are energy savings. The same thing can be said about water usage, motor vehicle accidents and other issues. All these matters have been raised, and I do not know what the answer is, but if we are to have a trial, let us look at these things.

The earth cools down when the sun sets and not according to the time on the clock. Premier Alan Carpenter should be more concerned about how Western Power will cope with the increased energy demand over the summer months. In the past there have been blackouts in suburbs because of the use of airconditioners and we have been told to turn off the airconditioners during the day because Western Power cannot handle the demand for energy. I believe that there will be an increase in demand for energy in the later parts of the day with the trial of daylight saving.

Hon Sheila Mills: What about global warming? Will it not affect that?

Hon ANTHONY FELS: I am sure it would, Hon Sheila Mills, but other members may raise that in the debate. If we are having a state election in the third trial year of daylight saving in February 2009, we should be having a referendum at the same time. This would save millions of dollars for taxpayers. Of course, no member of Parliament wants this to occur. It would be okay for us in the Agricultural Region, or the Mining and Pastoral Region, where we have already indicated that we are opposed to daylight saving; we will be local heroes in those electorates, but it would not be good for any other members who support daylight saving in other electorates.

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Hon Barbara Scott referred to a question that was recently asked by Hon Paul Llewellyn of the Minister for Energy about the impact of daylight saving on peak electricity demand. The response given by Hon Kim Chance - representing the minister - was -

The government has been advised that small anticipated energy savings have been a consideration in the introduction of daylight saving in other jurisdictions, but it is difficult to ascertain whether such savings have been realised.

He went on to say that it is expected to be small. Finally, he stated -

The government remains committed to the promotion of energy efficiency through improving public awareness of energy-efficiency measures.

I propose that our energy consumption will increase under daylight saving. It is strange that that is not being addressed in a trial.

I have talked about fishermen, farmers, transport operators, miners and country businesses when they want parts or products shipped from Perth. The transport industry works by the sun as much as it does by the clock. Courier drivers will effectively be picking up products an hour earlier at the end of the day according to standard time, but probably departing shortly after sunset - as soon as they are loaded up. The Asia-Pacific region is a most important economic region to Western Australia. Singapore, Hong Kong, Beijing, Shanghai - in fact, the whole of the People's Republic of China - are all on the one time zone, and all on the same time zone as Western Australia.

Hon Ken Travers: Last night you told us that you were going to introduce new material.

Hon ANTHONY FELS: That is still coming. Bali is another place that I think is in the same time zone as Western Australia. We are probably one of the most common tourist destinations. The South East Asian region is a common tourist destination for Perth people, and Perth is a common destination for much of South East Asia. It is very convenient to be in the same time zone. These days, mobile phones, the use of SMS, Internet, e-mails and flexible working hours - thanks to the commonwealth government's flexible industrial relations and workplace agreements and laws - allow people to be far more flexible in their daily activities. Employees are now able to sit down with their employers and work out what times they want to work. If they want to get home an hour earlier to be with their children, they are more than likely able to do that if they start an hour earlier.

Hon Ken Travers: Or get sacked; that is the other option.

Hon ANTHONY FELS: Everyone gets the opportunity to work.

Several members interjected.

The DEPUTY PRESIDENT (Hon Graham Giffard): Order! Interjections are unruly and unwelcome. Hon Anthony Fels has the call.

Hon ANTHONY FELS: Many more people have gained employment under that new legislation than have been sacked, Hon Ken Travers.

Hon Ken Travers: Name one.

Hon ANTHONY FELS: In my past life I worked for five years with the Primary Industry Bank of Australia in rural lending, mostly lending money to farmers for their farming activities. We were based in Perth; we had one office in Western Australia. I think there were three staff members when I joined the bank. Our head office and credit department were based in Sydney. There were three lenders in Western Australia. We would travel to any farming area to spend a day with clients to inspect their farms and run through their cash-flows, budgets and past performance, and get all the information we needed to prepare a loan submission to our credit department for approval of a facility. We would spend most of the day on the farm and drive back to Perth in the evening. The next day we wrote up the loan - we did not have laptops; we had a staffer who would do our typing. In fact, we had a young lady in our office - Melanie Dillon - whom I worked with for four or five years. She is now working as an electorate officer for me; that is how good she was at the job. She would type up our loan submission for the day and at the end of the day, the day after we visited the farm and met the client, in many cases, probably for the first time, and we would stick the loan application in an Ausdoc bag - as it was called in those days; I do not know who does it these days - and it would go to Sydney that night. We would go home and return the next morning. By 8.30 am we would get a phone call, or we would ring Sydney, and the loan was approved. Head office would receive the Ausdoc bag at 8.00 or 9.00 am Sydney time - we were still in bed at that time - and we would get into work, the loan had been approved, and we would ring the farmer before

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9.00 am the next day to tell him that his loan had been improved. The farmers were very impressed with the service. We were competing against mainly the big four banks from the eastern states, knocking off their business left, right and centre. BankWest was the owner of PIBA in those days, and we were even competing with it over here as well.

Hon Ken Travers: The moral of the story is?

Hon ANTHONY FELS: Sometimes the time difference between Western Australia and the eastern states is an advantage for business. It certainly was for the Primary Industry Bank in Western Australia.

Past referenda have started out supporting daylight saving. It is probably similar to the retailing trading deregulation issue that former Premier Dr Geoff Gallop promoted. He thought he would be pretty clever by putting a test on that issue in a referendum at the last state election. At the time he thought that Western Australians would support Sunday and late-night trading. Many members think that that will be the case with daylight saving this time. After people really considered the issue, the vote was a resounding no. I might point out that the government has not necessarily paid much attention to that. When daylight saving is not an issue, the Premier proposes that we deregulate trading hours, even though we had a 60 per cent no vote at the last referendum on that issue.

Hon Ken Travers: How do you work that one out?

Hon ANTHONY FELS: I have seen Alan Carpenter. When one of his ministers has been in trouble, all of a sudden there is a press release that he wants to reintroduce unrestricted trading hours for general retail. The government thought that the yes case would be supported on that issue at the last referendum, but it was a resounding no.

[Leave denied for the member's time to be extended.]

HON NIGEL HALLETT (South West) [10.50 am]: I found this to be an interesting debate; in the later part of it the passion is shown by those who are for and against it. The thing that is coming through now is the complete lack of compromise from the people who are very strong on pushing this bill through. The two members who have introduced the bill have shown contempt for the integrity of Parliament and the Parliament's time. It is a very poorly thought out bill and one must question the motives for its introduction.

Regardless of whether people in my electorate are for or against the bill, they are generally not impressed with the waste of time of this Parliament. They ask me why a referendum will not be held to decide whether to introduce a one, two or three-year trial of daylight saving instead of conducting a two or three-year trial before the people have spoken. This is a divisive issue in the Parliament and it has given the government an opportunity to take the heat off itself. It has been an eventful week in which a minister had to leave Parliament, yet we have been dealing with this issue. Its introduction has been undemocratic and the lack of compromise is also undemocratic. If the proponents of the legislation were genuine about what the people wanted, they would have proposed a referendum to start with. I would have supported that approach. I acknowledge that since the last referendum was held on this matter, another generation has entered the work force. Big changes have been made in that time to working hours and conditions and in the demand society makes of people. I would be quite prepared to go along with conducting a referendum first. If the referendum were held first, it would look democratic and would let the people decide whether they want daylight saving, without the current kerfuffle. It would not have taken a lot to do that. The Premier could have shown some leadership. All he had to do was approach the Leader of the Opposition and suggest that the question be presented in a bipartisan way. That would have been a quick and easy solution.

Three referendums have been held on this issue, and the next one will be another close result. I have conducted a poll in my electorate, whereby I rang at random 70 people whose names I found in the phone book. The result was 52 per cent in favour and 48 per cent against. It is basically the same situation as when the last referendum was held. Younger mothers with school-aged children are concerned about school buses being driven on gravel roads earlier in the morning when the sun shines directly into a driver's face. They are particularly concerned about the trucks that carry logs and grain. I have driven trucks. Some truck drivers will be driving facing the east at 5.00 am or 6.00 am. If the government is genuinely concerned about safety on the roads, it will have a look at this issue. There are a number of blind spots on the road between Dunsborough and Bunbury when travelling at 6.30 or 7.00 am. It is a dangerous road that I try to avoid. Road trains travel on the gravel roads between Corrigin and Narembeen at harvest time, and one cannot see what is coming in the other direction. I hope that the parliamentary secretary will raise that matter. I do not know how that will be addressed, but it is a real issue.

Extract from Hansard

[COUNCIL - Thursday, 16 November 2006]

p8335a-8375a

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Other issues concern the times of work for the employees of Co-operative Bulk Handling Ltd. Presently they work from 7.00 am to 5.30 pm, subject to the amount of grain to be handled. When I was farming, they did not change their time when daylight saving was trialled. They continued to begin at 7.00 am and finished at 5.30 pm. That was 6.00 am by the sun, which meant that an hour of warmth was lost and the moisture content was not low enough at that time. The government must work with businesses on the matter of adjusting the clocks. In that instance, CBH workers would begin at 8.00 am and work until 6.30 pm. If those things are done, I am sure that country people will accept daylight saving in a more open and generous way. Dairy farmers whose milk is picked up at 7.00 am must start milking by 4.00 am. During the last daylight saving trial, the tankers were arriving at farms at 7.00 am, which reduced the farmers' daylight milking time by two hours. These farmers had to begin work when it was dark. Only small adjustments need to be made, but many rural people could be appeased if those changes were made. That lack of acknowledgement is the reason that people are antagonistic. If the government is prepared to work with business, it will get its support. Most people with livestock can load the livestock first thing in the morning when it is daylight and transport the livestock to a designated saleyard. If the time is brought forward, the livestock might be put on the truck the night before. Given that I have animal welfare at heart, I believe that the less time livestock spends on a truck, the better off it will be; indeed, it will be in a better condition. The same applies to fruit and vegetables. The fruit and vegetable producers want their fruit and vegetables to be in the best possible condition. Most producers of livestock and fruit and vegetables want to get the best possible product to consumers so that consumers are provided with the quality that they want. Further, they want to ensure that the product is something that Western Australians are proud of and want to consume.

A few of the older people I spoke to asked me what time the news would be on if we switch to daylight saving. They asked whether the news would still be shown at 6.00 pm. I remember being told the last time daylight saving was trialled that some people did not watch the news because the sun was up and they were still outside. A few older ladies have told me that they water their gardens at about 5.00 pm or 6.00 pm.

Hon Paul Llewellyn: Is that 5.00 pm or 6.00 pm before or after daylight saving?

Hon NIGEL HALLETT: I am talking about today's time. They like to finish watering the garden at 6.00 pm to watch the news.

Members have talked about the difference in time zones between the eastern states. I am not telling members anything new when I inform them that there are three different time zones in Australia. We share our current time zone with China, the Philippines, Hong Kong, and Taiwan to the north; Indonesia, Malaysia, Thailand and Vietnam are an hour behind; and Japan is one hour ahead. We have no problems dealing with our trading partners. The resource sector, which mainly deals with countries to the north of us, may have their head offices in the eastern states. Why is the government not encouraging the head offices of the resource companies - Woodside does it - to locate their head offices to the resource state? They would then not have to worry about the time difference. It is to Western Australia's benefit to get them out of Melbourne and to locate them in Western Australia. This is where the action is. Western Australia is the resource state of the nation and the resource companies should have their head offices here.

Another concern I have with the proposal relates to its social effects. I wonder whether alcohol will become more prevalent in some people's lifestyles as a result of having more daylight time at the end of the day. That is a concern I have and only time will tell whether that will become an issue in certain sections of the community. We have a beautiful climate in Perth and the sun shines for 14 or 15 hours a day. People who want to exercise and work early in the morning can currently do that or they can choose to do it at the end of the day. Both sections of the community are accounted for now. It is a personal matter whether people want to get up at 4.00 am or 5.00 am or whether they want to spend extra time in bed in the morning and exercise at night. That is a great option people have.

I would support the bill if it encompassed a two-year trial. I will certainly not support a three-year trial with a referendum to be held after the trial. It is acceptable to me to conduct a two-year trial, as proposed by Hon Norman Moore's amendments, and to hold a referendum closely following the trial. That would be a bipartisan approach from Parliament that people would accept. On 23 October this year the Premier said that in the 12 months that he was the Minister for State Development, the issue of daylight saving was never raised with him. Why is he going along with it now? Is it a diversion or is he just bending to the will of one or two people?

It is disappointing that members on the yes campaign will not accept a compromise. I do not know why we cannot have a negotiated approach to getting this bill through the Parliament and getting back to what we should be doing, which is examining the legislation that should be before the house. For example, the government is

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trying to railroad through a local government bill for a voting system which the shires do not want but which we have been told is better for us. That is what we should be doing, not debating this bill. The principle of how this bill has been introduced and is being handled is getting under people's skins. That is why I support Hon Norman Moore's amendment. It would give the Parliament some credibility and allow us to get on with what we should be doing.

HON ADELE FARINA (South West - Parliamentary Secretary) [11.01 am]: I will not speak for long, but I need to say a few words because I continue to be reported as being undecided on this issue. I have been surprised, somewhat frustrated and annoyed at the level of media attention that the daylight saving issue has consumed. We discuss far more important matters in this place, which do not get anywhere near the same media coverage. It says a lot about where our media are focused these days. I welcome the comments from members opposite who feel the same as I do; that is, that this is not a burning, important issue and that we should not be focusing as much time and effort as we are on it. I hope it means that they will follow through on that and that we can get a resolution of this matter by the end of business today. Three days of parliamentary time devoted to this matter is more than enough.

The overwhelming number of e-mails members have received is equally frustrating, many of which have come from people outside our electorates. All members have experienced it and the result of it, which is members' computers crashing and members not able to get on with the real business of serving their constituents. I have found that particularly frustrating and annoying. Many members have already stated that daylight saving is very much a subjective matter, depending very much on a person's lifestyle choices. People obviously have strong views for and against it. Those who are for it speak very strongly and passionately of their reasons for wanting it; equally, those who are opposed to it have put their views strongly and passionately. I do not think that daylight saving will make any difference at all to my life. If we were to put a few roof lights into the chamber, they might at least raise the temperature in the chamber so that it would not be quite so much like a morgue. That would be a positive step, but I do not think it is likely to happen. However, daylight saving will not make any difference to my lifestyle. The truth is that that will be the case for most people, even though some people think differently on the issue.

One of the main arguments we have heard is how daylight saving will affect business. Some people argue that it will be good for business and others argue that it will be a negative. The reality is that it depends on the nature of the business. Some businesses will benefit from daylight saving and others will not. Western Australia works on different time zones from other countries and the eastern states. It has not proved to be a major obstacle for business to date. I am sure that business will continue to work around it. Western Australia has the technology, and we are doing it now. Therefore, I do not know that that is a particularly strong argument.

Another argument that has been raised is that the extra hour at the end of the day could be used for physical activity, family time and the like. Although I think that argument may have some merit, I do not know how much validity the argument has during term time. Although I am not a mother, I have looked after my sister's three boys. By the time they get home from school, do their homework and are fed and bathed, it is time for bed and the day has gone. I do not know that an extra hour of daylight would really make much difference. If that hour were used for activity, children would be tired for school the next day and not paying attention. I acknowledge that two of the months of the proposed trial occur during the school holidays. If there were the advantage of an additional hour of daylight, it could perhaps be spent on family activities. I suspect that people would do that while the novelty remained; however, very soon the novelty would wear off. We all have busy lives, and both adults and children have very scheduled lifestyles. Children have sport and music practice. By the time they get through all those activities, there is not a lot of time in which to fit in anything else. I tend to agree with Hon Ed Dermer in that I do not think that daylight saving is the panacea for improvement in people's health and physical wellbeing and increased sports activities. It may have a marginal impact on some people, but I do not think it will be particularly great.

If the bill is passed by the Parliament, the government will need to look at monitoring whether daylight saving has an impact on physical wellbeing and physical activity. We need to put a study in place to see whether it has a positive impact on child and adult obesity. We also need to run a media campaign to remind people that they have an extra hour of daylight at the end of the day, that they should be outside rather than watching adverts on the television and that they should be getting some physical activity and making the most of it. It is important for the government to do that. I note that Hon Ken Travers has already raised this matter with the Premier and that the Premier has responded favourably and said that he is prepared to look at undertaking that.

Hon Helen Morton: What is the Premier going to do?

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Hon ADELE FARINA: He listened favourably to the representations by Hon Ken Travers for the possibility of undertaking some form of study of the advantages and disadvantages of daylight saving.

We have also heard the environmental argument and whether there would be greater energy consumption as a result of daylight saving. The reality is that we really do not know. Some people argue that there will be greater energy consumption and others say there will not. If the house passes the bill, we should be looking at some sort of study or assessment of energy consumption.

Another issue that was raised was referred to in an e-mail I received last night. The e-mail expresses the view of one voter as follows -

Advancing the clocks would have an adverse effect on a number of popular Perth evening activities as it would not get dark until an hour later. This would make the various out-door cinema operations that spring up during the summer months such as Kings Park, Whiteman Park and Ellenbrook un-viable by pushing the start time back by an hour, making it too late for families to enjoy.

Hon Simon O'Brien: And the fireworks.

Hon ADELE FARINA: He also referred to the fireworks when he wrote -

Similarly the Australia Day Sky-show would be affected in the same way, having to move its start time back an hour to wait for darkness.

Busselton still has a drive-in cinema. I am sure that it would also impact on that. Making the change will be beneficial in some areas and adversely impact on others. Of all the arguments I have heard during this debate and all the representations I have received, only one has really resonated with me, and that is the impact of daylight saving on schoolchildren. Children will be finishing school an hour earlier during the hottest part of the day. They will have to stand without shelter in the sun waiting for school buses and have to travel in school buses that do not have any airconditioning. This is a very serious issue, which can have some very serious health ramifications, particularly for those children who are stuck in school buses without any airconditioning for up to an hour or longer. I had not considered travel on gravel roads, which was pointed out by Hon Kim Chance; windows need to be kept closed or otherwise all the dust comes into the bus, which only aggravates the situation further. If the bill passes and the trial commences, the government will need to look at some measures to address that in the interim. If the result of the referendum is that daylight saving continues, we will need to look at airconditioning all school buses. At present only 50 per cent of our orange school buses are airconditioned. In the south west area, the only buses that are airconditioned are the support school buses. That matter needs to be addressed.

I referred earlier to the number of e-mails and representations we have received. I asked my office staff to assess those e-mails. Of the 5 000 e-mails we received, it was established that only 115 were from south west constituents. Those people put their names and addresses on the e-mails. That is a pretty low number. Of those 115 e-mails, 35 people were against daylight saving and 80 were for daylight saving. In addition, we received four letters from south west constituents against daylight saving and we received no letters in favour. Out of all the telephone calls and visits from constituents to the office, 23 people were against and three were in favour. Of all the issues that we have dealt with since I have been a member of Parliament, this is the lowest response I have received from my constituents, which tells us something. Overall, about 42 per cent were against daylight saving and 57 per cent were for it. That is a very interesting outcome because it goes against the result of the previous referenda, when my constituents in the south west voted overwhelmingly against daylight saving. This small sample suggests otherwise, although in my view it is not a representative sample. It is certainly not a statistically representative sample. Therefore, I do not think I can place any weight on it.

After a lot of consideration, I have decided to support the bill as it provides an opportunity for a further referendum. Because this is such a subjective issue, dependent on people's lifestyles, the community should be provided with the opportunity to again have its say on whether it wants daylight saving. The three-year trial will provide an opportunity for people to see whether the advantages that they think they will get out of daylight saving materialise. I suspect that once the novelty wears off, they will find a lot of that stuff is not happening and their lives will continue as normal. Recent studies have shown that when they have an extra hour of daylight, people tend to work longer. People have commented that in the summer months, they find themselves working longer because they are fooled into thinking that it is earlier in the day than it really is. I have my doubts about the benefits of daylight saving but every member of the community should have a say on this matter. I support the bill because it provides an opportunity for a referendum.

Extract from Hansard

[COUNCIL - Thursday, 16 November 2006]

p8335a-8375a

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

HON KATE DOUST (South Metropolitan - Parliamentary Secretary) [11.13 am]: I support the Daylight Saving Bill (No. 2) 2006. I have listened with great interest to the comments made by other members about how they arrived at their decision to either oppose or support this piece of legislation. I had no difficulty in deciding how to vote on this legislation, given that we have an opportunity to have a conscience vote. This decision came very easily. I have always been in favour of daylight saving. I have vague recollections of the 1975 trial because it was the year we first lived in the city. In the two referendums that followed, where I had the capacity to vote, I voted in favour of daylight saving.

One of the reasons I have always been very supportive of daylight saving is that I have very fond memories of the time I spent in Ireland, which has a twilight period. It allowed me extra time to play and engage in other activities. When I was there with my family last year, it reminded me again of the great opportunity provided by the extra period of daylight to pursue activities and spend extra time with the family in the daytime. This view has been reinforced by the many letters and e-mails I have received from constituents in the South Metropolitan Region. Unlike other members, I welcome that feedback. We have to accept that the response we have received on this occasion is a very effective and modern form of lobbying from our constituents. Although people may have e-mailed from outside the electorate, that did not cause me any great concern. Within the South Metropolitan Region - my numbers may be slightly different from those of Hon Simon O'Brien - I found that the people who were in favour of daylight saving were young families, young professionals and women. From the lower end of my electorate, the area from where I received the more negative response, there seemed to be a generational position on this issue. People of a senior age were inclined to be opposed to daylight saving for their own reasons. Sometimes they did not explain their reasons. Young families, young professionals and young women have not had the opportunity to experience that additional hour of daylight to do whatever they want during that time and they have never had the opportunity to voice their opinion formally via a referendum. They should be able to experience daylight saving for three years and then say whether they want it. It may be that in three years people will decide that they do not like it and will vote against it. So be it.

My daughter discussed this issue with me a few weeks ago. My daughter is almost 15 - we forget how fast they grow. She said, "Mum, we've talked about this at school and 50 per cent of the girls in my class just want it to happen because we don't know what it's about, we don't know what we can do and we don't know what it's like. The other 50 per cent are not sure because they have never had to deal with it. We want to see it happen. We want to be able to enjoy it. The other thing you need to remember, mum, is that when the referendum happens in three years, that will be the first time any of the girls in my class ever get to vote on anything and we want to have a say." I thought that was good point. We do not think about those things. A whole new generation of people have not had the opportunity to have their say and they have not experienced daylight saving. They may like it or they may not like it and it will be their call. We should not hang everything on what has happened in the past. If we did that with every issue, we would never move forward, there would never be change and there would never be an opportunity to find out if things have changed in our community.

I spoke to a person who sent me an e-mail the other night. I was at the Australian Hotels Association function with a number of other members. I said to a well-known publican's wife, "You sent me an e-mail about daylight saving, didn't you?" She said, "Yes, I did. I would never normally voice my opinion on anything but this time I decided I would. Bring it on. We should have it." I said to her that that was a good point because in times past we had a very different lifestyle in Western Australia. I do not know whether people were as active in the past. I do not know whether pre-1992 people would venture forth in the early evenings and go to restaurants or coffee shops or take their family to parks. People have different lifestyles now. Because life is quite different for a lot of people and they are experiencing different things after work, they want to give daylight saving a go. I am looking forward to it. A lot of people have talked about exercising and participating in other activities of a morning. A lot of working families have young children and their mornings are not consumed by those things. They do not have the luxury of going cycling or swimming in the morning. Their mornings are usually consumed with getting the children out of bed, getting them showered, fed, dressed for school and dropped at school by 8.20 or 8.30. They do not have the opportunity to do all those other wonderful things. The feedback I have had from a lot of families is that they look forward to the opportunity to get outside when they do come home rather than having to deal with darkness. They would like to take their kids for a walk, go to the pool, have a BBQ outside or talk to their kids. My family is starting to get ready for daylight saving. My husband takes my kids for a walk for 40 minutes every night so that they will be ready for when we have that extra daylight.

We should bring it on. I look forward, I hope, to this bill passing. We should keep the process fairly simple. Sometimes when we pass legislation that involve referendums, the referendum questions are quite difficult, and

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that is the reason that often referendums are defeated. The questions for the proposed referendum should be straightforward - "Do you want it", or "Do you not want it", and in that way people would not get confused. The time frame of three years is a very good period. Given the fact that daylight saving will start later this year, the next two years will give people ample opportunity to form an opinion. I look forward to this kind of change. I know that, come the referendum, I will be voting yes.

HON PETER COLLIER (North Metropolitan) [11.21 am]: The debate on the Daylight Saving Bill (No. 2) 2006 has consumed a considerable amount of time of this house and I do not intend to go through every issue that was raised. There has been an enormous amount of uniformity in the issues that have been presented. I thank members for their contribution to this debate.

Hon Ken Travers: Felsy introduced new arguments.

Hon PETER COLLIER: Arguments on both side of the daylight saving issue are valid. However, an issue such as daylight saving ignites passion like very few others. People feel very passionate about daylight saving. Unfortunately, it impacts upon relationships and friendships. I know that it has seriously tested my friendships.

Hon Ljiljanna Ravlich: It would not mean much.

Hon PETER COLLIER: I am talking about friendships not inside this chamber, but outside the chamber.

Several members interjected.

Hon PETER COLLIER: That is right, I am a Nigel-no-friends. Call me Nigel!

The situation is that people feel very passionate about daylight saving. As Hon Kim Chance and Hon George Cash said, it is a personal lifestyle issue. As members of this chamber we must consider that in the daylight saving debate, and we have considered it. Members have considered the issue from a personal perspective. It has been very good that each member who presented his or her case for or against daylight saving has been able to put his or her personal opinions aside and speak on behalf of his or her constituents. That is what I did; I spoke for the electors of the North Metropolitan Region.

Comments were made about the e-mail campaign. I did not have a problem with the e-mail campaign. Other forms of communication to me and other members were emotive; for example, constituents said they would not support or vote for us again. That will happen. As I said, the daylight saving issue ignites passions like very few others. We are legislators and we need to make the decision and that is why we have this chamber.

Probably the most profound issue that has divided the debate is that between country and city. It arose time and again, and it was the most prominent issue. Pertinent and valid arguments were raised for and against daylight saving based upon the rural versus urban divide. I am very conscious of the specific concerns related to rural Western Australia, particularly the farming community, in the same way as I am conscious of the specific concerns related to the business community and people who live in the city, particularly those who live in the North Metropolitan Region and the coastal areas and who are much more supportive of daylight saving than their country counterparts. Each and every issue that was raised is valid, and members need to remember that. I do not deny the validity of the arguments against daylight saving, just as I am supportive of those arguments in support of daylight saving. We must recognise that in an issue such as this, as a number of members mentioned, it is virtually a 50-50 divide. In the country the no case is more significant; in the city the yes case is more significant. It is interesting that in the other chamber the votes were emphatic in support of this motion. Of the 37 members who supported daylight saving, nine represent country electorates from Albany to Kalgoorlie to Geraldton to Central Kimberley-Pilbara. A vast array of members from rural Western Australia support daylight saving. On the other hand, of the 14 members who were opposed to daylight saving, three come from city electorates. Essentially the vote in the Legislative Assembly was emphatic.

Hon Norman Moore: It is not the first time they got it wrong.

Hon Ken Travers: They may not support daylight saving, but they support a referendum. We should not confuse that issue.

Hon PETER COLLIER: That is a valid point. I would like to think that those members were representing their constituents. If that is the case, we must assume that their constituents do want daylight saving with a referendum.

Hon Graham Giffard: At least a trial.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Hon PETER COLLIER: Absolutely, at least a trial.

I will not go through every issue that was raised in this house, but a number of members spoke about the school issue. I said in my second reading speech that I found it interesting that the schools in Broome, which I visited recently, finished at two o'clock to avoid the summer heat. I mentioned in my second reading speech and Hon Matt Benson-Lidholm, as a former teacher, also mentioned it in his contribution that the teaching period after lunch is unproductive in February-March. It is in the heat of the day and obviously that is reflected by the fact that a number of schools in the north west finish at two o'clock, or thereabouts, to avoid the heat. It is an interesting issue that was raised by a number of members.

A number of valid and appropriate comments were made on the impact of daylight saving on electricity and water use, environmental considerations and health. Hon Ken Travers asked what will be the impact of daylight saving on computer-generated costs. I have no specific details of the impact of daylight saving on any of these issues. I noted that Hon Ken Travers said that the Premier, Alan Carpenter, indicated that he is receptive to impact statements in these areas. That is fine. If the bill in its current form is passed, there will be a different Premier by the time the referendum is held - Paul Omodei. I am sure that Paul will have no problem in determining impact statements.

Several members interjected.

Hon PETER COLLIER: I am quite willing to work it.

I refer to the timing of this bill. Yes, I would rather be dealing with other issues. I would like to be dealing with a number of issues in my shadow portfolio rather than this bill. However, this issue has resulted from a significant momentum shift in the past six months. It is very important that this house debates issues that are in the public domain. I would like to think that we can resolve this issue in the not-too-distant future.

A number of members spoke about the three referenda that have already been held. I will briefly comment on that because it was raised quite consistently. Policy is not infinite and we must move forward; that is why members of the Western Australia Parliament are elected on a four-yearly basis and members of the Australian Parliament are elected on a three-yearly basis. In this instance, the Western Australian constituents are given the opportunity to vote in a different government if they see fit. The same applies to policy changes. The last referendum was in 1992 and, as one member mentioned - I cannot recall who it was - people have to be 32 years or older to have voted on daylight saving. That is a valid point.

Hon Murray Criddle: It was Hon Louise Pratt.

Hon PETER COLLIER: I apologise, it was Hon Louise Pratt who made that point. Hundreds of thousands of Western Australians have not voted on this issue and we must give them that opportunity. There has been a considerable change in our lifestyles since the last referendum. Various activities are available to Western Australians that were not available 15 years ago.

Hon Graham Giffard: Those people will be 35 years old before they get to have their first say in another three years.

Hon PETER COLLIER: It is almost middle age.

Hon Graham Giffard: That is right.

Hon PETER COLLIER: As representatives of those constituents -

Hon Helen Morton interjected.

Hon PETER COLLIER: I am not middle aged yet!

As representatives of the people, we would not be performing our role if we did not listen to our constituents. This bill will provide our constituents with the opportunity to have their say. The bill will provide a trial of daylight saving. Formal acceptance of the bill remains where it belongs; that is, with the people of Western Australia. Hon Norman Moore has indicated that he will move an amendment to reduce the trial from three to two years, and I look forward to debate on that amendment during the committee stage.

With those few comments, I thank honourable members for their contributions. They were valuable contributions. They reflected a plethora of views on this issue throughout the community. As I have said, never the twain shall meet. However, we need to accept the fact that there are a variety of views, and we need to respect those views. I thank members for their contributions and I commend the bill to the house.

Question put and a division taken with the following result -

Extract from Hansard
[COUNCIL - Thursday, 16 November 2006]
p8335a-8375a

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Ayes (21)

Hon Shelley Archer	Hon Donna Faragher	Hon Helen Morton	Hon Ken Travers
Hon Matt Benson-Lidholm	Hon Adele Farina	Hon Simon O'Brien	Hon Giz Watson
Hon George Cash	Hon Graham Giffard	Hon Louise Pratt	Hon Ed Dermer (<i>Teller</i>)
Hon Peter Collier	Hon Ray Halligan	Hon Ljiljana Ravlich	
Hon Kate Doust	Hon Paul Llewellyn	Hon Barbara Scott	
Hon Sue Ellery	Hon Sheila Mills	Hon Sally Talbot	

Noes (10)

Hon Ken Baston	Hon Murray Criddle	Hon Barry House	Hon Bruce Donaldson (<i>Teller</i>)
Hon Vincent Catania	Hon Anthony Fels	Hon Robyn McSweeney	
Hon Kim Chance	Hon Nigel Hallett	Hon Norman Moore	

Pair

Hon Jon Ford

Hon Margaret Rowe

Question thus passed.

Bill read a second time.

Discharge of Order and Referral to Standing Committee on Legislation

HON ANTHONY FELS (Agricultural) [11.34 am] - without notice: I move -

That order of the day 332, the Daylight Saving Bill (No. 2) 2006, be discharged and referred to the Standing Committee on Legislation for consideration and report not later than 30 June 2007.

Obviously this bill is most contentious and is being pushed through this place with urgency.

Several members interjected.

The PRESIDENT: Order, members! Some members are interjecting. I made the point earlier today that those who are interjecting seem to be of a mind to delay the discussion of the issue before the house, although they profess otherwise.

Hon ANTHONY FELS: The bill will allow for a three-year trial of daylight saving, but the first year of the trial will not be a full-year trial; it will start in approximately two weeks. A lot of issues in the bill should be considered by a committee before the third reading. We need to consider the alternatives to a three-year trial and whether we should respect past referendums, which on every occasion resulted in a vote against daylight saving. Bearing in mind the results of those referendums, should we have a three-year trial, followed by another referendum? The standing committee could report before 30 June 2007, if it so wished. However, I hope it will consider these issues fully, properly and fairly. It would certainly address the anxiety, stress and anger felt by some members of the community at the proposition of a daylight saving trial, which is being rushed through Parliament to commence on 2 December this year. There are many issues that the committee could and should consider, and I think that most of them were raised during the debate.

I am sorry that I did not get the opportunity to raise a couple of new issues that I intended to raise before I was gagged when making my earlier contribution, but I would like to raise some of those issues in a submission to the standing committee. Some members raised issues such as the effect of daylight saving on energy use, water consumption and other matters that are not directly addressed in the bill. If we are to have a trial, some of those issues should be adequately considered. A committee inquiry would be a great opportunity to analyse the effects of daylight saving. Perhaps we should even consider the effect on trade with places such as the People's Republic of China and South East Asia, which are in the same time zone as Western Australia. They are real issues that affect our state. Recently Western Australia's contribution -

The PRESIDENT: Order, Hon Anthony Fels! This is a procedural motion; it is not an opportunity to go over the issues that were dealt with at great length by almost every member of the house during the second reading debate. Perhaps the member can restrict his remarks to why the order of the day should be discharged and referred to the standing committee.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Hon ANTHONY FELS: Another reason that the bill should be discharged and referred to the standing committee is that it would give various groups in the community that will be unfairly affected by daylight saving an opportunity to contribute to the debate, and not just cop what members in this house want to impose on those people who do not support the proposal and who make up approximately half the community. I refer to farming bodies such as the Dairy Farmers' Federation, the Western Australian Farmers Federation, the Pastoralists and Graziers Association and the Farm Machinery Dealers Association. Daylight saving will affect those sort of country businesses. Other issues raised during the second reading debate include airconditioning on school buses. As Hon Adele Farina pointed out in her second reading contribution, that is an important issue. Perhaps the government should have installed airconditioners in school buses before it had this chamber fitted with an airconditioner.

The PRESIDENT: Hon Anthony Fels is straying once again.

Hon ANTHONY FELS: Submissions about those issues ought to be made, considered and addressed before we have daylight saving for three years, and possibly beyond. Referring this bill to the Standing Committee on Legislation will give us that opportunity. Before we proceed to the third reading, we must consider whether we should have a one, two or three-year daylight saving trial. The standing committee would be able to determine whether the trial should commence next year over the ordinary summer, which is what happens in the eastern states. It would also be able to decide whether we should align ourselves with the times in the eastern states, whether a trial should start in December or whether daylight saving should occur only during school holidays so that it will not impact on children who travel on buses after school.

I hope that members exercise a free vote on the motion to refer the bill to a committee. I will be disappointed if members vote along party lines. Another issue that ought to be considered by the committee is the timing of the referendum and whether it will interfere with the democratic process at the 2009 election. The committee will be able to decide whether the referendum on daylight saving should be held at the same time as a state election or separately. Moreover, the committee will be able to determine the cost of holding a referendum separate from the next state election.

The committee must also consider the impact that daylight saving will have on migration to Western Australia. Why is Western Australia a much better state than the other states? Western Australia and Queensland, as I mentioned in my second reading contribution, are way ahead of the other states economically. They also have greater population growth and a better choice of places in which to live. Perhaps the committee can consider what impact daylight saving will have on people's decisions to move to Western Australia. One argument that has been presented in favour of daylight saving is that WA now has hundreds of thousands of new Western Australians who were not here 15 years ago. Those people have come from places such as England, which has daylight saving. The committee can determine whether those emigrants would have come to Western Australia if we had daylight saving. It may also consider what other groups of people we might be able to attract to WA. Western Australia is enjoying an unprecedented boom economically; indeed, property values are rising despite the fact that we do not have daylight saving.

Several members interjected.

The PRESIDENT: Order, members! There are too many interjections. Hon Anthony Fels has been given direction about what he can and cannot say. He has been keeping within those reasonable bounds; however, when he has strayed, I have had cause to pull him up. I do not need members to interject and thus prolong the debate unnecessarily.

Hon ANTHONY FELS: Another issue that must be considered is Western Australia's location in relation to cities in the eastern states. Esperance, my home town, is on the same latitude as Sydney. Esperance is the most southern town in Western Australia. Virtually all of Western Australia is north of Sydney. Of course, Queensland and the Northern Territory, the most northern of the states and territories, do not have daylight saving. A committee will be able to consider the impact of daylight times on various Western Australian towns and cities. I am sure that that is one of the reasons that daylight saving has been rejected in the past. Many cities in the world have daylight saving. Perhaps it is worth looking beyond the convenience of being able to ring someone in Sydney or Melbourne an hour earlier. A committee will be able to consider how daylight saving will impact on our communications with other cities in the world. I note that Baghdad has daylight saving. However, that does not necessarily make Baghdad a great place to live.

Hon Kate Doust interjected.

Hon ANTHONY FELS: Perhaps Hon Kate Doust should be on the committee.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Given that the Western Australian economy is doing so well, we must consider the impact daylight saving will have on our export earnings and economic growth. It may impact on tourism.

The PRESIDENT: Hon Anthony Fels must refer to why the order of the day should be referred to the Standing Committee on Legislation as distinct from going through the arguments that were raised during the second reading debate. There can be a degree of overlap, but the reference must be made for why it should be referred to the standing committee.

Hon ANTHONY FELS: Thank you for your guidance, Mr President.

The Standing Committee on Legislation could hear submissions from groups such as Tourism Western Australia.

Hon Graham Giffard: It supports daylight saving!

Hon ANTHONY FELS: It might, but there might be submissions against it. Some groups within the hospitality industry, which comprises restaurants and hotels, support daylight saving. However, the committee will be able to consider the impact of daylight saving on all industries. With one hour of darkness taken away, people may not wish to have dinner late in the evening and that may impact on the hospitality trade, which is one of the biggest employers in this state.

Hon Ken Travers: Are you arguing that nightclubs will lose an hour of trade because of daylight saving?

Hon ANTHONY FELS: They could well do, Hon Ken Travers. A committee may wish to investigate that if it is considered an important issue.

Hon Ken Travers and Hon Kim Chance referred to the number of people who go to the beach in the morning. I would be interested to see whether any statistics presented to the committee reveal a difference in the number of people who visit the beach in the morning between a daylight saving year and a non-daylight saving year. I would also be interested to see any statistics that highlight the number of people who visit the beach in the morning in the weeks before and after the implementation and completion of daylight saving. If a committee considers these issues and releases a report, those who will have the ultimate say on this issue - the voters of Western Australia - will have more information to take into account. If the bill is sent to the Standing Committee on Legislation, the arguments put forward by members of Parliament can be properly considered by the public before they vote yes or no. A number of amendments to the bill have been proposed. The Standing Committee on Legislation would be able to consider those amendments. The committee would also be able to consider whether voters should be identified; that is, whether postcodes and demographics should be recorded. The committee would also be able to consider whether that is important and whether voters would want to be identified in that way.

This legislation has attracted far more attention than has any other bill during my time as a member of Parliament. I appreciate the number of people who have come to Parliament to hear the debate. Far more members of the public have been interested in this issue than in any other issue that has been discussed since I have been a member of this place. I would guess that the majority of those who are interested in this debate are probably opposed to the legislation. A committee could also consider the constitutionality of this Parliament passing a bill to allow a three-year trial on an issue that has been rejected three times previously by the people. I have received submissions from people saying that this bill is unconstitutional and is not in line with the intention for the way the Parliament operates. If a referendum has been conducted on an issue and the government wishes to revisit the issue, it should not be revisited with a three-year trial. However, those are all issues that a committee could consider. Every member has received thousands of e-mails on this matter. It may be that those people genuinely have something to contribute to the debate and do not want to send generic e-mails to members, but would actually put together a submission to the committee and have it properly considered. That is the role of committees of this house. Members should support this motion for that process to occur with this bill. It would take all the heat out of the argument and we could get on and attack the government over its recent failings. We have only three more weeks of the parliamentary year in which do that. There are still a lot of questions that have been left unanswered by the government. It is up to members on this side of the house to keep the government accountable. We have not had that opportunity and we will not have that opportunity until later if this bill is not referred to a committee now.

Western Australia has the best economy in Australia. We won the Australian Football League grand final this year. The committee ought to consider why Western Australia is different.

Several members interjected.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Hon ANTHONY FELS: We are, and we dare to be different.

Hon Ken Travers: You should have a committee for us to look at why the Dockers haven't won the premiership!

Hon ANTHONY FELS: The member can make a submission on that issue!

There are many issues with this legislation that a committee could consider, and, I would say, consider in far more detail, far more thoroughly and far more fairly than could be considered by this place. We ought to get on with the legislative program and accountability functions of this house. A committee could also consider the appropriateness of bringing this legislation into the house so quickly, thereby interrupting the rest of the legislative program. Other legislation has been brought in this year. For example, the Family Legislation Amendment Bill was debated for only one or two hours on the eve of changes that were necessary for the Family Court of Western Australia. The appropriateness of this sort of legislation being rushed into Parliament and the effect it has had on other legislation to be debated at the end of the year is another matter that the committee could consider.

An important issue for the committee to consider is the members of the community who are opposed to daylight saving. They feel that they have not been fairly represented in this process and that a three-year trial is being imposed on them in an undemocratic way. A committee would give members of the public an opportunity to make as many submissions as they like. It would be up to the committee to choose how it would deal with the submissions, but at least it would give members of the public another opportunity to put forward their reasons for or against daylight saving and give the committee some direction on what people want. If daylight saving is such a good idea, why do we not have it all year round? That is another issue that the committee might consider. The committee might also consider some proposal that all of Australia be on one time zone. We might move the opposite way, such as to South Australia's time zone, and request the eastern states also to move towards a central time zone. If the argument is that daylight saving is better for business, it might be better for all of Australia to be on one time zone. I will get onto the issue of state rights in a moment.

The PRESIDENT: Hon Anthony Fels is -

Several members interjected.

The PRESIDENT: Order, members! I am speaking! Hon Anthony Fels is on the verge of straying.

Hon ANTHONY FELS: Thank you, Mr President. I will move on.

Hon Graham Giffard: Are they the same speech notes that you used before?

Hon ANTHONY FELS: No, I did not get to this part of the speech. As a member representing the Agricultural Region, I had to stand up for my constituents and present a lot of the arguments that they have put forward to me against this proposal.

The PRESIDENT: Hon Anthony Fels is giving reasons that order of the day 332 should be discharged and referred to the Standing Committee on Legislation. He should not go over matters that he raised in his second reading contribution.

Hon ANTHONY FELS: Referral to a committee is the most correct way to deal with this bill, which proposes a three-year trial. I will sum up, for the benefit of members, one other important issue. It is difficult for me to raise some of the issues that were not raised in my second reading contribution, so I will save that for the committee stage, if I have that opportunity. However, I urge members opposite and members who support daylight saving to allow a committee to consider whether the situation should be as proposed in this bill, or whether there are alternatives to that and other options. Hopefully, we will reach a better outcome and one that is more attractive, and under which the processes will be much fairer to the people of Western Australia who will have to endure the trial.

HON NORMAN MOORE (Mining and Pastoral - Leader of the Opposition) [11.57 am]: The reason that we have committees of this chamber is to enable members to access a vast range of information that is available in the community to assist us in making good laws. It is not unknown for this house, on many occasions, to refer bills to committees, often after the second reading vote when the principle has been established, to go through the detail of the legislation to see what it means in reality, whether amendments are appropriate and whether we can make the bill better by taking advantage of the enormous amount of information that is available in the community, which may not have been made available to members prior to the bill being debated in this chamber. That is one of the main reasons for the committee system, and the committees are designed in many cases to ensure that the legislation we ultimately pass is in as good shape as it can be. This house has developed a

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significant and positive reputation for improving legislation, and that reputation has been largely acquired by virtue of the work done by its committees. The Legislation Committee, which is the subject of this motion, has indeed an enviable record in improving the quality of legislation.

Hon Ken Travers: It's a shame Hon Graham Giffard is away on urgent parliamentary business.

Hon NORMAN MOORE: I do not think it is a problem at all, quite frankly. He wants to prolong the debate by interjecting on everybody. As an aside, Mr President, I cannot work out why Hon Graham Giffard and some of his colleagues are in such a great hurry to get this legislation off the agenda. I thought that the Labor Party would want to keep it on the agenda for a long time, because it distracts people's attention from other things. However, I know that is an aside and nothing to do with the debate, so I will not persist with it, but I am just a little amused, and bemused, about that matter.

The point I am trying to make is that if we want to make sure that the legislation we pass is in good shape, we should take every opportunity in this chamber to scrutinise it effectively and properly. Indeed, somebody said yesterday that we should just get on with it. I had to make the point, publicly, that the Legislative Council has a job to do. Often the Legislative Assembly just gets on with it and we spend half our lives fixing up the mess created by that place. I am not in any great hurry to get on with anything, if doing my job means taking longer to get a better outcome. The Minister for Education and Training knows all about outcomes. I am very keen to ensure that the outcome of this debate is one with which we can have some satisfaction, knowing that all the options and concerns have been considered by all members.

Hon Ljiljana Ravlich: This is about you and Paul Omodei; that is what this is about.

Hon NORMAN MOORE: If I were the minister, I would not talk about other people in that way. It is extraordinarily bad manners, the way the minister wants to reflect on other people when she is not travelling too well herself. I am not throwing any brickbats at the minister, but she sits there sniping away, making remarks about individuals, and I think that that is out of order. The minister is entitled to do that if she wants to, but I would not if I were her. As they say, people in glass houses should not throw stones at other people.

The normal process of decision making via referendum is that the referendum is held first and, if the people vote for it, the proposition becomes the law. If they vote against it, it does not become the law. This bill is a-about. We are being asked to do something first, and then have the referendum afterwards. In other words, we will get this new law, or this new set of circumstances, first, and then we will get a chance to vote on it, which is, in my view, the complete reverse of what is normally done with referendums. I acknowledge that, on daylight saving, it has been done the other way around on a couple of previous occasions. However, because it is being done the wrong way around, there is a very legitimate argument for this Legislative Council, via its committee, to assess the issues before it agrees to the trial, which would then be followed by the referendum. All the issues that affect daylight saving should, in my view, be considered by the house, in this case through a committee, before we embark on this process, which, as I have said, is the wrong way around.

This motion should be supported because a committee can ensure that every member of this house who is making a decision on this bill is fully acquainted with the views of a whole range of people. Hon Anthony Fels has listed a number of organisations and groups who would very happily and very readily provide evidence to a committee of the Legislative Council. It is interesting that, during the debate, a number of issues were raised and a number of questions were asked for which there are no answers. For example, I looked at the proposition put forward by Hon Paul Llewellyn, and I looked at a motion of which he gave notice today, which obviously cannot proceed because of the nature of our processes. What he has raised in that motion is that we should try to find out how much power will be consumed. What effect will this measure have on our power supplies? Some people might say that that is not an important issue, but it is one that a committee could look into. Members might remember that it was not very long ago that the then Minister for Energy was almost paranoid about the prospect of a blackout before the last election. Members will remember that black day in our history three years ago when the state ran out of power. Hon Paul Llewellyn says we should know the answer to that before we vote on this bill. How do we find out? The government has not told us and nor has the promoter of the bill. Nobody has told us what effect it will have. Would it not be a dreadful state of affairs if we went ahead with this bill without first having a committee look at its consequences and all of a sudden we got a very hot summer, which is not out of the question, and every second day the power went off because there was not enough energy? I do not know whether that is going to happen.

Hon Adele Farina interjected.

Hon NORMAN MOORE: I think Hon Adele Farina's position on this is interesting, to say the least. I must say I am totally surprised. I think she is more concerned about future vacancies than the effect of this bill.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Hon Adele Farina: You do not think I should let my constituents have a say on the matter?

Hon Robyn McSweeney: We all have constituents but they must be saying different things because 75 per cent of my constituents do not want it.

The PRESIDENT: Order, members! I propose to give Hon Adele Farina the call next, if that is what she wants, followed by Hon Robyn McSweeney. In the meantime, the Leader of the Opposition, I trust, is directing our attention to why, in his view, the order of the day should be discharged and referred to the Standing Committee on Legislation for consideration and report, noting that the house has already passed the bill at the second reading stage.

Hon NORMAN MOORE: Mr President, the reason I am raising this issue is that a question was asked during the second reading debate about the consequences of daylight saving on our energy supply and no response has been provided. I would have thought that before we gave the bill a third reading we should have some idea about whether this will cause serious problems for the state's energy supply. Hon Paul Llewellyn and I may well have been satisfied that there is no problem if someone had said so during the second reading summing up, or the government had provided the advice that its bureaucrats may have that says we do not have to worry about that. That is a question that must be answered, and it could be answered by a committee taking evidence to that effect. That is a serious matter.

To respond to Hon Adele Farina, this bill will be passed, whether it is today, next week or on 30 June next year. In my view it will be passed. Her constituents will get a vote down the track. I am saying we should not be making a decision to go to that stage just yet because there are a number of questions that have not been answered. One is the matter raised by Hon Paul Llewellyn, who even went to the trouble of having a motion drafted so we could talk about this matter and look at some amendments he wanted to move that are outside the scope of the bill. He sought a strategy to have it considered. That is how important he thinks it is. I would love to see the Legislation Committee take evidence from our power supply people about whether daylight saving will have an adverse effect on our power supplies to the extent we might have blackouts on a regular basis. It was not so long ago that we had blackouts without there being daylight saving.

I have also foreshadowed amendments, which we will discuss if and when we get to the committee stage. One of the differences between this bill and previous bills is that this bill proposes a trial period of three years and every other bill proposed a one-year trial period. I think a committee should be given the task of finding out from people whether they want a three-year, two-year or one-year trial period, or no trial period. If we are going to have one, what would they prefer?

As a slight aside to that in the context of this matter, the Clayton's free vote that government members have on this bill is such that they are not permitted to vote for anything other than the bill in the committee stage.

The PRESIDENT: Leader of the Opposition, that proposition has nothing to do with the motion before us.

Hon NORMAN MOORE: It has, Mr President, with respect.

The PRESIDENT: It does not. This is a procedural motion asking the house to discharge a particular order of the day and refer it to the Standing Committee on Legislation for consideration and report. I am conscious that in arguing matters to do with such procedural motions, from time to time there is a degree of overlap, otherwise one is talking in a vacuum. Notwithstanding that, the second reading has been passed, the policy of the bill is set and the debate is somewhat constrained.

Hon NORMAN MOORE: The point I was seeking to make was that because the bill contains a provision that was not in previous bills of this nature, it would be very appropriate for this house to know whether the community wants a trial for three years, two years, or one year. How will we find out if we do not ask? The point I was making about the government is that it will not ask that question either. We will not get a debate on the issue because the government is constraining its members and has decided what they will vote for. It would be far better from the government's point of view, and those members of the government who do not support the legislation, to at least know what the people want in terms of a trial period. As I have said a couple of times, this bill is different from previous daylight saving bills. It is very important that people in the community be asked whether they want a trial period for three years, two years, or one year. Many people might think, because they do not read the detail of these things, that this particular bill is the same as all the others. They may agree with the proposal, without knowing that it will involve a three-year trial. Again, that is the sort of question that a committee could ask members of the community and seek their views on that very significant part of this bill.

Hon Graham Giffard: It is policy. How could it go to a committee?

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Hon NORMAN MOORE: Come off the grass; how long has Hon Graham Giffard been a member?

Hon Graham Giffard: The second reading has been determined. They voted.

Hon NORMAN MOORE: So what?

Hon Graham Giffard: That is the policy. How could a committee inquire into that?

Hon NORMAN MOORE: Hon Graham Giffard is telling me that I cannot even move an amendment to change something that is in the bill.

Hon Graham Giffard: Yes, you can.

Hon NORMAN MOORE: Of course I can; that is the whole purpose of the exercise. Many committees are set up after the second reading vote has been taken to see whether people agree with the detail of the bill. There is a detail issue in this bill between three years and one year, or two years and no years. That is why I have an amendment on the notice paper. Is Hon Graham Giffard telling me it is out of order? Is that what he will say? His caucus has decided how long the trial period will be. If we put this off until June next year, the government can have another caucus meeting and make a decision about whether it will bury its head in the sand for three years. Some of its members do not agree with it. That will give the government a bit of extra time - until June next year - to think about that. I would rather that government members had a free vote on this issue all the way through, instead of the caucus saying they are free to vote "yes" or "no" on the totality of the bill. The detail is important. The only way we shall get any input from the community on the detail - Labor members cannot have input - is by a committee asking people what they think. It is very simple to ask people whether they support one thing or the other. In the context of this debate and the way it will head into the committee stage, regrettably, the only way we will ascertain what people want is to ask them through a committee process.

In my speech during the second reading, I raised an issue about part of my electorate; namely the East Kimberley. I flagged the notion that people in the east Kimberley may be better off under Central Standard Time. A committee of this house could investigate that matter, ask the people of the east Kimberley whether they have a view about Central Standard Time and being on that permanently, and whether an amendment could be made to this legislation to allow that to happen. The people in the east Kimberley - in towns like Kununurra and Wyndham - are a unique group. A committee could suggest to those people that they consider some out-of-the-square alternatives. One of those alternatives might be to adopt Central Standard Time. A significant amendment could then be made to this legislation to deal with that issue. Similarly, a committee could take evidence from people in rural Western Australia, who are almost obsessive in their opposition to this legislation. I will not blame locusts, droughts and floods on daylight saving, Mr President, because you would say that is ridiculous, and it is. However, I will say this: many people in rural Western Australia have just experienced locusts, droughts and floods. They want to have a say on daylight saving. They have had a gutful of city politicians giving them an outcome that they do not want. We could not have picked a worse time to impose this legislation upon them. I will not chuck in the one vote, one value legislation, but that has also been mentioned to me on a few occasions.

We should provide the opportunity for this house of Parliament, via its most prestigious committee, to hear the point of view of the people in rural Western Australia, before we impose upon them three years of daylight saving regardless of their views. The fact of the matter is that some members of this Parliament are not representing the interests of the people in rural Western Australia. This issue affects every individual in Western Australia. This house would be doing a tremendous service to this Parliament if it went into rural communities and asked the people for their submissions and verbal evidence about how daylight saving will affect their lives. However, it seems to me that the people in this house who will vote against this proposition have taken the view that we know what is good for the community on this matter, and we do not need to let the people have a say other than through their elected members. I acknowledge that that is what we do on a regular basis. Much of the legislation that goes through this Parliament is of peripheral interest to the people of Western Australia. However, the difference with this legislation is that it will affect every individual in Western Australia. We should give a committee of this house the opportunity to listen to, and reflect upon, the views of the community on daylight saving, particularly those who believe they will be seriously adversely affected by daylight saving. The people who support daylight saving would love to tell a committee all the wonderful ways in which daylight saving will improve their lifestyle. We all know that. However, they will not cut their wrists if this bill is not passed. Those people who are strongly opposed to daylight saving should be given the opportunity to be heard by a parliamentary committee.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

One other matter that should be put to the community via a committee - because that is the only way it can be put - is that the referendum that is provided for in this legislation will be held not in this Parliament but in the next Parliament. A new Parliament might mean a new government. That new government might have the numbers in both houses and decide to amend this legislation to remove the requirement for a referendum. The people of Western Australia should be given the opportunity to put their view to a committee about whether they are prepared to take that risk. Some people might be amused about that.

Hon Adele Farina: The government can make any decision it likes.

Hon NORMAN MOORE: I thank the member very much.

Hon Adele Farina: It could introduce a new bill that removes daylight saving altogether.

Hon NORMAN MOORE: That is exactly right. I thank the member for making my point. We are about to pass legislation that will not have effect until after this Parliament has finished. If we want to have some certainty, as I know people out there do, the referendum must be held before the next election so that this Parliament, which is deciding whether this bill will contain a referendum provision, can ensure that is what will happen in Western Australia. I would have thought that the people out there would love to tell a committee of inquiry that they do not want to take that risk. Even those who support daylight saving probably do not want to take that risk, because some future government might legislate daylight saving away without a referendum at all. Instead of saying that it will get rid of the referendum and have daylight saving forever, it might take the reverse view and say that Western Australia will never have daylight saving. What we are contemplating in this legislation, and what deserves more consideration, is the notion of something happening beyond the time of this Parliament. Because of that, there is no certainty of outcome at all. Those sorts of things may have some constitutional ramifications, so any committee would have to look at those matters very carefully.

Hon Helen Morton: It could say that the majority supported a referendum.

Hon NORMAN MOORE: That support could be totally ignored by some future government that might have a completely different point of view. It is a surmise and a hypothetical scenario, but if the referendum was held before the election and people were asked whether that was what they preferred, it would be over and done with before the election. Some future Parliament could decide to do something quite different. At least it would not have its understanding of what this legislation is all about taken away from under it by virtue of the fact that it would be a three-year instead of a two-year or a one-year trial.

I think that a committee should hop on an aeroplane and whiz off to Queensland. It should go to Queensland to ask the Queensland government and Tourism Queensland why it is that Queensland is the most successful tourism destination in Australia and has been for many years when it does not have daylight saving.

The PRESIDENT: Order! We are dealing with the question of why the bill should be referred to the Standing Committee on Legislation, not whether there should be daylight saving as such.

Hon NORMAN MOORE: I am saying that a committee needs to go to Queensland to find out whether daylight saving will be the salvation of the tourism industry, as we have been told.

Hon Ken Travers: That is policy.

Hon Adele Farina: Does the committee get to travel to the other 70 countries that have daylight saving?

Hon Helen Morton: It is the committee's job to find out.

Hon NORMAN MOORE: Goodness, gracious me! We are told all sorts of things and people have said all sorts of things in here. The purpose of a committee inquiry is to verify issues that have been raised and to provide expert advice and information to the house on those sorts of matters. It may well be that travelling to Queensland will tell us that daylight saving will not make any difference to the tourism industry whatsoever, but that is something that only a committee could look at.

We also heard from a number of speakers that there are a number of unknown factors about daylight saving. People talked about impact statements in respect of a whole lot of issues. I referred earlier to the matter raised by Hon Paul Llewellyn, to which we should have an answer. Members have raised the issue of ministers providing impact statements. What impact will daylight saving have on different groups of people? A committee of this house could make recommendations to this chamber about whether the bill ought to be amended to provide that impact statements be made to Parliament down the track. A committee could recommend to Parliament that if this legislation is to pass, it should require the government to advise Parliament what impact daylight saving will have on a range of issues. Hon Barbara Scott raised the matter of providing a

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child impact statement, and I am not surprised that she raised it. What effect will daylight saving have on children? As I said earlier, this bill will be passed whether or not we like it; it is just a matter of whether it will be passed sooner rather than later. If it is passed and we get daylight saving, ought amendments be made to the bill that will deliver some outcomes during and at the end of the trial period that will assist people to make a decision when they vote on the referendum? It would be very useful to amend this bill to require that each year after the daylight saving trial period has concluded, the Minister for Education and Training, for example, must provide an impact statement on the effect daylight saving will have had on children in the education system. Hon Adele Farina raised concerns about children having to stand in the sun in the heat of the day.

Hon Adele Farina: I don't think the Minister for Education and Training is the best person to provide that. Does the member not think it should be the Minister for Health?

Hon NORMAN MOORE: I do not care who does it; I would not mind if Hon Adele Farina did it, because she is obviously concerned about it. Hon Paul Llewellyn wanted to include an amendment to the legislation that an impact statement be made each year about the effect daylight saving will have on the state's electricity supplies and that the Minister for Water Resources be required to make a statement on the impact daylight saving will have on the state's water resources. Power, water and children are all very important issues. Maybe it ought to be a requirement of this legislation that those statements be made to Parliament on a regular basis by the appropriate government agency or minister. That would not be a bad thing. I understand from Hon Paul Llewellyn's endeavours to have those matters included in the legislation that it is outside the scope of the bill. If the committee took evidence on those matters and informed Parliament that it was the committee's considered view that the bill should be amended to provide those types of things, the Parliament could work around that and the house could deliver on those things if it chose to do so. However, we will not get a chance to do that because we have been told that it is outside the scope of the bill. However, it could be included in the bill if a committee recommended that it would be very good for Western Australia.

Hon Anthony Fels has moved a motion to refer the bill to a committee to consider the ramifications I have talked about and to contemplate whether it is appropriate to amend the legislation. The committee could examine whether amendments outside the scope of the bill should be considered. It could consider also whether we could let the proponents of the bill know that they have not thought through this legislation long and hard enough and the committee could provide them with recommendations that they could contemplate. The matter could then proceed if the house decided to conduct the daylight saving trials, followed by a referendum. Hon Anthony Fels and I have raised enough issues to convince me, and I hope we have convinced other members, that if we are to do our job as a house of review in the best way possible, we should give ourselves every opportunity to acquire as much knowledge and information as we can get before we put up our hand to vote either in favour of or against the bill.

This is a unique bill in that sense because, as I said, it affects the lives of every single Western Australian. For that reason, we have agreed to a referendum. We ought to give everyone a chance to express their views and have those views considered by a committee of this chamber. The logical committee to do that is the Legislation Committee, which has a superb and unique reputation of looking at these matters and getting good outcomes. With those few comments, I support the motion.

HON HELEN MORTON (East Metropolitan) [12.35 pm]: I support the motion to send the Daylight Saving Bill (No. 2) 2006 to a committee. I attempted to get some amendments to the bill considered; however, because of the way in which the bill has been brought in, those amendments cannot be considered if the bill is not sent to a committee. I was somewhat pleased to hear Hon Adele Farina indicate that Hon Ken Travers had some agreement from the Premier that a certain number of issues would be looked at. However, I do not feel that that is a good enough surety. By taking the bill to a committee, there will be improved surety about those things, which I will talk about later.

This is not an urgent bill. The time that it takes to send it to a committee for consideration and to take it through to a proper stage is not an issue. It was never an urgent bill. If daylight saving is not introduced this year or next year, it will not make one jot of difference to anybody. Sending the bill to a committee and giving that committee an opportunity to have a good look at some of the issues will not change the outcome of the bill; daylight saving will eventually be introduced and a referendum will be conducted after that trial.

I opposed the bill at the first reading stage because I thought it was a very poor piece of legislation.

Hon Ljiljana Ravlich: Of course you'd be an expert!

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Hon HELEN MORTON: No, I am not an expert, but I do not have to be an expert to recognise that the government's Machinery of Government (Miscellaneous Amendments) Bill 2005 sought to amend three acts that had already been repealed. The job of the Legislative Council is to try to exercise its mind to determine whether legislation is good, bad or indifferent and possibly make it a bit better. I do not know what it costs this house to operate every year, but I would say that it is around \$10 million. I am sure that by the time we take into account our salaries etc, it costs about \$100 000 a week. It is an absolute disgrace that every one of us is letting this bill go through in a really sloppy, inept manner and not giving it proper consideration. We are not trying to make something out of the farce -

Hon Ljiljana Ravlich: It is not a disgrace to me because I actually think it's a good piece of legislation and I think you're holding it up deliberately and you are obviously very out of touch with what goes on in the world.

Hon HELEN MORTON: I will tell the Minister for Education and Training how it could be improved. The bill is currently written in such a way that the referendum will ask whether people like it in the morning or in the evening. That is all it is asking. It is about shifting the daylight and asking whether people like it better in the morning or in the evening.

Several members interjected.

The PRESIDENT: Order, members! We are now close to the middle of the day, so we can relax a little.

Hon HELEN MORTON: That is no better than a referendum asking people whether they like to drive a Ford or a Holden. It does not provide any information on which to make a determination. A decision could only be based on personal experience.

The reason that this bill is so poor and it needs to go to a committee is that electors must be given information on which to base their vote at the referendum. If the bill is not sent to a committee, they will have to make their decision on whether they agree or disagree with daylight saving on their experience during the trial.

Members spoke about this being a personal issue, but they did not give objective examples of whether daylight saving is a good or bad thing. By sending this bill to a committee some of the broader issues can be looked at objectively and given adequate consideration. Members owe it to the taxpayers of this state to resurrect something useful out of this bill instead of reaching a decision based on their personal opinion.

This is not a cheap exercise. It is a costly exercise that deserves good consideration. The referendum will cost in the vicinity of \$5 million of taxpayers' dollars and that does not include the cost of our time or the time of this Parliament to debate daylight saving. Taxpayers are not prepared to hear politicians say that they do not really know what will be the impact of daylight saving on the community, but that it is a good thing and we should go ahead with it. In view of the amount of taxpayers' money that will be spent on the referendum this whole issue deserves proper consideration and that can be done only through the committee process. In addition, there will be a cost to individuals. Although I do not know what these costs will be, I would like to know. There will be costs to organisations.

I have a question on notice that I would have liked answered before I voted on this bill. My question is whether the public service is ready to implement the changes that will need to be made. I know this issue is nowhere near the level of importance of Y2K, but there are many elements within the public service that will need to be manually changed to effect the shifting of the clock by one hour. A committee will be able to ascertain whether the public sector and organisations like Qantas and Telstra will be able to make the necessary adjustments to computer and electronic systems within a space of two weeks. A committee would be in a position to ask those questions and have representations made to it about that. I have not heard anyone say that these matters have been fully considered and adjustments to equipment will take place smoothly and easily.

To turn this farce into something worthwhile - we owe that to the taxpayers - we need good objective measures. In three years, when we go to a referendum, we do not want to be in the situation that we do not know what impact daylight saving has had on the community apart from the fact that we have had a taste of it. The committee would be in a position to identify some parameters for objective measurement. In other words, baseline information can be gathered before, during and after the trial and that information could be presented to the public prior to the referendum. I tried to get some amendments to this effect on the notice paper, but I was clearly told it was not possible because of the way in which the bill was being progressed, but it could be possible if it were to go to a committee.

I suggest that the Auditor General be required to report to Parliament throughout the trial on the impact of this legislation on the community. If we do not have this sort of information by the end of the trial, people will lodge

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a yes or no vote on the basis of whether they like an extra hour of sunlight in the morning or evening. It will be given no further consideration than that. This bill deserves detailed consideration to provide the level of information that will be required when we go to a referendum.

Some appropriate baseline information and performance indicators on resources, for example, should be gathered and presented to the Parliament. A lot has been said about energy use, but there should be some information on the amount of energy and water usage per household during selected hours of the day. There need to be some measures to demonstrate the impact on families and the extent to which families spend more time together as a result of daylight saving. That could be done through a family survey in the community. Some objective measures could be used to identify the impact on selected areas of business. There could be some measures for the agriculture, retail, tourism and hospitality industries. Some indicators could be identified for five or six areas of industry and they could be used as baseline information before the daylight saving trial started, during the trial and after the trial. That information could then be made available to people for consideration.

The committee could also consider some baseline information and measures on the general lifestyle of people and whether they work longer hours or take time off for leisure and whether they are more physically active. A lot of arguments have been raised about that point. Some other agreed measures could be brought to the attention of the standing committee, such as those matters that could not be canvassed in this place because the bill has been rushed through Parliament. The notice of motion of Hon Paul Llewellyn referred to demographic information. If the referendum that will be held after the three-year trial - or a two-year trial if the proposed amendment is agreed to - seeks just a yes or a no response, we will be unable to identify the age, sex, number of children of school age or postcodes of community members. We often hear that people in country areas are dead against daylight saving, but that people in the northern suburbs in the metropolitan area are for it. I know that the people in the East Metropolitan Region are fifty-fifty. Do people's postcodes suggest whether they will be in favour of daylight saving?

The notice of motion also refers to a person's occupation. Many people have said that the businesses on St Georges Terrace are in favour of daylight saving and that people in agricultural areas are against it. If we have a referendum on daylight saving and do not produce some information that could be used for future analysis, we would be giving the taxpayers of Western Australia short shrift, and we would not be doing our job as members of the Legislative Council. The only way that the amendments foreshadowed by Hon Paul Llewellyn could be made to the bill is if the bill were referred to the standing committee and its report made recommendations to that effect.

I have been told by members that I am taking this matter too seriously. However, about \$5 million of taxpayers' money will be spent on a referendum requiring a simple yes or no vote when important information could be gathered on the impact that daylight saving will have on people. That information could include objective measures and baseline data so that people could be involved in a decision-making process that was based on more than whether they wanted the extra hour of daylight in the morning or in the afternoon. Members must accept that the general public is more intelligent than that. Members of the public would prefer the bill to cover broader considerations so that they can make a more considered decision on daylight saving when the time comes to vote in a referendum. If the bill is referred to the Standing Committee on Legislation, people will be able to vote according to their personal experience and a range of information that is pertinent to the state as a whole. For those reasons, I strongly support the motion to refer this bill to the Standing Committee on Legislation.

HON MURRAY CRIDDLE (Agricultural) [12.46 pm]: I welcome the opportunity to make a few comments about the motion to refer the Daylight Saving Bill (No. 2) 2006 to the Standing Committee on Legislation. Members know that I have had a great deal of experience with various committees of this house and that I have found them to be immensely invaluable because of the information they gather. Having learnt that there was an opportunity to refer this bill to the Standing Committee on Legislation, I had another look at the reasons that the bill was introduced as outlined in the second reading speech. Certainly those reasons should be analysed by the committee. For instance, the second reading speech refers to businesses having only an hour or so in which to place orders with the eastern states. During this debate members have frequently referred to modern technology and to the number of e-mails they received from their constituents, which helped them to decide which way to vote. If that form of technology is so readily available to constituents, I would have thought that it would be accessible to people in business. Further, I would have thought that it would be accessible throughout the day.

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Another issue is the wellbeing of children. The argument that daylight saving will improve the wellbeing of children contradicts what I experienced when I tried to get my kids to bed during previous daylight saving trials. Perhaps the committee should visit regional areas to hear submissions from country people. People in the country have absolute disdain for the way this bill has progressed. They have become quite angry as the debate has progressed in Parliament. A number of people have phoned my office and asked why this legislation has not been knocked off the agenda. People in the bush are sick and tired of being told how to run their part in the world. I know that some provisions in the bill allow for flexibility; however, I am sure that they will not be used in my region.

A good reason that this bill should be referred to the Standing Committee on Legislation is that there has been no indication of the impact of daylight saving - that is not the fault of Hon Peter Collier, because it is not his bill - on some of the state's vital areas. I refer to power, water, education and transport. Indeed, I will refer to the airline industry in a moment. The Premier tells us regularly - it is an absolute fact - that Western Australia is travelling very nicely. In fact, we thrash the other states, apart from Queensland, which does not have daylight saving.

Hon Ljiljanna Ravlich: It had only seven per cent growth in the last quarter; Western Australia had 14.5 per cent.

Hon MURRAY CRIDDLE: I know that the Minister for Education and Training is very clever. I have just acknowledged the fact that Western Australia -

Hon Ljiljanna Ravlich: Can you repeat that?

Hon MURRAY CRIDDLE: The minister is starting to paint herself into a corner because of the way she carries on in this place. It is an unfortunate set of circumstances. Ministers should learn how to handle themselves. It makes me quite angry, having been a minister, to listen to those remarks.

A real analysis of the power situation, in particular, will benefit the bill substantially. Only a year or so ago, we had major brownouts in the city, and they impact on people in the country. I live near the end of a power line and I can tell members that it is the people in regional areas who will really be impacted on. Conductors in regional areas nowadays are not all that flash. I have spoken about them in this place when the legislation for the break-up of Western Power passed through the house. The government thought that would be a great thing, but we have now been told we will have to pay an extra dividend for it. However, there has been no analysis of these aspects of the bill. This bill has been brought into this place without true debate. Normally members get a briefing and can ask questions about a bill before it is brought into the Parliament. That did not happen, certainly not for me anyway. We have therefore had no consultation on these issues. There is a real need for debate on the very serious impacts on the state's power, water, education and transport services. I have mentioned transport, and I believe the bill will impact on the airline industry. Changes will have to be made to aircraft arrival and departure times within a few days after passage of the bill. If this bill is passed, it will be necessary to reschedule all the airlines that fly from Western Australia to the eastern states and overseas. People landing here will be an hour out of sync with everybody else. I hope that some mechanism will be implemented so that those airlines can learn to handle the time frames for their arrivals and departures.

Everybody talks about the tourism industry. As I said, the tourism industry in Queensland is going quite well. Not so long ago I visited Queensland. Everybody was very happy with the way things were going with Queensland's time zone. I have had no real argument from Western Australia's tourism industry. The tourism industry says it wants daylight saving but it has not told me the reason for wanting to go to daylight saving. That is why a committee would be valuable; people would be able to put their yes and no arguments to the committee.

An interesting aspect of the bill is the impact that daylight saving will have on schools. People want to know what the impact of daylight saving will be on children. I know what it will be from my point of view, but I would like an analysis of that issue from the people who are talking about it. A lot of people say it is just an issue of passion, but I tell members that it is a real issue.

Another area I want to talk about is public transport in Perth. If we turn the clock forward an hour, I believe there will be an impact on the road system for people driving into and out of Perth.

Hon Helen Morton: Are we ready for it? It is in two weeks.

Hon MURRAY CRIDDLE: Are we ready for it? Is our public transport system so up to speed that it can cope with daylight saving? I think I heard Hon Helen Morton ask a question about the number of carriages on various trains as they move in and out of the city. Daylight saving will have an impact on the whole transport rail

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network. Certainly, buses will have to be rescheduled, as I understand people will be coming into town in a more compact time frame.

Another area needs some analysis. I want to know the impact that daylight saving has had on the health system in other jurisdictions, particularly whether it has had an impact on the incidence of skin cancers and those sorts of things. We have heard an analysis of the impact on people's health and how people will get out and walk more as there will be more hours of sunshine. I really wonder whether that is a fact. I wonder whether people will go out and walk more. Do people walk more in other parts of the world, or not? These are the sorts of matters I would like the committee to investigate.

This place has been renowned for its committee work. An enormous amount of value has come from committees that have given people the opportunity to place on record their points of view on such issues. An analysis of such issues undertaken by members on committees has provided us with good results, not the least the Standing Committee on Legislation, which handles issues very well. I have read the amendments on the supplementary notice paper and I believe an analysis by the committee of those amendments would also be of much benefit.

I believe therefore that referring these questions to a committee is a real opportunity to get some value out of the committee system. Perhaps the members appointed to the committee could travel across the state of Western Australia and find out the impact of this bill on people.

HON BARRY HOUSE (South West) [12.54 pm]: There would be no need for this motion and no need for this debate if we had two things: first, an assurance that all members in this chamber will be given a free vote -

The PRESIDENT: Hon Barry House, we are dealing with a motion to discharge the order of the day and refer it to the Standing Committee on Legislation for consideration and report, so please bear that in mind in making your comments.

Hon BARRY HOUSE: Okay. I support the referral to the committee for a series of reasons. The major one relates to the whole genesis of this bill. The bill is before the Parliament at the moment as a result of a series of events. The bill was cobbled together in a half-hour discussion, probably over a cup of coffee, and no real thought or logic was put into the bill. There was no rationale about what the bill contains, and there was no real discussion or analysis of any of the issues that would be impacted by the bill. That is the major reason that the details of the bill, which have been agreed to by the house, need to be further examined by a committee. There was no proper process of preparation, there was no series of meetings or inquiries by any government departments, there were no forums, there was no white paper and there was no green bill. Therefore, there was not a build-up to this legislation that would have given us some confidence that proper research had gone into the issues that make up the legislation. We know that this bill was born out of a knee-jerk response to a wider media campaign, and, as a result of other difficulties that the government might have had, it suited the government to allow that to happen.

We know from the debate that we have just had, and we know from the material and the representations that we have received as members of Parliament, that this is a divisive issue. We know that the community has some very strong points of view on a range of issues involving this bill. However, at this stage the community has been able to put those views forward only in representations to members of Parliament via e-mails, letters, strongly worded telephone calls -

Hon Helen Morton: Spam.

Hon BARRY HOUSE: - spam, and a whole series of other matters. The fact is that the community has been provided with the opportunity to put its point of view to members of Parliament only in a very rushed way. I can tell you, Mr President - I am sure you know - that many people are very incensed by that process. They are very incensed with the way in which this bill has come before, and been dealt with by, the Parliament, and they want the Parliament to do its job properly with the legislation. That is why I support the motion that has been put to the house.

Referral to a committee will provide an opportunity to ascertain whether there is any real science and logic in the views put forward, because we do not know at this stage. It will give business the opportunity to demonstrate to a committee, and hence the public at large, what the real advantages of daylight saving are, and it will give other parties the opportunity to put their views to the public and discredit those claims, if they are to be discredited. It will provide an opportunity to collect all that data and provide a proper research process, which will give us some facts, figures and information that we can truly rely on.

Sitting suspended from 1.00 to 2.00 pm

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Hon BARRY HOUSE: At times like this I rather wish we had a system similar to that in the New Zealand Parliament, in which a system of committees examine legislation before it is dealt with in the Parliament. All but the most urgent legislation goes to a series of standing committees for about two months for some proper analysis, so that the community has a real opportunity to put forward a point of view and some proper research can be done into the bills before the Parliament.

Hon Sally Talbot: New Zealand has only one house of Parliament.

Hon BARRY HOUSE: That is right, New Zealand has only one house, but there is no reason this house of Parliament could not do that. I do not want to labour that point, because the President will pull me up for being irrelevant. A committee would provide an opportunity to examine the logic behind a daylight saving trial - I am even using the wrong terms now.

Hon Paul Llewellyn: You have received too many e-mails.

Hon BARRY HOUSE: Yes, I have received so many of them it is marked indelibly in my brain. I will try to get through this quickly.

The committee would provide the opportunity for proper consideration and a scientific look at the issues that have been raised about the daylight saving trial. Would business be better off if it were better aligned to the eastern states, thus removing its alignment with Asia? I do not know, but that is a very good subject to have a look at. A committee would provide an excellent opportunity to quantify and analyse the real effects on the agricultural sector, the real benefits that might accrue from recreational activities in reducing obesity, and the real effects on energy and water consumption, aged care, schoolchildren and so on. I could see proposals emerging from a committee recommending a more flexible attitude in the work place, to adapt to the different time. It would seem pretty logical to me to do that, in relation to transport, school hours, the working day generally and aged care centres, which I mentioned during my second reading contribution.

The house knows that this process has incensed a lot of people. A lot of people are very angry, although some people are very supportive, of course. It has been a very disjointed, ad hoc approach to legislation. It is not an emergency. In the past emergency legislation has been dealt with in a couple of weeks in this place. In this case, it is not an emergency and people deserve the right to have their point of view heard. It would have been more advisable to conduct a referendum first, or at least introduce a green bill and let it lie on the table so that a committee could have a proper look at it in the lead-up to a trial. Failing that, we could have had a public forum. We have had summits on water and on drugs in the past few years. This could well have been a good topic for that sort of process. We have been denied those opportunities, so the only option at this stage is to refer the bill to the committee. That is why I am happy to support the motion.

HON PAUL LLEWELLYN (South West) [2.05 pm]: I think people have made a case that there may be some good reasons to send this bill to a committee, primarily because this bill is the result of a poorly executed process and a poorly conceived notion. We have talked in this house about two parliamentarians who have lost relevance in their public lives -

The PRESIDENT: Order! I have to remind Hon Paul Llewellyn what the motion we are dealing with is all about. It is about a proposition to discharge a particular order of the day and refer it to the Standing Committee on Legislation. It is not to do with these other supposed political matters that the member is referring to. The member should please address his remarks to the motion before the house.

Hon PAUL LLEWELLYN: I take the point, Mr President. I think almost everything that could be said about daylight saving has been said over the past few hours. I note that no significant or substantive amendments have been proposed other than the one that the Greens have put up. There has been no attempt to deal with any of the substantive issues underpinning the whole notion of daylight saving. Therefore, I think it is not in the best interests of good parliamentary management of business or of clear public process to delay this decision any longer. I think most people are over it by now. We will not support the move to refer the bill to a committee.

HON KEN BASTON (Mining and Pastoral) [2.07 pm]: I will be supporting the motion to refer this bill to a committee. When I was doing my research I was looking at health issues such as cancer etc that could be raised if the bill were referred to a committee. They are important issues and some objective measurement should be made of the impact of daylight saving, particularly if we are to have a three-year trial. I believe the people of Western Australia deserve an outcome at the end of that time and they should know what the issues are. I believe that in the interests of producing good legislation, the Legislation Committee should look at all the issues that have been raised in the house and consider them one by one. It should consider what family issues are raised by daylight saving and what are the causes.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

I mentioned in my second reading contribution the research that is being done at the University of British Columbia on car accidents. If the committee had the opportunity to look at research such as that and at the effects of daylight saving, maybe it could aid outcomes in the future.

I will be brief. Many objective measurements need to be set in place so that if this referendum takes place it will be beneficial for all Western Australians and will not be just a simple yes or no vote. We will then know that what is in place is a means of measuring the effects, so that when we get to the end of the trial period, we can actually put before the people some intelligence on what the outcomes might be. Therefore, I support the referral of the bill to the committee.

HON SIMON O'BRIEN (South Metropolitan) [2.10 pm]: The motion before us is that the bill be discharged and referred to a committee for consideration and report on a date in 2007. I am not supportive of that proposition for a number of reasons. Firstly, the proposition for daylight saving is one that has very much exercised community opinion in recent weeks. To be sure, the bill was introduced into the Legislative Assembly in great haste; however, that house of Parliament passed the bill with, as I understand it, a very significant majority. I do not intend to make any further observations about what happens elsewhere. I mention this only in the context of noting the amount of community interest in this matter.

Earlier today there was a vote on the second reading of the bill. If my memory serves me correctly, the question was carried 21 to 10 - in anyone's terms, a significant vote in favour of the second reading. Many of us, including me, indicated during the second reading debate that we would support the bill at the second reading stage because we were of the view that members of the public wanted to proceed with a trial of daylight saving so that they would be informed, from the point of view of their own experience, about whether they wanted in due course to vote in a referendum to either retain or reject daylight saving as a permanent feature. As I explained to the house then, the very clear impression I had from the community - in my region, at least - was that there was increased support for the daylight saving trial; people wanted the matter to proceed. By definition, the matter will not proceed in the time frame that the authors and proponents of the bill anticipate if the bill is referred to committee. If the introduction of the measures proposed proceeds in accordance with the provisions of the bill, the trial period will commence at 2.00 am on 3 December. Frankly, unless this bill is proceeded with and dealt with by the end of next week, that timetable will simply not be met. That could create a real difficulty in dealing with this legislation, depending upon what stage the bill has reached at that time. A referral to a committee to report by 30 June 2007 would, by definition, preclude the occurrence this summer of the first instalment of daylight saving.

Many people in the community would be concerned if daylight saving did not go ahead in that time frame. Regardless of the arguments that have been put, many people will not be satisfied if this matter is delayed. Those who support a trial of daylight saving will see this motion - probably wrongly - as a device to frustrate their aspirations. Those who oppose even a trial on daylight saving will probably draw no comfort from this motion either. They will simply be left wondering whether they can anticipate at least some summers of daylight saving further down the track. This motion will not provide any comfort to those people at all. A lot of people in the no camp would say, "Have a trial, if you must, from 3 December this year until the end of March, and then have the damn referendum and get it out of the way so that it is not hanging over our heads!" Both the people who support a trial and the people who are opposed to a trial would feel frustrated if we did not deal with this issue now. Those people who do not particularly care whether we have daylight saving or not will also be nonplussed by this move. They will be asking the same rhetorical question that I heard being asked on radio last night when I was travelling home after 10 o'clock; that is: "Why the hell don't they just get on with it?" The progressing of this matter, which affects every Western Australian, will not necessarily be served by delaying - or being seen to be delaying - the parliamentary process and putting it to one side.

I listened with great interest to the comments of Hon Anthony Fels, Hon Ken Baston, Hon Helen Morton and others. Hon Barry House made some pertinent comments. Those comments highlight how little consideration has been given to this legislation by the proponents of the bill. That leads me to ask: do any of the keen proponents of this measure really care about any of the issues that have been raised during the debate so far? We are now debating a motion to refer this bill to a standing committee of the Parliament. During this debate we need to ask again: how much store has been placed on any of the issues that have been raised by the excellent members to whom I have just referred? This debate highlights how little consideration has been given to some very important questions that need to be answered. Those questions are: will one of the consequences of a daylight saving trial be a significant increase in the use of power, particularly in the afternoons? Will it be extended and severe spikes in power use? Will it be power shortages? Will it be blackouts? In the lead-up to the last election, the government had to spend a large sum of money on trying to avoid blackouts. It did that by

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bringing in not only generators from overseas, but also vast quantities of oil - yes, for the benefit of Hon Paul Llewellyn, oil! I know he does not like oil being burnt! The question we must now address is whether an inquiry by the Standing Committee on Legislation will be able to resolve those matters by 30 June of next year or by any other time. Questions have also been raised about the industrial and business impacts of this bill. Proponents of daylight saving are very keen to trumpet its benefits to business. It does not matter whether they deal with businesspeople in different time zones. If they are in favour of daylight saving and it is a convenient argument, they tend to use it. They have trumpeted that there is no case to be answered when considering whether the measure proposed in this bill will be good for business, yet we have also heard that the opposite may well apply; and, as it stands before the Parliament, that question is unresolved. No less an authority than the Leader of the House - a senior minister of the cabinet, who is heavily relied on by the Premier to keep the numbers up as the cabinet around him dwindles - has already told this house that there would be significant adverse impacts on a whole range of businesses. One of the questions we will be asking the Standing Committee on Legislation to decide is whether that would be the case. One of the questions we must consider in any motion to discharge this bill and refer it to that committee is whether the committee is capable of resolving, answering and reporting on issues such as that. That is what the house, right now, must consider. Will a resolution of those matters and others be achieved by referring the bill to the Standing Committee on Legislation? I do not know that they would be. I do not know that the prospects, remote as they might be, of getting answers to those questions outweigh the earlier case that I made - from the point of view of the yeas and noes and those who do not care - for actually seeing this bill progress, warts and all, regardless of whether some like it and some do not. There are a whole lot of unanswered questions. From what I can see, the policy of the bill is to set out a process to answer those questions.

The proponents would have us believe that the question is very simple; that is, should we have daylight saving in Western Australia or not. In pursuit of deciding whether we do or not, they say that we should try it for a few summers, whether we like it or not, and then have a referendum on whether people do like it or not. That is the process that is set out in the bill. It may be deficient in that it does not offer any capacity to weigh all those other questions of which I have mentioned only a couple just now. It is deficient in that the bill is being forced through this place by a government that wants some all-consuming matter of public interest to divert attention from the problems that are besetting it. It is quite happy to have that happen. The government is facilitating it by giving over all its government business time to debating this private member's bill. The government is certainly keen on our progressing this matter along the limited lines that have been set out in the bill. The government is saying we should just do it and just have a daylight saving trial for what is left of this year, because the government could not get its act together earlier in the year to have it start on time. The government is suggesting we do it for the rest of this year, next summer and the summer after that and then have a referendum. The government is pretty keen on doing that because it is not even prepared to countenance the prospect of a perfectly rational amendment to consider whether the length of the trial is sufficient and whether the trial should be conducted for three years or for a shorter time. The length of the trial seems to be set in concrete because the government is inflexible on the matter. The Australian Labor Party has another agenda. It proclaims to not have a party position on this bill and that it is subject to a free vote. What is the ALP's position on the question before the chair that the bill be referred to a standing committee? Has the state Parliamentary Labor Party got a caucused, disciplined position on the question now before the chair? Has it? We bet our life it has. It is established, owned and caucused, and it will be enforced. The Labor Party is very definite about what it wants to happen. On this occasion I agree with the Labor Party, but for different reasons. I am not bound by caucus, because members on this side of the house have a genuine free vote and do not have a party position.

Hon Kim Chance: You all agreed on that in your caucus this morning.

Hon SIMON O'BRIEN: We do not have a caucus. The Labor Party has a caucus.

Hon Ljiljanna Ravlich: You don't have a party because you don't have a leader of the party.

The PRESIDENT: Order members! Once again, those members who say that they want to move matters along are interjecting and, as a result, are causing the debate to take longer.

Hon Norman Moore: Just because Eric says things, you don't have to repeat them.

Hon Ljiljanna Ravlich: Who's Eric?

Hon Norman Moore: Don't you know what his name is?

Hon Ljiljanna Ravlich: Which Eric?

The PRESIDENT: I will give the Minister for Education and Training the call next.

Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

Hon SIMON O'BRIEN: That will really encourage me to wrap up! Knowing that we will receive the -

Hon Graham Giffard: Wisdom is the word you are looking for.

The PRESIDENT: Hon Graham Giffard will get the call after Hon Ljiljana Ravlich.

Hon SIMON O'BRIEN: We have limited time and I can see that members are queuing up to debate this motion. Therefore, I do not intend to keep going. I will simply state my case and move on. I do not believe it is in the interests of either the public or the Parliament of Western Australia for this matter to be referred to a committee. As I said, I do not believe that it will result in the net benefits that some members are rightfully seeking. Nor do I believe we will achieve greater progress than if members have the benefit of the evaluation of the trial that is promoted by the proponents of the bill. That is a try-it-and-see approach without recourse to assessable criteria or any sort of scientific analysis. Will the benefit of such detailed and scientific examination be denied to us if this legislation is not referred to a standing committee? I do not believe it will be. It is still within the capacity of even the standing committee system to inquire into those matters if that is the way we want to do it. There are a number of ways that the issues can be evaluated to examine electricity and water consumption, for example, and the other items of concern that have been raised.

The bad news is that the proponents of the bill, aided by members of the ALP, want to keep it going and make it an election issue in 2009. They are determined to do that because they do not care if we suffer from unpredictable blackouts from the overuse of electricity and afternoon spikes, at least in the first summer, which is just about upon us. I am not saying that we will experience blackouts; I am just saying, as other members have acknowledged, that we do not know what will happen. I do not know whether it has been evaluated. Perhaps there has been an evaluation. Perhaps the government may be able to tell us, although it has not deigned to do so thus far. Maybe the Minister for Energy has had a flash of foresight for once in his existence and asked about the consequences of the overuse of electricity. Perhaps the Minister for Water Resources, if he is still around and has not been shamed into retirement -

Hon Norman Moore: Who is the Minister for Energy?

Hon SIMON O'BRIEN: He keeps a low profile. Hon Fran Logan is the Minister for Energy. That is a contradiction in terms. Has the water minister asked his advisers about the impact of daylight saving on Western Australia? If so, why has the government not presented those findings to us? It might make this motion we are debating redundant. The government is not concerned about resolving this issue; it just seems to want to make it an election issue in 2009.

For those reasons, I cannot find overwhelming merit in the motion before the Chair. I am concerned that this matter be progressed. I regret the intransigence of Labor members. Having had a caucus decision put to them the other Tuesday they are now incapable of responding to an emerging, changing circumstance. They cannot make a decision without dribbling off to their masters from another place next Tuesday to seek permission to consider an amendment to this bill. That is the problem with this whole process. Despite that, it does not add anything to the proposition that we refer the bill to the Standing Committee on Legislation. With regret, I must decline to support the motion moved so enthusiastically by my colleague Hon Anthony Fels. We can do that and still remain friends. None of us will be drummed out of the party.

Several members interjected.

The PRESIDENT: Members, let us keep this friendly.

Hon SIMON O'BRIEN: Mr President, as I indicated, there are other members, such as the Minister for Education and Training, who have indicated they want to speak and you have reserved the call for her. It might be interesting to find out what the impacts might be on the schoolchildren of Western Australia. Has the minister bothered to check out what they might be? Now is a golden time to check because that could weigh heavily on whether the house supports the motion before the Chair. I know that Hon Graham Giffard is also seeking the call. I do not want to use up any more time. I will indicate very quietly that I will be opposing this motion, but not vigorously.

HON ROBYN McSWEENEY (South West) [2.34 pm]: I will not take up much of the time of the house. I have made it very clear that I do not like daylight saving in any way, shape or form. However, I support the referral of the Daylight Saving Bill (No. 2) to a committee because it is a delaying tactic. I feel cheated and my electorate feels cheated.

Hon Graham Giffard: At least someone over there is being honest.

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Hon ROBYN McSWEENEY: I am very honest. I do not see why daylight saving should be foisted upon us from 2 December. If the bill is scrutinised by a committee, it will give everyone in Western Australia a chance to put their view on whether they are for or against it. Country people in particular will be able to explain the very good reasons they do not want daylight saving.

The PRESIDENT: Order! The debate about referring the bill to the Standing Committee on Legislation is not an opportunity for people to say whether they like daylight saving; it is to deal with the detail of the bill, the policy of the bill having been set. As I have said before, there is a degree of overlap when debating these matters, but it is not a matter of arguing again the issues that have been dealt with in the second reading debate, other than to refer to them insofar as they are relevant to the bill being referred to the Legislation Committee.

Hon ROBYN McSWEENEY: Thank you, Mr President. I was just coming to that relevance. One of the relevant issues that could be discussed if this bill is referred to a committee is air travel. Air travel is very important. If this motion to refer the bill to a committee is successful, perhaps all the issues could be fleshed out more.

The introduction of daylight saving will cause chaos. I referred last night to its effect on school children. School children generally adapt to what is put in front of them. However, they cannot adapt to the absence of a bus shelter while waiting for the school bus. That issue could be investigated by the Legislation Committee. School children must sometimes stand in the heat for 10 to 20 minutes while waiting for the school bus because they do not have bus shelters. As members know, the weather can be very hot in the north and the south of the state. These days, children are now much younger when they first go to school than they were during the last daylight saving trial. If this bill is passed, some three-year-old children will be boarding the school bus at six o'clock in the morning.

Hon Norman Moore: That is a very good point.

Hon ROBYN McSWEENEY: It is a very good point. I raised that issue in the house last night.

Many issues will arise from daylight saving being foisted upon us. I do not see why it should be foisted upon my constituents. As I said before, if the bill is referred to a committee, its passage will be delayed until next year when it can be assessed properly. That is what good government is about. Good government is not about telling the community that they must accept something that will have such a huge effect. Being told that something will be done is like having our heads rammed against a brick wall. I would like the subject of daylight saving to drop off the radar altogether. Given that it has not done so yet, I support the referral of this bill to the Standing Committee on Legislation. If this motion for referral is lost, I will not support daylight saving in any way, shape or form for either me or my electorate.

HON BRUCE DONALDSON (Agricultural) [2.38 pm]: I hope I can get my words out clearly. I have not long been to the dentist and had a tooth filled. The dentist gave me a nerve-block injection. If I slur my words, it is not because I have been drinking red wine at lunch time.

Hon Sheila Mills: No more chops for you!

Hon BRUCE DONALDSON: My very friendly dentist told me not to munch on chops. He understood the joke about that. I thought his comment was apt and we had a good laugh about it. When the dentist has a needle in his hand, one listens to what he is saying!

Hon Norman Moore: You always laugh at their jokes.

Hon BRUCE DONALDSON: Yes. The worst part about being in the dentist's chair with our mouth wide open is that at that moment the dentist always wants to talk to us about what is happening in Parliament.

That is by the bye. I should not bring my health problems into this house.

Several members interjected.

The PRESIDENT: The member should direct his comments to the motion.

Hon BRUCE DONALDSON: Members know that if they want to know something, they should talk to a taxidriver. I told a taxidriver that we intended to move a motion to send the bill to a committee of the house to look at the advantages or disadvantages of so-called daylight saving. He was angry with the way it was being done. He said that we had a referendum on retail trading hours and then, 12 to 18 months later, a debate focused on the deregulation of retail trading hours. He asked me the reason for that referendum at the last election. He said that the politicians are foisting daylight saving on the state and we will have to wait three years for a referendum. I said that we were desperately trying to send the bill to a committee so that the average

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community-minded person in retail or any other business would have the opportunity to appear before the committee to put their views.

I am, and have always been, a great proponent of the committee system of this house. It is a privilege to work on these committees; they produce excellent reports. The committees tease out information and present reports that are beneficial when the relevant legislation is debated in this house.

So far not one supporter of daylight saving has indicated to the house what will be the public benefit of this bill to all Western Australians. I challenge Hon Graham Giffard or any other member who supports this bill to explain the benefits of daylight saving. If we were able to establish those benefits in this house, there would be no need to send the bill to a committee; a Committee of the Whole House would do what a standing committee of this house would do. I was close to getting off the track, but I have managed to get back on track, and that is important.

We want to know what benchmarks will be set that will indicate whether daylight saving is beneficial to this state. A committee could take evidence from industry leaders within, for example, the export agricultural and fishing products trade. A committee would have the ability to talk to the leaders in education; the people at the coalface. It would look at the pros and cons of daylight saving for children going to school. The result could lead to an adjustment in school hours in the rural areas. This is the sort of knowledge that a committee could tease out and report on to the house. We would then have a better understanding of what will be the benefits of daylight saving. I am in the dark because nobody can tell me what the benefits will be. A committee will have the ability to gather the information and present a significant report to this house.

What will be the effect of daylight saving on large and small business? Businesspeople will have the ability to appear before the proposed committee to outline whether daylight saving will benefit their businesses. It would be another benchmark. It is important for people to understand that there is a reason that legislation and regulations are promulgated. However, behind that reason is a policy that states that the legislation or regulation will clear up the anomalies that exist in society and will be of benefit to the state. Democracy is very important. There must be a reason that 80-odd bills are passed in this place each year. Members measure that performance among themselves. The average person on the street would not have a clue how many bills are passed in this place every year. Members judge their performance on the amount of legislation that is passed. That is rubbish; it should not be viewed in that way. We are very fortunate that we have a highly regarded committee system that has been able to short cut a lot of debate in this place. The committees consider the issues so that members can refer to their reports during the committee stage. In that way, we fully understand the benefits of the committee system. We must remind ourselves that the benefits are important, and those benefits have not yet been referred to in the debate.

What effect will daylight saving have on energy providers and the peak output of power? Members have referred to blackouts and brownouts. With daylight saving, people will be at home a little earlier in the day and will probably turn their airconditioners on a little earlier. One of the important factors in the consumption of electricity that must be considered is the peak load. Energy providers will know the time of day and the temperature when a peak load occurs. Will daylight saving make any difference to our water consumption? I do not know, and no-one in this place has been able to tell me whether it will. It may not have a significant impact on our water consumption. It may not have a significant impact on our power consumption. It may just shift our consumption load from one end of the day to the other. There has been no objective measurement of these factors. What are we as a Parliament doing?

Another issue is related to melanoma and skin cancer. Will daylight saving put people at more risk of developing skin cancer because they will spend more time in the sun? Will it be more dangerous and detrimental for people? I do not know. No-one has really considered the health impacts of daylight saving. We must also consider the family unit. I may have been a bit satirical about my chops in my contribution to the second reading debate. Some members obviously saw the humour in it. Luckily, I am very thick-skinned and I can ride over these little bumps.

The PRESIDENT: I am sure that Hon Bruce Donaldson is relating his comments to whether the matter should be referred to the Standing Committee on Legislation. I know he is being very careful not to revisit the detail of his contribution to the second reading stage.

Hon BRUCE DONALDSON: My apologies, Mr President. I do not want to stray off the path, because I respect your judgment.

The family is the most important consideration in the issue of daylight saving. Will families have to wait three years to vote in a referendum? If the motion to refer the bill to the standing committee is agreed to by members

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in this place, the referendum could be bypassed because we would then be armed with enough knowledge of the public benefits of daylight saving that we would probably need to have a referendum against daylight saving. The very phrase "daylight saving" is a misnomer.

Hon Simon O'Brien: That is something that the committee would need to look at.

Hon BRUCE DONALDSON: It would need to look at that. I know that the policy has been established. I know that sometimes, Mr President, you are very generous in allowing members to stray a little from the topic because you know that we have good intentions.

The PRESIDENT: I am being very generous at the moment!

Hon Robyn McSweeney: What's he got that I haven't?

Hon Simon O'Brien: Let's not go there!

Hon BRUCE DONALDSON: Okay.

Both the President and I became members of this place at the same time, in 1993. We have built up a very good relationship and are highly respectful of one another. I think that is very important. I always honour what he says. Members of this house sometimes question the President's attitude, but that is something I have never done.

The PRESIDENT: Order, Hon Bruce Donaldson!

Hon BRUCE DONALDSON: However, getting back to the bill, I do not intend to speak at great length. You might think I am about to stray, Mr President, but I am not. I am concerned that there may be a public benefit that has not been identified. That public benefit may be that if people are home from work earlier, if their partners are at home, if the kids are home from school a bit earlier and if there is more daylight, they will have time to improve their numeracy and literacy skills. I say that because 8 000 spam e-mails spelt the word "trial" t-r-a-i-l. I suggest to the Minister for Education and Training that there may be an opportunity for the house at some stage to refer to a committee an inquiry into the literacy and numeracy qualifications of Western Australians.

I support the motion to refer the bill to a committee, as I would love to see some benchmarks on daylight saving. The only forum in which we will ever get those sorts of benchmarks is our excellent committee system. I welcome the motion along those lines, moved by my Agricultural Region colleague Hon Anthony Fels. He is at least trying to establish just what the public benefit is in daylight saving, which has not been established in this house. I wish it had been established so that I could feel more comfortable about the bill.

Question put and a division taken with the following result -

Ayes (11)

Hon Ken Baston	Hon Anthony Fels	Hon Robyn McSweeney	Hon Barbara Scott
Hon Murray Criddle	Hon Nigel Hallett	Hon Norman Moore	Hon Bruce Donaldson (<i>Teller</i>)
Hon Donna Faragher	Hon Barry House	Hon Helen Morton	

Noes (20)

Hon Shelley Archer	Hon Peter Collier	Hon Ray Halligan	Hon Ljiljana Ravlich
Hon Matt Benson-Lidholm	Hon Kate Doust	Hon Paul Llewellyn	Hon Sally Talbot
Hon George Cash	Hon Sue Ellery	Hon Sheila Mills	Hon Ken Travers
Hon Vincent Catania	Hon Adele Farina	Hon Simon O'Brien	Hon Giz Watson
Hon Kim Chance	Hon Graham Giffard	Hon Louise Pratt	Hon Ed Dermer (<i>Teller</i>)

Pair

Hon Margaret Rowe

Hon Jon Ford

Question thus negatived.

Committee

The Deputy Chairman of Committees (Hon Ken Travers) in the chair; Hon Peter Collier in charge of the bill.

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Clause 1: Short title -

Hon PAUL LLEWELLYN: I wish to discuss a contingent motion that I put forward in relation to this bill that aims to deal with providing some sensible feedback to the people of Western Australia, who will make their decision about daylight saving. In this instance, I have been informed that there would be some problems with introducing a clause that related to measuring, in particular, the energy consumption during a daylight saving trial. I am putting this on the record. This entire bill is about not only daylight saving but also a trial of a particular shift in the clocks. In effect, I am calling it a time trial. I am using the analogy of a time trial in its fullest sense. In a time trial, a starting point is set, then a finishing time, and then some reference points along the way. This trial is about shifting our clocks. Once the data and the reference points have been set, the outcomes, impact, efficiency and effectiveness of running the trial are measured.

The Greens (WA) proposed that electricity consumption is used as a reference point to get some indication of what the external consequences of daylight saving will be, albeit for a trial period. We thought that the measurement of electricity made some real sense, because electricity is a consumable household and industrial input that we already measure at a time of day, unlike water, which is measured every three months. If we were measuring water, we could not tell whether the water usage occurred at a particular time of day. However, electricity is already time-of-day metered and we already have a specific and measurable reporting mechanism, through the Coordinator of Energy in Western Australia, which is set out in the Energy Coordination Act 1994. I will briefly read out some of the functions of the Coordinator of Energy as set out in section 4A of the Energy Coordination Act. Section 4A(c) states, in part -

- (c) to advise the Minister on all aspects of energy policy, including -
 - ...
 - (vi) the use of energy policy to assist in achieving other policy objectives of government;
 - (vii) matters relating to the operation of relevant legislation;

Section 4A(d) states, in part -

- for the purposes of paragraphs (a), (b) and (c) -
 - (i) to monitor the operation of the State's energy industry and its participants;

Section 4A continues -

- (e) to promote energy research and development as provided by Schedule 1;
 - ...
 - (g) to produce and publish information and reports on energy-related matters;
 - ...
 - (i) to provide support in the resolution of disputes about energy-related matters.

It seems quite clear that the Coordinator of Energy could play a real role in this state to measure the possible impact of daylight saving. Water inputs would be much more difficult to identify because of the way in which water is monitored, regulated and measured, and volumetric measurements are not sensitive to time of day. In that respect, it would be much less difficult to implement a practical mechanism for giving the people of Western Australia a sense of one consequence; that is, the greenhouse and energy impact and the cost of implementing daylight saving as a trial.

It turned out that it would be technically and procedurally difficult to obtain that end, but I wanted to get some assurance from the Leader of the House before he gets up. I heard it said in some of the discussions in this house that the Minister for Energy and perhaps the Premier of the state gave some undertaking that they would implement a regime to measure and account for the impacts of daylight saving, and I do not mean just in the form of energy. We have talked about other possible measures such as social and community impacts. I am not going to expand on that except to say that the Greens are particularly interested in the possible impact on the electricity sector. Having got those assurances from the Leader of the House that he would make those representations to the Premier -

Hon Kim Chance: To the Minister for Energy.

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Hon PAUL LLEWELLYN: - and achieve some kind of written undertaking that they will investigate these impacts so that we can have an informed debate in Western Australia, in three years' time several parameters will be available to the community to make a decision about this time trial; that is, this daylight saving exercise.

Hon KIM CHANCE: I thank Hon Paul Llewellyn for raising in the way he has the matters which have certainly been touched upon by other honourable members, particularly and strangely in the context of the debate to discharge and refer the bill. This is an important matter. It is something the government has considered. I spoke to the Minister for Energy about this matter yesterday, I think it was, following my discussions behind the chair with Hon Paul Llewellyn. I was assured by the Minister for Energy that not only is such a study to be done, but indeed work has already been done in preparation for that study. It is an important thing to do. One of the key issues raised from time to time in favour of the concept of time shifting in summer, particularly given the northern hemisphere experience of time shifting, is a reduction in energy consumption arising directly from that shift. It would be interesting, and indeed arguably vital, to know with a degree of precision just what the effect in this jurisdiction is from the same time shifting. I believe, although I should not be giving my own opinion here, it is possible time shifting will result in an increased amount of energy being used, contradictory to the northern hemisphere experience. Whether it results in an increase or a decrease, however, it is very important that we know that, and the Minister for Energy is certainly aware of the importance of that knowledge. I can give an undertaking on behalf of the Minister for Energy that in monitoring the trial, the office of the Minister for Energy will be thoroughly aware of the need to carefully monitor the effects of daylight saving on energy consumption. Hon Paul Llewellyn did not canvass with me in that discussion the question of a written undertaking. For me, that arose for the first time today. I undertake to put that request directly to the Minister for Energy so that he can consider providing details in writing of what is proposed to the honourable member, or indeed to the house if that is the desire of the house.

Hon NORMAN MOORE: I have just discovered a very cosy little deal! We have just had a two or three-hour debate on whether this bill should be referred to a committee so that we can find out the answers to important questions, such as whether daylight saving will have an adverse effect on energy consumption or water consumption. Those issues were raised quite legitimately and properly by members who are opposed to daylight saving and want some assurances. Those members were given no response whatsoever from the government. However, one member, who happens to be from a particular party, has just asked the Leader of the House for an assurance that certain things will happen! The Leader of the House cannot guarantee that that assurance will be in writing, however -

Hon Kim Chance: I was not asked for that until just then.

Hon NORMAN MOORE: We have just witnessed the extraordinary scenario in which one member, who happens to be contemplating his position on this bill, has accepted an assurance from the Premier that he will abolish obesity between now and the end of this daylight saving trial! I am being facetious, but one member has obtained an assurance from the Premier that he will consider all the issues that are of concern to that member. The government claims that this is not a government bill, and that its members will be given a free vote. Therefore, it concerns me that the government has provided assurances to members in order to get this bill through the Parliament. It concerns me also the Deputy Premier has accused me of deliberately trying to delay this bill. It is extraordinary that the government is going out of its way to get this bill through, when it is not even supposed to be a government bill. I have a simple explanation: ladies and gentlemen, this bill is now an ALP bill! For all intents and purposes, this bill is now a government bill! This government is doing whatever it can, including the assurance that the Leader of the House has just given to the Greens, to ensure that this bill will go through without equivocation or amendment. This bill is supported the government, and it is being promoted by the Premier. A few days ago the Premier appeared on television and urged his colleagues to vote for this bill. This little deal that we have just heard about demonstrates without equivocation that this bill is now an ALP bill, and the government wants to get it passed come hell or high water.

Hon KIM CHANCE: On a matter of personal explanation, I have done no deals with anyone on this matter. One member of this house, Hon Paul Llewellyn, came to me a few days ago and asked me a serious question. I put that question to the appropriate minister, and I received the answer that I had expected I would receive. It is absolutely outrageous that the Leader of the Opposition has made these allegations. We have just witnessed the spectacle of a three-hour filibuster on a procedural motion in which members raised certain issues and spoke about the reasons that this bill should be referred to a committee. Notwithstanding how important members might have believed those issues were when they raised them in the context of that debate, not one member other than Hon Paul Llewellyn put to me the proposition that the government should test other matters during the trial.

Hon Norman Moore: What is this place for, leader?

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Hon KIM CHANCE: It was a stunt. If the Leader of the Opposition had been serious about this matter, he would have raised it with me, or the relevant minister, as Hon Paul Llewellyn has done.

Hon Norman Moore: What do you think this chamber is for, leader?

Hon KIM CHANCE: The Leader of the Opposition has accused Hon Paul Llewellyn and me of structuring this debate so as to influence the outcome by doing deals outside the house -

Several members interjected.

The DEPUTY CHAIRMAN (Hon Ken Travers): Order! The Leader of the House has the call. I also remind members of standing order 97.

Hon KIM CHANCE: That accusation by the Leader of the House is not only patently absurd, but also demonstrates a complete misunderstanding of the operations of this house and the rules that govern the operations of this house.

Hon HELEN MORTON: I am a little concerned about this, because the motion that Hon Paul Llewellyn gave notice of included proposed clauses that I also had talked to him about. We were together when this motion was prepared, and I understood that he would assist in pursuing the amendment to clause 5 concerning demographic areas. I ask the Leader of the House whether, as a result of any discussions or negotiations that he has been involved in, there has been any suggestion or agreement that such an amendment be included. I would also like him to clarify points of the discussion between Hon Adele Farina and Hon Ken Travers, and outline the specifics of any agreements made with the Premier about what form of baseline data will be collected and reported on to enable us to examine the impact of daylight saving across Western Australia. It would be fantastic to have that information in writing.

Hon BARBARA SCOTT: I found the comments made by the Leader of the House to be rather curious. I ask him to whom members should direct questions. Who is the appropriate minister? Yesterday afternoon I met accidentally with Mr D'Orazio, who introduced this bill to the Legislative Assembly. I asked him specifically whether the government would consider carrying out detailed monitoring of the daylight saving trial. He replied that the bill would go through anyhow. I do not know whom we ought to have asked. I raised this matter in my speech in the second reading debate.

Hon Ljiljana Ravlich: Mr D'Orazio is not a member of the government.

Hon BARBARA SCOTT: I beg the member's pardon?

Hon Kim Chance: He is no longer a member of the government.

Hon BARBARA SCOTT: Does the Leader of the House think I do not understand that?

Several members interjected.

Hon BARBARA SCOTT: I said that he was the originator of the bill. The Leader of the House has said that if members have reason to ask for something to be done, they should ask the appropriate minister.

Hon Kim Chance: I was speaking for the government on that occasion, not as a "no" voter on this bill.

Hon BARBARA SCOTT: The Leader of the House may well have been speaking for the government. However, he has treated the members of this chamber with absolute disdain by saying -

Hon Graham Giffard: Oh, rubbish!

The DEPUTY CHAIRMAN: Order, members!

Hon BARBARA SCOTT: He has intimated that none of the members has concerns about conducting some level of sensible monitoring of a pilot program. This is what is done in all educational circles. If a new system or method is introduced, it is evaluated, monitored and analysed. I raised this matter in my contribution to the second reading debate.

Hon NORMAN MOORE: I am perturbed by the comments made by the Leader of the House. The Leader of the House labelled a legitimate debate a waste of time or a filibuster.

Hon Kim Chance: A three-hour filibuster.

Hon Simon O'Brien: Where did three hours come from?

Hon NORMAN MOORE: He is entitled to argue that and describe it in those terms if he so wishes; I do not agree, but we will put that to one side. There was a debate about whether this matter should go to a committee.

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Members raised a number of very significant issues, including the issue that Hon Paul Llewellyn has raised with the Leader of the House about the effect of this legislation on electricity supply. People raised other issues, such as the effect of daylight saving on schoolchildren and the water supply. A range of issues were raised. There was no response from the government. Having made an arrangement with Hon Paul Llewellyn behind the chair, the Leader of the House told the chamber that that is the way he makes arrangements in this place. I thought the proper process for having a point of view acknowledged by the government was to raise the matter in the chamber; to stand and ask the Leader of the House if he can tell us what is going to happen. Nobody did that. If the only way that members can have their points of view understood by and do business with the Leader of the House or the minister in charge of a bill is to go behind the chair, because the Leader of the House will ignore members speaking in the chamber if he considers them to be filibustering, we are wasting our time. I raised the issue in all seriousness. The Leader of the House might think that the proposition was a filibuster, but I do not think it was because many issues were raised that needed to be considered by somebody. It would have been helpful in the context of that debate if the government had given us some advice on some of the issues on which it has information that we do not have. The Leader of the House does not know what the outcome will be for electricity; all he said was that the Minister for Energy thought that it might be this, that or something else - who knows? It would have been good to have had an answer to that question before the last debate was concluded. It would also have been good to have answers to the questions of water supply and how daylight saving would affect kids, if there are answers. It would also have been helpful, if there are no answers, for the Leader of the House to have told us that the government did not have any answers. I acknowledge that this is a private member's bill, but the government cannot sit back in splendid isolation and say that it will watch all this go by. The government could help the outcome of the debate by providing us with information that it may have and that we do not have. That approach could have short-circuited the whole debate a long time ago.

Hon BRUCE DONALDSON: This debate has put another slant on the bill. The Leader of the House has clearly said that this is not a government bill and that the government has nothing to do with it, yet the Leader of the House is directing the traffic. We seem to have forgotten that sitting at the table is an honourable member handling this bill on behalf of Matt Birney. No-one is directing questions to the honourable member handling the bill. Members are all talking to the government and the government is responding as if it were a government piece of legislation. This amazing turn of events has occurred within the past hour or so. I will direct my questions on the short title to Hon Peter Collier.

The DEPUTY CHAIRMAN: That will assist the committee, I am sure.

Hon BRUCE DONALDSON: It will, because I will disregard what is said on the other side of the chamber. Government members can have their say in the same way that I can have my say. I want Hon Peter Collier to consider a change to the title of this bill. Clause 1 reads -

This is the Daylight Saving Act (No.2) 2006.

The title is a misnomer; there is no daylight saving at all - that is rubbish. Unfortunately, many people in the wider community think that they will get an extra hour of daylight. Further on the bill provides for standard time adjustment. I believe that if this bill were correctly titled, it would have more meaning for me and, I believe, many people in the community. I would like to think that maybe the proponents of this bill could consider changing the title to the "Western Australian Time Adjustment Act", because that is really what it is about. Clauses in the bill refer to the adjustment of standard time. A different title would make the position clearer, because what we are doing is changing the clock, and that is all. There is no saving of daylight. I would like Hon Peter Collier, who is handling the bill, to consider that. Maybe he could get back to the proponents of this bill and ask them to consider a more suitable title, because I believe it is not correct to refer to "daylight saving". I believe it is almost grammatically incorrect. I would like Hon Peter Collier to consider that and maybe go back to the proponents of the legislation. If he cannot give an answer now, it may be appropriate for the Deputy Chairman to leave the chair until the ringing of the bells while the honourable member has five minutes or so to confer with the proponents of the bill.

Hon PETER COLLIER: I am not responsible for the title of the bill. I am handling the bill on behalf of the member for Kalgoorlie. Daylight saving is a publicly accepted and understood term, and it is an appropriate term for the title. I appreciate that there is some ambiguity about whether daylight will be saved. However, that is a case of apples and pears. Essentially, it is a publicly accepted and understood term. It is a traditional term that is used in the eastern states and across the nation. To use a separate term would be confusing, and the title of the bill has no impact on the bill. Therefore, I am comfortable with the title of the bill.

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Hon NORMAN MOORE: The title of the bill is the Daylight Saving Bill (No. 2) 2006. The reason it is the second bill is that the first bill, which was introduced by Mr D'Orazio into the Legislative Assembly, was not proceeded with. Therefore, this is the second bill, and it was introduced by Mr Birney. Some people in the community want to create the impression that because Mr Birney introduced the bill, it is a Liberal Party bill. I will put paid to that assertion right now. The original proposal to introduce this legislation at this time was presented by Mr Quigley, the member for Mindarie. He told Mr D'Orazio, who is no longer a member of the Labor Party, to introduce the Daylight Saving Bill 2006. As a result, discussions were held between the proponents of the first daylight saving bill and the second daylight saving bill. If the truth be known, this bill is Mr Quigley's bill.

Hon Kim Chance: I knew it was his fault!

Hon NORMAN MOORE: If members ask him, he will tell them that that is the case because he wants the whole world to know that this is his bill.

Hon Peter Collier: Should we call it the Quigley bill?

Hon NORMAN MOORE: It should be called the Quigley daylight saving bill. It is important that people know why this is the second daylight saving bill. The original bill was the Labor Party's bill.

Hon MURRAY CRIDDLE: I asked a series of questions during the second reading debate and during the debate on the motion to refer the bill to a committee. I asked to be provided with information on the effect daylight saving will have on power, water, electricity, schoolchildren, airconditioning on buses, business transactions and the impact it will have on country people. I realise that we cannot do anything about that because an inquiry would cost money and members of this house cannot legislate for the appropriation of moneys. Therefore, we are snookered. Members should have been provided with that information before this bill was introduced. Whoever is in charge in three years when the referendum is held should provide that information before the referendum is held otherwise we will go through the whole process again, and three referendums have already been held.

Hon HELEN MORTON: I am still seeking a response from the Leader of the House about the issues that I raised earlier. I would like to know the content of the assurances that were given by the Premier to Hon Ken Travers, as reported by Hon Adele Farina during the debate today. As I understand it, an agreement was reached about certain parameters of measurement or impact statements that would be undertaken. Without being suggestive, I understood from what was said that the member was prepared to support the bill on the basis of that assurance being given. I want to know what the assurances are and what agreements have been given.

Hon KIM CHANCE: I am sorry, but I cannot answer that question because I was not involved in those discussions with the Premier. My discussions were entirely with the Minister for Energy. As I said, I raised those matters with the Minister for Energy because they had been raised with me by Hon Paul Llewellyn. Perhaps that can be answered later in the day. The house is having some difficulty dealing with this issue. It is a private member's bill, not a government bill. The Minister for Energy, for example, does not sit in this house, so I need people to inform me about any issue on which they want me to seek the advice of the Minister for Energy. Clearly, other members have made arrangements to access the advice of the Premier. They did not do that through me, so I cannot inform members any more.

Hon GEORGE CASH: I am interested that nobody seems to want to claim ownership of the bill. Everyone is telling the committee that it is someone else's bill.

Hon Kim Chance: Success has many fathers, while failure is an orphan.

Hon GEORGE CASH: That is so. The reason that no-one wants to claim ownership at the moment is that no-one is sure whether it will be successful. There will be plenty of people coming forward in due course if it goes through. I direct my question to the Leader of the House because technically he is the only one who can answer it in this house: who is the minister who will be given responsibility for this bill should it become an act of the Parliament? The Leader of the House understands that every act is required to be under the stewardship of a minister. Who is the minister who will be gazetted as the minister responsible for this bill?

Hon PETER COLLIER: I can respond to that.

Hon George Cash: I didn't realise you could. Now everyone has answers!

Hon PETER COLLIER: The Premier will be responsible for the bill. During the second reading debate a number of members raised the issue of impact statements on health issues, students, environmental

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considerations etc. There was a range of different issues which members isolated and on which they raised some very valid points. What impact will daylight saving have on particular aspects of society: electricity consumption, water usage, health considerations, young children etc? Hon Ken Travers raised this subject and explained that he had spoken to the Premier on it. He indicated that the Premier was extremely receptive and supportive, and would look at impact statements in these areas. I am taking the Premier at his word in that instance.

Several members interjected.

Hon PETER COLLIER: I can go only by what Hon Ken Travers told me. I do not speak to the Premier. Hon Ken Travers has given me that assurance and that is the word of the Premier; it is now on the public record.

Hon BARBARA SCOTT: That is really interesting news. In my speech during the second reading debate I raised specifically the question of impact statements on families and children. I reminded the chamber that during the debate on the children's commissioner, I moved an amendment seeking to ensure that when we deal with legislation in this chamber, the government see to it that an impact statement on how the legislation impacts on children is prepared. The government categorically scuttled that suggestion and said, "We do not intend doing that; it is too costly; we won't do it; we won't consider it." Now, with this legislation, which will impact on families and children, the chamber is informed that it may be possible. We want to know whether this legislation will impact on families and children - even positively. We want to know, and to be able to measure, those impacts so that we do not catch the roundabout of one referendum after another. If we have properly measured, quantitative outcomes, the next time it arises we will not need to have a referendum; hopefully we will have a government that can make a decision because it has raw scientific data on the amount of oil and electricity that is used, the impact on families and children, obesity levels and physical exercise - all the issues that I raised in my speech during the second reading debate, that I now find that we do have a response to, because it seems that there will be an impact statement on these matters. I wonder how that sits with the government that said, "We do not believe in impact statements on legislation that may affect children."

Hon KEN TRAVERS: I want to comment on some issues that have been raised. As to whose bill this is, I thought Hon George Cash would understand the processes of this place. We do not allude to debates in the other place. When the bill was received from the other place, the member who took responsibility for moving that the bill be read a first time was Hon Peter Collier. For the purposes of the Legislative Council, this bill is Hon Peter Collier's bill. It is not a government bill; it is a private member's bill. Hon Peter Collier moved that the bill be read a first time. Outside this place in the broader community there may be members of Parliament who want to claim credit for it, whether it be John Quigley, Matt Birney or John D'Orazio. They can do that outside this place. The bill we are debating in the chamber is the bill moved by Hon Peter Collier.

Hon George Cash: Why then are you the government spokesman telling us what the Premier has or hasn't agreed to?

Hon KEN TRAVERS: This is the point I was getting to. It is not a government bill. As a member of Parliament, I asked the Premier what we would do if this bill was passed and we trialled daylight saving. It is not a government bill. We would not deal with it in the normal way by going to the minister who has carriage of the bill. I spoke to the Premier about what would happen if there was a trial and a referendum at the end of that trial. I have been looking for the public good in this debate. I asked how we arrive at the public good. I said it would be useful to undertake some studies in those areas that I identified from the e-mails that I received in which people said there would be a positive or negative impact on the broader community as a result of the trial. I put that to the Premier and he was receptive to that.

I am pleased that Hon Peter Collier was listening to my speech because I thought he gave a very accurate recount of what I said. I think he probably said it better than I did. I make it clear to members that I did not do a deal with the Premier. That is not something the Premier would be prepared to entertain and it was not something that I was looking for from the Premier. I said that, regardless of whether I support the bill, if the bill is enacted and the trial gets under way, it would be good for the government to do certain things.

Several members interjected.

THE DEPUTY CHAIRMAN (Hon Graham Giffard): Order! If members want to have conversations on the side, they might want to leave the chamber to have them. Hon Ken Travers has the call and he is struggling to be heard because of these other conversations that are going on.

Hon KEN TRAVERS: When a private member's bill comes into this place, if the two houses of Parliament want to see that bill enacted, it is a great thing to hear the government indicate that it is prepared to respond to

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the will of the houses and deal with the issues that flow from their decisions. That is what the Premier has been saying. He is prepared to entertain suggestions.

Hon Barbara Scott raised certain issues about how daylight saving will impact on children. It would be great if we determine the public good after we have had a trial. Hon Adele Farina has a strong view about airconditioning in school buses. People can try to play politics in this place. I will give Hon Murray Criddle some credit. The only party in this Parliament that has been consistent on this issue -

Hon George Cash: Is the Clerks' party!

Hon KEN TRAVERS: We never know exactly what their position is; we get told when we need to know. The only party that has been consistent on this issue is the National Party.

Hon Bruce Donaldson: That is not quite correct. It did a 180-degree turn.

Hon KEN TRAVERS: The party whose members have held a consistent view on this matter is the National Party. Some members opposite are for it and some are against it, and some members on this side are for it and some are against it. I will not try to understand the Greens' position, so I will leave that party out at this stage.

Members must understand that this is a private member's bill. The government is not dealing with it in the way it deals with its own legislation. That is why I suggested to the Premier that if this bill is passed, it would be a good idea for the government to consider conducting a range of studies into those consequences of the legislation that would be very advantageous and those that would be very disadvantageous so that, when a referendum is held, people would be better informed about its effects. As I said to the chamber the other night, I agreed to support the bill because it is the mechanism by which the people, not the 34 members of this chamber, will have the final say.

Hon Barbara Scott: Does that mean we should put all decisions to a referendum?

Hon KEN TRAVERS: This matter has been dealt with by referendum on three previous occasions, so it has become a tradition. Do we do that again? The answer is yes, let the people decide.

Hon BRUCE DONALDSON: The comments of the member handling the bill in this place about the standard time adjustment did not reflect any commonsense to me. Clause 3, "Terms used in this Act", states in part -

"standard time" means the time declared by the *Standard Time Act 2005* to be standard time throughout the State;

Clause 4 reads in part -

Despite the *Standard Time Act 2005*,

This bill is tinkering with the Standard Time Act 2005. A more suitable title would be the standard time adjustment bill. This bill, in fact, seeks to adjust the Western Australian Standard Time Act 2005. The explanation for the present title was that it would avoid confusion with the eastern states. In all seriousness, I heard a joke a while back, which I will repeat and hope that it does not offend anyone. Someone said that in no way could Jesus Christ ever have been born in Western Australia because where would we find three wise men from the east? "Daylight saving" is a misnomer. Quite frankly, I do not give a continental what people in the eastern states think about it. My mouth had trouble getting around those words.

Hon Robyn McSweeney: It came out as "continental".

Hon BRUCE DONALDSON: It did. I ask Hon Peter Collier to consider changing the title of the bill to more accurately reflect what this bill will do. It will change the standard time; it will not save daylight hours. It will not confuse anyone. I believe that it will make more sense to the people of Western Australia. The term "daylight saving" implies an absolute fallacy. The honourable member cannot make that final decision because he will need to consult with whoever has overall carriage of the bill. Did we ever sort out who owns responsibility for the bill?

Hon Nigel Hallett: Who wants to bet for it?

Hon BRUCE DONALDSON: Yes. If we ask all the people who have had something to do with this bill to meet outside the main entrance at quarter past four, we will see who turns up. We could arrange for the media to attend with their cameras so that we could record who has carriage of the legislation. The honourable member who has responsibility for the bill in this chamber can ask the proponents whether they will agree to change the title of the bill. It will not make any difference whatsoever to the bill, but it certainly reflects on what this

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Parliament is doing. If there are no further speakers to this clause, I am prepared to move to postpone consideration of clause 1 until after consideration of clause 9.

The DEPUTY CHAIRMAN: Is the member moving that way?

Hon BRUCE DONALDSON: If the member at the table cannot give me an assurance, I will proceed down that path.

Hon GEORGE CASH: Firstly, I thank Hon Ken Travers for explaining to me in the terms that he did the parliamentary procedure that surrounds this bill. One thing I have learnt in the time I have been in this Parliament, which is now more than 22 years, is that I learn something every day and I have learnt something today from Hon Ken Travers.

Several members interjected.

Hon GEORGE CASH: I am very aware that the person handling this bill is a private member and it is Hon Peter Collier. My question was: once the bill becomes an act - that is, assented to by the Governor and proclaimed - which minister will be assigned responsibility for it? We were told that it is the Premier, and I accept that. One of the difficulties is that Hon Peter Collier, not being a minister at the table, is not able to bind the government in the comments that he makes. In that regard he is somewhat limited in the responses he can make. He knows that as well as anybody else and would not try to exceed the authority that he has as the person handling this bill.

I detected from the comments he made that Hon Ken Travers had some special knowledge, through his discussions with the Premier, that might assist us in what the Premier is prepared to offer in respect of investigations and other matters prior to the referendum in either two or three years. That is why I wanted Hon Ken Travers to tell us what special information or advice he had been given. Again, I thank Hon Ken Travers for letting me know who is handling the bill.

Hon Ken Travers: It was not only for your benefit. A number of members looked confused.

Hon GEORGE CASH: We might have looked confused, but we were not.

Hon PETER COLLIER: I will respond to the comments made by Hon Bruce Donaldson, although I have covered this area. With all due respect, I disagree with Hon Bruce Donaldson. A vast majority of Western Australians would be much more comfortable with the title "daylight saving act" as opposed to "standard time adjustment act". We must ask whether we are having standard time adjustment or daylight saving. With all due respect to the honourable member, a vast majority of people in this state would say that we are having daylight saving. The title is publicly and nationally understood. I have rarely heard the term "standard time adjustment" in the same sentence as daylight saving. Perhaps I move in different circles from that of the member.

The "Daylight Saving Act" is a well accepted title in Western Australia. If members were to ask most Western Australians what was meant by daylight saving they would be able to tell them. That is the reason that I am quite comfortable with the title of this bill.

Hon BRUCE DONALDSON: In response to Hon Peter Collier, if he is worried about the word "adjustment" the title could be the "standard time amendment act" and that could be easily demonstrated. It is not confusing. Currently, the standard time throughout Western Australia is declared by the Standard Time Act 2005. It is very recent legislation that will be amended by this bill. The bill refers to the Standard Time Act and provides that standard time will be adjusted. It would be legislatively correct to handle it in this way.

As I have said, I am prepared to move that consideration of clause 1, the short title, be deferred until after consideration of clause 9 so that the member handling the bill can seek advice from the proponents of the bill, just as a parliamentary secretary would seek advice from the minister on a government bill. It is now 10 minutes to four. At a quarter past four, the member will be able to confer with the proponents of the bill. It would be better to meet them at the main entrance of Parliament House and have a discussion between quarter past four and half past four, so that when we return to the debate on clause 1, the member can say whether they are prepared to accept my suggestion. Who knows? Hon Peter Collier might be surprised; they might agree to call it the standard time amendment bill 2006.

Hon SIMON O'BRIEN: Mr Deputy Chairman, I thought you might have been about to draw the committee's attention to the fact that because the question before us is that clause 1 be agreed to, and clause 1 is typically the short title, observers of debate sometimes think that the debate is about the title of the bill. I put it to members that that is not the case. The debate on clause 1, or the short title, is, in effect, a debate that canvasses the alterations that members may wish to make to the various clauses of the bill throughout the committee stage.

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The title of the bill is considered last of all, when you, Mr Deputy Chairman, put the question that this shall be the title of the bill. At that time we will consider the long title, and it is the long title that is intended to reflect the content of the bill. It is not just about what people reckon should be in the bill or what they reckon the title should be; it is meant to reflect the intent. Unless someone has a genuine amendment to make to the one line in clause 1, I do not think we are doing a helluva lot by debating the question before the chair. We can do that if people are so inclined; however, we should not be debating matters that do not relate to the clause.

The DEPUTY CHAIRMAN (Hon Graham Giffard): Hon Simon O'Brien is right. If members have an amendment to clause 1, they should move it. However, I do not have an amendment before me at the moment. Generally, members' comments have related to the bill, which is consistent with debate on the short title. I have not interrupted members' comments on the basis that they were straying into other matters. They have pretty much observed the conventions of the chamber during debate on clause 1.

Hon SIMON O'BRIEN: I want to clarify that I am not criticising members for making the debate too broad. My concern is that the debate might be seen as too narrow. Members can move an amendment to the short title if they genuinely want to do that. Hon Bruce Donaldson is quite correct in saying that that is done after consideration of the title of the bill at the end of the committee stage. Hon Bruce Donaldson is 100 per cent correct in inferring that. What concerns me is that people, particularly people outside this place, believe that the clause 1 debate is a debate about the name of the bill. It is not. It is about whether we proceed at all throughout the committee stage with the bill. I know that it appears to be a technicality to people who are not immediately involved in the process, but I do not want observers of this debate saying that this is a lengthy debate about what the bill will be called, as that is not what it is about.

Hon HELEN MORTON: Mr Deputy Chair, can you provide me with advice about the status of the amendment on Hon Paul Llewellyn's notice of motion? I do not understand what Hon Simon O'Brien said about this being the time when any proposed amendment to the bill should be mentioned. I do not understand whether Hon Paul Llewellyn's notice of motion should be debated now, whether it should be left until after debate on clause 5, or whether it does not apply any more.

The DEPUTY CHAIRMAN: The notice of motion by Hon Paul Llewellyn today cannot be given effect to under standing orders until the next sitting day. We have agreed to the second reading and are now in committee. I am advised that the motion on notice by Hon Paul Llewellyn cannot proceed at all.

Hon ANTHONY FELS: Hon Helen Morton raised an interesting issue. I do not know whether the issue will be addressed by an amendment to the bill or what the purpose was of Hon Paul Llewellyn's notice of motion this morning. However, I would like the amendments in the notice of motion to be moved if the issue is to be discussed at the third reading stage. I ask Hon Peter Collier what effect this bill is likely to have on other Western Australian acts. It should be simply a matter of winding the clocks forward one hour. If that is the case, it should be pretty easy to deal with the bill, other than the time of the referendum and whether it will be a three, two or one-year trial. Will this bill have any effect on any other act or procedure in government departments and the public service - for example, the Department of Education and Training and the Department of Health - other than the effect of shifting the clocks forward one hour?

Hon PETER COLLIER: I cannot give a comprehensive response to that question. Clause 9 refers to changes to regulations under the Retail Trading Hours Act, the Industrial Relations Act, the Liquor Licensing Act and the School Education Act. There is therefore provision in the bill to deal with those issues. However, I cannot give the member a response on specific areas.

Hon Anthony Fels: By regulation?

Hon PETER COLLIER: Yes.

Clause put and passed.

Clause 2: Commencement -

Hon ANTHONY FELS: Subclause (1) states -

This Act other than section 6 comes into operation on the day on which this Act receives the Royal Assent.

Section 6, of course, is the critical provision about winding the clocks forward one hour. Clause 6 states that that will be on the last Sunday in October of each year, and the clocks will be wound back on the last Sunday in March of the following year. I wonder why that is not included in subclause (1) or whether it needs to be left

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out. Obviously, the clocks will not be changed on the day on which the act receives royal assent. However, what is the purpose of leaving that out of subclause (1)?

Hon PETER COLLIER: That refers to the ongoing daylight saving. It is not the two and a half years. It is after the referendum.

Hon NORMAN MOORE: People need to understand that this is a bill to change the standard time situation in Western Australia. We will change it, and the only way we can stop it being changed permanently is to have a referendum that says no. Some people did not quite understand that. They thought that this was just about a trial, but it is in fact about a significant change to our law, and that can be stopped only if the referendum stops it.

Clause put and passed.

Clause 3 put and passed.

Clause 4: Trial period of daylight saving -

Hon NORMAN MOORE: I move -

Page 3, lines 11 and 12 - To delete the lines.

The proposal in my amendment to clause 4 is to reduce the number of years of the trial from three to two. I am seeking to delete paragraph (c), so that "the hour of 2 a.m. on 26 October 2008 until the hour of 2 a.m. on 29 March 2009" is deleted. The outcome of that would be, in the event it was agreed to, a trial of daylight saving from December 2006 until 25 March 2007, and from 28 October 2007 until 30 March 2008. I have argued this already to a certain extent, so I will not delay the chamber too much. However, it is a very important proposal from my point of view. In the past, daylight saving legislation has been accompanied by a one-year trial period. The last bill was passed in 1991, and it provided for a trial over the summer period of 1991-92. On 4 April 1992 there was a referendum, and the proposal was defeated. Interestingly, for those who might remember, it was held on the same day as the Ashburton by-election, which made for an interesting day in the Ashburton electorate.

For some reason the proponents of this bill have taken the view that we need a three-year trial instead of a one-year trial, which has been the case in the past. I suspect that their motivation is more to do with people getting used to something and therefore being more likely to support its continuation than there being any great inherent virtue in a three-year trial. I wonder why they did not say 10 years, 25 years or whatever. However, I can only surmise that instead of going down the path that we have gone down in the past of a one-year trial, they believe that they will achieve a better outcome than has been the case in the past if it is a three-year trial. That is all very well for those people who support daylight saving, and for those who see the benefits of daylight saving and will be quite happy for it to go on forever. However, it means that those people who do not support daylight saving and who are adversely affected by it will have to wear it for three years, instead of the traditional one year. That is the reason there needs to be compromise on this. I am prepared to accept two years. I say that only on the basis that the bill has passed through the second reading, and I presume will go through the third reading, and that this legislation will be in place. I am arguing, and I hope that members will take this seriously, that two years is twice as long as we have had in the past, but it will take away some of the pain for those who must otherwise endure the third year and are totally opposed to it. Ironically, if we go to two years, it means that those in support of daylight saving will get an earlier chance to vote in favour of it at a referendum.

I will not re-tread all the arguments about what is wrong with daylight saving for the people I seek to represent, and those who live in country Western Australia. However, as I said earlier today, country people in Western Australia are doing it hard in many parts of the state; much harder than any of us can even imagine. Consider the extraordinary circumstances of a place like Lake Grace, which had floods last summer and a drought during winter, and now has locusts coming out of its ears. On top of that, the people there have been told that their parliamentary representation will be diminished because of the one vote, one value legislation. Now we are saying to them that this Parliament will foist three years of daylight saving upon them. They ask: who is looking after their interests? Who cares about what they think, say or do? They would be quite entitled to be very angry indeed when all those events are put together. It is probably the worst time to foist this upon the farming community.

Some people have sent me some very nasty e-mails in the past couple of days because they think that I am somehow or other trying to get in the way of their longer summer afternoons. One gentleman from Mosman Park, that lovely almost beachside western suburb, was quite aggressive in his e-mails to me and I thought how

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terrible it was that I might be denying this man from Mosman Park the ability to go down to the beach every afternoon for an extra hour, except when the sea breeze has come in, and then he can go down to the river at Freshwater Bay and have a nice little picnic. He is angry at me because I am standing up for the poor guy who lives at Lake Grace, Koorda or Sandstone, who cannot get to the beach unless he drives for 10 hours, cannot go to the local pool because there is not one, and cannot jump into the local dam because it is empty. Now he has an hour of daylight at the end of the day that he does not want or need. I say to the man in Mosman Park that I do not care what he thinks. He has a brilliant lifestyle now. This measure might enhance it marginally, but he should give some serious thought to the circumstances of people living in the bush in Western Australia who collectively create the wealth of this country. The Minister for Education and Training tells us that that wealth has resulted in a 14 per cent growth in the state's economy. It is not being produced in Mosman Park or Cottesloe, or wherever the minister lives. It is being produced in places like Tom Price, where I lived during the 1974 daylight saving trial. They did not need it then, and they do not need it now.

Hon Ljiljanna Ravlich: You don't live there now.

Hon NORMAN MOORE: I know. I lived there in 1974, when the trial before last was held. I am representing their interests as the minister should be. That is not her electorate; I can understand the minister looking after the interests of people who live in Cottesloe, even if they are not in her electorate. I would have thought if the minister lived in Midland Junction, Darlington, Gidgegannup or one of those places, she might have a bit of trouble supporting daylight saving.

Hon Kim Chance: I live in her electorate and she looks after me very well!

Hon Ljiljanna Ravlich: I look after all my constituents very well.

Hon George Cash: Then how come you didn't vote for her last time?

Hon Ljiljanna Ravlich: I think he did.

Hon Kim Chance: I voted for Shane Hill and myself.

Hon Helen Morton: The member for Swan Hills voted against it. She knows what is going on.

Hon NORMAN MOORE: I am trying to make the point as strongly as I can without in any way being emotional about this. We have a scenario in Western Australia right now whereby we are about to impose on those people something that they desperately do not want. It is not just a one-year trial followed by a referendum as we have had in the past, but a three-year trial. I should say two and three-quarter years because this year will not be a full-year trial. That demonstrates again part of the problem with this bill coming in so late.

All I am asking the chamber to consider is that we not make it three years; let us make it this summer and next summer and then have a referendum in the first half of 2008. That would take away one-third of the pain for the people I have been talking about. It may happen that the referendum succeeds and we will have daylight saving forever, so those people will wear it forever, which is a consequence of living in a state where we have democracy and where referendums have effect. Let us not put them through three years of grief when we do not have to. In my view, doubling the trial period is enough.

I am disappointed - I did not realise this when I first put my amendment on the notice paper - that government members are committed to the entire bill or none of the bill. They do not have the capacity to make a personal decision in respect of any amendments. I do not think that is a real free vote; quite frankly, I think that is a Clayton's free vote. The government has decided its members will support a three-year trial period and none of them can contemplate a two-year trial. Two members from the government voted against the second reading of the Daylight Saving Bill (No. 2), but they will vote against my amendment to make it a two-year trial rather than a three-year trial. They have to. I know those members probably want no daylight saving at all - no trial, no nothing. If they had a free vote, they might at least be able to ameliorate the impact by making it two years instead of three, and provide a bit of help.

I asked the Leader of the House today to please go to the Premier and say to him, "Let's adjourn this debate so that caucus can have a second go at giving us a free vote on any amendments and then, if caucus agrees, bring the bill back next week and we can whiz through it and everyone can vote according to their conscience and we will see what comes out the other end." It may be that there would not be the numbers to change three years to two, but there might be. At least it would have created a scenario in this place whereby the end result in respect of how many years this trial will last would be a reflection of the personal views of members of the house and not of some collective that is called the caucus of the Labor Party.

Extract from *Hansard*

[COUNCIL - Thursday, 16 November 2006]

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Hon Anthony Fels; President; Deputy President; Hon Nigel Hallett; Hon Adele Farina; Hon Kate Doust; Hon Peter Collier; Hon Norman Moore; Hon Helen Morton; Hon Murray Criddle; Hon Barry House; Hon Paul Llewellyn; Hon Ken Baston; Hon Simon O'Brien; Hon Robyn McSweeney; Hon Bruce Donaldson; Hon Kim Chance; Deputy Chairman; Hon Barbara Scott; Hon George Cash

I again put it to the Leader of the House: has he considered or would he consider that? I have asked him and I have asked the Premier. I met him in the corridor the other day and asked him to please consider it for the sake of those citizens of Western Australia who will be adversely affected by daylight saving. I asked him to make the trial two years instead of three because that would be an improvement, although it is not what they want. So far, all I have been told is, "Well, we've made a decision in caucus and that's the way it is."

Nothing should be immutable. Nothing should be so set in concrete that no-one can ever change his mind. Perhaps the government has worked out that it will obtain some fantastic political benefit from daylight saving being in place in 2009 when the next election is held. I believe that is what this comes down to. That is why the government will not agree with what I am asking. The government has worked out that it will obtain some political advantage from holding the next election concurrently with daylight saving. I hope that is not the case, but I am convinced it is.

Committee interrupted, pursuant to sessional orders.

[Continued on page 8385.]

Sitting suspended from 4.15 to 4.30 pm