

# Legislative Assembly

Thursday, 27 December 1990

**THE SPEAKER** (Mr Michael Barnett) took the Chair at 3.30 pm, and read prayers.

## PETITION – DUCK SHOOTING

### *Prohibition Legislation Support*

**MRS WATKINS** (Wanneroo) [3.31 pm]: I have a petition to present which reads as follows –

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned petitioners of Western Australia and residents, urge you not to declare a Duck Shooting Season for 1991 and to legislate for the prohibition of any future Duck Shooting in this State because of the cruelty inflicted on our wildlife; the loss of significant water bird breeding habitat; the pollution of the wetlands from lead pellets, cartridges and other rubbish, and community disapproval of recreational shooting of wildlife.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 453 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 216.]

## PETITION – SUPERMARKETS AND FOOD OUTLETS

### *Food Additives Code Chart Display*

**MR KIERATH** (Riverton) [3.33 pm]: I have a petition which reads as follows –

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned hereby petition that the Government require all supermarkets and food outlets to display clearly a chart detailing the coding used in food additives, thereby allowing the consumer to know which chemicals are used in the product. The consumer can then exercise freedom of choice in deciding whether or not to use the product. The chart should also warn of the possible harmful effects of food colourings, especially red E123, and yellow E102, (carmoisine and tartrazine), until it has been proven that these additives are not injurious to health.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 137 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 217.]

## PETITION – SEX SHOPS AND ADULT VIDEO/BOOKSHOPS

### *Proliferation*

**MR MARLBOROUGH** (Peel) [3.35 pm]: I have a petition which reads as follows –

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned petitioners are concerned about the recent proliferation of Sex Shops and 'Adult' Video/Book Shops operating within shopping centres throughout

Western Australia. The ready availability of extremely offensive and degrading, violent and sexually explicit videos and publications in our community is a matter of grave concern to all responsible citizens, particularly the parents of young children and teenagers and those who rightly deplore the exploitation of men, women and children.

Extensive research highlights the destructive and desensitising role of such materials in undermining moral values and encouraging deviant and violent tendencies in our society. Indeed, such materials are a major factor in fuelling the increased incidence of crimes of physical violence and sexual abuse in our community.

Further, the distribution of explicit materials which depict and condone various degrading homosexual and heterosexual activities can only assist the spread of the deadly AIDS virus, Hepatitis 'B' and other sexually transmissible diseases.

Your petitioners therefore request the Parliament to approve amendments to the Local Government District Town Planning Scheme so as to prohibit the operation of sex shops and 'adult' video/book shops within shopping centres.

And your petitioners, as in duty bound, will ever pray.

The petition bears 36 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 218.]

#### PETITION – CHILDREN'S CROSSING

*Hepburn Avenue, Kingsley*

MRS EDWARDES (Kingsley) [3.37 pm]: I have a petition which reads as follows –

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned urge the government to install a children's crossing, manned by a paid traffic warden, on Hepburn Avenue, Kingsley.

The following points are provided when consideration is given to this request –

Hepburn Avenue is an extremely busy thoroughfare that carries an increasing number of cars to and from the Mitchell Freeway.

Hepburn Avenue must be crossed by school children from Kingsley who attend Greenwood Senior High School.

As the northern suburbs continue to expand and develop the traffic situation will become worse, making a controlled crossing absolutely essential for the safety of the many children who must cross Hepburn Avenue.

Immediate and positive action is required by the Government to ensure the safety of our children on their way to and from school.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 14 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 219.]

#### PETITION – MT LESUEUR

*Coalmining or Power Stations—Opposition*

MR P.J. SMITH (Bunbury) [3.39 pm]: I have a petition which reads as follows –

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, request that the Parliament, in recognition of the immense biological diversity and importance of the Mt Lesueur area:

- (1) create a National Park with boundaries as recommended by the Environmental Protection Authority,
- (2) no coal mining or power stations be permitted within the boundaries or adjacent to the Mt Lesueur National Park.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 16 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 220.]

### BILLS (35) – ASSENT

Messages from the Governor received and read notifying assent to the following Bills –

1. Pay-roll Tax Amendment Bill
2. Pay-roll Tax Assessment Amendment Bill
3. WAGH Financial Obligations Bill
4. Debits Tax Bill
5. Debits Tax Assessment Bill
6. Acts Amendment (Betting Tax and Stamp Duty) Bill (No 2)
7. Bookmakers Betting Tax Amendment Bill
8. Road Traffic Amendment Bill (No 3)
9. Community Corrections Legislation Amendment Bill
10. Judges' Salaries and Pensions Amendment Bill
11. Western Australian College of Advanced Education Amendment Bill
12. Family Court Amendment Bill
13. Loan Bill
14. Electoral Amendment Bill
15. Housing Agreement (Commonwealth and State) Bill
16. Mental Health Amendment Bill
17. Employers Indemnity Policies (Premium Rates) Bill
18. Government Railways Amendment Bill (No 2)
19. Occupational Health, Safety and Welfare Amendment Bill
20. Acts Amendment (Contributions to Legal Aid Funding) Bill
21. Government Railways Amendment Bill
22. Pearling Bill
23. Soil and Land Conservation Amendment Bill
24. Builders' Registration Amendment Bill
25. Royal Commissions Amendment Bill
26. R & I Bank Bill
27. Building and Construction Industry Training Levy Bill
28. Building and Construction Industry Training Fund and Levy Collection Bill
29. The Western Australian Turf Club Amendment Bill
30. Appropriation (Consolidated Revenue Fund) Bill

31. Appropriation (General Loan and Capital Works Fund) Bill
32. Child Welfare Amendment Bill
33. Stipendiary Magistrates Amendment Bill (No 2)
34. Financial Administration and Audit Amendment Bill
35. Criminal Law Amendment Bill

*Sitting suspended from 3.43 to 5.23 pm*

## **CORPORATIONS (WESTERN AUSTRALIA) BILL**

### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr D.L. Smith (Minister for Community Services), read a first time.

### *Second Reading*

Leave granted to proceed forthwith to the second reading.

**MR D.L. SMITH** (Mitchell – Minister for Community Services) [5.25 pm]: I move –

That the Bill be now read a second time.

[Leave granted for the following text to be incorporated.]

Members will be aware that at a meeting of corporate affairs Ministers from the Commonwealth, all States and the Northern Territory in June 1990, agreement was reached for the Commonwealth to take responsibility for companies and securities and futures regulation throughout Australia. The Bill before the House is to give legislative effect in Western Australia to this agreement.

The Bill is drafted on the basis of model legislation which is presently, or about to be put, before all State Parliaments in order to implement the new national scheme from 1 January 1991. Before I provide more detail on the proposed operation of the Bill, I will briefly outline to members how regulation of company law has evolved to this stage.

During the 1960s each State in Australia legislated for and administered its own company laws without any significant effort to achieve uniformity, either of the laws themselves or of their administration. With increasing interstate trade and commerce, a number of States recognised the desirability of uniform laws. This led to some States, including Western Australia, entering an interstate agreement which sought to establish greater uniformity of administration of company laws. This agreement was called the Interstate Corporate Affairs Commission Agreement.

In response to recommendations by the Rae Senate Select Committee on securities and exchange, which concluded in 1974 that a national approach was needed for the effective regulation of companies and securities laws, the Commonwealth Government planned to introduce a National Companies and Securities Corporations Bill. The Commonwealth's approach was to establish unilaterally a National Companies and Securities Commission supported by Commonwealth legislation and Commonwealth administration. Further negotiations were held between the Commonwealth and the States with a view to establishing a cooperative scheme for the regulation of the companies and securities markets. On 22 December 1978 a formal agreement was signed by the Commonwealth and all the States which established the existing cooperative scheme. The Northern Territory joined the scheme in 1986. The features of this cooperative scheme are as follows –

- a Ministerial Council with overall responsibility for the law;

- a National Companies and Securities Commission with responsibility for uniform administration of the legislation;

- a commonwealth companies and securities law which applies in the Australian Capital Territory. The substantive provisions of this Commonwealth law are then applied by each of the States as State laws, with the States making such changes only to the Commonwealth law as are required to reflect local legal and administrative requirements; and

each State provides its own administrative department or commission to administer this uniform law, with the National Companies and Securities Commission having responsibility to ensure uniform administration of the scheme legislation.

Laws to implement the cooperative companies and securities scheme in Western Australia were proclaimed to operate from 1 July 1982. The cooperative scheme attracted criticism from business. For example, the Confederation of Australian Industry complained in 1985 to the Commonwealth Government that the scheme undermined ministerial responsibility, retarded legislative reform and resulted in lowest common denominator proposals.

In Parliament Senators Durack, Hill and Messner complained that the scheme required the Commonwealth Parliament to act as a "rubber stamp" in the legislative process. In response the Senate resolved in April 1986 that its Standing Committee on Constitutional and Legal Affairs should review the role of Parliament in relation to the national companies scheme. That committee reported in April 1987.

Although the committee concluded that the cooperative scheme had worked remarkably well, it also found that there were major problems inherent in the scheme. These problems were embodied in three main areas of criticism, namely –

- (1) a lack of ministerial responsibility and accountability to Parliament, there being no single Minister or Government accepting responsibility for any given decision;
- (2) administrative duplication and general inefficiency due to the distribution of functions between the National Companies and Securities Commission and the various State and Territory corporate affairs departments; and
- (3) a tendency for the scheme to produce "lowest common denominator decision-making".

To overcome these perceived weaknesses the committee recommended that the Commonwealth Parliament should enact comprehensive legislation covering the field which is currently regulated by the cooperative scheme. In late 1987 the then Commonwealth Attorney General, Mr Lionel Bowen, announced that he would adopt the Senate committee's recommendations and proceed with unilateral Commonwealth legislation to set up an Australian Securities Commission and enact a Corporations Act to cover the entire area of companies and securities laws. This would be to the exclusion of the States. Mr Bowen sought the support of the States, and Queensland and Victoria agreed to refer their powers to legislate with respect to companies and securities law to the Commonwealth. The Northern Territory and Tasmanian Governments indicated that they were prepared to consider referral of powers, while Western Australia, South Australia and New South Wales indicated that they would challenge the validity of the proposed Commonwealth legislation in the High Court.

In May 1988 Mr Bowen introduced a package of 16 Bills into the House of Representatives to give effect to unilateral Commonwealth legislation. After a period of public exposure the Bills were passed by the House of Representatives on 28 September 1988. When the Bills were introduced into the Senate on 14 October 1988 a Joint Select Committee was formed to inquire into and report on the adequacy of the Bills. That committee presented its report on 13 April 1989 and amendments were made to the Bills as a result. The Bills, as amended by the Senate, were finally passed by the Commonwealth Parliament on 21 May 1989 and later received Royal assent. Parts of the Australian Securities Commission Act and the Corporations Act were proclaimed and commenced operation in June 1989.

In October 1989, Western Australia, together with South Australia, New South Wales and Queensland – the latter withdrew later – lodged a challenge in the High Court to the validity of the Commonwealth's Corporations Act. On 8 February 1990, by a 6:1 majority, the High Court ruled that the Commonwealth Parliament did not have power to legislate for the incorporation of trading or financial corporations. As a result, certain provisions of the Corporations Act 1989 were ruled invalid and, pursuant to an undertaking given to the High Court by the Commonwealth, certain operational provisions of the Corporations Act were not proclaimed by the Commonwealth.

Following the High Court's decision, the States and the Commonwealth sought to negotiate a compromise which would take into account the legitimate legislative powers of the States, but which would also address the criticisms which had been levelled at the existing

cooperative scheme. At the same time there were loud and legitimate calls for strength and certainty in the area of companies and securities regulation.

It was against this background that other States gradually moved closer to the Commonwealth's position. In the end it appeared that Western Australia's efforts to achieve an improved cooperative scheme could not be taken further. After seeking various safeguards which have previously been reported to the Parliament, Western Australia joined the Commonwealth and all other States in the heads of agreement which were finally agreed in June 1990. The heads of agreement document seeks to address the criticisms of the cooperative scheme in the following ways –

1. **Ministerial Responsibility and Legislative Accountability:** The Australian Securities Commission is to be formally accountable and responsible to the Commonwealth Attorney General and to the Commonwealth Parliament. It is not to have any formal responsibility or accountability to State Ministers or to State Parliaments. In the legislative areas of national significance – takeovers, securities, public fund raising and futures – contained in chapters 6 to 9 of the Corporations Act 1989, the Commonwealth will have sole legislative responsibility. The Commonwealth is required to consult with the States on all legislative proposals, but the States are to have no decision-making role in these national matters.

In recognition of the legitimate legislative competence of the States, a Council of Ministers is to be formed which will have a deliberative function with respect to legislative proposals dealing with other company law matters. That Council of Ministers will have weighted voting rights, with the Commonwealth, as permanent chair, having four votes, together with a casting vote. Each State is to have one vote.

2. **Administrative duplication and inefficiency:** The Australian Securities Commission is to be the sole administering authority for companies and securities regulation in Australia. The ASC will report to the Commonwealth Attorney General. The States will have no further responsibility for matters transferred to ASC authority. The Commonwealth will be solely responsible for providing the resources to the Australian Securities Commission. The ASC is to be formally accountable and responsible to the Commonwealth Attorney General and the Commonwealth Parliament and does not have any formal responsibility or accountability to State Ministers or State Parliaments. The ASC is to establish a national companies database and a document imaging capability. Investigations and prosecutions under the new national scheme will be the responsibility of the relevant Commonwealth authorities.
3. **Lowest common denominator decision making:** Unlike the National Companies and Securities Commission, the Australian Securities Commission will not have a legislative policy making role. That will be a matter for the Commonwealth Government, and the Council of Ministers. A companies and securities advisory committee has been established to advise the Commonwealth Government on law reform. A corporations and securities panel will also be established to oversee the adequacy of takeovers law and practice. Both the committee and the panel will be made up of persons with relevant industry experience.

To implement the heads of agreement, the Commonwealth Government has introduced the Corporations Legislation Amendment Bill 1990. That Bill completed its passage through the House of Representatives on 15 November 1990 and is now before the Senate. That Bill will convert the Corporations Act from being legislation intended to apply of its own force throughout Australia to an Act which will be applied by the Commonwealth to the Australian Capital Territory and which is to be applied to each of the States by State Bills.

That is the major purpose of the Bill currently before the House. It is important to note that the Bill does not refer powers from the State of Western Australia to the Commonwealth. Instead, the Bill will operate in much the same way as the existing Companies and Securities Industry (Application of Laws) Act; that is, the new corporations law will be a State law, just as the existing Companies (Western Australia) Code is a State law.

The Commonwealth's Corporations Legislation Amendment Bill will insert at the beginning of the Corporations Act 1989 a series of sections or covering clauses. It will then convert the

current text of the Corporations Act – with other amendments – into a document called the "Corporations Law". The Corporations Law will be capable of being applied to any State or Territory by legislation of the State or Territory. The overall result of the Commonwealth legislation will be that the covering clauses will apply the Corporations Law to the Australian Capital Territory.

The Bill presently before the House contains provisions that generally mirror the effect of the covering clauses of the Commonwealth Bill, but it contains additional provisions. A number of these provisions will have the effect of "federalising" matters arising under State law, so as to provide a common legislative and administrative regime for companies and the securities and futures industries throughout Australia. The administrative uniformity will extend, in particular, to the areas of the investigation and prosecution of offences, the jurisdiction of courts and administrative law.

The following are the main purposes of the various parts of the Bill –

**Part 1 – Definitions:** This part contains various definitions, those of particular importance being as follows –

"applied laws" means the ASC Law of Western Australia and the Corporations Law of Western Australia;

"commission" means the Australian Securities Commission as established by the Australian Securities Act of the Commonwealth;

"Commonwealth administrative law" includes references to Commonwealth administrative laws; namely, the Administrative Appeals Tribunal Act, the Freedom of Information Act, the Commonwealth Ombudsman Act, the Administrative Decisions (Judicial Review) Act and the Privacy Act.

**Part 2 – The Corporations Law, and the Corporations Regulations of Western Australia:** This part will apply the corporations law to Western Australia. It will also apply the provisions of regulations made for the purposes of the law. These regulations will be made by the Commonwealth under the Corporations Act of the Commonwealth, will be known as the Corporations Regulations, and will be applied as if they were regulations made by the Western Australian Parliament.

**Part 3 – Citing the Corporations Law and Corporations Regulations:** Provisions are included to make it clear that references in the applied laws to "this jurisdiction" will mean Western Australia. This part will also ensure that references to the Corporations Law will include references to the Corporations Act of the Commonwealth, and to any law of another State or Territory which corresponds to that Act. The purpose of this part is to ensure that references to the legislation do not need to discriminate between the laws of a particular State or Territory or the Commonwealth.

**Part 4 – Application of the Corporations Law to the Crown:** This part is intended to ensure that the Corporations Law applies to the Crown to the same extent – if any – as the Companies (Western Australia) Code presently binds the Crown.

**Part 5 – Application orders:** This part will allow the scope of application of the Corporations Act of the Commonwealth, as it applies to bodies presently regulated by State legislation, to be extended by order made by the Commonwealth Minister with the agreement of the responsible State Minister.

**Part 6 – Accounting standards:** This part will apply to Western Australia existing accounting standards made by the Accounting Standards Review Board.

**Part 7 – Imposition of fees:** The effect of this part is to impose as State fees and levies those fees and levies which are imposed and collected by the Australian Securities Commission in administering the Corporations Law. A separate Bill to be called the Corporations (Taxing) Bill 1990 will provide for imposition of the taxing component of the fees and levies.

**Part 8 – National administration and enforcement of the Corporations Law:** This part will apply ancillary Commonwealth laws so that these apply to the functions and powers of the Australian Securities Commission. In particular, in the areas of investigation and prosecution of offences, Commonwealth officers will be responsible for these functions. These provisions of Commonwealth criminal laws will be applied – to the exclusion of

relevant State laws – relating to offences, so that for all practical purposes offences against the applied laws will be treated as if they were offences against Commonwealth law.

This part will also confer powers on the Commonwealth Director of Public Prosecutions and the Australian Federal Police in connection with matters arising under the applied laws. These powers will not be exercised by State authorities, except in accordance with arrangements made between the Commonwealth and the State concerned.

This part will also apply the administrative law of the Commonwealth to matters arising under the applied laws. This regime will extend to the Administrative Appeals Tribunal Act, the Administrative Decisions (Judicial Review) Act, the Freedom of Information Act, the Ombudsman Act, the Privacy Act and other Commonwealth legislation, and will apply to the exclusion of relevant State laws.

**Part 9 – Jurisdiction and procedure of courts:** The Bill, together with the covering clauses in the Corporations Act of the Commonwealth, and other State and Territory corresponding Bills, will establish a scheme for the vesting and cross-vesting of both civil and criminal jurisdictions on matters arising under the Corporations Law. The cross-vesting procedures will largely follow procedures already laid down in the Jurisdiction of Courts (Cross-vesting) Acts.

This part will also enable the Federal Court to make uniform rules of court applicable in all State Supreme Courts as well as the Federal Court. These rules will be made in consultation with the State Supreme Courts. That process has already commenced.

**Part 10 – Companies liquidation account:** This part will ensure that the property of defunct companies and other unclaimed moneys of companies which are vested in the Commissioner for Corporate Affairs continue to be dealt with according to existing procedures.

**Part 11 – The ASC Law, and the ASC Regulations, of Western Australia:** This part deals with matters of a savings or transitional nature. The existing cooperative scheme legislation will be disapplied to the extent that it is inconsistent with the applied law. Otherwise, the effect of current State law will, as a general rule, be preserved. References in existing State law to the cooperative scheme legislation will be automatically read as references to the new laws, subject to a mechanism to deal with inappropriate cases by way of regulation. The need for numerous direct amendments of State legislation is therefore avoided.

**Part 12 – General:** It is recognised that, in the course of companies investigations or prosecutions, related matters may arise which can be dealt with only under the applied laws or, on the other hand, under the State laws. This part will enable arrangements to be made for Commonwealth authorities to deal under State laws with such matters which arise incidentally or consequentially from investigations or prosecutions of applied law matters. Division 2 provides that all fines and penalties collected under the applied laws must be paid to the Commonwealth.

**Part 13 – Transitional:** State Corporate Affairs staff members transferring to employment with the ASC will be released from confidentiality provisions which may otherwise have applied in relation to their communicating to the ASC information gained in the course of their employment with the State department. Both the Government and the ASC recognise the desirability of encouraging as many existing State Corporate Affairs Department staff to transfer to the ASC as possible. This will not only be in the interests of a smooth transition and efficient performance by the ASC, but also will reduce the redeployment burden on the State.

Division 1 will implement the Government's agreement with the State public service union to allow State staff who elect to transfer to the ASC the right to retransfer to the State Public Service at any time within two years of transfer. During that period those staff will also be eligible to apply for State Public Service vacancies while employed at the ASC. Transferring staff will be permitted to elect to maintain membership of the State superannuation scheme.

Division 2 will preserve a residual operation for cooperative scheme laws. Otherwise, and in the case of inconsistencies, the applied laws will prevail. Cooperative scheme laws will continue to apply in such cases as dealing with assets of defunct companies which were removed from the register of companies before commencement of the applied laws, administration of the company liquidations account and winding up of bodies other than companies. Provision is also made to modify the residual application of cooperative scheme laws by way of regulation, as the scope of those residual laws will gradually narrow.



Division 3 operates so that the Corporations Act will apply to the same extent as the Companies (Western Australia) Code now applies. Existing exemptions will be preserved.

Part 14 – Consequential Amendments: As existing references to cooperative scheme laws will be read as references to the equivalent applied law, the need for numerous direct amendments of State legislation is avoided. Amendment to the Interpretation Act 1984 is made to provide for a uniform national interpretation of the applied law, according to the Commonwealth Acts Interpretation Act.

Business names legislation will continue to be administered by State authorities, but using the ASC computer system. Clause 100 provides the framework for appropriate administrative arrangements to be made.

In order to ensure there is substantial uniformity of interpretation of the corporations law, an explanatory memorandum has also been prepared and has been distributed.

I have advised this House several times that any compromise which seeks to replace the existing cooperative scheme laws in Western Australia must ensure that the Australian Securities Commission maintains an adequate level of service to the business community in Western Australia of at least the standard currently provided by the Corporate Affairs Department.

The Australian Securities Commission's staffing arrangements for its Western Australian regional office have not yet been finalised. No offers of employment have been made to any Corporate Affairs Department staff; no regional commissioner has yet been appointed for Western Australia; no training of staff has been effected. The best estimate that I have for the new offices for the Australian Securities Commission to be ready to operate is March 1991. Similarly, the Australian Securities Commission's national computer and imaging system is also not likely to be operational in Perth until March 1991.

On the positive side, the Australian Securities Commission's Perth office will be staffed by 190 persons, which compares with approximately 165 Corporate Affairs Department employees in the equivalent functional areas. In the course of negotiations I advised the Commonwealth that the State Government required six Commonwealth Senior Executive Service positions to be allocated to the Australian Securities Commission's Perth regional office. This is regarded as the minimum number required to ensure an acceptable level of decision making authority in this State. The Commonwealth has agreed to provide four SES positions, and to second two additional State officers to the Perth regional office for three to five years. This is to maintain the same level, in terms of both number and years of experience, of senior managers in the initial years of the ASC as is presently in the Corporate Affairs Department. These staff will be held against lower grade Commonwealth positions but will have their pay "topped up" to SES equivalent levels.

However, I cannot say that the conditions currently being offered by the Commonwealth will be equivalent to State conditions, or will be likely to attract from the Corporate Affairs Department all of its existing experienced staff. However, in order to encourage staff to transfer to the Australian Securities Commission, the Commonwealth has offered to maintain their equivalent State salaries for four years in real terms. In addition, the Government has agreed that any staff of the Corporate Affairs Department who transfers to the Australian Securities Commission will have the right to transfer back to the State Public Service within two years.

The ASC has agreed with the Government's request for it to locate its Perth business office, which provides over-the-counter services, and its regional office – housing the legal investigations and financial analyst staff – in the same building instead of in separate buildings. The ASC has also agreed to share its accommodation with the State Business Names Registry. These arrangements are seen to be in the best interests of business in this State, by providing a "one stop" document lodgment, registration and inquiry service.

Performance measures for the ASC's Perth office have not yet been settled. However, in most comparable functions it is expected that the ASC will meet or better the response times for public searches and registration of documents currently achieved by the State Corporate Affairs Department. Unfortunately, the ASC has been unable to indicate what functions or powers will be delegated to the Perth regional commissioner. It says that it is unable to identify these functions or powers until the amendments to the Corporations Act have completed their passage through the Commonwealth Parliament.

It is with regret that I must inform the House that arrangements for the establishment of the ASC's Perth office have not yet been finalised, and I also must acknowledge that I introduce the Bill to this House with some reservations. However, the Government is reasonably satisfied that, considered as a whole, and against the most undesirable alternative of Western Australia's being left out of a uniform national regulatory scheme, and thereby contributing to a weakening of investor confidence in the financial system, this Bill should be supported. Mr Laurie Shervington, the spokesman for the group of business and professional organisations which has opposed the Commonwealth's moves, has indicated that he personally supports the introduction of the Bill for similar reasons.

There have been many public announcements that the ASC will be ready to operate from 1 January 1991. Some States, though not Western Australia, have consciously run down their Corporate Affairs Departments according to this deadline. Others, such as Victoria, already have most of their Corporate Affairs Department staff performing ASC functions. It is clear that the Commonwealth, and New South Wales, Victoria, Queensland, South Australia and Tasmania intend to proclaim their application of laws legislation to take effect on 1 January 1991. Where the ASC does not have its staffing or offices ready, these State Governments indicate they will cooperate with the ASC and allow it to use existing State staff and offices to carry out the ASC functions until it is fully operational on its own account.

Recognising that the Australian Securities Commission will not be ready in Western Australia, either in terms of staffing or accommodation or computer equipment, the Bill should be considered on the basis that the ASC agrees that the whole of the State Corporate Affairs Department staff who perform companies and securities functions, together with necessary support staff, should be seconded to the services of the ASC until staffing of the ASC is finalised.

The secondment arrangement would be brought to an end by a transfer of staff from the Corporate Affairs Department to the ASC and when its new office is occupied. The State would require a minimum period during which the ASC would take all existing staff of the Western Australian Corporate Affairs Department until at least the end of February 1991. That period could then be extended by agreement until the ASC is ready to operate. Such a secondment would be on the basis that the existing senior staff of the Corporate Affairs Department are also all seconded to the ASC. That commission should not be able to replace State senior management personnel with its own senior staff until the ASC's entire Perth operation is ready to commence and is operational. Such secondment would also be made on the basis of full cost recovery to the State including the total cost of staff and use of State accommodation and equipment.

Amendments to clauses 2, 56 and 82 were moved in the Legislative Council. The amendment to clause 2 alters the operational date of the Bill which was previously to be on a date by proclamation; it is now to be 1 January 1991. The amendment to clause 56 amends a drafting error and the amendment to clause 82 limits the time in which public servants can rejoin the State Public Service, if they choose to transfer to the Commonwealth, to a period of two years. The amendments have not made an impact on the second reading speech.

I commend the Bill to the House.

**MR MacKINNON** (Jandakot – Leader of the Opposition) [5.28 pm]: The position adopted by the Liberal Party on this legislation has been entirely appropriate and correct. I make no apology to members of Parliament or anybody else for that stance because despite the criticism levelled by members of the Government, the media and others, including people in the business community, our actions have been in our State's and in our nation's best interests. As I said on the departure of former Premier, Brian Burke, history will be the judge of whether our actions were correct, and it will judge that our actions on this issue were correct.

After initially acting to support Western Australia's interests, the Government succumbed, as did other States of Australia, to pressure from the Commonwealth. As a result, Western Australia has now received a second-class deal compared with other States in Australia. That fact is widely acknowledged around Australia and is even acknowledged by members of the Government. The Opposition has consistently opposed this action. On 16 May a motion was passed in the Legislative Council outlining the position it took at that time. It

was moved by the Liberal and National Parties and supported by the Government of the day that –

... Parliament should not be asked to approve any law that transfers constitutional power or authority to the Commonwealth.

Our position has not changed. We do not come to this Parliament today with any great joy and, as Hon Peter Foss said in another place, it is in fact a very dark day for Western Australia because the Opposition's worst fears have been confirmed. Firstly, would you believe, Mr Speaker, that the most important piece of corporate law legislation in this nation's history was guillotined through the Federal Parliament with only one hour of debate? In this Parliament the Legislature was given three days –

Dr Lawrence: Did it not have the support of both the Opposition parties in the Federal Parliament?

Mr MacKINNON: They did not support its being pushed through the Federal Parliament in one hour.

Mr Grill: If you had your way it would not have been debated in this House at all.

Mr MacKINNON: That is correct. Do members opposite think it is appropriate that we had three days to discuss this Bill in the Parliament?

Mr Grill: I know this: You are wasting our time right now.

Mr Court: Are we wasting your time debating this legislation?

Mr MacKINNON: That is exactly the attitude that members opposite adopt.

The first point I make is that the Opposition's approach to this legislation has been consistent and it has consistently opposed the legislation for good reason. Its worst fears have been confirmed: The national Government treats the Federal Parliament with such contempt that it allowed one hour for debate on a most important Bill on corporate law. Also this Parliament had three days to debate the legislation and all that members opposite can think about is when they can go home to finish the remainder of their Christmas turkey!

The second point which concerns the Opposition is that the regulations were not available until 20 November. Would members opposite believe that when Hon Derrick Tomlinson, Hon Peter Foss and I spoke with the Attorney General he had not seen the regulations, and the following day he had to admit that they were gazetted on the day we held our discussion. He had not even seen them! So much for a Government and an Attorney General who are supposedly looking after the interests of this State when it comes to national corporate law.

Finally, this legislation, as the member for Eyre knows, is totally dependent on an agreement between the Ministers. I ask him whether he has seen the agreement.

Mr Kierath: He would not know what one is.

Mr MacKINNON: He does because he has drafted plenty of them in his day. The member for Eyre will not reply, and neither will the Premier of this State. The agreement is not available for us to discuss. That is the way that Labor Governments, both nationally and in this State, want to deal with the most important piece of corporate law legislation in this nation's history. Members opposite have the temerity to say that the Opposition was not right in standing out against the rest of Australia. I am proud that it did.

Several members interjected.

Mr MacKINNON: The Opposition will have no part of that sort of treatment.

What we now have is legislation controlled by the Commonwealth, and the State will have no effective say in its implementation or in any changes to it. In the words of the Attorney General, this is a Commonwealth takeover. That is also acknowledged by members opposite.

The legislation gives a better deal to Victoria and New South Wales. Can members opposite sit in their seats happy and secure in the knowledge that Mr Duffy did a deal with the Premier of New South Wales and said that the Chairman of the Australian Securities Commission will be appointed from that State; he did a deal with the Premier of Victoria and said that the deputy chairman would be appointed from that State; and, he did a deal with the

Premiers of both States and said that the committees would be located in Sydney and Melbourne? The Attorney General then had the cheek to tell me that Mr Duffy is not prepared to do any deal that will disadvantage any other State – no other State must be better off than Western Australia – after he had already done deals with Victoria and New South Wales. The Premier is prepared to cop that sweet without any comment. The deals which have been done will allow Victoria and New South Wales better access and Western Australia will have none.

The legislation will be implemented when clearly the Governments around Australia are not ready for its implementation, and again that has been acknowledged by the Attorney General. The administrative arrangements are not in place and the regulations are not known. The staff of the Western Australian Corporate Affairs Department and from three other offices around Australia are still in dispute about the takeover.

Mr Troy: Thanks to you.

Mr MacKINNON: I will come to that shortly.

That is the situation in Western Australia today. People of whom the Minister for Productivity and Labour Relations professes to be in charge are in that situation and he is not interested in their future. Today they do not know what is their future and the Minister could not care; but we care.

A very important question in this debate is whether Western Australia could have done better. Quite clearly, the answer is yes.

Mr Troy: If we had an Opposition with more influence.

Mr MacKINNON: The Minister for Productivity and Labour Relations said that Western Australia could have done better if it had a better Opposition: This State could have done better if it had a better Government which showed some leadership.

Mr Clarko: That would be a change.

Mr MacKINNON: It would be a change.

Had the State Government maintained its support for the Opposition's point of view, there is no doubt that this State would have received a better deal. The Opposition put forward a logical and legitimate alternative plan, and if the Government had supported it a better system would have been put in place. We would have achieved what I heard the Attorney General say this afternoon would be more appropriate, and which everyone around Australia acknowledges would be more appropriate; that is, that the Australian Securities Commission legislation be implemented on 1 July 1991. Does the Premier acknowledge that?

Dr Lawrence: You would have supported the same legislation with a different commencement date?

Mr MacKINNON: That is not what I said and it is exactly what the Premier chooses to ignore. I said that the ASC legislation should come into effect around Australia on 1 July? Is that not what business wants?

Dr Lawrence: The argument you are making is that you would not have supported it no matter what the date.

Mr MacKINNON: We said that we would accept the ASC legislation subject to three conditions: First, defer its implementation until 1 July.

Dr Lawrence: It has been made worse by your filibustering and delay and by your inability to control your members in the upper House and to see reality. You have your head in the sand.

Mr MacKINNON: The Premier will not recognise what is widely acknowledged by business and politicians around Australia; that is, they are not ready for the implementation of this legislation on 1 January.

Dr Lawrence: That point was not relevant to your opposition so you cannot run that argument in defence.

Mr MacKINNON: The Premier, being defeated on that argument, says it was not relevant. We said we would accept the Australian Securities Commission legislation subject to three

conditions, one being implementation by 1 July. The Premier's argument was so rich that she has had to leave the Chamber!

Secondly, we wanted an assurance that Western Australia, like New South Wales and Victoria, would not be made subservient to the ASC officers in other States; in other words, that our business people could get direct access here in Western Australia to the decision makers. The Attorney General was not even prepared to pursue that argument to any great extent. He said, "I have no room to move." The Federal Attorney General said, "Western Australia cannot have any deal that is better than that of any other State", but he ignored the fact that the Commonwealth Government had already done a deal which would substantially benefit New South Wales and Victoria at our expense. Thirdly, we wanted the power to further accept or reject amendments to this legislation. Those were legitimate claims, none of which – despite the Premier's protestations – would have had any impact on the ASC legislation's coming into effect nationwide, nor would they have required legislative change anywhere else in Australia, yet they were rejected out of hand by Messrs Duffy and Berinson. Why was this State Government so keen to renege? Why would it not continue to fight – as the Opposition has done – until the last possible moment? There must have been another deal, and time will tell whether that is the case.

I have said more than once that Premier Greiner has a responsibility to look after the people of New South Wales. It seems to me that this Government is more interested in also looking after the people of New South Wales than the people of Western Australia.

Several members interjected.

The SPEAKER: Order!

Mr MacKINNON: I was elected to look after the interests of the people of this State, and I will continue to do so.

Several members interjected.

The SPEAKER: Order! It has been a while since we have been in this place, and members may have forgotten the rules. One of the more basic rules of this place is that when I say order, members should generally come to order fairly quickly and should not just continue willy-nilly to say those things they thought they might say before I called order.

Mr MacKINNON: It is interesting that this State Government has reneged, and that is another example of its weakness in the face of Commonwealth power. We have only to look at the World Heritage listing of Shark Bay, where the people of Shark Bay were sold out in the interests of the people of Sydney and Melbourne. We have seen the Commonwealth Government dictate on the United Nations' Convention on the Rights of the Child, road funding, and education, where this State Government was hand in glove with the Commonwealth in its wish to override the powers of the people of this State as represented in this Parliament.

Mr Court: Isn't it funny that they now support this legislation when six months ago they were telling us that they were bitterly opposed to it!

Mr MacKINNON: Strange indeed!

The point of this debate from the Opposition's point of view is not the need for a national approach to issues like the Australian Securities Commission, because we have a commitment to support national corporate law; but we do not believe that the current proposal is in the best interests of the administration of that law around Australia or within Western Australia; neither do we believe it is in the best interests of the decision making process. We also have a strong objection to the fact that this Parliament is being forced by the people in Canberra to make a decision which will fundamentally change the constitutional relationship between the States and the Commonwealth, without any reference to the people of Australia. The people of Australia approved the Constitution, and they should be given the opportunity of approving changes to it. They are not being given that opportunity today. We on this side of this House do not believe that the centralist approach is in the best interests of this State or this nation.

Given that argument, why is it now that while we will speak very strongly in this debate, and have already done so in another place, we will not oppose the passage of this legislation? The reason is that, had we not been prepared to take this course of action, the determination

of the Federal and State Governments to pursue this issue blindly, without reference to the consequences of their action, and to implement the legislation by 1 January, would have placed business in Western Australia at a significant disadvantage and cost. We are not prepared to impose that cost and disadvantage on the business community of Western Australia, which is already suffering from the economic decisions of the Commonwealth and State Governments. Our rejection of this legislation would have imposed on those business people who operate in the Eastern States some requirement for dual registration. It could also have raised doubts about the securities register and about the Australian Stock Exchange indemnity provisions. Concerns were expressed to me by the Attorney General about the power of the National Companies and Securities Commission to continue with the Bond inquiry after 1 January. I was not prepared to see that inquiry jeopardised.

Another reason was the threat by the Commonwealth to legislate, were we to take this course of action. There was a range of other reasons but they were the predominant reasons why we believed we had little alternative but to change direction and allow the legislation to proceed, despite the fact that it is not our basic desire to support such legislation. I give a commitment that on our return to Government we will ensure that a proper review is undertaken of the effect and impact of this legislation. We will do what we can to ensure that the system is changed, and if it cannot be changed we will give consideration to using the legislative authority which still rests with this Parliament to get rid of that legislation ultimately and to replace it with a better system.

I said at the outset of my speech that history will be the judge of our stance on this issue. I have been in this Parliament for quite a bit longer than have many of those people who sit opposite, including the Premier, who laughed when I said that. I remind members opposite to look at the history of recent times and to see what history has said about the judgments we have made. We said that the Western Australian Development Corporation would be a disaster for Western Australia and we were proved correct. We said that Gold Bank would not work and that it would be better placed in the R & I Bank and we were proved correct. We refused, against the weight of opinion nationally, and in the media, business and Government in this State, to support the original rescue of Rothwells, and we were again proved correct. All members opposite will pay the ultimate price for that decision when they lose the next election. We said that the Petrochemical Industries Co Ltd deal was nothing more than a sham and a contrived arrangement to save Rothwells; and so did Mr McCusker. History has again proved us correct. We said that the State Government Insurance Commission and the Government Employees Superannuation Board were being manipulated by the Government for its own political ends, at great cost to the taxpayer. The GESB annual report, which was tabled today, proves conclusively that we were correct. Members opposite can laugh all they like, but history has shown that we have been correct in respect of the key issues which have faced this Parliament in the last four to five years, and history will prove that we are correct again on this occasion and that our resistance to the move to centralise power in Canberra will lead to less efficient administration. I have great doubt about the efficiency of the Australian Securities Commission while a man like Mr Hartnell is at its head. Mr Hartnell came to Western Australia and, as my colleagues would know, briefed our party room and made commitments which he then went straight out the door and denied. When the man heading the Australian Securities Commission is prepared to do that, one must wonder how effective his administration will be.

Mr Court: What worried me most was that he said that New South Wales had the worst administration in history, and that State is now running the show.

Mr MacKINNON: That is correct. That left a bitter taste in my mouth, coming from a man who was supposed to be upholding corporate law. He did not set an example in which I have great faith or confidence.

Secondly, I do not believe any better pursuit of corporate criminals will result from this change. I ask the Minister for Community Services to give a categorical and not a wishy washy commitment – not a reference to "legal advice" or anything else – on behalf of the Government that there will be continuing access to documents held by the Corporate Affairs Office for any Standing Committee or Select Committee of this Parliament, or the Royal Commission about to be established to examine the affairs of WA Inc.

I do not want to see this legislation pass this House as it will then come under the control of

the ASC and we will be denied access to documents. Whether it be the Pike committee, the Foss committee, a Royal Commission, or any Select Committee or Standing Committee of this Parliament, either present or future, we should be given an unreserved commitment today that documents will be made available. If that commitment is not given the challenge is for the Government to explain how corporate criminals will be better pursued when we have no access to much of the information that will provide us with answers. If members opposite think I am barking up the wrong tree they should remember the Burswood Casino affair, when it was recommended that charges be laid but they were not pursued. A Royal Commission will want to examine all documents held by the Corporate Affairs Office in this State relating to that matter and to question all the people involved. If there is no access, one of the linchpins of the Royal Commission to be held in Western Australia could be in jeopardy. The Government should give a categoric commitment today that there will be access to documents – not reference to "legal advice" and not all of the mumbo jumbo that the Attorney General and Ministers opposite are so good at giving but a categoric commitment, "Yes, we will guarantee access", or, "No, we cannot guarantee access."

Thirdly, we resisted this legislation because it will mean that the State will no longer have any say in what is best for it. The Commonwealth will now dictate corporate law, and well the Government knows that. Business in this State will have a far worse deal than ever before when it comes to the administration of corporate law. It will live to rue the day that this Bill passed the Parliament.

The Opposition makes no apology for the stance it has taken. It fought until it could fight no longer in the interests of the business community of this State. It was not prepared to see business suffer the consequences of a deal done in Sydney and Melbourne basically in the interests of businesses in those cities. I say yet again that we were right and in Government we will review the position to show that the people of Western Australia, particularly the business people, can rely on us to fight for their interests whatever the consequences, political or otherwise, at the end of the day. We will do that to ensure that those interests are protected and maintained, as they should be, and that they are not sold out, as they have been by this State Government in the interests of expediency, a slightly easier political life, and an easier return to the Christmas pudding.

**MR COWAN** (Merredin – Leader of the National Party) [5.55 pm]: About six months ago, perhaps even one month ago, three options were available to Western Australia in relation to this legislation. The first was the one which has now been denied us and which would have accurately reflected the policies of the Liberal Party and the National Party; that is, to have uniform corporate law managed in Western Australia by the Corporate Affairs Commission as an agent of the Commonwealth while still remaining a State entity. As has been stated previously, that option disappeared at least a fortnight ago, perhaps a month ago, or perhaps six months ago when the Government gave up the fight for that position. I suppose there may have been some weight for that happening as every other State had already moved to that position and Western Australia was the last State to buckle under. Nevertheless, the State did give in and we are now transferring powers which are constitutionally the responsibility of the State to the Commonwealth.

It would please me greatly if we saw some reciprocal transfer of other State powers back to the State, or if the State argued for the return of certain powers and constitutional responsibilities of the State as some form of quid pro quo for the transfer of this company law to the Commonwealth. We have not seen that happen and I do not think we will. This could happen in many areas such as health, education, environment and housing; one could go on and on, but it is not my intention to do so.

We were then left with two options. One was to continue to reject the legislation and put up with the threatened changes which faced the State such as the doubt about the future of the Stock Exchange or the requirement that all Western Australian corporate bodies register as foreign companies. That was totally unacceptable and unAustralian. As a consequence, we were left with very little option at all. The option available is, of course, to accept this legislation in its present form. We do not like it and we see it as the second best option. However, it is certainly nowhere near as bad as the option left to us if we do not pass this legislation. The Commonwealth has quite clearly decided it will make an example of Western Australia and will offer absolutely no concession whatever. I do not know which is worse – the fact that the Commonwealth has not offered any concessions or that this

Government gave up the fight. Neither of those facts impresses anybody in this State. We recognise the fact that this legislation must be supported and we support it reluctantly. The National Party will agree to it; I think "agree" is probably a better word than "support" in this instance.

**MR THOMPSON (Darling Range) [5.57 pm]:** We are here today because, finally, the Liberal Party and National Party Opposition members in the upper House have come to the same conclusion that the present Government came to some time ago; that is, although opposed to the concept and form of this legislation, it has no alternative but to support it because to do otherwise would seriously damage business in this State. It is the Liberal Party's own constituency, I suggest, that has been calling loudly to the Opposition in recent times to change its mind about this matter.

We need to look at the situation confronting State Parliaments around this nation regarding transfer of power to Canberra. More argument should be mounted in this Parliament, and in the community generally, against the de facto stealing of power from the States by the Commonwealth. I refer to the things that happen because Canberra happens to control the purse strings. We saw little in the way of conflict between the States and the Commonwealth between 1901 when the Federal Parliament was established and the mid 1940s when the States agreed to transfer their major tax raising powers to the Commonwealth in the interests of the war effort. That was the beginning of the end for the States, I suggest, and although I would prefer to see more power retained by the States, particularly States like Western Australia, I am a realist who recognises that he who pays the piper calls the tune. Although we may bleat and say that the piper has our money, the piper in the form of the Commonwealth is spending the money in the way it believes it should be spent, and it will continue to dictate to the States how that money is to be spent. The Minister for Health and the Minister for Education will know that they are not necessarily in a position to spend their budgets in the way that they would like to; they must pay due regard to the pressure applied to them by the Commonwealth. A little of the emotion which has gone into this argument should be injected into other areas.

I put it very seriously to this Parliament that had there been a Liberal Party in power there would not have been this nonsense of this Parliament being recalled between Christmas and the New Year because the coalition Government would have controlled both Houses of Parliament and this legislation would have been passed previously. It would have been passed for the same reason it will pass now.

**Mrs Edwardes:** You do not know that.

**Mr THOMPSON:** I inform the member that I have been an MP for 20 years. I have been in Opposition, I have been in Government, and I am back in Opposition again. As sure as night follows day, had there been a Liberal Party in power this legislation would have passed. The fact is that the Legislative Council is not in the hands of the Labor Government, and because the Labor Government does not have that luxury it has had to run the gauntlet of an Opposition which has used its power politically unwisely.

This morning's newspaper was a good one because it said what I have known for some considerable time: This Government is dead in the water. The only reason it may win at the next election is because the Opposition keeps shooting itself in the foot. I wonder what sort of response the Opposition would get if it went down the Terrace seeking support from its traditional constituency. I suggest that, as a result of the Opposition's decision on daylight saving, its decision on this matter and on one or two other things, perhaps it might be told to go hopping. While I confidently believe there will be a change of Government at the next election, it will be in spite of the efforts of the Opposition.

This situation is an absolute nonsense. I cannot understand how this place has got itself into this situation. I heard Hon Derrick Tomlinson speak on television the other night. He said, "When you stand on principle, there is a little pain." But if one is going to subject oneself to the point of a needle, surely one will have made the decision to take the full impact of it and not get to the point of the needle and suddenly say, "Oh no, we will not suffer the pain any more." I could not understand the Leader of the Opposition when he gave all the reasons for what the Opposition did in the Legislative Council on this matter. He said it was a matter of principle and was right, but he said the Opposition was here today to support the legislation. It does not make sense. I would prefer that power reside in the States, because I believe that



is where it correctly ought to be, but the fact is that there is a gravitation of power to the centre. It goes in fits and starts. Under Fraser it went with a rush, and that was at a time when there was a Liberal Government in this State. Power went to the centre as fast during the Fraser period as it did at any other time.

A Government member: Are you happy to see it?

Mr THOMPSON: No, I am not, but I am a realist. I recognise there are reasons why some things should be controlled from the centre. The framers of the Constitution laid down some very significant powers which should be given to the Commonwealth, but they left other significant powers for the States. In the case of this legislation it is appropriate for there to be an overriding control from a central agency because the corporate cowboys in our community – and we seem to have had more than our share in recent times – would be in a position to play one off against the other while different agencies have responsibility in that area. Commonsense dictates that just as we should have a national system of posts and telecommunications, and just as we should have a national organisation with control over immigration and things like that, so too should there be a central agency with control over the corporate sector.

The corporate sector is becoming more sophisticated. One needs only to look at company law to realise how significant the changes in that area have been in recent times. We need to look at the sophistication of the people involved in the corporate area to understand that not all of them are as pure as they should be. We then come to the conclusion that there is a need for a very significant control of corporate activity because it impacts very significantly on individuals, on companies and on the community generally. It is appropriate to have a central body with responsibility for those things.

While I can understand the concern which the Government had at the time it was going through these negotiations, and while I understand the concern that the Opposition has had, it was inevitable that this legislation would pass. The Opposition left it far too late to do anything effective about getting this legislation into a more acceptable form. The legislation before us now did not start its passage through the system a day or two ago; it has been in the planning for three years. It has been the subject of discussion at Ministerial Councils for as long as three years.

Mr Gordon Hill: The Opposition has only just discovered it.

Mr THOMPSON: While the Opposition can claim legitimately that it does not sit on the Ministerial Council, it certainly has some fellow travellers around the nation who sit on that council. In recent times there have been meetings of various shadow Ministers and Ministers. I am sure that the shadow Attorneys General meet with the substantive Attorneys General and discuss matters of common interest, just as I am sure that the various spokesmen in Government in this State meet with their counterparts from other States, be they Ministers or shadow Ministers, and discuss things of interest to them.

The Opposition in this State needs to review its method of operation. It is no good leaving it until the twelfth hour and knocking the Bill out in the Legislative Council, where the Opposition has the numbers. The Opposition must start the process a lot earlier and get into the debate in the early stages, or at least it must commence its involvement from the early stages. I suggest that those councils of the Liberal Party which meet from time to time ought more significantly to discuss measures such as this. Had the opportunity been taken, and I am sure it was presented, perhaps there would have been a better chance of persuading the Liberal Party and the National Party in other States to support this Opposition's point of view.

As I said earlier, it is a nonsense that we are here. It is not only a nonsense, it is an expensive exercise. I would not like to suggest how much today's little effort has cost but it would have run into tens of thousands of dollars to bring people from their electorates to this Parliament today, when it ought to have been known right at the outset that it was inevitable that this legislation would have to pass or, alternatively, business and individuals in this State would be put to a tremendous amount of concern.

I support the legislation not because I support a headlong rush into centralism but because I think it is the only practical thing to do in the situation, and in that I am joined by everyone else in this House.

**MR D.L. SMITH** (Mitchell – Minister for Community Services) [6.11 pm]: This afternoon while I was waiting for the House to resume I took the opportunity to go down and listen to some of the debate in the other place. I must confess that while I was there a line from a musical kept running through my mind. It was, "I am the very model of a modern major general". People will know that when one is writing a farce one takes a person who could be in real life, dresses him up in ridiculous clothes and gives him ridiculous lines and a theatrical voice. What we saw in the other place this afternoon was three members of the upper House – Hon Derrick Tomlinson, Hon Peter Foss and Hon Robert Pike – trying to portray the very model of a modern statesman. They were as successful as any of those farcical characters are, because what those three members have done, what the Liberal dominated upper House has done and what the Liberal Opposition in this State has done is to make the whole of commercial Australia treat Western Australia as a farce.

Several members interjected.

**The SPEAKER:** Order!

**Mr Court:** Before you go any further, when did you first read this legislation? You read it today, so don't call this place a farce.

**The SPEAKER:** Order! The member for Nedlands should come to order or read Standing Order No 70.

**Mr D.L. SMITH:** Everyone in Australia knows what the Opposition in this State has done. It started with an argument that we on this side had three years ago, and has maintained it to the degree where it has become ridiculous in the eyes of commercial Western Australia. It has simply attracted the mirth and concern of commercial Australia. There is some suggestion by members opposite that we have, in effect, rolled over. The truth is that we have been in this business for three years and we maintained the State rights position, we maintained the position of trying to retain Executive control, we maintained a position of trying to retain an expanded National Companies and Securities Commission, and we maintained it until we were the only ones left in that position. We maintained it through the Ministerial Council meetings, through the High Court, and in telephone contact with all of the Ministers from the other State Governments. We maintained it until it became obvious to us and to the rest of commercial Australia that we were in a position where we could not continue; there was no way that as a modern economy in a modern, international scene we could, as Hon Phillip Pandal suggested, succeed in running our own corporate affairs in Western Australia. Everyone who does business in Western Australia and everyone in this State who is dependent upon companies and securities to earn a living or to run a business knew that was an impossible position. However, the one group which was prepared to maintain its position to ridiculous lengths, until it became the laughing-stock of Australia, was the Liberal Opposition. As the member for Darling Range has rightly noted, it is no wonder that, despite what we may have in terms of WA Inc and the like, members opposite have no hope of ever becoming the Government in this State, because they are a farce.

**Mr Thompson:** I did not say that.

**Mr D.L. SMITH:** The Liberal Opposition is simply a joke.

Several members interjected.

**The SPEAKER:** Order!

**Mr D.L. SMITH:** Let us look at what the Leader of the Opposition said. He said that we should have fought for his three point plan. Let us see what the Opposition actually did. Did it propose the three point plan at any time over the three years?

**Mr MacKinnon:** No, because we opposed it all on principle until a week or so ago.

**Mr D.L. SMITH:** Did they propose the three point plan at any time during the debates in the other place in terms of moving any amendments or the like?

**Mr MacKinnon:** No, we tossed it out.

**Mr D.L. SMITH:** No, they took the ridiculous position of simply tossing out the legislation, until St George's Terrace and the rest of commercial Western Australia pointed out the harm they were doing, until the real pain of the people who work for the Corporate Affairs Department and whose jobs were in jeopardy as a result of the position of members opposite

was explained in a way in which even members opposite could understand; then, reluctantly and at a cost of \$300 000 to the taxpayer, they eventually said, "We will give in; we will come along between Christmas and New Year, four days before the legislation is due to come into effect, and agree to its passage."

The first point of the Opposition's three point plan was that the legislation should come into operation on 1 July 1991. Members opposite proposed 1 July when they well knew that every other State in Australia and the Commonwealth had passed legislation which was dependent upon a 1 January start, and it was simply a ridiculous position to suggest that somehow or other they would all change their legislation to suit this State. Secondly, members opposite wanted the capacity to accept or reject any Commonwealth legislation or regulations, well knowing that if we were given that privilege every State would be given that privilege and that would be the end of any national scheme as we would have six States and two territories wanting to change the national scheme at will. It is simply an unworkable and ridiculous, farcical position.

Mr MacKinnon: It has worked for the past nine years.

Mr D.L. SMITH: Finally, members opposite wanted the regional commissioner in Western Australia to have particular powers in addition to those which were possessed by every other regional commissioner in the other States, somehow or other expecting that the other States or the Commonwealth would agree to our having a privileged position over and above what was offered to and accepted by the other States.

Mr MacKinnon: Sydney and Melbourne already have the privilege.

Mr D.L. SMITH: The sort of thinking that dominates members opposite is the thinking of the 1890s during the federation debates by the opponents of federation, the thinking that dominated the secessionists in the 1930s – and we even had the learned Hon Robert Pike in the other place suggesting that somehow or other the Australian Securities Commission would fail for the very reasons that the Soviet Socialist Republics are failing. He is introducing the red bogey and the socialist and Fabian scheme of things, failing to recognise that the west of Europe is moving towards an internationalism and a recognition that one cannot go it alone in the modern commercial world and that in order to become the leading trading place in the world Europe is changing its legislation to make it uniform, and is even contemplating a common currency. Yet in Western Australia we have troglodytes who think that somehow or other we can run our own corporate scheme in the face of a national scheme. The Opposition has been branded by the national Press and by the national commentators for what it is. The Opposition consists of people who do not deserve to be in Government, and I hope that they never are.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

### *Third Reading*

Leave granted to proceed forthwith to the third reading.

MR D.L. SMITH (Mitchell – Minister for Community Services) [6.21 pm]: I move –  
That the Bill be now read a third time.

DR LAWRENCE (Glendalough – Premier) [6.22 pm]: To conclude debate on this farce – as it has been described by the Minister handling the Bill – all members today have been witness to a spectacle that no-one in this House, this Parliament or this State should ever have had to witness.

Several members interjected.

Dr LAWRENCE: It is important to put on the record precisely what members of the Opposition have done in the last few weeks. The Minister for Justice has outlined the position the Government has taken. However, it is important for us all to recognise – as every other State Premier does, regardless of political party; as the Commonwealth Government and Opposition do – that it is important that we live in the 1990s. I remind members opposite that we are not living in the last century or the 1950s when sentiments

about States' rights bruited about and tub-thumped could perhaps attract some attention and some positive reaction.

The States and the Commonwealth now recognise that for too long in this country we have had over-Government, duplication of regulation and inefficient scrutiny of many institutions – particularly in the corporate sector – and that there is a crying need for a new start to our Federation. At the recent Premiers' Conference in Brisbane all Premiers committed themselves to that process. Members of the Opposition in this State are apparently not able to get their heads around that proposition or anything that remotely resembles it.

As we have been told before, the Opposition's colleague in New South Wales, Mr Greiner, described the stand of Western Australia's Opposition as "ideologically based lunacy"; he was quite correct and probably was even moderate in his view. Other commentators in *The Australian Financial Review* have described it as blindly conservative and reactionary. That is a very good description of members opposite. If they ever expect to govern in this State, they must lift their game substantially. *The Australian Financial Review* also indicated that members opposite and the Leader of the Opposition, if indeed he endorsed the position initially and simply was not dragged into it, were taking the wrong stand for the wrong reasons. That is very frequently the case with members opposite. The editorial of *The Australian Financial Review* stated clearly that "if this action is any indication of the party's ability, it is little wonder that it failed to win Government in Western Australia in 1989." Members might read into that date "every four year interval" in future.

Several members interjected.

Dr LAWRENCE: It is quite clear, as one commentator put it, that since they have been in Opposition, members opposite cannot be suspected of being anything other than ridiculous. Again, that is a very good summary of the actions taken by the Opposition.

Mr Lewis: Did you read *The West Australian* editorial this morning?

Dr LAWRENCE: The member is very selective about which editorials he reads.

The point about the comments I am making is that even with the difficulties faced by this Government, as another political commentator said, members opposite have shot themselves in the foot and sailed off to Gilligan's Island. Every major political commentator in this country has condemned the Opposition, whether those commentators are in journalism or Academe. Every major business organisation has condemned the Opposition, every major corporate sector body in this State, indeed in this nation, has condemned the Opposition for its stand. One commentator stated that it looked like being an especially dangerous piece of stupidity. Another phrase used to describe the Opposition was "monumental nitwits". Although the Opposition was warned of the possible chaos in which the State would be placed, although warned of the costs to business of the duplication of service and of the ridiculousness of the position, members opposite did not have the good grace to say then or today that they were wrong. At no stage during debate did I hear members opposite admit that they were wrong. They did not have the good grace to admit that they might have miscalculated.

Mr Lewis: Were you wrong about the Royal Commission?

Dr LAWRENCE: I indicated that I changed my mind and that I had been convinced of the argument – and I said so in this House. I had the good grace to acknowledge that I had changed my mind and gave the reasons for that. Members in this House and in the other place took the ridiculous position –

Several members interjected.

The SPEAKER: Order! I am trying to facilitate the will of the House by staying here. We have almost achieved what we set out to achieve. If members continue to flout the rules of this place, I will not be prepared to tolerate that. When I call for order I expect members to come to order. If not, I will do what is normally done at this time of the day, and members can suffer the consequences.

#### *Point of Order*

Mr THOMPSON: I call a point of order in the interests of the staff who are waiting to serve

a meal to members of Parliament between the normal hours of 6.00 and 7.00 pm. The normal practice is that we go to dinner between those hours; is it the intention that we will continue debate and go to dinner later? In that case, staff will be disadvantaged because after we have eaten we will go home and the staff will remain to wash up – or are we to help them wash up?

The SPEAKER: I checked the Standing Orders earlier. The understanding is that I go to dinner at 6.00 pm normally and members all follow. On this occasion I would far sooner go home than go to dinner, and I am trying to achieve that by sitting here a little longer. If we abide by the rules we might all go home earlier.

*Debate Resumed*

Dr LAWRENCE: In the first place, the Opposition was not able to arrive at a position. Having done so belatedly – that is, the Opposition Leader being dragged by certain members of the upper House to adopt an Opposition position – it came up with a transparent three point plan which everyone regards as unworkable, including those people in this State who have fought hard against the legislation. Finally, the Opposition subjects us – all members of this House, the other place, and the staff – to coming back at great cost for an extra day's sitting of Parliament; and they have the temerity to stand in this place and not apologise one bit for what has been described as "pathetically and perversely parochial".

If members opposite cannot move into the twentieth century, let alone taking us into the next millennium as we move towards the year 2000, they are condemned to stay in Opposition until they can understand the complexity of the community, the need for reformation of our laws and regulation, and the need for cooperation between the States and the Commonwealth. If we are to achieve the level of scrutiny that is necessary in these complex times, if we are to ensure that the corporate mistakes of the past are not repeated, clearly members opposite have a great deal of thinking to do. I suggest they use the next week or two when they are having a break to look closely at their own performance.

MR MacKINNON (Jandakot – Leader of the Opposition) [6.30 pm]: We have come to the Parliament today to debate the most important piece of corporate law that we have seen this century and some people are worried about whether we will have dinner on time or about the cost of recalling the Parliament. It is worth our time debating this legislation; on this occasion it is worthwhile inconveniencing the staff and expending the cost involved.

Bearing in mind what we have witnessed today, it is clear that no-one in the Government has actually read the legislation.

Mrs Beggs: That is rubbish!

Mr MacKINNON: Which members?

Mrs Beggs: It has been through Cabinet.

Mr MacKINNON: Has the Minister read it?

Mrs Beggs: Yes!

Mr MacKINNON: Not one member of the Government has read the legislation, because it has not been through Cabinet. It went from the Victorian Attorney General's fax machine to the fax machine in this Parliament – it came to us hot off the press. For the Minister for Transport to say that she has read the legislation is not the truth.

The Premier was correct to say that, as we head into the twenty-first century, sensible debate should take place on Federal-State relations. This matter was touched on by the Leader of the National Party, and I shall repeat his comments: This matter should be debated and it is not a matter on which we should have direction from the Commonwealth. In recent memory every time this issue has been debated the question has been about powers going from the States to the Commonwealth; on no occasion have we had a debate about powers going from the Commonwealth to the States. When have we heard the Minister for Housing talking about housing control powers being returned to the State? How many houses does the Commonwealth build every year in this nation? Not one. Yet how many people work in the Federal Department of Housing and Construction? Over 5 000 people! That is the kind of issue which needs sensible debate when we consider Federal-State relations. As we head into the twenty-first century, what we need is not reactionary argument – I will certainly not

indulge in that – but discussion about what is best for Australia and Western Australia in the long term. If members opposite believe that this State could be better administered by Canberra, they should name one example.

Mr Troy: Get with it! Get with it!

Mr MacKINNON: The only response is an inane comment.

Regarding areas in which we should concede power to the Commonwealth, the Premier suggested immigration by way of interjection. I would agree; however, there are many areas to which this change should not apply. An example is education. Do we have a better education system in Australia because of Federal intervention? No. Do we have a better health system as a result of Federal intervention? Obviously and patently, no. Let us have a sensible debate on these issues. This Government wants to lay back and allow itself to be raped by people in Canberra as all power is heading in one direction.

A laugable proposition was promoted by the Minister responsible for this Bill and by the Premier; they suggested that, somehow or other, the actions of the Liberal and National Parties in opposing this proposition has damaged the reputation of this State. Does the Premier agree that the PICL deal badly damaged the State's reputation?

Dr Lawrence: I said so publicly. But two wrongs do not make a right.

Mr MacKINNON: Does the Premier believe that the Rothwells rescue badly damaged Western Australia? Was it the Premier and her Government who openly courted the Bonds and Connells of the world, from whom she is trying to run away as fast as she can? Was it the Premier and her Government who did the deals with Mr Bond, who is now pursuing the Government for \$500 million?

Dr Lawrence: I can categorically say that it was not I.

Mr MacKINNON: Where was the Premier when the criticisms were made of the PICL and Rothwells deals? When these deals were being made this Opposition was standing up to be counted. The Premier said that we were criticised right across the length and breadth of Australia when opposing this legislation; however, we faced that same criticism at the time of the Rothwells rescue and the PICL deal. Prior to the last election the media in this State were saying that the Opposition was wrong in talking about the PICL deal because guarantees were in place. Nevertheless, on each occasion we were right! What damage does the Premier believe has been done to the fabric of democracy in this State since Mr Shervington stated to the Foss Select Committee that the former Premier – to whom the present Premier was loyal – asked him to get some dirt on Laurance and Lightfoot?

The SPEAKER: Order! My reading of Standing Orders leads me to believe that the third reading debate is not as wide-ranging as that of the second reading. I have allowed some flexibility, but I find the last few comments by the Leader of the Opposition to have little direct relevance to whether the Bill should be read a third time.

Mr MacKINNON: The point I was making, Mr Speaker, related to damage done to the State's reputation. Although the damage is not irreparable, the State has still been badly damaged by this Government, whose actions have led to high unemployment. People should look to where the blame lies and not rabbit on following red herrings.

In conclusion, the Opposition has clearly acknowledged and indicated its change of direction on this issue and the reasons for that change. However, in doing so I repeat that we make no apologies for that change. We have faced media comment and criticism, but when one does something which one believes is right one must be prepared to accept the cost of that criticism. History will be the judge of our actions, and it will prove again that we have been exactly right. History will also prove that this Government and others around Australia, including some politicians of my political colour, I am ashamed to say, have sold out the States. This has been done at the expense of the interests of the business community and the States generally in the interests of a broader goal. I cannot see this Bill being in the interests of Australia or Western Australia.

MR COURT (Nedlands) [6.38 pm]: It is a pity that such important legislation must be rushed through the Parliament. I was concerned to hear the Premier tell this House about the new federalism and about what we could expect in the future; that is, the States will blindly hand over more powers to the Commonwealth. That would be a sad future. The Premier

also said that we had to understand these complex issues. However, there is no complexity in handing over State powers to the Federal Government.

Dr Lawrence: Will you be voting for or against the legislation?

Mr COURT: Unfortunately, as we have explained, we will be voting for this Bill. The reason I speak on the legislation is that I am disgusted with the way in which the Government has handled the issue.

Dr Lawrence: The business community is disgusted with the way you have handled it; you must have received phone call after phone call.

Mr COURT: The Premier should not talk about hypocritical actions, because six months ago she said that this legislation was rotten and should not be supported. Now she comes into the Parliament with a smirk on her face and says that it is "goody, goody" legislation. In the words of the Minister for Productivity and Labour Relations, "Get with it."

Several members interjected.

The SPEAKER: Order!

Mr COURT: In the other House the Attorney General was asked whether he would give an assurance that all the information that the Corporate Affairs Department has will be available to the Royal Commission, and that there would be no destroying of evidence. Could the Minister, in this third reading debate, give a watertight guarantee that all the information, which in the normal course with the Corporate Affairs Department controlled by the State Parliament, will be available to the Royal Commission?

Dr Lawrence: Why wouldn't it be?

Mr COURT: A lot of people in the community and in this Parliament are concerned about that, and this Parliament is the proper place for the Minister to give an answer to that question.

MR THOMPSON (Darling Range) [6.41 pm]: The Leader of the Opposition gave me the impression that we were here to debate this important legislation. My clear understanding is that we are here to enable the Opposition to change its mind.

Government members: Hear, hear!

Mr THOMPSON: The legislation was very clearly debated when it went through the Parliament previously.

Mr MacKinnon: Not in this House, but you would not know because you are never here.

Mr THOMPSON: It was debated and defeated in the upper House.

Several members interjected.

The SPEAKER: Order! I have been calling order all night and members have been ignoring me. *Hansard* will show that I have called the member for Warren to order on at least two other occasions, and if he reads Standing Order No 73(a), he will understand what I am saying.

Mr THOMPSON: The legislation was not passed through the Legislative Council and therefore there was no opportunity for it to come to this House, but the Parliament in the form of the Legislative Council had come to the conclusion that the legislation should be defeated. I understand that it was not a decision just of one party in the Legislative Council, but a decision of both Opposition parties, which made a decision that they would stand on principle and defeat the legislation. The opportunity presented here tonight is not to debate the legislation, although some members have in a mild way, but simply to put right something that got off the rails because of a misjudgment, I suggest, by some people in the Opposition parties. The leadership of the party must be called into question when this sort of debacle can occur.

Government members: Hear, hear!

Mr THOMPSON: Far from wanting to race off to an evening meal, I am happy to talk about the reasons we are here for as long as anyone wants to discuss them with me or the House. The clear indication is that the Opposition, for whatever reason – and I can understand why it has made that decision – has arrived at the same conclusion to which the Government was

forced to come some time ago; that is, if the legislation is not passed through this Parliament it would be to the serious disadvantage of the business community in Western Australia. That is why the Government came to that conclusion, and why the Opposition has precipitated the quite unconventional recall of this Parliament, and why the staff are being disadvantaged while we talk about the real reason we are here – that is, not to debate the central issues of the legislation, which have not been touched upon, but because the Opposition changed its mind. As I said at the conclusion of my speech in the second reading debate I will support the legislation because the Government came to the conclusion that it was the commonsense thing to do, and the Opposition has now come to the same conclusion after getting a little shafting by its constituents that that was the commonsense thing to do.

**MR D.L. SMITH** (Mitchell – Minister for Community Services) [6.45 pm]: The questions posed by the Leader of the Opposition and the member for Nedlands were typical of what the Opposition constantly tries to do. Members opposite are traders in suspicion, rumour and personal abuse. Whether in relation to the United Nations Declaration on the Rights of the Child or this legislation, the assurance is simply this: Firstly, whatever information and documents are available under the current arrangement will continue to be available, because I can see no reason for their not being available. Secondly, under the old scheme most of the major investigations were carried out by the National Companies and Securities Commission, and under this new arrangement they will be carried out by the Australian Securities Commission. The two entities are very similar in their origins; the only change being made is in terms of executive control of the Corporate Affairs Department.

The other sort of personal abuse the Leader of the Opposition resorts to is indicated in the comments that he made about Mr Hartnell, which I publicly refute. That sort of personal abuse and denigration is typical of what has brought the standards in this place down to the level they have been in recent years. In relation to those matters, on which the Leader of the Opposition claims to be right, we know that he has never said that it was a wrong decision; we know that he is paralysed when it comes to decision-making and generally resorts to waffle, and that the only reason he said no was that he could not come to a decision. If members want to know why the Leader of the National Party continues to outrank the Leader of the Opposition in the polls, it is because the public know that the Leader of the National Party is willing in the public arena to consider a problem, to make a decision and to publish it. The Leader of the Opposition has never been able to do that, and that is why his standing in public opinion polls about leadership is what it is. I commend the Bill to the House.

Question put and passed.

Bill read a third time and passed.

## CORPORATIONS (TAXING) BILL

### *Returned*

Bill returned from the Council with a requested amendment.

### *Council's Requested Amendment – Committee*

The Chairman of Committees (Dr Alexander) in the Chair; Mr D.L. Smith (Minister for Justice) in charge of the Bill.

The Council's requested amendment was as follows –

New clause 2 – To insert the following new clause to stand as clause 2 –

#### Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

**Mr D.L. SMITH:** I move –

That the amendment requested by the Council be made.

Question put and passed; the Council's requested amendment made.

### *Report*

Resolution reported, the report adopted, and a message accordingly returned to the Council.



**ADJOURNMENT OF THE HOUSE – SPECIAL**

On motion by Mr Pearce (Leader of the House), resolved –

That the House at its rising adjourn until a date and time to be fixed by Mr Speaker.

**ADJOURNMENT OF THE HOUSE – ORDINARY**

**MR PEARCE** (Armadale – Leader of the House) [6.52 pm]: I move –

That the House do now adjourn.

I take this opportunity to wish members on both sides of the House a happy New Year.

The **SPEAKER**: For the information of those members who wanted to know how the staff were coping, I have been advised that high tea will be served for members and staff in the dining room and in the staff cafeteria for half an hour after the House rises.

Question put and passed.

*House adjourned at 6.53 pm*

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# QUESTIONS ON NOTICE

## TRADE UNIONS – COMPULSORY UNIONISM

### *Waterfront – Micro Economic Reform Proposal*

2002. Mr TRENORDEN to the Minister for Transport:

- (1) Does the Government recognise that compulsory unionism exists as a practice on the waterfront?
- (2) (a) Does the State Government's proposal for micro-economic reform of the waterfront include removal of the requirement for all employees to be members of a trade union;  
(b) if not, why not;  
(c) if yes, when?

Mrs BEGGS replied:

(1) No.

(2) (a)–(b)

The Government's position on waterfront reform recognises the important role of the unions in this process, if meaningful and long term reform is to be achieved. It also recognises the need to ensure that the reform process proceeds in a timely and orderly manner with minimum disruption to the working of the State's ports.

(c) Not applicable.

## ELECTIONS – GOVERNMENT DEPARTMENTS AND AGENCIES

### *Premier, etc – Responsibility, Poll Details*

2010. Mr BRADSHAW to the Premier; Treasurer; Minister for Public Sector Management; the Family; Aboriginal Affairs; Multicultural and Ethnic Affairs; Women's Interests:

- (1) Between 1986 and 1990, what polls were undertaken by each department or agency for which the Premier currently has ministerial responsibility?
- (2) What was the cost of each poll commissioned?
- (3) Were any results published or made public of the polls conducted?

Dr LAWRENCE replied:

The Premier has provided the following reply on behalf of all Ministers –

(1)–(3)

The member is referred to the answer given to a similar question asked by him in 1988. The situation has not changed, as initial inquiries with departments and agencies have indicated, and it would still take considerable time and effort to obtain all of the details requested. If the member could be more specific about the actual information he is seeking, every attempt will be made to respond in more detail.

## WESTRAIL – MARSH TRANSPORT

### *Company Investments – Listing*

2030. Mr McNEE to the Minister for Transport:

With reference to question 1306 of 1990 and question 1520 of 1990 –

- (a) why did not the Minister provide the information about Marsh Transport in the Minister's reply to parts (3), (4) and (5) of question 1306;
- (b) (i) with due regard to the Minister's replies to these questions will the Minister now provide a complete list of all the companies in which Westrail has a financial involvement either directly or indirectly through its joint venture partners;

- (ii) would the Minister indicate the precise nature and commencement date of each relationship;
- (iii) will the Minister give an unequivocal undertaking that all companies which could reasonably be expected to fall within the scope of part (b)(i) above have been detailed in the Minister's reply?

Mrs BEGGS replied:

- (a) Question 1306 of 1990 referred to joint venture interests in any companies. Marsh Transport was sold as a division of Gascoyne Trading to Total Western Transport Pty Ltd, not as a company in its own right.
- (b) (i) Companies – Western Quarries Pty Ltd, Total Western Transport Pty Ltd, Malwest Pty Ltd. However, Total Western Transport Pty Ltd has acquired the following businesses/divisions –
  - (a) Wells Brothers
  - (b) Country Receivals/E.C. and M.T. Clarkson
  - (c) Marsh Transport.
- (ii) (a) Western Quarries Pty Ltd – a quarry company involved in the quarrying and distribution of rock. It operates a quarry and crushing facility near Toodyay and transports the product by rail to a distribution centre near Kewdale – commenced September 1984.
- (b) Total Western Transport Pty Ltd – a broad based freight transport company. Activities are freight forwarding and road transport and are generally confined to southern Western Australia – commenced May 1982.
- (c) Malwest Pty Ltd – when Total Western Transport Pty Ltd acquired Malatesta Transport Pty Ltd the business operations were transferred to Total West. In order to use the business name Malatesta Transport in its operation, Total West changed the name of the company Malatesta Pty Ltd to Malwest Pty Ltd – acquired December 1986.
- (d) Wells Brothers – was a private road transport business located in Geraldton, now called Marsh Bulk Haulage, which is a division of Marsh Transport, Geraldton, which is a division of Total Western Transport Pty Ltd – became part of Total Western Transport Pty Ltd on 27 October 1989.
- (e) Country Receivals/E.C. and M.T. Clarkson – was a local (Kewdale) transport/storage business which traded under two names, now absorbed by Total Western Transport Pty Ltd – purchased 4 July 1989.
- (f) Marsh Transport – was a freight transport company when sold by Mayne Nickless Pty Ltd to Gascoyne Trading Pty Ltd, which in turn sold a portion of this division to Total Western Transport Pty Ltd and still operates as a division of Total West – acquired by Total Western Transport Pty Ltd on 3 May 1988.
- (iii) Yes.

#### QUESTIONS – QUESTION 1757 *Cabinet Decision*

2032. Mr MENSAROS to the Minister for Transport:

Adverting to the reply to question 1757 of 1990, to give complete information would the Minister explain in detail the cited Cabinet decision of 1971 and its effect on the leases the subject of the above question?

Mrs BEGGS replied:

The Cabinet decision of 1971 allowed all subleases of land in the Point Peron Reserve, excepting those subleases within the area specifically required for the harbour development, to remain for a period of 21 years. Any subleases that were displaced were to receive consideration for alternative positions. In the event, no subleases have been displaced during the 21 year period of the lease agreement and accordingly there has been no need to consider alternative positions.

#### LEGISLATION – ACTS OR PARTS OF ACTS

##### *Unproclaimed Acts Listing*

2063. Mr COWAN to the Premier:

- (1) Will the Premier list all the Acts or parts of Acts that were agreed to by the Parliament before 1 July 1990 and that have not been proclaimed?
- (2) In each case, will the Premier advise when it is intended that the Act or part of the Act will be proclaimed and the reason for the delay so far in the proclamation?

Dr LAWRENCE replied:

(1)–(2)

The member is referred to the answer given to question 913 and my subsequent letter of 21 August 1990. The information previously provided remains the same, with the exception of the following –

- \* Acts Amendment (Perth Market Authority) Bill 1989 – is awaiting the consideration by EXCO of certain by-laws. This should take place shortly.
- \* Child Welfare Amendment Act 1984 – is repealed by the Child Welfare Act 1990 which will be proclaimed in early 1991.
- \* Boxing Control Act 1987 – is expected to be proclaimed on Monday, 18 February 1991 which will allow for the preparation and printing of registration papers, medical record cards, etc. The proclamation date coincides with the registration dates for all boxing industry participants. The regulations and the code of conduct, which have been prepared after extensive consultation throughout Australia and internationally, will also become operative on the same date.
- \* Workers Compensation and Assistance Amendment Act 1988 – the proposed date of proclamation is 1 January 1991.
- \* Education Amendment Act 1988 – was repealed this year and replaced with the Education Amendment Act 1990 which is awaiting settlement of further negotiations with union groups before it can be proclaimed.
- \* Spent Convictions Act 1988, Spent Convictions Amendment Act 1988 and Acts Amendment (Spent Convictions) Act 1988 – are expected to be proclaimed by February 1991. The delays relate to the need to ensure the necessary administrative arrangements are in place to receive applications from persons who qualify for a certificate or an order under the Act.
- \* Acts Amendment (Water Authorities) Act 1985 – sections 12, 26, 30, 33, 68(a), 72 and 94(a) – are awaiting repeal following consideration of the Water Bill which was introduced during the spring session 1990.
- \* Fisheries Amendment Act 1986 – sections 4 and 6 – the by-laws referred to in my letter of 21 August 1990 are currently being drafted and should be finalised in the near future, after which sections 4 and 6 can be proclaimed.
- \* Mines Regulation Amendment Act 1987 – sections 9 and 10 – were proclaimed on 5 October 1990.

- \* Health Amendment Act 1987 – sections 4(d), 83 and 90 – are still awaiting proclamation of Commonwealth law.
- \* Taxation (Reciprocal Powers) Act 1989 – was proclaimed on 5 October 1990.
- \* Local Government Superannuation Amendment Act 1989 – the Department of Productivity and Labour Relations is to seek to have the application for variation of the Municipal Employees (Kings Park Board and Rottnest Island Board) Outside Workers' Award reopened by the Industrial Relations Commission with a view to having settlement of the three per cent superannuation productivity award for local government employees covered by the Municipal Employees Union at the nominated organisations available only in the GES scheme. The Department of Productivity and Labour Relations further proposes to submit that all new employees to the above organisations will be eligible only for the three per cent superannuation productivity award in the GES scheme. It is expected that this matter will be finalised shortly and submitted to the commission.

Pollution of Waters by Oil and Noxious Substances Act 1987 – drafting of the enabling regulations is now well in hand and it is anticipated that these will be finalised early in 1991. The delay has been caused by the necessity to develop uniform regulations in accordance with the International Maritime Organisation recommendations.

WA Marine Amendment Act 1987 – drafting of the enabling regulations is now well in hand and it is anticipated that these will be finalised early in 1991. The delay has been caused by the necessity to develop uniform regulations in accordance with the International Maritime Organisation recommendations.

Acts Amendment (Events on Roads) Act 1988 – associated regulations are still being drafted and should be completed in early 1991 after which the Act can be proclaimed.

Mining Amendment Act 1985 – sections 88 and 90 are repealed by the Mining Amendment Act 1990 which was passed during the autumn session of Parliament this year and will be proclaimed following the approval by EXCO of associated regulations.

#### MARINE AND HARBOURS DEPARTMENT – MARINE SURVEYS

##### *Consolidated Revenue Fund Estimates of Revenue and Expenditure – Income Figures*

2075. Mr McNEE to the Minister for Transport:

- (1) Is it indicated on page 14 of the volume entitled Consolidated Revenue Fund, Estimates of Revenue and Expenditure for the Year Ending 30 June 1991, that income from Marine Surveys for the year ended June 1990 was \$374 000 and that the estimate for the year ending June 1991 is \$525 000?
- (2) Are these figures correct?
- (3) If yes to (2) –
  - (a) does this represent a 40.4 per cent increase;
  - (b) will the Minister review the Minister's answer to part (b) of question 1908 of 1990?
- (4) If no to (2) –
  - (a) why are the figures incorrect;
  - (b) what are the correct figures?

Mrs BEGGS replied:

(1)–(2)

Yes.

(3)-(4)

The 1990-91 estimate of \$525 000 comprises assessments of revenue for marine surveys (\$399 000) as well as radio surveys (\$103 000) and miscellaneous items (balance \$23 000). In 1989-90 radio surveys revenue was included under "other" revenue. The 1990-91 revenue estimate of \$103 000 for radio surveys was based on the department's initial assessment of the level of activity in 1990-91. After discounting for radio surveys, the 1990-91 revenue estimate of \$399 000 represents an increase of 6.7 per cent, in nominal terms, on the 1989-90 actual of \$374 000.

# **ROADS – BLACK SPOTS**

## *Location List*

2080. Mr McNEE to the Minister for Transport:

Would the Minister provide a list of the locations which are considered black spots in Western Australia?

Mrs BEGGS replied:

The Government is concerned with all sites where traffic accidents recur. All of these sites are progressively being examined by the Main Roads Department to see if cost effective improvements can be made. The Main Roads Department has identified 1 653 intersection sites within the State which have had two or more reported accidents involving injury or death in the past three years. In view of the extensive number of sites involved I would be prepared to ask the Main Roads Department to provide specific information the member may require.

# **LOTTERIES COMMISSION – \$2 MILLION INTEREST**

## *Australian Neuromuscular Research Institute*

2095. Mr MINSON to the Minister for Racing and Gaming:

(1) Did the Premier announce in February that \$2 million had been set aside by the Lotteries Commission with the intent that the interest would go to the Australian Neuro-muscular Research Institute?

(2) If yes –

(a) has this money been given to the institute;

(b) when?

(3) If no, why not?

Mrs BEGGS replied:

(1)-(3)

No. An announcement was made concerning the establishment of five charitable foundations to honour the late Governor of Western Australia, Professor Gordon Reid. The allocation of proceeds from the five funds, including the Gordon Reid Foundation for Genetic Services – to promote the detection, diagnosis and prevention of genetically determined diseases – are not linked to any one particular organisation.

# **RURAL & INDUSTRIES BANK OF WESTERN AUSTRALIA – ANDERSON, MR WARREN**

## *Loan – Central Park Development Share Purchase*

2102. Mr LEWIS to the Minister for State Development:

(1) Did the Rural and Industrial Bank of Western Australia advance a loan of \$45.5 million or thereabouts to Mr Warren Anderson or any of his associated companies on or about 30 June 1988 for the purchase of a share in the David Jones site development (Central Park)?

(2) If yes, what was the interest rate set for the loan and what was it secured against?

Mr TAYLOR replied:

The R & I Bank is unable to provide the information sought by the member, as disclosure as to the affairs of a customer of the bank would be in breach of the bank's legal obligations of confidentiality to its customers.

#### ROYAL COMMISSION ACT 1968 – OFFICE POWERS

2104. Mr LEWIS to the Premier:

What offices established by Act of Parliament automatically assume the powers conferred in the Royal Commission Act of 1968?

Dr LAWRENCE replied:

To answer the question would require reading every Western Australian Statute. However, at least some relevant offices are –

The Parole Board,  
Persons appointed under sections 158 and 683 of the Local Government Act,  
The Electoral Distributions Commissioners,  
A person appointed under the Housing Act to examine the affairs of a lending institution,  
The Parliamentary Commissioner for Administrative Investigations.

#### STATESHIPS – VESSELS

##### *Trained Marine Electricians Removal – Marine Engineers Instant Electrician Course*

2106. Mr McNEE to the Minister for Transport:

- (1) Is the Western Australian Coastal Shipping Commission removing fully trained marine electricians from its vessels?
- (2) Are Stateships giving their marine engineers a five week instant electrician course in order that they may take over the marine electricians' duties?
- (3) Does the Minister consider the practice as described in (1) and (2) above as safe?
- (4) Does the Minister consider the practice as described in (1) and (2) above as cost effective?
- (5) Did a Stateships vessel recently make an unscheduled call at the Port of Geraldton to repair a major electrical fault?
- (6) Was there an electrician on board when the fault developed?
- (7) Are European lines which have implemented the procedure as described in (1) and (2) above, now reverting to the former practice of retaining a permanent on board marine electrician because the huge onshore maintenance costs far outweigh any cost benefit to be gained from staff reduction?
- (8) If no to (7), why was the Minister not made aware of this fact before approving a major policy change involving Marine employers and Unions throughout the country?
- (9) What efforts has the Minister made in conjunction with the Minister's Cabinet colleague, the Minister for Education, to have the instant electrician course, otherwise known as the Automation Electrical and Electronic Course for Ships Engineers referred to in (2) above, taught at the Fremantle Maritime College?
- (10) If no efforts have been made, why have none been made?
- (11) If efforts have been made would the Minister indicate the success of these efforts and whether or not they are ongoing?
- (12) How are Stateships marine engineers being compensated both financially and in terms of additional time away from work?
- (13) What is the cost of the course itself?

- (14) What is the total monetary value of (12) and (13) above?
- (15) Is Stateships responsible for all of this cost?

Mrs BEGGS replied:

- (1)-(4), (9)-(15)

The maximum number of crew members on modern Australian ships is determined by the category allocated by the Commonwealth Department of Transport and Communications and the designation of each crew member is determined by the crewing process established under MIDC, Maritime Industry Development Committee, and more recently SIRA, Shipping Industry Reform Authority.

On new Australian ships categorised under MIDC and recreated vessels, there is no position designated as electrical engineer, and the work previously allocated to electrical engineers is now performed by mechanical engineers who have undertaken the appropriate training.

The standards and level of competence for crew members on Australian ships are set by the Commonwealth Department of Transport. Those standards are considered amongst the highest in the world and have particular regard to safety. Stateships is obliged by Statute to operate its ships in compliance with Commonwealth crew competency conditions and I am assured that it does so.

The arrangements now applicable to new Australian vessels are the outcome of the SIRA process which is directed to achieving increased productivity and improved economy in the Australian maritime industry.

The Automation, Electrical and Electronic Course, AEE course, for ships' engineers has been established at the Australian Maritime College at Launceston and at Newcastle College to provide such appropriate training. The cost of the course is \$2 933 per person.

A proposal by Stateships to establish an AEE course at the South Metropolitan College of TAFE, Fremantle campus, has been considered by the Shipping Reform Committee, which is chaired by the chairman of SIRA and which acts as an advisory body to him. It has not been proceeded with at this time as questions were raised as to its necessity against the background of facilities already available.

Four Stateships mechanical engineers who are currently undertaking this course at Launceston are remunerated under the relevant provisions of the Maritime Industry Modern Ships award.

Airfares, accommodation, course fees and other incidental costs are payable by the employer of mechanical engineers who undertake such training. The estimated cost in respect of Stateships employees is \$6 771 per employee. Stateships is responsible for all of this cost in respect of its own employees.

- (5) Yes. Due to a minor fire caused by a construction defect.
- (6) No.
- (7) I am not aware of any such circumstances.
- (8) The methodology of maintaining ships in class and condition will depend on many factors such as ship types, trade routes, docking facilities etc. These factors vary considerably from one ship operator to the other. It is therefore a normal management function to determine the most economic means of performing maintenance consistent with statutory, practical and other considerations.

#### FISHERIES RESEARCH AND DEVELOPMENT TRUST FUND – BASE RESEARCH COSTS FUNDING

2113. Mr McNEE to the Minister for Fisheries:

- (1) (a) What proportion of the Fisheries Research and Development Trust Fund total income for this year will be used to fund base research



- costs which prior to 1989-90 were included in the Consolidated Revenue Fund Budget;
- (b) how much is this in dollar terms;
  - (c) what is the reason behind this change in policy;
  - (d) why should this not be considered an abuse of the Trust fund;
  - (e) will the Minister persuade the Minister's Government to revert to the former policy?
- (2) (a) Given that approximately 45 per cent of the export income from fisheries is generated in Western Australia why is the Government using the access fee calculations of other states as a basis for determining our own;
- (b) will the Minister undertake to hold access fees at the current one per cent of beach returns?

Mr GORDON HILL replied:

- (1) (a) Estimated 20.7 per cent.
  - (b) \$560 000.
  - (c) To enable the department to carry out its full array of functions.
  - (d) The Fisheries Act provides for money from the fund to be used for a number of purposes, including research. The Government took a decision that a greater proportion of research should be paid by access fees. This is clearly not an abuse of the trust fund.
  - (e) No.
- (2) (a) The access fees in other States are known in general terms but they are not used as a basis for determining the access fee in Western Australia. In general, the level of access fees paid in other States is higher than in Western Australia.
- (b) Access fees are reviewed annually. Any change in the general fee structure will be discussed with the Western Australian Fishing Industry Council.

**SMITH, MR ROBERT – SURVEILLANCE OF GOVERNMENT EMPLOYEES**  
*Government Payment*

2114. Mr MacKINNON to the Premier; Treasurer; Minister for Public Sector Management; the Family; Aboriginal Affairs; Multicultural and Ethnic Affairs; Women's Interests:

Has any Government department, agency or statutory authority under the control of the Premier either directly or indirectly since February 1983, made payments for services rendered by Mr Robert Smith or any firm with which he is associated, in relation to surveillance, in the broadest sense, of any member of Parliament, former member of Parliament, public servant or other employee of any Government department, agency or statutory authority?

Dr LAWRENCE replied:

The Premier has provided the following reply on behalf of all Legislative Assembly Ministers who were asked the same question –

As far as I am aware, only in circumstances that may have arisen as a result of work carried out in relation to insurance or workers' compensation cases such as those referred to in the reply to question 1807.

**FRINGE BENEFITS TAX – STATE–FEDERAL PAYMENT***Yearly Aggregate Tax – Government Employees Housing and Air-conditioning Subsidy*

2128. Mr MENSAROS to the Treasurer:

- (1) What is the total amount of fringe benefit tax the State had to pay to the Commonwealth during the financial years –
  - (a) 1986–87;
  - (b) 1987–88;
  - (c) 1988–89;
  - (d) 1989–90?
- (2) What is the estimated proportion of the yearly aggregate tax which had to be paid on account of housing and air-conditioning subsidy to Government employees?

Dr LAWRENCE replied:

- |     |     |         |             |
|-----|-----|---------|-------------|
| (1) | (a) | 1986-87 | \$2 054 859 |
|     | (b) | 1987-88 | \$2 931 588 |
|     | (c) | 1988-89 | \$3 221 736 |
|     | (d) | 1989-90 | \$3 747 979 |

The amounts are in respect of Government departments only where one consolidated return is submitted by the Treasury Department. Statutory authorities are responsible for submitting their own returns.

- |     |     |         |     |
|-----|-----|---------|-----|
| (1) | (a) | 1986-87 | 49% |
|     | (b) | 1987-88 | 46% |
|     | (c) | 1988-89 | 40% |
|     | (d) | 1989-90 | 41% |

**CASINOS – AUSTRALIAN CASINO REGULATORY AUTHORITIES  
CONFERENCE***Fourth Conference Funding*

2130. Mr MacKINNON to the Minister for Racing and Gaming:

- (1) Would the Minister confirm that no more than \$12,000 was spent by the Government in hosting the 4th Australian Casino Regulatory Authorities Conference in Perth?
- (2) Would the Minister also detail under headings of expenditure what the total costs were to the Government for hosting this conference?

Mrs BEGGS replied:

- (1) Yes.
- (2) The total costs to the Gaming Commission for hosting the 4th Australian Casino Regulatory Authorities Conference under the headings of expenditure were –

Stationery and miscellaneous	\$308
Room and equipment hire, food and beverage	<u>\$5 902</u>
	\$6 210

**COMMISSIONER FOR EQUAL OPPORTUNITY – PREMIER AND CABINET  
MINISTRY***Chief Executive Officer Appointment – Discrimination Complaints*

2131. Mr MacKINNON to the Premier:

- (1) Is it so that the Commissioner for Equal Opportunity cannot receive complaints about discrimination in the appointment of the Chief Executive Officer of the Department of Premier and Cabinet on the grounds of political conviction?

- (2) If yes, why?
- (3) Will the Premier ensure that if this is the case that the legislation is amended to ensure that such complaints can in future be lodged?
- (4) If not, why not?

Dr LAWRENCE replied:

- (1) No.
- (2)-(4) Not applicable.

### SUBMARINES - NAVY CONTRACTS

#### *Western Australia Industry Awards*

2133. Mr COURT to the Minister for State Development:

- (1) Has Western Australian industry been awarded any contracts in relation to the navy's \$4.6 billion expenditure on a fleet of new submarines?
- (2) If yes, what is the value of the work awarded to this State?

Mr TAYLOR replied:

- (1) Yes.
- (2) The builders of the Collins class submarines for the Royal Australian Navy, the Australian Submarine Corporation, ASC, are still in the process of awarding contracts for which Western Australian companies are competing. Many of the contracts are small parcels of work relating to subcontracts of particular systems, the precise details of which are commercial and in confidence.

Examples of the nature of contracts won by Western Australian companies include -

#### **Veem Defence**

Have won contracts for the emergency propellers and castings for the garbage ejector system, and are working in conjunction with Worcester Valves for the manufacture of ball valves.

#### **Clough Engineering**

In conjunction with Link-Miles are working on the submarine ship control simulator to be based at the Submarine School of Garden Island.

#### **Timcast**

Are preparing to bid for the submarine propeller contract. Timcast are currently making propellers for the ANZAC frigates.

### PROGRAM STATEMENTS - LOCAL GOVERNMENT

#### *Local Government Advancement Project Subprogram - Travel Grants to Peak Industry Organisations*

2138. Mr WIESE to the Minister for Local Government:

- (1) Will the Minister identify the peak industry organisations that have received travel grants through the local Government Advancement Project subprogram in 1989-90?
- (2) What was the value and specific purpose of each grant?

Mr GORDON HILL replied:

- (1) Country Shire Councils' Association.
- (2) \$10 500 allocated for travel purposes.

**MINISTERIAL OFFICES – ADVISORY POSITIONS**

*Local Government Councillor Appointment Guidelines – Conflict of Interest*

2139. Mr WIESE to the Premier:

- (1) What guidelines does the State Government adhere to when making appointments of persons who are local government councillors to advisory positions within Ministerial offices where a possible conflict of interest may exist (such as, for example, the Ministerial offices of the Ministers for Planning, Health, Transport etc)?
- (2) What mechanism is there in place to police compliance with the guidelines?
- (3) Is the Premier satisfied that all persons currently employed in advisory positions in Ministerial offices and who are also local government councillors have, at all times, complied with the guidelines?

Dr LAWRENCE replied:

- (1)–(3) Staff employed in Ministers' offices are appointed under the Public Service Act or the Constitution Act and in both cases are subject to the provisions of the Public Service Act and its regulations and administrative instructions in relation to private activities and conflicts of interest.

**LOCAL GOVERNMENT – WOMEN AND ETHNIC GROUPS' PARTICIPATION IN  
LOCAL GOVERNMENT REPORT**

2140. Mr WIESE to the Minister for Local Government:

- (1) Will Parliament be consulted before the Government implements the findings of the Women and Ethnic Groups Participation in Local Government report?
- (2) When is the report due?
- (3) Who is on the Committee that is preparing the report?
- (4) Are all the persons identified in (3) employees of the State Government?

Mr GORDON HILL replied:

- (1) The Women and Ethnic Groups Participation project is part of the ongoing policy development role of the Department of Local Government. As it is doubtful that the report will recommend any legislative changes, it is considered unnecessary to consult with Parliament before proceeding with implementing the recommendations.
- (2) July 1991.
- (3)

<p>Ms Annie Goldflam Ms Thea Mendelsohn</p> <p>Mr Peter Naughton</p> <p>Ms Joan Roberts</p> <p>Cr June Hutchison Ms Katrin Wilson</p> <p>Ms Wendy Rose Ms Lorraine Scherpenzeel Ms Joan Eveline</p>	<p>Part-time project officer Acting Director Policy and Programs, Department of Local Government WA Local Government Industry Training Committee Director Community Development, WA Municipal Association City of Fremantle Multicultural and Ethnic Affairs Commission Ethnic Communities Council Office of Women's Interests Murdoch University</p>
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- (4) No.

## STATE ECONOMIC STRATEGIES COUNCIL - MEETINGS

2144. Mr COURT to the Premier:

- (1) When did the State Economic Strategies Council hold its first meeting?
- (2) When is it anticipated its next meeting will be conducted?

Dr LAWRENCE replied:

- (1) 30 November 1990.
  - (2) At the convenience of members but probably in March 1991.
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