Legislative Assembly

Thursday, 19 September 1985

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

PRISONERS: PAROLE

East Pilbara Shire: Petition

MR BLAIKIE (Vasse) [10.46 a.m.]: I present 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 residents of the East Pilbara Shire object to our region being used as a parole area for persons who have been convicted of serious crimes. We believe the Government of Western Australia should have the courtesy of having consultation with the Shire before its final decisions are made.

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 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. 6.)

COMMUNITY SERVICES: ADOPTIONS

Birth Certificates: Petition

MRS BEGGS (Whitford) [10.49 a.m.]: 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, do solemnly request that you amend the Adoption of Children Act, 1896, TO ALLOW ADOPTED CHILDREN OVER THE AGE OF EIGHTEEN YEARS TO BE LEGALLY RECOGNIZED WITHIN THAT ACT AS ADULTS ENTITLED TO THEIR ORIGINAL BIRTH CERTIFICATE AND ANY OTHER INFORMATION ABOUT THEIR PRE-ADOPTION STATUS.

We make this request on the following grounds:

1. Adopted children were never a party to the laws which have cut them adrift from their personal history.
2. This fundamentally human birth right is validated by Article 1 of the Universal Declaration of Human Rights which states "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in the spirit of brotherhood".
3. Research into the psychological effects of genealogical bewilderment or conscious ignorance of an adopted person's familial, social and cultural background, supports the United Nations finding of the Expert Group Meeting on Adoption and Foster placement of children (Geneva 1978), that the need of adult adoptees to know about their background, should be recognized.
4. The State of Victoria has recently passed legislation which recognizes the special needs of adult adoptees. Western Australian adoptees have the same special needs.

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

The petition bears 107 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. 7.)

RURAL MORTGAGE PROTECTION AND RELIEF BILL

Introduction and First Reading

Bill introduced, on motion by Mr Crane, and read a first time.

ACTS AMENDMENT (RESOLUTION OF PARLIAMENTARY DISAGREEMENTS) BILL

Second Reading

MR TONKIN (Morley-Swan—Minister for Parliamentary and Electoral Reform) [10.52 a.m.]: I move—

That the Bill be now read a second time.

Before reading the prepared speech which is customary in second reading stages for Ministers of the Crown, I would like to make two points which will be covered but really must be emphasised in this Bill.

Firstly, this Bill is to consult the people. It is a Bill for a referendum, and failure to pass this Bill means that those who do not pass it are afraid to ask the people their opinion. The second point I would like to make is this: It has often been claimed by conservatives that we have a two-House Parliament and the Legislative Council is an equal and important part of the bicameral system. The point that must be realised—and I am sure many conservatives opposite do not know this—is that there is no equality between the Houses. The Legislative Council cannot be dismissed by a Governor, by the Government, by the people or even by itself. The Legislative Assembly can be dismissed by the Legislative Council because if that House stops Supply, causing the Government to go to the people, the Governor may well have to call for an election for the Legislative Assembly. So we do not have, and have never had, equality between the two Houses in Western Australia. We have had a situation where one House cannot be touched. Members of the Legislative Council are elected for six years and nothing but an act of God in striking them down can shorten that term.

I would like to give some background to the Bill so that we have a full understanding of it.

The two Houses of Parliament are bound to disagree with one another from time to time, and, as we all know, a difference of opinion can often signal the importance of a matter. Differences of opinion can also provide the energy and the necessity to find a more constructive solution. But this process requires an effective conflict resolution mechanism which allows people to have their say and for a constructive result to emerge. Without some sort of conflict resolution mechanism the two Houses cannot become a constructive Parliament. Tasmania and Western Australia are exceptions among the Australian States in that neither has constitutional mechanisms for the resolution of disagreements between the Houses of Parliament. Where an impasse occurs, and one has up to this time over nearly all of the parliamentary and electoral reform legislation brought into this Parliament, there is no solution except to go on repeating what has already been proven to be unsuccessful.

Section 46 of our State Constitution places some restrictions on the Legislative Council with regard to money Bills. It states that the two Houses are otherwise equal in power, but does not include arrangements to deal with disagreements.

As I have already pointed out, in fact the two Houses are not equal in power.

Mr Mensaros interjected.

Mr TONKIN: That is not so. I have quoted the Constitution. My adviser did not write the Constitution. I pointed out that although the Constitution claims that the Houses are equal, in fact they are not because one House can be dismissed by the other, while the other cannot be dismissed by its fellow. It is this fundamental inadequacy that this Bill is designed to make good. The Bill is a result of a long process which commenced with the victory of the Australian Labor Party at the 1983 State election.

On Thursday, 10 November 1983, I explained the Acts Amendment (Parliament) Bill. That speech set out the general and specific reasons that the Western Australian Constitution should contain effective mechanisms for the resolution of parliamentary disagreements. Most of that speech is relevant to the Bill before us today. A crucial set of figures quoted in 1983 is one set of facts which must now be revised. At the time of the speech on the 1983 Parliament Bill, two deadlocks existed between the Houses.

Since then the behaviour of the Opposition-dominated Legislative Council has reaffirmed its historical party political bias. At present deadlocks have occurred over eight Government Bills in this Parliament. Over the past 32 years the Legislative Council blocked only one Bill from a non-Labor Government, but has blocked no fewer than 49 Bills proposed by Labor Governments. That makes a mockery of the claim that the Legislative Council is some kind of lofty and impartial House of review. But I have found that truth is the last measurement used by people who want to excuse self-corruption. As I said in 1983, the record shows that the Legislative Council has found that the

idea of an impartial House of Review is almost impossible to separate from party politics and it is in this context that we must envisage the operation of the proposed conflict resolution mechanisms.

The 1983 Parliament Bill proposed that in relation to all money Bills, the Government should have the option to ask for the Governor's assent if the Legislative Council had rejected such a Bill or otherwise has failed to pass it in a form acceptable to the Legislative Assembly within a period of one month. In relation to other Bills, the 1983 Parliament Bill proposed that a Bill could create a deadlock if the Legislative Council rejected it, failed to pass it or made amendments unacceptable to the Legislative Assembly and after an interval of three months this pattern was repeated.

Two alternative procedures were proposed to resolve a deadlock: The Legislative Assembly could have resolved that the dispute be decided by the electors voting at a referendum or that the Governor could be asked to dissolve both Houses of Parliament simultaneously. If after the double dissolution election the Legislative Assembly again passed the Bill which caused the deadlock, the Bill would have been presented to the Governor for assent.

It is history now that these sensible proposals were refused even a second reading by the Legislative Council.

We have to question the sincerity of Legislative Councillors of the conservative mould who have a majority in that House and who did not even offer one constructive amendment to that Bill.

Like nearly all the divisions in the Legislative Council which have brought about the nine deadlocks in this Parliament, malapportionment of enrolments enabled the representatives of a minority of electors to reject the Bill. In the Legislative Council division 12 ayes representing 44.6 per cent of electors were defeated by 18 noes representing only 39.1 per cent of electors. Figures like that demonstrate why it is impossible to call Western Australia at present a democracy.

There is something seriously wrong with our Parliament when a minority of electors can be represented here by a majority of Legislative Councillors whose party was soundly defeated in the voting at the previous election. This distortion of democracy is really a gross violation when it is realised that the Legislative Council was preventing the people from voting on the issue at a referendum. No wonder members opposite squeal when I use the word "corrupt"! But the pain they experience from that brand is deserved. It is like the burglar who complains of being called dishonest.

During the debate on the 1983 Parliament Bill the Opposition repeatedly said that far-reaching reforms should be the subject of consultation and compromise. The rejection of the Parliament Bill showed that the Opposition was itself unwilling to initiate a process of consultation. So the Government took the requests for consultation seriously. Perhaps that was a mistake. Nevertheless, for my sins, I have repeatedly asked for discussions. This has met with no meaningful response from the Opposition, so to its record before history of defending a corrupt law must be added its lack of sincerity.

Mr Blaikie: I think you wrote this yourself.

Mr TONKIN: Some of the gems are mine.

Yet still, even at this late hour, the Government stands ready to consult and discuss with the Opposition or with any concerned citizens.

I repeat, because I know some members are more concerned with their own interjections than with the offer by the Government, that we still stand ready to consult on electoral matters. I have asked for consultation. I have even met with the member for Floreat and Mr Ian Medcalf MLC for discussions, which they agreed to because otherwise they would look rather poor in the eyes of the world. However, those discussions were not meaningful because although I laid on the line what the Government's attitude was, they said they were not empowered by the party room to say anything, and so it was a meaningless meeting which wasted our time.

One form the Government's willingness to consult took was the decision to appoint a Royal Commission so that the process of working out these proposals would be in open forum for all the community to see, not in secret as is the practice followed by most Governments when devising legislation. For this willingness to enter into open discussions, the Government has been criticised by the Opposition, but the Opposition is alone in that criticism. No other part of the community has criticised us for our openness.

I make the point again, that when legislation is devised by Governments, they seek all the other advice they like. They do not usually do it publicly, but in conference with their civil servants. We decided in this case that we would

have a Royal Commission so that every citizen of this State could come before it and make his point as to what should happen. The conservatives, acting in a churlish manner, refused to play a part in that process of open consultation. Once again, the Government was prepared to consult with everyone, including the defeated Opposition, but it refused to take part in that process.

The Royal Commission, appointed in July 1984, was charged with the duty to inquire into and report on two questions—

(1) Should the laws of this State prescribe a means of overcoming or resolving deadlocks or disagreements between the Legislative Assembly and the Legislative Council in relation to proposed legislation?

(2) If so, what method or methods for overcoming or resolving such deadlocks or disagreements should be prescribed?

The Royal Commission was chosen as a way in which the Government could provide all interested persons and groups with the opportunity to state their preferred solutions. The long history of conflicts between the Houses pointed to the need for an impartial and independent view from outside of Parliament.

We had tried the other route. We did ask Parliament to agree, but Parliament did not agree to the legislation and so we thought we would go to someone who was above and beyond politics and who was accepted as being so by the community generally.

The first response of the President of the Legislative Council was to claim that the inquiry touched upon the internal proceedings of Parliament, and I quote from his statement—

> Accordingly, an inquiry into that matter without positive authorisation from Parliament is improper and an infringement of its privileges.

No action was taken by the Opposition in Parliament to give the authorisation that the President claimed was required, even though the time for submissions was extended deliberately by me to allow the Opposition to have time to make submissions, and I made approaches to the Opposition to see if a way could be found for the Royal Commission to report without the alleged infringement of privilege.

I guess Western Australians are becoming used to an Opposition that acts unreasonably like a spoiled child. In a statement to the Legislative Assembly on Tuesday, 13 November 1984 I set out the full background to the Royal Commission, including legal advice given to the Government that the viewpoint expressed by the President was without merit in law.

All that the Royal Commission had been asked to do was to identify possible statutory solutions to the problem of deadlocks. This process could not and does not affect the prerogative of Parliament alone to decide whether or not to act on the recommendations made by the Royal Commission.

In mid-February 1985 the report of the Royal Commission into Parliamentary Deadlocks was released by the Government for public comment. I do not know if there was any substance in the rumour at that time that the Liberal Party had made a secret submission to the Royal Commission. However, several things were immediately clear. Firstly, the Leader of the Opposition had, like other people, suggested alternative terms of reference to the Royal Commission. The response given in paragraph 43 of the Royal Commission report indicates that the methods, procedures, and answers would in effect have been the same if the suggested alternative terms of reference had applied.

Secondly, it is clear from the range of views expressed in submissions to the Royal Commission that even though the State Opposition refused to participate in any meaningful sense, other competent people have contributed conservative points of view. The Royal Commission did receive submissions representing a broad spectrum of opinion from complete abolition of the Legislative Council through to no change at all, and has therefore facilitated the process for which it was designed.

Not relying solely on what people chose to submit to him, Professor Eric Edwards actively researched the background to the problem and in volume 2 of the report he has amassed a wealth of additional information relevant to the inquiry.

After considering the report, noting the range of views that had been submitted and that the recommendations represented a compromise position, Cabinet gave approval on 9 April, 1985 for a Bill to be drafted. Professor Edwards' recommendations were to be followed and in outline these were—

(1) With regard to Supply Bills—a suspensory veto along the lines of section 5A of the Constitution Act of New South Wales should be prescribed.

(2) With regard to other Bills—including constitutional amendments—a method based on section 57 of the Commonwealth Constitution should be prescribed.

These recommendations fall far short of what the Government would prefer, which are the same mechanisms that operate to resolve deadlocks between the House of Lords and the House of Commons in the British Parliament. The conservatives often claim that we have here the Westminster system, but they are frightened to follow the Westminster model. The two recommendations of the Royal Commission are now translated into the Bill before us and both involve compromise by the Government. Financial management involves all aspects of the Budget: Loan Bills, tax Bills, and Bills for ordinary annual services. It was the interdependent nature of the components of a Budget and British precedent that led the Government in the 1983 Parliament Bill to propose that the Legislative Council should have the same one month suspensory veto for all money Bills.

For the Government to now agree that the one month suspensory veto be limited only to Bills for ordinary annual services is a significant compromise. I do not believe that I am departing from modesty to claim that this compromise Bill is once again evidence that the Government is prepared to act in a reasonable and conciliatory manner. A deadlock over a money Bill which is not for ordinary annual services will have to be settled by the slow double dissolution method, and this could mean a wait of over six months for what a Government sees as essential financial measures.

Furthermore, the double dissolution and joint sitting steps of the mechanism proposed for all other Bills preserves extensive power for the Legislative Council and throws the problem back into an electoral system built on those twin rotten foundations of gerrymander and malapportionment.

The whole point of the appointment of the Royal Commission was to seek out some effective solution that could be accepted by all parties as a reasonable compromise. This is the reason for the Bill appearing in its present form.

It should now be clear that this Bill is the result of a long evolutionary process and its present form is a testimony to that process and to the competence of the people involved. Only a small portion of this speech is devoted to justification of the Bill. Members who wish to see more on that theme should consult my second reading speech on the Parliament Bill 1983 and read the report of the Royal Commission.

One point does need to be made before explaining the detail of the Bill and that is to note that the Bill follows the manner and form provisions of section 73 of the Constitution which were enacted amidst great controversy in 1978. The Court Government sought by amendments to the Constitution to bind its successors to certain manner and form requirements. However there is an equally persuasive view that Parliament cannot bind its successors. By this view, any Parliament by a simple Act can alter what any previous Parliament has enacted by a simple Act. Therefore, this Bill should not be seen as foreclosing the ability of any subsequent Parliament to amend or repeal any Act of any previous Parliament.

The real substance of the Resolution of Parliamentary Disagreements Bill is in amendments which expand section 46 of the Constitution Acts Amendment Act. Section 46 deals with relations between, and the relative powers of the House. This corresponds with the arrangement of sections 53 to 57 of the Commonwealth Constitution. The mechanisms must make special arrangements which adapt the normal procedures of law-making to fit in with the varied arrangements which facilitate the political input to the process.

Following closely the recommended model in section 5A of the Constitution of New South Wales, the Bill proposes in clause 11 that if the Legislative Council rejects a Bill appropriating revenue or moneys for ordinary annual services of Government, or requests unacceptable amendments to such a Bill, or fails to return such a Bill to the Legislative Assembly within one month after receiving it, the Legislative Assembly may direct that the Bill be presented to the Governor for Royal Assent. The content of such a Bill which becomes the subject of such a direction may not be altered except to include any amendment previously requested by the Legislative Council.

The phrase "ordinary annual services" is used in preference to "the ordinary annual services" to make clear that the disagreement resolution mechanism is intended to be applicable to a Bill that appropriates money for only a part of the ordinary annual services. A mini-Budget is an example. Traditional prohibitions

against "tacking" provisions other than those dealing with ordinary annual services are incorporated in the proposed new section.

The New South Wales Parliament has not found it necessary to resort to the provisions of section 5A of its Constitution since its enactment in 1933 and this indicates that a second Chamber can perform its function adequately without using the power to refuse Supply. Even if a Government was forced to wait for one month to secure appropriation for ordinary annual services, the proposal ensures that the Legislative Council cannot ultimately force a Government to resign because it cannot pay its employees and meet its normal ongoing expenses.

In the final analysis, the Legislative Council will not be able, through refusing Supply, to bring about the dissolution of the Legislative Assembly alone. Since the Legislative Assembly cannot dismiss the Legislative Council alone, this proposal creates a more even balance between the powers of the Houses.

Professor Edwards reported in paragraph 180 that—

> With regard to supply bills, I reach my answer with assurance.

The necessity of Supply for the survival of a Government and the implications of political use of power over that lifeline were summarised by Professor Edwards when he said in paragraph 182—

> The contents of a supply bill ("tacking" apart) are not likely to be an issue. The denial of supply by the Council is thus but a way of forcing the Government to resign and, as a practical consequence, the Assembly to an election.

Professor Edwards recommended a different method to resolve a disagreement over Bills other than for ordinary annual services. In paragraph 192 he said—

> With any other bill there is not usually the same urgency: The disputes are generally over policy matters, and a rejection of the bill by the Council will not force the Government to resign or the Assembly to an election.

Based on section 57 of the Commonwealth Constitution, the Bill proposes that in certain cases, if the Houses disagree twice over a Bill originating in the Legislative Assembly, the Governor-in-Council may dissolve both Houses of Parliament simultaneously. A disagreement arises over a Bill if—

> The Legislative Council rejects the Bill, or does not return the Bill to the Legislative Assembly within two months of receiving it, or passes, but by a simple majority only, a Bill that must be passed by an absolute majority; or
>
> the Legislative Assembly records that it will not make or accept an amendment to the Bill requested or made by the Legislative Council.

At least three months must elapse between the time when the Bill is transmitted to the Legislative Council on the first occasion and the time when it is passed by the Legislative Assembly on the second occasion. This second occasion must be in the same or the next session of Parliament. Some of the lengthy uncertainty that is possible in section 57 of the Commonwealth Constitution is reduced by setting the first date of transmittal of a Bill to the Legislative Council as the date for the commencement of the three months interval between the two parliamentary phases of the mechanism.

If the Government wishes to advise a double dissolution in respect of a disagreement it must do so within three months after the emergence of the disagreement. It cannot do so within six months before the date of the expiry of the term of the Legislative Assembly.

Following section 57 further, if a disagreement persists after a double dissolution election as a result of yet another rebuff by the Legislative Council of the Bill passed by the Legislative Assembly, the Governor may convene a joint sitting of both Houses. Such a joint sitting may consider the Bill in its final form before the joint sitting plus any amendments made or requested by one House and not agreed to by the other. An absolute majority of all the members for the time being is required to pass any amendments or Bills at a joint sitting. If Bills are passed by an absolute majority at a joint sitting they shall be taken to have been duly passed by both Houses of Parliament.

Commonwealth experience with the provisions for a joint sitting indicates that these events are likely to be infrequent. In fact there has only been one joint sitting as a result of the operation of section 57 of the Commonwealth Constitution. But a joint sitting of the Houses of this Parliament for other purposes is not unusual. In addition to the brief joint sitting that opens every session there have, I believe, been two celebratory occasions in 1929 and

1982. In addition, the Houses of our State Parliament have sat together for the purpose of electing people to fill casual vacancies in the State's Senate seats on six occasions in the past. It could easily be the case that this Parliament has more experience of joint sittings than the Commonwealth Parliament.

At a joint sitting the relative strengths of the two Houses are important factors and in clause 2 it is proposed to entrench the historically determined strength of the Legislative Assembly as compared to the Legislative Council. Since the creation of two Houses of Parliament in Western Australia the number of members of the Legislative Council has never exceeded three-fifths of the number of members of the Legislative Assembly.

The proposed section 46B is not identical with section 57 of the Commonwealth Constitution. One adaptation addresses a serious weakness of section 57 which does not envisage the Senate doing nothing about a Bill. In 1975 the Federal Budget was simply deferred. The Resolution of Parliamentary Disagreements Bill now before the House therefore proposes that a disagreement can arise if the Legislative Council has failed to return the Bill to the Legislative Assembly within a period of two months of receiving it.

Together with the three months that must elapse between the first transmittal of the Bill to the Legislative Council and the second passing of the Bill by the Legislative Assembly, the shortest period in which a Legislative Assembly could bring about a disagreement with a non-cooperative Legislative Council is five months. Of course if both Houses were intent on having a disagreement this could occur in a little over three months and at the other end of the time-scale a disagreement could conceivably take two full sessions of Parliament to emerge.

Persuaded by argument that Bills should not be "stale" and that it should not be possible to "stockpile" Bills awaiting an auspicious moment for a double dissolution, Professor Edwards recommended an adaptation of section 57. Rather than place a restriction on the number of Bills, the constraint of a time limit beyond which a disagreement cannot be used to justify a double dissolution was recommended. He said in paragraph 198 that—

> A Government should within three months of the second rejection of a bill be able to decide whether the bill is sufficiently important to warrant a double dissolution.

Another adaptation of section 57 permits the proposed joint sitting to consider amendments which have been requested but not agreed to. Apart from the fact that the word "requested" is more appropriate to our State Constitution, disagreements over money Bills other than Bills for ordinary annual services may be resolved by the mechanisms in the proposed section 46B. The Legislative Council may request amendments to such Bills under the existing section 46 and the adaptation will allow these requests to be considered.

Other adaptations of section 57 accommodate the requirement that in Western Australia certain measures require an absolute majority. For example, Bills proposing changes to certain sections of the Constitution or to the Electoral Districts Act are in this category.

The proposed section 46C acknowledges the importance of the time at which a Bill is transmitted or returned to one of the Houses. A House cannot avoid its responsibility to receive a communication from the other House by simply not sitting.

In drafting this Bill, a solution had to be found to the problem of the duration of terms of members of the Legislative Council after a double dissolution. As the 1984 Fair Representation Bill showed, Government policy is unequivocally in favour of members of the Legislative Council serving two terms of the Legislative Assembly which ensures that elections for both Houses can always be simultaneous. However, Professor Edwards in paragraph 172 reported that he felt his terms of reference prevented him from pursuing the idea of simultaneous elections. In view of the absence of any recommendation relating to the problem of the duration of terms after a double dissolution, the Government has chosen a proposal which maintains the existing arrangements as far as that is possible. No matter when a double dissolution election occurs, the proposed arrangements in clause 5 will reduce or extend the terms of members of the Legislative Council to expire on 21 May after a term based on three or six years. Subsequent elections will be held early in each third year as at present.

If a double dissolution election occurs after 31 January and before 1 September, Legislative Council terms will expire in three and six years from 22 May in that year. If the double dissolution election occurs after 31 August but before the following 1 February Legislative Council terms will expire in three and six years from the following 22 May. This of course is based on the arrangements which are presently part of our State Constitution.

This proposal does mean that the duration of terms immediately after a double dissolution could be up to three months shorter or nine months longer than three years. Once again, that is similar to the situation prevailing with the Legislative Assembly at present.

This, members will be aware, is the present situation for the Legislative Assembly and the proposal dovetails neatly with these existing arrangements. The plan is an improvement on section 13 of the Commonwealth Constitution which commences the terms of senators from the previous 1 July. It ensures that State elections will normally occur early in the year and that both Houses are likely to enjoy a fuller term after a double dissolution than the Commonwealth counterparts.

But the absurd situation surrounding the fixed date of 22 May remains. At normal elections we may still see repeats of the 1983 spectacle of defeated councillors sitting and voting in Parliament while their legitimately elected replacements had to wait until 22 May before taking their seats. I wish that Professor Edwards had felt that he was able to consider the possibility of simultaneous elections but since he did not, the Bill proposes a workable version of the fixed terms concept.

Clauses 7 and 8 propose changes to the voting entitlements of the Presiding Officers in both Houses. When the votes on the floor of this House look as though they will be equal on an important measure which requires an absolute majority, a member can cause the measure to lapse by not voting. Because the absence of that member removes the equality of votes, the Speaker is denied a casting vote and the measure therefore fails to achieve the required absolute majority. It is an example where a rule is inadequate because it invites this cynical exploitation by an Opposition. The Bill proposes that the Western Australian Presiding Officers have similar voting rights to the President of the Senate. That is, they may have a deliberative vote only on all measures, and when the votes are tied, the question is resolved in the negative.

Like all other members here, the Speaker and the President each represent a group of electors and these people have as much right to have their view recorded on all measures as any other group of electors. The unfortunate consequences of the present rule indicate the need for reform.

At various places in the Constitution Acts Amendment Act, the Electoral Act, the Parliamentary Superannuation Act and the Salaries and Allowances Act amendments are proposed that are consequential to the possibility of a double dissolution. No new principles are involved in these adjustments.

I anticipate that some members of the Opposition may reassert their claim that Conferences of Managers already provide a means of overcoming parliamentary disagreements. Although the Standing Orders are made possible by the Constitution they are not a part of it and they are adopted by the two Houses independently of one another. Professor Edwards considered whether the Standing Orders relating to Conferences of Managers were laws or not and concluded in paragraph 38 as follows—

> I would be taking a very flaccid view of my terms of reference if I read them as precluding me from continuing with the inquiry because I was persuaded that the Standing Orders could be described as laws and that Conferences of Managers could be regarded as a means of settling deadlocks between the Houses.

A Conference of Managers is entered voluntarily by each House and even the unanimous decision of a conference is not binding on either House. Conferences occur only over disputed amendments, which means that there is no way at present of resolving a conflict between the Houses if one House flatly rejects or refuses to consider a Bill. A conference is really just a formal arrangement which at present exists to permit the formal discussion on certain types of disagreements, whether there are or are not constitutional provisions for the resolution of disagreements. Formal arrangements for full discussions which seek to find some workable solution are an essential part of the process of resolving disagreements. No change is therefore proposed to the idea of the Conference of Managers. The Bill proposes additional mechanisms that guaran-

tee a parliamentary disagreement can be resolved even when a Conference of Managers has failed.

By following the manner and form requirements of the Constitution the Government is proposing to hold a referendum on this Bill.

It is intended that the referendum be held in conjunction with the next State election. If the Legislative Council passes the Bill later in this session, the election will fall neatly inside the six months within which the referendum must be held. In a very real sense the Parliament does not make this law. It is for the voters to decide whether or not they wish our State Constitution to contain these practicable and reasonable deadlock resolution mechanisms. The Government is prepared to place the question before the electors and since they are the ultimate source of authority in our system of government, I trust that Opposition members here will also be prepared to do the same.

The Acts Amendment (Resolution of Parliamentary Disagreements) Bill represents the refined results of much consideration, which includes the historically significant Royal Commission into the question. Constructive moves in the past to refer the problem of disputes between the Houses to an outside judicial authority had unfortunately not been followed up until 1984.

The preference of the Government is for terms of the Legislative Council to be two terms of the Legislative Assembly and for disagreements to be settled using the British model in which the House of Lords has the power to cause a delay of up to 12 months, but the Royal Commission did not choose that pathway. The recommendations made by the Royal Commission represent a compromise position which relies on tried and tested constitutional models elsewhere.

The indirect but fatal power presently held by the Legislative Council over Supply is ameliorated to a delaying power which cannot force the Assembly alone to an election. In all other matters in dispute, the proposed mechanisms take the dispute back to the voters. Accountability is created in a Constitution which at present contains no laws for the resolution of the more or less inevitable disagreements.

The resolution of disagreements Bill proposes reform of our nineteenth century State Constitution to create a Parliament accountable to the voters for its actions in accordance with modern constitutional ideas.

Although the record of obstruction by the conservative majority in the Legislative Council is not likely to encourage the view that this sensible Bill will be treated on its merits, I am optimistic by nature and believe that reason may well prevail.

This is a Bill to consult the electors. The Government is prepared to ask the people for their decision at a referendum and the Bill justifies this confidence. Any parliamentarian who is afraid to place this issue before the people is not a worthy representative of the people in a nation claiming to be democratic.

Adjournment of Debate

MR MENSAROS (Floreat) [11.26 a.m.]: I move—

That the debate be adjourned for two weeks.

Motion put and negatived.

Debate adjourned, on motion by Mr Mensaros.

FINANCIAL ADMINISTRATION AND AUDIT BILL

Second Reading

MR TONKIN (Morley-Swan—Leader of the House) [11.29 a.m.]: I move—

That the Bill be now read a second time.

The Financial Administration and Audit Bill is the result of a lengthy and comprehensive review of the Audit Act of 1904 and the attendant Treasury regulations.

The review, which was undertaken by a committee chaired by the Under Treasurer and comprising the Auditor General, Deputy Auditor General and senior officers of Treasury and the Public Service Board, concluded that the present Act, which has remained substantially unaltered for over 80 years, did not adequately provide for the modern accounting, audit and financial management practices necessary to ensure a high level of accountability in the public sector.

Consistent with our policy for the efficient management of the State's finances, the Government has keenly supported the work of the committee and is pleased to bring before Parliament this legislation, which will provide a sound and modern framework for financial administration. Not only is the legislation modern, in that it provides for the standards and practices demanded today, but also it is dynamic, having been designed to adapt readily to future developments in the accounting area.

The Bill has been prepared to replace the Audit Act and to make substantial improvements in the law relating to financial management and year-end reporting within the public sector. At the same time the Bill maintains the role of the Auditor General with respect to the audit of the Treasurer's accounts and departmental operations, and re-enforces his role as external auditor of statutory authorities.

I do not intend to dwell in detail on the content of the Bill, as the Treasurer has taken a unique step for this Parliament by having an explanatory memorandum printed to be distributed with the Bill.

I would like to take issue with the Treasurer there. It is not unique; I have done that in connection with my own Bills.

This has been done in recognition of the importance of the legislation to the running of Government and the wide-ranging interest it will attract from not only within parliamentary circles, but also professional bodies, academic institutions and the public and private sector at large. I would therefore commend the memorandum to members as a helpful guide to the intent of the Financial Administration and Audit Bill and a ready clause-by-clause explanation of its provisions.

Let me now turn to the main features of the Bill. The Bill has been structured on a three-tier basis whereby matters of principle are addressed at the Act level; regulations will contain matters of principle below the level appropriate for legislation and will take up the discretionary powers of the Treasurer; and a third level, termed Treasurer's instructions, will be prescriptive as to the detailed practices and procedures required in the operations of departments and statutory authorities.

The Treasurer's instructions will amongst many other things, include the specification of accounting and annual reporting standards and by their nature, will be capable of responding to new developments and changes in financial administration and audit as they occur.

In Australia efforts are currently being concentrated through the Public Sector Accounting Standards Board to develop a proper and consistent framework of accounting standards relevant to both the Federal and State public sectors. Our officers of the Treasury and the Audit Department are working closely with this board and other professional bodies to ensure that our financial administration benefits from developments as they emerge, in keeping with the thrust of the Bill now before the House.

Perhaps the most significant aspect of the Bill is the strengthening of the financial accountability of departments and statutory authorities. This is accomplished by charging designated officers, boards of management or their equivalent with responsibility for the services under their control and requiring them to prepare and submit an annual report on the finances, efficiency and operations of their organisations.

The Bill introduces the concept of permanent heads of departments as being "accountable officers" and boards of management of statutory authorities being "accountable authorities", with each being responsible to their Minister for the financial administration of the bodies under their control. These accountable officers and authorities are charged with quite specific responsibilities in regard to matters such as efficiency of operations; avoidance of waste; review of fees and charges; proper collection of moneys; control over expenditure; management of public property; the effectiveness of accounting systems; development of an effective internal audit function; and maintaining the delivery of programmes to achieve objectives.

Inherent in the trust for improved accountability is the requirement to report on the discharge of responsibilities and to do so in a timely manner. At present many departments and statutory authorities are under no obligation to prepare annual reports and amongst those that are, there is considerable inconsistency in the standard of presentation and content. Under the provisions of this Bill, each accountable officer and authority will be required to prepare an annual report, which will have to meet prescribed standards in regard to financial statements and operational reporting, as well as contain performance indicators as measurements of efficiency and effectiveness.

In addition the Bill places time constraints on reporting, so that accountable officers and authorities must submit their annual report to their Minister within two months of financial year-end and in turn, the Minister is required to table the report in Parliament within 21 days of receiving the Auditor General's opinion on the financial statements and performance indicators.

Another important aim of the Bill is to modernise the keeping of and reporting on the Treasurer's accounts. The existing legislative framework provides for a Consolidated Revenue Fund, General Loan Fund, and a Trust Fund, with the Consolidated Revenue Fund being prescribed by the Constitution Act 1889, and the General Loan Fund and the Trust Fund by the Audit Act.

Although the Consolidated Revenue Fund is primarily utilised to meet recurrent expenditures and major capital expenditures are met from the General Loan Fund, the Statutes place no limitation on the purpose for which either fund may be appropriated.

The Trust Fund comprises two elements, namely governmental and private trusts. The former records moneys deposited for Government purposes in accordance with legislation or by parliamentary appropriation from the Consolidated Revenue Fund and General Loan Fund, or by any other means. Private trusts record moneys deposited for specified purposes by persons or industry in accordance with legislation and generally comprise those moneys for which the Government acts as trustee.

The essential elements of the three-fund approach will be continued under the financial administration and audit legislation, although it is proposed to change the title of the General Loan Fund to "General Loan and Capital Works Fund".

The new General Loan and Capital Works Fund approach provides for the drawing together of the variety of the funding sources which fund the capital works programme and continues the practice of recent years to advance estimates of expenditure for the General Loan Fund, within the context of a capital works programme.

Although it is intended to bring together a far wider range of funding sources than the existing General Loan Fund, it will not account for all expenditures of a capital nature. Existing arrangements where capital expenditures are made from the Consolidated Revenue Fund and Trust Fund accounts financed from Consolidated Revenue Fund, will continue. In broad terms, the approach is directed at ensuring that all expenditures of a capital nature are appropriated by Parliament.

Due to the change of title from General Loan Fund to "General Loan and Capital Works Fund", it will be necessary later to seek an appropriate amendment to Standing Orders.

The Bill also provides for the continuation of the Trust Fund accounts established under the Audit Act, but is more prescriptive in that it defines the accounts which may be established and form part of the fund.

In addition it requires the preparation of a trust statement for each trust account established, detailing aspects such as the name and purpose of the account and specifying requirements in respect of the administration, investment and keeping of accounting records. A copy of each trust statement will be included in the Treasurer's statements in the year in which the account is opened.

Overall these requirements will greatly strengthen control over accounts forming part of the Trust Fund.

The existing Treasurer's advance arrangements will be formalised under the Bill by the establishment of the Treasurer's Advance Account as a statutory account, to record drawings from the public bank account for those purposes. The authorisation for Treasurer's advance will be contained in an annual Treasurer's Advance Authorisation Act, which will specify both the monetary limit to which the Treasurer can draw moneys from the public bank account and the purpose for which the Treasurer's Advance Account may be applied. Members should note the change that is intended here, wherein the monetary limit prescribed within the Act will be an authorisation, as opposed to the current practice of seeking an appropriation in both the Supply and Appropriation (Consolidated Revenue Fund) Bills.

Payments from the Treasurer's Advance Account will be chargeable against Consolidated Revenue Fund or General Loan and Capital Works Fund, pending parliamentary appropriation in the following financial year. The Treasurer's Advance Authorisation Act will lapse at 30 June each year.

For the new Treasurer's advance arrangements to commence operating from the beginning of next year, it will be necessary to introduce a Treasurer's Advance Authorisation Bill during the current session of Parliament.

The annual statements on the Treasurer's accounts will also be subject to time constraints on reporting and are to be completed and submitted to the Auditor General by 31 August.

The Treasurer's accounts will continue to be maintained on a cash basis and will be supplemented by the reporting of revenue uncollected, expenditure outstanding, amounts

written off and losses through theft and default. The latter information is currently reported to Parliament by the Auditor General. On the receipt of the Auditor General's opinion on the financial statements, the Treasurer will be required to table the financial statements and the Auditor General's opinion in both Houses of Parliament within 21 days.

Although this Bill introduces a number of significant changes in accountability, reporting and audit, it is important to recognise that it retains the basic principles of the Westminster system of Government, whereby Parliament authorises the spending of moneys from the public purse, the Executive is responsible for the spending of moneys in accordance with Parliament's approval, and the Auditor General is empowered to examine and report upon the Executive's actions to Parliament.

The requirements in respect of supply and appropriation, now contained within the Audit Act, have been embodied within division 4 of the Bill. In this regard, a safeguard is placed over expenditure in respect of the Consolidated Revenue Fund and General Loan and Capital Works Fund, by specifying that no money shall be withdrawn from the public bank account for expenditure in respect of those funds, except after the granting of Supply under an appropriation Act.

Similarly, provision is continued for automatic Supply where, before the end of a financial year, Supply is not granted under the Supply Act. The automatic Supply provisions authorise the Treasurer to withdraw moneys from the public bank account to meet the requirements at the commencement of the financial year. However, the authority conferred does not exceed an amount of one-fifth of the expenditure authorised by the respective appropriation Acts for the immediately preceding financial year; does not extend beyond the period of the first two months of the financial year; and ceases upon the enactment of the Supply Act for the financial year.

The present Audit Act does not contain provisions to take account of the transfer of functions between departments and between ministerial portfolios during the course of a financial year. Accordingly, the Bill establishes machinery provisions to enable the Treasurer to transfer the unexpended portion of any appropriations between items and divisions in the event of a reallocation of functions. Where a transfer is effected, the Treasurer will be required to report separately in his statements for the year on expenditure charged to the appropriation immediately before the transfer; and on the unexpended balance of the appropriation and expenditure charged to the transferred appropriation.

The warrant is an important process whereby parliamentary appropriation is conveyed to the Executive and the Crown is given the right to exercise control over the rate at which funds are disbursed.

Under existing arrangements the Constitution Act requires warrants for the Consolidated Revenue Fund, but not the General Loan Fund. In the interest of logic and consistency, it is considered that warrants should also be necessary for the General Loan and Capital Works Fund, and therefore the Bill requires warrants for both funds.

The Bill has been structured so that the statutory authorities listed in schedule 1 will be subject to its provisions, the regulations and the Treasurer's instructions. This measure has three broad implications in that it—

(i) places the same probity requirements on statutory authorities as on departments;

(ii) as a consequence of amendments to their enabling Acts, places on statutory authorities the standard Financial Administration and Audit Bill provisions concerning the preparation of estimates; keeping of accounts; the form of the financial statements; auditing of accounts by the Auditor General; and tabling of reports in Parliament; and

(iii) removes the need to proceed with a separate Annual Reporting Bill.

The Audit Act Review Committee in formulating this legislation, recognised the difficulty in creating a comprehensive definition of a statutory authority and as a result opted for the scheduling approach to include statutory authorities which satisfied one or more of the following selection criteria—

(i) departments established under the Public Service Act 1978 which have—

(a) either commissioners or a board interposed between the department and the responsible Minister; or

(b) activities, functions and operations more in the nature of a statutory authority;

(ii) statutory bodies which are—
  (a) established by their own legislation which requires the reporting on financial operations to Parliament; or
  (b) have access to their own source of funding, eg fees, licences and levies; or
  (c) funded through the Consolidated Revenue Fund, General Loan Fund or Trust Fund, with such funding not being obtained through an appropriation controlled by a department; or
  (d) control and authorise their own expenditure; or
  (e) maintain control over and have ownership of assets in their own right; and
(iii) bodies created outside legislation, through instruments such as a Cabinet minute, which draw significant funds from the public purse.

There are a number of activities, funds, committees, councils and boards created within legislation, which are administered by certain statutory authorities and departments. These activities have been termed "related bodies" for the purposes of the Bill and the statutory authority or department which exercises control or a significant influence over such a body will have the reporting responsibility for it.

Related bodies are not detailed in schedule 1, but will be specified within Treasurer's instructions, which will also direct the level of reporting to be discharged.

Mr Speaker, in preparing this legislation, the opportunity has been taken to, as far as possible, have the new Act embrace all matters of financial administration. Accordingly, the Bill takes up the provisions of the Public Moneys Investment Act 1961-1981, which Act will be repealed under the cognate Acts Amendment Bill.

Although the provisions dealing with the manner and with whom the Treasuer can invest public moneys remain substantially unchanged, the Bill introduces certain amendments to provide a wider scope for investment, which reflects developments in financial markets since the Act was last amended in 1981.

In framing these amendments, care has been taken to ensure that the new avenues of investment maintain the same prudent level of security as those already authorised.

For example, the Bill extends the definition of a "bank" to include all State banks, whereas the current Act recognises only the Rural and Industries Bank of Western Australia and those banks authorised under section 5 of the Banking Act of the Commonwealth. The inclusion of all State banks will widen the scope for investment without reducing the level of security, given that these banks are guaranteed by their respective State Governments.

In addition to Commonwealth and Western Australian Government-guaranteed securities, the Bill now also provides for investment in securities guaranteed by any State Government, bank-accepted or endorsed bills of exchange, and negotiable, convertible or transferable certificates of deposit issued by a bank.

The Bill continues the arrangements established in the 1981 amendments whereby investments may also be made by advancing moneys on deposit, in accordance with an approved offer and acceptance procedure and against security to a registered dealer in the short-term money market.

It is proposed however that, in addition to the new securities already mentioned and those permitted under the existing Act, letters of credit confirmed or guaranteed by a bank be also authorised as security which can be taken against deposits with dealers.

All these securities maintain the prudential standards established under the Public Moneys Investment Act and only securities which are Government-guaranteed or bank-backed are introduced as new forms of investment in this Bill.

Mr Speaker, to conclude my outline of the financial administration aspects, I would for the benefit of members, like to touch very briefly on the following additional points addressed in the Bill—

> There are a variety of circumstances where the State holds moneys in trust on behalf of individuals, such as moneys held on behalf of aged patients under hospital care and contractors' deposits. The current Audit Act contains no specific provisions for the payment of interest in respect of private moneys and it is proposed to redress this anomaly by authorising the Treasurer to invest such moneys and giving him the discretion to pay interest to persons or accounts as he determines.

The new provisions covering receipt and payment of public moneys maintain the stewardship requirements of the present Audit Act, specifying the proper authorisation of payments from the Public Bank Account and the depositing of collections to that account. At the same time, the opportunity has been taken to consolidate various sections of the Audit Act, modernise wording, and delete procedural requirements from the clauses which will be taken up within Treasurer's instructions.

Currently the Treasurer's specific and general powers of delegation in the Audit Act are limited and it is considered necessary that these powers be clearly defined, particularly with the incorporation of the Public Moneys Investment Act into the Bill. The provisions of the Bill correct these deficiencies.

The Bill authorises the accountable officer or responsible Minister of a department to write-off revenue and debts due to the State and public or other property, within monetary limits prescribed by regulations. Write-off of amounts above the prescribed limit will still require submission through a Minister to the Governor in Executive Council in the same manner as required under the existing Treasury Regulations. The practice of statutory authorities seeking approval from their Ministers for write-offs will continue.

The draconian surcharge provisions contained in the Audit Act are not included in the Bill. Instead, the Bill specifies the circumstances where the State may recover from an officer the cost of deficiencies of public or other moneys or loss, damage, or destruction of public or other property. The officer may be liable to reimburse the State up to the full amount of such losses or damage if his conduct or gross negligence causes or contributes to the loss or damage. The Bill also sets up a process of inquiry and defence as a means of establishing liability.

I now turn to part III of the Bill, which specifies the role of the Auditor General, and his responsibilities to provide audit coverage and to issue opinions and reports.

The Bill maintains the independence of the Auditor General, from both the Executive and the Parliament, in his role as the external auditor of the accounts of government and provides a base for the occupant to discharge his oath to faithfully, impartially, and truly, execute the office and perform the duties required according to law.

The Auditor General is appointed by the Governor, has tenure of office to age 65, but may resign, has leave entitlements in accordance with the Public Service Act, but is not subject to that Act, and his salary is permanently appropriated against the Consolidated Revenue Fund. He may be suspended by the Governor, but may be removed from office only by resolution by both Houses of Parliament for misconduct, incompetence, incapacity, engaging in other employment, bankruptcy or absenting himself from duties without the Governor's consent. The Bill extends protection to the Auditor General and persons acting on his behalf, from actions or claims for damages, except where the act was done maliciously and without reasonable and probable cause.

The Auditor General's existing strong statutory powers necessary for the conduct of audits are continued. He is entitled to full and free access at all reasonable times to information, documents, records, money and property. Banks and financial institutions are required to provide information on accounts maintained. Power is also provided for the Auditor General to call for persons and papers and to examine persons on oath.

The excessively prescriptive and outdated audit requirements of the Audit Act have not been continued. Whereas the present Act is transaction-orientated, modern auditing practice is now systems-based, with the concern being on the adequacy and proper operations of the system. The Bill reflects this change, by expecting the Auditor General to exercise his professional judgment and charging him with auditing the accounts in such manner as he thinks fit, in accordance with recognised auditing standards and practices and having regard to the character and effectiveness of the internal control and internal audit of the organisation.

It should be noted that the Bill extends the audit function beyond financial compliance and empowers the Auditor General to at any time audit the effectiveness of systems designed to achieve or monitor programme results, and conduct investigations into such financial matters as he considers necessary, including examinations of the efficiency and effectiveness of departments and statutory

authorities or parts thereof. This provision complements the new requirement for the Auditor General to form an opinion as to whether departmental and statutory authority performance indicators are accurate and valid.

The Bill appoints the Auditor General as auditor for all the statutory authorities included in schedule 1. An effect of this provision is that a number of statutory authorities not previously subject to audit by the Auditor General are now brought under his surveillance.

The Auditor General is required under the Bill to issue an opinion each year on the Treasurer's annual statements and the financial statements and performance indicators of each department and statutory authority; and the responsible Minister must table these opinions together with the annual report of the bodies concerned. In addition, the Bill provides for the Auditor General to draw to the Treasurer's attention any matters which in his opinion are of sufficient importance to justify doing so.

As auditor for the Parliament of the accounts of Government, the Auditor General has a responsibility to also report to the Parliament. The Bill provides for such a report at least once in each year, being additional to the opinions which he is to issue on each audit. This report is to cover such matters arising from his powers, duties, and functions under the Act that in his opinion are of such significance as to require reporting in such manner.

Within the powers granted to the Auditor General for the conduct of audits, provision exists for the appointment of officers of the Public Service or some other person, whether corporate or unincorporate, to undertake aspects of audits and report to him. This will allow the Auditor General to enter into agency arrangements with private auditors. However, responsibility for forming and issuing an audit opinion still resides with the Auditor General.

In a notable extension to the powers of the Auditor General, the Bill now provides for the Auditor General to audit the accounts of persons or bodies which have received grants or advances from the Government for a specific purpose and to ascertain whether those moneys have been expended in accordance with the purposes for which they were provided.

Finally, part III of the Bill, provides for the Audit Department to be retitled the "Office of the Auditor General", and for the Governor to appoint a registered company auditor to audit the financial statements of the office. The new title more correctly describes the organisation which supports the function of the Auditor General, and is consistent with the title in other States.

I would again emphasise the importance of this Bill to the financial management of the public sector in this State. The framework it intends to create will place our financial administration on a sound footing, with flexibility to readily adapt to the needs of the future.

Passage of the Bill in this sitting will allow the necessary proclamations and regulations to be made for the legislation to take effect from the commencement of the financial year on 1 July 1986.

In conclusion I would like to congratulate and thank the officers of Treasury and the Auditor General for their assistance and preparation of this very complex piece of legislation. One of the privileges I have had was to work personally with Treasury officers and to observe how highly competent and dedicated they are to the people of Western Australia. I make this mark of appreciation on behalf of the Government.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Old.

Message: Appropriations

Message from the Governor received and read recommending appropriations for the purposes of the Bill.

ACTS AMENDMENT (FINANCIAL ADMINISTRATION AND AUDIT) BILL

Second Reading

MR TONKIN (Morley-Swan—Leader of the House) [11.56 a.m.]: I move—

That the Bill be now read a second time.

The Acts Amendment (Financial Administration And Audit) Bill is required to amend or repeal certain Acts as a consequence of enacting the Financial Administration and Audit Bill. The 161 Acts requiring amendment or repeal are referred to in schedule 1 of this Bill.

The Acts amendment Bill impacts on existing legislation in three broad areas by—

(i) Amending legislation which—

(a) establishes the statutory authorities listed in schedule 1 of the Financial Administration and Audit Bill;

(b) is administered by departments and incorporates accounting, financial reporting, and audit requirements; and

(c) creates funds related to departmental activities,

by repealing existing accounting, reporting, and audit provisions and linking the legislation to the appropriate accountability, financial reporting, and audit requirements prescribed within the Financial Administration and Audit Bill. Generally, no amendment has been made to sections within existing legislation which specify unique accounting and reporting requirements beyond those contained in the Financial Administration and Audit Bill, except for the purposes of consistency;

(ii) amending Acts where reference to the Audit Act 1904 or to wording covering such matters as the public account and General Loan Fund are rendered inaccurate or invalid as a result of provisions within the Financial Administration and Audit Bill; and

(iii) amending the Financial Agreement Act 1928 and the Public Works Act 1902 and repealing the Public Moneys Investment Act 1961 and Sale of Government Property Act 1907.

The measures proposed in respect of the first two categories are fairly self-explanatory. However those intended in the last area perhaps require some further explanation.

The proposed amendment to the Financial Agreement Act is in recognition of the fact that the Sale of Government Property Fund, previously administered under that Act, no longer exists. This also makes the Sale of Government Property Act redundant and therefore the Bill seeks its repeal. The repeal of the Public Moneys Investment Act is of course, a consequence of the Financial Administration and Audit Bill's incorporating provisions relating to the investment of public moneys.

In respect of the Public Works Act it is proposed to delete sections dealing with service-wide capital works estimate preparation and associated year-end reporting. This is necessary, as under the Financial Administration and Audit Bill the Treasurer will be responsible for the preparation and presentation to Parliament of the capital works programme with accountable officers and accountable authorities being responsible for year-end out-turn reporting.

Finally, the Bill also contains savings and transitional provisions in respect of financial years of departments and statutory authorities which end on a date other than 30 June and in relation to the estimates to be prepared by statutory authorities under section 42 of the Financial Administration and Audit Bill.

As mentioned earlier this Acts amendment Bill is consequential to the measures proposed in the Financial Administration and Audit Bill. As such, its passage in this session would allow for the smooth introduction of those measures as from 1 July 1986.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Old.

FIRE BRIGADES AMENDMENT BILL

Second Reading

Debate resumed from 22 August.

MR THOMPSON (Kalamunda) [12 noon]: The Bill before the House is designed to amend the Fire Brigades Act in four principal areas. The first is to appoint an employee representative to the Western Australian Fire Brigades Board; secondly to give specific powers to the board to undertake a wider range of related services, including private sector training; thirdly, the board will have the power to recoup costs for technological developments in which it becomes involved; fourthly, the basis on which the amount of money paid by local government is determined will be changed. The Opposition is opposed to the first three points raised in the Bill, but it is not unhappy with the fourth point.

With respect to the employee representative being appointed to the Fire Brigades Board, the Opposition can see no way in which that will be to the well-being of the community. The Fire Brigades Employees Union has been a particularly militant union over recent years, and it is the Opposition's view that appointing a representative from the union to the board will not enhance the operations of the board.

Mr Burkett: Don't you think that having a workers' representative on the board would help because he would know what happens in regard to firefighters?

Mr THOMPSON: I am not saying that he would not know what happens with firefighters.

Mr Taylor: Why do you think that a worker should not be appointed to the board?

Mr THOMPSON: Had the Fire Brigades Employees Union been acting in a responsible and cooperative way in recent years, the Opposition's approach to the matter would be different. However, the union has not demonstrated any sort of desire to cooperate.

Mr Burkett: They have a good performance record, especially when one thinks about the many times they have attended traffic accidents and have removed people from vehicles by using the jaws of life.

Mr THOMPSON: I am not talking about individual firefighters; I am talking about the union.

Mr Carr: Can you elaborate on where the union has been irresponsible?

Mr THOMPSON: For quite a while the union had a very militant secretary.

The Opposition cannot see that there will be any great purpose served by having a representative from the union on the Fire Brigades Board. The Opposition has great respect for the job which the board has done over the years and is quite happy to see the board continue in the future in the same way as it has done in the past. The board is adopting a very professional approach to its work, and it has provided and is providing a worthwhile service to the community. The Opposition does not believe that the board should be upset at this time.

Several members interjected.

Mr THOMPSON: Are Government members suggesting to me that the board is not doing a good job?

Mr Taylor: They will do a better job.

Mr THOMPSON: The Opposition says that the board will do a better job without the interference of the union.

Mr Burkett: Without the interference of the union!

The SPEAKER: Order!

Mr THOMPSON: The second provision of the Bill relates to the specific powers of the board to undertake a wider range of fire-related services. Over recent years the Fire Brigades Board has become more and more involved and is doing things in the community which, while being associated with the business of fire prevention, have been encroaching into areas of private enterprise.

I have received complaints from several people who provide services, such as the manufacturing and servicing of fire extinguishers and other similar appliances, who say that they are finding it impossible to compete with the board. Similar complaints have been made to other members of the Opposition.

The cost of the board's operations is escalating quite dramatically. I am sure the member for South Perth, who will speak later in the debate, will give an indication of how that escalation of costs is impacting on the community.

While the community expects there to be a first-class firefighting and fire prevention service, there has to be some sort of guide as to what the service actually costs. If we take the view of some people we would have a situation where the fire service could cost considerably more than it does at the present time. It seems to me that there are some activities of the Fire Brigades Board that should be curtailed; and one area to which I refer is where it is competing for work which can now be done adequately by the private sector—for example the provision of fire appliances, extinguishers, and other devices relating to fire prevention. Companies like Wormald International (Aust.) Pty Ltd are now in a position to undertake that work effectively. However, if these companies receive increased competition from the board they will find it almost impossible to compete in this area. At the same time the Government would be faced with escalating costs to run the board.

The Opposition believes that there should not be an expansion of the board's operations into those areas which are adequately catered for by private enterprise. We accept that there is a role for the board to play in the area of training.

Quorum

Mr CRANE: Mr Speaker, I draw your attention to the state of the House.

Mr Barnett: On your own speaker!

The SPEAKER: There is a quorum.

Debate Resumed

Mr Read: We find it boring too!

Mr THOMPSON: I thank the member for Mandurah for his interjection.

The Fire Brigades Board has a role to play in the field of education, but it is able to do that now and the Opposition can see no reason to expand the powers of the board as outlined by

the Minister in his second reading speech. We believe that the function of education can be adequately undertaken under the present powers. The Minister indicated that the expansion of these powers was necessary in order that the board could undertake such work as pumping out water from basements and other related work.

I seriously question whether it is appropriate for the board to be involved in pumping out water from basements and other work of that nature when similar services can be provided by the private sector. For example, if the basement of a building in the city becomes flooded one can contact Coates Hire service and hire a pump to carry out the work. Why should the work be done by the board?

Mr Taylor: Are you going to privatise the board?

Mr THOMPSON: I am not suggesting that at all. What I am saying is that the Fire Brigades Board should not compete with private enterprise. Do members opposite think it would be appropriate, if the basement of this building were to become flooded, for the board to be called to pump it out.

Mr Taylor: If it does the job and does it well it has every right to pump it out.

Mr THOMPSON: We are opposed to the Bill because that is what Government members want to do with the Fire Brigades Board.

Mr Burkett: Do you think the Fires Brigades Board and firefighters should clean up the roads after traffic accidents to get rid of the oil and everything else as they now do, or do you think they should leave it so that a motor cyclist may get killed following an accident?

Mr THOMPSON: There are services that do that.

Mr Burkett: There are some, but not many. I hope you do not catch on fire, Big Bird, because they will not put you out. You will burn right to the ground.

The SPEAKER: Order!

Mr THOMPSON: The difference between our approach to these things and the Government approach—

Mr Taylor: You don't care.

Mr THOMPSON: Nonsense! Of course we care. We do not want to see the Fire Brigades Board provide a service outside the area for which it was established, particularly when that service can be provided by a private enterprise, by people already in the business of providing pumps and the like.

Mr Taylor: Every fireman in my electorate will get a copy of this speech.

Mr THOMPSON: That is fair enough. I hope he does.

Mr Taylor: Just to let him know your attitude to the work they do.

Mr THOMPSON: It is not a matter of attitude to the work they do.

Mr Bertram: Don't try to back off.

Mr THOMPSON: I am not trying to back off. I will restate the position. It is totally wrong for fire brigades to do work not associated with putting out fires and associated duties. Pumping out basements of city buildings is not part of their job. I imagine that firefighters find being called upon to do that sort of work a bit irksome. Their job is to fight fires and to provide services that will minimise the risk of fires. That is their role.

Mr Burkett: And to attend traffic accidents and get people out of their car with the jaws of life before they die. If you do not think that our firefighters are among the most valuable servants in the State—

Mr THOMPSON: Oh, shut up!

Mr Burkett: You are as thick as a brick.

The SPEAKER: Order!

Mr THOMPSON: I have not said that at all.

Mr Court: The member for Scarborough should put another ad in the paper.

Mr THOMPSON: I did not expect members of the Government to agree with my point of view, but I would not expect them to carry on like a prize bunch of I don't know what.

Mr Burkett: Say it—frustrated ladies, poofters, what?

The SPEAKER: Order! The member for Scarborough knows the rules of debate. If he wants to contribute to this debate he will get an opportunity if he seeks my call, but he must cease interjecting.

Mr Laurance: What about "capable, caring, and committed"?

The SPEAKER: Order! The same applies to the member for Gascoyne. It is another well-established practice in this House that when the Speaker calls for order on his feet and then immediately sits down it is not the custom nor the practice for a member to interject.

Mr THOMPSON: Mr Speaker, it is Thursday. Thursday is always a bad day in this place. I do not know why. It has not been a particularly heavy week for Parliament and I

would have thought that members might have been a little cooler in their approach to these matters, particularly with a Bill like this, which is not an earth-shattering one.

An Opposition member interjected.

Mr Taylor: He said he wanted to privatise it.

Mr THOMPSON: We will not privatise it, but we will not let it go into areas that are not directly within its province. The Fire Brigades Board is funded very heavily by insurance companies. Unless it has changed, the proportions of its funding were three-fifths, one-fifth, one-fifth.

Mr Carr: It is 75 per cent through surcharges, but that does not mean the insurance companies pay it. It means that the insurance companies collect it from residents who pay it.

Mr THOMPSON: Insurance companies do not have any money of their own. They have only the money they get from the people they insure. Thus 75 per cent of the money that goes into the running of the Fire Brigades Board comes from people who pay for a fire service through their insurance premiums. I am sure that people who pay for a fire service do not expect to pay for something that is not a fire service. We do not believe it appropriate for the Fire Brigades Board to expand into other areas. It would be fairly easy to justify its doing a little bit here and a little bit there, but at the end of the day, upon analysis, we would have to ask whether this was the reason the service was established.

The powers the Minister seeks in this legislation would enable the Fire Brigades Board to go into areas which it was never intended should be its areas. We can find some justification for utilising its manpower when fire risk is low and the level of manpower is high. We can justify its making fire extinguishers and doing all that sort of thing. It is easy to justify that, but we then need to consider the impact that would have on other areas and the impact it would have on the cost of the operation.

We recognise that the Fire Brigades Board and its employees have made a wonderful contribution to the development of services, electronic devices, and surveillance systems over the years. We would hope that they continue to do that, but we do not believe that the Fire Brigades Board should become a service that performs those functions to the detriment of private enterprise companies.

With respect to the use of the Valuer General as a means of establishing the basis on which charges are levied against local authorities, we do not see that as being unreasonable. We accept that in some areas one either does not get a true valuation or gets virtually no valuation on which to base the charges that apply to local authorities. Thus we support that aspect of the Bill. We will support the second reading of the Bill because we do not want to see that third provision disappear, but we will endeavour during the Committee stage to defeat those facets of the Bill which we believe give power to the Fire Brigades Board to get involved in competition with private enterprise in areas in which it should not be involved.

MR LAURANCE (Gascoyne) [12.17 p.m.]: I make some brief comments on two of the three proposals in this Bill. The first is the matter of additional appointments to the Fire Brigades Board. I reiterate some of the comments made by the member for Kalamunda when he said that that is not necessarily a good thing. I think we have been given an example of how that can be very disruptive in an organisation with the current dispute within the Australian Broadcasting Corporation. The staff-appointed member is apparently having some sort of battle with the managing director. That battle has almost torn apart the ABC. That is the sort of danger that can come from an internal appointment like that.

The Fire Brigades Board has operated well and cannot be seen to be deficient, although we understand that it is Labor Party policy to have worker-appointed members to these boards. We oppose that philosophically. I guess that those are just differences between the major political parties. It is quite predictable that this measure would come forward and that we would oppose it as being unnecessary.

The second of the three items contained in the Bill would have the Fire Brigades Board extend its activities and charge for those services. Those extended services are outlined in clause 9 on page 4 of the Bill.

I am philosophically opposed to that also. When one considers the sort of comments the Opposition has been making in a very consistent way, it is clear that we believe in a theory of economic rationalisation and that the private sector should be given every opportunity to flourish. We also understand that the wider community in this State and in Australia generally is looking to Governments to become much leaner in the future. We believe it wants the Government to shed activities wherever possible, to operate with fewer people, to be more efficient, and to be able to charge less for

services rendered—in other words, to take less of the economic cake by being smaller in operation. That does not happen when Government enterprises go into business, and that would be provided for in this Bill. I can understand the reason for it; there have been arguments that Government agencies should try to recoup the costs of some of the services they provide in order to offset the drain on the public purse. Unfortunately, it does not work that way. Government organisations generally employ more people than they should, become sluggish, are usually lossmaking, and do not perform as well as companies doing the same job in the private sector. That is the difference. It is only a small difference, but it is important for the future of our economy.

In reply to the very fatuous argument put forward by some disturbed and liverish members of the Government regarding the value of the fire brigade service, I emphasise that I am talking about the Fire Brigades Board and not the service. The Bill does not deal with the fire brigade service. The job done by the service in this State is second to none and the way in which it provides assistance and service to the volunteer fire brigades is marvellous.

I have been associated with the fire brigade services in the country areas, particularly in my electorate, and they do a wonderful job. It goes without saying also that we all have high regard for the volunteers and the work they do. I am sure the member for Kalamunda would support that service as much as other members of the Opposition and I do. In fact, we are discussing the functions in which it becomes involved. The Fire Brigades Board has a training role, and a service it can provide to the industry and the community generally. I believe that this service should be provided as a Government service. That is in answer to a question from a member about privatisation of fire brigades. That is not intended. However, a Government service should be provided at Government cost which should be at a minimum, because it should operate in an advisory capacity. The actual servicing of the industry and the requirements of the fire protection business can be adequately covered by private sector services, as they are now. If that is not the case, the Government and the Fire Brigades Board should indicate where an opportunity exists, and I am sure the private sector would soon take up the challenge. In all capacities other than firefighting, the Fire Brigades Board should operate purely in an advisory capacity, and any area that could be covered by the private sector should be. That economic theory is clear, simple, and straightforward. We are presenting it to the public in a very consistent way, not only in relation to the Fire Brigades Board but in every other area of Government activity.

The Bill states that the Fire Brigades Board may "establish and operate premises or mobile facilities for the dissemination of information". That should be done in an advisory capacity. It is a desirable objective; I do not disapprove of the principle but of the way the Government has gone about it. If it is a service for which the Government can charge, the Government should let the private sector provide the service. I am sure that the Fire Brigades Board could find an organisation to do this satisfactorily. For example, the State Energy Commission uses a similar system with its Safety Watch It programme where the vans provide a free service which is available to the public and also assists the electrical industry. The Fire Brigades Board could adopt a similar system.

Any involvement in a programme where the Government has to employ people to provide a service for which a charge will be made is on a business basis. If it is on a business basis it should be carried out by the private sector. The private sector is more productive and will provide this service at a lower cost than any Government agency ever could. There has never been an instance where a Government agency could provide a better and cheaper service than that provided by a private sector operation. I defy members of the Government to provide an example.

The Bill seeks to extend that role and in clause 9 states that the board may "charge admission to such premises and sell or grant any person the right to sell educational materials, souvenirs, and refreshments on such premises or from such mobile facilities". I do not disagree with the granting to any person the right to sell these things. That is the key point. However, if the Government wants these services to be made available to the public it should not be done by the board, it should be done by the private sector. The service should be leased by tender or offered in some other way to the private sector if the Government believes it is a valuable operation which people will want to buy in order to provide the service. Any jobs created by the private sector will be real jobs, and it is better for the private sector to provide those employment opportunities than it is for them to be funded from the public purse.

Mr Gordon Hill: Have you seen *The Bulletin* this week indicating the cartoon which shows John Howard saying "Our priorities are to privatise, monopolise, reduce tax to size and fantasise".

Mr LAURANCE: I agree with the first part. Did the member for Helena also see the article which appeared in *The Bulletin* on 10 September which stated that 86 per cent of the people in Australia agree that there should be more private sector involvement and less Government sector involvement?

A Government member interjected.

Mr LAURANCE: No, they were very straightforward. I have read the questions to the House and the information is recorded in *Hansard*.

Mr Carr interjected.

Mr LAURANCE: I think the Minister is wrong. His political dyslexia is causing him some trouble today.

The clause also states that the board may "create and distribute educational materials in any medium". It depends on how that is done; if it has a value and can be done by the private sector it should be. The clause provides that the board may "provide training for persons not employed by the Board". Once again, I believe that can be done by the private sector although in some areas the board will need to provide training. However, if it sets up a system whereby it charges a fee for training, it is getting into business and that is not the way the Fire Brigades Board should be working.

Mr Evans: Would you privatise the extension and consultation service of the Department of Agriculture?

Mr LAURANCE: I would not privatise that in the way the Government did when it took a Government official and installed him as managing director of the WA floral exports organisation.

Mr Evans: You are begging the question.

Mr LAURANCE: I said earlier this week that we have 22 different examples of ways in which Government services have been privatised in Britain. One of those could well apply to the service we are talking about now. What the member is saying has nothing to do with the Bill.

Mr Evans: It has to do with privatisation, which you raised.

Mr LAURANCE: I am happy to debate that with the Minister at any time.

Mr Evans: Do you favour privatisation of the Department of Agriculture?

Mr LAURANCE: If it is within any one of the 22 services I referred to, and if privatisation would provide a better service at a cheaper price, yes. Would not the Minister favour it under those circumstances?

Mr Evans: That would not be my criteria.

Mr LAURANCE: That is where we differ; but what the Minister is saying is not a criticism of privatisation. Philosophically he will not look at the question in an economic and rational way. He has answered his silly question by an answer which is even sillier.

Mr Gordon Hill interjected.

Mr LAURANCE: I am not sure about that, but I have been fairly consistent about my economic theory for a long time—much longer than the member for Helena has been in this place.

Mr Gordon Hill: Do you unequivocally support John Howard?

Mr LAURANCE: Yes, I am happy to do so.

Mr Gordon Hill: You would like to see diminution of the role of the Human Rights Commission?

Mr LAURANCE: Yes, for sure.

Several members interjected.

The SPEAKER: Order!

Mr LAURANCE: I would like to answer the interjection by the member for Helena which is my right as I have the floor. I will tell the member about the Occupational Health, Safety and Welfare Commission. The Government has established one in this State and the Federal Government has established another which will employ 350 people at a cost of $42 million. Does the member support that kind of thing? Is that this Government's policy? Is that its method of wasting taxpayers' money?

Point of Order

Mr CARR: I cannot see what the Human Rights Commission has to do with the Bill before the House.

The SPEAKER: Reference was made to this matter and the member for Gascoyne is entitled to reply to an interjection. He knows the rules of debate.

Debate Resumed

Mr LAURANCE: I certainly do. If one wants to talk about privatising parts of the service intended to be provided by the Fire Brigades

Board or any other economic question, I am happy to do so. If the Government is finished and the Minister wants to go back I am happy to do so.

Several members interjected.

Mr LAURANCE: If Government members want to talk about the Bill I am happy to do so. If they want to lead me down other economic paths I am happy to debate the Government's economic disasters.

Mr Taylor: Your brain does not control your mouth.

Mr LAURANCE: When the member gets angry his eyes get very close together.

Several members interjected.

The SPEAKER: Order!

Mr LAURANCE: Why does the member not leave the Chamber and get the member for Scarborough back? He is far more entertaining.

Mr Court: He went away so that he can speak again.

Mr LAURANCE: I take the point, so that we can discuss his Bill.

I was talking about clause 9 of the Bill before I was rudely interrupted, initially by the Minister for Agriculture. It speaks about maintenance and protection systems for Fire Brigades Board equipment. The Minister knows there are excellent firms which do this work.

Mrs Beggs: Name them.

Mr LAURANCE: One is Wormald Security. It is a highly respected firm. No-one has said we should close it down and put its employees out in the street.

Mr Carr: Are you suggesting they are capable of doing the whole range of activities of the Fire Brigades?

Mr LAURANCE: No. They might require a service provided by the Fire Brigades Board. There might be a role for the Fire Brigades Board to ensure that private sector companies provide the right sort of service. That is where we differ. The Fire Brigades Board does not need to do this and charge for it, but it should be overseeing what the private sector is doing at Government cost. That is the basic difference between our philosophies. One should ensure that the service being provided by private firms is being done properly, and the result as far as the community is concerned is that we get the fire protection we deserve.

The Government organisation is a fine one. Let us go back over that point. But it is for fighting fires, not getting involved in private sector operations which ensure that we are adequately protected.

There is a difference. One can take it as far as one likes. However, Government agencies tend to overstep the mark. Everyone agrees the Government agencies are providing a good service, but they gradually employ more people and encroach on other areas in which the private sector can cope adequately.

Mrs Beggs: Do you not agree that more and more people should be employed?

Mr LAURANCE: In the private sector, I do.

Mrs Beggs: Why?

An Opposition member: It is more efficient.

Mr LAURANCE: Exactly. British Steel loses several hundreds of millions of British pounds sterling a year. Is that the way members want to go? If the member for Whitford wants her way, why does the Minister not bring before the House a Bill which will nationalise all the fire protection companies and take them over? There will be more work for the Government.

Mr Taylor: You know we cannot do that at this stage; what utter nonsense!

Mr LAURANCE: Why does the Government not bring forward Bills to make everyone a Government worker?

Mr Court: That is broad left policy.

Mr LAURANCE: The old guard or the mudguard? That is the natural extension.

Several members interjected.

Mr LAURANCE: Yes. What happens is that we do not privatise everything and the Government does not nationalise everything. Somewhere in the middle we come to a decision. We are talking about where the role of the Government is and where the private role is in this agency or any other similar agency. There has to be Government involvement; that has been proved over a long period. Now the Government is bringing in a Bill to extend its charter and become involved in an area which is adequately covered by the private sector.

Let us return to clause 9 about which I was talking earlier. To give members an example of what happens, a lot of advice has been given to Governments, and not only Labor Party Governments in this country in recent years, that Government enterprises can somehow or

other reduce the cost of their operations by charging for their services and going into sales areas.

I will give the Minister two areas which I think are utterly abhorrent. One concerns Telecom business offices and the other concerns ABC retail shops.

Why on earth does the ABC need to have a retail shop? We have thousands of retailers. If the ABC has a product to sell, why can it not sell it through a private retailer? Why does it have to set up its own shop? Why not take over all the shops and use Government employees to run them? One can see that behind the Iron Curtain any day of the week.

Is that what members want? I suggest that is not what members want, or what the public of Western Australia want. But that is what the Government means by saying it is going out into the business world.

Hundreds of firms are dying to sell phones, and they could sell Telecom phones just as easily—and pay for the right to do so. It is the same with the ABC. This is an extension of Government agencies into the private sector which is totally wrong.

Here we have a Bill in which the Minister wants to extend the operations of the Fire Brigades Board into services currently served by the private sector. The Minister should work out which services should be provided by the Government and which can be adequately covered by the private sector. There will be an effective role for the Fire Brigade to ensure that the services are being provided by the private sector, and that those services are adequate so that we have the sort of fire protection we deserve.

I believe the Minister should go back and have another look at this. He should not be getting the Government involved in more business but in less business. In that way he would have a far superior Fire Brigade service to that if he decided to go into business with the board. There would be a much better private sector operation as well.

I would like to take one or two moments more of the time available to me. I am concerned about some further subsections in clause 9. Paragraph (a)(v) provides that the board may—

> make such charges as it shall determine and receive remuneration for anything done by it under this paragraph;

That is fair enough; I have explained that. Paragraph (b)(i) reads—

> turn to account, on its own or jointly with any other person or body, any tangible or intangible resource which the Board has acquired or developed in the performance of its functions, . . .

That means selling to a private company, or even leasing it, or tendering for services for which a private company can tender. I do not believe it is the right thing to do that, or to have joint ventures.

Further on in the subparagraph, the Fire Brigades Board can, where applicable, apply for patents, patent rights, copyrights or similar rights in relation thereto. If it gets a patent or copyright, that will be an ongoing right and it will freeze out the private sector for all time. That is the end result of that clause.

Paragraph (b)(ii) reads—

> provide any service for which the equipment or skills under the control of the Board are especially suited, and supply any specialist equipment under the control of the Board to any person or body;

That outlines how much further into the private sector this Government would have the Fire Brigades Board go. It can enter into any financial arrangements and also receive payment under any such arrangement.

Further on, paragraph (c) reads—

> charge and receive the prescribed fees for the examination of plans and specifications of buildings, and for advisory and inspection services rendered in connection therewith, where the examination is made for the purpose of ensuring the safety of life and property from fire;

Does new section 26A(c) differ from the current situation? I understand that the Fire Brigades Board already has a role to play in the examination of plans and specifications.

Mr Carr: Yes, but it cannot charge for them. I consider that this is a Committee point and it should be raised at that stage.

Mr LAURANCE: I will do so. I would like to debate this with the Minister in the Committee stage to find out exactly what he means in that section of the Bill. Is that done in the private sector now? Is it done completely by Government at no charge?

Mr Carr: Inspection of plans and specifications are done at the moment at local government level and by the Fire Brigades Board.

Local government charges for inspections while the Fire Brigade examines plans for nothing. It is considered that in providing this sort of service, the board should be entitled to charge for it.

Mr LAURANCE: That is something with which I might agree. However, we will go on to the next part of new section 26A(c) ". . . .for advisory and inspection services . . ." I do not see why that has to be done by the Government. If there is to be a charge for it and the job done, I think that could be done adequately by the private sector. However, there is an overseeing role for the Fire Brigades Board to play. I do not believe that it is necessary to put on a whole army of people and open up a whole consultancy to do this.

I do not have any quarrel with new section 26A(d) which reads, in part ". . . receive gifts of money, by way of sponsorship . . ." although I consider that "sponsorship" is a difficult matter for Government to get involved with because once again it would be much better were the operation to be maintained by the private sector. Sponsorship is wrong when the private sector must sponsor Government services. These are my reasons for opposing the Bill, and in particular, the first and second measures in the legislation. Specifically, the second measure tries to ensure that the Fire Brigades Board will extend its services into an area which can be dealt with adequately and competently by the private sector, both now and in the future.

MR GRAYDEN (South Perth) [12.44 p.m.]: I wish to touch on only one aspect of this measure, and that is in relation to clause 11 of the amending Bill. This clause deals with section 38 of the principal Act which relates to contributions of local authorities under the Act. It would appear that under this existing provision many local authorities throughout Western Australia will be subject to exorbitant increases this year. The South Perth City Council, a council which is responsible for a relatively large section of the Perth metropolitan area, has endeavoured to keep rates in its area as low as possible. As a consequence, the rate increase this year will be only 5.9 per cent.

The Premier recently commented in respect of State instrumentalities and he indicated that a particular rate would be levied. I am not aware what it was exactly, but it was a relatively low rate and the Premier said that it would be a rate which would be acceptable to the Government in respect of its instrumentalities. In other words, he gave the impression that the Government would ensure that Government instrumentalities would keep their rates relatively low. With this in mind, the South Perth City Council budgeted for a six per cent increase in the contribution to the Fire Brigades Board. To the dismay of the council, however, it received an assessment of $163 243.39, which is a 10.9 per cent difference. This is at variance with the view expressed earlier by the Premier in respect of State instrumentalities.

That was the experience of the South Perth City Council, and I have no doubt that many other local government authorities, both in the metropolitan area and throughout the State generally, will experience similar dismay when they receive their assessments for this year.

I draw the attention of the Minister to the fact that in the letter from the Fire Brigades Board to the South Perth City Council, in which the sum was mentioned, it was indicated that the assessment was a draft assessment. I ask the Minister whether he would make some representations to the Fire Brigades Board in the light of the fact that the South Perth City Council, bearing in mind the comments of the Premier, budgeted for a much smaller amount. Perhaps the Minister will see whether it would be possible to have a more realistic assessment made which would overcome the problem.

MR TAYLOR (Kalgoorlie) [12.47 p.m.]: I join with the other members, including members opposite, who, in an indirect way, complimented the Fire Brigades Board on the work that it does. In a more direct way, I think that the Fire Brigade provides an excellent service to the community. The member for Kalamunda considered that a Fire Brigade officer should not be appointed to the board because he considered that the union was quite irresponsible. However, he was not able to give one example of any degree or level of irresponsibility as far as that union was concerned. In fact, he was asked by both myself and the Minister handling the legislation to give one such example, but he was unable to do so. I believe the union, under the leadership of Ken Trainor, a close personal friend of mine, is an excellent union. It has achieved a great deal for the people for whom it works, and I think that an officer of the union is more than capable of handling a position on the Fire Brigades Board. The member for Gascoyne put the issue more succinctly than did the member for Kalamunda, when he said that he considered there was a philosophical difference between the Government and the Opposition as far as work and participation on these boards were

concerned. I am prepared to accept that point of view, but I am certainly not prepared to accept the point of view put forward by the member for Kalamunda—that is the reason workers should not be represented on the board is the so-called irresponsibility of the Fire Brigades union.

There are several matters concerning fire brigades in my electorate which I should mention. One in particular is that some two or three years ago, the previous Government intended to reduce the manning levels in the Kalgoorlie-Boulder area. It was prior to the last election, when the present Premier of Western Australia went to Kalgoorlie and promised the fire brigade officers there that there would be no reduction in the manning levels; and I am pleased to say that this has been the case.

Mr Thompson: Did you say the Government indicated there would be reductions?

Mr TAYLOR: Yes, the previous Government indicated that the manning levels would be reduced. The Labor Party made it quite clear that if it was elected to Government, manning levels would not be reduced, and they have not been reduced.

Mr Thompson: Was it the board or the Government?

Mr TAYLOR: It was a recommendation of the board, which the Government indicated it would accept.

Mr Thompson: So it was the board?

Mr TAYLOR: The board recommended reductions to the then Government, which accepted the recommendation.

The high manning levels in Kalgoorlie are quite appropriate. Kalgoorlie is a very large city of about 25 000 people. Basically, the houses are of timber and asbestos construction and are a natural fire risk. As well, the town area—the central business district in Kalgoorlie and Boulder—is a very severe fire hazard because of the nature of the buildings and their close proximity to one another.

From time to time the fire officers in the Goldfields have shown just how good they are at their jobs, when they are able to contain fires that have taken hold in Kalgoorlie and Boulder. On a number of occasions in recent years they have saved entire city blocks from being burnt to the ground.

I am pleased to say that I expect those manning levels to be maintained, and certainly the indication I have received from the Minister is that that will be so.

Another local issue I wish to draw to the attention of the Minister is that in past years the policy of the board has been, wherever possible, to recruit locally in areas such as Kalgoorlie, Geraldton, Albany, and Bunbury. As I understand it, in recent years—and particularly in the last couple of years—there has been very little recruiting at a local level in regional areas. In fact, a large proportion of recruiting takes place in city areas, and it then becomes a raffle for the new recruits to decide between themselves who will go into the regional areas. If the recruits live in the city and have their friends and relatives, their homes and families there, they are not at all willing to travel to country areas.

Experience has shown that fire officers recruited locally generally make excellent officers who are dedicated not only to their jobs but to the good of their community as well. That has been the case in Kalgoorlie, and I urge the Minister to ask the board to take another look at the situation, and to endeavour to recruit locally; not only from the point of view of dedication but also as regards cost effectiveness. It must be more cost effective to recruit someone who lives locally and has his—and perhaps in days to come her—own house and is able to live without a Government subsidy for housing, and certainly without subsidy for setting up a new home in a new location. That is an important issue which must be addressed by the board.

Another issue which concerns me is the board's attitude—and particularly the attitude of the chairman of the board—to volunteer fire brigades throughout Western Australia. I refer particularly to the chairman's attitude towards the Bassendean and Guildford volunteer brigades. In recent months it was indicated to these brigades that they should undergo a cost justification exercise, and that consideration would be given to withdrawing any so-called subsidies.

I examined this issue very closely, and from my examination it would seem that the costings done by the board on this function review matter were quite out of line with any accepted accounting principles, and were set up to ensure that the maximum possible cost—particularly in the area of depreciation of old fire brigade tender vehicles—was attributed against the volunteer brigades.

It is to the great credit of the Minister that, on this issue being brought to his attention, he went to the Bassendean and Guildford brigades

and told them there was no intention whatsoever of closing them down. He must be congratulated for his attitude on that occasion.

I have a very close affinity with volunteer brigades, and a long family involvement with them. I believe they provide an excellent service to a wide range of communities right throughout Western Australia, and from the point of view of both the Government and the community as a whole, volunteerism—whether it be in fire brigades, ambulance services, or whatever—has to be improved. People must be given an incentive to work as volunteers. The more people involved in volunteer duties right throughout the whole range of services in our community, the better off those communities will be.

Mr Thompson: Has it been your experience that the permanent firefighters have been keen to see volunteers replaced by permanent staff?

Mr TAYLOR: There is no doubt that there have been difficulties in relationships between permanent officers and volunteers. However, in recent months the volunteers, the unions, and the permanent officers have got together, and they now have a far better understanding of their relationship. I will give an example of that. In Kalgoorlie at the moment, the district fire officer is putting volunteer firemen throughout the goldfields region into training in breathing apparatus and a whole range of firemen's duties. That is the first time for a long time that the volunteers in Kalgoorlie have received this training as a back-up to the permanent officers. It has been fairly well accepted in the community, and by the permanent officers in Kalgoorlie. The union itself is also willing to accept the role of volunteers—certainly more willing than it was two or three years ago.

Mr Thompson: If that is the case, I am pleased to see it happen. I was a member at Midland and all the time I was there, there was pressure applied by the union and the permanent members themselves to the volunteer fire brigade members.

Mr TAYLOR: That is a very sad thing to see happen. The volunteer brigades do a good job, and apart from the duties they perform as volunteer firefighters, it is also an exciting sport, one which I receive a tremendous thrill from watching. I am sure that if more people could see these officers participating in their demonstrations, they would see the great work the officers do and the strong involvement they have with their communities. They should be congratulated, and the union too must be congratulated for its greatly changed attitude.

In conclusion, I certainly support all aspects of the Bill before the House, and congratulate the Minister on the work he has done in the last couple of years in this area.

Debate adjourned to a later stage of the sitting, on motion by Mr Carr (Minister for Police and Emergency Services).

Sitting suspended from 12.58 to 2.15 p.m.

ACTS AMENDMENT (HOSPITALS) BILL

Second Reading

Debate resumed from 3 September.

MR THOMPSON (Kalamunda) [2.16 p.m.]: The Bill before the House comes as a result of a series of events which took place some months ago relating to a controversy surrounding a patient who had been treated at the Penn-Rose Nursing Home in Guildford. I will explain the history of the controversy.

Hon. Fred McKenzie was approached by a person who worked at Penn-Rose, and as a result of that contact and also of contact that people made with journalists from the *Daily News*, considerable publicity was given to the death of a Down's syndrome patient by the name of Reginald Berryman.

Mr Speaker, I wonder whether you have given any thought to the situation which prevails with respect to this matter. Currently a writ is alive in the Supreme Court arising out of *Daily News* articles which were written at the time. I take it that, because we are debating a Bill, it will be in order for me to make reference to the events in question and to the publication of the material made at the time, which publication is now the subject of litigation.

The SPEAKER: I bow to your earlier ruling.

Mr THOMPSON: It is not so much a matter of my earlier ruling as Speaker of the House. It concerns me that if I were to attempt to raise this subject perhaps by way of motion or question, in fact in any other way than by comment during debate on a Bill such as this, you, Mr Speaker, would probably rule that the matter was *sub judice*. Because the Bill before us relates to the controversy in question, tradition has been for the Speaker to allow debate on the matter to occur.

Mr Bertram: It is not dealing directly with the Berryman case.

Mr THOMPSON: But the legislation arises out of that case, and the Minister in introducing the Bill referred to the Berryman case. It would be inappropriate for me not to make some comment about that, bearing in mind it was a fairly controversial and political issue at the time. It is inevitable that I should make some reference to it.

Mr Speaker, the ruling to which you have referred was one I made whilst Speaker. As I recall it, what happened was that publicity was given to the Berryman case in the *Daily News*, and it was not until the present Premier, who was the then Leader of the Opposition, gave notice of his intention to move a motion in the House to raise the subject that a writ was issued out of the Supreme Court. The proposition was then put to me that the matter should be ruled *sub judice*. I made a ruling at the time which I believed to be correct, as I believe it to be correct now, that it was inappropriate for Parliament to be stifled from debating that issue and it was my firm view that the writ had been issued for one purpose alone, and that was to prevent Parliament talking about the issue.

Mr Bertram: It followed a good precedent set by a former Leader of the Opposition and Labor Premier who issued a couple of writs, one of which is still pending.

Mr THOMPSON: If that is so it is not because of any action I took or would have taken. Indeed, while I was holding the office of Speaker I watched very closely that situation because I believed, as I still do, that it was totally inappropriate for Parliament to be stifled from debating issues of public concern. I now find myself in a position related to another matter where I am not able to refer to that matter because I myself am the subject of writs issued out of the Supreme Court—but we will talk about that on another occasion. The chickens will come home to roost there eventually.

Because of the controversy that occurred at that time the then Minister for Health (Mr Ray Young) initiated a fairly extensive inquiry. He brought to this Parliament a report which indicated that certain procedures had not been followed and that perhaps in some respects some officers of the department had not acted correctly. That did not satisfy the then Premier and the current Minister for Health who protested that the inquiry was somewhat of a whitewash and they made an electoral commitment that on becoming the Government they would institute or have instituted a judicial inquiry to look into the matter.

Mr Tonkin: Something you should have done.

Mr THOMPSON: It was the view of the Government at that time that the matter had been thoroughly investigated and the Government of the day was satisfied that the matter had been adequately covered.

Mr Tonkin: You are too easily satisfied.

Mr THOMPSON: We have had the report from Ray Young and from Mr Parker QC who was appointed by the present Government on the recommendation of the present Minister. If members look at those reports they will see that both authors came to the same conclusion. The reports were almost word for word. Mr Parker found there to be nothing more sinister or underhand in this matter than Mr Young had found when he was the Minister.

Mr Hodge: Mr Young was really investigating his own stewardship, wasn't he? He was the responsible Minister and he was conducting an inquiry into his own administration.

Mr THOMPSON: He was conducting an inquiry into the activities of his departmental officers, as I see it, but I would be surprised if the Minister would disagree or discount the fact that those two reports were almost identical in their findings. Many things were said, some of them pretty harsh, about the former Minister for Health, which were not substantiated in the Parker report. Some fairly scathing criticisms were made of the proprietors of Penn-Rose Nursing Home which were again not substantiated in the report of Mr Parker. The people were unnecessarily maligned in that case.

Mr Hodge: The Opposition aired the allegations which were made in Parliament.

Mr THOMPSON: The allegations of an individual?

Mr Hodge: A whole range of individuals.

Mr THOMPSON: The principal allegations came from an individual who Mr Parker, and those who assisted Mr Young in his report found to be a most unreliable witness.

Mr Hodge: There was more than one. There was a whole series of individuals making allegations.

Mr THOMPSON: I do not deny any member of Parliament the right to raise issues referred to him by people in the community. I do not

believe that the degree of vigour and, in some cases; viciousness with which this matter was pursued was called for when one takes into account the report of Mr Parker QC.

Running in conjunction with the Parker inquiry was another inquiry instituted by the Commonwealth Parliament—a Select Committee to investigate the operations of nursing homes. That committee has produced an interim report which indicates that things in the nursing home field are not as bad as some of the people who advocated such an inquiry considered they were.

The present Government has on the recommendation of that Select Committee undertaken a couple of matters, one of which was to increase the staff ratio at these private hospitals. I am not certain that the evidence that was given to the Select Committee justifies the substantial increase in staff ratios that have been undertaken by the present Government and I am not too sure that, due to the increased cost of the operations of those nursing homes, it can be justified.

It is interesting to note that the Select Committee which has looked into this matter and is still looking into the matter is chaired by Senator Giles, herself a former secretary of the Hospital Employees Union. It was with somewhat of a chip on her shoulder that that lady undertook the chairmanship of that committee. In fact, it was with a chip on her shoulder that she raised the matter in the Senate which resulted apparently in the Select Committee being set up.

The Bill sets out to do a number of things, principally to prevent people running other than a private hospital or nursing home, to hold out to be running such a place. It has been possible in the past for someone to run a boarding house or something akin to a boarding house and to hold out that that establishment was a hospital.

So far as this Bill goes in providing legislation to give some control over those establishments, the Opposition supports it. The Opposition believes a number of amendments should be made to the legislation to make it more workable and more acceptable to those people who operate and who work in nursing homes.

I wonder what sort of consultation the Minister has had with the Private Hospitals Association and the Nursing Homes Association. I wonder what consultation he has had with the medical profession because this Bill contains provisions that impact very seriously on the people I have mentioned, and I would be very disappointed in the Minister if he has not had from the people in the field a pretty fair indication of their attitude to the legislation. I have had discussions with the Private Hospitals Association, the Nursing Homes Association, and the AMA, and they have expressed their concern about a number of aspects of the Bill.

The Bill makes provision for a licence to be issued to operate a nursing home and lays down certain criteria which must be met by a person who applies for a licence. A licence once issued is not transferable, and that gives rise to a certain amount of concern because although the hospital which is being operated by a licensee can operate under his control, in the event of that person selling his business the licence does not automatically transfer to the person or body which buys the business. The legislation contains no provision for any pressure to be put on the Minister or his department to consider an application for granting a licence.

So one of the amendments we believe should be inserted in the Bill would place some requirement on the Minister and his department to consider that application with a certain amount of haste. What may happen, and often does, in a situation of a business being sold—and we are talking about a business rather than a hospital—is that the person wishing to sell can receive an offer and the person wishing to buy may change his mind if the sale is not negotiated fairly expeditiously.

Some provision should be written into the Bill to require the Minister and his department to give speedy consideration to that application. I am aware that circumstances can arise in which a person wishing to start one of these nursing homes from scratch will need to make application in the same way as a person who buys a going concern. Perhaps it is not as important for the person wishing to set up a new business to have his application dealt with as speedily as the person who is intending to buy a going concern. A certain amount of speed is still needed, however, to consider the application bearing in mind that a person starting any business has to outlay a considerable sum of money and go to a lot of trouble to get the business off the ground.

Anyone who has endeavoured to establish a business will know just how long it takes and the frustrations one has to go through to get it off the ground. Even if one is starting a corner store which does not require a licence one still

has to go through a lot of trouble, and a lot of expense is involved. A person must get approval, firstly from the local authority to develop a nursing home or private hospital, and secondly from the health authority for a variety of things. He must satisfy those bodies in a number of respects and satisfy the department under the terms of this Bill that he is a person properly fitted to hold the licence. All that can take a long time. We believe the same requirement on the department to consider an application by a person taking over an existing business should apply perhaps with a little extra time to the case of a person who is starting one of these hospitals from scratch. When we get to the Committee stage I will move an amendment to address this particular problem.

Another provision in the Bill which is of concern to people in the private hospital and nursing home field relates to that part which refers to guidelines. The Bill lays down a provision for guidelines which will apply to these hospitals. The legislation does not specify the guidelines and no provision is made in the Bill or the Act for any redress in the event of those guidelines being draconian. There is no way that a person who is running one of these places, or who wants to start one, can do anything about the situation. The guidelines should be treated in the legislation in the same way as other provisions of the Act are treated—that is, by inserting them by way of regulation.

In that case if someone is unhappy, or if any member of Parliament is unhappy, with the regulations that person can take the appropriate action after the regulations have been tabled in the House. In this case we do not know what the guidelines are; we do not have a clue. The Minister is saying, "Take me on trust; here are some guidelines; we will not tell you what they are, but we will dream them up from time to time and if you do not like them you cannot do anything about it." That is totally inappropriate, and it makes for poor legislation. It could lead to very serious problems for people running these hospitals.

Another problem we see in the legislation relates to the provision which gives the commissioner power to have a medical practitioner enter one of these hospitals and examine a patient. Provision exists in the Health Act now for that to apply with respect to public hospitals, and I am aware that it is not an oft-used power. By inserting it in this legislation one could have a situation where one interrupts, interferes with, or impinges upon the relationship between a doctor and patient in a private hospital. A situation could arise where after a complaint was received the commissioner could cause one of his medical practitioners to go to a private hospital and examine the patient of another doctor without the knowledge of that doctor. Under the terms of this Bill he could do that without the knowledge of the proprietor or the licensee of the hospital.

The Opposition believes that that power is too wide. We accept that circumstances could arise where the commissioner, in the interests of the patient and on complaint from someone, could order an examination to be made. However, it is totally inappropriate in my view for that examination to be made by an employee of the department without an opportunity being given to the patient's medical practitioner to be present. One of the amendments that we will be seeking to put forward in the Committee stage will be to amend the Bill so that there will be a requirement for a patient's own doctor to be present when such an examination is made.

Another area of concern to the Opposition relates to the changing standards with respect to such hospitals in such places. I am aware that there has been, for some considerable time, discussions between the department and the Private Hospitals Association and the Nursing Homes Association to lay down, more stringently, the code with respect to buildings and physical things associated with hospitals and nursing homes. Some places which now trade as nursing homes and private hospitals may not comply with regulations that will come into existence in the future. That is not the fault of the proprietors of existing places. I believe it would be inappropriate for there to be no protection written into the legislation to look after people who operate those buildings at the present time. I understand that the width of passages is under consideration. A building which was built today could allow for passages to be four feet wide. However, if new standards come into force, they may require a passage width of 4ft 6in or five feet. Without substantially altering the building, it would not be possible to comply with those standards. I believe that protection for people who operate these facilities should be written into the legislation.

The Nursing Homes Association is concerned about that aspect. I am aware that communication has taken place between it and the Minister. I will be interested to hear the Minister's comments when he replies to the debate.

The Federal Government recently indicated its intention to deregulate private hospitals. In a statement by the Prime Minister on 2 April 1985, in the wake of the New South Wales public hospitals dispute over Medicare, he said—

> While maintaining the Commonwealth subsidy to private hospitals, the Commonwealth intends to deregulate its controls over the approval and categorisation of private hospitals. These functions are more appropriately administered by the States and the private health funds.

Some aspects of the proposed legislation before the House give an insight into how the State Government proposes to administer approvals for private hospitals, private nursing homes, and day hospital facilities in the light of the Commonwealth's commitment to deregulate. It is disturbing that the Commonwealth's commitment could prove to be a charade as the control and regulation may shift from Canberra to the States and, in fact, no deregulation results from such a move. We certainly support the proposition that Canberra should get out of the business of having that control. We support the proposition that the controls should go to the States. However, where the Commonwealth has said it is appropriate for deregulation to apply, we do not think it is appropriate for the State Government to jump into what it sees as a void. I will be interested to get an assurance from the Minister that it is not his intention to pick up those controls which the Commonwealth believes should be abandoned by it.

Another interesting facet of this Bill is that it makes provision for the establishing of day hospitals. There are no day hospitals, as such, in existence in this State at the present time. However, there is an intention by one group to develop such a hospital in South Perth. Obviously, because interest has been shown in that area, the Government has given recognition to it in the Bill.

I will be interested to hear from the Minister what progress has been made with respect to a day hospital in this State and to hear from him how he believes that those hospitals would work. I want to know his attitude to them generally. I am told that this type of facility is widespread in the United States of America and has resulted in a levelling out of the rate of increases in costs for hospital accommodation. I believe that anything that can be done to decrease the rate of health costs should be applauded. However, I believe that the community should be suspicious of any Government which tells it that there will be a decrease in the cost of health care because there is no doubt, with the advances that have been made in the health field, that costs will continue to escalate dramatically.

I support the concept of day hospitals. I believe that many procedures can be carried out by surgeons and others in the medical field by treating patients on a daily basis rather than their taking up space in hospitals which cost so much to administer. A person who is admitted to Royal Perth Hospital would not have to be in that hospital very long before he would be astounded at the costs associated with his treatment.

We support the provisions of the Bill and think it appropriate that the Minister for Health and his department should have some control over private hospitals, day hospitals and nursing homes in the interests of the community. We certainly believe there should be more opportunity for private people to become involved in the provision of nursing homes and other hospital facilities. There should be as little impediment as possible placed in the way of private enterprise becoming established in those areas.

In this State two-thirds of the patients who require nursing home accommodation are so accommodated in private hospitals while the remaining one-third of the patients requiring that type of service are cared for in Government institutions. The cost of keeping a person in a Government institution is about double that of keeping a person in a privately-run nursing home. I know there are some good reasons why the costs in Government-run hospitals are high. If private enterprise was doing the same job that the State is doing the cost would still be high—but I still believe costs would be considerably lower than they are at present.

It is inevitable that the State will be required to have an involvement with nursing home accommodation because there are some patients and situations where the State simply has to be involved due to the cost. As far as practicable, where people can be accommodated in private hospitals they should be, because it has been shown quite clearly that the taxpayers can be saved a considerable amount of money if people are cared for in hospitals run by private enterprise.

I have had the opportunity to visit quite a few of the nursing homes and private hospitals in this State since I was asked to accept the

responsibility for health by my leader. I have been impressed by the standards that apply in most of those places. I have seen the Glengarry hospital out in the northern suburbs and the Kaleeya Hospital in East Fremantle. Each of those hospitals is run by different companies, both of them built, maintained and operating to a very high standard and occupancy. It is interesting to note that those hospitals save money, other than those moneys that come to them by way of subsidy from the Commonwealth Government. It does not cost the taxpayers anything when one compares them to some other Government-run institutions where in addition to a Commonwealth subsidy, the taxpayers are, to a great extent, required to subsidise the care of those people.

Only 12 months ago I had the experience of being in the category of one of those high-cost patients by virtue of having to undergo open heart surgery. This time last year I was not too sure whether I was going to be here today. It is inevitable, in cases like mine, that the Government will continue to be required to have an involvement.

Mr Hodge: Do you think that high expenditure was worth it?

Mr THOMPSON: It was worth every penny. If the cost were double I would still think it was all right. However, there is an indication that private enterprise is prepared to become involved even in that field because in the private hospital which Markalinga Pty Ltd have under construction down on the foreshore—it is a replacement hospital for the Mount Hospital—they have included open heart surgery to be undertaken in their planning provision. It is clear that even with those very high-cost procedures there are private companies which are prepared to gear up to become involved in that field. I believe the more people who become involved with private enterprise in the field of health care, the better the taxpayer will be. From the observations I have made from the places I have visited in this State the standard of care that is provided is equal to, and in some cases better than, that which is available in the Government-run hospitals.

No-one would say that the Royal Perth Hospital is a comfortable hospital for patients; certainly the coronary care area where I was—although I was too crook to have taken too much notice—suffered from crowded conditions under which the staff worked and the standard of facilities was relatively low by comparison with a place like Sir Charles Gairdner, the Kaleeya Hospital or the St John of God Hospital which is another privately-run hospital. The standards are being met by the private enterprise people. The State has a role in setting the standards, as my leader has said; I support his view that the Government should be the maker of the rules and not the player of the game. There are some qualifications to that and it will always be necessary for the State to be a player of the game where the major teaching hospitals are concerned because this will always be the responsibility of the Government. However, many procedures carried out in those places could be adequately transferred to private hospitals. Governments not only have an interest in that area, but also they have a responsibility to try to reduce the number of people who are cared for in the State area and transfer them as far as possible into the hospitals which are less of a demand on the taxpayers than the major hospitals.

I have strayed a little from the general purpose of this Bill so I will get back to it and say to the Minister that we support the intention of the legislation. The Opposition accepts that the State has a very significant role to play in setting the standards that should apply with respect to nursing homes and private hospitals.

We are concerned that the Bill contains insufficient safeguards for the people who will own and operate these places and in some respects it goes too far, certainly in respect of the powers given to the commissioner to send his Government medical practitioners into private hospitals to inspect patients who are the responsibilities of another doctor or private practitioner. The Minister would be wise to seriously consider amending the legislation or accepting our amendment that would ensure that at least a private practitioner responsible for a patient who is the subject of a complaint can be there at the time the examination is made. The Minister should accept an amendment that puts some obligation on him and his department to speedily deal with an application for the issue of a licence, particularly in the case of an applicant who wishes to take over an existing hospital, but also to ensure that no long delay applies with respect to someone who endeavours to establish one of those hospitals.

With those comments I indicate the Opposition's support of the Bill.

MR BRADSHAW (Murray-Wellington) [3.00 p.m.]: I have several reservations about this Bill. A standard should be set in the community to maintain the quality of life that we have come to accept in this great country.

I wonder whether this Bill has been brought forward for genuine reasons or whether it is the result of a guilty conscience on the part of the Minister for Health for the vicious way in which he, as a member of the then Opposition, brought forward the issue concerning Reginald Berryman some years ago. I am of the firm opinion that the reason that issue was brought forward was for political motives. The subsequent inquiries which have been conducted have shown that the situation was not as bad as it was made out to be by the Government when it was in Opposition.

This legislation has been brought forward in a similar vein to the Bill concerning price controls introduced after the 1983 election. That legislation was nothing but a political stunt and, again, this is a pre-election stunt. The previous Opposition had raised so much controversy about nursing homes prior to the last election that when it came into office it had no alternative but to look as though it was doing something to overcome the problem that it had stirred up in the community and, as a result, a Bill was brought forward.

I am concerned about the cost that will be incurred on the elderly and infirm because of this legislation. It will be a costly exercise and the costs will be passed on to the patients or to the taxpayers.

It worries me that the Government has seen fit to bring forward this legislation because it will incur costs on the community in a similar manner to which the costs involved in Medicare have blown out of all proportion.

Mr Hodge: It came in under-Budget.

Mr BRADSHAW: That is different!

Mr Hodge: Read the Budget papers.

Mr BRADSHAW: The cost is certainly above the inflation rate.

Mr Hodge: It came in under-Budget.

Mr BRADSHAW: It may well have done, but that does not mean that the costs have not increased dramatically. The Federal Minister for Health is trying to bring in a health maintenance organisation.

Mr Hodge: That refers to over-servicing.

Mr BRADSHAW: We told the Government what would happen when Medicare was introduced and now it is endeavouring to patch it up. Medicare should never have been introduced, just as this Bill should not have been introduced into this House.

In his second reading speech the Minister made reference to a Senate committee which investigated the nursing home situation. The committee was chaired by Senator Pat Giles. I wonder about the credibility of the inquiry when one considers the media report published by the committee's chairperson.

On 25 September last year I asked the Minister for Health the following question—

(1) Did he see the *Daily News* of 29 August 1984 under the headline "Nursing Homes—Shock Report" which contain allegations by Senator Giles that she knew of at least six homes which should be closed because of deplorable conditions?

(2) Is he aware of such nursing homes in Western Australia?

(3) Was Senator Giles referring to any nursing homes in Western Australia?

(4) If "Yes" to (3), would he name them?

(5) If "Yes" to (3), what action has he taken?

The Minister replied as follows—

(1) I am aware of allegations made by Senator Giles about nursing homes in general. They were not apparently specific to Western Australia.

(2) No.

(3) to (5) This question should be referred to Senator Giles.

The reason I believe the legislation should not have been brought before this House is that it appears, from the answer to my question, that there were no problems in the Western Australian system as far as nursing homes or private hospitals were concerned.

Regardless of the facet of life, there will always be a minority group which will not meet specific standards and that situation cannot be avoided. It cannot be stopped by any form of legislation. I fail to see how this legislation will overcome the current situation. All that will happen is that more regulations and more red tape will be imposed on the people concerned.

We already have in place certain rules, regulations, and health standards for the building of nursing homes and these are enforced by the local authorities. I honestly cannot see how the introduction of further rules and regulations will overcome the problem.

It is obvious that relatives visiting elderly members of their family will, if they find them being mistreated, report the situation to the Health Department, the local authority or the police. This sort of situation will always occur.

Considering the fact that the Minister for Health has said that there does not appear to be any major problems in nursing homes or private hospitals it is rather astounding that this legislation is before the House today.

What will happen to existing nursing homes and private hospitals? This legislation will mean that many nursing homes and private hospitals will be required to upgrade their buildings. The member for Kalamunda has already mentioned that if the regulations provide that hallways will need to be a certain width the existing hospitals may be required to comply. The legislation could, in fact, result in the closure of many private hospitals and nursing homes if their existing buildings cannot be brought up to a particular standard. If alteration and renovation programmes are undertaken to existing buildings it will be disruptive to the patients and their charges will be greatly increased. What is the Government trying to achieve? As far as I am concerned it will not achieve very much at all.

I also ask the Minister whether the existing nursing homes and private hospitals will have to apply for a licence under this legislation. Will they automatically be given a licence? This matter is certainly of concern to people operating establishments of this kind.

I hope that the Government has consulted with the people concerned to ascertain whether the legislation will be practical and easy to live with.

I would also like to know whether frail aged homes such as exist in the community—I have three in my electorate, such as the one at Pinjarra—will come under these guidelines.

Mr Hodge: Frail aged homes are not affected by the legislation. They are not registered as hospitals.

Mr BRADSHAW: That is all right. I just was not sure whether they did come under the guidelines. Had they done so their costs would be greatly increased.

I believe that basically the Bill has been brought forward to salve the conscience of the Minister over the attacks he made when in Opposition.

Mr Spriggs: Quite unsubstantiated attacks.

Mr BRADSHAW: As the member indicated, they were quite unsubstantiated. It worries me that this Bill will add to the cost of looking after people in private hospitals and nursing homes.

MR HODGE (Melville—Minister for Health) [3.10 p.m.]: I thank the Opposition for its general support of the Bill. I have taken careful note of the queries and reservations that have been raised and I will try to address each and every point.

The member for Kalamunda spoke for quite some time about Penn-Rose Nursing Home and that general area. I will not say too much about it except that I offer no apology for the role that I took in bringing that sorry and s[illegible] affair into Parliament and having two inquiries conducted. I believe that that is a legitimate role of members of Parliament—indeed their responsibility—when serious allegations are brought to their attention. At that stage I was the Opposition spokesman on health. Allegations made in the form of statutory declarations alleging quite serious matters about Reginald Berryman and his treatment at Penn-Rose meant that I would have been negligent in my duty as a member of Parliament had I not taken some action.

As the member for Kalamunda has said, I was critical of the inquiry that Mr Young conducted. By way of interjection I indicated one of the main reasons I was critical. That was that I regarded Mr Young as investigating his own stewardship. He was responsible for Mental Health Services and its bureaucrats, their duties, and their fulfilment of them. He sat in judgment to investigate them and other matters when the responsibility stopped with him as Minister. I thought that was improper.

I had some other criticisms of the way the inquiry was conducted. I had some criticisms of the outcome of the recommendations which were not very specific. The Minister took no action, certainly no legislative action, as a result of that inquiry. It is true that the inquiry by Mr Parker in places was quite similar to the previous inquiry, but he made some fairly clear recommendations for change. The Government is taking those recommendations seriously and is addressing them.

This Bill represents one attempt to address some of the concerns raised by Mr Parker. When other legislation that is presently being drafted comes before the Parliament, we will make further endeavours to address the points

that Mr Parker raised. Thus we are in fact following up his recommendations, unlike the previous Government and the previous report.

The member for Kalamunda raised the question about my consultation with the Private Hospitals Association, the Nursing Homes Association, and the AMA. A little later in his speech he conceded that he knew that there had been extensive discussions stretching over some years.

Mr Thompson: With the AMA?

Mr HODGE: No, not specifically with the AMA. There have been discussions stretching over some years between the Nursing Homes Association, in particular, and the Private Hospitals Association. I have not had any detailed discussions with the AMA regarding the Bill and I do not see any reason why I should. There is very little in this legislation in my view that impinges in a direct way upon the AMA. Since the legislation was introduced to the Parliament, the Commissioner for Health has had discussions with the secretary of the AMA.

We have had very lengthy and protracted negotiations with the Nursing Homes Association in particular about the sorts of changes that are being addressed today in this legislation. Generally it supports them. In fact, it has gone on record in the newspapers as supporting this approach.

Since becoming Minister it has not been my practice to make available to outside organisations copies of draft Bills. Thus, if the member for Kalamunda asked whether I had circulated draft copies of the legislation, the answer is that I most certainly did not. I do not make it a practice unless there is some extraordinary circumstance to warrant it. But certainly we have had consultations, and once legislation has been introduced into Parliament I am very pleased to hear the views of any organisation or individual about that legislation. I think it is discourteous to members when draft Bills are made available to every Tom, Dick and Harry around the place before they are made available to members of Parliament.

Mr Thompson: Particularly Opposition spokesmen.

Mr HODGE: When I was shadow Minister for Health there was a draft hospitals Bill floating around. I think everybody in Western Australia had a copy except me. I must have been one of the few people who did not have a copy. I think it is discourteous to members of this Parliament that all sorts of people have access to legislation before they do. I acknowledge that in some special circumstances there probably is a need for individuals or groups to see a copy, but not as a general rule.

The member for Kalamunda raised a number of specific issues, some of which were very important. I have had some informal discussions with him about them. I have also been approached by the two organisations that we mentioned before—the Nursing Homes Association and the Private Hospitals Association. Last Friday I had discussions with the Private Hospitals Association during which we touched on some of these issues.

I have also had letters from both associations giving me their points of view about the legislation, asking for information, and raising particular queries. Some of the queries they have raised are matters that the member for Kalamunda has identified. I think I will be able to satisfy the Opposition and those associations with my reply.

The member for Kalamunda raised the issue of time limits on applications for licences, particularly in the circumstances in which a building has been licensed or registered as a private hospital or nursing home and is sold to another person and that person wishes to apply for a licence. I acknowledge that there is a need for some speed in dealing with that licence application. I am prepared to move an amendment to put a limit of 30 days on dealing with an application in those circumstances. That is a reasonable time for the department to process the application and to make the inquiries it needs to make about the applicant to ensure that such applicant is a fit and proper person. It is not an excessively long time and should not act as an impediment to the ownership of the business changing hands.

Mr Bradshaw: What happens if they don't process it in 30 days?

Mr HODGE: I am not sure. I will have to get some advice on that for the member. Perhaps we can answer the query in the Committee stage. There may be a right of appeal.

In respect of the Commissioner for Health dealing with an entirely fresh application for a building that has not previously been registered, I feel that there is probably a need for some sort of time limit. It is difficult to know just how stringent a time limit one should impose. If we make the time limit unrealistically tight, it will be extremely difficult for the department to do the complex work that is necessary on a detailed submission of plans that show all the electrical wiring, the

plumbing, the air-conditioning, and the whole range of technical services that need to be in a modern hospital or nursing home.

If we are given an unrealistic deadline we shall need to bring in outside consultant engineers and architects to assess the plans. This will cost money which will have to be borne by the person making the application. That could be very expensive. I am proposing that a period of three months should be a reasonable compromise and in Committee I shall be moving an amendment to include this three-month period.

I am also prepared to acknowledge that should the Commissioner for Health refuse an initial application for a licence, there should be somewhere else for that person to go. I am prepared to include in the legislation an appeal provision to the Minister. The Minister of the day can then take a fresh look at an application and, if he is convinced that the case has merit, he can order that the application be approved. I will move to that effect in Committee.

A question was raised about the guidelines and this goes to the heart of the legislation. The negotiations to which I referred previously have been going on since 1981 and trying to come up with new regulations for private hospitals, nursing homes and the like is so complex that little progress has been made. We are dealing with complex areas including architecture, electrical engineering, fire safety and the whole gamut of all the professions involved in the construction of a new hospital or nursing home.

Mr Bradshaw: What problems have you encountered in the past in this regard? It is all right to bring in fancy regulations that you will make wider passageways, etc. but we have not had any problems in the past and there is no need for such regulations.

Mr HODGE: Prospective developers need to know where they are going and what is involved in building a private hospital or nursing home that will be safe from the point of view of patient care, fire safety, evacuation of the building, and other such things. It is not true to say that there have been no problems. There are problems from time to time and my department tries to deal with them in a sympathetic and cooperative manner with the proprietors of nursing homes. At present there are a number of work orders on some premises requiring proprietors to make changes that the department deems are necessary in the interests of the health and well-being of the patients. I do not think that anyone can argue that the Government does not have a responsibility to ensure that patients who go into private hospitals and nursing homes have certain basic safety requirements met by the proprietors of the establishments.

The approach we have taken, on legal advice from the Parliamentary Counsel, is that the uniform building by-laws, other legislation, regulations and standards relating to fire safety, electrical wiring, plumbing, etc. shall all be included in guidelines and that compliance with those guidelines shall be made a condition of the issue of the licence.

We shall have regulations in the legislation but they will relate almost exclusively to patient care, patient-staff ratios, and standards of care for patients, etc. The guidelines will be activated only in the construction period and for maintenance. The people dealing with the guidelines will be the architects, designers and engineers. They will not be of great day-to-day importance to the operators of private hospitals. The proprietors will be more interested in the regulations which will specify the number of qualified staff, the number of patients and the standard of care for the patients, etc.

Another point that has been raised is the power of the Commissioner of Health to ask a doctor to go into a private hospital or nursing home to examine a patient. This power has existed to some degree in previous legislation. For example, under the Health Act there are very wide powers for the Commissioner of Health to take all sorts of actions if he has reason to suspect that a person in a hospital, nursing home or anywhere else has an infectious disease. The commissioner can direct a doctor to examine the patient and virtually do anything at all, including demolishing and burning down the hospital if he believes it is necessary. Those extreme powers have not been used, or if they have, it has been a very infrequent use, but provision is made for their use in the existing Health Act. Under the present Hospital Act power is given for a doctor to go into a public hospital and examine any patient deemed necessary. We are expanding it a little and consolidating it; we are saying that in any hospital an approved medical officer can go in and examine a patient. This is a good measure which is in the interests of the public and has been called for by the Giles Senate Select Committee, referred to earlier. I do not believe it is unreasonable, particularly as the premises will be licensed by the Government. It is not unusual in cases where

the Government licenses premises for there to be some procedure by which the Government is able to inspect those premises to see what is happening and if everything is operating properly. I acknowledge the concerns expressed which I understand come mainly from the AMA. That group is worried that Government doctors can go in and, without consulting the private doctor who may be involved, examine a patient and cut across the role of the private doctor. That is not our intention. Again, I am prepared to make some changes to the legislation to make it quite clear that it is not the Government's intention.

I will move an amendment in Committee that will make it crystal-clear that in the case of a private doctor caring for a patient, a Government doctor will examine the patient only on receipt of a complaint. Also if a private doctor is involved he shall be notified and invited to attend when the Government doctor examines the patient. The proprietor of the establishment will also be notified and the Government doctor will ensure that that happens if, upon receipt of a complaint, he is required to examine a patient for the purposes of preparing a report on the condition of that patient. I think that meets all the objections as I understand them and it is a compromise.

The member for Kalamunda made some observations about deregulation of private hospitals and nursing homes. There has been much publicity about this in the media but very little information flowing as to what the Federal Government means specifically by "deregulation". It is a very complex area and I must admit I do not quite know what deregulation means. If it means that all the tasks the Federal Government formerly performed will be foist onto the State without any compensation or money to pay for it, I am not very thrilled about the prospect. The Federal Government made that offer to us once before during negotiations on Medicare and we said, "Thanks, but no thanks." All the States did the same. I need to know a great deal more before I would be in a position to say that the State would be prepared to take over some of the functions of the Federal Government. In fact, it may be more appropriate perhaps if we are talking about the payment of bed-day subsidies for the private health insurance funds to take over the job. I am not anxious to do so and I am not going to fight them for the privilege.

If the Federal Government wants to negotiate with the private funds there will be no objection from the State Government. Obviously if responsibilities are off-loaded onto the State Government for the regulation, licensing, and inspection of private hospitals and nursing homes, and if we have to pay the subsidies, we will need certain controls. We will have to be able to say "Yes" or "No" to applications. We will have to be able to say where new developments should go and how many there should be. These powers will be necessary. A lot of water still has to run under the bridge. I do not think the Federal Government itself is clear in its own mind where it is to go.

The member for Kalamunda mentioned the new day hospital facilities. He asked for my attitude to the provision of those facilities. The conventional wisdom seems to be that they are a good thing. I have noticed the Federal Minister for Health welcomes them. I welcome them with some reservations.

What I mean by that is, if the day hospital facilities, when they become a fact of life in Western Australia, mean that work which was previously being done in hospital with people staying overnight is actually being done instead in a day hospital, then that is a good move and I would support it. But if it means extra work is being generated and the hospitals continue at the present rate of activity, this is really only adding to the total health care bill which the nation faces. I am not sure that is a good thing. I am not sure we want a lot more elective surgery going on in the community.

I am taking two bob each way. If this takes the pressure off hospitals, it will be a good thing. If it generates extra work and the hospitals continue at the same rate, I question the benefit to the community.

But they are a fact of life; they are to come. We have to be able to review them in some way and license them to ensure appropriate standards, and this legislation is doing that. In fact by licensing them they will become eligible for medical benefits through the Commonwealth. Without this legislation that would not be possible.

I think I have answered all the points raised by the Opposition. The Government is prepared, in the spirit of cooperation, to make a number of important amendments. I will be moving those amendments in Committee.

I forgot to mention that I will be adding a clause which will become standard in all new legislation, and that will be a review clause.

Within a certain period all the activities of this Act will have to be examined to ensure that they are still relevant and appropriate. That sort of review clause will appear in most Bills which come before this House from now onwards.

I thank the Opposition for its general support of the Bill.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Barnett) in the Chair; Mr Hodge (Minister for Health) in charge of the Bill.

Clauses 1 to 18 put and passed.

Clause 19: Section 10 amended—

Mr HODGE: I move an amendment—

Page 8, lines 2 to 4—To delete paragraphs (a) and (b) and substitute the following—

(a) by inserting after the section designation "10." the subsection designation "(1)";

(b) by deleting "public" in paragraph (a);

(c) by deleting "such" in paragraph (b);

(d) by inserting before "if" in paragraph (c) the following—

" subject to subsection (2) ";

(e) by deleting "such" in paragraph (c); and

(f) by inserting the following subsection—

(2) Where a patient is a patient in a private hospital the following provisions apply in respect of an examination under subsection (1)(c)—

(a) an examination shall not be made except on complaint to the Executive Director;

(b) the medical practitioner of the patient shall be notified of the intention of the authorized person to examine the patient and given an opportunity to be present at the examination; and

(c) the person who is the licence holder under Part IIIA in relation to the hospital in which the patient is accommodated is notified of the intention to conduct the examination.

I have already given an explanation for this in my second reading reply. This relates to a Government doctor going into a private hospital to examine a patient. It is in accordance with the explanation I gave to the Chamber a few minutes ago.

Mr THOMPSON: I thank the Minister for moving this amendment. It is in line with our wishes and with a move which I foreshadowed. The amendment I drafted was done only early today and was not in time to be put on the Notice Paper. It will ensure that the delicate relationship between the doctor and his or her patient is not impaired by a doctor authorised by the commissioner arriving at a patient's bedside to conduct an examination. Such an examination can occur only in the event of a complaint being received about the care of that patient.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 20 and 21 put and passed.

Clause 22: Part IIIA inserted—

Mr HODGE: It is my hope that in view of the amendment that I intend to move, the Opposition may in fact decide not to persevere with its amendment. The amendment relates to a matter that I addressed in my second reading reply: That is, I am acting here to put various time limits on the Commissioner of Health to process applications.

The first amendment is one for a three-month time limit in respect of premises that have not been approved previously. That is usually in the case of new premises which is why such a large amount of work has to be done on examining plans and specifications. Thus a period of three months is really the fastest we can expect this complex work to be done. If we attempt to have the work done more quickly, the normal Public Service apparatus cannot be used and the Government would have to hire consultants which would be exceedingly expensive. That expense would have to be passed on to the person making the application.

The second part of the amendment relates to a 30-day limit which will apply to premises which have previously been approved. We are looking really at the person who is seeking to become the licensed holder to see whether he is a fit and proper person to be approved. This should be done well and truly within the 30-day limit. I think that is an appropriate time and will not prove to be too much of an impediment to people wishing to operate private hospitals and nursing homes.

The last part of the amendment refers to an undertaking I gave in my second reading reply. If a person is aggrieved by a decision made by the commissioner, he may, within 30 days of that decision, make an appeal to the Minister. I do not think that is unreasonable. There will not be any other avenue of appeal and I think that it is appropriate in this circumstance. I move an amendment—

Page 11, line 22—To delete "The" and substitute the following—

Subject to subsection (5), the.

Mr THOMPSON: I thank the Minister for moving this amendment. It is in line with the general thrust of those other amendments that the Chamber has before it now, and it addresses the problem that we foresaw may occur in granting licences to persons who are in the process of buying a business or trying to establish a business. A further safeguard in the proposal of the Minister is that if anyone is aggrieved by the decision with regard to his application for a licence, he may appeal. That seems to be eminently fair and I thank the Minister for his cooperation.

Amendment put and passed.

The clause was further amended, on motions by Mr Hodge, as follows—

Page 11, line 24—To delete "the direction of the Minister" and substitute the following—

subsection (6).

Page 11, line 27—To insert the following subsections—

(5) When an application for a licence—

(a) is in respect of premises that are not approved as premises for a hospital under this Part the Commissioner shall notify the applicant of his decision within 3 months of the day that the application for the licence is lodged at the office of the Commissioner;

(b) is in respect of premises that are approved premises for a hospital under this Part the Commissioner shall notify the applicant of his decision within 30 days of the day that the application for the licence is lodged at the office of the Commissioner.

(6) A person who is aggrieved by a decision of the Commissioner refusing to grant a licence may within 30 days of that decision appeal to the Minister.

Mr THOMPSON: New section 26J allows the commissioner to issue guidelines with respect to the construction, establishment, and maintenance of private hospitals. The Opposition is quite concerned about the impact of this part of the legislation because it provides no adequate redress. We believe frankly that these provisions sought by way of this new section should be handled by way of regulation in which case it is possible for anyone who is unhappy with the requirements to then have the matter challenged. If it were handled by regulation, it could be debated in the Parliament and indeed it would be possible for the regulation to be disallowed.

What happens here is that the commissioner can make these guidelines and there is no supervision by the Parliament at all. That gives a tremendous amount of power to the commissioner. I appreciate the problems of the Minister and his department, and I know of the discussions that have been going on over a long period of time to try to thrash out these guidelines. However, the mere fact that it has taken so long for them to reach agreement is the reason that we ought to have some sort of protection.

Mr Hodge: As I understand it, the Nursing Homes Association and the others have agreed on the contents of these guidelines. It was merely a technical difficulty of transposing them into regulation form. As far as I know, there is no disagreement as to the content of the guidelines.

Mr THOMPSON: But then the commissioner may issue further guidelines. He can issue guidelines from time to time; not just this one set.

Mr Hodge: Obviously the guidelines will have to be upgraded and changed from time to time.

Mr THOMPSON: The Minister is able to say to me now that those guidelines have acceptance, and that it is only because of the drafting difficulty that he is not going to incorporate it in the Bill in regulation form. That is one thing, but what will happen later on when there is disagreement between the association and the commissioner on additions or alterations to those guidelines? The commissioner can simply make the guidelines. He has the power to do so, and the industry has to wear them. There is no protection for the industry.

Mr Hodge: Ultimately they can appeal to the Minister.

Mr THOMPSON: But the Minister is the person responsible for making them.

Mr Hodge: Not necessarily. The Minister of the day is always open to—

Mr THOMPSON: Wait on, the Minister cannot have it both ways. Earlier on he told me that Young was simply examining his own administration. Now the Minister does not differentiate between the department and the Minister in this situation.

Mr Hodge: I am just trying to be practical. A Minister does not normally become involved in the day-to-day drawing-up of technical specifications for the construction of buildings.

Mr THOMPSON: I still believe that it is not appropriate to give this sort of power to the commissioner. Even though the Minister tells me that he would be prepared to consider appeals against the establishment of the guidelines, that is not a sufficient safeguard in my view. There is not enough safeguard with respect to the guidelines that he tells us have been agreed to between the department and the Nursing Homes Association, but I accept that that is probably the case. However, that sweetness and light is not necessarily always going to be the case, and I believe that nursing home proprietors deserve something more in the way of protection than what they will get under this legislation.

I move an amendment—

> Page 14, line 28 to page 15, line 9—To delete the proposed new section 26J.

Mr HODGE: Obviously, I must oppose the deletion of clause 26J. That is not acceptable to the Government. The guidelines proposed under clause 26J are designed only to include matters of initial construction, the establishment, and the physical maintenance standards expected of premises proposed to be a hospital, or being conducted as a hospital. They are proposed to encompass matters concerning the construction of a building, the electrical installations required, and provisions for emergency evacuation facilities and firefighting facilities, with alternative suggestions included. They will include a bulky document prepared by the Fire Brigades Board, the Public Works Department architectural division on structural, engineering and electrical matters, and the public buildings branch of the Health Department in setting a recommended design of hospitals in respect of fire.

Once built, the hospital will not need to refer to most of the matters proposed to be included in the guidelines as they are proposed to be initial structural and installation matters. By taking such bulky matters out of the regulations, the remaining regulations can relate to the day-to-day operational requirements of the hospital and that will make life a lot simpler for all concerned. Rather than having voluminous regulations, the regulations will be kept slim and concise and be about pertinent matters which worry the operator of the hospital or the nursing home on a day-to-day basis.

These guidelines will only be particularly pertinent at the time of construction or if maintenance is involved. The Opposition is drawing a long bow to make an issue of this. There are similar arrangements in many other pieces of legislation and I cannot understand the Opposition's reservations about it.

The Government would not be prepared to agree to the deletion of the guidelines. That would take us back to square one and we would face another period of several years of anguish in trying to get a parliamentary draftsman to convert all these complex technical matters into regulation form. It is not feasible.

Mr BRADSHAW: I support the suggested deletion by the member for Kalamunda. I believe clause 26J will add more red tape to the system, and there is already enough bureaucracy.

Mr Hodge: It will mean less red tape. They would be very thick regulations if you had your way.

Mr BRADSHAW: If there are guidelines, surely they will be complementary or similar to the regulations.

Mr Hodge: It will be a lot simpler. The regulations will be kept very slim and concise if the technical stuff is kept out.

Mr BRADSHAW: It seems strange to me; it seems that there will be more red tape involved and that it will be more difficult for those people trying to establish nursing homes or a private hospital to do so.

I support the deletion of clause 26J.

Mr THOMPSON: I do not think the deletion inappropriate, even though it may take some time to do and it may be a voluminous document. It is not inappropriate for a person developing a nursing home to know precisely what he is required to do. A guideline is in general terms, and a person can be given the guidelines and develop his nursing home in accordance with his interpretation of those guidelines, only to find that the inspecting officer determines that it is not correct.

Mr Hodge: In reality there is frequent consultation between the department and the developers to ensure that the designs are in accordance with the regulations.

Mr THOMPSON: For about 15 years before I came into this place, I was involved in the supervision of some fairly big Government contracts.

I have had the practical experience of dealing with situations where one person makes one interpretation of a specification and someone else makes another interpretation of that specification, and the difference between the two interpretations is like the Grand Canyon. My practical experience leads me to suggest that both the Government and the developer should know precisely what is required.

Guidelines are soft and moveable, whereas regulations are hard and fixed. Regulations can be tested in court and in other ways, whereas guidelines are flexible, and in some cases this can be an impediment.

The Uniform Building By-laws and others come to the Parliament in regulation form. Time is found and efforts are made to prescribe those regulations in the proper form, and while it might be a bit irksome and time-consuming for the Minister and his officers to do this sort of work, in fairness to all involved the effort should be made. The amendment should be accepted.

Amendment put and a division taken with the following result—

Ayes 16

Mr Blaikie	Mr Old
Mr Bradshaw	Mr Rushton
Mr Court	Mr Spriggs
Mr Coyne	Mr Stephens
Mr Grayden	Mr Thompson
Mr Hassell	Mr Trethowan
Mr Laurance	Mr Tubby
Mr Mensaros	Mr Crane *(Teller)*

Noes 23

Mr Bateman	Mrs Henderson
Mrs Beggs	Mr Hodge
Mr Bertram	Mr Hughes
Mr Bridge	Mr Jamieson
Mr Bryce	Mr McIver
Mrs Buchanan	Mr Read
Mr Brian Burke	Mr Taylor
Mr Burkett	Mr Tonkin
Mr Carr	Mr Troy
Mr Davies	Mr Wilson
Mr Evans	Mr Gordon Hill
Mr Grill *(Teller)*	

Pairs

Ayes	Noes
Mr Clarko	Mr P. J. Smith
Mr MacKinnon	Mr D. L. Smith
Mr Cash	Mr Parker
Mr Peter Jones	Mr Pearce
Mr Williams	Mrs Watkins
Mr Watt	Mr Terry Burke
Mr McNee	Mr Tom Jones

Amendment thus negatived.

Mr THOMPSON: The matter has been tested and we lost, so I will not be pursuing my following amendment on the Notice Paper.

Clause, as amended, put and passed.

Clauses 23 to 29 put and passed

New clause: Section 38 inserted—

Mr HODGE: This is a standard clause that is to be inserted into most Government Bills in future, and provides for a review of the Act. It indicates that the Minister shall carry out a review of the operation of this Act as soon as is practicable after 1 January 1991 and every fifth anniversary of that date, and it goes on to explain what the Minister shall consider when the review is carried out.

Point of Order

Mr THOMPSON: Mr Chairman, if the Minister moves this new clause, I will not be able to move to amend clause 30.

The CHAIRMAN: I have sought advice which has been to the effect that we are proceeding correctly. The Minister's amendment will become a new clause 30, and your amendment will be allowed after he has moved the new clause. It is my intention to call you after he has done so.

Committee Resumed

Mr HODGE: I think I have said all I need to say in that this will become a standard review clause. I move an amendment—

Page 23, line 4—Insert after clause 29 the following new clause to stand as clause 30—

30. After section 37 of the principal Act the following section is imserted—

Review of Act.

38.(1) The Minister shall carry out a review of the operation of this Act as soon as is practicable after 1 January 1991 and every 5th anniversary of that date and in the course of such review the Minister shall consider and have regard to—

(a) the attainment of the objects of this Act;

(b) the administration of this Act;

(c) the effectiveness of the operations of the Minister, the boards of the public hospitals under this Act, the Department, the Commissioner, the Executive Director and authorized persons under this Act;

(d) the need for the continuation of the boards of public hospitals and any other committee or body established or constituted under or for the purposes of this Act;

(e) such other matters as appear to the Minister to be relevant.

(2) The Minister shall prepare a report based on the review referred to in subsection (1) and shall, as soon as is practicable after its preparation, cause the report to be laid before each House of Parliament.

Mr THOMPSON: The clause the Minister intends to insert in this Bill is part of the propaganda exercise upon which the Government has embarked. I do not think the Minister, if left to his own devices, would have raced to the Chamber with this clause, but as part of the Government's propaganda campaign wherein it has said that it will ensure that the Statute books do not swell, but in fact will shrink. All I can say is that I hope they are not around when all these times expire because they will have a hell of a lot of work to do revising all these Acts into which these provisions will have been written.

Having said that, I point out that I do not necessarily disagree with a review provision because it is true that a lot of legislation lies about the Parliament; the walls are littered with volumes which never have any application and probably never will, but the nature of these times is that that is what happens. I really do not think that this knee-jerk reaction, which was designed to be electorally popular and to really do nothing else, is necessary, but we will not oppose it.

New clause put and passed.

Clause 30: Savings and transitional—

Mr THOMPSON: I referred during my second reading speech to the situation where hospitals or nursing homes which now comply with the requirements of the department can operate satisfactorily, but we are concerned that with the intended change, in certain circumstances—we referred to those in the guidelines that have been drawn up—some of the establishments could find themselves in the situation where they will not comply.

Therefore the purpose of this amendment is to ensure that a nursing home and a hospital which currently complies with those requirements shall be deemed to comply with the requirements if changes occur with respect to the standards that are requested.

To effect those changes I move an amendment—

Page 23, line 10—To insert after the word "Act" the following—

and shall be deemed to comply with any regulations made under section 26 O, with respect to the construction, establishment and maintenance of private hospitals.

Mr BRADSHAW: I support this amendment. It is very important that nursing homes and private hospitals that are already operating quite satisfactorily and are not experiencing problems do not suffer as a result of this legislation. I cannot see why they should have to comply with the new regulations which this Bill imposes. It is quite unfair that every nursing home or private hospital that has been operating quite successfully should have to

comply with the new regulations if they involve major renovations at an extravagantly high cost.

Mr HODGE: I oppose this amendment. I do not think the member for Kalamunda has thought it through very well. If this amendment were carried it would result in an anomalous situation in the future because this is really a permanent exemption or a permanent grandfather clause.

The member for Kalamunda proposes that hereafter every nursing home or private hospital that exists today, regardless of what happens in the future, will be deemed to comply with the legislation. No matter how the standards deteriorated in that establishment or what happened to it it would still be deemed by Statute to comply with the regulations. I am not sure whether the Opposition is really seeking to do that, but my advice is that that is the end result of this amendment.

Members of the Opposition are worrying unnecessarily. If they read this section closely they will see that the Bill provides sufficient flexibility to cover all contingencies. What will happen to an existing nursing home which is approved at present is that when this legislation comes into operation it will automatically be licensed to the normal expiration of its previous approval and at the end of that time they may make application to the commissioner for their licence to be renewed. The commissioner may review their licence with or without conditions; if the building is substandard and the patients' care is being threatened. Obviously conditions will be imposed. The overriding matter of importance always is patient safety and patient care, and it will guide the commissioner in his judgment.

If he believes that patient care or safety will be jeopardised in a particular private hospital or nursing home he may impose conditions, so I suppose that in extreme circumstances he may not renew the licence. In every case there is provided an avenue of appeal to a local court against the commissioner's decision. If the commissioner feels that within an establishment the width of the corridors were perhaps not wide enough but in all other respects it was satisfactory, he has the power to put forward a recommendation to the Governor to exempt any nursing home proprietor or private hospital from the provisions of the legislation.

There is provision in the regulations for the Governor to grant an exemption from any particular part. Certain establishments are currently operating as private hospitals and are enjoying illegal exemptions which my predecessor gave them. I have not disturbed that situation, but there really is a case to regularise the present situation. Currently certain private hospitals and nursing homes have work orders issued against them and have to make legitimate improvements in the interests of the safety and welfare of patients, and if the member for Kalamunda's amendment were accepted these provisions would become null and void and those establishments could go on without ever having to comply with those orders.

I am sure that the member for Kalamunda did not really intend that to be the result of his amendment. I have examined this situation closely. I am not in the business of wanting to, overnight, put out of operation existing nursing home operators or private hospital operators. There would be no value to the Government in doing that. All we want to do is ensure that patient care, safety and welfare is maximised. That is our overriding concern. If small technical difficulties arise in particular establishments I am quite sure that the Commissioner of Health will be able within the confines of this legislation to correct them legally, which will be a refreshing change.

Members of the Opposition are worrying unnecessarily. Certainly the amendment before the House at the moment is not a proper amendment and it would not achieve a very fortunate result if it were carried.

Mr THOMPSON: In no way do I suggest that nursing homes should be allowed to exist which pose a threat to the welfare and wellbeing of the patients in them. I am certainly not advocating the amendment for that reason. My concern is that a nursing home which is operating satisfactorily now and meets all the requirements may at some time in the future if the guidelines or regulations are changed find itself in a position where the physical structure of the building does not comply with those regulations or guidelines and the owner has very little in the way of protection.

Just as the Minister has drawn attention to the approach his predecessor took to some of these establishments, another Minister could take an entirely different sort of approach if he had the sort of powers proposed in the Bill.

Mr Hodge: There is an avenue of appeal to the local courts in this case.

Mr THOMPSON: It should not be necessary for someone whose hospital is structurally acceptable now to find himself at some time in the future in a position where he must demolish the building or part of it.

Mr Hodge: That is not a legitimate argument. What would you say if the Fire Brigades Board decided certain changes should be made in all those sorts of public buildings in the interests of safety? Would you say, "No, we are not going to change those buildings in accordance with the best advice from the fire authority?" Are you going to say that because something applied 20 years ago it should apply forever and a day?

Mr THOMPSON: Let me take a case in point: Parliament House does not comply with the fire regulations, and to make it do so would cost literally a fortune.

Mr Hodge: It is not a nursing home despite what some people say.

Mr THOMPSON: It is a public building, and the welfare of people who come here should be considered.

Mr Hodge: We are not ill or infirm.

Mr THOMPSON: There are some doubts about that.

The Minister is correct, but it is still a public building and I cannot see any difference in the argument. The standards should not change at such a rate that a building which complies today will no longer do so before the end of its useful life. If one went to Royal Perth Hospital with a tape measure and ran it over that building one would find a few parts that did not comply with the regulations. Does anyone suggest we should knock it down?

Mr Hodge: No one is suggesting that anything should be knocked down. All these rules are applied with discretion.

Mr THOMPSON: All right. We have won some and we have lost some.

Mr BRADSHAW: I do not agree with the Minister's argument. There are over-zealous officers and from time to time different officers will enforce the regulations and inspect buildings. The Minister said that current licences will be allowed to run their course but when they are due for renewal the buildings will be inspected. If that is done by an over-zealous officer—I have seen them from time to time in local councils—and he decides the nursing home or private hospital should be brought into line with the regulations he will try to put that into effect.

I know the Minister said there is an appeal to the court, but in most cases I have found the courts tend to go along with the regulations which are in vogue at the time. It is all right for him to say there is a court of appeal, but it is no good if the court says, "These are the regulations, and you have to comply with them."

I support the amendment, and it is imperative that it be included in the Bill to protect people who are carrying on businesses as nursing homes and private hospitals.

Amendment put and negatived.

Clause put and passed.

Title put and passed.

Bill reported with amendments.

FIRE BRIGADES AMENDMENT BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

MR BURKETT (Scarborough) [4.27 p.m.]: The member for Kalamunda referred to the "militant" Fire Brigade Employees Union when he spoke in opposition to this Bill. I would like to enlighten the member on the level of industrial action of this so-called "militant" union.

From 1908 to 1980 no industrial action or stoppages whatsoever occurred in this union. This changed quite drastically in 1980 when the now Leader of the Opposition was Minister in charge of fire services in Western Australia.

Mr Davies: Did that have anything to do with it?

Mr BURKETT: I believe that as a direct result of the confrontationist attitude of the then Minister much unrest was caused in the fire brigade service from 1980 to 1983. The Leader of the Opposition would remember that he took a personal hand in one dispute, and as a result of his own intransigence that dispute lasted almost two months. Only after a direct head-on clash was he prepared to resolve the dispute which related to the system of relief fire officers.

As a result of the involvement of the Leader of the Opposition in the day-to-day running of the Fire Brigades Board he introduced in this House in 1982 the Fire Brigades Amendment Bill. His speech opened with the following words—

> The Bill proposes changes to the Fire Brigades Act to alter the management of the fire brigades, to make the board responsible to the Minister . . .

He not only wanted confrontation with the firefighters, but also to take control of the Fire Brigades Board and make the board responsible to him as Minister. Following negotiations with the then President of the Fire Brigade Employees Union (Mr Ian Hills) and the Secretary (Mr Ken Trainer) the Minister agreed to the board being increased by one member from 10 to 11 with the inclusion of the Chief Fire Officer as a full member of the Fire Brigades Board. At that time the Minister told Firemen Hills and Trainer that this was an interim measure, and the words "interim measure" are mentioned in *Hansard* of April 1982. He said that at some later date he, the Minister, would look at the proposition of including a firefighters' representative on the Fire Brigades Board.

I wish to add that, since the Burke Labor Government was elected in February 1983, this so-called militant union has had a total of one stoppage which lasted for two days and that after meaningful discussions with the Minister for Police and Emergency Services, the stoppage was resolved. I thought the member for Kalamunda might be interested in that information.

What caused that two-day stoppage? The Fire Brigade wanted to know how its members, who were forced to retire prematurely through injury, would be treated in their retirement.

The Fire Brigades Board is currently made up of representatives of insurance companies, the Perth City Council, metropolitan local government authorities—

Mr Blaikie: Who wrote this?

Mr Spriggs: He did not write it, that is for sure.

Mr BURKETT: That is what I would expect from farmers.

Mr Blaikie: I heard you didn't like farmers. Now you have proved it.

Mr BURKETT: If I was talking to the shadow Minister for trees, I would talk to the member for Vasse, but I am not. The member can examine my notes; they are in my handwriting. I will pass them around and get someone to read them to him. They do not have any pictures so he may not understand them. The Fire Brigades Board is made up of representatives of insurance companies, Perth City Council, metropolitan local government authorities, and non-metropolitan local government authorities, the chief officer who is a management representative, the executive chairman who is the chief executive officer of the board, a Government representative and a volunteer representative who represents the volunteer firefighters.

The only group not directly represented at present are the permanent firefighters. They will be given a voice on the board once this Bill is passed.

In my opinion, our firefighters would be some—

Point of Order

Mr THOMPSON: Mr Speaker, it is a long-standing tradition and a Standing Order that members may not read speeches. I believe that the member is reading his speech.

The SPEAKER: Order! I cannot find anything in the Standing Orders about members reading speeches even though I have looked on many occasions. I have observed that the member is quoting from his copious notes.

Debate Resumed

Mr BURKETT: They are copious notes in my own handwriting.

In my opinion, our firefighters would be some of the most dedicated and unselfish workers who risk their own lives in so many ways through tasks which they undertake outside their normal firefighting duties. These tasks include rescue functions which extend beyond vehicle accidents and include such things as rescues from wells. No doubt, the member for Kalamunda would think that they should not do that.

Mr Thompson: While they are doing that, what is happening to the fires?

Mr BURKETT: They have never missed putting out a fire.

One of Western Australia's firefighters was recently forced to retire from the service as a result of a serious back injury sustained while carrying an injured man from a well during a lifesaving rescue. That firefighter received a citation for his bravery from the Royal Humane Society.

Another firefighter is faced with premature retirement through serious injury sustained by rescuing a trapped passenger from a serious traffic accident. Ron Tucker, whom we all know as a former champion Perth league

footballer, sustained injuries to his heart as a result of his brave actions as a firefighter while rescuing a worker crushed in an industrial accident. That man was crushed in a lift.

Currently 11 firefighters in Western Australia face early retirement through serious physical injury sustained while carrying out their life-saving duties. Three firefighters recently received their chief officer's commendation for bravery while rescuing workers overcome by fumes in an accident in a large vat at the Swan Brewery. In addition, our firefighters have taken a lead role in protection of the public against hazardous chemicals.

Despite the increase in industrial spillages, increases in road traffic accidents, and increases in fires, there has been no increase whatsoever in the number of firefighters since 1970. I am pleased to say that the present Minister and the Premier are addressing this problem. Hopefully, as with the numbers of police, we will see an increase in the number of firefighters.

The close proximity suits which our firefighters have to wear when fighting intense fires and chemical spillages can be worn for only 15 minutes at a time. Medical experts—I am sure the member for Murray-Wellington will respect this—say that after 15 minutes of wearing these suits the gloves section of the suits will contain four cups of lost body fluid. That is not a bad effort for people who are supposed to have a cushy job. This highlights the need for peak physical fitness of our firefighters who, even on their days off, must regularly exercise to make sure they are at the peak physical condition which their job requires.

The member for Kalamunda who strongly opposes our firefighters being represented on the board, actually represents an area which is serviced by volunteer firefighters who have a representative on the board. Neither he nor his electors pay the 75 per cent Fire Brigade levy as do all other insured householders in metropolitan Perth when we pay our insurance on our houses or on any other property. Why should he worry about the majority? He believes in looking after the minority and ignoring the majority. All members are aware that the member for Kalamunda and his electors are always protected by the metropolitan firefighters in the event of a major fire. The recent Pickering Brook fire was an example of that protection and is a glowing example of how quickly the metropolitan firefighters go to the aid of those in need.

Firefighting is not just putting water onto flames. It is the extinguishing of the blaze, the rescuing of life and property and the hours spent afterwards containing noxious gases plus ensuring that there is no reignition of the fire.

In relation to the attitude of the member for Kalamunda towards our firefighters, I conclude by extending to him an invitation to join us in the twentieth century.

I support the Bill.

MR HASSELL (Cottesloe—Leader of the Opposition) [4.38 p.m.]: As some remarks have been directed to me as the former Minister responsible for the Fire Brigade, I wish to put on record a couple of things which are relevant to the Bill. The first is that I have the highest regard for the men and women of the Fire Brigade who carry out a tremendous service on behalf of the community, and with very few exceptions, have carried out that duty conscientiously over the years. It is not only in fighting fires that they carry out those duties but also it is in the rescue work that they do at road accidents which, in a strict sense, is beyond their responsibilities.

The other aspect I would like to discuss is the comments about the Fire Brigade union. I sought to foster good relations with that union as I did with other unions with which I dealt when administering other departments. Never did I refuse to see representatives of that union or discouraged them from coming to me. They walked out on me a couple of times. However, I sought, on all occasions to have good dealings with them.

Unfortunately, that union had during my time—and I am not completely up to date with the last period—developed as a fine art the process of the partial strike, and they did that on the basis of having various levels of partial strikes. A partial strike is where the union says that it will go to fight the fire but it will not clean up the fire station. At a higher level, they may say that they will go to fight the fires when the fire call has been confirmed. At an even higher level still they may say they will go to fight the fires if there is involved a danger to life, but they will not do anything about properties. So, there are different levels of partial strikes, and they have become the absolute masters of pulling off these partial strikes.

One of the reasons why it is so deplorable that we now have agreements operating in this State where the arbitrators can award strike pay is that when people are given payment for striking they have no incentive to settle the

dispute and get back to work. That was the situation in the Fire Brigade. They kept having strikes, and it was literally week-by-week in the early stages of my Ministry in charge of the Fire Brigades when these different people were going on these partial strikes, causing disruption, and breaking down discipline in a force which requires a high level of discipline for their own protection in an emergency situation. One cannot have an effective disciplinary situation where employees are walking over the management and treating the management—in this case the senior officers—with contempt and undermining their authority and jurisdiction. That has been happening over a long period, and that is the situation I took on and tried to do something about.

The member for Scarborough might refer to some comments that he has gleaned from something supplied to him by the Government or one of the department officers. It does not matter. The member for Scarborough knows nothing about it.

Mr Burkett: Those notes were given to me by nobody. It is one huge coincidence that from 1908 to 1980 there were no strikes, and then you appeared.

Mr HASSELL: The member for Scarborough seems to be very upset because people have suggested that someone wrote his speech for him. I do not know who wrote his notes, and I do not care. It does not matter. What does matter is that the member for Scarborough has tried to play some cheap political game by leaping to his feet in this debate, not to debate the substantive issues but to have a shot at me over a situation which I dealt with as Minister; and I am responding to him as I am entitled to do. I point out to him the facts that he ought to know, and those facts were that in the early period of my Ministry things did get better after I took a stand on them.

Mr Carr: It got better still after that.

Mr HASSELL: While I sought on every occasion to have good communication with that union, there were some militant people in it who were leading the union, and those very fine firemen and women into trouble. That is what I took a stand against. I would do it again tomorrow if similar circumstances applied, because one cannot have an essential service like the Fire Brigade operated on that basis.

If my memory serves me correctly, the union did eventually go on a full-scale strike over the matter of an order which was given by a senior officer. In that strike, the then Industrial Commission, in its usual way, was trying to find a let-out for the union people and was not, as usual, trying to consider the rights and wrongs of the situation. The position has improved lately to some extent because I think the commission has seen the writing on the wall that it is not just a few people who are now dissatisfied with their performance, it is the whole community. The then Industrial Commission tried to make it easy for the union, and one of the things that came out of that dispute—

Mr Burkett: Did the union have control over the commission?

Mr HASSELL: No, I am not saying that at all.

Mr Burkett: You said the Industrial Commission tried to make it easier for the union.

Mr HASSELL: Yes, I think it did. The essential point is that the Industrial Relations Commission seems to have taken as its philosophy over a long period that its sole objective is to settle a dispute without considering either the economic realities of its decision or the rights and the wrongs. That is the issue that I take with the Commission; that finding a solution is its prime responsibility. It does not matter what the cost is to one party. It is more often than not the union which is taking the offensive and the union which is given something to which it is not entitled because that is the way the Industrial Relations Commission finds a settlement to a dispute.

I am trying to point out to the member for Scarborough, who is quite ignorant in this matter—

Mr Burkett: Because I told the Parliament the facts.

Mr HASSELL: The member for Scarborough really does have a jaundiced view of the matter. He has never really known the facts in full and I would like him to say now that there were no militant unionists in that Fire Brigade Employees Union in the early 1980s who were causing disruption.

Mr Burkett: From 1908 to 1980, nothing; you appeared and the trouble occurred.

Mr HASSELL: That shows members the extent of the ignorance of the member for Scarborough.

Mr Burkett: They are the facts; ring up the union.

Mr HASSELL: Even the union would admit that there were a lot of partial strikes before 1980. Does the member for Scarborough deny that?

Mr Burkett: The trouble arrived when you were the Minister and you know it. You said the Industrial Commission did something you did not agree with. It settled the dispute. You would have liked it to be like the Vietnam war, let it go forever!

Mr HASSELL: The member for Scarborough does not understand the situation. There were militant elements in that union which exacerbated disputes by the militancy of their approach. It was proven by the unions record of partial strikes at different levels leading to a full-scale strike when they could not get their way. I know it is anathema to the members of the Government to ever have it said that for my part I do not see that there are many circumstances in which a strike in an essential service like a fire brigade can be justified at all. Secondly, I do not see that there are many circumstances in which a strike can be justified in an industrial context when there is a very powerful tribunal instantly available to settle a dispute on behalf of the parties. I think that the union was following a course of deliberate sabotage at that time in terms of discipline and the control of its senior officer. They were very worried about it.

I point out to the member for Scarborough that although I certainly did take a strong line against some of the industrial disputes there is no doubt about that and I do not deny it. I would be prepared to have the record examined properly at any time with full information. Let us go back to the memos and files, look at what the Public Service Board advised when it is representing the Government, what the Fire Br.gade's own industrial officers were advising, and what some of the senior officers were saying at the time about their concern with respect to the breakdown of discipline and control of an essential public service that requires a high level of discipline.

Those were the issues. They were not the petty and childish issues that the member for Scarborough was trying to raise in a smart way and which, when looked at, are not too smart at all because they were founded on abysmal ignorance.

If the member for Scarborough is trying to say the first full-scale strike occurred in 1982 or thereabouts it simply shows his abysmal ignorance because at that time there were strikes literally week by week.

Mr Burkett: That was the first full-scale strike.

Mr HASSELL: Let me repeat myself so the member for Scarborough can understand. Over a certain period there were strikes literally week by week by the Fire Brigade Employees Union.

Mr Burkett: Were they strikes or partial stoppages?

Mr HASSELL: Let me repeat myself again for the benefit of the member for Scarborough. I want him to understand that there were strikes literally week by week during the time I was Minister and those strikes were fermented by some militants.

Mr Read: You put the blame on one side.

Mr HASSELL: I did not put the blame on one side.

Mr Carr: There haven't been any strikes week by week since you have not been in office.

Mr HASSELL: How many strikes have there been during the 2½ years the Government has been in office?

Mr Carr: Not a lot.

Mr HASSELL: Let us recall that the Minister admits there have been strikes during the last 2½ years by the union.

Mr Carr: There have probably been two strikes, but they have not occurred week by week.

Mr HASSELL: I said, "week by week for some periods." Let me point out what I said earlier and what the Minister may have overlooked. I said the situation improved and I was glad that it improved. It especially improved as the elections approached—we know that all unions tend to go to ground at election time to try to help their mates in the Labor Party get into office.

The Minister admits that despite the fact that all the demands of the union have been more than sympathetically dealt with by this Government—I am aware of some of them and I am aware of some of the things that the Government has given away which will take a long time to put right—strikes have occurred. Look at the action he has taken: As a reward for all that militancy over the period the Government has been in office the Minister wants to appoint a representative from the union to the board. Is it not amazing that this action has been taken?

The Minister's reward to the union, which he admits has been on strike during his term in office, is a place on the board of management.

What kind of difficulties will that create when a conflict arises? What kind of capacity will the board have to act independently?

During our term in office a discipline Statute was worked out and was substantially agreed to. I understand that the Statute has not been proclaimed. I point out to the Minister that the discipline Statute was the centrepiece of the full-scale strike which occurred. As a result we went to work and put together a new discipline Statute which, I understand, is still not in operation because the Government has not had it proclaimed.

Mr Carr: You brought it into the House in 1982.

Mr HASSELL: Why has it not been put in place?

Mr Carr: The Government has a very good record for the 2½ years it has been in office and it has proved that the Statute is not necessary.

Mr HASSELL: I will remind the Minister as I was going to do when all the birds from the Labor benches started to chirp, that that Statute was worked on for a long period and it was substantially agreed to. I am not saying that the union agreed with every part of it.

Mr Carr: I do not think it agreed with very much of it.

Mr HASSELL: It agreed with most of it. I suggest to the Minister that he check the records.

I summise that as an advocate of the Labor Party the union said to the Minister, "You will not put that Statute into operation."

Mr Burkett: Do you know that?

Mr HASSELL: I do know that.

Mr Carr: I think I might have got in first and it was one of those things I said was not appropriate.

Mr HASSELL: Of course the Minister got in first because arrangements were made between the union and the Labor Party prior to the last election that the Statute would not proceed if the party was elected to Government. I have no doubt that certain undertakings were given and that was one of them. The Minister has identified it.

Let us go back to the simple fact: We have an admission by the Minister that there has been continued industrial strife.

Mr Carr: I said that there have been one or two disputes in the 2½ years we have been in Government and that we did not have your record of weekly disputes. The record of this Government is not a bad one.

Mr HASSELL: It is not a bad record, but in an essential public service like the Fire Brigade—the Minister has said there have been only one or two disputes in 2½ years and he wants to reward the union by having its nominee on the board.

We know that this Government is in the hands of the militants. We know it is supporting the BLF because that is on the record. We have now seen its support for the militants in the Fire Brigade union.

The shadow Minister has done an excellent job in raising these very important questions and the abysmal ignorance of the member for Scarborough does not—

Mr Read: Can you tell us which unions are not militant?

Mr HASSELL: I can tell the member for Mandurah that there are many unions which are not militant and that there are literally hundreds of thousands of unionists who are not militant. Those unionists are becoming increasingly frustrated and increasingly disturbed by union leadership which is forcing them to lose their jobs and their pay.

I know the militants are trying to fix that up because they are busy trying to tie up the system. The Government is heavily involved with advisers in a deal to award strike pay. For instance an adviser is awarding strike pay at the casino site.

The shadow Minister has raised some very serious issues which are based on experience and which are on the record.

I just wonder whether the Government really thought through what it was doing with this proposal. As the Minister would know, some firemen are members of the Fire Brigades Board. There are people who sit in on that board—

Mr Burkett: Do they have a voting right?

Mr HASSELL: I ask whether the Minister put through a couple of amendments a couple of years ago. Did he not do that in the early days of the Parliament? I am referring to the voting rights of people who presently sit on the board.

Mr Carr: Board members vote.

Mr HASSELL: Certain people sit on the board who are not necessarily members of the board. Did not the Minister extend their voting rights?

Mr Carr: Not that I recall. You are talking about the chief officer. You gave the chief officer voting rights.

Mr HASSELL: That is right. It was not you; it was me. That has now been corrected. My memory was not serving me well. I thought the Minister had given the chief officer voting rights, but I did so. That seemed to me to be a pretty sensible way in which to have firemen represented. He is the chief officer of the firemen. He is the man reponsible for fighting the fires.

Mr Thompson: Yes, but according to the member for Scarborough nobody knows anything about fighting fires.

Mr HASSELL: Yes, but we have demonstrated in these last few minutes the abysmal depth of the ignorance of the member for Scarborough.

It is my pleasure to support the shadow Minister who has raised these important issues which the Government has not properly taken into account in formulating this legislation.

MR CARR (Geraldton—Minister for Police and Emergency Services) [5.02 p.m.]: I first thank those members who contributed to this debate and, in particular, those who made a positive contribution. I regret to say that that was not the case with all members who spoke. The most unfortunate aspect of the debate has been the way in which Opposition speakers have demonstrated their ideological hang-ups. That is really what has happened during the course of this debate both in regard to the question of representation on the Fire Brigades Board and that of the second and third aspects of this Bill which relate to the opportunity of the Fire Brigades Board to sell the services that it provides to private industry and to other fire services.

With respect to the first question of the employee representative on the Fire Brigades Board, I have not heard one valid argument raised in the course of this debate as to why that should not be an appropriate action for a Government to take. The member for Kalamunda was the first person to speak on this particular matter. The only argument that he could give was to talk about militant unions and their being irresponsible. When we asked him for one example of that union's irresponsibility his answer was that the union used to have a militant secretary. That is really good stuff! Firstly, we are not even talking about the current administration of the Fire Brigade Employees Union. Secondly, the secretary does not constitute the whole union. He was talking about all members of the union. Thirdly, the Bill is not even talking about a union representative. It is talking about an employee representative.

The legislation, in fact, seeks to provide voting rights for employees other than firefighters. Quite obviously there is an opportunity for the employees to elect a member of their choice. Obviously there are more Fire Brigade Employees Union members than there are other employees. If they wanted to get together on a ticket, as they may do, they would have a strong opportunity to elect one of their own, but that does not rule out somebody who is a member of a different organisation, a member of the Civil Service Association, for example, being elected.

The Leader of the Opposition went on at quite considerable length in an attempt to make the point that the union, in his view, was militant. The only point he really managed to make was that during the time he was Minister there were disputes week by week. They were his words. In fact, he said that there were partial strikes week by week when he was Minister.

He acknowledged that there was not that level of disputation before he became Minister. I can make it very clear to him that in the time I have been Minister there has not been anything like that level of disputation. I am not saying that there have not been occasions when there were disputes. There were a couple of such occasions. That union has represented its members strongly and has used strong expressions to me when representing its members, as is its very clear right. But the relationship has been a very professional one. The union has acted as a responsible union concerned for the welfare of its union members.

I notice that the member for Kalamunda commented that we should not have the interference of firefighters in the management of the Fire Brigades Board. I suggest that it is not interference to have a professional representative on the board. Indeed, it is a very positive approach to using the knowledge that is available to the board. The board has an enormous number of experienced and capable professional firefighters who could make a very

considerable contribution. I emphasise the value of their practical experience in addition to the practical experience of the chief officer.

If it was disappointing that the first item of the Bill was debated at such a poor level of ideological dogma, it was doubly disappointing that the second and third items of the Bill were treated in a similar way. I refer to the proposal to give the board powers to undertake services for the community, for other fire services and other States and to charge for those services. I refer also to the proposed measure that would enable the board to sell the technical innovations which have been carried out under the administration of the board.

The first point to make about those measures is that they were not ideological pieces of dogma put up by the Government. They were, in fact, matters specifically requested by the board. It is important to realise what is the membership of the board at present. We are not talking about socialists who protect only the Government point of view. We are talking about representatives of the insurance industry and the like. We are talking about people who have a very considerable concern for the private enterprise system. I would have thought it most unlikely that they would actually request amendments which, in the view of the member for Kalamunda and his colleagues, were contrary to the interests of private enterprise.

I find myself analysing the comments of the member for Kalamunda and the member for Gascoyne as privatisation gone mad. Their adopted ideology of privatisation was being used in a way that was quite out of touch with reality. I know that they want to run on that issue as their big issue in the next election. They want to say that privatisation is very good, but I think that they will fail if they project it as a matter of black and white alternatives. If they propose to say that privatisation means that everything should be done by private enterprise and that our view is that Government should do everything, they could perhaps make out some argument. But that is simply not the real world. I suggest that while the member for Gascoyne can get some pleasure out of quoting statistics that say more people support private activities than support Government activities, if we were to ask a question about whether people would support a mixed economy in which private enterprise did what private enterprise did best and Government did what Government did best we would find that a considerable majority of people would say that they want that sort of mixed economy.

I would have thought that we would have debated these measures on the merits of whether they are things that private enterprise can do best or whether they are things that the Fire Brigades Board can do best. I put it very strongly that these are matters that private enterprise simply cannot do and does not want to do in most cases. They are, in fact, matters that the Fire Brigades Board is far more able to do.

Let us consider the reality of the situation.

An Opposition member interjected.

Mr CARR: Members opposite had their opportunity to speak and I am now making my contribution. I have six minutes left before I must sit down for question time and I intend to use that time to make some points.

Mr Hassell: I am asking a genuine question.

Mr CARR: If I take more than six minutes to finish my speech, that can be attributed to the Opposition's interjections. Members opposite have had their chance to make their comments and I want to reply to them here and now. I intend to do just that.

With regard to the Opposition's appreciation of the measures under consideration it is a pity that the Opposition spokesman did not take up the opportunity I offered him to meet with representatives of the board, including the executive chairman, to go through the items in the Bill and to talk about the projects in which the board is engaged and those it wishes to embark upon, the progress of which will be damaged if this legislation is not put in place.

For a start we have a situation where the board is engaged in a number of activities, which have been undertaken to assist private enterprise and fire brigades in other States, which it believed it had the power to do at the time. However, it now appears that there is some doubt as to its rights in these matters. For example, at a graduation ceremony held today at the training wing five firemen from the Northern Territory graduated. The Northern Territory has paid for those men to be trained in WA but there is a suggestion that the board may not, in fact, have the full protection of the Act when charging for that training.

It is a situation in which the board is at present using the resources it has, which have been underutilised, to gain money to offset the expenses of running its enterprises. The Fire

Brigade requires to have certain resources available to cope with any demands that may be made upon it and those resources are underutilised at the moment.

Mr Thompson: Where is the invitation you sent me to talk to these people about it?

Mr CARR: At the conclusion of the second reading speech which went through a couple of weeks ago I said that if the Opposition members had any questions they should speak to the chairman of the Fire Brigades Board to discuss any matters that might create difficulties.

Mr Thompson: How did you communicate that to me?

Mr CARR: I spoke to you personally in this Chamber during the course of a division as we crossed the floor.

As we have only a short time left and we shall not complete the debate this afternoon it might be appropriate for the Opposition spokesman and his colleagues in another place to take the opportunity of discussing the board's projects. The board has a range of projects in train; For example, the fire safety education centre, the opening of which was attended by the member. This centre is partly of museum value but it is also educational. It is proposed to charge people 50c to visit the centre. It is also proposed to sell memorabilia and tourist items related specifically to fire matters through that centre. That cannot be done without the passage of this legislation and the Opposition is now saying that we should not proceed with it.

I can give further examples which were given to me this afternoon by the executive chairman of the board who is most concerned at the attitude expressed by the Opposition.

The board is well down the track to developing the only hazardous chemical information system in the southern hemisphere to be used specifically for fire and emergency services. There have been expressions of interest about this system from one Commonwealth department and it is understood that the information system could be required by other States and that Commonwealth department. We have the opportunity and the resources to develop these types of things. The board has already done the work to establish a service that is among the very best available. As a result other States want to buy it from us and the Opposition will not let us sell it to those other States and other Commonwealth departments.

The fire safety training packages are being developed and the board has increased its capacity to provide urgently needed training to industry, commercial organisations and the public in fire safety and regulations for chemical hazards and the like. These functions cannot be undertaken by the private sector and the brigade remains the only authority with the capacity to carry them out. Again, the Opposition is trying to prevent this.

Mr Laurance: Why can't private industry do it?

Mr CARR: Because it does not have the expertise established by the resources that have been available to the board. Industry does not want to do it. The board is carrying out these functions to assist industry.

I refer to another example: The recently introduced new software systems developed for the operations room. The South Australian metropolitan fire service has indicated its intention to buy the programme from us and we have received an expression of interest from a European country wanting to buy this operation system. The system has been developed by an outstanding officer of the Western Australian Fire Brigades Board. We believe the system is probably the best in the world; it is certainly the best available in Australia. Other organisations want to buy it from us.

It was developed with our own expertise and the Opposition is now saying that because it conflicts with some funny dogma it has about private enterprise, the Government should not let the Fire Brigades Board proceed with what the board does best. I find it difficult to believe that the people who pretend to be contenders for Government in this State next year are prepared to address these matters purely on a dogmatic basis such as this rather than consider the merits of the projects considered.

Mr Thompson: The Bill did not specifically refer to these matters.

Mr CARR: Another example is the provision of fire services for groups such as port authorities and mining companies. In order to achieve their own fire fighting capacity they need training undertaken by our fire services. These organisations are quite prepared to pay for that service. That example was quoted in the second reading speech but the Opposition is not interested in that taking place. They want those organisations to try to get information from somewhere else. The Fire Brigade is largely funded by the citizens in this State and has to be maintained at a certain size to enable it to be on call to deal with fires. While in that situation it is able to develop other projects but

the Opposition is saying that it should not be able to proceed with them and sell them. It seems to be crazy to me.

I now refer briefly to the fourth amendment to the Bill referred to by the member for South Perth in relation to the accounts being sent out by the Fire Brigades Board to local authorities. The situation is that the board cannot establish its budget until the Government has approved its Budget. It does not know exactly how much money will be available to it and, therefore, at this stage it is not able to be precise about the level of its expenditure in the current year. Bills are sent out quarterly, based on what the board expects the annual charge will be. It has sent preliminary bills on the basis of its first bid to the Treasury. If the Treasury and Cabinet agree to everything the Board has asked for, the bills sent out will be at the level the councils can expect to pay for the year. Without telling the member what Cabinet decided, obviously the amount will be less than the first estimate bids from the board and, therefore, the subsequent bills will be for lesser amounts. At this stage the board is asking local authorities to pay for the first quarter and appropriate adjustments will be made to accommodate changes in the second, third and fourth quarters. The particular matter that is the subject of the fourth amendment will have some effect on some local authorities in respect of what their final bills will be.

Question put and passed.

Bill read a second time.

QUESTIONS ON NOTICE

Closing Time

THE SPEAKER (Mr Harman): Honourable members, before I take questions I wish to inform the House of a variation in the time for receipt of questions on notice for Wednesdays and Thursdays.

Members would be well aware of the markedly significant increase in the past few years of questions in this House. Indeed, the Western Australian lower House has the highest number of questions, both asked and answered, of any Assembly in the Commonwealth, including the House of Representatives. This may well indicate a virile curiosity on the part of Western Australian members and I have no wish to discourage their enthusiasm.

However, since the very nature of a parliamentary question often requires considerable research and detailed information in the answering, it has become evident to me that expedited dispatch of questions to Ministers' offices would result in less pressure on their staffs to work against the clock, and should particularly effect a reduction in the number of postponed questions.

Therefore, to enable questions to be processed and delivered on the same day they are handed in, questions on notice for Wednesdays and Thurdays of each week will close at 12 noon on the preceding day. This will commence from Tuesday, 24 September. Questions for Tuesdays will continue to close at 4.30 p.m. on Thursdays.

[Questions taken.]

ADJOURNMENT OF THE HOUSE

Sittings of the House: Thursdays

MR TONKIN (Morley-Swan—Leader of the House) [6.00 p.m.]: Before I move for the adjournment of the House, I inform members formally that the Legislative Assembly will sit after dinner on Thursday nights as from next Thursday. I move—

That the House do now adjourn.

Question put and passed.

House adjourned at 6.01 p.m.

QUESTIONS ON NOTICE

COMMITTEES FOR THE SESSION: PUBLIC ACCOUNTS COMMITTEE

Report: Implementation

487. Mr WATT, to the Deputy Premier:

With reference to report No. 18 of the Public Accounts Committee, presented to Parliament on 10 November 1982 relating to the State's procurement policies—

(a) have any steps been taken to implement any of the recommendations;

(b) if so, which recommendations, and when, have or will they be implemented; and

(c) if not, why not?

Mr BRYCE replied:

(a) to (c) Cabinet recently requested that the Deputy Premier initiate a systematic review of the State Government purchasing system. Preparations have begun for this review, which is intended to result in a more efficient and effective purchasing arrangement.

TOMLINSON STEEL LTD

Government Support

519. Mr MacKINNON, to the Deputy Premier:

What Government financial support or guarantee has been extended to Tomlinson Steel Ltd?

Mr BRYCE replied:

No Government guarantee or financial assistance has been extended to Tomlinson Steel Ltd. However, the Government has supported the activities of the private parties concerned to enable the retention of the Tomlinson works in Western Australia.

GOVERNMENT INSTRUMENTALITIES: ACCOMMODATION

Austmark Building: Bunbury

532. Mr BRADSHAW, to the Minister with special responsibility for "Bunbury 2000":

(1) Is it anticipated that all floors of the Austmark building in Bunbury will be used by the various Government departments that are proposed to occupy the building?

(2) If not, how many floors will be unoccupied?

(3) How much rent will the Government be paying in the first year of occupancy of the Austmark Tower in Bunbury?

(4) How many public servants have so far agreed to move to Bunbury?

(5) What incentives have been offered to public servants he wishes to move to Bunbury?

(6) Has any consideration been given to the pressure that will be applied to the housing market in the Bunbury region with the sudden influx of public servants?

(7) If "Yes" to (6), what is planned to alleviate this problem?

Mr GRILL replied:

(1) The Government is confident that Government departments will occupy all floors of the Austmark building. However, any approach for accommodation in the building by private enterprise will be considered.

(2) Not applicable.

(3) $159.82 per square metre per annum for 8 651 square metres of usable space, including car parking, plus normal lessee's outgoings.

(4) None at this stage as the Public Service Board is still finalising the departments and agencies to be located.

(5) None.

(6) Yes.

(7) No problems are anticipated.

MEMBERS OF PARLIAMENT: OFFICES

Member for Mandurah: Lease

569. Mr BRADSHAW, to the Premier:

(1) When did the Government take out a lease for the member for Mandurah's office at 16 Pinjarra Road, Mandurah?

(2) What was the length of the lease?

(3) What was the rent paid per month or per year?

(4) How much did this office cost to set up?

(5) Why has the member for Mandurah moved office?

(6) Is the new office of the member for Mandurah under a lease contract and if so, for how long and at what cost?

(7) How much did the new office cost to set up?

(8) Does this office conform with the guidelines laid down for electorate offices for members of Parliament?

Mr BRIAN BURKE replied:

(1) 1 January 1984.

(2) Due to expire on 30 June 1986. The office is scheduled to be relet as early as practicable.

(3) Monthly rental—$217.

Annual rental—$2604.

(4) $6 390. When relet it is anticipated that much of these costs will be recouped.

(5) The office was clearly unsuitable from the viewpoint of accessibility to the public, resulting in complaints from constituents. At the time of occupancy no other accommodation was available.

(6) Yes, 12 months, expiring 3 June 1986, with a three year option.

Annual rent is approximately $7 900 and is comparable to rentals paid by the member for Kalamunda and Hon. G. E. Masters MLC. Annual rentals reflect the availability of accommodation within areas.

(7) $5 340.57.

(8) Each request is treated on its merits.

LAND: NATIONAL PARK

Hamersley Range: Mining

583. Mr PETER JONES, to the Minister for Minerals and Energy:

(1) Is it fact that approval is being considered for a mining operation within the Hamersley Range National Park?

(2) If approved, what form of mining will be undertaken and developed?

(3) Which company, or companies, are involved in the proposal?

Mr PARKER replied:

(1) Yes, but no final decision can be made until current exploration to define the potential of the mining prospect is completed.

(2) Details of the proposed mining will depend on the results of current exploration; it would involve alluvial goldmining operations.

(3) Futuris Corporation Ltd and Langton Holdings Pty Ltd.

ENERGY

Petroleum Pipelines: Licences

584. Mr PETER JONES, to the Minister for Minerals and Energy:

(1) With regard to the granting of a pipeline licence under the Petroleum Pipelines Act, does he require detailed advice before granting, or refusing to grant, such a licence?

(2) What criteria must be considered by him before exercising his discretion in this matter?

Mr PARKER replied:

(1) Yes.

(2) In considering the grant of a pipeline licence the Minister is required to have regard to such matters as the public interest and any representations made to him in accordance with section 10 of the Petroleum Pipelines Act.

585. *Postponed.*

MINERALS: GOLD

Boddington: Taxation

587. Mr PETER JONES, to the Minister for Minerals and Energy:

What are the details of the special taxing proposals developed by the Government for the Boddington gold project and referred to in the print media?

Mr PARKER replied:

There have been no special taxing proposals developed by the Government for the Boddington gold project.

MINERALS: GOLD

Boddington: Government Demands

588. Mr PETER JONES, to the Minister for Minerals and Energy:

(1) Is it a fact, as stated in the media on Saturday 7 September, that the Government has made a list of demands upon the Worsley partners before the Boddington gold project can proceed?

(2) Do the demands include the social and community infrastructure referred to in the report by Dames and Moore?

(3) For what reason is the Government insisting on the demands referred to?

Mr PARKER replied:

(1) to (3): As is the normal practice in negotiations on development projects to be undertaken under State agreement Acts, the Government is negotiating with the project participants on a range of matters including responsibilities for social and community infrastructure. The Government is working closely with the Boddington Shire Council on these questions.

ALUMINA REFINERY: WORSLEY

Infrastructure

589. Mr PETER JONES, to the Minister for Minerals and Energy:

Is it considered by the Government and its advisers that the Worsley alumina joint venturers should have, or could have, provided more community and social infrastructure as part of their bauxite mine and alumina refinery development?

Mr PARKER replied:

These matters were negotiated and agreed between the previous Government and the Worsley joint venturers.

ALUMINA REFINERY: WORSLEY

Joint Venturers: Conditions

590. Mr PETER JONES, to the Minister for Minerals and Energy:

(1) Is it a fact that the decision and recommendations by the Mining Warden's Court have now threatened the legality of the Worsley joint venturers to have access to other minerals within their mining lease?

(2) If not, for what reason has the Boddington gold project been developed?

Mr PARKER replied:

(1) No.

(2) The Alumina Refinery (Worsley) Agreement Act 1973-1978 related to the mining and refining of bauxite. By the Alumina Refinery (Worsley) Agreement Amendment Act 1982 the principal Act was amended to allow the Worsley joint venture companies to apply for mining leases for other minerals within their special lease.

WA GOVERNMENT HOLDINGS LTD

Directors

593. Mr PETER JONES, to the Premier:

(1) What level of fees, remuneration and emoluments are paid to the directors of Western Australian Government Holdings Ltd?

(2) By whom are the directors of Western Australian Government Holdings Ltd appointed?

Mr BRIAN BURKE replied:

(1) The level of directors' fees has not been set. No other payments have been made.

(2) The shareholders.

WA GOVERNMENT HOLDINGS LTD

Companies' Requirements

594. Mr PETER JONES, to the Premier:

Is it intended that Western Australian Government Holdings Ltd and its subsidiaries will comply with all the requirements of the Western Australian Companies Act and Companies Code?

Mr BRIAN BURKE replied:

This is not a matter of choice, it is a requirement of the law.

TRADE

Exim Corporation: Capital

596. Mr PETER JONES, to the Premier:

(1) With regard to the Western Australian Exim Corporation, what is Exim's authorised and issued capital?

(2) What is the current level of borrowings of Western Australian Exim Corporation?

(3) Are all its borrowings and financial undertakings guaranteed by the State Government?

Mr BRIAN BURKE replied:

(1) Authorised capital is $25 million; issued capital is $2 million.

(2) The member will appreciate that in accordance with normal commercial practice, commercially sensitive information is not disclosed. However, he may wish to consult with the Leader of the Opposition on an offer I have extended to the Leader of the Opposition to ask the board of Exim to enable members to receive a full briefing on Exim activities, subject to the observance of normal commercial confidentiality.

(3) No.

597 and 604. *Postponed.*

AGRICULTURE:

Orange Field Days: Assistance

609. Mr MacKINNON, to the Minister for Industrial Development:

(1) During the year ended 30 June 1985, what support did the State Government provide to assist Western Australian manufacturers to attend the Orange Field Days?

(2) What assistance is being provided by the Government to support these manufacturers during the year ending 30 June 1986?

Mr BRYCE replied:

(1) The Department of Industrial Development assisted Western Australian agricultural manufacturers by sponsoring 11 companies participating at the Orange Field Days. The cost, which included total organisation of the WA display, ground space costs, dressing of the stand, creating a WA identity, publicity and promotional aspects, and a departmental officer to travel to Orange and manage the stand, was $9 005.61.

The department also assisted local manufacturers participating at the Gunnedah Field Days for a total cost of $15 036.70.

(2) The department has arranged for four local manufacturers to utilise its pavilion at the Orange Field Days free of charge during this financial year's display.

STATE FINANCE: BORROWINGS

Expenditure

613. Mr MacKINNON, to the Premier:

In reference to question 70 of 20 August, concerning borrowings under the Borrowings for Authorities Act 1981, could he detail for me what the expenditure listed in 1984-85 to the following authorities was spent on—

(a) Rottnest Island Board—$526 000;

(b) Western Australian Tourism Commission—$596 000?

Mr BRIAN BURKE replied:

(a) Rottnest Island Board

	$
New bakery premises	226 575
Purchase of Bike Hire	98 894
Plant and vehicle purchases	55 980
Staff accommodation	63 043
Equipment purchases	39 725
Water supply upgrade	41 783
	$526 000

(b) Western Australian Tourism Commission

	$
Refurbishing 9th, 10th, and 11th floors, 16 St George's Terrace, Perth	20 000

Refurbishing Holiday WA Centre, Adelaide	25 287
Estimated cost to complete works in progress during 1985-86	501 324
Balance to be deducted from the commission's 1985-86 Capital Works Budget	49 389
	$596 000

614, 615, 618, 619, 622, and 623. *Postponed.*

ENERGY

State Energy Commission: Devaluation Losses

625. Mr HASSELL, to the Minister for Minerals and Energy:

What has been the cost to the State Energy Commission in currency losses or charges as a result of the devaluation of the Australian dollar in the past nine months?

Mr PARKER replied:

During the past nine months the commission has repaid $A6.725 million in principal in relation to foreign currency loans. The value of these principal repayments at exchange rates applicable at the time of drawdown amount to $A5.675 million. This represented a loss to the State Energy Commission of $A1.050 million during the period in question.

WORKS: BUILDING MANAGEMENT AUTHORITY

Mr Bill Mitchell: Payments

626. Mr HASSELL, to the Minister for Works:

What payments have been made by the Government to, or to the account of, Mr Bill Mitchell since he commenced work for the Government in connection with the restructuring of the Public Works Department and the establishment of the Building Management Authority?

Mr McIVER replied:

No payments have been made to Mr Mitchell. The member is referred to the reply to question 1697 of 14 November 1984.

627 and 631. *Postponed.*

MINING

Dwellingup Green Belt

633. Mr RUSHTON, to the Minister for Minerals and Energy:

(1) What part does the Government expect to take in the consideration being proposed to allow some mining in the so-called "greenbelt" adjacent to Dwellingup?

(2) When does he expect a decision to be made to allow additional mining by the new methods in the "greenbelt"?

Mr PARKER replied:

(1) There are discussions proceeding between Aloca and the Mining and Management Planning Liaison Group on the annual review of the Alcoa five-year mining plan for the Del Park Mine. Any proposals by Alcoa to mine bauxite ore located near Dwellingup would be examined in the context of these discussions. The final Alcoa plan is required to be submitted for consideration by the Minister for Minerals and Energy by 31 December 1985. In considering the proposals, a high priority will be given to the interests of the Dwellingup community.

(2) Under the arrangements agreed between Aloca and the State, the ministerial decision of the five-year plan to be implemented by Alcoa is to be provided to Alcoa by 28 February 1986. The question wrongly presumes upon the decision to be made. Such a presumption should not have been incorporated in the question.

PLANNING: METROPOLITAN REGION PLANNING AUTHORITY

National Parks and Reserves Association: Letter

634. Mr RUSHTON, to the Minister for Planning:

(1) Is he aware that on 4 July 1984 the Western Australian National Parks and Reserves Association wrote to the Metropolitan Region Planning Authority seeking information on the Metropolitan Region Planning Authority's original planning concepts for Burswood Island?

(2) Is he aware that a follow-up letter to the Minister for Planning in October 1984 was not replied to until February 1985 and even then the information originally sought from the Metropolitan Region Planning Authority was still not produced?

(3) Is he aware that in response to a further letter from the association in February 1985 seeking information on original concepts for Burswood Island, the Minister for Planning merely referred to a new plan that was still being drafted?

(4) Is he aware that after 10 months of protracted correspondence the only planning concept provided to the association was from the casino prospectus, sent by the Executive Director of the Government's Office of Racing and Gaming?

(5) Has the Premier received the association's letter of concern addressed to him on 20 June 1985?

(6) Since more than two months have elapsed when might the association receive—

(a) an explanation of why the Metropolitan Region Planning Authority did not respond to its original request for information on 4 July 1984;

(b) a plan showing the boundaries and status/ownership of Burswood Island land for which the board of management will be responsible;

(c) reasons from the State Government why the board of management would not include local citizens to represent interests of local residents of the larger Perth metropolitan region?

(7) Is the development for the region open space shown on the casino prospectus merely a conceptual idea or is the Government going to invite the public to provide views on alternative forms of open space, function, design, and facilities?

Mr PEARCE replied:

(1) Yes.

(2) Yes. The letter addressed to the Metropolitan Region Planning Authority requested information which it was not in the province of the Authority to give.

(3) Yes.

(4) Yes.

(5) Yes.

(6) and (7) A detailed reply was sent to the association on 27 August 1985.

PORTS AND HARBOURS: FREMANTLE

Hazard: Reporting Procedures

636. Mr PETER JONES, to the Minister for Transport:

Were "correct" procedures carried out by the Fremantle Port Authority following the reporting on 16 December 1984 of a hazard in the approaches to Fremantle harbour?

Mr GRILL replied:

My information from Fremantle Port Authority is that the correct procedures were carried out.

637 and 638. *Postponed.*

"LESCHENAULT"

Sinking

639. Mr PETER JONES, to the Premier:

By whom were the circumstances and matters relating to the sinking of the yacht *Leschenault* examined, as indicated in paragraph (1) of his letter to Mr W. Wales, dated 15 August 1985 (reference: P95/84)?

Mr BRIAN BURKE replied:

The examination included referral to Fremantle Port Authority senior officers.

"LESCHENAULT"

Sinking

640. Mr PETER JONES, to the Minister for Transport:

(1) Is he still prepared to confirm his advice to me of 1 May 1985, that the hazard struck by the yacht *Leschenault* on 19 December 1984, was marked in accordance with all the international regulations and requirements relating to such a hazard?

(2) Will he please provide me with complete details of those international regulations and requirements?

Mr GRILL replied:

(1) The hazard was marked by a buoy painted green rather than black with a red band as prescribed by the IALA system as it was the only one available at the time. It was used as a matter of expediency in order to mark the hazard as soon as possible. The actual colour of the buoy would not have made any difference in any case as the *Leschenault* struck the damaged beacon during the morning twilight when painted colours are not readily discernible.

(2) Yes, if required.

642, 645, and 646. *Postponed.*

HEALTH

Food Poisoning: Miss Karen Preshaw

651. Mr MENSAROS, to the Minister for Health:

(1) Has he received a letter of detailed complaint from my constituent, Karen Preshaw, about a food poisoning case?

(2) If so, is it a fact that Miss Preshaw, having tried virtually every avenue open to her, was referred from one Government and/or local government department to another without receiving any factual information?

(3) Is he, as an elected representative of the community, going to take steps which will result in giving all the required information to Miss Preshaw to which she or any citizen in a democratic country is entitled?

Mr HODGE replied:

(1) Yes.

(2) No. Miss Preshaw was supplied with information relating to her own tests and she was verbally advised of the possible source of food poisoning. She could obviously not be supplied with confidential information relating to tests done on other persons.

(3) I have already taken action to ensure that my department has given Miss Preshaw all the information relating to tests performed on herself.

652 and 656. *Postponed.*

INDUSTRIAL DEVELOPMENT

WA Development Corporation: Government Guarantees

657. Mr HASSELL, to the Treasurer:

(1) What Government guarantees have been given to the Western Australian Development Corporation?

(2) What guarantees have been given by the Western Australian Development Corporation?

Mr BRIAN BURKE replied:

(1) None. The State has indemnified the Western Australian Development Corporation against any liability arising under the covenant. WADC has provided unit holders in the Western Australian Diamond Trust in respect of a minimum distribution of 8 cents per fully paid unit in that trust.

(2) The provision of guarantee is the commercial prerogative of WADC.

658. *Postponed.*

HEALTH

Lead Poisoning: SGS Australia Ltd

659. Mr TAYLOR, to the Minister representing the Minister for Industrial Relations:

(1) Is the Occupational Health, Safety and Welfare Commission aware of the high lead levels found in tests on workers at the SGS Assay laboratory in East Street, Kalgoorlie?

(2) If "Yes", what action is underway or planned to resolve any problems both inside and outside the laboratory associated with these high lead levels?

(3) Where does the responsibility rest for ensuring that such laboratories are properly equipped and have procedures been in keeping with established rules and regulations?

(4) Could he please table copies of the relevant rules and regulations governing the operations of such laboratories?

Mr PARKER replied:

(1) Yes.

(2) The premises have been inspected and appropriate directions issued. The workers concerned have been put off work by their respective doctors.

(3) The responsibility for ensuring that laboratories are properly equipped rests with the employer. Enforcement is vested principally with the factories and shops branch of the Occupational Health, Safety and Welfare Commission although, on a mine site this authority is transferred to the Department of Mines. The Health Department may issue orders pursuant to sections 181 and 182 where it is considered a nuisance is being created which is offensive, injurious, or dangerous to health.

(4) The legislation applicable to this matter within my jurisdiction is the Factories and Shops Act. The relevant regulations are the factories lead materials regulations and the poisonous substances regulations, both of which are hereby tabled.

(*See paper No. 152.*)

PERTH MINT

Coins Produced

661. Mr BRADSHAW, to the Premier:

(1) What type of coins are expected to be produced by the Perth Mint?

(2) Will they be legal tender?

(3) Where and how are these coins expected to be sold?

(4) What is the anticipated value at the point of sale?

(5) Does he know how successful the Australian Government's collectors' coin sales have been over the last three years?

Mr BRIAN BURKE replied:

(1) Bullion coins recognised as currency under the Australian Currency Act.

(2) Yes.

(3) The proposed bullion coins will be marketed in Australia and overseas by the Perth Mint.

(4) The market value will be based on the prevailing international market price of gold, together with a margin to cover minting, marketing, transportation, insurance, and a retailers' margin.

(5) It is not expected that the Australian Government's collectors' coin sales will affect the performance of the proposed bullion coins in Australia or overseas.

BUSINESSES

Small Business Guarantee Scheme: Application

668. Mr COURT, to the Minister for Small Business:

(1) How many applications has he received for guarantees under the small business guarantees scheme?

(2) How many of these have been approved?

(3) What is the value of these guarantees?

Mr BRYCE replied:

(1) Negotiations with the Australian Bankers Association on the implementation of the scheme were only recently concluded.

The Act was proclaimed on 5 September, and the bankers have indicated that they intend to commence receiving applications from 23 September.

(2) and (3) Not applicable.

INDUSTRIAL DEVELOPMENT

Interest Rates: Effect

670. Mr COURT, to the Minister for Industrial Development:

(1) What effect will the current record high interest rates have on new investment in industrial development projects this financial year?

(2) Are the high interest rates affecting the viability of existing businesses?

Mr BRYCE replied:

(1) In responding to this question, I remind the member that nominal interest rates in Australia have not reached the record high level attained during the period of the previous Federal and State Governments.

A far more significant influence is the upturn that is occurring in the WA market for manufacturing industry, goods and services as a result of new and committed project investment.

(2) Recent surveys of business opinion indicated increased optimism about future business conditions.

Business people, now facing a healthier economic outlook, will take interest rate levels and other financial variables into account in making their commercial decisions.

INDUSTRIAL DEVELOPMENT DEPARTMENT

Computers

671. Mr COURT, to the Minister for Industrial Development:

(1) Has his department installed computer equipment capable of calling up computer data bases around the world?

(2) Do any other Government departments under his control have this equipment?

(3) Is skilled staff required to operate this service?

(4) Is the service also provided by the private sector?

Mr BRYCE replied:

(1) Yes.

(2) As most computer equipment from microcomputers to mainframes is capable of connection via Telecom and OTC to international databases, any department, business, or private individual with this equipment is capable of connection.

(3) No.

(4) In general, such services are provided by the private sector, with Government users gaining access via subscription.

672. *Postponed.*

FINANCIAL INSTITUTIONS

Money Market Operators: Closures

675. Mr COURT, to the Premier:

(1) How many money market operators have closed their Perth operations over the past year?

(2) How many have phased down their operations over the past year?

(3) What are the reasons for the decline in the local money market?

(4) How much employment has been lost in this section of the finance industry?

(5) Is the Government considering initiatives to reverse this trend?

Mr BRIAN BURKE replied:

(1) to (5) The member is referred to the reply given to question 126.

INDUSTRIAL DEVELOPMENT

Manufacturing Industries: Myer-Boans Takeover

676. Mr COURT, to the Minister for Industrial Development:

(1) Has his department established the effects on Western Australian manufacturing industry of the take over of Boans by Myer?

(2) If "Yes", has it been detrimental or advantageous to local industry?

Mr BRYCE replied:

(1) The Department of Industrial Development is, by agreement with Myer, continuing to monitor the company's purchasing levels from Western Australian manufacturers.

(2) To date, Myer has honoured the undertaking made to the State Government to maintain Western Australian purchasing at the aggregate levels which applied 12 months prior to the takeover of Boans.

The net effect on Western Australian manufacturing industry has been that some manufacturers have received considerably more business while others have received less. Individual company purchasing decisions remain within the commercial province of Myer.

GOVERNMENT ADVERTISING

"The West Coast Retailer"

678. Mr COURT, to the Premier:

(1) Has the Government or associated authorities advertised in the magazine, *The West Coast Retailer*, over the past year?

(2) If "Yes", how much has this advertising cost?

Mr BRIAN BURKE replied:

(1) and (2) The member will be aware that many Government departments and agencies advertise in numerous publications. If he has a specific concern about advertising in the magazine to

which he refers, and lets me have the specific grounds for his concerns, I will have the matter investigated. However, I am sure the member will appreciate that the Government does not keep at one source all its records of dealings with publications in the State and considerable resources may need to be devoted to extracting the information the member requires.

680, 683, 684, 686 to 688. *Postponed.*

TRANSPORT COMMISSION

Staff

694. Mr LAURANCE, to the Minister for Transport:

(1) How many staff are employed by the Transport Commission?

(2) How many staff are employed in the office of the Co-ordinator General of Transport?

(3) How many staff is it envisaged will be employed when these two offices are merged under the terms of the Acts Amendment and Repeal (Transport Co-ordination) Bill?

Mr GRILL replied:

(1) 91.

(2) 13.

(3) There will be no increase in staff numbers.

695 and 696. *Postponed.*

CRIME

Murder: Repeat Offenders

698. Mr THOMPSON, to the Minister for Police and Emergency Services:

Could he give the numbers and preferably names, places, and dates of Western Australian and preferably Australian perpetrators of homicides who have committed the same offence again after either escaping or having been released from prison, for as far back in time as possible?

Mr CARR replied:

This information is not readily available.

ANIMALS

Vivisection: Letter

699. Mr THOMPSON, to the Minister for Health:

(1) Has he seen a copy of a letter dated 18 July 1985 addressed to him by Mr T. J. York of 24 Jarvis Street, O'Connor, with respect to vivisection?

(2) If he has seen this letter, would he please provide me with a copy of his reply?

Mr HODGE replied:

(1) Yes.

(2) No. If the member wishes to see the reply he should approach Mr York.

700 to 703. *Postponed.*

TOURISM COMMISSION

Annual Report

704. Mr MacKINNON, to the Minister representing the Minister for Tourism:

(1) Has the annual report of the Western Australian Tourism Commission for the year ended 30 June 1985 yet been completed?

(2) If so, when will it be released?

(3) If not, when is it likely that it will be completed and released?

Mr BRIAN BURKE replied:

(1) No.

(2) Not applicable.

(3) 31 October 1985.

705 to 709. *Postponed.*

CRIME STATISTICS

Murdoch Electorate

710. Mr MacKINNON, to the Minister for Police and Emergency Services:

What are the reported crime statistics for the following police stations for the months of—

(a) July 1984; and

(b) July 1985—

(i) Brentwood;

(ii) Cannington;

(iii) Hilton;

(iv) Palmyra;

(v) Gosnells?

Mr CARR replied:

Accurate crime statistics are not readily available for the police stations nominated. However, the number of offences reported at the police stations are as follows—

(a) July 1984—
  (i) Brentwood 174;
  (ii) Cannington 270;
  (iii) Hilton 98;
  (iv) Palmyra 123;
  (v) Gosnells 196;
(b) July 1985—
  (i) Brentwood 291;
  (ii) Cannington 387;
  (iii) Hilton 136;
  (iv) Palmyra 78;
  (v) Gosnells 181.

WILDLIFE

Black Ducks: Population

711. Mr MacKINNON, to the Minister for Conservation and Land Management:

(1) What is the current population of black ducks in Western Australia?

(2) How has that estimate been arrived at?

(3) Is the population of these ducks increasing or decreasing?

Mr DAVIES replied:

(1) No estimate has ever been made.

(2) Answered by (1).

(3) Not known.

712. *Postponed.*

TRANSPORT: AIR

Federal Government Inquiry: Submission

713. Mr MacKINNON, to the Minister for Transport:

(1) Has the State Government made a submission to the Federal Government's independent review of economic regulation of domestic aviation?

(2) If so, will that submission be made public?

(3) If not, why not?

Mr GRILL replied:

(1) The Government has developed a close working liaison with the Federal Government's independent review of economic regulation of domestic aviation. A very detailed formal submission to the review is almost complete.

(2) All submissions to the review become public upon presentation at the review public hearings.

(3) The review has scheduled public hearings for Perth on 31 October. I expect the State's submission to be formally presented, in my name, to the review at those hearings.

714. *Postponed.*

TOURISM DEVELOPMENT LOANS

Details

715. Mr MacKINNON, to the Minister representing the Minister for Tourism:

In the balance sheet of the Western Australian Tourism Commission as at 30 June 1984, for what purpose was the $96 000 advanced under the heading "Loans for tourism development"?

Mr BRIAN BURKE replied:

Hotel grading loans—

Establishment	Date of Issue 1974	Amount of loan $
Walpole Unit Hotel, Walpole	30 Jan.	150 000
Crossing Inn, Fitzroy Crossing	21 Feb.	60 000
Rose Hotel, Bunbury	4 June	72 000

$96 000 is the current amount outstanding. The current amount as per the balance sheet is $26 546. The total amount outstanding at balance date is therefore $122 546.

HORTICULTURE: AVOCADOS

Imports: Tests

716. Mr OLD, to the Minister for Health:

Would he expand on the answer to question 559 of 1985 by advising how many tests have been carried out on dimethoate levels in imported avocados since the programme of dipping was approved?

Mr HODGE replied:

The survey undertaken in May 1985 consisted of five sample lots taken from four locations.

717. *Postponed.*

ARGENTINE ANTS

Herdsman Lake

718. Mr OLD, to the Minister for Agriculture:

As the hypothesis of Argentine ant control by flooding Herdsman Lake has obviously been abandoned, and as one season of valuable containment treatment has been lost, will he give an assurance that proven chemical control methods will be undertaken during the coming summer?

Mr EVANS replied:

The Herdsman Lake issue is under consideration by a multi-discipline technical committee containing representatives from relevant Government departments.

Flooding is one of the options available.

No assurance can be given at this stage that chemical controls will be applied in the coming summer.

ARGENTINE ANTS

Casino Site: Burswood Island

719. Mr OLD, to the Minister for Agriculture:

(1) Are any of the Argentine ant infestations on Burswood Island underneath the casino building?

(2) If "Yes", can the termites be successfully eradicated after the building has been completed?

Mr EVANS replied:

(1) The site formation work at the casino building proper removed immediate Argentine ant infestations.

(2) Not applicable.

720 to 722. *Postponed.*

TRANSPORT ADVISORY COMMITTEES

Members

723. Mr RUSHTON, to the Minister for Transport:

(1) Referring to my question 337 of Wednesday, 28 August 1985 concerning the names of members of committees advising him on transport, how many formally appointed non-statutory committees does he have advising him on transport?

(2) Will he please state the names and occupations of members of transport committees advising him?

(3) If "No" to (2), why does he not wish to disclose these normal administrative appointments?

(4) Will he please state the names and previous occupations of his ministerial advisers?

Mr GRILL replied:

(1) to (3) The member would be only too aware of the breadth of the transport portfolio. He should also be aware that the Minister's requirement for advice reflects this breadth. Thus, there exist a large number of non-statutory committees to fulfil this requirement. They vary in their formality and their lifespan. I repeat my earlier offer. If the member is able to tell me in which particular committees he has an interest, I will endeavour to provide him with the information he is seeking.

(4) Dr Peter Newman. On secondment from Murdoch University where he is senior lecturer in environmental science.

724 to 727. *Postponed.*

AMERICA'S CUP

Charter Vessel: Progress

728. Mr PETER JONES, to the Minister representing the Minister for Tourism:

What progress has been made by the Minister, or his department, in securing a charter vessel for use by himself and the Government during the period of the America's Cup?

Mr BRIAN BURKE replied:

Details of suitable craft available for charter have been obtained, and the matter is under consideration.

729 to 733. *Postponed.*

PORTS AND HARBOURS: BUNBURY

Dispute: Minister's Action

734. Mr PETER JONES, to the Minister representing the Minister for Industrial Relations:

(1) With regard to the industrial dispute at the Port of Bunbury, what action has he taken to ensure that the decisions and orders of the industrial commissions are enforced before further damage is done to the State's reputation as a reliable supplier?

(2) Although having statutory responsibility for administration of Western Australian ports, has he decided to take no further action in this dispute?

Mr PARKER replied:

(1) Procedures to ensure that decisions and orders of the industrial commissions are enforced are contained within the industrial legislation.

The enforcement of these procedures is the responsibility of the industrial commissions and it would be improper for any outside body to attempt to interfere with this process.

(2) No.

735 to 737. *Postponed.*

TOURISM COMMISSION

Motel: Margaret River

738. Mr HASSELL, to the Minister representing the Minister for Tourism:

(1) Has the Western Australian Tourism Commission taken an equity interest in the Captain Freycinet Hotel in Margaret River?

(2) If so, what is the nature of that interest?

(3) If not, what other financial arrangement exists between the proprietors of that hotel and the Western Australian Tourism Commission?

Mr BRIAN BURKE replied:

(1) and (2) See answer to parliamentary question 139 in the Legislative Council, 17 September 1985.

(3) Not applicable.

739. *Postponed.*

LAND: RESERVE

Shannon River Basin: Fire Damage

740. Dr DADOUR, to the Minister for Conservation and Land Management:

(1) What area of—

(a) forest;

(b) karri forest,

in the Shannon River Basin has been seriously fire damaged?

(2) Will he please define "serious fire damage"?

(3) Further to question 181 (5) of 1985, what was the total area of fire that burnt Brockman National Park this year?

(4) Were officers of the Department of Conservation and Land Management involved in suppressing the fire?

(5) Were officers of the local Bush Fires Board involved in suppressing the fire?

(6) If "Yes" to (4) and (5), did they attempt any backburning?

(7) What is the area of each of the following forest blocks—

(a) Beavis;

(b) Deep;

(c) Giant;

(d) Giblett;

(e) Hawke;

(f) Jane?

Mr DAVIES replied:

(1) I refer the member to the answer given to part (1) of question 181 on 27 August 1985.

(2) Permanent crown or stem deterioration as a result of fire.

(3) 167 ha.

(4) Yes.

(5) Yes.

(6) No.

(7) (a) Beavis—4 804 ha;

(b) Deep—3 768 ha;

(c) Giants—3 234 ha;

(d) Giblett—3 950 ha;

(e) Hawke—4 318 ha;

(f) Jane—7 381 ha.

741 and 742. *Postponed.*

TRANSPORT: RAILWAYS

Electrification: Report

743. Mr RUSHTON, to the Minister for Transport:

(1) Will he table the report recommending electrification of Perth's suburban rail system?

(2) Who were the members of the committee preparing the report?

(3) Who are the members who have made a minority report?

(4) Will he table a copy of the minority report?

Mr GRILL replied:

(1) I will consider the manner and timing of the report's release following discussion by Cabinet.

(2) The committee comprised representatives of—

Co-ordinator General of Transport (Chairman)
Association of Professional Engineers and the Association of Railway Professional Officers of Australia
Australian Railway Research and Development Organisation
Australian Railways Union
Chartered Institute of Transport
Electrical Trades Union
Friends of the Railways
The Institution of Engineers, Australia
Metropolitan Transport Trust
Railway Officers Union
State Energy Commission
Treasury Department
West Australian Locomotive Engine Drivers', Firemen's and Cleaners' Union
Western Australian Tertiary Education Institutions
Westrail.

(3) and (4) The minority report forms part of the same document. See answer to (1).

TRANSPORT

Freight Deregulation: Report

744. Mr RUSHTON, to the Minister for Transport:

Will he table the Commissioner of Transport's report on deregulation of freight (monitoring)?

Mr GRILL replied:

My answer to question 63 of 20 August 1985 still applies.

QUESTIONS WITHOUT NOTICE

TAXES AND CHARGES: REFORM PACKAGE

Federal: Effect

156. Mr HASSELL, to the Minister for Small Business:

Is he concerned about the impact on the small business community of the Federal Government's announced tax package today? In particular does he agree that restaurants, taxis, car hire companies, the tourism industry generally, and other small businesses and service industries will suffer as a result of those measures?

Mr BRYCE replied:

During the course of the entire afternoon I have been involved in a meeting with six or seven other people. I do not have very much detail at my fingertips in regard to that announced package.

Mr Blaikie: I bet if it was good news you would!

Several members interjected.

The SPEAKER: Order!

Mr BRYCE: The amount of political bile that the member for Vasse and the Leader of the Opposition bring into this Chamber about the advisory staff which the Government has appointed is amazing. Let me remind some of those dullards, if they had had the sense—

Several members interjected.

The SPEAKER: Order!

Mr BRYCE: —to appoint some decent advisers, instead of wallowing on the Opposition benches they would still be in Government. I know that to be the case because I have had it expressed to me by some of the senior members of the Opposition from time to time—"If we had only appointed a system of Government advisers we would still be in Government today."

I would like to suggest to the Leader of the Opposition that every single one of the Government-appointed advisers

on staff at the present moment will remain there much longer than he will as Leader of the Opposition. He is likely to go down the gurgler more effectively and more speedily than any of those appointed members of ministerial staff.

Mr Hassell: Why do you not answer the question? You are supposed to be responsible for small business, and this buckshot has hit small business right between the eyes. You do not have an answer to a simple question without notice.

Mr BRYCE: I am coming to the answer. If the Leader of the Opposition would like me to take the best part of the next five or 10 minutes, I can give him what he deserves.

Mr Hassell: I would like to hear the answer to the question I asked.

Mr BRYCE: I started on the answer to the least effective Leader of the Opposition we have had for a long time. I have not had time this afternoon to keep my ear to the radio, but I have an impression that some of the measures which have been announced are, in fact, very fair indeed on that sector. I do know for a fact as well that the actual taxation reductions will be appreciated, not only by the man or woman who has a small business in this community, but by professionals and others. I am absolutely confident of that.

I look forward with a great deal of relish, when I have had an opportunity to read the details, of doing battle with the Leader of the Opposition on this matter.

LAND

Requirements: Kimberley

157. Mr BRIDGE, to the Minister for Regional Development and the North West:

Can the Minister give details of the results of an investigation by the Kimberley Regional Development Advisory Committee into the land requirements of various towns in the Kimberley area?

Mr GRILL replied:

Yes. The committee looked at better ways of meeting residential, industrial, tourism, and rural land requirements until the year 2000, in the towns of Broome, Derby, Fitzroy Crossing, Wyndham, Kununurra, and Halls Creek. A two-part report of the investigation suggested a number of changes to improve the present release procedures, and is a valuable planning document which foreshadows continued existing growth in the Kimberley.

The report also highlights the need for rural living blocks at Derby, Broome, Fitzroy Crossing, Wyndham, and Kununurra as an important way of retaining permanent residents seeking a rural lifestyle close to facilities.

Extra caravan park and hotel/motel sites will also be needed in Derby, Broome, Fitzroy Crossing, and Kununurra in anticipation that tourism in the area will continue to grow. I am sure that the attractions of the Kimberley will continue to draw increased numbers of tourists, and that more accommodation of all types will be needed.

The report also suggests a more market-orientated approach to land releases, with blocks available for over-the-counter sales. The Government has taken a number of steps to ensure that adequate land is available and intends ensuring that land availability will not restrain growth in the Kimberley.

When implemented, the report's recommendations will mean the addition of hundreds of new residents to Kimberley towns and hundreds of thousands of dollars worth of new investment in facilities.

The report has been referred to the Minister for Lands for his consideration and action.

TAXES AND CHARGES: BENEFITS TAX

Country: Effect

158. Mr BLAIKIE, to the Minister for Regional Development and the North West:

Will the new tax measures announced today by the Federal Treasurer, Mr Keating, to impose a benefits tax on housing and transport that are currently available to employees mean that the Minister would concede that these militate against employment and business opportunities in the country? If not, why not?

Mr GRILL replied:

I have not yet had an opportunity to study details of the package announced this afternoon. However, I understand that there is a provision within the tax package which in fact will give considerable transport concessions to people in country areas, and I am very pleased to be able to applaud that action.

PORTS AND HARBOURS: MARINA

Sorrento: High-rise Development

159. Mrs BEGGS, to the Minister for Planning:

Is the Wanneroo Beaches Action Group correct in asserting that the Hillarys boat harbour will make high-rise development at Sorrento inevitable?

Mr PEARCE replied:

No, it is certainly not the case that there will be high-rise development around the Sorrento marina. The situation is that the Wanneroo Beaches Action Group and like-minded groups are part of a now very small, but fanatical, minority which opposes this proposal which has widespread community support, both in the northern suburbs and elsewhere.

Having lost the argument about the environmental effects to do with the marina, the WBAG is now searching for scare tactics in which to bring in quite extraneous issues as a way of attracting some little support for their cause. The area around the marina is zoned in such a way as would not allow high-rise buildings to be built there.

The only way high-rise buildings could be constructed would be if the Wanneroo Council were to rezone that area for high-rise development, and there would need to be a Liberal Government which would allow the council to proceed with that rezoning. I indicate that irrespective of the attitude of the Wanneroo Council to high-rise development, I would counter any move to construct high-rise buildings around the marina.

Should the Wanneroo Council want to rezone the area for such purposes—and my understanding is that it does not—I will never permit that while I am Minister and I do not believe that the Labor Government would permit such developments while it continues in office.

This Government can demonstrate its track record in this place because in the past week the Government has stopped completely further high-rise construction on the Scarborough foreshore, while the Liberal Party is in favour of high-rise on the beach front and its candidate for Scarborough is supporting additional high-rise developments.

Mr Hassell: You did a deal over the Scarborough development. You know you did.

An Opposition member: You are in the business of creating commercial monopolies.

Mr PEARCE: There was no deal done between the Government and the developer. The decision about the Scarborough high-rise was fundamentally taken in the time of the previous Government. That is the fact of the matter.

Mr Hassell: You did a deal, and you know you did.

Mr PEARCE: The previous Government and the previous MRPA were responsible for the high-rise development at Scarborough beach. The Government had no statutory power at the time to prevent that development. However, I now have in place the statutory instruments that will prevent further high-rise on the Scarborough beach front, and I will not allow the establishment

of statutory instruments which would allow high-rise development around the Sorrento marina.

Mr Hassell: A deal was done.

Mr PEARCE: There was no statutory basis on which the high-rise development at Berringa Beach could have been stopped.

Mr Hassell interjected.

Mr PEARCE: The Leader of the Opposition is showing his nasty side again, is he not? He really cannot help it.

Mr Burkett interjected.

The SPEAKER: Order!

Mr PEARCE: If the Liberals want to persist with their reputation for pushing for high-rise in the Scarborough area, they are welcome to do so.

I take a second point about the Wanneroo Beaches Action Group. It is particularly dishonest in raising questions of this kind at all, because it well knows, as does the House, that that whole area on which the marina is to be built was originally zoned residential. If the Government had not acted to purchase the marina, all of those sandhills would by now be covered with luxury homes.

Mr Rushton interjected.

Mr PEARCE: I am surprised the member for Dale is sticking his nose up, after keeping his head so clearly down last time we discussed the marina. Has a Liberal Party headquarters representative been around to advise him of the poll conducted in the northern suburbs, so that he can adjust his Press statements accordingly?

Mr Hassell: Here is the man who spent millions of the taxpayers' money to buy the nodes and who is now busy with his marina in the nodes.

Mr PEARCE: If I understand it correctly, the Leader of the Opposition is now joining the group of people who would like to see the nodes covered with houses, so that rich people can take over that whole area.

Mr Hassell: I am interested in your double standards.

Mr PEARCE: The reason that the Liberal Party poll has shown so clearly the support for the Government's attitude as regards the marina and the nodes is, of course, that the recreational development of that node will make available to the people of the northern suburbs and, indeed, the people of Western Australia, a tremendous recreational amenity for all people covering the whole node, which would have been denied under a Liberal Government.

TAXES AND CHARGES: CAPITAL GAINS TAX

Death Duty: Effect

160. Mr OLD, to the Minister for Agriculture:

Does the Minister agree that the capital gains tax announced by Treasurer Paul Keating this afternoon is a form of death duty because the successors of farm owners, for example, will be liable to pay the taxation at any time they choose to sell the asset?

Mr EVANS replied:

I have not had the opportunity to study in detail the ramifications of the measures announced by Treasurer Keating this afternoon. I am not prepared to make a definitive statement on the matter now, but I will when I am in a position to do so.

TAXES AND CHARGES: REFORM PACKAGE

Federal: Effect

161. Mr TROY, to the Premier:

Is he aware of the details of the tax reform package announced by the Federal Treasurer this afternoon? How will the decision affect Western Australians?

Mr BRIAN BURKE replied:

I thank the member for Mundaring for adequate notice of his question.

Firstly it is entirely unreasonable of the Opposition to expect that an 80-page document, together with supporting material, and a speech by the national Treasurer made this afternoon, should have been digested in detail by each Minister, and that Min-

isters should be in a position to answer detailed questions about some aspects of the taxation package. I do not have full details of the package, but I have some information about it and I am perfectly happy to provide my views on some aspects of the package.

I believe average weekly income earners, who will receive somewhere around $15 a week in a taxation cut will welcome that reduction in tax. I guess that other people who will be affected by receiving greater or lesser reductions in their tax bills will also be pleased to take those deductions.

Pensioners and others on fixed incomes will be pleased to receive substantial assistance, both in terms of their incomes and in terms of the amount of money they are able to earn prior to their incomes being depleted by their pensions being reduced.

As for company tax, I have no doubt that companies will welcome the full imputation of dividends, and I think the taxation concessions made in respect of the group provisions will be of great value to the mining industry in this State. I am informed that the concession will cost the Federal Government something in the region of $65 million rising to $85 million.

It is my view that the capital gains tax is not appropriate and should not have been imposed. However, it is true that the tax is a particularly mild capital gains tax in that it is expected to raise $25 million over five years. In terms of the revenue it will provide, it cannot be called a harsh tax, unless members opposite object to the sealing off of this avoidance avenue, and that is an objection I do not take. Nevertheless, I do not believe the tax is appropriate and I would prefer that it had not been imposed.

In respect of the industries to which the Leader of the Opposition referred when he asked a question of the Deputy Premier, I believe that the hospitality, entertainment, and tourism-related industries have been treated unduly harshly. We believe there will be a considerable period during which vivid disincentives to those industries and to sectors of those industries will influence investment decisions. We take exception to the treatment of those industries by the Federal Government in this taxation package.

The total package is a bit like the curate's egg—parts of it are good and parts of it are bad. We certainly object to some parts, but at the same time we acknowledge the need for reform. We do not take much satisfaction from the Opposition's attitude, which is simply to knock everything, and that is what the Opposition does consistently. We have a responsibility to approach and appreciate changes in a positive fashion, to object to those with which we disagree—and we do so today—and to say about those we find comfortable that we approve of them. We have done that, and I suspect that the Leader of the Opposition will be able to make precious little mileage if he carries on in the way he started in his criticism of the taxation reform package.

TAXES AND CHARGES: LOANS TAX

Bank Employees

162. Mr MENSAROS, to the Minister for Housing:

> Does the Minister agree that housing interest rates are under threat of rising again, and hence the Government might have to raise its offer from the taxpayers' funds, because of measures announced this afternoon by Federal Treasurer Keating—I am not expecting the Minister to know this; I am informing him—which will mean that banks and building societies will be forced to pay tax on cheap loans offered to their employees?

Mr WILSON replied:

> The member is correct in that I do not have those details that obviously he has had the leisure to obtain this afternoon, because he will know that Ministers have to be busy administering the business of government rather than sitting and listening to radio broadcasts.

Mr Spriggs: What about your advisers?

Mr WILSON: I do not have an adviser on housing. I do not need one. I would not ask the member to be one.

Mr Blaikie: What about Aboriginal affairs?

Mr WILSON: What about Aboriginal affairs? Why does not the member get stuck into that?

Mr Blaikie: Have you got an adviser in that area?

Mr WILSON: Does the member want an answer or not? I must say that when this member of the Opposition moved onto this issue I could envisage in my mind a dog with only two front legs looking wistfully at the nearest tree.

Mr Blaikie: Thank God I am not in the Chamber when you are speaking.

Mr WILSON: Nowhere else in the whole range of Government is the absolute impotence of this poor old member and this poor old Opposition more evident.

Mr Brian Burke: I think you are doing them a disservice. They did well on interest rates. When they were in Government they increased to 16 per cent!

Mr WILSON: Not 16 per cent. In fact, the then Minister, the present member for Gascoyne, was well known as "Mr 16.5 per cent".

A member: Bankcard interest rates are now 22 per cent.

Mr WILSON: The member will receive his answer in due course. The Government in which the member for Floreat was a Minister, under the present Leader of the Opposition, allowed that to happen. They were not concerned about interest rates or increases in them.

An Opposition member of the Upper House (Hon. Neil Oliver) was on the airwaves today criticising the Government for trying to assist in this area.

Mr Hassell: You had time to listen to him, did you? You were not too busy so as to not be able to listen to Mr Oliver, but you were too busy to listen to the Federal Treasurer. Isn't that interesting.

Several members interjected.

The SPEAKER: Order!

Mr WILSON: When the Leader of the Opposition brings forward trivial details he is so much like a school boy it is unbelievable. It is not unbelievable to know that he has only got 34 per cent support in the opinion polls; it is quite understandable. This Opposition makes no headway at all in this field.

As I have said previously, the present Opposition spokesman is the third in line as Opposition spokesman on housing. None of them has made any impact. All they can do is pinprick, whinge, and whine. They make no impression at all.

This Government has the best record as regards housing, home building rates, and interest rates of any Western Australian Government. It compares very favourably with anything the opposite side of the House has been able to put forward. They are scorned by the building industry; they are scorned by the building societies; and they are scorned by anybody who has any interest in home building in Western Australia. They are the pariahs in this field in Western Australia. They have no record; they have no policies. All they can do—and this Opposition spokesman continues the record—is to criticise the record of this Government. They have no policies and they have no direction in the field of housing. They do not like to hear it, and that is the truth. They have no record of their own. They can only criticise the very excellent record of this Government. They have no policies to put forward. They have got nothing to do but to gabble like a great flock of geese and no-one is listening to them.

HEALTH: HOSPITAL

Osborne Park: Redevelopment

163. Mr BERTRAM, to the Minister for Health:

Can he provide details of redevelopment at Osborne Park Hospital, specifically in relation to improved facilities for the aged?

Mr HODGE replied:

I am pleased to advise the member that a contract worth $2.7 million has now been awarded to Esselmont and

Son to build an extended care assessment-restorative unit at Osborne Park Hospital. This unit is the final element in the State Government's major redevelopment of extended care services.

This expenditure will bring the total cost of the redevelopment programme around Perth to $16 million. It also brings expenditure at Osborne Park Hospital to $6.6 million on extended care and associated facilities, including a $3 million psychogeriatric extended care unit, a $680 000 adult psychiatric clinic, and the assessment-restorative unit to be built by Esselmont. When the cost of furnishing this new unit is added, it is anticipated that its total cost will be approximately $3.5 million. The unit will provide 24 beds and 30 day places for patients requiring extended care.

Facilities will include occupational therapy, physiotherapy, speech therapy, podiatry services, and palliative care. It is expected to be completed in mid-1986.

In addition to the extended care services being provided at Osborne Park Hospital, general redevelopment at the hospital includes upgraded site services; new administrative facilities; upgraded doctors' consulting facilities; bulk store facilities; and interim theatre remodelling which will all assist in providing a very comprehensive range of services at the hospital.

DEFENCE: US NAVAL VESSELS

Visiting : Removal

164. Mr CRANE, to the Minister for Defence Liaison:

(1) Has he seen the article in today's *Daily News* which is headed "U.S. asked to shift warships"?

(2) Does the Western Australian Government support the suggestion of the Minister for Defence (Mr Beazley) that the US ships should give consideration to visiting other ports where they would be welcome?

(3) Has he seen the confidential report to the Federal Government from a Western Australian ALP branch working party referred to in the article?

(4) If "Yes", will he table a copy of the report in State Parliament?

(5) If he has not sighted the report, will he obtain a copy and have it tabled in Parliament in view of the importance of US cooperation with Australia in the defence of our nation and the Indian Ocean?

Mr BRYCE replied:

(1) to (5) On numerous occasions in this place I have indicated, as has the Premier, the attitude of the Government of Western Australia. We welcome the visits of ships from the US Navy. As far as the Government is concerned we have no argument with their visits. We are pleased to see them visit, and we are pleased to remind members opposite there is a very good probability that our own Navy will be based in Cockburn Sound as a result of some decisions by Labor Governments. That is in contrast with what has happened over such a long time when we were left languishing.

Mr Hassell: Why don't you answer the question?

Mr BRYCE: I am answering the question.

Mr Hassell: They were specific and important questions, which you are avoiding, about your knowledge of what has been going on secretly in deals with the ALP and the Federal Government.

Mr BRYCE: Noddy opposite is so concerned with conspiracies and paranoia which are about him in all directions, with at least the member for Gascoyne and the member for Nedlands trying to push him over the top, he should desist from assuming that is the *modus operandi* of the Government.

I indicate to the member that this Government is very happy to see the visits of US ships. I have not seen the source of his question because not only have I not listened to the radio all afternoon, but believe it or not I have not gone to the oracle of all good news, the *Daily News*, to find out what is happening in the House of Representatives.

PASTORAL INDUSTRY

Kimberley: Report

165. Mr BRIDGE, to the Minister for Lands and Surveys:

(1) Did the Kimberley pastoral industry inquiry interim report address the question of viability in relation to herd sizes?

(2) Were any conclusions drawn about the viability of a pastoral station business?

(3) When does the Minister think the final report will be presented.

Mr McIVER replied:

(1) Yes, the interim report covered in detail factors influencing the economic viability of an individual pastoral station business over a range of herd sizes.

(2) The viability of an individual pastoral station business is made up of the successful integration of effective land use, herd size, managerial ability, and financial resources.

Mr Laurance: You said last night you would need a herd size of 10 000 head.

Mr McIVER: I know what I said last night.

In economic terms, and to meet the needs of a viable industry, the KPII report concluded that herd sizes of 10 000 to 12 000 cattle are needed to generate sufficient profit. How does that grab the member for Gascoyne? This profit potential is needed for debt servicing or property development to control tuberculosis, regenerate the range, or just to upgrade the station overall.

Herd sizes of less than 10 000 head could be considered viable especially where the following factors apply—

highly productive land;

fully stocked

high equity;

free of TB or range degradation; or

proximity to town.

(3) In November 1985.

STATE ENGINEERING WORKS

Losses

166. Mr COURT, to the Minister for Works:

(1) Did the State Engineering Works lose in excess of $1.2 million for the 1984-85 financial year?

(2) Have approaches been made by private firms to purchase the works?

(3) If "Yes", by whom?

(4) If the Government sells the State Engineering Works, will the staff be given the opportunity of taking up equity in the operation of the new works?

Mr McIVER replied:

(1) to (4) The Functional Review Committee carried out an investigation into the State Engineering Works. The question is very complex. I mentioned previously to the Leader of the Opposition that I will supply him with a written answer relating to the losses concerned. I have given that undertaking. I cannot give an accurate answer off the top of my head. If the member requires a specific answer I suggest that he either write to me or that he place his question on the Notice Paper and I will give him an answer.

Mr Hassell: I put it on the Notice Paper this week and there was no answer.

Mr McIVER: I told the Leader of the Opposition that I would give him an answer in writing. That answer is being collated at the present time.

Mr Hassell: You said there were no audited figures.

Mr McIVER: That is quite true. The State Engineering Works is in the Leader of the Opposition's electorate. Perhaps if he visited it occasionally and got to know what happens there there would be no need for him to ask these questions in the House.

SEWERAGE: RATES

Metropolitan Area: Increases

167. Mr READ, to the Minister for Water Resources:

Could the Minister indicate the extent to which sewerage rates in the metropolitan area have increased during this Government's term, and how this

compares with increases under the previous Government's last three years of office.

Mr TONKIN replied:

I indicated yesterday with respect to water that the record of this Government is not only better in inflationary terms but it is much better in absolute terms than that of the previous Government.

I can tell the House that since this Government took office the metropolitan sewerage rates have increased on an average by between 16.6 per cent and 18 per cent, depending on the property's valuation. Therefore, we have a figure of between16.6 per cent and 18 per cent in the life of the Government. The cumulative increase in sewerage rates during the previous Government's last three years was approximately 90 per cent, almost three times the inflation rate. So we have this Government's record of up to 18 per cent on average, and the previous Government's record of 90 per cent; and the Opposition talks about pulling the wool over people's eyes!

PASTORAL INDUSTRY: LEASES

Size: Reduction

168. Mr BLAIKIE, to the Minister for Lands and Surveys:

As the Minister responsible for the administration of pastoral land, I ask him what is the Government's response to the comments made by the member for Kimberley that the size of pastoral properties in the Kimberley region be reduced to carry herd sizes of 5 000 head—

Several members interjected.

Mr BLAIKIE: Who is running this Parliament?

Several members interjected.

Mr BLAIKIE: To continue my question, I advise that the Kimberley inquiry has recommended herd sizes of 10 000 to 12 000. The Minister indicated this to the House today and yesterday. How does this Government reconcile what the member for Kimberley has said with the information contained in the report and with what the Minister said?

Mr McIVER replied:

I have no knowledge of what the member for Kimberley said.

CRIME

Neighbourhood Watch Scheme: Stirling

169. Mr BURKETT, to the Minister for Police and Emergency Services:

Is it intended that residents of Stirling will be able to join the neighbourhood watch scheme?

Mr CARR replied:

Yes, Stirling residents will join the highly successful neighbourhood watch scheme before the end of the year. Successful negotiations between police, the local council, and residential groups have resulted in the scheme now being given the green light in the area.

Mr Laurance: Has it been given the blue or the green light?

Mr CARR: I am talking about the neighbourhood watch scheme, but apparently the member for Gascoyne is confusing it with the Blue Light Discos which are operating in many areas.

Several members interjected.

Mr CARR: As members will be aware, neighbourhood watch, a joint State Government-Western Australian Police Force project, promotes greater liaison between neighbours and police to stop break-ins and other crime against property.

More than 160 000 Western Australians are united against crime under the six existing schemes. Neighbourhood watch, which was first introduced in Bunbury, is growing at a remarkable rate.

Mr Old: When did you introduce it in Bunbury?

Mr CARR: The scheme was introduced to Bunbury by the previous Government in 1982. It was a pilot scheme; we extended it to Geraldton, and the results have been satisfactory. The Government is moving ahead quickly to extend this scheme.

The concept calls for residents to take more responsibility for crime prevention at a street level, and residents take an active interest in protecting

the property of their neighbours who are at work or on holidays. It is very difficult for criminals to operate in an area where neighbours are alert to suspicious activity; and as 90 per cent of crimes are property-related, it is obviously in everybody's best interest to promote community cooperation to prevent crime.

Keen community interest had led to the appointment of a full-time police coordinator. Sergeant Colin Burton is kept very busy explaining the structure and workings of the scheme to interested resident groups and councils.

As well as the six schemes presently operating and the three to be launched this year, firm plans are in hand for a further five in the early part of 1986.

EDUCATION: TEACHERS

Transfers: Removalists

170. Mr COURT, to the Minister for Education:

Will the Minister stick by his assurance to the small removalists in Western Australia that members who have carried out removal work for the Education Department in the past year will be guaranteed at least an equal amount of work for the coming year when a new, single contract is in operation?

Mr PEARCE replied:

As I indicated to the House at an earlier stage, I gave that guarantee in dscussions with the Road Transport Association, and offered to involve it in discussions with the Government and the prime tenderer about the way in which the subcontract system should operate. I was prepared to guarantee that. However, the Road Transport Association has now written to me declining involvement in that way. I understand that it does not want to be involved in seeking to supervise commercial arrangements between members of its association.

Under those circumstances it is a little difficult for me to stand by the commitment that I gave to the House. It is certainly the intention of the Government that small businessmen in the transport area should have at least the same level of business as a percentage of the whole as they had under the old system. The Road Transport Association sought some other changes to the agreement that I made initially with the deputation that came on its behalf, so I guess that the Road Transport Association was not completely in agreement with the arrangement I made with the delegation from the association. Under those circumstances I will stand by the agreement I make with the association.