

Legislative Assembly

Thursday, the 20th September, 1979

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

SITTINGS OF THE HOUSE AND PRECEDENCE OF GOVERNMENT BUSINESS

Wednesdays: Motion

SIR CHARLES COURT (Nedlands—Premier) [2.18 p.m.]: I move—

That on Wednesday, 3rd October, and on each Wednesday thereafter, the House shall, unless otherwise ordered, meet for the despatch of business at 2.15 p.m., and that Government business shall take precedence of all Motions and Orders of the Day on each such Wednesday from 7.30 p.m. onwards.

About this time, when we are approaching the break for the Royal Show, it is customary to move in this way. I think most members are now aware of the procedure proposed to be followed; that is, the period from 2.15 to 6.15 p.m. on Wednesdays will be devoted to private members' business, with formal business and questions included in that time.

It is a way in which we can extend the time during which private members' business may be initiated and considered. When that period will terminate is dependent on the business of the House and how it develops, and the progress we make with the notice paper, bearing in mind that we now have before us both the Consolidated Revenue Fund and General Loan Fund Estimates.

I commend the motion to members. It is a practice which was initiated during the term of the Tonkin Government. It defines the period during which private members' business can be considered and extends it perhaps longer than was possible under the old procedure of suspending Standing Orders completely so far as private members' business is concerned.

MR DAVIES (Victoria Park—Leader of the Opposition) [2.20 p.m.]: We have no objection to the motion. I was surprised it was to be moved at this stage but I understand a message was passed to my deputy and not relayed to me. I will talk to my deputy about that. I thought the motion might have been moved a little later. The Premier usually rings me or drops me a line about it, which did not happen on this occasion. However, in the circumstances under which we operate, and because we believe private members should be

given as much time as possible in which to deal with legislation they would like to put before the House, we are happy at any time to extend the sitting hours in order that that may be done.

I am a little unhappy that to date we have not been able to come to any finality in regard to the committee which was considering sitting hours. I understand this was one of the options put to the committee. On other occasions, apart from one minor exception, the sitting hours of this House have not changed to any extent since the turn of the century. As we are moving into the 1980s, perhaps it is time we had a look at our sitting hours to make the best use of the time available to us.

SIR CHARLES COURT (Nedlands—Premier) [2.21 p.m.]: In response to the Leader of the Opposition, I think he knows the circumstances. I intended to confer with him the other night but when he was not available I spoke to his deputy, because it is customary when these motions are to be introduced to confer with the Opposition.

In regard to the other point he made, I understand the people he appointed and those whom I requested to meet have met, and the latest information I have is that they were awaiting a reaction from their respective back-bench organisations.

Maybe if the Leader of the Opposition has anything to report on that matter we could confer and at least ensure that our respective parties discuss it further. However, it is not through any lack of desire on our part to confer on the matter.

Question put and passed.

BILLS (4): INTRODUCTION AND FIRST READING

1. Pensioners (Rates Rebates and Deferments) Act Amendment Bill.
2. Metropolitan Water Supply, Sewerage, and Drainage Act Amendment Bill (No. 3).
3. Country Areas Water Supply Act Amendment Bill (No. 2).
4. Water Boards Act Amendment Bill.

Bills introduced, on motions by Sir Charles Court (Premier), and read a first time.

LEAVE OF ABSENCE

On motion by Mr Bateman, leave of absence for 12 days granted to Mr Skidmore (Swan) on the ground of urgent public business.

PAY-ROLL TAX ASSESSMENT ACT AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—
Treasurer) [2.26 p.m.]: I move—

That the Bill be now read a second time.

The Bill now before the House arises out of proposals contained in the Budget.

The Bill to amend the pay-roll tax legislation will give effect to the reduction in the level of taxation referred to by me when introducing the Budget to Parliament.

The three major changes to the legislation are to—

- increase the level of the allowable deduction, which will result in exempting more small businesses from pay-roll tax;

- change the range of tapered deduction which will reduce the tax payable by those businesses which receive this form of deduction; and

- increase the minimum exemption applicable to all businesses.

In addition, the provision that prevents the proposed changes in the law from imposing any increased taxes on any business during the transitional period will be continued, to ensure that no taxpayer will be disadvantaged by the proposed amendments.

The proposed reduction in tax levels will mean that under a full year's operation all businesses will pay less pay-roll tax, or be exempt from this form of tax.

The proposed concessions to taxpayers contained in this Bill have been made possible by the Government's prudent and successful management of the State's finances.

I shall explain and comment on each of the changes in turn.

Generally, under the current provisions, all taxpayers with a pay-roll of \$60 000 or less pay no tax.

This basic level of deduction has applied from the 1st December, 1977. The amendment, at that time, increased the previous level of deduction by 25 per cent.

The current proposal is to raise again the level from the existing figure of \$60 000 to an amount of \$72 000, representing an increase of 20 per cent.

The effect of this provision will be to relieve a further 820 small businesses from the imposition of pay-roll tax.

The existing taper scale results in a reduction in the present deduction of \$60 000 by \$2 for every \$3 by which the annual pay-rolls exceed that sum.

This means that currently, taxpayers receive a diminishing deduction until the annual pay-roll reaches \$109 500. For pay-rolls of \$109 500 and above, there is now a flat minimum deduction of \$27 000.

The same system will be employed to taper out the new and higher deduction, which will now mean that pay-rolls between \$72 000 and \$131 400 per annum will be in the proposed taper range.

Thus, because there is a higher base, pay-roll taxpayers within the existing taper range and who remain in the new range will receive a higher deduction and, therefore, will pay less tax.

For example, a taxpayer with an annual pay-roll of \$102 000 under the existing legislation pays on taxable wages of \$70 000.

Under the proposals of this Bill the same annual pay-roll, when the changes operate for a full year, will require the taxpayer to pay tax on taxable wages of only \$50 000. This will reduce the amount of tax payable by \$1 000.

The current minimum deduction of \$27 000 will be increased to \$32 400 under the proposals contained in this Bill. This also is an increase of 20 per cent on the present level of exemption.

The increases in the basic level of exemption, together with the minimum deduction and the extension of the taper range, will provide relief to all businesses. For a relatively large number of small businesses, it will mean total exemption in future from this form of taxation.

Thus, under the proposed arrangements in this Bill, all taxpayers with annual pay-rolls above \$131 400 will receive a flat deduction of \$32 400.

A special provision has once again been inserted in the amendments to ensure that no taxpayer is required to pay more pay-roll tax than he would have been liable to pay, had the law not been amended by the proposals now before members.

This situation could arise in certain cases, generally in respect of businesses which operate seasonally. It will occur in a transitional year—that is, the current financial year—where different limits and concessions apply to each portion of the 12-month period.

The situation can arise because of the changes to be made in the law and, therefore, a taxpayer's assessment must be divided into two separate periods, causing the deductions to be apportioned.

The main type of taxpayer who would be disadvantaged is the seasonal employer, where the bulk of the taxable wages is paid in the period from the 1st July, 1979, to the 31st December, 1979.

For example, an employer could have a total wage bill of \$63 628 for 1979-80. Of this sum, \$38 424 will be paid in the first six months and only \$25 204 in the second six months.

If the law is not amended, the taxpayer would be entitled to the deduction applicable to his taxable wages level for the full 12 months and his tax bill for 1979-80 would be \$302.

However, because of the changes to be made in the law, the assessment must be divided into two separate periods and, therefore, the deductions are apportioned.

In this example it means that for the period ending the 31st December, 1979, the taxpayer would be liable for tax of \$702 but in the second period ending the 30th June, 1980, he would be exempt from tax because the taxable wages paid in that period would be below the proportion of the increased deductions.

Therefore, in this case the change in law would disadvantage the taxpayer to the extent of \$400 in 1979-80.

This is not a result which is consistent with providing reduced pay-roll tax and, therefore, the inclusion of this provision in the Bill would enable the taxpayer to apply to the commissioner for a refund or rebate of the \$400 overpaid, in this example.

However, the provision contained in the Bill will ensure that any taxpayer placed in this type of situation will not be required to pay any additional tax.

The example quoted is taken from actual figures of a taxpayer, for the 1978-79 financial year.

To arrive at some sort of comparison, it was assumed that the actual amount of taxable wages paid in 1979-80 would be approximately the same amount and proportions as the previous year.

The provision limits the refund or rebates to sums in excess of \$10, as the time involved in the preparation and processing of an application for a smaller sum would cost more than the amount of the refund and, therefore, would be more costly both to the taxpayer and the department.

In summary, as a result of the proposals contained in this Bill, all taxpayers will receive relief from tax by various amounts ranging up to \$1 000 per annum, and 820 small businesses will

become totally exempt from the payment of this tax.

The Bill contains a saving clause to enable the commissioner to continue to raise an assessment of tax in the event of cases coming before him for past periods.

A number of the other provisions in the Bill deal with changes in the amounts which regulate the submission of returns and prescribe the deductions to be made from taxable wages. These reflect the decision to provide further relief from pay-roll tax.

In order to calculate the annual deductions applicable to the various situations in which pay-roll tax is levied, formulae are employed.

For the transitional year, the legislation before members has been structured to divide 1979-80 into two parts, with one adjustment at the end of the financial year.

The first part covers the period from the 1st July, 1979, to the 31st December, 1979, and the second part, from the 1st January, 1980, to the 30th June, 1980. The reason for the division is that different limits and concessions apply to each period.

An annual adjustment of tax payable is necessary under the existing law and will continue to apply in future. This arises from the tapered nature of the deductions which, when taken in conjunction with the fluctuations in monthly pay-rolls, makes it impossible to determine the precise amount of deduction entitlement until the end of the year.

Similar provisions containing the formulae calculations are contained in the Bill for the purpose of amending the grouping provisions, as groups are to receive the same concessions as other taxpayers.

Provision is made to apply the amendments to the pay-roll tax legislation on and from the 1st January, 1980.

The cost to revenue of the proposals contained in this Bill is estimated to be \$900 000 in the current financial year, as they will apply for only part of the year. The cost is estimated to be \$2.2 million in a full year of operation.

As previously stated, the Bill contains proposals to reduce pay-roll tax in accordance with the announcement made when introducing the Budget.

I commend the Bill to members.

Debate adjourned, on motion by Mr Davies (Leader of the Opposition).

MEDICAL ACT AMENDMENT BILL*Second Reading*

MR YOUNG (Scarborough—Minister for Health) [2.37 p.m.]: I move—

That the Bill be now read a second time.

This Bill proposes amendments to two main areas of the Medical Act—registration requirements and a minor practice matter—which will bring this Act into line with accepted practices in other States of Australia.

The amendments dealing with the acceptability of overseas qualifications for registration will clarify and simplify the present registration requirements which, in some cases, are, by necessity, rather time consuming, requiring thorough investigation of medical courses from some overseas institutions.

All of these proposals, requested by the Medical Board of Western Australia, have been discussed with and agreed to by the Western Australian branch of the Australian Medical Association.

The first amendment proposes to allow recognition of medical degrees, awarded by all universities in the United Kingdom and the Republic of Ireland, as registrable qualifications.

At present some universities awarding degrees for medicine and surgery in the United Kingdom and the Republic of Ireland are listed by name in a schedule attached to the Act and this schedule has to be amended each time a further degree is assessed as being acceptable in this State for registration purposes.

As the standard of medical degrees from all universities in these two countries is of registrable standard, an amendment to include the names of these countries in the Act will simplify procedures when new degrees from these areas are presented for registration.

The schedule of named universities and colleges can then be deleted from the Act and this will then bring this part of the legislation into line with other States' legislation proposed or enacted.

Another amendment requested is proposed to allow for the acceptance of a certificate issued by the Australian Medical Examining Council as a registrable qualification.

This certificate, obtained by examination, is recognised by Medical Boards in other States of Australia, for registration purposes, and will provide a uniform method throughout Australia of assessing the medical qualification and standard of competence of overseas graduates

who, at present, are not able to have their degrees recognised for registration purposes.

The acceptance of this certificate will replace the present need to have the overseas institution and medical course concerned separately assessed to determine whether the qualification is acceptable by this State's standards.

The wording of the Act describing the document of qualification—that is, "degree, licence or diploma"—will then need to include the word "certificate" to allow for this recognition.

Graduates from the present six-year medical courses in Australia, are required to serve for one year as a medical officer in a recognised hospital or institution before becoming eligible for registration.

Following the introduction of shorter medical courses of five years into Australia, it has been recommended by the Medical Board that graduates from these courses may need to serve for a training period of two years instead of the present one-year period, before they can become eligible to be registered, and one of the amendments proposes to give the board the option to make this change in pre-registration training for these particular graduates.

A minor amendment proposes to remove the word "Resident" from the term "Resident Medical Officer" because this word is not generally used now, as very few medical officers are in residence in hospitals during the pre-registration period.

Another amendment refers to conditionally registered graduates; that is, those overseas graduates who are unable to have their qualifications accepted for full registration but, because there is an unfilled need, can be granted provisional registration for a particular region or for a particular medical service and who can now become fully registered after satisfactorily serving for five years in that particular region or service.

The amendment proposes that future graduates who are granted this form of registration will be required to pass the examination of the Australian Medical Examining Council at the end of the five-year period if they desire to become fully registered, to ensure that the standard of competence of these graduates is no less than that of other fully registered graduates.

The amendment does, however, make provision to exempt those six conditionally registered graduates, currently in their five-year term, from having to comply with this new requirement as it would be unfair to impose this condition now.

The final amendment is purely to take into account the general improvement in roads and transport and proposes to increase the distance from another practitioner under which a medical practitioner cannot both operate on and administer anaesthetic to a patient, except in an emergency.

The present prescribed distance is five miles and the proposal is to increase this to 30 kilometres, which is still considered a reasonable distance having regard for the safety of the patient.

It will be realised that, generally, these amendments will do much to ensure that medical graduates finally registered, especially those from overseas, have satisfied the high requirements expected and are competent to practise medicine in this State. It will also end the anomaly which restricted registration to a few graduates of rather arbitrarily chosen countries.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies (Leader of the Opposition).

EDUCATION ACT AMENDMENT BILL

Second Reading

MR P. V. JONES (Narrogin—Minister for Education) [2.43 p.m.]: I move—

That the Bill be now read a second time.

A Bill to establish the Government School Teachers' Tribunal under its own legislation is at present before the Parliament. As a result of that Bill it is necessary to make some consequential but simultaneous amendments to the Education Act. This Bill seeks to do that.

At the same time the opportunity is being taken to make some other amendments in parts of the Act that need updating or alteration due to changing circumstances.

As indicated clause 2 of the Bill, sections 3, 4, 5, 10 and part of section 7 are directly related to the Government School Teachers' Arbitration and Appeal Bill.

The definition of "teacher" and "teaching staff" to be included in the Education Act are identical with the definitions in the Government School Teachers Arbitration and Appeal Bill, and this obviously becomes a necessary requirement.

Clause 5 assigns to the Public Service Board the responsibility for appointing those officers of the department who are employed under the Public Service Act. Previously the Governor was obliged to exercise this power. Members will know that changes in recent times to the Public

Service Act have restricted the Governor's involvement in the appointment of staff to very senior officers only.

The Minister currently has power delegated from the Governor to appoint teachers and other ministerial employees. The amendments in this Bill will give the Minister the power of appointment in his own right.

The present Education Act enables the Minister to transfer teachers "from one school to another school". When the Act was originally drawn up in 1928, teachers were employed only in schools and this provision was satisfactory. Today teachers are also employed in advisory services, special branches and in the head office. This Bill, by deleting the specific reference of transfer from school to school, will enable the Minister to transfer teachers throughout the service, whether they are in schools or not.

The amendment to section 28, outlined in subsection (1) of clause 7 of this Bill, follows the distinction made between officers and teachers in clause 5 of the Bill. Officers refer to staff employed under the Public Service Act while teachers and other employees are those employed under the Education Act.

The power to "suspend" a teacher is also to be included. Although suspensions have been made in the past there has been no reference to this in the Act and the present amendment seeks to remedy this.

The Bill also deletes from the Act the power of the Minister to determine teachers' salaries. All matters relating to the fixing of teachers' salaries have been transferred to the Arbitration Government School Teachers and Appeal Bill.

A further consequential amendment following the introduction of the Arbitration and Appeal Bill simply deletes from the Education Act those sections dealing with the establishment, functions and procedures of the Teachers' Tribunal.

The remaining amendments are unrelated to each other. Paragraph (b) of subsection (3) of section 20D of the Act provides that the psychologist member of the advisory panel should be a member of the Australian Psychological Society. With the establishment in this State of a Psychologists Registration Board no person may practice as or claim to be a psychologist unless he is registered. The reference to the Australian Psychological Society may have been a necessary safeguard before the establishment of the board but is now a superfluous condition. Not all psychologists will seek membership of the society now since their professional integrity can be established by registration. Clause 6 of the Bill

deletes those words requiring the psychologist to be a member of the Australian Psychological Society.

The regulatory powers of the Minister are being increased and the Bill seeks to make sure that regulations relating to the practice of deducting rent from teachers' salaries covers all Government housing. The Education Act currently contains such a provision for property vested in the Minister but this authority was not extended to houses leased from the Government Employees' Housing Authority when that authority was established.

Among the amendments to the Education Act in 1975 were a number which raised the amount of financial penalties. Several penalties of \$40 were raised to \$200 but the \$40 maximum penalty for breaking regulations was inadvertently overlooked. This Bill seeks to bring this penalty into line with the others of a similar nature that were previously increased.

Clause 8 of the Bill seeks to include a provision for the Minister to make regulations for the management, care, protection, control and superintendence of school lands.

Principals and staffs of schools are often disturbed by intruders on school grounds and buildings and at present they have very limited power to cope with them. A draft of suggested by-laws, based on those operating at tertiary institutions is at present being widely examined within the department and is meeting with support from principals and superintendents. When the regulatory power to gazette such by-laws is included in the Act schools will be given more scope to deal with intruders who are a nuisance and interrupt school activities.

The provisions incorporated in the proposed new section 28A to the Education Act embrace what is already provided for in section 35 of the Act. Section 35 is therefore no longer necessary and is deleted.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Pearce.

RESERVE (WOODMAN POINT-JERVOISE BAY) BILL

Second Reading

MRS CRAIG (Wellington—Minister for Local Government) [2.50 p.m.]: I move—

That the Bill be now read a second time.

The Bill is necessary to authorise excision of about 25 hectares from the area of Class "A" Reserve No. 24309 set apart for the purposes of

"recreation and camping" and vested in the Town of Cockburn. After the excision, about 30 hectares of the reserve will remain for the original purposes under current vesting. The terms of the Bill include cancellation of the vesting of the portion to be excised.

The Bill forms part of the legislative action to give effect to a comprehensive review of land and water use in the Woodmans Point-Jervoise Bay area and it is complementary to amendments to the metropolitan region town planning scheme, which have already been tabled.

The subject area abuts the southern boundary of the existing small shipbuilding industry sites on the foreshore of Jervoise Bay and is adjacent to a large industrial zone. It is considered particularly suitable for providing sites for the fabrication of jackets and module units needed for the North-West Shelf gas project which is of such vital importance to Western Australia.

About two-thirds of the area to be excised has been extensively quarried for limestone and any recent quarrying has obviously not been consistent with the reserve purposes and the responsibilities of the vestees. Relatively little coastal heath remains on the undisturbed portions and it is fair to say that only a minor portion of the excision adequately fulfils the original purposes of the reserve.

When the excision has been completed, the resultant Crown land will be made available to the Industrial Lands Development Authority, in exchange for freehold land it currently holds. The authority will ensure best use of the land for essential industrial purposes.

A number of recreational clubs have been located on leases from the Cockburn Town Council within the area to be excised. The Government intends to relocate the Tiger Go-Kart Club (Inc.) on another site south of the Cockburn industrial zone. The Cockburn Power Boat Association (Inc.) and public boat launching facilities will be provided with substantially larger sites and land will also be made available for the Underwater Explorers Club of Western Australia.

The State Government has reached a firm understanding with the Commonwealth Government for the acquisition of Commonwealth held land at Woodman Point and is arranging also to shift the explosives depot to an alternative site in the Rockingham district. In consequence, virtually the whole of Woodman Point will become an "A"-class reserve for the purposes of conservation and recreation.

This whole coastal area between Coogee and Naval Base has been most carefully planned after

studies by competent consultants, to ensure the best relationship between the respective needs of industry and people. The scheme has been the subject of public advertisement and comment and confidence is expressed that the public interest is served by this portion of ravaged Class "A" Reserve being made available to essential shoreline industry which cannot be located elsewhere with advantage.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Taylor.

**WEST AUSTRALIAN TRUSTEE
EXECUTOR AND AGENCY COMPANY,
LIMITED, ACT AMENDMENT BILL**

Second Reading

MR O'NEIL (East Melville—Deputy Premier) [2.53 p.m.]: I move—

That the Bill be now read a second time.

This Bill contains three unrelated matters which have been submitted to the Government by the West Australian Trustee Executor and Agency Company Limited.

These relate to a change of business name, the administration of small estates and the question of shareholding in the company.

Dealing with each of these matters in turn, the company has resolved to amend its name from its former and more lengthy name, the West Australian Trustee Executor and Agency Company Limited, to West Australian Trustees Limited and the interpretation of "the company" has been changed accordingly. The reference to both the old and new names in the relevant clause in the Bill will provide the necessary link for the purpose of existing documents and proceedings.

The second amendment proposes a new Section 4A, the purpose of which is to extend to the trustee company powers similar to those available to the Public Trustee in this State, in respect of the administration of small estates.

In Western Australia, the Public Trustee and the trustee company carry on business within the confines of their respective Acts. In respect of the Public Trustee, he is entitled, in the case of small estates, to elect the option contained in section 14 of the Public Trustees Act.

That section permits the Public Trustee to administer estates valued at under \$10 000 by filing an election in the court without any order or grant of probate or administration; in effect, electing to administer the estate where no person has taken out a grant of probate or administration in Western Australia.

This matter has been considered by both the Government and the Public Trustee and there is no objection in either quarter to the company being given the right on the same basis as that which exists for the Public Trustee.

This will be more convenient for the public, as well as the company and mean a saving in costs and avoidance of delay. In the event that the gross value of an estate is subsequently found to exceed the sum of \$10 000, or there is found to be property outside the state, then the company's election to administer shall cease to have effect.

The third proposal put forward by the company relates to amendments to the existing section 21 and the second schedule to the Act, which impose a limitation on the number of shares which may be held by a member. In the case of this company, the ratio or limitation is one share for every 20 issued.

In 1976 the West Australian Trustee Executor and Agency Company Limited Act was amended to enlarge the scope of the Act to include the "control" of shares, as distinct from the holding of shares.

Prior to the 1976 amendments, a member of the company could hold the maximum number of shares permitted by the Act and, in addition, beneficially own or have an interest in any number of shares held in trust for such a member or held by a nominee of the member.

This meant that such a person could control a major portion and, theoretically, the whole of the issued capital of the company. It followed, therefore, that there was a possibility of a takeover situation developing.

The 1976 amendments were designed to enable the company to control the limits on the holding of shares.

At the time, one particular shareholder in the Eastern States held or controlled approximately 12 per cent of the issued capital of the company.

Despite the 1976 amendments, the shareholder has increased its holding or control of shares by a further 3.8 per cent, making a total of 15.8 per cent.

Shortly after the 1976 amendments came into operation, the Eastern States company involved was given notice in accordance with the amendments and the company subsequently disposed of the shares concerned to third parties. It has since come to the knowledge of the West Australian Trustee Company that the persons to whom the shares were transferred are employees or directors of the Eastern States company.

In effect, this means that the Eastern States company, whilst outwardly complying with the 1976 amendment, has retained the excess shareholding, contrary to the intention of the amendment.

Hence, the possibility still remains that the trustee company, with the management of its attendant trust assets, could pass to the control of the Eastern States shareholder or group. At this point, it would seem to be appropriate to repeat the principles of the control of trustee companies which, although formulated many years ago, are perhaps more relevant today than they were then.

The four main principles relating to control of trustee companies are as follows—

- (1) The paramount consideration is the sanctity of trust assets and the nature of the fiduciary duties owed by the trustee companies to beneficiaries.
- (2) Trustee companies require and must have a tradition of independence from other companies with possible conflicting interests.
- (3) Foreign ownership and control of a trustee company is undesirable.
- (4) As a general principle, therefore, no person or group should control a trustee company and there must therefore be a limitation of shareholdings.

The various roles of a trustee company are outlined in the preamble to the parent Act, but they are worth repeating here.

They afford people the opportunity to obtain the services of a permanent corporation to perform the functions and duties of a trustee and to act as guardian of any mentally incapacitated person or child; to act as a receiver of a bankrupt estate, or the estate of an insolvent person.

In addition, a trustee company may be appointed as executor or administrator of a deceased person's estate. Their services are in constant demand in situations involving trusts.

The amendments will allow the company to inquire more deeply into the real implications of a proposed transaction and request information from the party or parties concerned to assist in an assessment as to whether the transaction is proper, within the requirements of the Act.

Provision has also been made for the disposal of shares where a transaction is or has taken place which is contrary to the Act.

The Bill is designed to close the loopholes which have been found to exist in earlier legislation and to ensure a continuance of the traditional role of the trustee company in the

supervision and management of locally situated trusts. The amendments proposed to section 21 and the second schedule to the Act will, it is hoped, overcome the current problem and permit the company to control more effectively its shareholdings and, hence, its own affairs.

A fourth and minor amendment deals with the repeal of section 30. This contains the short title of the Act which will now appear after the preamble. The existing section will therefore no longer be required.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Pearce.

THE PERPETUAL EXECUTORS, TRUSTEES, AND AGENCY COMPANY (W.A.). LIMITED, ACT AMENDMENT BILL

Second Reading

MR O'NEIL (East Melville—Deputy Premier)
[3.01 p.m.]: I move—

That the Bill be now read a second time.

This Bill involves the same three principal matters as contained in the preceding Bill amending the West Australian Trustee Executor and Agency Company, Limited, Act.

The reasons for and background to the need to amend the Perpetual Executors, Trustees, and Agency Company (W.A.). Limited, Act follow on from those given already and the intention in each respect is the same.

The Perpetual Executors, Trustees, and Agency Company (W.A.) Limited proposes to change its name to "Perpetual Trustees W.A. Limited" and provision has been made in the Bill to this effect.

The reasons for changing the Act in respect of the administration of small estates has already been covered in the earlier speech dealing with the amendment to the West Australian Trustee Executor and Agency Company, Limited, Act.

The proposed section 21 is identical with that applying to the West Australian Trustee Executor and Agency Company, Limited, Act, with the exception that no member can hold more than one share for every 30 issued. This is the ratio in the existing section 21 and is not being changed. The different shareholding ratio as between the two companies is purely historical.

The Perpetual Executors, Trustees, and Agency Company is in very much the same position as the West Australian Trustee Company, in that in 1976 it had a shareholder who held or controlled a number of shares in excess of that permitted under the Act. After the 1976 amendments that

party disposed of the shares but now another group in the Eastern States, acting in concert, has acquired in excess of the number permitted. It is understood that the group controls almost 13½ per cent of the issued capital of the company.

The problem therefore is the same as that applying to the West Australian Trustee Company.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Pearce.

BILLS (2): MESSAGES

Appropriations

Messages from the Governor received and read recommending appropriations for the purposes of the following Bills—

1. Pay-roll Tax Assessment Act Amendment Bill.
2. Education Act Amendment Bill.

BILLS (2): RETURNED

1. Stock (Brands and Movement) Act Amendment Bill.
2. Government Employees (Promotions Appeal Board) Act Amendment Bill.

Bills returned from Council without amendment.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Second Reading: Budget Debate

Debate resumed from the 13th September.

MR DAVIES (Victoria Park—Leader of the Opposition) [3.04 p.m.]: It was about this time a week ago that the Premier brought in the State Budget and since then I have had it under close scrutiny. I can honestly say that in my 18 years in this place I have never been more concerned than I am now about the finances of this State. That is not a statement I make lightly and members will want to know the reasons for it, so I will give them.

Firstly, Federal funds have been cut back savagely, disastrously, and irresponsibly. We all know what the Fraser Government has done in that regard.

Secondly, a very real threat exists of an even more disastrous cut-back which is likely to take place next year when the current arrangements between the State and the Commonwealth expire.

Thirdly, the Court Government has not been telling us the full story about the general economic conditions in Western Australia.

Fourthly, funds have not been applied towards overcoming our serious unemployment problem and funds which were appropriated for that purpose last year were not spent. We can scarcely believe the Government would not spend all the money it had appropriated for unemployment.

The fifth reason for my concern is that the State has been engaging in financial transactions which are illegal.

Finally, the sixth reason is that the State's finances have been used in attempts to bolster the Liberal Party's sagging electoral prospects rather than in the best interests of the State.

I will deal with each of these reasons.

Mr Nanovich: That is rubbish and you know that. You are trying to mislead the public.

Mr DAVIES: If the honourable member will sit back and listen, instead of dropping off to sleep as he usually does, there is a chance he might learn something.

Mr Nanovich: I never sleep.

Mr DAVIES: The honourable member might do his best to stay with us today, although it might be difficult for him to concentrate. I will go slowly.

Mr Nanovich: When you were in Government you never did a thing.

Mr DAVIES: The honourable member stays up all night thinking of horrible things to say. They run off me like water from a duck's back. The honourable member takes all his lessons from the Premier, and the more distasteful the Premier's language becomes the more I am convinced about the charges I have made. He uses it to dodge the issue.

Mr Nanovich interjected.

Mr DAVIES: If the honourable member can only relate everything he says to football, I am sorry for him. I will not answer him at the present time.

I will speak about the deal we have had from the Fraser Federal Government. I can see members on the other side shuddering when I even mention the name. I share the concern which is felt by all members of this House.

Mr Nanovich: What happened in South Australia?

Mr DAVIES: Do we want to talk about the Tasmanian election a couple of weeks before that?

Mr Bateman: Go to the poll this Saturday and see how you go.

Several members interjected.

The ACTING SPEAKER (Mr Sibson): Order!

Mr DAVIES: I will try to deal with each of the points in its proper place. When you interject on me, Mr Acting Speaker (Mr Sibson), I am always fair to you. I am fair to everybody in the House, but I will have to deal with each one in turn.

At the present time I am talking about the disaster of the Fraser Federal Liberal Party-National Country Party coalition Government. The Premier has condemned that Government on more than one occasion. When he introduced his Budget he touched in very broad terms—not as deeply as he sometimes does—on the problems being experienced. Let me be a little more specific than he was about the problems which are facing this State because of new federalism.

Western Australia did not get a fair deal at the last Premiers' Conference in July, and I will tell the House what happened. Our general revenue payments were increased by 4.4 per cent in real terms. Our specific purpose payments for current purposes were increased by a tiny 0.4 per cent in real terms.

Overall general revenue payments and specific purpose payments for recurrent purposes were increased by 2.8 per cent in real terms. However, our general purpose capital funds were cut by 25.2 per cent in real terms, and our specific purposes capital payments were cut by 27.8 per cent in real terms. Our total capital funds were reduced by 26.6 per cent in real terms. The total Commonwealth payments to Western Australia were down by \$52.3 million; one of the worst financial packages ever handed out to this State.

Members might recall that before the last Premier's Conference I took the unprecedented step of making a submission to the Prime Minister. The Premier took his usual tack and said it was a gimmick, a political stunt. As long as he is the only one doing things it is okay, but once I did something it was said to be a gimmick and a political stunt. I want to assure the House that I presented the submission with sincerity. I believe as a responsible Opposition we had a duty to let the Federal Government know just what we were thinking.

We made the submission because it was apparent to us from all the signs coming from Canberra that the Commonwealth would come down particularly hard on the States. We made the submission in the hope that we might be able to do something to ease the position as far as Western Australia was concerned. We were aware the submission would have only a marginal effect, if it had any effect at all. It was a gamble

we took; but as I said, we believed we had a responsibility to take it.

I will tell members what was in the submission, and I will be happy to give everyone a copy of it. I sent a copy to the Premier, as I felt I had a responsibility to do so; it was not a question of being snide or doing something behind his back.

Our submission sought an increase of 2 per cent in real terms in general revenue funds; a 2 per cent increase in real terms in specific purpose funds for recurrent purposes; a 5 per cent increase in real terms in general purpose capital funds; a 5 per cent increase in real terms in specific purpose capital funds; and, finally, an additional increase of \$27 million for roads and \$20 million for housing over and above the other increases.

I do not believe those claims were excessive. Indeed, I believe they were the absolute minimum to enable the State to be assisted. If that was the absolute minimum, how far short of that did the State end up?

I remind the House that 1979-80 is the fourth year of the so-called new federalism. There is not the slightest doubt that new federalism has been an absolute disaster for this State. Over the four years we have received a very modest real increase in our general revenue payments and specific purpose payments for recurrent purposes; but our capital funds have fallen by 21.8 per cent in real terms. During the four years of the new federalism this State has lost to the tune of \$134 million. We just cannot afford new federalism. I believe every member of this House has a responsibility to do his utmost to change this appalling system.

We have argued against the new federalism ever since it was introduced. We have warned consistently that eventually it would be used to reduce our total payments and to force the State into raising an extra levy or State income tax; something over and above that we already know. It is commonly referred to as double taxation.

Earlier this year the Premier said legislation to enable a State income tax to be levied would be introduced this year. He is the only Premier who has said he is prepared to go along with the Prime Minister and introduce matching legislation. However, I was more than delighted to note that during the parliamentary recess he said he would not proceed with the legislation. He did not say he would not proceed "ever"; so, of course, he can proceed with it at any time he wants to. I am afraid we are being forced into the position where it will be necessary to introduce the tax, especially if the cuts to which I have referred continue.

I do not think members opposite have raised a single hand against the new federalism. They have not endeavoured at any time to do anything to prevent the ravages on this State of such a terrible financial policy. I believe as members of the Government they have the greatest responsibility to do something about the matter. The responsibility is theirs more than ours because it is their colleagues in Canberra who are disadvantaging the State; and members opposite should be speaking out against them on every occasion.

The Fraser Liberal-National Country Party Government is the most centralist Government this country has ever known. It has done more than any other Government in the history of Federal politics to weaken the States, and it has done this by using the financial provisions of the new federalism. Of course, the great irony in this is that our own Premier and Treasurer was one of the great architects of new federalism. We have heard him claim many times that he is a States' rights man, and that he always puts Western Australia before anything else. I am proud of him if that is what he does.

However, does the record prove it? The Premier issues statements critical of his Federal colleagues; and those statements usually are the ones that are leaked mysteriously from Canberra. I must say not many have been leaked lately. The statements are usually couched in highly emotive, colourful words and phrases. We know what a good speech writer the Premier has and how his writer is able to draw on all those adjectives which are colourful and generally derogatory.

On reading the statements one would think the Premier was taking on Canberra in every possible area; one would think he was really battling for the State. But when we strip away all the rhetoric we find the Premier, who took great pride in being an architect of the new federalism and in being the person responsible for the introduction to Western Australia of this appalling system, is now admitting the new federalism has been particularly bad for Western Australia. That is on the Premier's own admission, yet he gloried in being one of its authors.

He defended the new federalism against all attacks. He stood shoulder to shoulder with the Prime Minister. When all other Premiers wanted the deal reviewed, he alone stood out. As a result no conference was held and the situation was not reviewed. The extent to which the Premier was involved in creating the new federalism is the extent to which he is the author of Western Australia's financial misfortune.

Having said something about the Federal financial climate in which the Budget was framed, I would like to turn to some of its specific provisions.

Members opposite would be a little surprised to learn that I am able to say there are things in the Budget which are worthy of commendation.

Mr Nanovich: A lot of things, but you are not game enough to admit it.

Mr Bryce: What a clot head! He is just about to spell them out.

Mr DAVIES: As I say, the House, and especially Government members, will probably be surprised to hear that I agree there are things in the Budget which are worthy of commendation. That brought a bull-like roar from some distant part of the Government benches. I will now explain the points within the Budget which we believe are worthy of commendation. If something is fair and reasonable, I believe we should say so.

There is much in the Budget which is good, because it includes allocations and provisions for many of the things which the Labor Party has long been advocating. It is probably a measure of the Government's rising concern for its rapidly deteriorating electoral position that so many ALP proposals have been included in the Budget.

Mr Stephens: Does that mean that the Liberal Party is now aligned with the Labor Party?

Sir Charles Court: Heaven forbid!

Mr DAVIES: I do not think so.

We welcome the lifting of pay-roll tax exemptions for small businesses; the increase in funds for decentralisation incentives; the bringing of the Government duty payable on certain property transfers into line with normal transfer duty; the higher allocation for prisons to protect the State's citizens; the introduction of a fund to provide cultural facilities for regional centres and, later, for other country areas; the training scheme for prospective workers on the North-West Shelf project; and the increases in pensioner rate rebates, and their extension to pensioners whose properties are held under the so-called purple title.

Having mentioned that we welcome these initiatives, I will make a comment or two about some of them.

I have not the slightest doubt that the lifting of pay-roll tax exemptions, the increase in funds for decentralisation incentives, and the funds for providing cultural facilities for the country have been included in response to the heavy emphasis that the ALP has been giving to regional development and small businesses. If, as it is said,

imitation is the most sincere form of flattery, I accept the compliment which the Government has paid us. But I want to urge the public not to be deceived by the very little that the Government has done in this regard.

The proposals of ours which the Government has adopted are only a small part of our total regional development and small business policies. The items in the Budget will not fulfil all of the needs of small business and regional development. It is our total programme only that will do that. It is our total programme only that will remedy the years of Liberal neglect.

Pinching some of the architects' ideas in an attempt to patch up one's own ramshackle structure does not lead to the benefit of anyone in the end. The Labor Party is the architect of a full-scale plan to promote regional development, to equalise access to community facilities and services throughout the State, and to boost small businesses. Some of the major proposals of the next State Labor Government are embodied in these plans.

I urge anyone who is tempted to believe that all the needs of regional development and small business are met by this Budget to dismiss that idea very quickly. I do not want people to be satisfied with the jerry-built imitations, or perhaps I might say Charlie-built imitations in this case; I want them to engage the Labor architects to ensure that the job is done properly, and to put the whole plan into operation.

There is an important point which needs to be made about the major boost that the Government alleges it is giving to decentralisation of industry. Members may recall that the Premier, in his speech, claimed that the funds available for decentralisation assistance will rise from about \$600 000 last financial year to a little over \$1 million this year. At the very outset of this speech, I spoke about the Government's deception. This is an instance of the Government's deception. If members examine the Budget papers, they will find that total assistance to industry has actually declined. It has declined from about \$2.4 million last year to about \$1.9 million this year. Part of those figures can be accounted for by a particularly high pay out last year in the provision for loss of assisted industries. Members would be aware that pay out was considerably higher than the amount budgeted for; but even so the Budget allocation this year is less than the Budget estimate last year.

With respect to decentralisation incentives, the Government claims it has increased the allocation by about \$400 000. What the Government fails to

say is that \$300 000 or \$400 000 is obtained by wiping out another category of assistance to country business. The Government has wiped out one category of assistance to country business, and it has transferred the money to another category; so three-quarters of the allocation this year has come from another source which has now disappeared. Therefore the Government's claims in that regard are highly misleading. Indeed, the Government is misleading the Parliament on that.

Another matter on which I wish to comment is the pensioner rates rebate. I believe that is a particularly worthy provision. There is an extension of the rebate to pensioners whose properties were covered by the so-called purple title; but I believe the Government's attitude, the Government's behaviour, towards the purple title question was appalling. The Government was disgracefully slow in seeking ways of overcoming the illegality of some of the pensioner concessions in relation to water rates and local authority rates. It is appalling that the pensioners who were likely to be affected were not warned well in advance of what was likely to happen to them.

I have in my possession a document which reveals that the Government became aware of the problem at least in February last. The document is not a secret document by any means. It is a letter from the Under Treasurer to the Acting General Manager of the Metropolitan Water Board. It reveals that the Government set out deliberately to identify those pensioners receiving concessions who held their residences under a purple title. It was intended that the concessions be ended. The letter refers to a memo from the Metropolitan Water Board on the 14th February about rescinding rates concessions. It then discusses the legal problems. Part of that letter reads—

Accordingly, it will be necessary to undertake the title searches to identify those pensioners receiving the rates concessions in respect of property held under purple title. These pensioners should then be advised that they will no longer be able to receive the benefits of the concession scheme.

The letter concludes by saying that "some adverse reaction to this may be expected", but that the move must go ahead.

The Government knew what was going on. It set out to find the people who had purple titles and who were receiving the concessions. It set about removing those concessions. It could have turned a blind eye to the situation until it was put right.

I believe the worst feature of this is that the Government knew seven months ago that it was confronted with this situation, and it knew it had to overcome the situation. I wonder what is its excuse for dragging its feet in the way it has. Legislation to put right the situation could easily have been introduced in the autumn part of this session of Parliament. Members may recall that, after some discussion, we agreed to allow a number of Bills to be dealt with during the autumn part of the session before the Address-in-Reply debate was completed.

Mr Tonkin: We co-operated fully.

Mr DAVIES: We would not have objected to a Bill which would overcome this situation being dealt with at that time; but what happened? The Bill has been introduced today.

At least a firm statement could have been circulated earlier saying that pensioners had no need to worry, because the situation would be corrected. I can only say that, because of the stand taken by the Government and the way in which it took it, many pensioners were upset deeply by the removal of their concessions. For a number of days—I think it ran into several weeks—my phone hardly stopped ringing. These people were concerned about the situation. They thought they qualified for a concession, but found they did not. Of course, many of them were scared out of their wits because they thought their water supply would be cut off as they did not have enough money to pay the bill. I could only say to these people, "Pay half of your bill, if you can, because that will hold the situation at least until January."

Mr Clarko: How many pensioners do you believe have purple titles?

Mr Wilson: Does it matter how many there are?

Mr DAVIES: I believe the figure was 400.

Sir Charles Court: It is not certain, but it is thought to be up to 400.

Mr B. T. Burke: It is a significant number, anyway.

Mr DAVIES: However, the number does not matter. There was no need for that situation to develop.

Mr Clarko: I just wondered why your phone was ringing like that. You missed the point again.

Mr DAVIES: If we believed that pensioners who had undertaken a certain means test—and we know what kind of means tests applies to them—were entitled to a rebate, then whether their properties were on a clear title or purple title should have had no effect on the matter. The

Government should have said in February, when it knew the situation, "Do not worry about it. We will correct the situation for you."

Mr B. T. Burke: Government inaction.

Mr DAVIES: We all know how elderly people are prone to worry and do not fully appreciate some situations. Whether or not their fears were soundly based, the Government should have appreciated what was going on and taken action to dispel their fears.

It is a great pity that the Government does not pay as much attention to the little people as it does to the multi-nationals in this State. The matter could have been cleared up in a short Press release; but it dragged on far too long and the situation does the Government no credit. Its cavalier and irresponsible treatment of pensioners makes me very angry. They are treated as second-class citizens by the present Government.

Of course, the announcement in the Budget of the extension of pensioner rates concessions provides further proof that the Government is running scared of the next State election and is a Government on the run. I say this, because the new concessions will not apply until the 1st July, next year. I appreciate we will need to legislate for the new concessions to apply from that date, but it could have been done at a later stage, possibly after the election. It is certainly a matter which will not affect the finances of this State until after the next financial year, although, as I have mentioned, we will have to legislate before that.

There are several cases in the Budget of such unusually early announcements of initiatives being taken and members all know what they are. The Government gives the impression that this is all part of a total package of the Budget at this stage and in fact it is nothing of the sort. The Government is misleading the public.

I have mentioned some of the more favourable aspects of the Budget and I should like now to refer to some of the more unsavoury aspects of it. I am sure I will not surprise members opposite when I do that.

As I see it, the most appalling fact of the State Budget is that not one penny is provided to do something about the greatest problem facing this State at the present time, which is unemployment. I do not want to talk about the Premier's boast in 1973 and at election time in 1974. All members are as well aware of those famous words as I am.

Mr Tonkin: Infamous!

Mr DAVIES: Perhaps they were infamous. We know what the employment position was then and

we know the calamity which the then Opposition could foresee. The Government says now that the disastrous situation in which Western Australia has the second-worst rate of unemployment in Australia is part of the total scene and it is not really responsible for anything. The Government is doing nothing to overcome the situation.

Mr Tubby: What about all those who have not got jobs and do not want to work?

Mr DAVIES: The inane comment by the member for Mundaring—

Mr Bryce: The member for Greenough.

Mr DAVIES: The member for Mundaring thought it highly amusing. He was the one who was grinning the widest. That comment typifies the Government's attitude towards people who are looking for work. It absolutely typifies the Government's attitude. If the Government gave serious thought to the position and did something concrete about it, I am sure the public at large would be much happier than they are at the moment when they have to put up with facetious remarks such as that made by the member for Greenough.

Mr Bryce: If the member for Greenough was judged by the work he does in this Chamber, members would be forgiven for thinking that he works in an iron lung.

Mr DAVIES: I believe the irresponsible and callous attitude of the Government is totally unpardonable. In the last two years the Government has diverted funds to stimulate employment through undertaking maintenance and minor works outside its normal programmes. The scheme has been funded pitifully and to describe it as a band-aid measure would be giving it greater credibility than is its due.

The allocation in 1977-78 was \$5 million and last year it was \$4 million. Despite the fact that the unemployment position was deteriorating, the allocation was cut by \$1 million last year. This year there is no allocation for unemployment relief. The scheme was funded pitifully and it was virtually worthless in terms of the number of jobs it created; but at least it was doing something to create some jobs and we had to be thankful for that. However, now there is nothing.

This is further evidence that the Government is being misleading and deceitful in relation to the employment stimulation scheme which the Government announced with a great fanfare and said how much good it was going to do. The Government said the scheme would have an almost immediate effect.

Just how good has the scheme been? Just how effective has it been? The Budget papers show the scheme has been completed and that it has run its course. Its job is done. The Budget papers show the figure of \$4 million allocated last year has been spent. Employment has been stimulated by the expenditure of \$4 million. The papers show that the unemployed had \$4 million-worth of help from the Government last year. In fact they had nothing of the sort. Hidden away in the Suspense Account at the 30th June this year was an amount of \$2.3 million. This money came from under the Budget heading, "Stimulation of Employment, Maintenance and Minor Works".

In other words, at the 30th June this year—at the end of the 1978-79 financial year—more than half the funds allocated for that year for the purpose of overcoming unemployment had not been spent. A total of \$4 million only was allocated and more than half of that remained unspent as at the 30th June. It was being hoarded in this Suspense Account, along with a great deal more of the Government's revenue, to be spent at a time when it would do maximum good for the Government's election prospects. It is difficult to find words to express how monstrous it is that the Government should have engaged in that kind of deception.

The Government promised \$4 million to help create jobs during the last financial year, but it spent less than half of that money. I do not believe the Government cares about jobs; it does not care about the unemployed. I believe that as far as the Liberal Party is concerned the jobless can be sacrificed if the standing of the party is at stake. The Government announced that the money would be spent; it gained all the political kudos that went with the announcement, it expressed concern, and then backed away from its undertaking. The Government did not carry through its promise, pitiful as it was.

On top of that, the Government buried money in the Suspense Account where it was hoped no-one would find out about it. That money was to be used later to stimulate the economic climate. However, the employment stimulation scheme turned out to be a sham and a fraud; nothing more.

Of course, the Suspense Account has been kept in the cupboard, where the Government hides its financial skeletons. They are kept locked away out of sight. However, I can assure the Government it will not be able to do that any longer. During the last few weeks we have found quite a lot hidden in the Suspense Account, so much so that we have learnt never again to fail to

scrutinise that account. We will never let it go unscrutinised again.

I believe the Opposition has been most remiss since this Government took office in not carefully scrutinising the Suspense Account. That is understandable. The reason is the account does not show up in the Budget. When it does not show up in the Budget, it is difficult to keep it under scrutiny.

When one asks questions of the Government with regard to the Suspense Account, the Government is more than a little coy about answering those questions. However, I assure the Government that many questions will be asked in the future, and the free run the Government has had from the Opposition in the past will come to a sudden stop.

In future the Government will have to account for its financial chicanery and financial deception. Never again will the Government be able to use the Suspense Account as a Liberal Party election fund. Never again will the Government's attempts to do so go unchecked, because Suspense Account dealings, and dealings with surplus State funds on the money market, have been used for financial chicanery and deception.

When one delves into the Suspense Account, one does not find only that money which has been allocated to programmes to stimulate employment has not been spent, one finds also that vast sums of money which are unspent are also uncommitted. By the 30th June, this year, the Government had accumulated in the Suspense Account an amount of \$44.6 million which was uncommitted. That was an accumulation of \$44.6 million to bolster the Government's election prospects, and provide additional finance in the short term. That money was accumulated by hoarding interest earned on public money invested in the money market. Instead of transferring the large amounts earned into the Consolidated Revenue Fund, to enable it to be spent for the benefit of the State, that money was held in the Treasury in the Suspense Account.

The amount of money held in reserve was more than double the total amount raised as a result of the increased Government taxes and charges during the current year. Although a sum of \$44.6 million was held in the Suspense Account, according to the Treasurer's replies to questions, increases in taxes and charges so far this year are likely to raise an additional \$21.4 million. The amount held in reserve is more than twice the amount it was anticipated would be raised as a result of the additional taxes and charges. If the \$44.6 million had been transferred to the General

Loan Fund, funds would have been available to create hundreds of jobs.

For many years now, since 1961, successive Governments have been investing funds on the money market. As the Government raises its revenue during the year, not all the funds which it has available are needed to meet its immediate bills. Members will understand that. The cash left in hand after the daily bills are met is invested on the money market.

The position may not be quite as simple as I have stated, but my explanation is as simple as I can put it. The purpose of investing funds on the money market, over the years, has been to earn interest in order to bolster the State's revenue and enable the Government to carry out additional works, and provide additional services without having to raise extra taxes. The interest earned has always been paid into the Suspense Account until it has been allocated to pay for some Government service or project.

Over the last three years the Court Government has allocated only a small part of the interest earned to pay for works and services. The remainder of the money has been left in the Treasury account and reinvested. In other words, the Government has been saving up the money over the years instead of using it for the benefit of the State.

Sitting suspended from 3.46 to 4.03 p.m.

Mr DAVIES: The growing amount of money in the Suspense Account has caused me some concern for quite some time. However, it is only over the past several months we have been examining this account closely, and I doubt whether members of this House are aware of the way in which the account has built up over the past few years. Indeed, I would like to recapitulate what I was saying before the afternoon tea suspension. I believe the Government is allowing the account to accumulate so that it will have a sizeable nest egg to assist with electoral promises, to bring down a "balanced" Budget, and to boost its own electoral prospects.

The balance in the Suspense Account as at the 30th June, 1976, was \$11.5 million. The next year it had grown to \$24.5 million. The following year it had increased to \$33.4 million, and as at the 30th June, 1979, the balance was \$44.6 million. So the sum of money in this account has quadrupled in a period of four years. It is inexcusable for a Government to leave that amount of money lying around doing nothing except accumulating additional money when so much needs to be done.

Mr B. T. Burke: And when it is increasing taxes and charges the way it is.

Mr DAVIES: Mr Acting Speaker (Mr Sibson), at the conclusion of my speech I will seek leave to have incorporated in *Hansard* the summary of the implementation of moneys derived from short-term interest transactions held in the Treasury Suspense Account from 1970-71 to 1978-79. I have drawn attention to the last four years only, but I would like to point out that when the Court Government took office in 1974, there was \$6.4 million in the Suspense Account, and the Government has built it up gradually since then. As the member for Balcatta has just said, some of that money could have been used to prevent rises in taxes and charges which we have experienced each and every year.

It is no good the Treasurer's saying that we have had a clear run. It is no good his saying that there have been no increases in taxation this year. Of course we know there have been no increases in taxation this year, but there have been plenty of increases in charges. I have here a whole list of increases in charges that the Treasurer supplied to me by way of answer to a question. His answer shows that an extra \$21.4 million will be raised this financial year in additional charges. Whether they are charges alone and not charges and taxes is of little consequence to the public. The public will have to pay them, no matter what they are.

I draw attention to the fact that at least in respect of State Energy Commission charges and Metropolitan Water Board charges, 3 per cent of the gross revenue goes directly to the Consolidated Revenue Fund. That 3 per cent is not applied to assist the SEC and it is not applied to assist the MWB; the 3 per cent goes directly to the Consolidated Revenue Fund. So if a raised charge is not a tax in its entirety, at least 3 per cent of it is; certainly 3 per cent goes to the Government by way of taxation.

I was interested to see how the Government intended to pick up the shortfall from the abolition of death duties. However, there was no mention of that. How many times, when we have asked the Treasurer to ease a taxation burden in one direction or another has he said, "You just cannot do it. If you take it off here you have to put it on somewhere else." Obviously if the Government is abandoning death duties, it must increase a tax or charge somewhere else to balance it out.

The Treasurer said that this year would see the death of death duties, but he did not explain how the Government would make up the shortfall. Of course, he did not point out that most estates did

not attract any death duty. Certainly the owners of farms, orchards, stations, and large tracts of land had suffered certain hardships, but we could have done something to ease that particular problem. Instead of that, now if one owns a large property, one will keep it. The abandonment of death duties will affect a certain elitist section of the community only, and it will mean that other people will have to pay additional taxes to make up the shortfall. However, no mention was made of that.

As I say, \$44.6 million in that Suspense Account was uncommitted and unallocated, and yet this year the Government will raise an additional \$21.4 million through increased charges. We have 30 000-plus people out of work—7½ per cent of the work force—and these people would dearly love to have a job. Many of them could have been employed if some of that \$44 million had been put to its proper use. If some of that money—or indeed, some of the \$33 million last year or some of the \$24.5 million the year before—had been put to its proper use, the unemployment situation would have been greatly eased.

Sir Charles Court: I do not want to upset your trend of thought, but you realise you can spend money once only.

Mr DAVIES: I do realise that, but money spent has a multiplier effect. By spending some of this money we would put confidence into the work force. We could have spent money on roads, public works, and all sorts of construction. We all know that the building and construction industry is at its lowest ebb ever, and it needs a bit of a boost, a bit of a needle.

As I have pointed out already, the Government said it intended to spend \$4 million last year on unemployment. However, as at the 30th June, \$2.3 million of this \$4 million was unspent. Just how serious is the Government about unemployment? Just what is it doing to try to boost employment in this State?

The existence of such a fund makes absolute nonsense of the Treasurer's claim of a balanced Budget. In fact, in 1978-79, the Government's expenditure exceeded income from ordinary sources by \$2.2 million. The amount of uncommitted revenue available to the Government from the Suspense Account in the last financial year was \$49.6 million made up of \$33.4 million accumulated up to the 30th June, 1978, and \$16.2 million in net interest earned in the last financial year. The Treasurer moved \$2.2 million of that amount into the Consolidated Revenue Fund to balance the Budget and once

again I believe the word "balance" should be in adverted commas.

Mr Young: You must have been a real tiger in Cabinet when John Tonkin did the same thing. You must have reacted violently to his Budget speech in 1973.

Mr DAVIES: I will let the Minister look at the figures I have here. I realise that one must do this to balance the Budget and to pump money into the economy to create jobs.

Mr Young: So you agreed with it in 1973? I just wanted to get the record straight.

Mr DAVIES: I have never denied that. At what stage did I deny it? I want to remind the Minister that we kept a respectable amount of money—\$8 million to \$9 million—in that fund. We did not keep \$44 million—

Mr Bertram: At least.

Mr DAVIES: —unspent over two of the last four years when the Minister for Health would have loved some of it for his hospitals, I am quite certain.

Mr B. T. Burke: And he advertised against the Treasury at the time, prior to the election, accusing it of all sorts of things.

Mr DAVIES: The then Leader of the Opposition and the member for Scarborough claimed consistently that the State was bankrupt and that they would seek a full-scale inquiry into the Treasury if their party took office. What happened to that full-scale inquiry? Those members knew what they were saying at the time—just like the things they have said so often since—were completely untrue.

There was \$8.7 million in the Suspense Account when the Court Government took over the reins of office and the money should have been used, as we were using it, to create jobs. They say money is made round to go round. So the Government built up this account over a period of four years and said, "Look how clever we are; we have balanced the Budget again because we have a little nest egg, and what we are short of we will take out of that nest egg." Anyone who believes that a Government can balance a Budget to the last dollar—as this Treasurer has claimed to do—is certainly naive. However, it sounds good, and people do not understand the means by which it is done.

I want to place on record just what amounts of money the Government has had available to it, and to show how niggardly the Government has been with it. I agree that we must be careful. The rhetoric from the Treasurer about the need for good financial management and good

housekeeping is all very well. However, we have heard it so often, and we believe that Governments must be sensible about using the money they do have.

I am sure the 30 000-plus people who are unemployed will be less than delighted to know there was \$44.6 million in the Suspense Account, uncommitted as at the 30th June, and that of the \$4 million allocated last year to create jobs, \$2.3 million has remained unspent.

Yet the Budget papers do not reveal that we had to ask how the \$44.6 million was made up. As I said earlier, \$2.3 million from the commitment made to relieve unemployment is as yet unspent. The Government now is trying to claim what a wonderful job it is doing in regard to employment; the statement has a hollow ring when one finds the Government did not even spend the money it allocated itself.

I am quite certain there are plenty of local government authorities which could do with a little extra money to put into labour-intensive projects, and that many Government Ministers would gladly spend such money on labour-intensive projects under their portfolios. But no, the money is left in the bank to accumulate so that at the right time the Government can produce it and say, "Look how clever we are. We have saved all this money. We have invested some of your money at interest, and we have not spent it. We are going to spend it now because we want to show you how clever the Liberal-National Country Party coalition has been in its financial management, despite the fact we have had record rises in taxes and charges."

As I see it, the only thing which has been decreased is death duties, which affects only the elite and more fortunate sections of the community; all other taxes and charges have continually increased.

It does not matter what the Premier says or how often he says it; the people know what is the true situation.

It makes a farce of the Premier's statement that he has a balanced Budget. He has picked up a shortfall from the nest egg and said, "Once again, I have been clever enough to balance the Budget." People believe he can balance his Budget exactly to the dollar. What nonsense it is to make such a suggestion.

The Government had an amount of \$49.6 million in the Suspense Account. The Premier moved \$2.2 million of that amount into the Consolidated Revenue Fund and a further \$2.8 million into the General Loan Fund, leaving a

balance of \$44.6 million in the Suspense Account as at the end of the financial year.

So, rather than having a balanced Budget, the Government obviously had a huge surplus of \$44.6 million. As I said, there was even more than that in the Suspense Account; this was the uncommitted amount.

The Premier returned from the Loan Council meeting and said, "Things are tough. We will not be able to manage, so we will need to put off workers." The Premier has been completely deceitful; he knew he had a big reserve of funds available—more than was needed for "prudent housekeeping"—which could have been pumped into the economy.

When in 1961 the Treasury was given permission to invest money in this way, we agreed it was a good measure. Obviously, there are uncommitted Government funds every day of the year which could be earning money. At the time, the then Treasurer (Sir David Brand) said Government money was lying in the bank earning interest at 1 per cent. He said that if the Government were allowed under certain very stringent conditions to invest this money with authorised dealers in the short-term money market, the money would earn interest of between 2.75 per cent and 4.75 per cent. He pointed out that the interest earned each year would be pumped back into the economy. It was intended to be used by Governments to pay their way and perhaps ease the increase in rates and taxes imposed on the community, and to ensure there was always a small reserve for an emergency.

The Opposition of the day agreed with the proposal; we agree with the principle today. However, as I say, the money has built up into a much bigger-than-needed fund and I believe it is being used to boost the election prospects of the Liberal Party. An amount of \$8.7 million is to be used this financial year to balance the Consolidated Revenue Fund. I believe that is clearly an attempt by the Government to dangle electoral carrots before the community.

The Premier is saying, "Times are tough; I have said they are tough on many occasions, and I have criticised the Federal Government." To himself, he says, "I have not told the people I am responsible for new federalism." Then, at Budget time, the Premier comes out and says, "I am going to balance the Budget because I have a little nest egg from which I am taking \$8.7 million." At the end of the financial year, he will probably need to take out a little more than \$8.7 million, as expenditure exceeded revenue this year by \$2.2 million.

So, \$8.7 million is to be used to balance the Budget this year and an estimated \$25.5 million is to be used to boost the works programme. I have no objection at all to that proposal; it is precisely what the money is there for. However, I would hate the public to think the Government has been able to do so well without being aware of the fact that some of this money should have been spent before now to create employment.

Why does the Government wait until a pre-election year to use a larger amount of the uncommitted proportion of the Suspense Account than has ever been used before? Members can draw their own conclusions.

I do not object to funds being invested to earn interest in the way the Government is doing; it is very proper. I also believe such funds can be used to balance Budgets, and should be used to assist the capital works programme. However, it should have been done long before this. I do object to the spending of such funds being held back to allow the Government to gain the maximum electoral advantage.

The Government cannot deny it has held back these funds, and I say it has done it to gain electoral advantage. The Government can say what it likes; I know what the public will believe. I do not approve of holding these funds back when we have thousands of people out of work, and when rates, taxes and charges are rising at a rapid rate. The money should have been spent as it was being earned; it should not have been allowed to accumulate.

The use of public moneys in this way is morally wrong and the height of irresponsibility on the part of the Government. It is the height of financial deception and political opportunism, and it will not be allowed to happen again.

In passing, I might say I do not think we have seen the end of this Government's opportunism, because after the Government has taken money from the fund to balance its Budget and to bolster its works programme, \$10.4 million will remain in the fund. In addition, the \$8.7 million will not need to be transferred until after the end of the financial year, and that money will be earning interest. Therefore it is reasonable to estimate that during the present financial year some \$20 million will be earned by way of interest, which will provide a sum of about \$30 million upon which the Government will be able to base its election policy to place before the electorate.

I do not think it would be right to conclude without saying a few words about the manner in which public moneys have been invested in the market. I stress again that successive

Governments—including the Labor Government—have invested Treasury cash balances in the short-term money market in order to earn interest and bolster revenue. We agreed to the measure when it was before Parliament in 1961, and we agree with the principle today; we believe it is a proper practice of government. It is perfectly reasonable and acceptable, provided it is properly done. But this is where the dealings of the Court Government have been unacceptable and improper.

I suggest to members that the then Premier and Treasurer (the late Sir David Brand) who piloted this Bill through the Parliament would be shocked to know what was going on and to realise the spirit of his legislation had been thrown out the window. I advise members to read the speech of Sir David Brand during the 1961 debate. It comes through loud and clear even 18 years later that what he wanted his Government to do was to take advantage of commercial opportunities in the interests of the taxpayers of the State; he wanted to moderate the tax burden carried by the community.

In doing so, however, he wanted to ensure that the sober, sensible, and responsible attitude one expects from Governments in their financial dealings was observed. He was very much at pains to dispel any notion the Government would carry on like fringe financial wheeler-dealers. How disappointed he would be to find out what is going on now.

I am quite certain that before the present parliamentary session concludes, we will hear more on this matter. It is no good for the Premier to deal with questions raised by the Opposition in the manner he has. All we wanted him to do was to answer factually the questions put to him.

In summary, I applaud some of the provisions of the Budget and deplore some of its omissions. I applaud those things relating to pensioners and decentralisation, and the incentives which are to be provided, particularly in regard to pay-roll tax. However, I draw the attention of members to the point that despite the fact the Budget provides for increased exemptions, the amount of pay-roll tax collected this year will increase over last year.

I deplore some of the important omissions of the Budget. Most of all, I deplore any conclusion that the Budget will ensure the creation of jobs; such a scheme simply does not exist in this Budget. We are well aware of the fact the Government says it must go on training people for the North-West Shelf; we agree with that. We know the Government has been saying for the last three or four years that it is going to create

100 000 jobs. I do not intend to ask when they are to be created, because that will only start another argument. The Government's record to date in the field of employment is dismal.

I deplore the manner in which the State's financial transactions have been conducted. I have already drawn attention to this matter in detail, particularly in the Government's manipulation of the Suspense Account.

I deplore the attempts at misleading the taxpayers of the State which are included in the Budget. Here, I mention that the things people might reasonably expect or suppose would apply immediately will not apply until after the 1st July next year. The Budget contains several such areas of deception.

I deplore the financial deception which has been uncovered.

The Budget is like the curate's egg; there are parts of it that are good, but there are parts that are less than favourable. I would hope that even at this late stage the Government will explain itself in regard to the unused money allocated for unemployment relief and what it proposes to do with it. The Government should explain how it proposes to move that money out of the Suspense Account and to what purpose it will be put. I would like to hear from the Government on this matter quickly.

I hope the Government is able to tell us what incentives it has directly to provide jobs for the unemployed in this State. This is the problem that is most worrying to those of us in Opposition. I can only say that if the Premier obtains pride from bringing in a balanced Budget in the way he has claimed to have done this year, and in previous years, in fact he deserves little credit. I can assure him that we will be watching very closely the operations of the Suspense Account. I would hope that it would be possible to include details of its operations in the Budget papers each year. I am sure it is very comforting to have a nest egg like that, but when the Government socks money away in that manner it is being less than honest to the people; particularly when it insists and persists in raising taxes and charges.

As I have said, the Premier takes pride in there being no tax increases or charges in the Budget. It does him little credit to say this and it certainly fools no-one, because the electorate at large, whether or not people are conscious of the fact that extra charges were applied earlier in the year, knows it is costing more to live these days. Members of the public know that much of the cost is related directly to charges raised by the

Government and indirectly to charges imposed on the business sector of the State.

I am disappointed that more has not been done for the small business sector of our community which is the largest employer of workers in this State. This sector of our community needs and deserves encouragement. There is disputation even in this area. The Government has said that \$400 000 is to be provided to assist in this direction, yet we find \$300 000 has become available because the Government has decided not to continue another option which it had in another field. So the increase is of little consequence.

Mr Speaker, I seek your permission to have incorporated in *Hansard* a document which is a

summary of the employment of moneys derived from short-term interest transactions. I have referred to it on other occasions during my speech. It shows quite clearly the balance as at the beginning of each year. It shows the amount which is taken from and added to it during the year, and the balance at the end of that year. It covers the years 1970-71 to 1978-79.

I hope that next year the present Opposition will have the opportunity to bring in a Budget which will mean something to the community of Western Australia.

By leave of the House, the following document was incorporated—

**A SUMMARY OF THE EMPLOYMENT OF MONEYS DERIVED FROM SHORT
TERM INTEREST TRANSACTIONS HELD IN TREASURY SUSPENSE
ACCOUNT FROM 1970-71 to 1978-79**

| | 1970-71 | 1971-72 | 1972-73 | 1973-74 | 1974-75 | 1975-76 | 1976-77 | 1977-78 | 1978-79 |
|--------------------------------------------------------------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| Balance at July 1 (1970-1979) | 6.2 | 9.3 | 8.3 | 8.7 | 6.4 | 6.5 | 11.5 | 24.5 | 33.4 |
| Interest earned | 4.1 | 4.4 | 4.7 | 8.9 | 9.0 | 7.2 | 18.2 | 23.6 | 21.7 |
| | 10.3 | 13.7 | 13.0 | 17.6 | 15.4 | 13.7 | 29.7 | 48.1 | 55.1 |
| Distributed to:— | | | | | | | | | |
| Various trust accounts | | | | | | | | | -0.9 |
| Government Instrumentalities | | | | | | | | | -4.5 |
| | -1.0 | -0.9 | -1.3 | -2.5 | -2.5 | -2.2 | -5.2 | -4.8 | -5.5 |
| Transferred to:— | | | | | | | | | |
| Consolidated Revenue Fund | — | -4.5 | -3.0 | -8.7 | -6.4 | — | — | -2.4 | -2.2 |
| General Loan Fund | — | — | — | — | — | — | — | -7.5 | -2.8 |
| | — | -4.5 | -3.0 | -8.7 | -6.4 | — | — | -9.9 | -5.0 |
| Balance at June 30 (1971-1979): i.e. accumulated interest earnings held in suspense. | 9.3 | 8.3 | 8.7 | 6.4 | 6.5 | 11.5 | 24.5 | 33.4 | 44.6 |

(Source: Auditor General's Reports and Answers to Parliamentary Questions)

Debate adjourned, on motion by Mr MacKinnon.

QUESTIONS

Questions were taken at this stage.

ELECTORAL ACT AMENDMENT BILL (No. 2)

In Committee

Resumed from the 18th September. The Chairman of Committees (Mr Clarko) in the Chair; Mr O'Neil (Deputy Premier) in charge of the Bill.

Clause 13: Section 95 amended—

Progress was reported after the clause had been partly considered.

Mr O'NEIL: The Committee will recall that in the early hours of yesterday morning we were proceeding with debate on clause 13. The question of the establishment of a new offence under that

clause was raised. Having been somewhat persuaded by the argument put forward by the member for Morley and others, I examined the reasons for the insertion of this provision. I have had discussions with the Chief Electoral Officer and understand from him that in the inquiry he made under the terms of reference given to him—that is, matters generally relating to the electoral laws of this State—a number of submissions were made to him in connection with postal voting, including the one embodied in this clause.

Further inquiry indicated he had carried out a comparison of the various Statutes of the States, which indicates the same provision exists in quite a number of them. I will quote from them.

The Commonwealth Electoral Act, section 87A states—

87A. A person shall not persuade or induce, or associate himself with a person in persuading or inducing, an elector to make

application for a postal vote certificate and postal ballot-paper.

Penalty: Two hundred dollars, or imprisonment for one month.

So the principle is the same. A similar provision was inserted in the Electoral Act of South Australia in 1950, I think, but certainly close to the time of the insertion in the Commonwealth Act. It refers to "an authorised witness" which in fact is the same as "any person".

The Parliamentary Electorates and Elections Act of New South Wales states, in section 114A (2B)—

114A(2B). A person shall not persuade or induce or associate himself with any person in persuading or inducing any person to make application for a postal vote certificate and postal ballot-paper.

The same provision exists in the Constitutional Act Amendment Act of Victoria. As I understand it, all those provisions were inserted about the same time, 1949, and in 1950 in one State.

The Chief Electoral Officer was not able to go beyond that but I gather the provision probably resulted from a general review of the provisions in the electoral legislation of the Commonwealth and the other States. However, I took my research a little further to see whether I could analyse the reasons the provision was inserted into the Commonwealth Act, because the Commonwealth in this case seemed to take the lead.

It was on the 3rd March, 1949, in the House of Representatives, that a member whose name is well known to us—Mr Vic Johnson, MHR for Kalgoorlie, who was then the Minister for the Interior and as such responsible for the Electoral Act—moved an amendment to the Commonwealth electoral laws containing the provisions which I have already quoted. In explaining the Bill to the House he said—

Lastly, the bill includes a new section which provides that it shall be an offence for a person to persuade or induce an elector to hand over to him a postal ballot-paper upon which a vote has been recorded. The object of this proposed addition to the law is to avoid as far as practicable, the danger of postal votes—particularly those recorded by hospital patients or institution inmates—being picked up by unscrupulous persons and tampered with.

I notice a slight chuckle from the Opposition, because that is not precisely what the provision of the Commonwealth amending Act did.

Mr Tonkin: It is nothing like it.

Mr O'NEIL: But that was apparently the intention and the draftsman had produced a provision which is now contained in the legislation of all the mainland States of Australia with the exception of Queensland. I have not checked on Tasmania. It may be of some significance that in fact this particular amendment was made in all those States.

A reading of the general debate which took place in the House of Representatives at that time reveals some interesting names and certainly indicates some concern was expressed in the Committee stage about the wide ramifications of the proposal. I notice that a member named Mr Holt, who was then of course in Opposition, queried the matter and even raised the specific question which has been raised with me by various organisations which have corresponded with me as well as by members in this Chamber. For example, he asked whether it would be regarded as an offence if somebody said to a person who was an invalid or infirm, "Do you require a postal vote?", or, "Are you aware that you may record a postal vote?" He was disabused and advised that under this provision that wording does not constitute an offence. However, he persisted and finally the matter was raised again in Committee.

Mr Daly, whose name is also well known, and who was then a Government member, the member for Martin, spoke about the same matter and disillusioned the member for Fawkner (Mr Holt) about his fears. The following is a quotation from Mr Daly—

During every election there are instances of people obtaining other people's votes by false pretences.

I am sorry I have not the full *Hansard* and cannot quote which member said this—

The new Liberal member for Concord can thank the enthusiasm and persuasive powers of his canvassers for his election rather than his policy. I do not say that in a harsh spirit, but to indicate what can be done by people gifted with persuasive powers.

An analysis of the reason for that comment revealed that a new Liberal member for Concord must have received a great majority of the postal votes which may have been large enough to determine the election. I am not sure about that; I am making the assumption.

Mr Adermann, another well known person, referred to the same provision and indicated he was concerned. He said he was strongly opposed to the move. However, reference to the voting which took place at a later stage shows that his

strong opposition had faded away, so perhaps Mr Vic Johnson was a more persuasive Minister than most of us gave him credit for being.

Mr Haylen, who was the Labor member for Parkes, and who one would understand would support his Minister, had this to say—

If that provision is applied in the letter and the spirit, it should do much to abolish the chicanery that is associated with postal voting. Under such a provision, there should be no canvassing and standover tactics would be eliminated. In my electorate, I was not allowed to visit electors in several private hospitals. The matron of one hospital pointed out, reasonably enough, I suppose, that she could not have her patients disturbed twice a day by persons hunting for postal votes. This has not been an easy bill for the Minister to have drafted, and I do not think that it is entirely satisfactory even yet. Our aim should be to ensure that all electors entitled to vote are properly represented in the Parliament. No one can feel very proud of having won an election as the result of the efforts of high pressure canvassers.

I think almost every member expressed some reservation or support, depending on which side of the House he was on. A Mr Bernard Corser, who represented Wide Bay, referred to something said by the Minister for Information—Mr Calwell, another name well known in the annals of Australian politics—and said—

A tightening up of the legislation was necessary in order to prevent irregularities. I do not foresee much difficulty in respect of clause 8 of the bill. There is nothing to prevent any one from saying to a sick person, "Saturday is election day. Do you want a postal vote?" That form of approach can not be regarded as inducing the sick person to vote.

He went on to indicate some qualifications which may be applied in respect of local government elections.

Considerable debate took place on the merits or otherwise of the clause, and finally Mr Johnson in reply had this to say—

Sub-clause 3 of clause 8 of this measure is drawn in practically the same terms. Therefore, there does not appear to be any justification for the fear that has been expressed by honourable members that should an elector be approached and asked whether he has recorded his vote, the questioner might be regarded as having unduly induced or influenced the elector.

As a result of his very persuasive speech, the Bill was put to the second reading vote and passed in the affirmative. It then proceeded in Committee to clause 8, which contained the provision. In Committee Mr Holt raised questions and made some suggestions as to how the provision might be altered to make it more effective and not less effective. He suggested perhaps the words "unduly or improperly" could be inserted in relation to inducing or persuading, but the suggestion was not regarded by the Minister in charge of the Bill as being appropriate. I think those who have some knowledge of the law will know it is extremely difficult to prove or impugn improper motives in that circumstance.

The debate on this issue in the Federal House in 1949 was not dissimilar to the debate which has taken place here. In fact, the uncertainty expressed by members—and which I also expressed—was found to be unfounded and in the long term the measure was passed without any difficulties and accepted as not being as dangerous as some members might have imagined it to be.

I even went so far as to see whether the Parliamentary Counsel could draft an appropriate amendment which would make the clause a little more effective. He did that, but in his advice to me indicated that because of the first qualification contained in section 90 of the Act, the amendment I was considering would make the clause ineffective once again. During the early hours of yesterday morning I mentioned that perhaps it might go further than preventing people from inducing or persuading others to apply for a postal vote where they were not entitled to one. However, section 90 says that in an application for a postal vote an elector has only to say he has reason to believe that during the hours of polling on polling day he will be more than a certain distance from a polling booth.

It is the problem of people making application prior to polling day which creates the difficulty in making this provision effective. Frankly, a person applying for a postal vote immediately after nominations close could quite reasonably say he has reason to believe that on polling day he will be more than eight kilometres from a polling place. He may intend to go fishing on polling day, but it might rain on the day or he may find his boat has a hole in it. He is still entitled to a postal vote even though he is within the requisite distance of a polling booth on the day.

Of course, I do not know how one proves whether a person had reason to believe what his status would be 15 or 20 days before the event. So

the Parliamentary Counsel pointed out that an amendment which probably would be satisfactory to the Committee in respect of resolving its doubts, would certainly have no effect.

I assure the Committee that I undertook the research and discussions I said I would undertake. I have examined and quoted the provisions which apply in all the mainland States of Australia with the exception of Queensland; and with perhaps only minor differences those provisions are precisely the same as the one before the Committee. Therefore I believe some of the fears that have been expressed, and some that I held myself, are not well founded. The provision has not been found to create problems in any other State of the Commonwealth since 1949.

Mr TONKIN: I do not believe the Opposition can accept the explanation given by the Deputy Premier, although we thank him for the research he carried out. His comments were most interesting. However, we are a federation and if we are to put into the law an absurd requirement merely because it is in the Commonwealth law, then we may as well scrap the Federal system. I know Government members tend to believe in the Federal system at least as much as Opposition members believe in it; and they believe as much as we do that everything should not be centralised in Canberra.

Yet if the Government follows the policy of having this provision because the Commonwealth has it, we will have a unitary system, but without the economy of a unitary system. The Government cannot have it both ways. If it believes Western Australia is a sovereign State, it should introduce the kind of laws which support that; it cannot at the same time say that we should pass laws because the Commonwealth has passed them.

If, therefore, the Commonwealth has an absurd provision in its law, that is not an argument to say that we should follow suit.

I think there is a fallacy in the argument which was apparently used by the Parliamentary Counsel, who said that under section 90 a person need only have reason to believe he will need a postal vote to obtain one, and then he may not need it. An elector is not likely to be prosecuted if he obtains a postal vote and is still close to a polling booth on polling day; because he had reason to believe he would be far away.

If as the Deputy Premier said, the elector found he had a hole in his boat and could not go fishing, he would still be entitled to a postal vote. That excuses the elector, but it does not excuse the person who induces an elector to do certain

things. The clause does not refer to the elector, but to someone who persuades or induces an elector to do something.

Of course, we did not hear the Parliamentary Counsel say that, so it is rather unfair of us to use hearsay evidence as Judge Kay did. Therefore we cannot condemn what the Parliamentary Counsel has said.

Mr O'Neil: When sending me some notes the Parliamentary Counsel indicated he was aware that the Chief Electoral Officer had discussed with me the problems which might arise if I moved an amendment. He did not give me any advice. He simply said that the amendment I was considering might cause problems because of the particular provision in section 90.

Mr TONKIN: I thank the Deputy Premier. Of course, the Parliamentary Counsel is far more qualified than I in that respect. Nevertheless, it seems there is something strange here because the clause we are considering refers to another person persuading or inducing an elector to make application for a postal vote; whereas the Deputy Premier referred to an elector who had reason to believe he would not be within the requisite distance of a polling booth on polling day. It seems an elector who believes that can get a postal vote; but if a person tells the elector he may have reason to believe that he may be more than five miles away from a polling booth and, therefore, he should apply for a postal vote, then the person is acting illegally.

We could not agree with the clause, even if Ben Chifley himself drafted it; we cannot agree with a clause which says that a person who persuades or induces someone to obey the law shall be guilty of an offence. That is what the clause does.

The then Commonwealth Minister (Mr Johnson) said he was concerned to stop the practice of handing over ballot papers which had not been marked.

Mr Bryce: That is in our Act.

Mr TONKIN: Yes, it is not covered in this clause; that is something altogether different, and we are not talking about that situation. Let us have such a provision, and let us use the mail rather than have someone saying, "I will deliver the ballot paper for you." We would not quarrel with an amendment to do that. However, we are not talking about that, and nor was the Commonwealth Bill.

Mr O'Neil: I agree, I made that point.

Mr TONKIN: Yes. The Commonwealth Act seems to say what this clause says; but that does not render it any less absurd that a person shall

not persuade or induce an elector to make application for a postal vote. Whether an elector is persuaded or induced could be a play on words; we are not talking about exerting pressure on people. We are talking about a person suggesting that an elector should obey the law and apply for a postal vote.

The Deputy Premier said—and once again he used fallacious reasoning—that our fears are not well founded. I think he is confused between the law and the application of the law. Our fears are well founded. The fact that no prosecutions have occurred merely means the law has not been enforced. Our fears are well founded because the provision is there. We should not say, "It is a crazy law, but it will not be enforced so we will pass it." What kind of legislators would we be if we did that? We must consider the law and see whether we are in favour of it; and the fact that the Commonwealth has an absurd provision does not mean that we should have one.

Mr O'Neil: Not only the Commonwealth, but every other mainland State except Queensland.

Mr TONKIN: Yes, the Commonwealth and every other mainland State except Queensland have such a law but apparently do not use it; but that should not induce us to fall into line and be absurd along with the rest of Australia.

Another point should be made. If the Deputy Premier wants a provision to prevent the abuse of the postal voting system, this clause will not necessarily help him unless it is used in a most selective way. Would it be a defence for a person prosecuted for persuading or inducing an elector to apply for a postal vote to say, "This is normal practice; thousands and thousands of people do it"? In fact, the person might have been prosecuted because it was believed he used duress; and the prosecution could fail because the provision does not say what it means to say. It does not say that a person who offers inducements or who interferes with a postal ballot paper which has been marked, contravenes section 90.

I cannot understand why the draftsman could not work out a formula which would say something to the effect that a person shall not persuade or induce or associate with any other person in persuading or inducing an elector to make application for a postal vote in circumstances which are not provided for in section 90. That may not be good legal language, but it is the best I can do while I am on my feet. Under section 90 a person need only have reason to believe he will be more than five miles from a polling booth on polling day; and even if he is right next door to a booth on the day he will still

be able to say, "I had every reason to believe I would not be here." That provision will still hold if my suggested provision is used.

Mr O'Neil: What we are getting at is that an unscrupulous person—not necessarily an elector—could persuade or induce any elector to apply for a postal vote under that provision; because there is no way in the world anyone could ascertain whether a person intended to go fishing on polling day. He simply has to say he has reason to believe he will not be there on polling day, and he will obtain a postal vote. I think that is what the draftsman was pointing out. The draftsman was not concerned about anything. He just mentioned that he was aware of the discussion I had with the Chief Electoral Officer on the issue.

Mr TONKIN: Well, someone is concerned. Perhaps it is the Deputy Premier. He is concerned that a person may go to someone and say, "Why don't you have a postal vote?" The fellow says, "Well, I'm going to be here. Why should I?" The first person says, "Section 90 says you may if you have reason to believe. Why can't you say you have reason to believe?" Therefore that man would persuade the other to have a postal vote when he does not have a good reason.

Mr O'Neil: That is the danger of it.

Mr TONKIN: That is the kind of thing the Government is hoping to stop. I do not think we should enact a law which aims to stop a person from acting in a certain circumstance by saying that no person is permitted to persuade anyone else to obey the law. That is what the Government is doing.

This is something one has a right to do if one will be a long way from a polling booth. However, it is an offence to tell people of the provisions of the Act. I do not know that people walk around with a copy of the Electoral Act in their pockets so that they know the provisions of it.

Under the provisions of this clause, "person" could include an electoral officer. If a person walks in and says, "Can I have a postal vote?", and the electoral officer says, "Where will you be?" to which the man replies, "I am going off on a trek. I will be miles from anywhere" and the electoral officer says, "Why don't you have a postal vote?", would that be illegal?

Mr O'Neil: I have made it quite clear that is not regarded as illegal. It never has been illegal. That provision is not applied anywhere else. I also made the point that, in respect of that argument, I have replied to a number of organisations telling them their argument is fallacious. There is nothing to stop a person advising people of their

rights. The situation deals with canvassing people, asking them to have a postal vote when they are not entitled to it.

Mr Bertram: Have you had a look at the dictionary meaning of "induce"?

Mr O'Neil: You are a legally qualified person. What does it mean?

Mr Bertram: I am asking you.

Mr O'Neil: I am not giving any legal interpretations.

Mr TONKIN: What was Lord Wensleydale's reply?

Mr Bertram: We cannot get that here.

Mr TONKIN: I understand we use the English language in its normal context. Perhaps the *Oxford Dictionary* is relevant to this argument, rather than having a legal definition. We will hear loads about the dictionary later, because I see the member for Ascot has it in front of him. He may be relied upon to entertain us for a while.

Mr BRYCE: I will deal with the definition of "induce" in a minute. I would like to make the point that the Deputy Premier has suggested that because the Commonwealth, in 1949, and the other States in about 1950, wrote this provision into their Acts—

Mr O'Neil: I simply made the point that one of the submissions made to the inquiry by the Chief Electoral Officer was based on a consensus about how to make postal voting more secure. Since the other States had that provision, he felt it was relevant, and Judge Kay agreed with that.

Mr BRYCE: That is a rather poor rationale from a Chief Electoral Officer. I would be happy to tell him that to his face.

I suggest to the Committee that, by tradition, Electoral Acts are sloppy, vague, old-fashioned, and never enforced. If members think about the Electoral Act—

The CHAIRMAN: I noticed a member interjecting when out of his seat. That is not an acceptable practice in any Westminster Parliament, as I know the situation. Some members have been doing this recently. I ask them not to do so, because I will be forced to take action if it continues.

Mr Bertram: Thoroughly improper!

Mr BRYCE: I draw an analogy. The provision that exists in Tasmania at the moment is causing a problem—

Mr O'Neil: It will not here, because if we pass this Bill—

Mr BRYCE: As a matter of fact, it could cause a problem here if we pass this legislation. There is

a situation in Tasmania in which a section of the Electoral Act has been grossly out of date and impractical, and yet somebody has caused that section to be invoked. It has created chaos.

I understand the Federal Government is presently looking at the implications of some "smarty" drawing the attention of the Commonwealth Chief Electoral Officer to the great list of Federal members, Liberal and Labor, who have never submitted a statement of expenditure in relation to their election campaigns, let alone having faked them by pretending that they did not spend as much as they really did. That is a classic example of a section in an Electoral Act which has never been invoked.

Mr O'Neil: We have a clause in our Bill which will eliminate that problem, but your side has raised objection to it.

Mr BRYCE: That is another clause. You would not like me to discuss that clause yet, Mr Chairman.

The CHAIRMAN: No.

Mr BRYCE: The Deputy Premier has said that this section is in the Commonwealth Act and it has been there since 1949, and it appears in the Electoral Acts of the other mainland States, so we ought to accept the suggestion of the Chief Electoral Officer to Judge Kay, and include it in our Electoral Act. I suggest to both Judge Kay and the Chief Electoral Officer that that is a poor reason for doing so. Any member of this Parliament who has campaigned in support of a Federal candidate in the last 30 years, and who has dealt with postal voting, has probably broken the law. By virtue of the practice on both sides of the political spectrum, on a reasonable interpretation of "persuade" or "induce", this provision in the Federal Act has been broken at every Federal election. It is broken time and time again by virtue of common practice. Unless examples of real abuse can be brought to life, we should not proceed with this clause.

That brings me to the 1977 State election in the Kimberley. We saw a very smart political trick associated with a literal interpretation of the Electoral Act. Gone are the days when provisions can be put into Electoral Acts and allowed to lie quietly. Gone are the days when we can accept an undertaking from a Minister of the Crown when he introduces a Bill that this sort of situation will not produce prosecutions.

When a particular clause in the Police Act Amendment Bill, 1976, was being discussed in

another place, a Minister of the Crown informed members that trade unionists being addressed by leaders of unions could never be regarded as doing anything illegal in a public place. A Minister of the Crown gave an assurance at that time. Such assurances are not worth the words used in giving them.

I am not suggesting that the Deputy Premier is misleading the people of Western Australia. However, it does not mean anything for the Deputy Premier to say that because the clause says a person shall not persuade, or induce, or associate with any other person in persuading or inducing an elector to make an application for a postal vote, we can tell people who come into our constituency offices and our supporters in the course of an election it does not constitute an offence. It is not for the Deputy Premier to give that undertaking.

I heartily support the view expressed by the member for Morley in the media when the Bill was introduced that every member of the State Parliament could finish up behind bars if this provision is made law. In many cases where the members are supported actively by their wives, the wives could end up in the women's section of the prison. They could be surrounded in each case by a significant number of their friends and supporters. This provision under the postal voting part of the Bill is broken by members of the Liberal Party and Labor Party, and presumably by members of the National Country Party and the National Party. Numbers of people are involved in that process.

Old and infirm people ring my home in Redcliffe at election time. Some of them say, "I vote Labor all the time. I want to make sure my vote goes in the direction I want it to go. Will you help me? I am going to be away." People may say, "So-and-so will be in hospital. Can they have some advice?" If I ask one of my supporters or even my wife to call on that person and explain how the system works and how he or she can have a postal vote, that would be in contravention of this clause.

I believe it is not the intention of the Government to prosecute people who do this. They are trying to assist old and infirm people.

Mr Tonkin: Except in certain electorates, perhaps.

Mr BRYCE: In the recent past we saw an exercise in this State in which a very literal interpretation was placed on the application of the Act. If someone wanted to use this clause for reasons of simple mischief, he could fill up the booth with people, or submit them to fines.

It is quite simple. A person goes into a constituency office, or somebody asks a question for a friend. If a member gives advice to somebody for a third party, it is not just a question of the member inducing somebody, but the provision covers anybody who associates with another person.

If somebody goes into the office of a member of Parliament and says, "I know Joe Blow down on the corner of such-and-such a street. This is his situation. Is he entitled to a postal vote?" and the member says, "Yes, he should have a postal vote under those circumstances. I strongly urge you, in his best interests, to explain these details to him so he can have a postal vote", not only is the person who calls at the door guilty under this clause, but so also is the member of Parliament from whom he sought the advice.

This is an absurd provision to be written into an Act. No evidence was given to the judge to indicate that during the course of the last half-dozen State elections this provision has been abused to the point of cases being brought to the notice of the Chief Electoral Officer.

I would have said it was a reasonable case to put to Judge Kay if the Chief Electoral Officer had said, "In respect of section 95 which specifies offences that can be committed with regard to postal voting, here is a list of all the complaints I have had following the 1977, 1974, or 1971 general elections in Western Australia and something ought to be done to tighten up that section." That would be rational; but instead, the Chief Electoral Officer has gone to Judge Kay and has made a submission that, notwithstanding the fact that the Electoral Acts in all the other States, and the Commonwealth Electoral Act, happen to be the sloppiest, most old-fashioned, and impractical Acts or Statutes on the Statute book, because they have this provision in other States and in the Commonwealth, we ought to have it here.

I have tried to illustrate that it would be highly impractical to include this provision, and no justification or evidence was presented to the Committee.

We ought to have a look at the definitions of "inducement". I shall quote from this rather admirable tome. To induce means, "to lead by persuasion or similar influence or motive that acts upon the will; some action, condition, belief, etc., to lead somebody on; to lead, to influence, to prevail upon". That is just one leading interpretation of the word "induce". Another interpretation is, "to induce or bring a person into the knowledge of something; to initiate or to instruct".

It is absurd when we see exactly what the word "induce" means, to say to anybody involved in a political campaign that if he introduces or brings a person into the knowledge of something or initiates or instructs someone in respect of details associated with how he can, and maybe should, exercise his right to have a postal vote, that, because we have used these terms in this clause—"persuade" or "induce"—we bring someone into a situation where he has contravened the Electoral Act.

The next facet of the definition is "to bring about; to bring on; to produce; to cause; or to give rise to". No description of the word "induce" refers to standover tactics.

I should like to suggest to the Deputy Premier that if, by way of amendment, he wrote in the word "unduly" so that it would read "unduly persuade or induce"—I am not even certain that that would get around the problem—

Mr O'Neil: That was Mr Harold Holt's suggestion 30 years ago; but it was not acceptable.

Mr BRYCE: Perhaps 30 years later I can say Harold Holt might have been right and practice proves, because in every Commonwealth election that has been held people have been persuaded and induced, to have a postal vote, despite the fact that that section is in the Act. We want to draw a mark of demarcation between what is right and what is wrong if somebody unduly persuades or brings about co-operation, or if somebody unduly cajoles an elector into exercising a postal vote. That is the situation that involves abuse and if we are to proceed on any basis, that is where we ought to be drawing the line of demarcation.

Mr B. T. BURKE: I believe that the Committee has the right to think that, on this matter, the Deputy Premier is being a little unreasonable, because if we stop and consider the effect of his refusal to countenance any variation to the wording of this clause, we will realise that he is rendering completely impotent the whole clause. The Opposition does not deny the need to protect people from unreasonable, unfair, or even unlawful co-operation in the question of postal voting. However, the definition that is contained now in the clause before the Committee is so wide and so incapable of fair or reasonable interpretation that we will find it will not exercise any influence at all on the conduct of elections as they are controlled or influenced by this particular form of vote; that is, if there is no way of interpreting just what is meant by the word "induce" or the level of inducement that

constitutes an offence under the Act, then we will find that all sorts of inducements will fall within that gray area and this will not permit charges to be laid or offences to be lodged under a particular clause.

In effect, the Government is achieving absolutely nothing. Although the Deputy Premier says, and has said on several occasions, that he would understand the word "induce" to operate in respect of other words in another clause in the same Bill, that is not spelt out in this specific clause.

The Deputy Premier was one of the people who, in the very early stages of my time in this House, explained to me that legislation is not framed, nor is it written, to depend upon the good graces of those people who will be implementing it when it becomes law.

On the particular occasion I am thinking of, I told the Deputy Premier in this place that a particular Minister of the Crown, operating under certain legislation, could be relied upon not to do the wrong thing in, for example, appointing his secretary to a certain position. The Deputy Premier agreed with me then and said that certainly that was the case, as far as he was concerned, and that he did not think the Minister of the Crown involved in the operation of that legislation would act in that way. But he said that legislation was not written on the understanding that a certain Minister of the Crown was honest and able, or a good fellow. It was written to be unambiguous and precise.

Yet, today we have an action by which that Minister is running counter to exactly what he instructed me on that occasion, because the Minister himself has said that he would presume that inducement would operate with reference to other words in another clause in this Bill. So, what we are really saying is determined in the mind of the Minister of the day. Inducement may well mean an unlawful pressure or coercion, but of course, as the Minister explained to me on that previous occasion one does not write legislation or pass Bills for particular Ministers and for the frame of mind they have.

Mr Bertram: Isn't this Bill directed to the one that represents the Kimberley?

Mr B. T. BURKE: That may be true but in explaining the amending of the legislation the Minister has no right to say he understands that in addition to what the Bill actually says, it will operate or be interpreted in a certain way. He is not right to claim any right of interpretation and it is a dangerous claim to make; as can easily be demonstrated by other legislation that has found

its way into the courts and is interpreted subsequent to its passage in this place.

Mr Tonkin: Are you talking about the Police Act?

Mr B. T. BURKE: A number of Acts. I cannot really understand—if the Minister says, as he has said, that he understands the word “induce” to operate in a certain way in relation to other words within this Bill—why he is not prepared to be more precise and to illustrate his belief and opinion more precisely by amending in a very minor way the wording of the clause now before us.

Another point I wish to mention is that the Minister is confident that the Act will be adhered to by people operating in good faith and in the manner in which it has been interpreted by or explained to the Committee. I would simply remind him of what happened during the Kimberley election. It was declared invalid by the Court of Disputed Returns. In the matter of elections the Minister is being irresponsible if he does not believe that some people—whether they be Liberal or Labor supporters—will actively seek loopholes in the wording of the legislation which covers and controls their activities in this area.

That proof was vividly illustrated by the actions of all sorts of people during the currency of the Kimberley election. Why is not the Minister prepared to be more explicit on this occasion?

I wish to raise the point of the Minister's reply to the queries raised by the member for Morley and others at the commencement of this debate this afternoon, when the Minister explained that this particular word was the result of a submission made by the Chief Electoral Officer. He explained that apart from saying this sort of clause was present in other electoral laws in other parts of Australia the Chief Electoral Officer could say no more. Of course that begs the question as to whether the Chief Electoral Officer—

Mr O'Neil: I did not precisely say that is all he did. I did not know what he did. I understood it to have been included in a number of submissions by the Chief Electoral Officer. I was not there.

Mr B. T. BURKE: My recollection of the words used were words that meant, in fact, that the Chief Electoral Officer was able to tell the Minister—today or yesterday or whenever he made his inquiries—that certain other State and Commonwealth laws covered this matter in a similar fashion. I did not hear the Minister go any further in order to explain to us today the reasons that the clause was thought necessary.

It was my understanding—from the Deputy Premier's words yesterday—that the Chief Electoral Officer did not advance that point to him.

Mr O'Neil: I said I researched the reason for the provisions being inserted into the Commonwealth law and I quoted reasonably conclusively from the debate that occurred at that time, and I had gone onto the reason there, but I did not have the time to find out the reasons that it was inserted in the legislation of all the other States, but I assume it was for a similar sort of reason.

Mr B. T. BURKE: I should like to point out to the Committee that the clauses to which the Minister referred—in gaining strength for the insertion of this clause in our own law—were amended several years ago. It would seem to me from my limited experience of electioneering that the value of postal voting, the operation and the attitude towards postal voting, is undergoing significant change; most certainly since the year of 1950 which was one of the years in which the Minister said the section was inserted in a particular State's law. It seems to me, certainly to my own knowledge, not many candidates for Parliament have professional postal vote collectors. Not many candidates for Parliament operate in any way other than having one of their regular election helpers—perhaps a wife or member of the family—operating as a postal voting assistant. It seems there has been a definite diminution of the method of postal voting—certainly the professional involvement of people who might be able to be seen as exploiters of the law rather than operators under the law.

So, in 1979, some 29 years from the date that the law was changed, it is probably not such an appropriate time to insert such a section as it was in the year in which the section was inserted.

To recapitulate very briefly, the Minister has no right to expect that the law will be interpreted in the way that he has told the Chamber. The Minister in the past has been at pains to point out to members in this Parliament that the legislation should be framed precisely and tightly so that there is no scope for those who would seek to exploit a particular law.

Secondly, if the Minister requires any evidence of the fact that in this particular area exploitation is a possibility he need cast his mind no further back than to the 1977 Kimberley election which was the subject of a Court of Disputed Returns and the subject of a further election following the declaration that the first election was void.

So it is quite clear that people will attempt in this area to exploit particular laws controlling their actions.

The other point I want to make is that the type of amendment which the Opposition is seeking will give nothing but concrete power to what the Minister says is his interpretation. We are not seeking to remove from the clause the preservation or the sanction of which the Minister speaks. We are seeking to give his interpretation a precise and positive form. We leave the amendment with him, and we promise him that a suitable amendment will be supported by the Opposition; a suitable amendment which will enforce the Minister's interpretation.

Mr TONKIN: I am concerned that the context of this Bill is the Kimberley by-election. We recall the Government attempted to amend the Act before the Kimberley by-election. Obviously, the amendment has come about as a result of the inquiry by Judge Kay—who was appointed by the Government as a consequence of the furore surrounding the general election in 1977—and the findings of the Court of Disputed Returns.

Apparently the Government believes there were abuses in postal voting, but the Government has not made out a case to show there actually were abuses in postal voting. Nor did Judge Kay make out a case. It is very important to realise this; Judge Kay was not able to say that abuses had occurred. He said that the potential for abuse was there. No evidence whatsoever was produced of this.

We are aware that the Attorney General and the Minister for Justice, at the time—and the former, of course, is still the Attorney General—acted improperly and without authority when they interfered with the normal process of the election and the ascertaining of votes from persons illiterate in the English language.

Given that background, we cannot accept the assurance from any Minister that the Act will not be used unethically. It is quite within the realms of possibility that the Act is being changed so that the next time the Attorney General, and the servants of the Government, take similar action they will be acting legally. They will act just as unethically as previously, but they will have legal sanction.

The Deputy Premier will not be here much longer because of his decision to retire, but he has assured us there will be no prosecutions in the cases to which we have referred. First of all, even if he were to be here he has not the right to give that kind of assurance.

This legislation may well be on the Statute book for years to come. We heard the Deputy Premier quote people now dead who took part in the debate during March, 1949, in the Federal sphere. The section in the Commonwealth Act, to which he referred, is still there. We are not talking about legislation for this minute, for next month, or for next year.

Mr Bryce: It is possible that Harold Holt was right.

Mr TONKIN: Quite obviously, he was right in saying it was absurd to have a section in an Act stating it is illegal for someone to persuade or induce another person to comply with the provisions of that same Act. I do not mind going on record as saying that Harold Holt was right.

I indicate that it is the intention of the Opposition to move an amendment to add the words, "except as provided for in section 90 of this Act". That will provide for it not to be an offence to persuade or induce an elector to make application for a postal vote in the circumstances set out in section 90 of the Act.

In other words, if a person persuades or induces someone to have a postal vote as provided for in section 90, that will be all right because he will only be persuading or inducing the person to comply with the law. If he persuades or induces someone to have a postal vote in circumstances not provided for in section 90, it would be an offence because he would be persuading or inducing someone to have a vote which is not properly provided for in the legislation.

If a person went to an elector and said, "You can have a postal vote if you are five miles away from the post office on election day or if you think you will be", and the elector answered, "I know very well I will not be five miles from the post office", but the person says, "In any case, say you are going to be", that would be an offence, and I think it should be an offence, because he would have persuaded the elector to act illegally. I will be charitable and hope the Government meant to provide that.

I move an amendment—

Page 8, line 5—Insert after the word "vote" the passage "except as provided for in section 90 of this Act".

I have written the amendment on a sheet of paper and signed it accordingly. I now hand it to the attendant to be passed to you, Mr Chairman. I believe it now conforms with the Standing Orders of the Chamber.

However, I will be man enough to admit that it may not do what we hope it will do. I drafted it in

two minutes with the help of some of my colleagues who are not parliamentary draftsmen. It may be the Government says it does not do what it purports to do. I remind the Government that it has the majority in this Chamber, so if it says, "It is a lousy amendment; throw it out", that will not be an excuse as far as we are concerned. The Government has the numbers to take it to the draftsman and have it replaced with an adequate amendment. That is the very least we shall expect of the Government.

If my amendment does not do exactly what I hope it will do, I confess to being an inadequate parliamentary draftsman. It would be preferable that Ministers who made errors also admitted to them. My amendment is an attempt to introduce some sanity into the clause so that it will do what we believe it should do and what any sensible Parliament would want it to do; that is, to make it an offence to induce a person to break the law, not to make it an offence to induce a person to obey the law. I hope the Government will look at the amendment constructively, as we have tried to be constructive, and, if it is not satisfactory, replace it with a better one.

Progress

Progress reported and leave given to sit again, on motion by Mr Shalders.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier)
[6.11 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 2nd October.

Question put and passed.

QUESTIONS ON NOTICE

Closing Time

THE ACTING SPEAKER (Mr Watt): I advise that questions for Tuesday, the 2nd October, will be received until 4.30 p.m. for Thursday, the 27th September.

House adjourned at 6.12 p.m.

QUESTIONS ON NOTICE

HOSPITALS

Charges

1495. Mr HARMAN, to the Minister for Health:

- (1) Adverting to question 1369 of 1979 relevant to hospital services and charges, and the arrangement under which "a few" doctors have rented consulting rooms at the hospitals referred to, can he advise the number of doctors at each hospital under such arrangement?
- (2) Will he also indicate the category of practitioner so involved?

Mr YOUNG replied:

- (1) and (2) Royal Perth Hospital—4 doctors (2 psychiatrists and 2 general physicians)

(Note—6 other medical practitioners who have office accommodation at the hospital have permission to see private patients in that accommodation. They pay a rental for this part use of the rooms. The practitioners involved are in the specialties of general medicine, gastro-enterology, cardio-thoracic surgery and cardiology.)

Sir Charles Gairdner Hospital—nil.

Fremantle Hospital—nil.

Princess Margaret Hospital—nil.

King Edward Memorial Hospital—2 doctors (both obstetrician and gynaecologist).

WATER SUPPLIES: CHARGES

Difficulty in Payment

1511. Mr BRYCE, to the Minister representing the Minister for Water Supplies:

- (1) Is it a fact that a growing number of people are experiencing difficulty in paying accounts for water charges?
- (2) Will the Minister review existing policy with a view to allowing people who can establish genuine financial hardship to pay the accounts on an instalment basis?

Mr O'CONNOR replied:

- (1) Indications are not to this effect.
- (2) This is already done.

TRANSPORT: BUSES

Fremantle-Perth: Patronage

1534. Mr DAVIES, to the Minister for Transport:

- (1) What have been the patronage levels of buses during non-peak periods for those day in which patronage levels have been measured on the Perth-Fremantle route since the inception of the new buses?
- (2) What is the average travelling time between Perth and Fremantle during peak periods and non-peak periods on the new buses?

Mr RUSHTON replied:

- (1) Patronage levels have decreased very slightly from previous rail levels. However, there has been a corresponding increase in loading on other bus routes in the corridor offsetting the decrease in the line service.
- (2) 36 minutes for both peak and off-peak compared with the old train time of 35 minutes.

HOUSING

Pindan Bricks

1546. Mr BRIAN BURKE, to the Minister for Housing:

- (1) When was the project first instituted for the use of Pindan bricks as a material for building housing in the north?
- (2) What building or buildings have been constructed using Pindan bricks and what was the date of completion of such buildings?
- (3) Has any further action been taken in relation to this project and if so what action and on what date was the action taken?
- (4) What are his department's present proposals for this project?

Mr O'Connor (for Mr RIDGE) replied:

- (1) On the 16th January, 1976.
- (2) One experimental prototype house completed at Broome on the 26th August, 1977.

- (3) The tenant selected to occupy this house is keeping the commission informed on livability of the house as to temperature changes, etc. and the commission's technical officers are monitoring the structural aspects.
- (4) In addition to the measures referred to in (3) above, building contractors have been encouraged to examine the project and consider the viability of the production of this type of construction. The commission is also involved in research in soil chemistry in other parts of the Kimberley.

STATE FORESTS

Area Felled, and Jarrah and Karri

1547. Mr WILSON, to the Minister representing the Minister for Forests:

- (1) What are the names and areas of all clear felled coupes or individual cut areas, completed, or in progress or planned, that exceed 200 hectares?
- (2) How much bark was produced by the Manjimup wood-chip industry during the financial year 1978-79?
- (3) Of this amount, how much was taken to a dump near the chipping mill, and how much was converted into garden mulch or compost?
- (4) (a) Was any disposed of by other means; and
(b) If so, how much and by what means?
- (5) What is the estimated annual increment of timber in cubic metres in—
(a) karri;
(b) jarrah,
in State forests in the years 1975 to the 30th June, 1979?
- (6) What has been the annual volume of—
(a) karri;
(b) jarrah,
cut from State forests during the years 1975 to the 30th June, 1979?

Mr YOUNG replied:

- (1) It is assumed that the question refers to areas within the wood chip license area. Coupes in excess of 200 hectares that have been completed are as follows—

| | |
|-------------------|--------------|
| Dombakup 7 and 17 | 210 hectares |
| Iffley 6 | 230 hectares |
| Nairn 8 and 9 | 372 hectares |
| Warren 6 | 235 hectares |

Cutting in these areas for sawlogs had taken place prior to the preparation of the environmental impact statement. There are no other coupes in excess of 200 hectares planned.

- (2) to (4) These questions were referred to the company concerned and it provided the following answer—

The amount of bark available at the chip mill for conversion to useful products such as gardener's mulch and energy resource is estimated to be about 35,000 tonnes per year.

During the past year approximately 300 tonnes were converted to gardener's mulch, the balance being disposed of by means which occur naturally in all the south-west forest.

Some of the bark is being used by WAIT to determine the advantages of mixing high protein food processing residues with gardener's mulch. Research is soon to commence in Western Australia in conjunction with CSIRO into other valuable uses of bark including its use as an energy resource. WACAP is commencing an advertising programme in expectation that there will be a demand for gardener's mulch as a very effective soil water retainer particularly in summer.

- (5) The member is referred to parliamentary question 75 of the 7/4/1976 wherein a similar question was answered as follows:

The annual volumes of the growth of timber on State Forest and Crown Land is not known as it is not feasible for this to be measured. In my answer to question 19 on the 17th October 1974 I advised the member:

On present estimates annual increment of timber through natural growth in State Forests only (including sawlog and regrowth sizes)

| | |
|------------|-----------------------|
| (a) Jarrah | 355 000m ³ |
| (b) Karri | 207 000m ³ |

- (6) The volume cut from State forest and Crown land in the years 1975 to the 10th June, 1979, as listed in the annual reports of the Forests Department, but reproduced below for the convenience of the member has been as follows—

| | (a) Jarrah | (b) Karri |
|------|---------------------------------------------------------|----------------|
| | (exclusive of mining timber, firewood, poles and piles) | |
| | m ³ | m ³ |
| 1975 | 699 258 | 250 803 |
| 1976 | 668 240 | 330 775 |
| 1977 | 629 875 | 423 175 |
| 1978 | 595 503 | 371 083 |
| 1979 | 537 932 | 406 247 |

PUBLIC WORKS DEPARTMENT

Apprenticed Painter

1548. Mr WILSON, to the Minister representing the Minister for Works:

- (1) Is it a fact that the Public Works Department is employing a speech and hearing impaired painter who completed his apprenticeship in August on a month by month basis only, at the Royal Perth Hospital?
- (2) Does the department intend to offer this painter permanent employment, and if so, when?
- (3) If "No" to (2), why not, when his chances of obtaining employment in private industry are possibly non-existent?

Mr O'CONNOR replied:

- (1) No.
- (2) and (3) Not applicable.

MINING: MINES DEPARTMENT

Liquid Petroleum Gas: Handling and Storage

1549. Mr WILSON, to the Minister for Mines:

- (1) Does the explosives and dangerous goods branch of the Mines Department have any control over the handling and storage of liquid petroleum gas?
- (2) If "No" what branch of his department or what other Government department exercises control over the handling and storage of this commodity?

Mr MENSAROS replied:

- (1) and (2) The explosives branch of the Mines Department has control over the handling and storage of liquid petroleum gas in premises licensed under the Flammable Liquids Regulations.

Draft regulations to extend the control beyond such premises are being prepared.

EDUCATION

Disadvantaged Schools Programme

1550. Mr WILSON, to the Minister for Education:

- (1) What allocations of Schools Commission funds for 1980 have been made other than those for the disadvantaged schools programme?
- (2) What are the details of these allocations?
- (3) (a) How many schools have been included in the disadvantaged schools programme for 1980 in the north-west, south-west and south-east metropolitan;
(b) in each of the country regions; and
(c) what funds have been allocated to each region?

Mr P. V. JONES replied:

- (1) and (2) No final allocations have yet been made. Recommendations are contained in the Schools Commission report to the Federal Government, which is currently under consideration.

| Schools Allocation 1980 | | |
|--------------------------------|----|-----------|
| (3) (a) and (c) | | |
| North-west metropolitan region | 5 | \$54 000 |
| South-west metropolitan region | 15 | \$180 000 |
| South-east metropolitan region | 2 | \$14 000 |
| North-east metropolitan region | 26 | \$366 000 |
| (b) and (c) | | |
| Geraldton region | 8 | \$40 000 |
| Pilbara | 6 | \$18 000 |
| South-west country region | 5 | \$11 000 |

EDUCATION: PRE-PRIMARY*Centre: Upper Swan School*

1551. Mr HERZFELD, to the Minister for Education:

- (1) Has his department carried out a survey recently to establish the need for a pre-primary centre associated with the Upper Swan Primary School?
- (2) If so, with what result?
- (3) Does he propose to establish a pre-primary centre at Upper Swan for the commencement of the 1980 school year?
- (4) If not, when is one proposed?

Mr P. V. JONES replied:

- (1) to (4) Information has been received from this area and is being investigated. On present indications the numbers of pre-school and pre-primary places shared between the Middle Swan, Herne Hill and Upper Swan intake areas appears to be sufficient for 1980 requirements.

TRADE UNION*Hospital Salaried Officers' Association*

1552. Mr BERTRAM, to the Minister for Labour and Industry:

- (1) Does his department hold the view that Government hospital employees who are members of the Hospital Salaried Officers' Association of Western Australia should be denied the right of appeal enjoyed by State public servants?
- (2) If "Yes" what are the reasons for this discrimination which, amongst other things, makes it possible for inefficient persons to be appointed to important positions?
- (3) Is it a fact that certain hospital staff who are not members of the Hospital Salaried Officers' Association of Western Australia already have a right of appeal in respect to promotions?
- (4) If "Yes" who are these people and why is this right extended to them?

Mr O'CONNOR replied:

- (1) and (2) The Government's view is that hospitals differ from the Public Service in that there are many autonomous hospital employers with differing staffing structures and hospital staff do not have the same mobility between hospitals that exists between the many Public Service departments.
In the special circumstances applicable to hospitals the Government considers that the boards of management, through their administrations, should be able to staff hospitals to provide an uninterrupted standard of patient care at a high level without the delays in appointments which are inherent in an appeals system.
- (3) and (4) As public hospitals are outside the jurisdiction of the Promotions Appeal Board, no staff employed in such hospitals have a right of appeal to that board in respect to promotion.

FUEL: PETROL*Service Stations*

1553. Mr BERTRAM, to the Minister for Mines:

- (1) Was it necessary for petrol companies and/or others to obtain Government permission to install self service bowsers in service stations?
- (2) If "Yes"—
 - (a) when was permission sought;
 - (b) when was permission granted;
 - (c) why did his department not require the service stations to give their customers a right of free choice as to service or self service at each service station?
- (3) How many employers and proprietors of service stations so far lost their employment because of the introduction of self service bowsers?

Mr MENSAROS replied:

- (1) Yes.
- (2) (a) 26.2.76
(b) 15.3.76
(c) Not required by the safety provisions of the Flammable Liquid Regulations under which service stations are licensed.

- (3) The Minister for Labour and Industry has informed me that this information is not available to him.

STATE GOVERNMENT INSURANCE OFFICE

Professional Negligence: Doctors, Lawyers, and Accountants

1554. Mr BERTRAM, to the Minister for Labour and Industry:

- (1) Does the State Government Insurance Office have the right to insure against the professional negligence of doctors, lawyers and/or accountants?
- (2) (a) If "No" why is the State Government Insurance Office discriminated against in this way;
(b) will he now give the State Government Insurance Office permission to provide this form of insurance cover?
- (3) If "No" to (2), why does he intend to continue to discriminate against the State Government Insurance Office and possibly to deny the public a right of free choice in respect of this form of insurance?

Mr O'CONNOR replied:

- (1) No.
- (2) (a) The activities of the State Government Insurance Office are restricted to the classes defined in the State Government Insurance Office Act.
(b) No. It is not a ministerial decision.
- (3) See (2) above.

STATE FINANCE: CONSOLIDATED REVENUE AND GENERAL LOAN FUNDS

Daily and Cumulative Totals

1555. Mr BERTRAM, to the Treasurer:

- (1) Is a daily and/or a cumulative total of receipts and payments available to him daily, weekly and/or monthly, of transactions relating to the—
(a) Consolidated Revenue Fund;
(b) Loan Fund?

- (2) If the answer to any of the above is "Yes" what delay, if any, occurs in these figures being supplied to him when required?

Sir CHARLES COURT replied:

- (1) A monthly and cumulative monthly total of receipts and payments is available in relation to both the Consolidated Revenue Fund and General Loan Fund.
- (2) A detailed statement on both funds is prepared for internal Treasury purposes on the first day of each month and is available to me as required. A printed document in summary form for each of the funds is produced 10 days after the end of each month.

EDUCATION: SCHOOL

Cooloongup

1556. Mr BARNETT, to the Premier:

For what purpose has \$180 000 been allocated to Cooloongup Primary School in the General Loan Fund under the section subtitled "Additions and Improvements to primary schools"?

Sir CHARLES COURT replied:

I refer to questions 1556-1565. These call for information which is more properly obtainable during the Committee stage of the debate on the General Loan Fund Estimates.

TRANSPORT: BUSES

Rockingham Depot

1557. Mr BARNETT, to the Treasurer:

For what precise purpose has \$42 000 been allocated to the Metropolitan Transport Trust depot—Rockingham—extensions in this year's General Loan Fund?

Sir CHARLES COURT replied:

See answer to question 1556.

TRAFFIC: ROAD TRAFFIC AUTHORITY

Land

1558. Mr BARNETT, to the Treasurer:

- (1) Precisely where is the land expected to be acquired with \$118 000 allocated in the General Loan Fund under Road Traffic Authority (a)?
- (2) What purpose will the land be put to?

Sir CHARLES COURT replied:

- (1) and (2) See answer to question 1556.

EDUCATION: HIGH SCHOOLS

Halls-gymnasia

1559. Mr BARNETT, to the Treasurer:

Which schools are to benefit from the \$322 000 allocated in the General Loan Fund for halls/gymnasia—various schools?

Sir CHARLES COURT replied:

See answer to question 1556.

EDUCATION: TECHNICAL COLLEGE

Rockingham

1560. Mr BARNETT, to the Treasurer:

What buildings are to be erected in stage 2 of the Rockingham Technical College with the \$1 952 000 allocated under the General Loan Fund?

Sir CHARLES COURT replied:

See answer to question 1556.

EDUCATION: SCHOOL

Safety Bay

1561. Mr BARNETT, to the Treasurer:

For what purpose has \$9 000 been allocated to Safety Bay primary school in the General Loan Fund under the section subtitled "Additions and Improvements to primary schools"?

Sir CHARLES COURT replied:

See answer to question 1556.

EDUCATION: SCHOOL

Hillman

1562. Mr BARNETT, to the Premier:

For what purpose has \$12 000 been allocated to Hillman primary school in

the General Loan Fund under the section subtitled "Additions and Improvements to primary schools"?

Sir CHARLES COURT replied:

See answer to question 1556.

HEALTH: DENTAL THERAPY CENTRES

Schools: Allocation of Funds

1563. Mr BARNETT, to the Treasurer:

On page 17 of the General Loan Fund Estimates the sum of \$1 088 000 is allocated for dental clinics in primary schools; would he please list—

- (a) which schools are involved; and
- (b) how much money in each case has been allocated; and
- (c) for what purpose?

Sir CHARLES COURT replied:

- (a) to (c) See answer to question 1556.

EDUCATION: HIGH SCHOOL

Safety Bay

1564. Mr BARNETT, to the Treasurer:

On page 19 of the General Loan Fund estimates the sum of \$7 000 has been allocated to Safety Bay High School: would he inform me for what purpose?

Sir CHARLES COURT replied:

See answer to question 1556.

STATE FINANCE: GENERAL LOAN FUND

Coastal Erosion Allocation

1565. Mr HASSELL, to the Treasurer:

- (1) In relation to the loan estimates, item 6, improvements to rivers and foreshores, will he please advise the House—

- (a) who is to receive;
- (b) for what equipment;
- (c) for use where;
- (d) to what objective,

the allocation of \$130 000 to coastal erosion—research unit equipment?

- (2) Who is to receive and for what specific project, the \$28 000 allocated to Cottesloe beach stabilisation?

Sir CHARLES COURT replied:

- (1) and (2) See answer to question 1556.

CYCLES: CYCLISTS*Facilities*

1566. Mr HASSELL, to the Minister for Local Government:

- (1) Are the Budget allocations to improve facilities for cyclists the initial results of Government initiatives taken in the matter?
- (2) (a) What, if any, work is continuing; and
(b) by whom?
- (3) When is it likely the matter will receive further consideration by the Government?

Mr Young (for Mrs CRAIG) replied:

- (1) Yes.
- (2) (a) and (b) The advisory committee on bicycle policy is continuing its studies to enable the Government to formulate a comprehensive policy on bicycles.
- (3) Recommendations of the committee are submitted progressively to the Government.
It is anticipated that the committee's task will be finalised early next year.

COCKBURN SOUND: JERVOISE BAY*General Loan Fund Allocation*

1567. Mr TAYLOR, to the Minister representing the Minister for Works:

With respect to the General Loan Fund, Estimate of Expenditure for the year ending 30th June, 1980, under heading "Improvements to Rivers and Foreshores" (page 8), will he advise parameters and purpose of the item "Jervoise Bay—Investigation" \$75 000?

Mr O'CONNOR replied:

The nominated item is to permit the measurement of parameters of the Jervoise Bay waters and seabed which must be known in order to design marine structures.

MARINE DEALERS AND COLLECTORS*Weekends*

1568. Mr BATEMAN, to the Minister for Police and Traffic:

- (1) (a) Are collectors of bottles permitted to operate up to 5 p.m. on Saturday afternoon;
(b) are marine dealers prohibited from operating their business after 2 p.m. on Saturday afternoon; and
(c) in the case of both collector and dealer, are Sunday operations completely prohibited?
- (2) If "Yes", having regard to the fact that during weekends many people convey refuse to the rubbish tips and would appreciate the opportunity to either have their bottles collected or to arrange for self delivery, will the Government consider amending the Marine Dealers Act to permit collectors and dealers to operate on Saturdays and Sundays during reasonable hours of operating?
- (3) If not, why not?

Mr O'NEIL replied:

Bottles previously containing non-intoxicating beverages can be collected at any time by any person and a marine collector's licence is not required.
With regard to bottles previously containing intoxicating beverages, the following answers apply—

- (1) (a) to (c) Yes.
- (2) and (3) Hours applying to marine collectors and marine dealers are considered adequate.

ROAD*Newman to Coast*

1569. Mr DAVIES, to the Minister for Transport:

- (1) In respect of the proposed new highway from Newman through the Pilbara, is it the Government's intention to create a new road from Newman through to the coast?
- (2) If "No", does it intend to upgrade the existing North West Coastal Highway from Newman to the coast?
- (3) What routes have been surveyed as possible routes for the new road?

- (4) What are the estimates of building the highway on each of these routes?
 (5) Will the route go through Marble Bar?

Mr RUSHTON replied:

- (1) Yes. It is intended that the new highway be constructed as part of the national highway system.
 (2) to (5) The Commonwealth Government required a corridor study to be undertaken before the final location of the section of the national highway system through the Pilbara region is selected. The objective of the study is to determine the route which will best serve the needs of the Pilbara region as well as the national highway system.

The corridor study has been undertaken by the Main Roads Department in accordance with guidelines agreed to by the former Commonwealth Bureau of Roads. The study has examined five basic corridors, the most easterly corridor being the existing Great Northern Highway via Marble Bar, and the most westerly corridor connecting Newman with the North West Coastal Highway near Whim Creek and passing close to Area C, Marandoo and through the Rio Tinto Gorge.

A draft report has been completed which, following discussion with Commonwealth officers early in October, will be finalised and forwarded by me to the Federal Minister for Transport for his consideration.

I will advise the Leader of the Opposition of the five corridors studied and their estimated cost when the final report has been forwarded to the Federal Minister.

HEALTH

International Labour Organisation Convention 149

1570. Mr DAVIES, to the Minister for Health:

Will the State Government give support for ratification of International Labour Organisation convention 149 and recommendation 157 concerning nursing standards?

Mr YOUNG replied:

Yes and, in general, there is compliance in this State with the terms of the

convention and the recommendation concerning employment and conditions of work and life of nursing personnel.

BUSES AND RAILWAYS

Freight and Passenger Services: Closure or Curtailment

1571. Mr DAVIES, to the Minister for Transport:

Further to question 1420 of 1979, relevant to passenger and rail services, will he list closures of trains and bus services for major rural and metropolitan routes, i.e., between major population centres, in each of the past three years including the current year, such as the closure of the Perth-Albany train service and the Perth-Fremantle train service?

Mr RUSHTON replied:

I am advised by my departments that the following train and bus services have been closed in each of the past 3 years including the current year—

Passenger Services:

| | | |
|--------|---------|--------------------------------------------------------------|
| Train: | 1976-77 | Nil |
| | 1977-78 | Nil |
| | 1978-79 | Perth-Albany and return Perth-Fremantle and return |
| Bus: | 1976-77 | Albany-Denmark and return Albany-Walpole and return |
| | 1977-78 | Northam-Wongan Hills and return |
| | 1978-79 | Nil |

Freight Services:

| | | |
|-------------|---------|-----------------------------------|
| Train: | 1976-77 | Nil |
| | 1977-78 | Mullewa-Meckatharra and return |
| | 1978-79 | Nil |
| Road Truck: | 1976-77 | Nil |
| | 1977-78 | Nil |
| | 1978-79 | Kewdale-Esperance and return |

ENERGY: ELECTRICITY SUPPLIES

Air-conditioners: North-west

1572. Mr DAVIES, to the Minister for Fuel and Energy:

- (1) Is a subsidy on electricity available to Government employees north of the 28th parallel for the use of air-conditioners in certain months of the year?

- (2) Will he give details of the subsidy?
 (3) What is the estimated cost involved in the current financial year and the actual cost last financial year?

Mr MENSAROS replied:

- (1) Yes.
 (2) and (3) Details of the subsidy and the associated costs are being obtained from the various departments and authorities involved, and will be made available to the Leader of the Opposition as soon as possible.

HOUSING

North-west

1573. Mr DAVIES, to the Minister for Housing:

What is the average purchase price of a—

- (a) two bedroom residential house;
 (b) three bedroom residential house;
 (c) single flat;
 (d) two bedroom duplex;
 (e) three bedroom duplex;

in each of the following towns—

- (i) Kununurra;
 (ii) Halls Creek;
 (iii) Wyndham;
 (iv) Derby;
 (v) Broome;
 (vi) Port Hedland;
 (vii) South Hedland;
 (viii) Marble Bar;
 (ix) Onslow;
 (x) Carnarvon;
 (xi) Shark Bay?

Mr O'Connor (for Mr RIDGE) replied:

- (a) to (e) It is not present commission policy to construct new accommodation for sale. Although tenants in occupation have the opportunity to purchase, only two such sales occurred in the last 12 months, one at Carnarvon and one at Derby. Sale prices are not readily available but I will advise the honourable member in writing.

HOUSING

North-west

1574. Mr DAVIES, to the Minister for Housing:

- (1) What is the waiting period and demand for State Housing Commission accommodation in the following towns—
 (a) Kununurra;
 (b) Halls Creek;
 (c) Wyndham;
 (d) Derby;
 (e) Broome;
 (f) Port Hedland;
 (g) South Hedland;
 (h) Marble Bar;
 (i) Onslow;
 (j) Carnarvon;
 (k) Shark Bay?
- (2) What is the average private rental for a two bedroom house, a three bedroom house, single flats and a two bedroom duplex in the above towns?

Mr O'Connor (for Mr RIDGE) replied:

(1)

| | | BSR 2 | 1 BR. 11 | 2 BR. 13 | 3 BR. 10 | 4 BR. |
|--------------|-----------------------------|----------|-------------|-------------|-------------|-------|
| Kununurra | Demand | | | | | |
| | Current Month of Allocation | 2/79 | 4/78 | 3/78 | 7/78 | |
| Halls Creek | Demand | | | | | |
| | Current Month of Allocation | | 6/78 | 3/78 | 11/78 | |
| Wyndham | Demand | | | | | |
| | Current Month of Allocation | | 3/78 | 3/78 | 10/78 | |
| Derby | Demand | 7 | 20 | 24 | 18 | 1 |
| | Current Month of Allocation | 9/77 | 10/77 | 3/78 | 12/77 | 6/78 |
| Broome | Demand | 3 | 7 | 20 | 11 | |
| | Current Month of Allocation | 11/76 | 8/77 | 9/75 | 5/78 | 1 |
| Pr. Hedland | Demand | | 52 | 28 | 85 | |
| Stn. Hedland | Current Month of Allocation | | 5/76 | 9/78 | 1/79 | 8/79 |
| Marble Bar | Demand | | | | | |
| | Current Month of Allocation | | 10/78 | | | |
| Onslow | Demand | | 6 | 2 | 2 | |
| | Current Month of Allocation | | 4/77 | 6/77 | 1/78 | |
| Carnarvon | Demand | 12 | 13 | 37 | 34 | 5 |
| | Current Month of Allocation | 11/77 | 3/74 | 7/78 | 3/78 | 1/78 |
| Shark Bay | Demand | | | | | |

The new construction programmes which are in hand in the North-west and Kimberley will enable the commission, by about mid 1980, to bring the waiting times of family applicants more comparable with those in other parts of the State.

- (2) This information is not readily available to the commission. I will have inquiries made and advise the honourable member in writing.

WATER SUPPLIES: SALINITY*Dams, Reservoirs, and Artesian Wells*

1575. Mr DAVIES, to the Minister representing the Minister for Water Supplies:

- (1) Further to question 1422 of 1979, relevant to dissolved salts, does the Minister have details of samples from water sources for total dissolved salts, sodium chloride and sodium for artesian wells and other groundwater reserves which were used during the summer and autumn periods of 1977-78 and 1978-79?
- (2) How often are checks taken on groundwater reserves and artesian wells for levels of total dissolved salts, sodium chloride and sodium?
- (3) With reference to his answer to question 1422 of 1979 can he give details of sodium content in each of the principal storages referred to?

Mr O'CONNOR replied:

- (1) Artesian wells
Records show that the salt levels do not vary significantly. The following figures are typical analyses—

| Artesian well | Total dissolved salts | sodium chloride | Sodium |
|----------------------------|-----------------------|-----------------|--------|
| | mg per litre | | |
| Attadale | 1060 | 870 | 380 |
| Bold Park No. 1 | 670 | 435 | 215 |
| Bold Park No. 2 | 710 | 460 | 230 |
| Leederville Depot No. 1 | 850 | 600 | 280 |
| Leederville Depot No. 2 | 1340 | 1060 | 440 |
| Leederville Regent Street | 1110 | 860 | 375 |
| Leederville Vincent Street | 610 | 395 | 215 |
| Mounts Bay No. 1 | 1050 | 750 | 350 |
| Mounts Bay No. 2 | 1330 | 1060 | 440 |
| Balcatta No. 1 | 660 | 410 | 210 |
| Balcatta No. 2 | 680 | 430 | 220 |
| Yokine No. 1 | 820 | 555 | 270 |
| Yokine No. 2 | 670 | 440 | 225 |
| Mirraboooka No. 2 | 460 | 300 | 155 |
| Wanneroo No. 1 | 220 | 60 | 24 |
| Wanneroo No. 2 | 240 | 75 | 29 |
| Wanneroo No. 3 | 220 | 65 | 26 |
| Wanneroo No. 405 | 410 | 195 | 75 |

Total dissolved salts determined by evaporation.
Sodium chloride determined from chloride.

OTHER GROUNDWATER RESOURCES

Range of Total Dissolved Salts mg/L (by conductivity)

| | Dec. 1977-Feb. 1978 | Mar. 1978-May 1978 |
|-------------|---------------------|--------------------|
| Mirraboooka | 330-395 | 350-400 |
| Gwelup | 390-490 | 400-510 |
| Wanneroo | 200-330 | 250-320 |
| | Dec. 1978-Feb. 1979 | Mar. 1979-May 1979 |
| Mirraboooka | 270-370 | 285-350 |
| Gwelup | 320-440 | 330-450 |
| Wanneroo | 250-350 | 250-350 |

Sodium levels are typically less than 20 per cent of total dissolved salts.

- (2) Artesian wells are analysed biennially. Water delivered from groundwater treatment plants are now analysed weekly for total dissolved salts, sodium chloride and sodium.
- (3) Sodium contents of principal storages have been determined weekly by analyses since May, 1979. The level of sodium content is typically 25 per cent of the total dissolved salts in the case of surface storage water in the Darling Range.

WATER SUPPLIES*Rainfall: Average*

1576. Mr DAVIES, to the Minister representing the Minister for Water Supplies:

- (1) With reference to parts (4) to (8) of question 1425 of 1979, relevant to dam storage and rainfall, will he advise whether his department has the information sought concerning rainfall levels in Western Australia at given times of the year and over given years?
- (2) If so, why will he not make it available?

Mr O'CONNOR replied:

- (1) and (2) The Metropolitan Water Board keeps a record of rainfall, but the official record is kept by the Bureau of Meteorology of the Science Department and the information sought is available on request from that official source.

1577 and 1578. *These questions were postponed.*

HOUSING: BUILDING SOCIETIES*Terminating: Applications*

1579. Mr DAVIES, to the Minister for Housing:

- (1) At what interest rates can low-income residents north of the 26th parallel obtain finance from terminating building societies?
- (2) What is the minimum income at which the maximum amount of funds can be obtained using low income finance of the type referred to in (1)?
- (3) What is the maximum loan available?

- (4) How many applications for finance of the type referred to in (1) have been made in the past two financial years?
- (5) How many applications have been successful?
- (6) What amounts of money have been made available for finance of the type referred to in (1) by terminating building societies in each of the past two financial years?

Mr O'Connor (for Mr RIDGE) replied:

- (1) An interest rate—including management fee—ranging from 6 per cent per annum to 10 per cent per annum is charged on loans from the home purchase assistance account under the 1978 Housing Agreement (Commonwealth and State).
- (2) The minimum income required to obtain maximum advance—

| | |
|-------------------|----------------|
| Gascoyne | \$206 per week |
| Ashburton/Pilbara | \$246 per week |
| Kimberley | \$260 per week |
- (3) The maximum loan—

| | |
|-------------------|----------|
| Gascoyne | \$36 900 |
| Ashburton/Pilbara | \$44 100 |
| Kimberley | \$46 800 |
- (4) Unknown. No record is maintained of unsuccessful applications.
- (5) 44 applications from private applicants were approved in the past two financial years.
- (6) In 1977-78 \$666 000 of concessional interest funds was allocated north of the 26th parallel for private applicants, and in 1978-79 \$399 000. In addition the societies have used funds derived from the early discharge of mortgages.

APPRENTICES

Government Departments and Instrumentalities: North-west Towns

1580. Mr DAVIES, to the Minister for Labour and Industry:

- (1) What is the number of apprentices employed in Government departments or instrumentalities in the following towns—
 - (a) Kununurra;
 - (b) Halls Creek;
 - (c) Wyndham;
 - (d) Derby;
 - (e) Broome;
 - (f) Port Hedland;

- (g) South Hedland;
- (h) Marble Bar;
- (i) Onslow;
- (j) Carnarvon;
- (k) Shark Bay?

- (2) What is the quota of apprentices which can be employed by Government departments and instrumentalities in the above towns?

Mr O'CONNOR replied:

- (1)

| | |
|---------------|----|
| Kununurra | 7 |
| Halls Creek | — |
| Wyndham | 6 |
| Derby | 8 |
| Broome | 3 |
| Port Hedland | 15 |
| South Hedland | 2 |
| Marble Bar | — |
| Onslow | — |
| Carnarvon | 7 |
| Shark Bay | — |
- (2) Government departments and instrumentalities have advised that they are currently employing the maximum quota of apprentices that will enable proper training to be provided.

NATURAL DISASTERS: STORM MONITORING

Stormfury Aircraft

1581. Mr DAVIES, to the Premier:

Would the Western Australian Government be prepared to co-operate with the Queensland and Commonwealth Governments and the Northern Territory administration to have US Stormfury aircraft for storm monitoring purposes during the northern Australian summer cyclone season, taking into account the need for aircraft monitoring of storms?

Sir CHARLES COURT replied:

The Western Australian Government has agreed to co-operate with the United States Department of Commerce National Oceanic and Atmospheric Administration (NOAA) and the Commonwealth Government in relation to the Stormfury project on the basis—

1979-80 summer cyclone season—flying, measuring, and monitoring only. No cloud seeding.

1980-81 summer cyclone season and for five years, subject to approval to an agreement now being prepared, for flying, measuring and monitoring. Cloud seeding to be carried out with mature—stable—cyclones with wind velocities of 120 km/hour or more and having less than a 10 per cent probability that the cyclone centre will be 95 km off a populated land mass within 24 hours of seeding.

A small State committee will work with the Commonwealth and US authorities to give final approval to specific clouds to be seeded.

The State recognises the advantages obtained through reductions in wind velocities.

The State is concerned at the possible changes to rainfall distribution and is seeking further technical information in this regard.

STATE FINANCE

Short-term Interest Transactions: Banks

1582. Mr DAVIES, to the Treasurer:

- (1) What amount of the \$115.6 million placed on deposit with banks, as given in answer to question 1262 of the 28th August, 1979, was invested with—
 - (a) trading banks;
 - (b) savings banks;
 - (c) other banks?
- (2) What are the names of the trading banks with which the public money identified in (1) (a) above was invested?
- (3) What are the names of the savings banks with which the public money identified in answer to (1) (b) above was invested?
- (4) What are the names of the other banks identified in answer to (1) (c) above with which money was invested?

Sir CHARLES COURT replied:

- (1) The amount of \$115.6 million was placed on deposit at competitive rates with trading banks.
- (2) ANZ Banking Group Ltd.
Bank of Adelaide
Banque Nationale de Paris

Commercial Banking Company of Sydney Ltd.

Commonwealth Trading Bank of Australia

National Bank of Australasia Ltd.

Bank of New South Wales

Rural and Industries Bank of Western Australia

(3) and (4) Not applicable

STATE FINANCE

Short-term Interest Transactions: Unauthorised Dealers

1583. Mr DAVIES, to the Treasurer:

What was the amount of public money invested with unofficial, unsecured dealers in the short term money market at—

- (a) 30th September, 1978;
- (b) 31st December, 1978;
- (c) 31st March, 1979?

Sir CHARLES COURT replied:

Public moneys invested on the so called unofficial market are fully secured by securities prescribed under the Public Moneys Investment Act and lodged with the Treasury. At no time have moneys been invested on an unsecured basis.

Money invested on the unofficial market and secured by prescribed securities lodged with the Treasury on the dates specified was—

- (a) \$33 700 000
- (b) \$48 950 000
- (c) \$35 300 000.

CONSUMER AFFAIRS: MOTOR VEHICLES

Borg Warner Differential Assembly

1584. Mr COYNE, to the Minister for Consumer Affairs:

- (1) Is it a fact that the Borg Warner type of differential assembly fitted to some Australian vehicles has for years been, and is still, experiencing an unacceptably high incidence of stress failure when travelling in mining and pastoral regions where unsealed roads are the norm?

- (2) Is it also fact that motorists in remote locations such as Meekatharra, Wiluna and other localities are being penalised in terms of inconvenience and cost by this frequent structural weakness?
- (3) Does not this continuing difficulty point up a testing and evaluation deficiency in component manufacture of this particular make of differential axle assembly?
- (4) Would he investigate what steps are being taken to rectify this problem?

Mr O'CONNOR replied:

- (1) to (4) The Bureau of Consumer Affairs' records do not substantiate a claim that Borg Warner type differential assemblies have an unacceptably high incidence of stress failure. The bureau has received only isolated complaints of this nature.

HOSPITAL

Roebourne

1585. Mr HARMAN, to the Minister for Health:

- (1) Is it intended to close down the Roebourne Hospital?
- (2) If so, when will this action be taken?

Mr YOUNG replied:

- (1) and (2) No, but consideration is being given to the rationalisation of hospital facilities in the Wickham, Roebourne and Karratha areas so as to avoid unnecessary overlapping.

RIVER: SWAN

Maylands

1586. Mr HARMAN, to the Minister representing the Minister for Works:

Is any work proposed on or near the Swan River in the vicinity of Bath Lane, Maylands?

Mr O'CONNOR replied:

No public work is proposed in the current works programme of the Public Works Department, other than routine minor items as may prove necessary associated with the safe navigation of the Swan River.

EDUCATION

Warriapendi School and Balga High School

1587. Mr WILSON, to the Minister for Education:

What plans have been made to cater for the anticipated increase in enrolments to be expected as a result of the new State Housing Commission subdivision development involving 124 single residential, 19 duplex and 11 medium density lots to be completed during this financial year at—

- (a) Warriapendi Primary School;
- (b) Balga Senior High School?

Mr P. V. JONES replied:

- (a) and (b) Temporary classrooms over and above the facilities currently available at the Warriapendi Primary and Balga Senior High Schools will be provided if and when required to house pupils generated by the State Housing Commission development. Once the full impact of the development becomes apparent, the Education Department will be in a position to programme additional permanent educational facilities which will be required to service the medium to long-term needs of the Balga area.

SHOPPING CENTRES

Number Developed, and Appeals

1588. Mr WILSON, to the Minister for Local Government:

- (1) How many suburban shopping centres have been developed in the metropolitan area in each of the last three financial years and in which local government authority areas have these developments occurred?
- (2) In how many instances during the past three years has she upheld appeals against local government authority rejections of shopping centre development proposals and in which local government authority areas have such appeals been successful?
- (3) How many of these successful appeals have involved the rezoning of land for retail purposes?

- (4) Is it necessary under the Metropolitan Region Planning Scheme to have land rezoned commercial for retail purposes?
- (5) What figures are available to indicate the availability of retail outlet space per head of population in Western Australia in comparison with that available in other States?

Mr Young (for Mrs CRAIG) replied:

- (1) The Metropolitan Region Planning Authority does not have information on approvals given by local authorities for centres below 1820 sq. metres prior to the 30th September, 1977, or centres below 9 500 sq. metres since the 30th September, 1977.

Approvals given by the MRPA are—

20—1976-77

10—1977-78

5—1978-79

in the local authority areas of—

Armadale 2, Bassendean 1, Belmont 2, Canning 3, Claremont 3, Cockburn 2, East Fremantle 1, Fremantle 2, Gosnells 1, Melville 1, City of Perth 4, Rockingham 1, South Perth 2, Stirling 4, Swan 2, Wanneroo 4.

It is not known whether all of these centres have been constructed.

- (2) and (3) A search of individual files would be necessary to extract the information requested and staff resources are not available for the task.
- (4) No, the metropolitan region scheme does not include a commercial zone.
- (5) No figures are available on a State basis. Within the Perth metropolitan region as at the end of 1978, there was 1.3 sq. metres per head of population. No comparable figures are available from other States.

HOSPITALS

Electroconvulsive Therapy

1589. Mr WILSON, to the Minister for Health:

- (1) Is electroconvulsive therapy being given in Sir Charles Gairdner and Royal Perth Hospitals, or any other public hospitals?
- (2) If "Yes" are patients being referred from Mental Health Services to these hospitals?

- (3) How many patients have been referred over each of the last five years?
- (4) Why are the statistics recorded by Sir Charles Gairdner and Royal Perth Hospitals on mental patients and psychiatric treatments (including electroconvulsive therapy) not available, when mental health services do publish statistics on mental patients without there being any apparent detrimental effect on the well being of patients?
- (5) Of the 29 minors who were involuntarily committed to Western Australian mental institutions, during 1976-78, how many were given electroconvulsive therapy or referred to public or private hospitals to be given electroconvulsive therapy?
- (6) How many patients under Mental Health Services have been treated with electroconvulsive therapy since records have been kept?
- (7) How many patients in public hospitals have been treated with electroconvulsive therapy since records have been kept?

Mr YOUNG replied:

- (1) to (7) The information requested by the member involves a considerable amount of research and analysis. The information will be provided in writing when available.

HEALTH: MENTAL

Thomas Stirling Bell

1590. Mr WILSON, to the Minister for Health:

- (1) As it was reported in *The West Australian* on the 14th September, 1979, that a youth Thomas Stirling Bell charged with wilful murder of Shirley Doreen Kelly on 2nd March, 1979, was suffering from hysterical psychosis, prior to Bell's act of murder, had he been committed to any Western Australian mental institution?
- (2) If "Yes" when was he released and why did mental health services allow this dangerous patient to be released?

Mr YOUNG replied:

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

HEALTH: MENTAL HEALTH SERVICES*Expenditure*

1591. Mr WILSON, to the Minister for Health:

- (1) What was the Mental Health Services total expenditure on wages and salaries for each of the last five financial years?
- (2) What is the Mental Health Services total expenditure on items needed for treatment of patients, and of this total how much was spent on the procurement of drugs for treatment of mental illness for each of the last five financial years?

Mr YOUNG replied:

- (1) and (2) The information requested by the member involves a considerable amount of research and analysis. The information will be provided in writing when available.

HEALTH: MENTAL*Graylands Hospital*

1592. Mr WILSON, to the Minister for Health:

- (1) Further to his written answer to question 1113 of 1979, is it a fact—
 - (a) that the female victim of reported rape at Graylands Hospital, which was subject to an investigation by the Ombudsman, was subsequently raped a second time and assaulted while being taken by car from the hospital grounds;
 - (b) that more recently another female patient was raped in Guildford House at Graylands Hospital and subsequently transferred to Riverton?
- (2) What is the present number of patients in Graylands Hospital and of this number, how many male and female patients are accommodated in Guildford House and in each of the other sections of the hospital?
- (3) What is the present number of medical and nursing staff employed at Graylands Hospital?
- (4) How many medical and nursing staff are on duty at any one time in Guildford House—
 - (a) during the day;
 - (b) during the night?

Mr YOUNG replied:

- (1) to (4) The information requested by the member involves a considerable amount of research and analysis. The information will be provided in writing when available.

CONSERVATION AND THE ENVIRONMENT*Radioactive Waste: Laporte Titanium*

1593. Mr BARNETT, to the Minister for Health:

- (1) (a) Further to answers given to question 1457 on Thursday, the 13th September, 1979, what radioactive substances are stored from time to time at Laporte; and (b) in each case what is the half life of the substances concerned?
- (2) What are the methods used to ensure the safe storage of these substances?
- (3) (a) Who supervises the burial of the radioactive waste; (b) where is it buried; (c) what specific methods are used to ensure that the buried radioactive waste will not escape its container?

Mr YOUNG replied:

- (1) (a) and (b) It should be understood that Laporte is not mining or processing radioactive substances and the only radioactive substances occurring there are those naturally present substances which remain at low concentrations in the products they utilize. These are concentrated to a small degree in the plant. It is believed that the radioactive substances referred to are due to one or more products of the uranium or thorium decay series. Analysis of low level naturally occurring radioactive substances is a time-consuming and difficult procedure and the information sought is not yet to hand. An answer will be given when it is available.
- (2) The substances are placed in a sign posted compound in an isolated part of the plant for the short time that they are stored prior to disposal. For the small quantities involved no other measures are considered necessary.

- (3) (a) A foreman employed by the company;
- (b) in the company's waste disposal site adjacent to the plant;
- (c) the substance is in an insoluble form and being in small quantities no specific methods are used.

PORT

Secret Harbour

1594. Mr BARNETT, to the Minister for Local Government:

- (1) Would she please advise what is the current status of the plans to develop Secret Harbour south of Rockingham?
- (2) Is she able to advise what is the proposed timing for commencement of development?

Mr Young (for Mrs CRAIG) replied:

- (1) Following separate discussions with me and representatives of the Metropolitan Region Planning Authority, I understand the development syndicate is carrying out investigations and preparing a new report about the area.
- (2) No.

FORESTS DEPARTMENT

Map 440A-40: Omission of Stream

1595. Mr BARNETT, to the Minister representing the Minister for Lands:

- (1) Has the Minister received a letter from one John Koeys relating to a map "Sussex Lands district Busselton 80 and issued by the Forests Department of WA in August 1975"?
- (2) Would the Minister please give answers to the following questions arising out of the letter—
 - (a) What is the reason for the omission of the stream on map 440A-40;
 - (b) what is the rationale for indicating this stream on the map of the Forests Department and when was this stream indicated for the first time;
 - (c) what is known about the origin of the stream;
 - (d) what is the geological age of the stream and its bedding;

- (e) as at present and especially during the wet season the stream can be recognised by a series of freshwater pools in the landscape, would it be possible that this stream still exists as an underground water course?

Mr YOUNG replied:

- (1) A letter has been received from John E. Koeys Jr.
- (2) (a) Lands and Surveys map 440A-40 was prepared many years ago from field surveys principally carried out for the purpose of defining land tenure boundaries. Any topographical detail shown is that which was procured by the surveyor as incidental to that task and therefore usually relates to the more significant natural features. Under these conditions the feature in question was omitted.
- (b) The stream on the Forests Department map was plotted during the normal course of mapping the area from aerial photos. The feature was obviously considered of possible topographic significance to forest management. The feature was first shown on Forests Department plans in 1971.
- (c) to (e) These questions have been referred to the geological surveys branch of the Mines Department for consideration. It is doubtful if an answer could be provided at an early date as a field inspection could be warranted. Geological surveys will be requested to reply direct to Mr Koeys in due course.

DAIRYING: MILK

Quotas

1596. Mr BLAIE, to the Minister for Agriculture:

- (1) How much "buy back" quota is held by the Dairy Industry Authority?
- (2) What is the current "buy back" price paid for quota?
- (3) How many properties have changed hands, with milk quota, and the amount of quota involved in each instance since the 1st January this year?
- (4) In relation to (3), what has been the price of sale of milk quota?

- (5) Has the Dairy Industry Authority refused approval of transfer of quota, and if so, would he provide detail?

Mr OLD replied:

- (1) 11 097 litres daily of surrendered market milk quota as at the 1st September, 1979.
 (2) Maximum compensation payable by the authority for surrendered market milk quota is \$63.00 per litre.
 (3) 23 involving a total of 8 876 litres daily of market milk quota, as follows:—

| | | |
|---------------|----|--------|
| 1st January | 1 | 488/ |
| | 2 | 312/ |
| 1st February | 3 | 400/ |
| | 4 | 200/ |
| | 5 | 245/ |
| 1st March | 6 | 443/ |
| | 7 | 275/ |
| | 8 | 312/ |
| 1st April | 9 | 542/ |
| | 10 | 566/ |
| | 11 | 407/ |
| 1st June | 12 | 411/ |
| 1st July | 13 | 376/ |
| | 14 | 471/ |
| | 15 | 342/ |
| | 16 | 1 065/ |
| | 17 | 265/ |
| 1st August | 18 | 278/ |
| | 19 | 428/ |
| | 20 | 245/ |
| | 21 | 275/ |
| 1st September | 22 | 265/ |
| | 23 | 265/ |

- (4) Not known
 (5) Not since the 1st January, 1979

EDUCATION: SCHOOL

Vasse

1597. Mr BLAIKIE, to the Minister for Education:

- (1) Would he advise when tenders are to be called for new classroom accommodation at the Vasse school?
 (2) When is it expected the buildings will be ready for occupancy?

Mr P. V. JONES replied:

- (1) It is expected that tenders will be called before the end of 1979.
 (2) The new rooms are planned to be available by third term 1980.

TRAFFIC

Motor Vehicle Insurance Trust

1598. Mr BERTRAM, to the Minister for Local Government:

- (1) Has she received a letter from me touching on question 1453 of the 13th September, 1979 relevant to Motor Vehicle third party insurance?
 (2) If "Yes" were the following numbered questions enclosed with the said letter—

"(1) Relevant to the Motor Vehicle Third Party Insurance Act, what individual premiums have been payable during each of the last ten years and what was the total paid in each year?

(2) On what date did each premium increase occur?

(3) In each of the last ten years—

(a) and to the knowledge of the Motor Vehicle Insurance Trust how many persons were injured in motor vehicle accidents;

(b) how many claims for damages were received;

(c) of the claims received—

(i) in how many cases was negligence admitted or not denied;

(ii) and in cases in which negligence was admitted or not denied in how many cases was negligence wholly admitted and in how many cases was negligence admitted only in part;

(A) in first instance;

(B) ultimately?

(iii) in how many cases was liability as to negligence denied or not admitted in first instance; and

(iv) in how many cases in which liability as to negligence was denied or not admitted in first instance was negligence subsequently admitted—

(A) wholly;

(B) in part; and

- (C) how many cases in which negligence was admitted in part were determined by courts and with what result?
- i.e. (a) in how many cases was greater negligence proved;
- (b) in how many cases was the proportion of negligence admitted proved;
- (c) in how many cases was less than the proportion of negligence admitted proved; and
- (d) in how many cases was negligence not proved at all?
- (d) how much has been paid by way of:
- (i) legal costs—
- (A) to claimant's solicitors;
- (B) to solicitors acting for the Motor Vehicles Insurance Trust;
- (C) to other solicitors relevant to claims;
- (D) for other services?
- (ii) investigation costs as to the question of—
- (A) negligence;
- (B) damages?
- (e) and in cases where liability for negligence was wholly admitted, how many cases proceeded to a court hearing as to damages; and of these:
- (i) on how many occasions was the claimant awarded a sum for damages greater than that finally offered by the Motor Vehicle Insurance Trust;
- (ii) how many plaintiffs were infants or otherwise disabled so that a court's approval of settlement was necessary?
- (f) (i) how many cases have occurred where damages have been paid in the absence of negligence; and
- (ii) why were these payments made?
- (g) how many cases have occurred where damages have not been paid to claimants not because there was no negligence but simply because the claimant could not prove negligence?
- (h) what was the amount distributed by way of profit and in each case who were the recipients?
- (i) what losses have been made and who made up or absorbed these losses?
- (4) Who were the original participating insurance companies and bodies and who are the present participating insurance companies and bodies in the Motor Vehicle Insurance Trust?
- (5) How much profit was due for payment but remained unpaid as at 30th June, 1979?
- (6) How much money did the Motor Vehicle Insurance Trust have invested as at 30th June, 1979?"
- (3) (a) If "Yes" will she now answer those questions;
- (b) If "No" why?
- Mr Young (for Mrs CRAIG) replied:
- (1) and (2) Yes.
- (3) Any information available in answer to (a) and (b) of the honourable member's question may be more readily obtained from the Manager of the Motor Vehicle Insurance Trust.
- This information is not available in my department.

QUESTIONS WITHOUT NOTICE

STATE FINANCE

Short-term Interest Transactions: Investments not in Name of State

1. Mr DAVIES, to the Treasurer:

- (1) In 1978-79 were any public moneys standing to the credit of the Public Account invested—

- (a) in any securities of or guaranteed by the Governments of the Commonwealth or the State which were not issued in or endorsed to the name of the State of Western Australia;
 - (b) with any authorised and approved dealer in the short-term money market with established lines of credit with the Reserve Bank of Australia as a lender of last resort, other than in the name of or expressly to the account of the State of Western Australia;
 - (c) by placing the moneys on deposit with any bank as defined in section 5 of the Banking Act, 1959, of the Commonwealth as amended from time to time, other than in an account or upon a certificate or other evidence of the deposit which bore the name of the State of Western Australia?
- (2) If "Yes" to (1) (a), in what name or names were the securities issued or endorsed during the investment therein of public moneys in 1978-79?
 - (3) If "Yes" to (1) (b), in what name or names were these securities held during the investment of public moneys therein in 1978-79?
 - (4) If "Yes" to (1) (c), in what name or names were public moneys so deposited during 1978-79?

Sir CHARLES COURT replied:

- (1) to (4) I understand this question arrived at the Treasury at 2.30 p.m. this afternoon, therefore I have not had a chance to check that with the officers concerned. So, in view of the fact that the House will not be sitting for one week and because the information could not be prepared in time for me to answer the question, I will send this information to the Leader of the Opposition some time next week.

STATE FINANCE

Short-term Interest Transactions: Investments not in Name of State

2. Mr DAVIES, to the Treasurer:

- (1) Were any public moneys standing to the credit of the Public Account in 1978-79 invested other than in the name of the

State of Western Australia or directly on its behalf by an agent in—

- (a) any securities of or guaranteed by the Government of the Commonwealth or of the State;
 - (b) with any authorised and approved dealer in the short-term money market with established lines of credit with the Reserve Bank of Australia as a lender of last resort;
 - (c) by placing the moneys on deposit with any bank as defined in section 5 of the Banking Act, 1959, of the Commonwealth as amended from time to time?
- (2) If "Yes" to (1), in what other ways supported by what other types of securities (if any) were public moneys standing to the credit of the Public Account invested in 1978-79?
 - (3) If "Yes" to (1), was the amount so invested—
 - (a) the sum of \$38 000 000 referred to in his reply to question 1262 of the 28th August, 1979, or,
 - (b) part of that sum and if so how much?

Sir CHARLES COURT replied:

- (1) to (4) As mentioned in answering the earlier question, the questions were not received until about 2.30 p.m. and it has not been possible for me to obtain the information, but in view of the fact that the House will not be sitting next week we will send the information to the Leader of the Opposition during the week.

CONSUMER AFFAIRS

Television Receivers

3. Mr TONKIN, to the Minister for Consumer Affairs:

Has the Minister any more information in respect of those dangerous television sets?

Mr O'CONNOR replied:

Following the question asked yesterday afternoon, I checked with the Bureau of Consumer Affairs and was informed it had been in touch with the State Energy Commission. On the information I have at this stage, the SEC indicated the equipment was safe.