

Legislative Assembly

Thursday, the 18th August, 1977

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

LOCAL GOVERNMENT ACT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr Rushton (Minister for Local Government), and read a first time.

PUBLIC SERVICE ARBITRATION ACT AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—Premier) [2.19 p.m.]: I move—

That the Bill be now read a second time. This Bill introduces appeal rights against dismissal for certain "Government Officers", re-enacts revised provisions of the Public Service Appeal Board Act, and makes minor tidying-up amendments to the Public Service Arbitration Act.

In respect of the provision of appeal rights against dismissal, this stems from an approach from the Civil Service Association on behalf of approximately 5 000 of its members.

Up till 1975 only a minority of workers in Western Australia had appeal rights against dismissal. Those who did included police, school teachers, and permanent public servants.

As a result of a decision of the Western Australian Industrial Appeal Court in 1975 it was made clear that the Western Australian Industrial Commission had jurisdiction in the matter of reinstating dismissed workers. The effect of this decision was that some 51 000 State employees covered by agreements or awards of the Western Australian Industrial Commission had access to the commission on this matter.

This situation did not extend to "Government Officers" as defined by section 11A of the Industrial Arbitration Act, as section 61 (2) (f) of the Act places these employees outside the commission's jurisdiction.

More than two-thirds of "Government Officers" are public servants employed under the provisions of the Public Service Act and these already had appeal rights under the provisions of the Public Service Appeal Board Act. However, the balance of some 5 000 staff who are not employed under the Public Service Act have no such rights and

it was this section of its membership on whose behalf the Civil Service Association made representations.

In the light of the decision of the Western Australian Industrial Commission in respect of workers within the jurisdiction of the commission, the Government considers that similar rights should be extended to these 5 000 "Government Officers". This Bill introduces these rights.

It was decided initially to enact the appeal provisions in the Public Service Appeal Board Act. However when preparatory work was commenced on a draft Bill it was decided that the opportunity should be taken to revise the Public Service Appeal Board Act as it currently stands.

The Act dates back to 1920 and, as could be expected with an Act of that vintage, has been amended on a number of occasions over the years. The appeal board's jurisdiction was substantially reduced in 1966 when the function of hearing appeals against the classification of positions was passed to the Public Service Arbitrator.

A further function of hearing appeals on salary matters by officers in the "Special Division" of the Public Service still appears in the Act but this provision was made inoperative by the enactment of the Salaries and Allowances Tribunal Act in 1975.

As a result of the review undertaken it was concluded that there were advantages in repealing the Public Service Appeal Board Act and incorporating its essential features into the Public Service Arbitration Act. This would consolidate all appeal machinery relating to "Government Officers" into the one Act.

The matter has been the subject of discussion with the Civil Service Association—which is the only union affected—and the association is in agreement with the proposal. Various suggestions to streamline procedures have also been discussed and investigated and are incorporated in the Bill.

The Bill also contains a schedule of minor amendments such as the substituting of the term "Public Service Board" for "Public Service Commissioner". In all this Bill and the three complementary Bills will result in more meaningful legislation in this area of Government employment.

An outline of the overall format of the Bill is as follows—

- (1) Clauses 1 to 7 are preliminary matters including definitions and the division of the Act into three parts.

(2) Clauses 8 to 17 basically translate the existing provisions of the Public Service Appeal Board Act into part III of the Public Service Arbitration Act. The new appeal right provisions appear in clause 9 of the Bill as the proposed section 32(2)(c) and (e).

(3) Clause 18 provides for a number of minor amendments.

I commend the Bill to the House.

Debate adjourned, on motion by Mr T. H. Jones.

Message: Appropriations

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

PUBLIC SERVICE ACT AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—Premier)

[2.26 p.m.]: I move—

That the Bill be now read a second time. Unfortunately, under our Standing Orders, it is not possible to deal with cognate Bills as is done in some other Parliaments, so we have to deal with the three complementary Bills as separate measures.

Mr Jamieson: It is about time we altered Standing Orders.

Mr O'Neil: We attempted to last year.

Sir CHARLES COURT: This Bill is one of three complementary Bills to the Public Service Arbitration Act Amendment Bill, the second reading speech of which I have just read.

As I outlined in my speech in respect of that Bill it has been decided to incorporate the existing appeal provisions of the Public Service Appeal Board Act into the Public Service Arbitration Act so that all appeal machinery relating to "Government Officers" is consolidated.

Section 6A of the Public Service Appeal Board Act deals with the right of a temporary employee employed under section 31 of the Public Service Act, to apply to the Public Service Board for appointment to the permanent staff and for that board to determine the application. Such determination becomes subject to appeal to the Public Service Appeal Board.

This provision is unusual in that it grants the original right and the consequential appeal right and is thus out of character with the rest of the Act. The logical arrangement is that the originating right be contained in section 31 of the Public

Service Act which deals with conditions relating to temporary employment in the Public Service. This is preferred to placing it in the Public Service Arbitration Act.

The Bill translates section 6A of the Public Service Appeal Board Act into proposed subsections (7) and (8) of section 31 of the Public Service Act and thereby results in more meaningful legislation.

With the Public Service Appeal Board now being established under the Public Service Arbitration Act in lieu of the Public Service Appeal Board Act it has become necessary to amend the reference to the board in section 45. This has been achieved by repealing and re-enacting the section.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Tonkin.

**PUBLIC SERVICE APPEAL BOARD ACT
REPEAL BILL**

Second Reading

SIR CHARLES COURT (Nedlands—Premier)

[2.29 p.m.]: I move—

That the Bill be now read a second time. This Bill is one of three complementary Bills to the Public Service Arbitration Act Amendment Bill, 1977.

As I outlined in my speech in respect of that Bill it has been decided to incorporate the existing appeal provisions of the Public Service Appeal Board Act into the Public Service Arbitration Act so that all appeal machinery relating to "Government Officers" is consolidated. This Bill simply repeals the existing Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Tonkin.

**GOVERNMENT EMPLOYEES (PROMOTIONS
APPEAL BOARD) ACT AMENDMENT BILL**

Second Reading

SIR CHARLES COURT (Nedlands—Premier)

[2.30 p.m.]: I move—

That the Bill be now read a second time. This Bill is also one of the complementary Bills to the Public Service Arbitration Act Amendment Bill, 1977.

As I outlined in my speech in respect of that Bill, it has been decided to incorporate the existing appeal provisions of the Public Service Appeal Board Act into the Public Service Arbitration Act so that all appeal machinery relating to "Government Officers" is consolidated.

The Bill repeals subsection (3) of section 6 of the Government Employees (Promotions Appeal Board) Act. At present this subsection provides that the employee's representative who sits on the Promotions Appeal Board in cases involving the Civil Service Association must be one of the association's representatives elected to sit on the Public Service Appeal Board.

The Civil Service Association has requested that this requirement be removed. In the case of all other unions, the union is free to exercise its discretion in the appointment of a representative under subsection (2) (c) of section 6.

In any case it is proposed in clause 10 of the Public Service Arbitration Act Amendment Bill, 1977, that in future the Civil Service Association will be free to exercise similar discretion in the appointment of a representative to sit on the Public Service Appeal Board.

The Government agrees with the Civil Service Association's request in this respect.

I should explain also that my colleague, the Minister for Labour and Industry, will be introducing two Bills following my introduction of the four Bills that I have just presented at the second reading stage. I wish to point out that while it may appear there is some overlap, in fact special reasons exist why the other two measures should be handled by the Minister for Labour and Industry.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Tonkin.

INDUSTRIAL ARBITRATION ACT AMENDMENT BILL

Second Reading

MR GRAYDEN (South Perth—Minister for Labour and Industry) [2.34 p.m.]: 1 move—

That the Bill be now read a second time. In 1966, legislation was enacted which established the office of Public Service Arbitrator and introduced a new system for providing industrial coverage of public servants and similar salaried staff employed in State agencies.

The principal Act concerned was the Public Service Arbitration Act with complementary provisions in the Industrial Arbitration Act. Section 11A of the Industrial Arbitration Act provides that the Industrial Commission may declare that certain staff employed in any Government department, State trading concern, State instrumentality, or State agency named in an order of the commission are "Government Officers" and thus come within the jurisdiction of the Public Service Arbitrator.

The commission handed down its original order on the 17th March, 1967. Amendments to the order have been made on the 2nd July, 1971 and the 10th October, 1975. During hearings in respect of the 1975 amendment, the commission indicated that it felt it was unable to include certain bodies in the order, due to two difficulties associated with the Industrial Arbitration Act and the Statutes which established the bodies.

In the first instance section 11A did not permit the commission to place on the order bodies such as the Lamb Marketing Board as the Statute which set up the board provided that it was not a corporate agency of the Crown in right of the State.

Secondly, bodies such as the Board of Secondary Education, the Western Australian Coastal Shipping Commission, and the Community Recreation Council could not be included on the order as the Statutes involved included the wording that the employer had power to make appointments and determine terms and conditions of service for staff "subject to any award or agreement made or in force under the Industrial Arbitration Act, 1912". The commission felt that this wording precluded it from determining that staff of such bodies come within the jurisdiction of the Public Service Arbitrator and thus could not be covered by an award or agreement made under the Public Service Arbitration Act, 1966.

In the interests of uniformity and consistency in setting salaries and conditions of service for officers who occupy positions in such bodies which are comparable in status to positions in the Public Service, it is desirable that such bodies should come within the jurisdiction of the Public Service Arbitration Act. At present these officers are not covered by registered industrial documents and this is an unsatisfactory situation.

This Bill and the complementary legislation contained in the Public Service Arbitration Act Amendment Bill (No. 2), 1977, will remedy this situation by—

- (1) giving the Industrial Commission the power to include on the order any public statutory body established by this Parliament; and
- (2) adding an overriding provision which deems reference to the Industrial Arbitration Act to refer also to the Public Service Arbitration Act.

In respect of the amendment to section 98A of the Act, the Crown Solicitor is of the opinion that the Attorney-General is unable, under this section, to intervene by an application to the Industrial Commission to suspend or cancel in

whole or in part the terms of an order, award, or industrial agreement, where a union has contravened the award or for other logical reasons.

That is because the Attorney-General, as the section stands, is not deemed to be a person "who has sufficient interest" as the section does not seem to embrace the "public interest" type of argument.

It is significant that in many sections of the Industrial Arbitration Act, the Minister or the Attorney-General is expressly appointed to be the guardian of the public interest; as in sections 68, 94A, 108C, 108D, and 108I.

The Commonwealth Conciliation and Arbitration Act—in section 62 which corresponds to our section 98A—was amended in 1947 to specify the right of the Minister to apply on the part of the Commonwealth. The decisions of wage-fixing tribunals these days have such an effect upon economic trends, it is vital that the State has the opportunity to appear before a tribunal as required to represent the public interest.

I shall explain the clauses of the Bill.

Clause 2: This clause amends section 11A of the Act.

Paragraph (a) amends the definition of "Government Officers" to include staff employed in a "public authority" and defines "public authority" to include any public statutory body established by this Parliament.

Paragraph (b) gives the Industrial Commission the power to amend its order so as to include or exclude persons employed in any public authority.

Paragraph (c) is an overriding provision which deems reference to the Industrial Arbitration Act to refer also to the Public Service Arbitration Act in respect of whether staff employed in public authorities are "Government Officers".

Paragraph (d) specifies that employees of the State Energy Commission are not "Government Officers". It has never been submitted that these officers come within the Industrial Commission's order and in fact the Civil Service Association's membership rule specifically excludes them from becoming "Government Officers". However, to clarify the situation by legislation it is intended to exclude them specifically, as is already the case with officers of either House of Parliament, teaching staff of the Education Department, and officers within the jurisdiction of the Railways Classification Board.

Clause 3 amends section 94A of the Act. The amendments simply provide for the use of the

term "public authority" instead of the terms "Government department, State instrumentality, State trading concern or State agency" in line with the future use of this term in section 11A of the Act.

Clause 4 amends section 98A of the Act. It allows the Attorney-General to be named directly as a person with "sufficient interest" to enable him to apply to the commission to cancel or suspend the terms of orders, awards or industrial agreements.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Tonkin.

PUBLIC SERVICE ARBITRATION ACT AMENDMENT BILL (No. 2)

Second Reading

MR GRAYDEN (South Perth—Minister for Labour and Industry) [2.42 p.m.]: I move—

That the Bill be now read a second time. This Bill is complementary to the Industrial Arbitration Act Amendment Bill, 1977, and is concerned with the remedying of problems associated with section 11A of that Act.

As outlined in my speech concerning the Industrial Arbitration Act Amendment Bill, 1977, it is proposed to give the Industrial Commission the power to include in its order respecting "Government Officers" any public statutory body established by this Parliament.

The provisions of the Bill simply complete the exercise by permitting the Public Service Arbitrator to deal with staff employed in any such bodies which may be added to the order.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Tonkin.

DEATH DUTY ASSESSMENT ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th August.

MR JAMIESON (Welshpool—Leader of the Opposition) [2.43 p.m.]: I indicated in an earlier debate that there should not be much argument in respect of this legislation; however, some comments are called for.

You will recall, Sir, that in its policy speech the Labor Party said it would abolish probate duty between spouses in its first Budget. Last year some improvements in the spouse-to-spouse situation were allowed by the Government. It introduced amending legislation which allowed some concessions, and at that time we challenged the Government because most other States

had abolished spouse-to-spouse probate requirements, and we asserted they should be abolished in this State also. We said we should not be the last to make the move. As I understand the situation then, the Premier said he would abolish this probate over three Budget periods, and he has now commenced to do that.

Now, of course, we are back to the period of three Budgets in which to cover the whole question of probate, and not just the spouse-to-spouse situation. I am not sure whether we will be able to agree in the ultimate to all the Government's plans in respect of probate. I do not propose to argue that matter now, but I do point out that the Government will be forfeiting \$6 million of taxation revenue, and it will not be available to any future Government.

Of course, we know the Government is under some pressure because the National Country Party after the last election clearly indicated that one of its terms in respect of joining the coalition was the abolition of probate duty. Of course, National Country Party members caved in, as they usually do. They also caved in in respect of the number of Ministers they would have in the coalition, and in respect of other matters such as the question of meat marketing. We have seen this happen repeatedly.

Mr Old: What do you mean "caved in"? It is being phased out over the life of this Parliament.

Mr JAMIESON: It was clearly proposed that probate would be abolished outright.

Mr Old: No it was not.

Mr JAMIESON: It was stated in the National Country Party policy speech that it would be phased out.

Mr Old: In the life of the Parliament.

Mr JAMIESON: Yes, but it is not being phased out now.

Mr Old: It is, in the life of the Parliament.

Mr JAMIESON: It is being phased out over three Budgets.

Mr Old: That is correct.

Mr JAMIESON: The National Country Party fell for what the Premier proposed, and probate will be phased out over three Budgets. I am not sure whether I agree with the total policy, and perhaps we will fight that battle when the next stage is reached.

Mr Old: We will be pleased to fight you on that one.

Mr JAMIESON: Good.

I agree that we should be looking at some other provisions for farming estates. I do not know that I could agree just to phase out this much tax in the case of inheritors who are able to go on accumulating money; because not only is this undesirable in my view but also we must remember that it adds to estates which are subject to Commonwealth taxation, and it accumulates more wealth for Canberra. The Premier is always telling us about those centralists over there who are accumulating more wealth than they should.

I agree there are many problems in respect of the normal spouse-to-spouse situation, but when it comes to extending concessions beyond that, we might be prepared to argue the matter. There must be other ways by which to grant concessions to rural properties where families are involved in farming activities. Estates in country towns are different; in my opinion the requirements in respect of those should be no different from the ordinary suburban situation. I would not be prepared to make a concession there. However, perhaps there are some concessions that could be appropriate in respect of farming properties.

I cannot see how in the long run the Premier can get away with these concessions without imposing some alternative taxes. He may say he will not impose further taxes; that it is not necessary because of the prudent budgeting or good housekeeping about which he is always speaking. However, he has at his disposal the 3 per cent surcharge on the electricity and water supply authorities, as well as on the Fremantle Port Authority. That is a built-in gains tax, and the amount of revenue is always increasing. Possibly we will have to look at an increase in charges for various other services if we cannot do without the \$6 million we will lose as a result of this measure.

I mentioned earlier that last year some concessions were made in respect of the spouse-to-spouse provisions. This Bill ensures that the children or grandchildren of those people who are granted concessions and exemptions under the Act will not be adversely affected.

I think this is a right and proper provision in this Bill also. Any other concessions that apply by law are being covered by this piece of legislation. It would appear that the original Act—the one that provided for the collection of death duties in this State—was introduced in 1903 as an Administration Act and existed until 1973 when the Tonkin Government brought in an Act which superseded the present Act.

It appears that the Commonwealth saw that it could also get a bite of the cherry and in 1914 the Commonwealth Government brought in an Act to cover estates; and there has been joint taxation in this field since that time. I suggest, therefore, that we should be very careful in planning how much we will give away in the future when examining how much extra advantage the Commonwealth will get out of this. To give too much advantage in this area, which has traditionally been one for State Governments since Federation, would open up the tax field completely to the Commonwealth. It may be that if the States are not prepared to limit the growth of estates by succession over a period, the Commonwealth will have to do it. I am suggesting that we should be very careful just how far we go.

The present proposals seem to me to be quite humane and justified at this stage, and because we are able to reach common ground on this matter and because we virtually had a common policy at the last election, I support the Bill.

MR McPHARLIN (Mt. Marshall) [2.53 p.m.]: I wish to make a number of comments on the proposals before the House and I indicate at the outset that I am very much in support of them. When introducing this Bill the Premier said that this is the first step towards the total abolition of death duty in Western Australia. This is not the first State to take that action. It has been taken in Queensland with some beneficial effect inasmuch as there has been a tremendous upsurge in investment in that State due to some extent to the total abolition of death duties.

The point about the Commonwealth possibly gaining revenue from estate duty because of the assessment of estate duty based on net values has been taken into account by my party and we have made approaches to Federal representatives so that they might endeavour to move in the direction of reducing the Commonwealth impact on estate duties.

Another point made by the Premier is that because of the successful management of the State's finances in the current year the Government is in a position to pass on the benefits of that good management.

Mr Bertram: Are you saying that this amendment will attract investment?

Mr McPHARLIN: I am suggesting that when the total abolition takes place it will attract investment in Western Australia.

Mr Bertram: This amendment?

Mr McPHARLIN: Not so much this amendment, but the total abolition when it is applied over the next three Budgets. That was not quite what the National Country Party had requested but total abolition will be phased in over three Budgets, and I think that will be of great benefit to the State.

One point that has been raised with me and which I wish to pass on to the Premier is the application of death duty assessments to estates which are passed on in quick succession. Under the current proposal if an estate is passed from spouse to spouse no probate would be payable, but if the remaining spouse were to die within a short period, what then would be the application of probate duty? This point has been raised with me by several of my constituents.

I believe there is a table which covers this aspect, but I am not quite clear about its application, and I request the Premier to give some clarification of that point. However, I am fully in support of the measure and hope that we will see over the next three Budgets the total abolition of death duties in Western Australia.

MR BERTRAM (Mt. Hawthorn) [2.57 p.m.]: **Mr Speaker**, section 425 of the Criminal Code of this State reads as follows—

Any person who, being an officer charged with the receipt, custody, or management of any part of the public revenue or property, knowingly furnishes any false statement or return of any money or property received by him or entrusted to his care, or of any balance of money or property in his possession or under his control is guilty of a misdemeanour, and is liable to imprisonment with hard labour for two years.

I shall come back to that section and the thought behind it as I proceed with my speech. In his speech the Treasurer said that this is a very important Bill, but if one looks carefully at his speech he does not appear to have gone to any lengths at all to justify that statement. He has told us that this Bill will cost about \$3 million per annum of revenue; that is how much will be lost.

Mr Jamieson: The sum is \$3.9 million this year.

Mr BERTRAM: That is right, and a little more in another year. But the Premier informed us some time ago that the State's Budget is for \$2 billion. So if he is relying upon the money considerations involved here to justify his saying that this is a very important Bill, he has no case at all. The sum of \$3 million over \$2 billion

multiplied by 100 gives a real idea of how much is involved. This Bill from a State Treasury point of view involves peanuts or less.

We then look around to try to find out what there is about this Bill that causes or justifies—or purports to justify—the Premier's statement that it is a very important Bill.

I think the National Country Party can explain that to us because the Premier was standing firm up to a certain very material and relevant date, and telling the people that to put an end to probate duty—more correctly called death duty—as quickly as is now being done would be irresponsible. Suddenly there came a date when it ceased to be irresponsible, and became the policy of the Government. What was that date? Well it was on or about the date that it became apparent how the numbers would be in this Parliament; almost precisely to the minute.

For a time it looked as though the numbers would be 21 Labor Party, six National Country Party, and 28 so-called Liberals. I will call them "Liberals" for convenience; you, Mr Speaker, know I do not accept the proposition because it is false. The final figures made up a Legislative Assembly of 55 members. However, the member for Gosnells came onto the scene and won the seat from the Liberal, or whoever his opponent was, and almost immediately we found that the attitude of the Government changed. The final figures revealed 22 Labor members, six National Country Party members and 27 Liberals; not quite sufficient Liberals to take on the National Country Party. Therefore, what was previously considered to be thoroughly irresponsible became wonderful housekeeping—whatever that means.

Mr Jamieson: And acceptable.

Mr BERTRAM: It suddenly became good business management, and I will come back to that because we say that the management of the Treasury in this State is woeful and worse.

Mr Stephens: The National Country Party is a force to be reckoned with.

Mr BERTRAM: It could be, and the member who has just interjected is aware of it, but who else is aware of it? If the National Country Party woke up to itself something could be done about the matter. As it is, the two National Country Party Ministers in the present Government will not be members of the Government at all in the fairly near future.

The battle at the moment in this House is between the Liberal Party and the National Country Party, and one of these fine days the National Country Party will realise its position, but present indications are that the realisation

will be too late. When that occurs the National Country Party will get the same sort of short shrift from the Premier which we on this side of the House receive.

However, in the present situation the National Country Party twiggled and the deal was that they would be taken into the Government. They were suddenly needed. The election of the member for Gosnells had suddenly changed the whole cash book set up in this State.

Members should not imagine that the cash book of this State is all that complex because the money coming in goes to the left-hand side of the cash book and the money which goes out goes on the right-hand side of the cash book. Any person with any imagination would be able to find out where the money was going. If one had a computer, and one was fairly efficient, one would have no difficulty.

Mr Young: We know what the left-hand side is.

Mr BERTRAM: In the new arrangement between the Liberal Party and the National Country Party the Premier added a rider that the National Country Party would be represented by two Ministers instead of three. So, as the Premier has told us, this has become a very important Bill because it was fundamental to the formation of the coalition. The introduction of the Bill has little to do with finance; it involves three plus a small fraction of a million dollars. I could say four, or even make it five or six million dollars in what the Premier referred to as a \$2 billion Budget. So, members will see the financial relevance of this Bill.

Let us have another look at that aspect. I have been told that a spouse receiving a benefit from an estate of \$500 000, at the moment, pays death duty of \$112 500. If the spouse receives an estate of \$400 000, the death duty is \$87 500. If the estate is \$300 000, the bill is \$62 500. If the estate is valued at \$200 000, the death duty bill is \$28 150. If the estate is valued at \$100 000, the death duty—quite erroneously called probate—is \$4 150. If the estate is valued at \$75 000, the surviving spouse is liable for \$1 000.

If an estate is valued at \$50 000 or less, the surviving spouse will pay nothing even as the law stands at this moment, without the introduction of these amending Bills. Possibly, death duty would be payable on an estate a little above \$50 000, but we are not worried about a few dollars either way.

I imagine the members of this Legislative Assembly would be interested to know that something like 90 per cent of the estates which are valued are less than \$50 000. Those are rather

interesting statistics, and I think they entitle one to draw the conclusion that the people we represent on this side of the House will not fare all that well out of these proposals.

Mr Old: Were you not going to abolish spouse-to spouse death duties?

Mr BERTRAM: We certainly were.

Mr Old: Why?

Mr BERTRAM: At the moment, I will concentrate on my speech to the Bill before us.

Mr Old: You need to.

Mr BERTRAM: The Minister will have an opportunity to bound to his feet to tell us about the situation which the Premier had in mind when he formed the Government.

Mr Old: This is very important legislation to a lot of people. You are a Christian gentleman!

Mr BERTRAM: Alternatively, the Minister should get up and tell us chapter and verse how the debate went.

Mr Old: Tell us why you had to get that other 10 per cent out? I am interested.

Mr BERTRAM: Perhaps the Minister will tell us what the deal was which was struck, and whether he stood over the Premier—or attempted to stand over him. The Premier probably told the Minister that this matter was chicken feed, and that they had plenty of numbers between them.

Mr Old: You are hopeless.

Mr BERTRAM: The Minister should rise to his feet and explain.

Mr Old: I do not need to. Tell us about the other 10 per cent and why you have to get rid of it.

Mr BERTRAM: At least one of the Minister's colleagues seems to be impressed with my story.

Mr Old: Oh, yes!

Mr O'Neil: He would be very lonely.

Mr BERTRAM: Is he? All right; we will proceed a little further. For reasons which I can well understand—I do not know whether anyone else has wondered about it—this Bill refers only to spouses.

Mr Old: You would not know anything.

Mr BERTRAM: So, the ordinary people who will read this debate will believe the measure is aimed towards lawful spouses. The Premier made no attempt to advise the Parliament of the fact that the provisions of the Bill also cover *de facto* spouses.

Mr Shalders: Are you opposed to that?

Mr BERTRAM: Had the honourable member been here a few years ago he would know we blazed the trail in that direction. I want to know how it is that, when introducing what he calls a most important Bill which gives benefits to spouses, the Premier did not specifically state the other people who are covered by its provisions. Why did he not do that?

Mr Shalders: The Bill is there for anyone to read.

Mr BERTRAM: One needs to know more than is contained in the Bill.

Mr Bryce: He is a typical Government back-bencher.

Mr BERTRAM: He has the bug which the Premier is currently disseminating; that is, we must be positive but do not let us worry too much about the facts. That was amply manifested in the shemozzle the Minister for Labour and Industry foisted on us last night. Since when have conservatives been positive? They are negative and fearful.

Because the Premier, for reasons I know of and which he can explain to us, did not do so, it is desirable that I should state for the record that the benefits of the Bill extend not only to lawful spouses but also to *de facto* spouses.

Sir Charles Court: It is already in the Act. We do not have to amend it.

Mr BERTRAM: The Premier would know a fair bit about acting. The Premier, seeking to do the right thing by the people and keep them properly informed, does not mention the aspect of *de facto* relationships at all. So I must explain to the people in my electorate who want to know what is going on that what the Premier is reported to have said in a news report does not spell out the factual situation.

Mr O'Neil: They would not learn much about it from you. That is one of the facts you are talking about.

Mr BERTRAM: In any event, the public should know the Bill will also give a benefit to *de facto* spouses—

Sir Charles Court: Under the existing definition.

Mr O'Neil: Under the existing definition of a widow.

Mr BERTRAM: The Premier works on the basis that all the people of the State—the carpenters and his friends the Joe Blows—are

familiar with the provisions of the Death Duty Assessment Act. I do not accept that is so. Nonetheless, I will read the definition—

"widow" and "widower" in relation to a deceased person include, as the case may require, a person who, although not legally married to the deceased person—

- (a) lived with the deceased person on a permanent and *bona fide* domestic basis immediately before the deceased person's death, if the deceased person leaves any dependent child who is the child of their union; or
- (b) lived with the deceased person on such a basis for not less than three years immediately before the deceased person's death, if the deceased person does not leave any such dependent child.

The people in that category are interested in this legislation and are entitled to be told they have nothing to worry about because they, too, are to be treated as human beings, even if the technicality and legality of marriage has not been observed in their case.

Section 5 of the Act also contains a definition of the expression "child", which states—

"child", in relation to a person, includes an adopted child, a step-child, or an illegitimate child of that person;

We in Opposition have therefore discharged our duty to the public by letting them know what is going on with this Bill, even though the Premier feels they are merely incidental and should not be told, for some reason or other. As I said, I have a good idea what the reason is.

It appears from Press reports that the Premier has already acknowledged that the Australian Government—the centralist Government—will benefit from this legislation. Of course, we must hate centralism because in government it is grossly inefficient, although in the private sector centralism is practised. Huge companies which operate in Australia are centralised in the United Kingdom and many other countries, and their Australian operations are centralised in the Eastern States, so the movement in that direction continues. That is efficient and acceptable but in government it is thoroughly reprehensible and bad. So we have two standards. At any rate, according to the Premier, we must hate centralism, notwithstanding the fact that in the

main the Liberals have set the pace in that direction since Federation.

The Premier said, as reported in *The West Australian* of the 4th February—

The people of Queensland are just starting to realise that the Queensland policy of abolishing State death duty is going to result in their paying extra death duty tax to the Commonwealth because of the peculiar method by which the Commonwealth death duties are assessed after allowing for taxes paid to the States.

I do not see anything peculiar about that; it is a very simple process. In any event, the "doyen of politicians" in Australia, Bjelke-Petersen, is reported to have done something by way of an appeal to the High Court. I want to know from the Premier what he has done in respect of any appeal to the High Court. If he is really serious about centralism it is time he hopped on the bandwagon he usually follows and joins forces with Bjelke-Petersen to do something positive.

We do not want words; we want action. The people of this State want to know what is happening and whether they will have to pay more Federal death duty. No doubt the Premier will in due course fill us in fully as to what he has done in that regard. We want a positive answer and some evidence of positive action. We do not want words.

I suppose a person could be very positive and at the same time be a "con" man. Sometimes they are the same thing and sometimes there is a distinction.

I was watching television a couple of weeks ago and there appeared on the screen the not unfamiliar countenance of the Premier. Following up the proposition that we must be positive, this is what he dished up for the peasants and Joe Blows: "This Government is proud. We have put up this tax, that tax, and some other tax." I do not know what the percentage is but it was a huge slab and enough to cause a few coronaries among the viewers. He said, "We are proud." Any other person would say to himself, "This is red hot; I will not appear on TV." But not the Premier: he really socked them in the stomach.

Mr Young interjected.

Mr BERTRAM: The honourable member goes on about the cash books. It really hits them to leg; one can feel the air coming out of the stomach of one's neighbour when the Premier talks about increases of 30 per cent on this and that; and is proud of it. This is what the Premier's Government—and we know it is made

up of the Premier, a few of his Ministers, and the atrophying Country Party appendage—calls good housekeeping. Mercifully in his second reading speech on this occasion we were not subjected to this junk about housekeeping; we were told it is good management. It means the same thing.

We do not accept that at all and, having said that, it is desirable we should provide some evidence to show why we do not accept it is good housekeeping. I will explain to members what is the Premier's definition of good housekeeping. Firstly it means keeping the annual surplus as low as possible, because if the surplus is kept to a minimum the Government is able to increase taxes as high as it possibly can. Is that not logical?

Quite obviously if the Premier in 1976 had shown his true balance of \$14.5 million instead of \$500 000, how would he have been able to impose so many taxes? So the procedure for good housekeeping *a la* the Premier is to keep the surplus to a minimum and to keep taxes up. If the surplus is too high, the Government cannot increase taxes. Furthermore, as was pointed out last night, if the surplus is too high the Premier cannot comply with the Federal policy of unemployment.

Mr Young: If you want to make that valid you will also have to tell us what happens to the surplus.

Mr BERTRAM: I am glad the member for Scarborough accepts that I have made a *prima facie* case.

Mr Young: I didn't say that.

Mr BERTRAM: Now I will tell him what to do to keep the surplus down. It is a few months since I looked at this matter, and upon looking through my file now I see a newspaper heading in *The West Australian* of the 6th August, 1976, "Court denies \$8m slush fund". That news item appeared in the Press as a result of a debate in this place which touched on various matters.

One way to keep the surplus down to a very small figure is to pay in the year ended the 30th June, 1976, bills which should have been paid in the following year, following the practice of 147 years.

Mr Young: Why didn't you take up my challenge to ask the Australian Society of Accountants for its version of that?

Mr BERTRAM: I propose to explain to members what, according to the Premier of this State, constitutes good fiscal management. From 1829 to 1975 there was a system of accounting. In

1976 a sudden change was made. On the 3rd July, 1976, the people were told by way of a Press release that there was a surplus for this State, for the year ended the 30th June, 1976, of something like \$600 000. Then followed a whole lot of padding. In that Press release there was not a breath, not a word, not a letter to tell the people of Western Australia that figure was the result of a change in the system of accounting which had been followed for 147 years, a change of which this Parliament had no knowledge and to which it had obviously not given approval. That change added \$8 million to the surplus, making it a total of \$8.6 million.

I know if the Premier feels inclined to do so he will get up and talk about accruals, etc.

Mr Young: The Premier gave full details in the Budget, and that is the only way you people picked it up.

Mr BERTRAM: I picked it up in about two lines in a speech of about 10 pages. What would happen to the treasurer of a football club, a cricket club, or a golf club if he did not tell the members of his club of such a change? Would he expect to survive in his position? How many would dare to try it, let alone think of surviving? Not one.

Mr Young: Without the full disclosure which the Premier gave?

Mr BERTRAM: He did not.

Mr Young: He did so. You check his Budget speech.

Mr Jamieson: You don't do it after the event.

Mr BERTRAM: The director of a company normally would be expected to take his shareholders into his confidence.

Mr Young: When does an auditor's report come? When does a director's report come? After the event.

Mr BERTRAM: The member for Scarborough can try as hard as he likes; I am telling him that no decent, self-respecting person would put up a set of figures and withhold from his listeners the knowledge that the fundamental figure was not correct.

Mr Young: You are a disgrace to the letters after your name, because you know better than that.

Mr BERTRAM: The Premier has already trotted out this stuff; do not pick up his words.

Mr Young: I think you are wrong; it was I who trotted it out last year.

Mr BERTRAM: Let the member for Scarborough stand on his own two feet.

Mr Young: I did last year; it was in the newspapers.

Mr BERTRAM: The amount involved was \$8 million, or thereabouts, and it took the surplus to approximately \$8.6 million. That was done by paying the next year's bills in the year before.

The next thing is for the Treasurer not to bring into his accounting money which is owed to him by various departments or instrumentalities—\$400 000 from some body, and \$4 million from the SEC.

Mr Young: In other words, now you want to change the system after 147 years of established practice. On the one hand you didn't want to change it, and now on the other hand you want to change it.

Mr BERTRAM: My friend over there is not hearing too well. I did not say I want the system to be changed; I want the accounting to be done in a proper, decent, open manner. Is that too much to ask?

Mr Young: It has happened.

Mr BERTRAM: The next step is fairly conventional but, nonetheless, it is not the best. The Premier goes on television with \$4 million in his hip pocket but does not say anything about it because it would not look good to have that much money when we have so much unemployment.

Mr Young: Would there be any chance of getting on to the Bill before your time expires?

Mr BERTRAM: That is another procedure for keeping a surplus down so that taxes may be increased and the Premier can poke out his chest like a balloon and say, "Look at our works programme."

We are talking about a figure of \$6 million or thereabouts—I will not argue about the precise amount—which should have gone into general revenue for the year ended the 30th June, 1976. An amount of some \$6 million in cold blood is missing. No mention of that sum of money was made in the statement of, I think, the 3rd July, 1976.

So, coupled with the first figure of \$8 million, we have a total of some \$14 million. Is that good housekeeping and frank accounting? Is that really delivering the goods to the Joe Blows out in the street? What became of that \$6 million? Did it ultimately go into revenue? From

memory, I do not think it did. The law permitted it to go elsewhere, and it certainly did go elsewhere: It went into the works programme.

Sir Charles Court: Did you not want it to go there?

Mr BERTRAM: Nonetheless, it had its effect on the Budget, and allowed this Government more leverage on the people for additional taxes.

Mr Young: It created more jobs.

Mr BERTRAM: The Government did not worry about unemployment. We all know that this Government's policy towards unemployment is to kowtow to what Mr Fraser does.

Mr Young: Millions of dollars went into the works programme for the creation of new jobs.

Mr BERTRAM: The unemployed are the economic cannon fodder of Australia; we have 26 000 of them in Western Australia alone. So, the Government's attitude is to keep the money out of revenue so that the people cannot see that the potential is there to spend the money.

Mr Young: You never got around to telling us where the money went.

Mr BERTRAM: I hope we will find out when we receive the financial accounts and I have a chance to examine them. Of course, we will be asking a series of questions, for the reasons I have given the House.

For the benefit of members, I again read section 425 of the Criminal Code. It states—

425. Any person who, being an officer charged with the receipt, custody or management of any part of the public revenue or property, knowingly furnishes any false statement or return of any money or property received by him or entrusted to his care, or of any balance of money or property in his possession or under his control, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for two years.

The spirit behind that provision is openness, frankness, and honesty. Because people in the private sectors, in clubs, in companies and firms must follow that type of law, I do not see any reason that we in this place should not follow its spirit also. According to the Premier, we are dealing with a budget of \$2 billion per annum. I happen to disagree with him, but that is what he says. Since he has been in Government, from memory he has doubled the Budget. It took over 140 years from the establishment of this colony to get to the figure which applied before he took office, and he has managed to double it in only three or four years. That is good financial management for you! That is really ripping in and, more particularly, ripping off.

I have touched on the matters I particularly wished to draw to the attention of the House. The Premier regards this as a very important Bill simply because it has something to do with the very existence of the coalition and its dealings, and with whom shall be Ministers and whom shall not. That is very important to the Premier. Of course, it has nothing to do with money; that is a red herring, which is not unusual in this place. We have discussed who the surviving spouse is. I do not accept what the Premier pretends to accept; the Joe Blows down the street know that a surviving spouse can also be a *de facto* spouse. I have taken more than a little time to examine the Bill, and there is no getting away from the fact that it will have the effect of causing the people of this State to pay increased estate duty to Federal authorities.

I have also given one or two reasons—although I have plenty more, which I will mention at a later date—that we hope the Premier will lay off this nonsense about good housekeeping and good management. It is true that in other countries, in this nation and in this State, if a person repeats statements often enough, and the media permits it by providing a vehicle for his statements, remarks which are not necessarily factual will be accepted as such. We on this side do not rely so much on repetition, because the media are not on our side anyhow. We believe that in the long run, the best thing is to spell out the facts and let the people know them. It is the opinion of members on my side that even if the people are told unpalatable facts, they are mature enough and big enough by and large to cop them and respond in an appropriate, proper, effective and positive way.

SIR CHARLES COURT (Nedlands—Treasurer) [3.36 p.m.]: I thank members for their contribution to this debate. Before I go any further, I should deal with the comments by the member for Mt. Hawthorn. Quite frankly, his remarks were a disgrace to his professional training.

Mr Jamieson: How many times have you said that?

Sir CHARLES COURT: I will say it again, and continue to say it every time he stands and says the things he does, particularly the remarks he insists on making about State finances.

Mr Bryce: So, by implication, you are the cleverest.

Sir CHARLES COURT: I remind the honourable member that there is such a thing not only in law but in the practice of good accounting as the "Doctrine of Disclosure", and this doctrine

is practised in ever increasing degree with the passage of time. Quite apart from anything that might be in the Criminal Code dealing with officers of the Government, or anyone else for that matter, the fact is that the Doctrine of Disclosure has been an accepted practice for a long period.

I wish to remind the honourable member, who seems to forget these things, that this place has its own manner of disclosure. Indeed, it is the most public of all methods of disclosure. It takes the form of the Budget speech and the Budget papers, and it does not end there because, sitting over every Government and its officers is an officer of this Parliament—the Auditor-General. He is not a servant of the Government. I invite the honourable member's attention to the fact that we have had the Auditor-General's report on the accounts for the year ended the 30th June, 1976, and in due course, we will have the Auditor-General's report for the year ended the 30th June, 1977.

The honourable member cannot point to any allegations by the Auditor-General or any suggestions by the Auditor-General that this Government or its officers have done anything but keep the records of this State in a proper manner and with proper disclosure.

I challenge the Opposition again to come out and say whether they want us to go into a system of deficit financing. If they do, they should say so. If we adopt such a system it would mean we would have to take the deficit out of loan funds, and if we did that it would mean fewer people employed. It seems to upset the honourable member that we have been careful with our housekeeping and management.

However, if we are prudent, and are able to allocate more money to our works programme to employ more people, surely that should be the subject of commendation, and not cynicism, sarcasm, mis-statement and distortion, as the honourable member seeks to give to this House.

To get down to the provisions of the Bill and whether or not the Government is going to phase out probate, death duty or estate duty—whichever term one cares to use—during the life of this Parliament, or over three Budgets that literally is Tweedledum and Tweedledee, because the matter comes under the control of this Parliament during the life of this Parliament, whichever expression is used.

We must bear in mind that the three Budgets will be presented during the life of this Parliament and the expression "three Budgets" was

put in to be precise in regard to the timing when the various steps would become effective as distinct from just referring to the life of the Parliament because then someone would get pedantic and say that certain things have not taken effect because of the election intervening. It would still be in the life of that third Budget passed by this Parliament.

Mr Tonkin: You will not allow this Parliament to operate.

Sir CHARLES COURT: The provision for the phasing out of death duties was a sensible and practical one. It will be embodied into three Budgets and the first we are about to bring down. Because we wanted this third phase to prevail in its entirety from the 1st July, 1977, we have introduced the Bill now ahead of the Budget papers and Estimates for the new financial year; and for that the Government is to be commended, rather than condemned as it was by the member for Mt. Hawthorn.

The Leader of the Opposition referred to the fact that there had been a unanimity in the principle of getting rid of the spouse-to-spouse death duty; that is, duty on estates passing from spouse to spouse. That is fair to say because any differences were only a matter of timing and degree. In order to get the record straight I believe it is as well that I quote the policy speech of the Liberal Party as it was enunciated before the election in February of this year. Page 38 reads—

(9) DEATH DUTIES

Our strong discipline of State finance will enable us to continue our steady reduction of Death Duties.

- * Duties as between husband and wife have been abolished on ninety percent of such estates. They will be removed entirely in the next two budgets.
- * We are preparing a time-table for the complete abandonment of Death Duties as a source of tax revenue.
- * The strong feeling on this issue is appreciated. But it must also be understood that financial discipline runs two ways—there must be adequate revenue to do the things expected of Government, as well as great care in the spending of it.
- * Any changes in source of revenue must be managed responsibly.
- * We don't intend to remove death duties in a way and with a speed that would force us to impose replacement taxes and charges which could be more burdensome to the people we seek to protect. Also, it is

important we do not progressively move to abolish State death duties without regard for the Commonwealth tax.

Under present arrangements, extra Commonwealth tax would be payable as State tax is reduced—unless the Federal Government adjusts its tax formula to let people keep the benefit of our reductions. We propose to negotiate on this matter with the Commonwealth Government to keep the benefits we generate.

I said that on purpose because I do not want any misunderstandings or misinterpretations of what we undertook to do and are doing. Members will find that not only this Bill, but also our commitments over the three Budgets dealt with by this Parliament, are completely consistent with the promises made.

A request was made for information as to what approaches had been made at Federal level to persuade it to move sympathetically in line with what we have done and propose to do. Queensland has gone even further than we have and therefore the need from its point of view is much more urgent than our own.

We have approached our Federal colleagues to point out that it would be quite inequitable if we moved to reduce this burden in our State only to find people are paying more because of the peculiarities of the system of imposing the Commonwealth tax after due regard for what has been paid at the State level. Therefore we have commenced our discussion, admittedly in an informal way at the moment, but we intend to take the matter further. Approaches have been made by Queensland as well as us and the matter becomes more urgent as we move progressively to get rid of this particular form of tax during the life of this Parliament and over the three Budgets.

While supporting the principles in the Bill, the Leader of the Opposition indicated he might have other views when we deal with the provision to abolish death duty completely. I can understand he would want to make this reservation because there are people not only in the Labor Party but also on our own side of politics who have their own views about the law that applies in respect of estates.

Sitting suspended from 3.45 to 4.04 p.m.

Sir CHARLES COURT: Mr Speaker, before the afternoon tea suspension I was dealing with the reservation made by the Leader of the Opposition in respect of the complete abolition of death duty in the ultimate programme proposed by the Government. I mentioned there are people

—not only those in the Labor Party—who believe there should be some form of duty so that the estates are gradually reduced and broken up.

We on this side do not subscribe to that view, and in my professional experience I have found human beings have a habit of breaking up estates of their own volition by their imprudence. The Americans had a saying that one went from shirt sleeves to white tie and tails and back to shirt sleeves in three generations. The father worked mighty hard, the next generation received the benefit of it, and the next generation after that ended up where the grandfather or great-grandfather had started. People who acquire money without having to strive for it themselves rarely take proper care of it.

Mr Jamieson: They could finish up like the Chinese with about a square metre of land each when the family became so large.

Sir CHARLES COURT: That could happen under any system which involved a hereditary form of subdivision. Such a system has proved to be a disaster in places like India. However, we do not have that system here.

We on this side are conscious of the fact that if people accumulate estates, those estates are usually working for the community in one form or another; and, as I said, it is not unusual for human beings to destroy estates through their imprudence if they acquire them too easily.

The member for Mt. Marshall mentioned quick succession. Sections 24 and 25 of the Statute—particularly section 25—deal with succession. Most members will remember the provision which has been made over the years whereby there is, a phasing-out period over 10 years and the amount of rebate given is progressively reduced. This provision contains some good sense because as we get further away from the time when the estate actually passed from one person to another the justification for the rebate lessens. This applies particularly to table 1 cases, and there is again very good reason for it. We do not want the situation to apply where there is no real relationship such as between the parent and the child or relations of a fairly close nature as set out in the table 1 cases. In the Bill we have preserved the existing provisions in respect of quick succession, but I must make it clear we cannot give a rebate where nothing has been paid!

The other point I make is, in view of the fact that we are committed to abolish probate altogether within three Budgets, it will not have any relevance. Therefore, on reflection, it was decided to leave the position as it is now in the Act

which it is proposed to amend, relying on the fact that in any case if any anomalies do develop they will be of very short duration.

If we tried to prescribe for those anomalies we could end up with something so complex that we would have to give second thoughts to abandoning the present proposal. We decided the best way to handle the situation was as is now proposed. If any blatant anomalies occur which cause hardship, we can deal with them and perhaps look at the legislation again in the comparatively short time it will prevail on the Statute book.

If the honourable member studies section 25 and the amendments—for which purpose I will be pleased to lend him my corrected copy of the parent Act, which makes for easier reading—he will find we have endeavoured meticulously to preserve the situation as far as is practicable.

The member for Mt. Hawthorn made great play of the question of *de facto* wives. I reminded him by interjection, and I remind him again, that there is no need to mention *de facto* wives because they are clearly covered in the definitions section of the Statute. In view of the fact that the situation of *de facto* wives was not being introduced for the first time, there was no reason to mention it because it was not “new or novel”. In legislation it is the responsibility of the Government to highlight matters which create new situations. The Government has no responsibility to highlight matters which are already established facts unless there are some flow-on provisions.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Sir Charles Court (Treasurer), and transmitted to the Council.

DEATH DUTY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 16th August.

MR JAMIESON (Welshpool—Leader of the Opposition) [4.13 p.m.]: As the Premier indicated, this Bill deals with the money side of the Death Duty Assessment Act Amendment Bill and sets out in the schedules the death duties which are payable. Accordingly, it must be brought forward as a separate Bill.

As I see it, no problems are associated with the Bill. It must accompany the other Bill when changes are made either to the persons who are liable to pay duty or to the rates of duty payable. I support the Bill.

MR BERTRAM (Mt. Hawthorn) [4.15 p.m.]: This is a companion Bill to the Death Duty Assessment Act Amendment Bill with which the House has just dealt. I spoke to that Bill and, notwithstanding the comments from the Treasurer, which were not appreciated or justified, I repeat and endorse the arguments I then advanced.

Question put and passed:

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Sir Charles Court (Treasurer), and transmitted to the Council.

QUESTIONS

Questions were taken at this stage.

ACTS AMENDMENT (PENSIONERS RATES REBATES AND DEFERMENTS) BILL

Second Reading

Debate resumed from the 11th August.

MR DAVIES (Victoria Park) [4.55 p.m.]: This Bill proposes to do something for pensioners and this was offered by both parties at the last election. The only difference is in the interpretation of "pensioner". Normally we would put the Bill through in five minutes, but I think we will have a small argument on the interpretation of this word, and for that reason proceedings might be delayed a little.

I am in somewhat of a quandary. I would like some amendments to the Bill, but know very well that unless the legislation is passed almost immediately the likelihood is that the concessions will not apply as from the 1st July this year. In fact, they are already being applied and we are merely confirming something that has already been done.

Apart from the concessions I mentioned the Bill tidies up certain other aspects previously considered unsatisfactory, and these are aspects which we do not oppose in any shape or form.

The Bill before us deals with two Acts; that is, the Local Government Act and the Pensioners

(Rates Exemption) Act. It takes out of the Local Government Act the concessions relating to the payment of local government rates and it puts them altogether with other rates—that is, water and sewerage rates—into the Pensioners (Rates Exemption) Act.

It is the interpretation of "pensioner" which is likely to cause some concern; indeed, it does cause some concern to us. The way the Government has interpreted the word and the way the interpretation is written into the legislation means that there will be something like 10 000 to 12 000 pensioners, now allowed to defer payment of their rates, who will not be allowed to do so, and who will not enjoy the 25 per cent rebate the Bill proposes. That is not acceptable to us.

I do not know whether this has been done deliberately or whether it is an oversight on the part of the Government, but the matter was aired in this House on a previous occasion, in 1974, when the Local Government Act was amended. Clause 26 of that legislation proposed to amend section 561 of the Act, and this Bill, in turn, deletes section 561 completely.

The Liberal Party policy speech stated that the concession would be made available to eligible pensioners, but nowhere can I find a definition of an eligible pensioner as being one who holds a national health card, but this is the definition which is in the Bill.

Prior to 1974 the local government, water, and sewerage rates exemption applied to pensioners as defined under the Social Services Act 1947-1973 and under that Act a pensioner was a person in receipt of a pension.

Because of the tapered means test and because of the likely abandonment of the means test—it will be remembered that at that time the Whitlam Government was in power in Canberra and we were getting some enlightenment in regard to pensions—the Local Government Act was amended to interpret a pensioner as being a person who held a medical entitlement card. Indeed, the interpretation of "pensioner" under the National Health Act occupies more than one page of the Act itself.

So we have the position where a person is a pensioner, irrespective of all other aspects, as long as he or she has a medical entitlement card. Those pensioners will be able to defer the payment of their sewerage and water rates. They are not able to defer payment of local government rates because, as I mentioned earlier, that provision was included in the Act by an amendment introduced by this Government in 1974.

But now, any person who wants to enjoy the concessions attached to being a pensioner under the National Health Act will have to be entitled to a health card. That means that those people who are pensioners, as defined under the Social Services Act, and who do not have a medical entitlement card, will still be able to fund their local government rates.

From the information I have been able to gather—and it is subject to check—it seems up to 12 000 pensioners could be excluded. I oppose that exclusion. Aged pensioners and wives of aged pensioners, add up to some 89 200 people in this State. Of those pensioners 70 132 have medical entitlement cards. That means 19 068 people do not have medical entitlement cards.

We do not know whether or not those people are all married couples—I do not suppose they would be—but we will give the benefit of the doubt to the Government and say there are something like 9 534 married couples, living in houses, who will not enjoy the concessions outlined by the Government.

In the case of invalid pensioners and wives of invalid pensioners, 15 600 people are drawing that pension. A total of 12 770 of them have medical entitlement cards, and that means there are 2 830 persons who do not have medical entitlement cards. Once again, being very generous and allowing that they are all married couples, 1 415 people living in houses will not be able to enjoy the concessions now offered.

There is a total of 10 600 widowed pensioners drawing a pension. Of those, 9 401 have medical entitlement cards which means that 1 199 do not have cards. If those three groups are added together—and obviously, the number of widows will not be divided by two—they add up to 12 148 people. That total consists of 9 534 age pensioners, 1 415 invalid pensioners, and 1 199 widowed pensioners. All those people will be excluded from being able to defer their water and sewerage rates in the future, as they are at present. Those people have not been able to defer their local government rates since 1974 because of an amendment introduced by the present Government.

Not only will those pensioners not enjoy the proposed benefits which they thought they would get, they will not even enjoy the luxury—if it can be termed a luxury—of being able to fund their local government rates until such time as their property is sold, or the pensioner dies and passes on. It will be seen that the exclusion will mean quite a lot to a great number of people.

The answer put forward by the Government is that it is looking after the section of pensioners who are most needy. I say it is a fraud on the pensioner community. They were clearly of the opinion that all pensioners would enjoy a 25 per cent concession, but something like 12 000 pensioners will not enjoy that concession.

It is true that if a single pensioner has an income of over \$33 per week, or if a married couple has an income of over \$57.50 per week they do not have a medical entitlement card. The pensioner rate for a single person is \$94.20 a fortnight, and an income of \$66 per fortnight provides a weekly income for a single person of something like \$80. That certainly is not a large sum of money. I must confess I spend that much myself each week, although not entirely on myself. I am sure many other people would spend \$80 a week on themselves. I am talking in round figures, and I do not want someone to accuse me of being \$1.20 out.

A pensioner receiving approximately \$80 a week will not enjoy the benefits proposed by the present Government during the last election, and that is totally unacceptable. The pensioners thought they were to enjoy these benefits irrespective of which party got into Government. Had we been in Government, all pensioners would have received a 25 per cent concession. However, the catchword in the policy speech of the Liberal Party was "eligible pensioners". Nobody bothered to ask and nobody bothered to define the words "eligible pensioner". We now find that an "eligible pensioner" is one described under the National Health Act, which means a person who has a medical entitlement card. A person receiving more than \$80 pension and income per week does not have a medical entitlement card.

It is suggested that a pensioner who has an income of \$80 per week is able to pay his rates and taxes, and it is not necessary for him to defer those charges, and it certainly is not necessary for him to receive a 25 per cent reduction. That is not acceptable to us now, and it was not acceptable when the Act was amended in 1974.

An examination of *Hansard* for 1974, at page 2680, shows that concern was expressed that the deferment of local government rates was being applied to all pensioners, and it was felt there should be a restriction because of the tapered means test. At that time the Minister said a committee representative of local government and the Country Shire Councils' Association had recommended that the new criterion be that if a pensioner held a medical health card he was eligible to claim deferment of rates. We opposed that provision at the time. The member for

Cockburn opposed the provision, and I spoke on the matter myself.

We moved an amendment in this House that the date of application should be changed from the 1st July, 1974, to the 1st July, 1975. The Minister would not accept the amendment, but I am pleased to say that the amendment was accepted in another place.

We opposed the amendment to section 561 of the Local Government Act, and the amendment was accepted making the applicable date the 1st July, 1975, instead of in 1974. On that occasion some people had already received their notices and deferred their rates, and enjoyed the concession. Suddenly they would have been put in the position of having to pay their rates for that year because they did not qualify for the concession. The Government of the day saw how ridiculous that situation was, and it accepted the amendment which we put forward. We opposed the new qualification which was proposed at that time.

We would have expected the standard set in this legislation to be no less generous than that which already applies; that is, the interpretation would be that a pensioner under the social services legislation was entitled to enjoy the 25 per cent concession. We know the Government will say, "We must draw a line somewhere, and these people are receiving at least \$33 a week over and above their income, if they are single pensioners, or \$57.50 a week if they are married couples." But the total wage they are receiving still falls short of what we consider to be a reasonable wage.

It is quite likely that a few people are receiving a lot more than the \$33 which just cuts them out of the medical entitlement card. Under some circumstances it could be said we cannot afford to give those people a 25 per cent concession. But I say they will be in the minority. Either they will be over 70 years of age and receive a pension which is not subject to a means test, or if they receive any pension at all it will be a tapered pension and they will still be pensioners. A pensioner who does not have a medical entitlement card receives no benefits at all—no telephone or travel benefits. Now, such a person will not enjoy any rating benefits and will be far worse off than the people who are drawing a full wage.

In addition, those people have to insure themselves for health cover, and all this on \$80 a week at the present time. To obtain reasonable health cover under private health insurance costs \$4 or \$5 a week, and the law says they must cover

themselves. If they do not do so they must pay a levy each year. So there are \$4 or \$5 a week going out of their income. Local government rates amount to about \$150 a year, so there are another \$3 a week going out. I live in an average house and my water rates are \$160 a year; so there are another \$3 a week. In all, a sum of \$10 out of \$80 a week is going out on three essentials.

If the Government wants to do something about pensioners, here is a chance for it to show how dinkum it is. The Government says this concession has been introduced following a recommendation made by that infamous committee of inquiry whose report is now coming up for about its fourth birthday; but as far as I can see this is the only recommendation the Government has put into effect. Having set up a committee which took evidence from all over the State and made some very sensible recommendations, this appears to be the only recommendation the Government is putting into effect. But it is not going quite as far as the committee recommended, because the recommendation on page 70 of the report is—

The present system of allowing eligible pensioners to defer water and local government rates continue and that those pensioners at present eligible be offered the choice of a 25 per cent concession if they pay their rates as they fall due each year.

The committee says those who are already enjoying the concession should continue to enjoy it or be offered a 25 per cent reduction. The Government is giving them a 25 per cent reduction but it is reducing the number of pensioners who are likely to benefit from it.

What is the likely cost of the concession? I find it very difficult to work out, and I suppose we can only wait for the end of a complete financial year to see what the cost is. In his introductory speech the Premier said the concession would amount to something like \$650 000 in respect of local government rates, \$400 000 in respect of Metropolitan Water Board rates, and \$100 000 in respect of country water supply and sewerage rates. So it appears the cost to the community will be \$1.15 million. I suggest if the Government extended the concession to all pensioners under the social services legislation, as was the case previously, it would not cost the Government a great deal more.

I admit there may be people receiving a pension who have substantial incomes. We cannot do anything about them. We cannot penalise those

on low total weekly pensions and incomes simply because a few people might be enjoying some special benefits from the Government. A pensioner is a pensioner. Surely to goodness all pensioners are entitled to enjoy the concession, and I cannot see any reason why this new standard is to be set. It has applied in the Local Government Act.

I know it is very convenient and easy to bring all pensioners into the rates exemption scheme and to say, "This is the qualification for a pensioner"; but I do not think it is at all fair to the people who have been enjoying a concession whereby they can defer rates to find they are no longer able to do so because of the new definition of a pensioner.

I refer to the guide to pensioner benefits available in Western Australia, about which I will be seeking more information because the information contained in it is wrong in one particular instance and I think someone has made a bad blue. However, these booklets have been widely distributed and they state what the concessions shall be. People reading the booklet would be of the opinion that, having received the concession outlined in it, they are also eligible for the 25 per cent concession.

We can easily support the amount of the concession. The same percentage is contained in our own policy and we would have applied it to pensioners who are already enjoying a concession at the present time. We would like the amount to be increased in due course. In Victoria I think the rebate is something like 50 per cent, and a similar rebate is to prevail in New South Wales. However, 25 per cent is acceptable to us for a start.

Although we are not certain of the meaning of the column relating to code number, the card which has been distributed by the department is easy to fill in. I want to say the people on the counter at the paying point have been very good in ensuring that people who are likely to be pensioners are told of the concession. They are told, "If these are a pensioner's rates, go over there, fill in that form, and bring back your entitlement card so that you can get a concession." The staff are to be congratulated.

I was not very delighted to be told by one woman who went in to pay her rates that she was directed to fill in the card and when she had completed it and taken it back to the counter she was told, "We are closed; come back another day." I suggest if a person is in the building and in the act of paying an account, at least the staff

could wait for a minute or two until that person had made the payment before slamming the grill down. The woman in question was told she could leave the money in an envelope in a box, but she did not have the exact money and was unable to get change, so she had to return another day. That kind of thing does not do the Public Service any good, but I am pleased to say complaints of this kind are rare these days.

We are in a difficult position in that we do not want the legislation to be delayed because those sections of the community to whom it will apply should not be denied it. However, we do want to protest most strongly on behalf of a section of the community which has enjoyed a concession and which no longer will be able to enjoy that concession. Those people most certainly will not receive the 25 per cent rebate on their rates. From the figures I was able to obtain from the Department of Social Security today, I believe at the very minimum this will affect about 12 000 pensioners. I am sure these pensioners will be very annoyed about the situation and they will wish to approach the Government about it.

I wish the Premier would find the time to see representatives of the Pensioners Action Group. This group is composed of very diligent, reasonable people. I am sorry that the best the Premier could do was to arrange for the Deputy Premier to reply to them. It is like the trade union movement; it is no good holding such groups at sword's length, and giving them a prod every now and again. The Premier would have achieved much more had he taken the time to see these people. I realise that his time is valuable, but even half an hour would have sufficed.

Mr O'Neil: First find the half hour!

Mr DAVIES: I will be reasonable about this because I realise the difficulties. However, such groups can write letters *ad nauseam* to the Premier, the Minister for Fuel and Energy, the Minister for Water Supplies, and others, about their problems, but so much more can be accomplished, so much more goodwill engendered, with a face to face confrontation. I point out that I do not use the word "confrontation" with any ulterior meaning. I mean simply that the Premier should get together with these people and listen to their problems. I feel sure the Premier could "sweet talk" them out of most of their complaints, if he wished to do so. I see he is agreeing with me, so I hope he will find a half-hour to spare to speak to these people which will make everyone very happy.

I wish to comment on one or two aspects of the Bill, although I do not think there is anything else at which I can cavil. As I said, this measure will tidy up the provisions in regard to exemption from rates, and it makes quite clear also the conditions under which a pensioner can enjoy a concession. A pensioner is not entitled to an exemption when someone else, who earns above a certain amount, lives with him. This is something like the telephone rental concession which is granted to pensioners by the Australian Government. I believe more often than not the actual conditions which are supposed to apply do not apply, because many people who do not meet the criteria are enjoying the benefit.

It will be difficult to police this exemption. The provision does not refer to a wage earner under 18 years of age living in the pensioner's house, but I know many 18-year-olds who are enjoying a full adult salary. To claim the exemption, other residents in the house may be dependants or pensioners, so there is not much to complain about in that regard.

Of course the Bill provides a penalty for false claims, and it is sad that we must include penalties in legislation. However, in this particular case the provision is not unreasonable because anyone who abuses the concession which is to be extended is really robbing other taxpayers.

The total concessions will cost the Government \$1.15 million in an overall Budget of \$1 billion, so they do not involve a great deal of money. Some savings will result in regard to payment of interest on deferment of rates which the Government makes to local authorities at present. I imagine this will not be a great saving, and I remind the House that this previous concession was initiated by the Tonkin Labor Government.

I believe we have made our position quite clear. We are in a difficult situation because we do not agree with the interpretation of the word "pensioner" as contained in the measure. It is unreasonable that pensioners who have previously enjoyed a concession will no longer enjoy it. The Government should look at this provision again. For the reasons I have already stated, the Opposition does not wish to delay the legislation. However, I hope the Government will take it upon itself to seek an amendment to the interpretation of the word "pensioner" so that the 12 000 people I have mentioned will not be disadvantaged.

MR BRYCE (Ascot—Deputy Leader of the Opposition) [5.25 p.m.]: I would like to support the comments of the member for Victoria Park. The Opposition supports the Bill, but we are

most concerned about a key word that was included in the Premier's promise to the people, but which somehow was lost during the course of the campaign. Both the Australian Labor Party and the Liberal Party made this promise; they gave an undertaking to the people.

I would like to commit to the record these two specific promises. Firstly, the Premier said—

We will provide eligible pensioners with an important new concession in the payment of water, sewerage and local government rates.

We will introduce a new scheme to provide a 25% subsidy for eligible pensioners who prefer to pay their rates.

It is emphasised that eligible pensioners may freely choose between the old scheme and the new one. They may choose either one.

In his policy speech before the election the Leader of the Opposition gave the following undertaking to the people of Western Australia—

Mr Laurance: Does that have a page number?

Mr BRYCE: I am afraid it does not. We lapsed into the same awkward error as the Liberal Party, and we found how effective it was to confuse our opponents.

Mr Laurance: Three years behind!

Mr BRYCE: In the ALP policy speech, the Leader of the Opposition clearly enunciated this promise—

Labor will . . .

seek alternative concessions for pensioners on the payment of their local government rates either in addition to or to replace existing schemes of deferred rates.

I commit those words to the record for an express purpose. The word that was lost during the course of the campaign was the word "eligible". Every pensioner in Western Australia at the end of the campaign believed he would be entitled to this new rebate because both the Opposition and the Government supported the concept. Certainly the concept generated a great deal of interest amongst pensioners.

I do not believe that my electoral office is atypical, and I have received a great many inquiries. I have even written to the Premier to ask for details of the scheme so that I can inform the people who visit my office with a query. I do not level a charge directly at the Premier as an individual, but I do say that as many as 25 000 pensioners in Western Australia will see this piece

of legislation—if it is passed through the Parliament in its present form—as a confidence trick. I feel extremely sorry for pensioners who are beginning to demonstrate a degree of cynicism about politicians, electioneering, and public life generally.

I realise that my colleague has presented some statistics to the House this afternoon. I also contacted the Department of Social Security today and I discovered that of a total of 118 166 age invalid, and widowed pensioners in this State only 92 480 pensioners possess the magical medical card. So this means that as many as 25 668 pensioners will not be eligible for this rebate scheme.

I believe that the credibility of parliamentarians is at stake on this particular issue. All parties—the ALP, the Liberal Party, and the National Country Party—included some form of reduction of pensioners' rates in their policies. Whatever definition we choose to put on the word "eligible", every pensioner in this State believed he or she would be entitled to this particular benefit. Therefore, I have a few queries that I would like to pose to the Premier, and I hope he will answer me when he replies.

The first question relates to the situation of a married couple, one of whom is a pensioner and who actually has in his or her possession a pensioner's medical card, and where the house is jointly owned. Does this mean that couple are entitled to the rebate in respect of the rates charged on that dwelling? That was a specific question put to me in my office.

The second question I would like to put to the Premier is very simple. If his Government has made its decision and is not prepared to reconsider granting this concession to the 25 000 pensioners who thought they would receive it but will not receive it because they do not hold pensioners' medical cards, would he give some indication to the House of the amount of money his Government will save by depriving those 25 000 pensioners of this rebate?

May I conclude by drawing attention to the fact that there are a number of iniquitous features relating to this issue of pensioners' medical cards being used as a means test. There are people who during the course of their working lives saved very hard and contributed to superannuation funds, and when they reached retirement they were entitled to a pension. If they receive a reasonable amount of superannuation they are deprived under this legislation of the title "pensioner". They are no longer classified as pensioners, whereas anybody who owns significant real estate

or who has significant assets but simply receives the pension is entitled to a pensioner's medical card. Therefore, presumably, a person sitting on \$250 000-worth of property who is surviving on the old age pension alone would be entitled to a pensioner's medical card and, therefore, rebates on his rates.

However, a wage or salary earner who lives in a modest dwelling—or conceivably even pays rent for his or her accommodation—and who also receives a modest amount of superannuation is not entitled to the pensioner's medical card and, therefore, is deprived of the opportunity to receive a rebate in respect of his or her water, sewerage, and local government rates.

I hope the Premier will indicate in his reply to the debate whether the Government has considered this matter and whether it is prepared to review the situation, because some thousands of Western Australians will miss out on this benefit, and they are people who certainly believed they would receive it after polling day, irrespective of which political party was elected.

DR DADOUR (Subiaco) [5.33 p.m.]: I wish to have something to say on this subject. I was extremely disappointed when I read in the policy of the Liberal Party prior to the last election that a 25 per cent rebate would be granted to pensioners in respect of their water, sewerage, and local government rates. I was disappointed because I expected the rebate to be 50 per cent.

I have analysed the report of the committee appointed to inquire into pensioner concessions and benefits. That committee was appointed by the Hon. G. C. MacKinnon and the Hon. N. E. Baxter, and its report was prepared in 1974-75.

From that report I established that Western Australia is by far the meanest State in respect of pensioner concessions. Even taking into account this present rebate of 25 per cent on rates—which I wholeheartedly support, even though I would prefer it to be 50 per cent—Western Australia is still the meanest State.

Victoria was previously the only other State which was not giving a large rebate in respect of local government rates. It granted a rebate of 25 per cent until October of last year, when it was increased to 50 per cent.

Prior to the present concession being granted in Western Australia, I studied the concessions given in each State in respect of such things as ambulance services, dental, spectacle, transport, drivers' licenses, car registration fees, land tax,

water rates, local government rates, and electricity rates.

At that time the total rebates allowed by Western Australia amounted to 21 per cent. The figures for the other States were as follows—

	Per cent
South Australia	53.3
Tasmania	53.4
Victoria	31.6
New South Wales	44.2
Queensland	49.5

At that time we were so far behind the other States that I felt a rebate of 50 per cent on rates for pensioners would have been reasonable. However, it was decided the rebate would be 25 per cent, and I had nothing to do with that decision.

I have now brought up to date the rebates given by each of the States, and I have included the 25 per cent rebate for local government, water, and sewerage rates in Western Australia. I did not take into account the SEC rebate because I do not consider it to be a true rebate in the sense that it is not available to the majority of pensioners but only a minute few. The following are the present rates of concession—

	Per cent
Western Australia	31.6
South Australia	53.3
Tasmania	52.4
Victoria	47.0
New South Wales	44.2
Queensland	49.5

We are still by far the meanest State. I was hoping we could give the pensioners a greater rebate, and I am still hoping that within the next 12 months we will be able to give them a more realistic rebate of 50 per cent.

I feel strongly about this because I was led to believe that when the report was published it would show that Western Australia granted more concessions in some areas than the other States, whilst the other States granted more concessions than Western Australia in other areas; and that the overall amount would be much the same in each State. However, I found to my horror that we were providing only three-fifths of the amounts provided by other States.

Mr Davies: Are you saying the report was just window-dressing?

Dr DADOUR: No. I have analysed it, and there is no window-dressing in it. It is patently obvious the figures are correct.

Mr Davies: I thought the Government was using it to pacify the pensioners.

Dr DADOUR: I did not know the report had been tabled until some months later.

Mr Davies: The Minister sent me a copy. Perhaps he was not talking to you.

Dr DADOUR: I did not receive one. The point I wish to put forward is only slightly different from that which the Opposition brought forward in respect of the eligibility of pensioners.

I feel we must have some cut-off mark in respect of full concessions, but I believe any person who is receiving a part pension—that is, a person who is subject to the means test because he is not over 70 years of age—should receive some gradation of the percentage that is given to pensioners who hold a medical entitlement card.

These are the people who are disadvantaged; they are the ones who were led to believe they could take out a certain amount of superannuation and still receive the full pension and all the fringe benefits that go with it. Unfortunately the superannuation payments have increased, and a number of pensioners in my electorate are missing out on the total pension and all the fringe benefits because their incomes are 50c over the limit.

I do feel that the other people have been greatly disadvantaged and could do with a sliding scale. I suggest we look at two things: increasing the rebate to 50 per cent and then introducing a sliding scale starting at zero for someone who has sufficient financial backing not to need a pension up to those receiving a full pension.

This would not be difficult to achieve. All we need is a graph which could quite easily be worked out. The total amount for this would be approximately \$1 million or perhaps a little more. If we increased the rebate to 50 per cent it would cost approximately \$2 million or a little more. It should be remembered that the State has a Budget of over \$1 billion. Of the total Budget those figures represent percentages of only one and two thousandths. If it cost another \$1 million it would be only three-thousandths of the total Budget. If we look at the Budget we can see we have been wasting money in many areas and I think the \$3 million I have mentioned would be going to an area of great need. On previous occasions I have enumerated areas where I believe money is being wasted.

I believe this is where we can really help the people and use our money in a meaningful way. I advocate we have a 50 per cent reduction for those eligible pensioners. Of course, there has to be some cut-off point. I ask the Executive in its wisdom to look at a gradation of scale for all eligible pensioners. Such a scheme should not

be hard to administer. These are two moves I would like brought into being as soon as possible. We cannot do much more now, but at least it is a step in the right direction. This measure fits in with our election promises, but I can still see areas where there could be real hardship. I have spoken of these before and I have brought figures to the Parliament but they did not get across to the Government as well as they should have.

I do impress upon people that these are areas of great need. I might not have realised this except for the fact we had thrust upon us the problem of transport fares for pensioners in the metropolitan area. That increase sent me off half-cocked, but since then I have read a great deal on the matter and I have formulated several ideas. I would ask the Cabinet to assess the situation before the next Budget to enable relief to be given in the areas I have mentioned as there are superannuants missing out on fringe benefits.

MR T. H. JONES (Collie) {5.44 p.m.}: I rise tonight to oppose the amendment as have other speakers who have risen before me. I think it is true to say that all pensioners in Western Australia were expecting some relief from taxes irrespective of which Government was returned to power at the last election. Tax reliefs were part of the policies of both parties. It is true to say that the people have been let down.

I refer to the election policy of the Liberal Party, as it is the Government of the day, wherein concessions for those pensioners who were eligible were clearly spelt out. As the member for Subiaco indicated, even pensioners who have qualified are well behind pensioners generally in Australia.

The problem I wish to raise is that those pensioners who have subscribed to superannuation funds for the greater part of their lives are being penalised. They have been cautious and joined a superannuation fund to save a few dollars for their retirement. This situation is particularly unjust so far as the qualifications for pensioner entitlements are concerned. What is happening throughout the Commonwealth is that people who do not give a hang during their working life and do not join such funds are becoming the responsibility of the Government on their retirement. Those who are cautious and join a fund pay the penalty later on. It is far better for pensioners to spend all their money before they retire.

There are plenty of examples of people going on world tours and enjoying life when they have the money to do so. However, when they retire

they have no money in the bank and the Government is responsible for them. Under the Commonwealth Statutes they become the full responsibility of the respective State Governments so far as pensioner benefits are concerned.

I would like to point out that the recipients of the Coal Mine Workers' Pension Fund are always penalised. The Collie miners have been approaching the Commonwealth for years in an effort to have fringe benefits applied in their case.

It is a State Act which requires them to retire at age 60. Their superannuation is paid from the Coal Mine Workers' Pension Fund until they become eligible to receive benefits from the Commonwealth. This is at age 60 for a wife and age 65 for a man. As the mine pension is slightly in excess of what a recipient of social service benefits receives he cannot qualify for fringe benefits.

The point I make is that some members of this fund started making payments at a very early age, about 15 or 20 years, and have paid contributions for perhaps 40 years, but on retirement they find they are penalised. This has been clearly spelt out by other members who have spoken in the debate this afternoon. The principle is very wrong and as the member for Victoria Park asked of the Premier, "What would it cost the State to extend the provision?" The State is not up for very much and we should go further.

Most pensioners expected benefits to flow to them after hearing of the Premier's policy speech. Most pensioners in Western Australia under the provisions of the National Health Act or any superannuation scheme were expecting a better deal, but it has not eventuated. Although we are not dealing with electricity in this measure it is another area where benefits for pensioners will be denied them and certainly, as the member for Victoria Park said, thousands of pensioners will be denied assistance under this scheme. They are going to be denied any concession. We are so far behind the other States we are expecting something to be done.

We have been arguing for 3½ years in an attempt to obtain relief for pensioners. The next Bill we will be debating is a Bill to increase motor vehicle licence fees by 30 per cent. There is no relief in sight. When the fees were increased in 1974 the former Minister for Traffic promised relief but nothing has happened. This is the situation that Western Australian pensioners are faced with. The Government ought to have another look at the proposition as the present benefits are not sufficient to alleviate stress.

Everyone knows the poor increase pensioners received from the Federal Budget announced on Tuesday night. I wonder how we would go if we were pensioners with no other financial means at our disposal and wanted to live a normal life. It would be difficult even to run a small vehicle, go to our local club, or enjoy any sort of light entertainment.

I have raised these queries particularly on behalf of the people I represent. The coalminers are one group but there are many others. Under the Government superannuation scheme and private schemes many pensioners are being denied this benefit. I ask the Government to have another look at the proposition in view of the opinions expressed this afternoon.

MR SKIDMORE (Swan) [5.50 p.m.]: I wish to place on record my opposition to some aspects of the Bill. About a fortnight ago I was approached by a pensioner who was quite distressed by the fact that, learning of this new concession, he approached the office at Midland to claim his payment, and suffered the indignity of being told by an officer of the department that he would not be paid the relief. Apparently, no information had been forwarded to the people concerned.

I thought I had read a newspaper advertisement stating that these concessions were available, so I checked with the department concerned. I was told that, while an advertisement was in the process of preparation, no office would be permitted to pay the concession until the advertisement had been placed in the newspapers. I informed the officer concerned that I believed the practice to be quite improper and that it appeared someone somewhere along the line had slipped up.

I put down the telephone and suggested that my constituent return to the Department of Social Security office at Midland and claim his concession, and asked him to inform me of what transpired. Then, Mr Speaker, a strange thing happened. When he got to the office, it appeared that someone had made a telephone call, and my constituent was paid the concession. What it meant in essence was that this old person who had worked all his life to secure his pension was not able to receive the concession without coming to see me.

In what appears to be an abrogation of an election promise, and by some magical process, the Government has seen fit to pay the benefit only to those pensioners who hold pensioner health benefit cards. The card appears to be the panacea of all the ills of the pensioners; if they

have one of those, they have sufficient money, and need not worry about anything.

I believe it is quite fallacious for the Court Government to have adopted this attitude. The Premier may recall a recent question where I asked him to qualify what he meant by "service pension". Did it include TPI pensioners; did it include those people who were on a pension whilst being treated at the Hollywood Repatriation Hospital?

The matter has been queried at the department and has been referred to me by one of my constituents for clarification. The answer I received was the one I expected. However, at least it clarified some of the difficulties.

I cannot subscribe to the fact that we differentiate between these people. The amount involved is not great; in the current year it will be in the order of \$650 000 in respect of the rebate on local government rates, \$400 000 for Metropolitan Water Board rates, and \$100 000 for country water and sewerage rates. I imagine if we were to include all those who should be entitled to the subsidy, apart from those who hold pensioner health benefit cards, the amount would increase substantially. However, this should not prevent the Government from including these people in the provision of any benefit.

I am surprised that the criterion for eligibility is the pensioner health benefit card. Surely it should be based on local issues. I understand, too, that the principal purpose of the Bill is to provide from the 1st July this year, a new concession for eligible pensioners by way of a 25 per cent rebate on local government, water, sewerage, and drainage rates. The Government says this provision honours an election promise made at the State general elections earlier this year.

I challenge that statement, because the Government has created two types of pensioners. For many years, my party has been adamant in its approach to this matter. We believe that these people deserve moral justice. Those people who have contributed so much in their lifetime should not be penalised because they have managed to save a little and to provide for their old age.

I close on that note. I feel the Premier has not been fair or honest to the many pensioners who will be disenfranchised and who will not receive the subsidy which now is available to many of their fellow pensioners.

SIR CHARLES COURT (Nedlands—Treasurer) [5.55 p.m.]: I thank members for their contributions to the debate.

Mr Davies: Unfortunately, I did not think the debate would continue as long as it has.

Sir CHARLES COURT: I should like to get down to some of the more pertinent points as quickly as I can. I appreciate that while there has been some opposition to the Bill, if I interpret correctly the official representations made by the Opposition, they intend to support the Bill with those reservations.

There is no magic about the question of what is an eligible pensioner; it is a term which is used and understood. Generally, the pensioners understand it very clearly. I have never found them to be in any misunderstanding as to their situation. When in 1974 we introduced a travel concession for pensioners living in the north, which would permit them to travel to the metropolitan area, everyone seemed to understand immediately which pensioners would be eligible. So it is on this occasion. I wish to make it quite clear that the Government said "eligible pensioner" and meant eligible pensioner. In my opinion, and from all the representations I have had, it seems to be generally understood by the pensioner community that "eligible pensioner" means a person who falls within the definition we have set out in this legislation.

I also remind members that in producing the definitions for this legislation, we have been careful to tidy up a number of weaknesses which existed previously so as to include in the definitions some extra cases which previously were not included. I do not know why they were excluded at the time, but they have been included now.

The Government also has gone to extreme limits to try to overcome some of the irritants which may have occurred under a strict reading of the previous deferment conditions, and which particularly affected a widow with a child under 18 years of age who was earning an apprentice's wage or some other money and also a widow with a full-time dependent child over the age of 18 attending one of our tertiary institutions. So, we have tidied up both the provision relating to children under the age of 18 and full-time students between the ages of 18 and 25 years. In fact, the age of 18 now becomes irrelevant as it relates to full-time students, because they are now covered by the provisions relating to children under the age of 25.

The question of those people who, because of the standardisation of this definition in respect of entitlement, might be excluded from deferment and from the 25 per cent rebate is one to which the Government gave very serious consideration.

We cannot be precise any more than can the Opposition about how much money will be involved, but I must admit the figures coming to us of numbers involved were quite minimal, and were nothing like the figures put forward by the Opposition. However, I will study the propositions put forward both by the member for Victoria Park and the member for Ascot. Both advanced different ways of arriving at their estimates.

Mr Davies: I can assure you I was very conservative in my estimate.

Sir CHARLES COURT: We will have a look at these cases, but the figures advanced by the Opposition are certainly nothing like the figures put before me when I raised the question.

I also remind members that we have protected those who have already made deferments. They will continue to be entitled to have those existing deferments, so we will not be taking anything away from these people.

The member for Ascot raised a query—if I understood him correctly—about the position of an eligible pensioner who had a spouse. I invite his attention to the definition of a dependant that has been included in the Bill. In clause 8 there is a fairly extensive definition of a dependant which was intended to cover the situation of a spouse and the position in respect of a child, and also a person who was wholly engaged in housekeeping for the pensioner. I think this has been spelt out fairly clearly and I invite the attention of honourable members to it.

I come back to the cutoff point. We would all love just to take the lid off it but we just cannot. Although the member for Victoria Park said that a pensioner is a pensioner—and I suppose that is basically axiomatic—I remind honourable members that when we rewrote the Land Tax Act we had to amend the provision in respect of pensioners because it was not very long before some people who were very astute about these things under the provisions of the old Act got onto the fact that a "pensioner was a pensioner"; and we found that people of considerable wealth woke up to the fact that they could obtain exemption from land tax because when the pensioner provisions were put into the old Land Tax Act they were put in with a degree of looseness and we never thought of the day when people would get a means-test-free pension at 70 years of age and thereby be able to claim relief under the Land Tax Act. Some of the members opposite and on this side of the House also would have been horrified if we had allowed that provision to continue.

However, dealing with the more specific area referred to by some members opposite, and particularly by the member for Subiaco, I could not undertake at this stage to extend the benefit. We have given instructions at this stage that the operation of this legislation will be kept under review. We have started at 25 per cent and no doubt that figure will be examined in the light of experience.

We will also have to examine the impact of this concession on the amount of interest with which we have to subsidise local government, which is another partial offsetting factor. The figures which were put forward in my second reading speech as the estimate of costs in respect of local government and in respect of water, sewerage, and drainage rates are, I emphasise, estimates. They would be more accurately described as guestimates by the Treasury which has again said to us, "Give us one year of operation and we will be able to make a better financial estimate for you".

Mr Skidmore: The problem I see in regard to using the criteria of the pensioner medical benefit card is that one person may not use any benefit from that card and be penalised for getting a subsidy and the other person is then presupposed to use the totality of the monetary gain under that card subject to the 25 per cent. It seems to me to be a very unequal thing.

Sir CHARLES COURT: I wish to emphasise that the State Government should not have to be a social service instrumentality. There is a special Commonwealth responsibility in respect of that matter and if we are not careful we will finish up by having a system that could send us into areas of financial commitment in which we just could not possibly determine where we are going. It would just be a blank cheque, so we have to be careful—it does not matter who is in Government—to determine the cut-off point. Graduated scales are a nightmare when it comes to implementing concessions because even pensioners vary not only from year to year but also from month to month. So we cannot have too many of these complex systems.

It is always better to have a simple solution that everyone understands. Admittedly, there would be fringe areas where a bit of inequity and anomaly creeps in, but in the final analysis it has been found that with the type of concession whereby something is given and not taken away there must be a fairly arbitrary measurement.

However, I can assure honourable members that we intend to keep the matter under review and after 12 months' operation we will be much

better informed statistically and financially than we are at present. Basing the figures we have put forward to the Parliament very much on a calculated guess as to what it will cost, I believe it will not cost us anything less than we have estimated, and it could possibly cost us quite a bit more. I think I have covered most of the points that were most pertinent to the debate.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Sir Charles Court (Treasurer) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 560 amended—

Mr DAVIES: One aspect the Premier did not answer is the situation of the pensioner who now enjoys the option to defer his rates, but who will no longer have that option.

In 1974 when we altered the interpretation of "pensioner" as it related to local government rates, we did not alter the interpretation as it related to water and sewerage rates. We are bringing them together now and I do not argue with that. It will be a much tidier concept.

I would like the Premier to give special consideration to the person who now is able to defer his rates, but who, under the Bill, will no longer be able to do that.

Sir CHARLES COURT: I thought I had touched on this briefly, but I can enlarge on it quickly. The provision to which the honourable member refers relates to the Local Government Act and the amendments we are making so that these people will be transferred to come under the special Act and they will be slightly better off because we have extended the definition to embrace a few categories not, for some reason, included before. Now, of course, they will have the best of two worlds. They will be able to defer their rates as they have been in the past, or pay them and obtain a rebate. What is more they can follow a different procedure each year. For certain reasons a person may wish to pay the rates one year and obtain the 25 per cent rebate, but defer them the following year. This will be possible under the legislation.

The mistake occurred in regard to the people under the other Act. It was overlooked at the time, but now we are going to bring them into line so that we have one set of rules applying. As it is the people become confused when there are two sets of rules. Because pensioners get a

deferment of one of their rates, they feel they should get the same for the others, and this causes friction.

One of the reasons we have been so precise is that some of the local and other authorities administering the Act have found that unless the situation is spelt out they have all sorts of arguments about eligibility. So we have tried to tidy up the provisions. As a starting point we agree that anyone previously entitled to deferment can leave those rates deferred where they are already deferred. We are not touching them at all. However, this does not apply to the future.

Mr Davies: Will you review the situation and have another look at that aspect please?

Clause put and passed.

Clauses 5 to 18 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Sir Charles Court (Treasurer), and transmitted to the Council.

BILLS (2): RETURNED

1. Death Duty Assessment Act Amendment Bill.
2. Death Duty Act Amendment Bill.

Bills returned from the Council without amendment.

House adjourned at 6.13 p.m.

QUESTIONS ON NOTICE

CONSUMER PROTECTION

Weights and Measures Act

392. Mr TAYLOR, to the Minister for Labour and Industry:

With respect to the Weights and Measures Act and in the period 1st July, 1976, to 30th June, 1977:

- (1) How many complaints were received?
- (2) How many such complaints were investigated?
- (3) How many of such complaints were considered reasonably justified?
- (4) How many warnings were given?
- (5) How many prosecutions were initiated?

Mr GRAYDEN replied:

- (1) Complaints 53;
- (2) Investigated 51;

- (3) Justified 38; unjustified 15;
- (4) Warnings 32;
- (5) Prosecutions 6 (4 pending hearing and 2 convictions).

TRAFFIC

Infringement Notices

393. Mr WATT, to the Minister for Police and Traffic:

- (1) How many traffic infringement notices were issued to offenders during the year ended 31st December, 1976?
- (2) How many of the recipients elected to have their cases heard in the courts?
- (3) How many of the recipients neither paid the "on-the-spot" fine nor elected to contest the case in the courts?

Mr O'NEIL replied:

- (1) 135 863.
- (2) 24 356.
- (3) Statistics are not kept to enable this question to be answered.

If an offender does not pay the infringement within the prescribed time, a summons is issued. He either pleads guilty or not guilty or does not record a plea. It is not known how many there are in each category.

ENVIRONMENTAL PROTECTION

Carbon Monoxide Levels

394. Mr TONKIN, to the Minister for Health.

- (1) Have the levels of carbon monoxide in the atmosphere referred to in question 298(1) been exceeded in Perth prior to 1977?
- (2) If so—
 - (a) on which dates;
 - (b) at which localities; and
 - (c) to what extent?

Mr RIDGE replied:

- (1) Yes.
- (2) The 8-hour average was exceeded on the following dates at the south-west corner of William and Murray Streets, Perth—

Date		Exceeded by (mg/m ³)
1st July, 1976	....	1.0
4th July, 1976	....	3.5
7th July, 1976	....	0.1

The 8-hour average was exceeded on the following dates at 57 Murray Street, Perth—

Date*	Exceeded by (mg/m ³)
16th May, 1974	3.5
15th May, 1974	1.5
14th May, 1974	2.7
6th April, 1974	0.3
5th April, 1974	1.3
10th August, 1973	0.1
9th January, 1973	0.2
20th September, 1972	0.8
11th June, 1971	1.0

*As noted in the report for the year 1974, the performance of the carbon monoxide instrument deteriorated during the year, making readings for the latter part of the year most unreliable.

CONSUMER PROTECTION

Johnson Aerosol Products

395. Mr TONKIN, to the Minister representing the Minister for Conservation and the Environment:

- (1) Adverting to question 289 of 1977, have any complaints been made to the Department of Conservation and the Environment questioning the accuracy of the claim by Johnson that its aerosol products contain no fluorocarbons?
- (2) Is it policy to test such claims without the prior receipt of a complaint or question?
- (3) Is it policy to test such claims as a consequence of the receipt of complaints or questions?

Mr OLD replied:

- (1) Some general telephone inquiries have been received, but none which could be regarded as a complaint.
- (2) No.
- (3) Each issue is assessed, as appropriate.

SWAN RIVER

Ambient Land

396. Mr TONKIN, to the Minister representing the Minister for Conservation and the Environment:

- (1) Has the Swan River Management Authority indicated at any time since its establishment that it does not want control of the ambient land of the Swan River?
- (2) If so, what is the reason for its decision?

Mr OLD replied:

- (1) and (2) No. As an interim measure only, the Swan River Management Authority resolved that its boundaries be those of the Swan River Conservation Board—that is, high watermark—with the proviso that such boundaries be reconsidered within 12 months in consultation with member bodies represented on the authority.

POLICE

Demonstrations: Films

397. Mr TONKIN, to the Minister for Police and Traffic:

Adverting to question 286 of 1977, what breaches of the peace occurred on the afternoon of 4th August this year when police were observed filming a group of people walking up to the grounds of Parliament House?

Mr O'NEIL replied:

I am advised that no breaches of the peace occurred. Some video film was taken by a Road Traffic Authority patrolman to record any possible conflict between the pedestrians and traffic. There was no conflict and the film has been destroyed.

PROBATE DUTY

Benefits from Legislation

398. Mr BERTRAM, to the Treasurer:

- (1) In each of the last five years and in respect of death duty on deceased estates:
 - (a) how many estates were assessed for duty and what was the total duty assessed;
 - (b) how many were assessed for value respectively—
 - (i) at less than \$10 000;
 - (ii) between \$10 000 and \$20 000;
 - (iii) between \$20 000 and \$30 000;
 - (iv) between \$30 000 and \$40 000;
 - (v) between \$40 000 and \$50 000;
 - (vi) between \$50 000 and \$60 000;
 - (vii) between \$60 000 and \$70 000;
 - (viii) between \$70 000 and \$80 000;
 - (ix) between \$80 000 and \$90 000;
 - (x) between \$90 000 and \$100 000;
 - (xi) between \$100 000 and \$125 000;
 - (xii) between \$125 000 and \$150 000;
 - (xiii) between \$150 000 and \$200 000;
 - (xiv) over \$200 000?

- (2) In each of the classifications set forth in (1)(b), how many estates would have benefited from the provisions of the Bills currently before this House had it been law and what would have been the total amount of savings by the estates in each of these classifications?
- (3) From what sources and through what existing and/or new rates, taxes, charges, fees, etc., does he intend to make up for the loss of death duty which will result from the death duty Bills currently before the House?

Sir CHARLES COURT replied:

- (1) (a) and (b) This information is contained in the annual report of the State Taxation Department tabled in Parliament each year.
Refer to Appendix "F" for 1975-76 and Appendix "E" for the other years.
- (2) This information is not available. The statistics maintained for deceased estates is only for the purpose of producing the details referred to in (1)(a) above.
- (3) I invite the member's attention to the appropriate part of my second reading speech and in particular where I said—

The Bill now before you is but the first step towards the total abolition of death duty in Western Australia.

The total abolition is the second policy undertaking.

In giving this undertaking, the Government said it will—

progressively abolish all remaining death duties over the next three Budgets with the aim of not having to impose alternative taxes which could be even more burdensome.

It is our hope that, because of careful budgetary policies followed to date and planned for the future, the phasing out of death duties will be achieved within the normal financial programme and without special replacement taxes.

HEALTH

Milk Powder

399. Mr TONKIN, to the Minister for Health:
What steps are regularly taken to monitor the quality and toxicity of milk powder which caused the Australia-wide outbreak of gastro-enteritis recently?

Mr RIDGE replied:

Milk powder samples are included at intervals in the weekly monitoring of a variety of foods sampled for bacterial quality conducted on behalf of NH & MRC.

Tests are done quarterly for pesticide content.

SOLAR POWER

New Developments

400. Mr TONKIN, to the Minister for Fuel and Energy:
(1) Is he aware of the claims made in July that scientists at the University of New South Wales have made a major breakthrough in collecting solar power and which uses a process of photo-chemical cells to produce electricity and hydrogen through the decomposition of water from the sun's rays?
- (2) Does he believe that these developments can have practical applications in this State?
- (3) What action is his department or the State Energy Commission or other appropriate instrumentality taking to take advantage of the developments referred to above?

Mr O'Neil (for Mr MENSAROS) replied:

- (1) Yes.
- (2) Yes, in the long term.
- (3) Similar work is being carried out in a number of laboratories throughout the world. It is expected to require years of development before commercial plant is available. For the present the State Energy Commission is maintaining a watching brief on these developments. The new solar energy research institute will be specifically concerned with such developments.

SOLAR POWER

Solar Energy Research Institute

401. Mr TONKIN, to the Minister for Fuel and Energy:

When is it anticipated that the Government will introduce legislation to create a solar energy research institute?

Mr O'Neil (for Mr MENSAROS) replied:

My Government expects to introduce the Bill to this House later this session. The drafting of the legislation is in an advanced stage.

WORKERS' COMPENSATION ACT

Amending Legislation

402. Mr TONKIN, to the Minister for Labour and Industry:

- (1) Has he initiated moves for discussions with the Trades and Labor Council with respect to the Government's plans for alterations to the Workers' Compensation Act?
- (2) If so, when are the talks to be held?
- (3) If not, when can we expect action in that direction?

Mr GRAYDEN replied:

- (1) The matter of workers' compensation was discussed at the meeting of the Minister for Labour Advisory Committee on 2nd August.
- (2) and (3) The matter is to be further discussed at the next meeting which will probably be held in the next few weeks.

- (2) For the 11 locomotives, \$4 828 780, plus cost escalation which is not known at this stage.
- (3) (a) Diesel engine constructed by Alco, Electrical transmission and control systems constructed by General Electric Company, USA.
(b) Not known as it is included in total contract price.
- (4) There has not been any official trial to date. Two tests have been carried out for the company at its request.
- (5) The two test runs were attended by company representatives and Westrail observers. Sections of railway were—
(1) Forrestfield to Toodyay.
(2) Forrestfield to Avon.
- (6) See answer to (4).
- (7) (a) See answer to (4).
(b) Not applicable.

RAILWAYS

"N"-class Locomotives

403. Mr McIVER, to the Minister representing the Minister for Transport:

- (1) When did the Government allocate the tender to Comengs of Bassendean to construct the "N"-class diesel locomotive?
- (2) What cost will be involved in purchasing the "N"-class?
- (3) (a) Who constructed the motor for the "N"-class locomotive; and
(b) what was the cost?
- (4) When was the first trial of the "N"-class carried out?
- (5) Who was present at the trial and which section of railway was utilised for the test?
- (6) How many trials have been made since the initial one?
- (7) (a) Would the Minister table all reports of the trials so far;
(b) if not, why not?

Mr O'CONNOR replied:

- (1) Eight were ordered in November, 1974. The order was increased to 11 in May, 1975.

RAILWAYS

Claremont Station

404. Mr McIVER, to the Minister representing the Minister for Transport:

- (1) What necessitated demolition of the back platform at Claremont railway station?
- (2) What cost was involved in the painting and renovating of steps leading down from the overhead bridge to the back platform just prior to the demolition of platform taking place?
- (3) Is it a fact that this action could be considered as extravagant and wasteful?
- (4) If answer to (3) is "No" would he give his reasons?

Mr O'CONNOR replied:

- (1) The platform was not required and was in poor condition.
- (2) \$295.
- (3) and (4) Painting and renovation of the steps was carried out as part of rehabilitation of the total overhead bridge structure.

It is unfortunate that the work was completed to programme before the decision was made to demolish the platform. However, material to the value of \$120 was recovered and re-used elsewhere.

EDUCATIONAL RESEARCH

Federal Funds

405. Mr JAMIESON, to the Minister for Education:

Will he ascertain from his department (and report to the House at the earliest opportunity) the effects of the cutbacks in grants for recurrent expenditure on educational research from \$70 million to \$57 million for Western Australia, as a result of the Federal Budget?

Mr Old (for Mr P. V. JONES) replied:

This question cannot be answered unless the member provides more information, as the Education Department has no knowledge of such vast amounts of money ever being available to the State for educational research.

HEALTH EDUCATION COUNCIL

Federal Funds

406. Mr JAMIESON, to the Minister for Health: Allowing for the current inflation rate of 14.4 per cent in Western Australia, does the Health Education Council estimate that the Federal Budget increase of 5.88 per cent for Western Australia's health education campaign is sufficient to enable them to prevent cutbacks in their programmes?

Mr RIDGE replied:

The grant referred to is for the drug education programme only but the Health Education Council anticipates there may be some cut-back in their drug education programme.

MUSEUM

Branch

407. Mr CARR, to the Minister for Cultural Affairs:

- (1) What is the present position with regard to the possible establishment of a branch of the W.A. Museum?
- (2) What plans does the Government have in regard to this matter?

Mr Old (for Mr P. V. JONES) replied:

- (1) There are currently two branches of the Western Australian Museum, at Fremantle and Albany; the trustees' policy is to establish branches in Geraldton and Kalgoorlie as soon as possible.

This policy has been in operation since 1974.

- (2) Appropriate funding for the establishment of a branch in Geraldton has been sought in the Museum's estimates for 1977-78.

STATES' GRANTS (PARA-MEDICAL SERVICES) ACT

Qualification of WA

408. Mr JAMIESON, to the Minister for Health:

Why does Western Australia not qualify for assistance under the States' Grants (Para-Medical Services) Act, 1969?

Mr RIDGE replied:

Western Australia is a participating State within the meaning of the Act, and therefore does qualify.

RAILWAYS

Maintenance Sleepers

409. Mr HERZFELD, to the Chief Secretary: Concerning Tender Board Schedule No. 32A, 1977, item 3 (a) for railway maintenance sleepers:

- (1) (a) Has a contract been let;
 - (b) if so, to whom; and
 - (c) what quantities?
- (2) (a) Would he tabulate the names of tenderers;
 - (b) the quantities tendered for; and
 - (c) the unit price offered?
- (3) Would he list factors other than price which would have been taken into consideration when determining the successful tenderer?
- (4) Would he indicate the sections of railway where sleepers under item 3 (a) are intended to be used?
- (5) Would he indicate an estimated unit price differential resulting from differing delivery points contained in tendered offers by Bunning Bros. Pty. Ltd. and Jaya Pty. Ltd.?

Mr O'NEIL replied:

- (1) (a) Yes.
- (b) and (c)—

Sleepers

Bunning Bros Pty Ltd	116 000
Joondanna Sawmills	4 800
JA House Sawmilling and	
Grazing Pty Ltd	2 640

- (2) (a) to (c) Because disclosure of this information would involve revealing the private business of individual firms which they would not necessarily wish to be disclosed to their competitors, it would be improper for the information to be given.
- (3) (i) Sleeper specifications, i.e. quality and nominated types of timbers, viz. jarrah, wandoo, blackbutt.
(ii) The mill's capacity to produce the monthly quantity required.
- (4) Standard gauge railways maintenance requirements on the Kwinana-Kalgoorlie-Leonora-Esperance lines.
- (5) Freight differentials between Bunning Bros Pty Ltd numerous delivery points throughout the south-west and Jaya Pty Ltd's alternative offers for delivery at Brookton or Forrestfield are not applicable. Present processing and preservation treatment of sleepers is to be carried out at Picton in which case Forrestfield delivery is of no advantage.

SOIL CONSERVATION PROGRAMME

Federal Funds

410. Mr JAMIESON, to the Minister for Agriculture:

- (1) Is he aware that grants to Western Australia for soil conservation programmes under the States Grants (Soil Conservation) Act, 1974, have been reduced by 52 per cent in the last Federal Budget?
- (2) Can he explain to the House what the effects on Western Australia's soil conservation programme will be as a result of this cutback?

Mr OLD replied:

- (1) The States Grants (Soil Conservation Act, 1974) provided for an interim programme of soil conservation to be funded by the Commonwealth pending the completion of a study of soil conservation needs which was commissioned at the same time by the Commonwealth. \$2.5 million was allocated for the two years 1974-75 and 1975-76 under this programme. The Act terminated on the 30th June, 1976, but approval was given for committed expenditure to be paid until the 31st December, 1976. Under this programme Western Australia spent \$74 000 in 1975-76 and a further \$73 000 up to the 31st December, 1976:

The study was not completed by the 30th June, 1976 (and in fact has yet to be completed), and no allocation was made in the 1976-77 Budget.

The allocation of \$200 000 therefore represents a new funding for soil conservation programmes and not a decrease.

The distribution between States has not been decided but the Budget papers show a notional allocation to Western Australia of \$35 000.

- (2) The Western Australian expenditure of moneys from the Commonwealth Government have been additional inputs of a capital nature and the policy in relation to farmers paying for their own conservation works has not been modified, and additional staff were not employed on any permanent basis under the grant previously operating. The receipt of further funds will stimulate soil conservation activities.

WATER RESOURCES

Federal Funds

411. Mr JAMIESON, to the Minister for Water Supplies:

- (1) Is he aware that the Commonwealth grants for the assessment of water resources announced in the Federal Budget, indicate that Western Australia will receive no more than it did in the last financial year?
- (2) Is he also aware that Tasmania's allocation was increased by 47.26 per cent?
- (3) In view of the serious problems which Western Australia faces with shortages of water, will he explain why Western Australia did not receive an increase in funds to enable the State Government to accelerate programmes of surface water measurement and investigation of underground water resources?

Mr O'CONNOR replied:

- (1) Yes.
- (2) The Tasmanian Government has a different accounting system from those of the other States and this leads to some misunderstandings. Payments by the Commonwealth to the other States are in advance, whereas payments to Tasmania are in arrears. Thus the allocations shown in the Budget represent allocations for the other States for 1977-78

and the allocation for Tasmania for 1976-77. The allocations last year represented allocations to the other States for 1976-77 and the allocation to Tasmania for 1975-76. Thus last year's allocation showed the final payment to Tasmania of allocations for the previous triennium and the first year's payment to other States for the new triennium. The figure shown for Tasmania in the current budget also includes an amount of \$2 000 which was overlooked inadvertently in the payment due in 1974. In real terms the allocation to Tasmania and in fact the allocation to all States for the year 1977-78 is unchanged from that for 1976-77. Of the total of \$6 658 000 allocated in each year, Western Australia's share is \$2 million and Tasmania's is \$213 000.

- (3) Water resources assessment must go on steadily throughout good years and poor years and all States are in need of funds for water resources assessment. As already explained, the funds available for 1977-78 were unchanged from those available in 1976-77 and the share of each State was unchanged.

ART GALLERY

*New Building: Position of
G. E. Summerhayes*

412. Mr PEARCE, to the Minister for Works:

- (1) Is Mr G. E. Summerhayes, a member of the Art Gallery Board, connected with Summerhayes and Associates who have been awarded a contract as architects in association with the Public Works Department for the erection of the new Art Gallery?
- (2) Is Mr Summerhayes chairman of the gallery's planning committee?
- (3) If so, will he tell the House what safeguards are taken by his department to prevent contracts going to firms whose members may be placed in a conflict of interests situation because of their position as Government appointees to statutory bodies?
- (4) Does he see any dangers in contracts being awarded in this way?

Mr O'CONNOR replied:

- (1) Yes. Mr Summerhayes has been commissioned as architect, in association with the Public Works Department, to carry

out design development and documentation only, for the new Art Gallery project.

- (2) No. Mr Summerhayes is Chairman of the Art Gallery building sub-committee.
- (3) A consultant architect under the terms of his engagement has no authority to act independently. He receives his instructions and directions from the department through the project architect who, in turn, is responsible to the principal architect.
- (4) No.

SCHOOL

Hopelands

413. Mr PEARCE, to the Minister for Education:

- (1) What is the current pupil enrolment at the Hopelands primary school?
- (2) How many staff members are there at the Hopelands primary school?

Mr Old (for Mr P. V. JONES) replied:

- (1) There are seven primary and two pre-primary pupils currently attending the Hopelands primary school.
- (2) There is a teacher-in-charge and a half-time teacher aide.

WATER SUPPLIES

Coca-Cola Plant

414. Mr PEARCE, to the Minister for Water Supplies:

- (1) Is it a fact that there is no meter on the incoming water supply to the Coca-Cola plant?
- (2) If it is not a fact, on what basis is Coca-Cola Bottlers charged for its water supply?

Mr O'CONNOR replied:

- (1) No. The Coca-Cola plant at Kewdale is metered.
- (2) Coca-Cola are charged the following rates—

			\$
Water	....	....	6 968
Sewerage	....	....	8 160
Drainage	....	....	1 400
			<hr/>
			\$16 528
			<hr/>

An allowance of 54 737 kls is granted for water rates charged, and consumption above this allowance is charged at 16.44 cents per kilolitre if rates are not paid by 30th November. If rates are paid by 30th November, the concession price of 15.81 cents per kilolitre is applied.

HIGH SCHOOL

Balga

415. Mr WILSON, to the Minister for Education:

- (1) Can he give an assurance that there is no intention to divert any portion of the grant made to the Balga Senior High School under the disadvantaged schools programme to any other use and so possibly endanger the full implementation of the proposed comprehensive special programme in that school?
- (2) What steps are being taken to expedite the appointment of staff urgently needed to allow the programme to be fully implemented at the school?

Mr Old (for Mr P. V. JONES) replied:

- (1) Yes.
- (2) Some of the remedial and other teaching staff requested have been appointed and other positions will be filled when suitable teachers are identified.
Non-teacher appointments have been delayed awaiting details to be supplied by the school.

ENERGY

Private Power Corporation

416. Mr T. H. JONES, to the Premier:

In the *Collie Mail* dated 24th March, 1977, he is reported as saying: "It is our objective to have a private power corporation set up by 1st July, 1977." Will he please advise:

- (a) the progress made regarding the establishment of the corporation;
- (b) in view of the fact that the corporation is not yet established how are the extensions at the Muja powerhouse being financed;
- (c) how long will the work on the extensions continue if in the final analysis the corporation is not set up by the Government?

Sir CHARLES COURT replied:

- (a) Refinement of proposals is now being completed and it is expected a submission will be made to Cabinet within the next few weeks.
- (b) The commission has met cost of construction to the present time.
- (c) Should the proposed private funding arrangements not proceed, and given that no other source of funds for the commission's capital works programme were forthcoming, immediate cancellation of the Muja project would have to be considered.

MONEY LENDERS ACT

Repeal: Statement by G. F. McKeown

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

- (1) Was Mr G. F. McKeown, the chairman of the W.A. Division of the Australian Finance Conference, speaking for the Government when he said, "Repeal of the Money Lenders Act in W.A. will remove an anomaly in which Western Australia is the only State where artificially-low statutory interest limitations apply"?
- (2) What is Mr McKeown's relation to the Government?
- (3) Is it the Government's policy that announcements of projected legislation should be announced by Mr McKeown when speaking to the Australian Finance Conference?

Mr GRAYDEN replied:

- (1) No.
- (2) None whatsoever.
- (3) No.

CONSUMER PROTECTION

Credit Laws

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

Is it intended that any of the recommendations of the law council of Australia's committee on fair consumer credit laws made in its 1972 report be transmitted into legislative form?

Mr GRAYDEN replied:

Uniform credit legislation, presently in the final stages of drafting, is based solidly on the report of the law council of Australia's committee on fair consumer credit laws.

CONSUMER PROTECTION

Credit Laws

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

- (1) Are there to be meetings between State Ministers so that uniformity will be sought on credit laws?
- (2) If so, when are the meetings to be held?

Mr GRAYDEN replied:

- (1) The subject of uniform credit laws has already been discussed at a number of meetings of Attorneys-General and Ministers for Consumer Affairs. The uniform Bills are now in the final stages of drafting.
- (2) The next meeting of the standing committee of Ministers for Consumer Affairs is expected to be held during November. The next meeting of the standing committee of Attorneys-General is expected to be held on 20th-21st October.

ABATTOIR

Esperance

420. Mr H. D. EVANS, to the Minister for Industrial Development:

- (1) (a) Is it intended that a new abattoir will be built at Esperance; and
(b) if so, when is it expected that construction will start?
- (2) (a) Has the State Government agreed to assist with the financing of such an abattoir; and
(b) if so, in what way and to what extent?

Mr O'Neil (for Mr MENSAROS) replied:

- (1) (a) and (b) Esperance Meat Exporters are considering the construction of an abattoir at Esperance with view to commencing during 1978.
- (2) (a) and (b) The State Government has agreed to issue a Government guarantee of \$2 million conditional on the company satisfying the Government as to the adequacy of its financial participation and other conditions.

ENERGY

Sources of Power

421. Mr H. D. EVANS, to the Minister for Industrial Development:

- (1) Has research been carried out into the possibility and practicability of the use of the following sources of power for industry and domestic use in—
(a) Western Australia;
(b) Australia,
 (i) wave action;
 (ii) tidal movement;
 (iii) solar energy;
 (iv) wind?
- (2) In the event of research being carried out in any one of these fields, would he give details of the nature and extent?

Mr O'Neil (for Mr MENSAROS) replied:

- (1) (a) (i) No. The State Energy Commission is monitoring progress in the research being carried out in the United Kingdom.
(ii) The State Energy Commission retained consultants to re-evaluate the tidal potential of Secure Bay. Their report of 1976 showed the project to be uneconomic at present.
(iii) No research directly for production of electric power. A number of organisations are carrying out research into production of heat for domestic and industrial purposes. These include—
 University of WA
 Murdoch University
 Western Australian Institute of Technology
 State Energy Commission of WA
 and a number of manufacturers.
(iv) The State Energy Commission is collaborating with the electrical research association of the U.K. on the evaluation of wind power potential of Western Australia.
- (b) (i) and (ii) None known.

- (iii) A large number of small research projects are being carried out. Most of these are related to heat production.
 - (iv) None known.
- (2) Further details of the various research projects are available on request from the State Energy Commission.

FERTILIZER

Standard

422. Mr H. D. EVANS, to the Minister for Agriculture:

How many samples of fertilizer after being analysed under the Fertilizers Act have been found to be below the required standard in each of the past three years?

Mr OLD replied:

		Samples Taken	Below Standard
1974-75	....	113	28
1975-76	....	88	11
1976-77	....	97	14

MINERAL SANDS MINING COMPANIES

Retrenchments

423. Mr H. D. EVANS, to the Minister for Mines:

- (1) Have any of the mineral sands mining companies in the south-west of Western Australia retrenched employees in the past three months?
- (2) If "Yes" then—
 - (a) which companies;
 - (b) how many employees were retrenched by each company;
 - (c) what was the reason for such retrenchments?

Mr O'Neil (for Mr MENSAROS) replied:

- (1) Yes.
- (2) (a) Western Titanium.
- (b) Twenty-seven men.
- (c) Poor market for mineral sands products.

LAND ACQUISITION AND DEVELOPMENT

Federal Grants

424. Mr JAMIESON, to the Premier:

For what purposes were \$5 083 000 allocated to Western Australia under the system of grants for land acquisition and

development in urban areas (reference Table 40, page 63, Budget Paper Number 7)?

Sir CHARLES COURT replied:

The amount of \$5 083 000 to which the member refers relates to a programme for land acquisition and development in urban areas funded by the Commonwealth Government under the Urban and Regional Development (Financial Assistance) Act, 1974.

This figure includes capitalised interest of \$2 108 000 which represents interest payments which have been deferred. This figure therefore represents only a notional payment and not cash receivable by the State. Under the agreement, interest on advances is not payable until 15th June, 1987.

The balance of \$2 975 000 which will be provided in 1977-78 is a Commonwealth commitment by way of interest-bearing, repayable loan required under the terms of a financial agreement between the Commonwealth and the State.

The advance will be made available to the State urban land council for a programme of land acquisition and development which is yet to be submitted for the approval of the Federal Minister concerned.

TRAFFIC

Shepperton Road

425. Mr DAVIES, to the Minister representing the Minister for Transport:

Could he please advise the latest figures for traffic flow in each direction along Shepperton Road, Victoria Park, and the point(s) at which the counts were taken?

Mr O'CONNOR replied:

Traffic counts taken in April, 1977 gave the following:—

West of Mint Street—Vehicles per day—13 960 westbound; 17 080 eastbound.

East of Mint Street—Vehicles per day—13 670 westbound; 15 550 eastbound.

West of Twickenham Street—Vehicles per day—14 170 westbound; 22 910 eastbound.

REGIONAL COUNCIL FOR SOCIAL DEVELOPMENT

Replacement

426. Mr DAVIES, to the Premier:

- (1) Has the Government arranged any administrative alternative to replace the work done by the regional council for social development?
- (2) If so, what has been done?
- (3) If not, is it intended to organise an alternative?

Sir CHARLES COURT replied:

- (1) No.
- (2) and (3) On 7th May, 1977, State Cabinet decided not to provide funds for the continuation of the Australian Assistance Plan.

The decision was made after careful examination of programmes funded by the various regional councils for social development.

Cabinet decided that the State would not organise funding alternatives as the regional councils' programmes were either of a terminating nature, or could be adequately addressed by existing Commonwealth or State policies.

EDUCATION

Mt. Lawley College of Advanced Education

427. Mr TAYLOR, to the Minister for Education:

With respect to the one-year full-time special education programme at Mt. Lawley College of Advanced Education:

- (a) will the course continue next year;
- (b) do those teachers who have graduated from this course use the skills developed in the course, in the special education branch of the Education Department;
- (c) will teachers be granted full-time release or release from teaching duties to attend the course in 1978 in a similar way to that which has occurred in previous years;
- (d) will the course as conducted at present at the college have to be changed if teachers are not available for full-time release;
- (e) are all teachers currently involved in special education graduates or students of the course as it has been conducted?

Mr Old (for Mr P. V. JONES) replied:

- (a) This is a decision to be made, in the final analysis, by the Mount Lawley College of Advanced Education. However, since the Education Department recognises the graduate diploma in special education for salary purposes, it is likely that numbers of teachers will wish to take the course on a part-time basis.
- (b) Teachers who have graduated from the course may use their skills in special schools, in normal schools or in advisory duties.
- (c) The full effects of cuts in the funding of the services and development programme have yet to be finally assessed. It is not possible, therefore, to make a definite statement at this time.
- (d) This is a decision to be made by the Mount Lawley College of Advanced Education.
- (e) No; but many possess qualifications from inter-State and overseas.

EDUCATION

Geraldton Technical College

428. Mr CARR, to the Minister for Education:

- (1) When is it anticipated that the Geraldton Technical College will be completed?
- (2) When is it expected to commence courses at the college?
- (3) Will he please detail courses proposed at the college for 1978—in particular, is a pre-apprenticeship course proposed?

Mr Old (for Mr P. V. JONES) replied:

- (1) December, 1977.
- (2) February, 1978.
- (3) Subject to demand it is proposed that the following courses will be offered:
 - (i) Commercial studies
 - (ii) Art
 - (iii) TAE subjects
 - (iv) Marine
 - (v) Welding
 - (vi) Plumbing/Sheetmetal
 - (vii) Carpentry and joinery
 - (viii) Electrical fitting and installing
 - (ix) Automotive mechanics
 - (x) Pre-Apprenticeship—Automotive
 - (xi) Metal construction
 - (xii) Building studies
 - (xiii) Adult education programmes
 - (xiv) Painting and decorating
 - (xv) Other courses according to local demand.

Many of the courses are already established at the Geraldton Evening Technical School and will transfer to the new college.

HEALTH

Geraldton Community Centre

429. Mr CARR, to the Minister for Health:
When is it anticipated that the Geraldton community health centre will be completed and in operation?

Mr RIDGE replied:

The anticipated completion date of the Geraldton and region health centre is 2nd September, 1977. The centre should be operational within six weeks of this date.

HEALTH

Noise Abatement Act

430. Mr CARR, to the Minister for Health:
- (1) How long has the Noise Abatement Act been in operation?
 - (2) How many readings have been taken which have revealed noise levels above the permitted levels?
 - (3) How many prosecutions have been instigated?
- Mr RIDGE replied:
- (1) Since the 6th December, 1972.
 - (2) Not known and impossible to estimate. Measurements are being undertaken repeatedly by Public Health Department officers and Health Surveyors employed by local authorities.
 - (3) Prosecutions are primarily the responsibility of local authorities. It is understood that only one prosecution has been undertaken.

GERALDTON REGIONAL HOSPITAL

Resident Doctors

431. Mr CARR, to the Minister for Health:
- (1) Is he aware that four local authorities in the Geraldton region have recently passed resolutions supporting the provision of resident doctors at the Geraldton regional hospital?
 - (2) What is the present position with regard to the provision of such resident doctors?
 - (3) In particular, what impediments, if any, presently prevent the provision of such resident doctors?

Mr RIDGE replied:

- (1) Yes.
- (2) The department is prepared to recruit resident doctors provided suitable arrangements can be arrived at for co-operation and supervision by the existing local medical practitioners.
- (3) Suitable housing will be required if the posts are arranged on a rotational basis with a metropolitan hospital.

QUESTIONS WITHOUT NOTICE

WATER SUPPLIES

Hopetoun

1. Mr GREWAR, to the Minister for Works and Water Supplies:
 - (1) Could he advise whether the drilling programme at Hopetoun located potable water?
 - (2) If "Yes", how significant was the find?
 - (3) Could he detail the size of the aquifer and yield expectation?
 - (4) Would this be sufficient to supply Hopetoun with—
 - (a) a full supply;
 - (b) a restricted supply?
 - (5) What action does the Government propose to take if the supply is adequate?
- Mr O'CONNOR replied:
- (1) Yes.
 - (2) Not yet determined. Drilling is still in progress.
 - (3) to (5) Answered by (2) above.

GOVERNMENT'S ECONOMIC INITIATIVES

Federal Government's Attitude

2. Mr JAMIESON, to the Premier:
 - (1) Is he aware that the Federal Treasurer failed to act upon any of the economic initiatives suggested by the Premiers after their special conference in Melbourne on the 5th August, in the following areas—
 - (a) cutting interest rates,
 - (b) provision of an additional \$200 million in funds for State works programmes,
 - (c) introduction of measures to relieve unemployment, and
 - (d) provision for the States to borrow money outside the Loan Council?

(2) Can he explain why the Federal Treasurer failed to act on these matters?

Sir CHARLES COURT replied:

- (1) (a) There is a very simple explanation why the Federal Treasurer did not deal with these matters in the Budget. Interest rates will be determined by the Loan Council in the normal course of its operations and the Prime Minister and the Treasurer have already indicated that it is basic to their policy to move towards a reduction of interest rates, and have expressed some hope about this year. The six Premiers served notice on the Commonwealth Government that they wanted interest rates reduced and the quantum of the reduction will naturally be a matter to be thrashed out when the next loan is under consideration because, in case members do not realise, when loans are being approved the Premiers or Treasurers are consulted and the terms and conditions are spelt out with a great degree of confidentiality.
- (b) The \$200 million of loan funds would not come in the Budget. These again will be the subject of negotiation between the Prime Minister and the Treasurer and the various Premiers within the confines of the Loan Council and the Prime Minister has already convened a meeting for the 21st October. I am not sanguine about an earlier meeting than that but we will naturally be pressing for some indication of the Commonwealth Government's reaction to this and other points put forward by the Premiers to the Treasurer and the Prime Minister.
- (c) We have put forward our training programme which has the support of the Trades and Labor Council and whilst the Treasurer did not specifically refer to this programme in the Budget—which we would not expect him to do in view of the short lapse of time since the 6th August—my understanding of what the Federal Government was saying was that although it had not been specific about the increased amount

of training it did not mean to say that was the end of the funds which would be available in this year.

(d) This matter can be determined only within the confines of the Loan Council.

(2) Answered by (1).

WATER SUPPLIES

Aborigines at Mogumber

3. Mr CRANE, to the Minister for Health and Community Welfare:

I apologise to the Minister for not having been able to give him notice that I was to ask this question but I received an urgent telephone call only half an hour ago. I ask—

- (1) Is the Minister aware of the pressing problems at the Budjarra Aboriginal Community at Mogumber caused by a lack of finance applied for over the last 18 months for general building maintenance and repair to the community water supply?
- (2) Is the Minister aware that there is no water available to flush toilets needed for the community of about 60 people and a serious health problem could result?
- (3) Would the Minister please contact by telephone the Federal Minister for Aboriginal Affairs (Mr Viner) to have the application for funds processed as soon as possible, and an allocation of \$5 000 made immediately for repairs and maintenance to the water supply at Budjarra?

Mr RIDGE replied:

- (1) to (3) No, I am not aware of the points raised by the honourable member, but if he would undertake to provide me with details, I will ensure the matter is investigated as expeditiously as possible.

AMERICA'S CUP

Promotion Rights

4. Mr HARMAN, to the Premier:

- (1) Does the Premier recall several days ago he informed me and the House that he would not disclose the details surrounding the payment of \$50 000 to the Bond syndicate?

- (2) Can he explain how and why this information was passed to John Arthur of the *Daily News* and published in that paper today?

Sir CHARLES COURT replied:

- (1) and (2) First of all I have not seen what John Arthur has said in the *Daily News*, but will look at it with interest because I will be surprised and very concerned if some aspects of the arrangements made on a purely commercial basis were made public. However, I will follow up the question now that it has been raised by the honourable member.

PROBATE DUTY

Benefits from Legislation

5. Mr BERTRAM, to the Treasurer:

- (1) If the present death duty Bills become law in their present form and on deceased estates passing in equal shares to the deceased's spouse, and to an unrelated friend of the deceased, and assessed for duty, respectively, at the sums of—

\$500 000
\$400 000
\$300 000
\$200 000
\$100 000
\$75 000
\$50 000
\$25 000
\$10 000

what duty would be payable by—

- (a) the said spouse,
(b) the said unrelated friend of the deceased,

in each of the cases mentioned?

- (2) Using the money classifications listed in part (1), what duty would be payable by the said unrelated friend of the deceased if that friend were the sole beneficiary in each case?

I thank the Premier for having supplied the information privately. I am merely asking the question now so that the details will be recorded in *Hansard*.

Sir CHARLES COURT replied:

I thank the honourable member for ample notice of the question. As he said, I have made the information available to him privately. The answer is as follows—

- (1) If the present death duty Bills become law in their present form on deceased estates passing in equal shares to the deceased's spouse and an unrelated friend of the deceased, the duty assessed on the sums below is as follows—

Estate Value	Duty Payable	
	Spouse	Friend
\$	\$	\$
500 000	Nil	80 000
400 000	Nil	64 000
300 000	Nil	48 000
200 000	Nil	31 125
100 000	Nil	9 725
75 000	Nil	6 350
50 000	Nil	3 625
25 000	Nil	1 450
10 000	Nil	425

- (2) Duty payable on the following amounts passing to an unrelated person being the sole beneficiary—

Estate Value	Duty Payable
\$	\$
500 000	160 000
400 000	128 000
300 000	96 000
200 000	62 250
100 000	19 450
75 000	12 700
50 000	7 250
25 000	2 900
10 000	850

HEAVY MINERALS

Retrenchments and Job Security

6. Mr CARR, to the Premier:

- (1) Will he please advise the House of any action the Government is taking or intends to take to help find jobs for the 70 workers retrenched by Jennings Mining at Geraldton and Eneabba today?
- (2) In view of the statement of the Managing Director of Jennings Mining that the world demand for heavy minerals was down, does the Government have any information on prospects for future world demand for heavy minerals?
- (3) In view of the recent closure of Western Mining's sand mine at Jurien and today's retrenchments by Jennings, does

the Government have any information concerning job security for workers employed by other heavy mineral producers operating at Eneabba and Geraldton?

Sir CHARLES COURT replied:

- (1) I understand the Minister has been in consultation with the company about these employees and the possibility of their being channelled into other activities either within that industry or elsewhere.
- (2) It is well known that mineral sands are in a very depressed state on the world market and the Minister has been working very actively with the companies concerned to achieve a degree of rationalisation which will improve the position of Western Australian operators both in the short and long term.
I also add that I could not make a prediction at the moment as to when the world market will sort itself out, but it is a fact of life that once the markets generally move with steel as the key, the movement will, based on previous experience, be a fairly rapid one, because the whole history of these metals is that once the steel industry starts to take off, then all the other minerals and metals usually follow in quick succession.
- (3) The world cut-back does of course mean that the immediate demand for employment and labour for these industries is not as good as it was, but I know here again it will be part of the Minister's discussions with the companies when he is trying to achieve a degree of rationalisation to bring about stability both in the short and long terms.

UNEMPLOYMENT

Job Training Scheme

7. Mr JAMIESON, to the Minister for Labour and Industry:

- (1) In view of the Fraser Government's failure to provide funds in the Budget for the private job training scheme proposed by the State Government and the Trades and Labor Council, will the scheme now have to be abandoned or severely reduced in scope?
- (2) If not, how is it now proposed to implement and finance the scheme?

(3) Will he be seeking urgent talks with the Trades and Labor Council to discuss the future of the scheme in light of the failure of the Fraser Government to allocate funds?

(4) Will the State Government be making representations to the Federal Government for a special financial allocation to alleviate unemployment in Western Australia?

Mr GRAYDEN replied:

(1) to (4) The Fraser Government has not failed to provide funds in the Budget for private job training.

When announcing the Budget the Federal Treasurer indicated that \$102.7 million had been provided for employment training programmes this year and this represented an increase of 33 per cent over last year.

He further indicated that the Government would not allow the budgetary situation to inhibit training programmes and that it was the Federal Government's intention to seek an early Commonwealth-State conference to consider the adequacy and utilisation of existing resources for training.

I will certainly be pressing the matter at the Commonwealth-State Ministers for Labour Conference which is to be held in Perth on the 2nd September, 1977, and I am confident that this State, in conjunction with the Federal Government, will be able to commence early training programmes.

Training proposals will be discussed with representatives of the Trades and Labor Council of WA and the Confederation of WA Industry at the next meeting of the Minister for Labour Advisory Committee.

INDUSTRIAL COMMISSION

Effect on Unemployment

8. Mr TONKIN, to the Minister for Labour and Industry:

Does he agree with the accusation of the national Treasurer (Mr Lynch) that unemployment is mainly the fault of the Industrial Commission?

Mr GRAYDEN replied:

I have not seen the comments, and in those circumstances I certainly will not remark about them.

INDUSTRIAL COMMISSION

Effect on Unemployment

9. Mr TONKIN, to the Minister for Labour and Industry:

If the Minister has not seen the comments, would he agree with anyone who said that unemployment was largely caused by the activities of the Industrial Commission?

The SPEAKER: The previous question asked by the member for Morley and the one now asked are clearly seeking an expression of opinion of the Minister for Labour and Industry and are therefore not in order. The Minister will not answer the question.

CASINOS

Lusher Report

10. Mr JAMIESON, to the Chief Secretary:

- (1) Will he study the Lusher report to the NSW Government on illegal gambling casinos?
- (2) Will he obtain a copy of the report and table it in this House for the information of members?

Mr O'NEIL replied:

- (1) and (2) I have already requested that a copy of the report be made available to my office. I understand there may be some difficulty in respect of tabling in this House reports tabled in other Parliaments, but if there is no legislative or legal bar I will certainly be happy to table the report if and when I receive it.

The SPEAKER: I will take no more than one more question after this one.

INDUSTRIAL DEVELOPMENT

World Steel Industry

11. Dr TROY, to the Premier:

- (1) How does he comprehend the cause of the present depressed state of the world's steel industry?
- (2) What was the financial base for the world boom in steel following World War II?

Sir CHARLES COURT replied:

- (1) and (2) I am afraid I would not be given permission by you, Mr Speaker, or the rest of the House to embark on a discourse in answer to the question posed by the honourable member.

Mr Skidmore: You could give us a try.

Sir CHARLES COURT: If the honourable member cares to place the question on the notice paper, I will be only too pleased to condense the answer—instead of writing a book on it—at the next sitting of the House.