

Legislative Council

Tuesday, 25 October 1988

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 3.30 pm, and read prayers.

BILLS (2) - ASSENT

Message from the Governor received and read notifying assent to the following Bills -

1. Swan River Trust Bill
2. Agriculture Bill

PETITION - WESTERN AUSTRALIAN MUSEUM

Percy Markham Collection - Sale Opposition

A petition bearing 101 signatures and arguing against the sale by the WA Museum of the Percy Markham collection of vintage and veteran cars was presented by Hon P.G. Pandal.

[See paper No 512.]

Similar petitions were presented by Hon Barry House (165 persons), and Hon Max Evans (176 persons).

[See papers Nos 513 and 514.]

FINANCIAL ADMINISTRATION AND AUDIT ACT

Report Tabling - Extension of Time

THE PRESIDENT: I table the following notifications of extension of time for the tabling of annual reports for the 1987-88 year granted under section 70 of the Financial Administration and Audit Act 1985 -

Minister for Local Government -

Local Government Superannuation Board

Local Health Authorities Analytical Committee

[See papers Nos 499 and 500.]

CHILD SUPPORT (ADOPTION) BILL

Second Reading

Debate resumed from 13 October:

HON JOHN WILLIAMS (Metropolitan) [3.46 pm]: It could be said that this Bill and the Family Court Amendment Bill could be taken conjointly. However, they cannot because each Bill has one or two oddities that need to be explained.

I assure the Attorney General that this side of the House supports the Child Support (Adoption) Bill. The Commonwealth Act came into force this year on 1 June. If the Attorney General were to agree with my views on that Act he would answer one of my queries about it by saying, "No, I cannot do anything about it. Although I have tried my best to research it, I could not find the necessary amendment." This Bill ensures that children who are adopted or put into custody will be supported by contributions made towards their maintenance by the non custodial parent. This will be done in an unusual way, which is the matter I would like to query. I cannot recall dates very accurately but in eighteenth century America an incident occurred called the Boston tea party; from that incident a new nation was created. The catchcry then was, "No taxation without representation." The critical aspect of this Bill, which I could not find out about and which frankly the people I consulted could not help me with, is that an order can be made for an amount of money to be deducted at source in order to support the child. One of the great causes of the most vexatious litigation, family anguish and so in support of the whole family law question is that often

parents who pay maintenance are not guaranteed rights of visitation to their children. This is something I would love to see rectified. However, I will not put the Attorney General through the same wringer I have been through over the last 72 hours on discovering this problem, but each member of this House knows that from time to time we read of and see in the electronic media cases of fathers going berserk and committing heinous crimes, including murder, because they have been separated from their children by the legal process. Once that has occurred, the parent who has custody does all sorts of weird and wonderful things, like disappearing from one country to another.

While there may be cases of friction between the parents, generally speaking - and it has been proved psychologically - in a large majority of cases there is a bonding between the parent and the child. In my day people considered carefully whether they should separate or divorce because of their concern for their children. People in my day were a more concerned group. Having said that, there were people who had no concern for their children or their neglected spouse, and who merely went about their business as if nothing had happened. I support this Bill, as will the Opposition, as it seeks to ensure that we come into line with Commonwealth arrangements and such neglected spouses will have the legal right for money to be paid to them from a taxed source. Australia is a vast country and people move around with considerable alacrity when they have debts and obligations. One might say that this country is unique, but it has a population of only 16 million, and we have a chance to control these problems now. The United Kingdom is a small place but there are 55 million people amongst whom to hide. The legislation presented to us in this Bill ensures that we in Western Australia have the same facilities as other States with the Child Adoption Register which the Governor General, in clause 20 of this Bill, seeks to implement.

This is a good Bill, and one which is necessary. I am only sorry, and I say this, Mr President, to the Attorney General, that taxation without representation - as I call it - could not have been included. If I, as a supportive parent, have money deducted from my salary for the support of my children or my spouse then I, as a person, would want almost a guarantee that I could see those children. This is a very difficult and complex problem. I do not envy the Attorney General the amount of work which comes to his desk associated with family break-ups, separations and the rest of it. It is a difficult situation, and we often see single parents charged before the courts with all sorts of crimes they have committed in attempts to see their children. I am sure the Attorney General, in his wisdom, at a future date will have that problem brought to notice, and that some Bill will be implemented which is linked to this. I was thinking, quite simply, that the moment visiting rights or anything of that nature are cut off, so should the funds be cut off. However, I cannot find a place in the Bill in which to make a sensible or workable amendment. I support the Bill.

HON J.M. BERINSON (North Central Metropolitan - Attorney General) [3.54 pm]: I thank Hon John Williams for his support of this legislation. He has certainly drawn attention to some very difficult matters which are involved in family law. I agree with him that perhaps the most worrying element is the difficulty of some parents obtaining satisfactory access to their children, either because they fail before the court, or because, having succeeded before the court, they are prevented from obtaining the enforcement of the court order. Despite that, I doubt whether it would be appropriate to link access and the payment of maintenance in the automatic way suggested by the honourable member. There are always cases where access is positively denied by the court. That may be in the interests of the safety of the children, or their welfare in other respects. That, on its own, would not necessarily preclude a court from coming to the conclusion that the parent who is being denied access should, nonetheless, be liable for the payment of maintenance. There are really two separate questions involved.

On the other hand, I assume from what Hon John Williams has said that he is not thinking of that situation but of the situation where there is both an order for access and an order for maintenance by the respective parents, and access is either being denied altogether or frustrated by one means or another. Even in that case I doubt that an automatic link between the two provisions should apply. In such cases there is always the capacity for an aggrieved parent to make application to the court, and one factor to be considered by the court could well involve the discontinuance, suspension or modification of the maintenance order. All in all, therefore, I doubt whether the concept of an automatic link is one which could reasonably be applied in this area. Such a link would certainly provide a simple solution in a number of

respects but, as the honourable member himself has acknowledged, this is not an area which is often amenable to simple solutions. His proposal, I have to say, falls within that limitation as well. I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Committee and Report

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

Third Reading

Bill read a third time, on motion by Hon J.M. Berinson (Attorney General), and transmitted to the Assembly.

FAMILY COURT AMENDMENT BILL

Second Reading

Debate resumed from 13 October.

HON JOHN WILLIAMS (Metropolitan) [4.02 pm]: This Bill could have been debated cognately with the previous Bill. The amendments to this Bill arise from the Commonwealth Act which was passed in 1988 and which placed a certain number of reforms of the Family Court of Western Australia beyond the provisions of the Commonwealth Act 1975. It sets out in strict form, which is good, the approach to be adopted by the Family Court of Western Australia in assessing the needs of the child; that is, financial support and maintenance of the child.

The Opposition has no quarrel with this Bill. However, there is only one peculiar part of it and not being well versed in Latin I am unable to give the Latin name for it. It talks about paternity testing and I think all members know what that means, but surely if the female of the species is responsible for parturition, what sort of testing is needed to prove the parentage of the child?

Hon J.M. Berinson: Where is it?

Hon JOHN WILLIAMS: The Attorney General refers in his second reading speech to parentage testing. I suppose it is non sexist language. As a humble male I consider parentage testing to be restricted only to males to ascertain whether there is a genetic connection, but surely the mother who gives birth to a child is the mother of the child and I do not know what sort of testing will be undertaken to prove she is the mother. However, it is a small aside which I pass to the Attorney General.

The Opposition supports the Bill.

Question put and passed.

Bill read a second time.

Committee and Report

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

Third Reading

Bill read a third time, on motion by Hon J.M. Berinson (Attorney General), and transmitted to the Assembly.

OFFICIAL CORRUPTION COMMISSION BILL

Second Reading

Debate resumed from 18 October.

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [4.06 pm]: As members will be aware, this Bill had its origin in a private member's Bill in the Legislative Assembly. The Bill was proposed by a member of the Opposition and I hope the Opposition was not too disappointed when the Government accepted the proposal in principle.

Hon G.E. Masters: Let us hope it goes for some of the other legislation we bring in.

Hon J.M. BERINSON: That acceptance was typical of the approach by this Government to amendments moved from the other side. I well remember how rare -

Hon G.E. Masters: You will be tested this afternoon.

Hon J.M. BERINSON: - that experience was during the time of previous Governments to the extent that it was regarded as a major change in attitude by the previous Government when it accepted an amendment by Hon Howard Olney, as he then was, to change the word "a" to the word "the". That was remarked on by the Government at that time as an indication of its flexibility.

Hon P.G. Pental: So it was, too.

Hon J.M. BERINSON: That is an indication of the extent to which its flexibility went.

As all honourable members know, the approach by the present Government is quite different, and that does not apply only in this House where the numbers have some slight influence over the way in which the various parties might approach this question; it has also been typical of the approach taken in the Government's House. In other words, where a reasonable proposition is put forward it is considered on its merits and not rejected simply as a matter of form. In respect of this Bill the only reservation by the Government was that in its original form it did not go far enough. Amendments were moved by the Government and they were accepted by the Opposition in the Legislative Assembly -

Hon P.G. Pental: Which shows you how flexible we are.

Hon J.M. BERINSON: - so that the Bill, as amended -

Hon P.G. Pental: We hope this keeps up all day.

Hon J.M. BERINSON: - and presented in this House came to this House by agreement. Normally, nothing more would be required to be said. However, in a very recent further review of the Bill by the Parliamentary Counsel attention has been drawn to the fact that the terminology of the amendments moved in the Legislative Assembly had the unintended effect of excluding from the provisions of the Bill the conduct of members of Parliament. There can be no doubt that it was always intended on all sides that members of Parliament should be included in this Bill and not excluded. I have therefore circulated amendments to set this matter right. Other than to draw attention to that matter and to foreshadow the consequential amendments, nothing more need be said than that the Government supports the Bill.

HON G.E. MASTERS (West - Leader of the Opposition) [4.10 pm]: I welcome the Leader of the House's comments and his assurance that the Government will be flexible. I draw his attention to the eight items of Opposition business languishing at the bottom of the Notice Paper; no doubt to prove his word and his sincerity the Leader of the House will bring forward those items at the earliest possible opportunity. A number of items on the Notice Paper today will test his sincerity in this regard, and he may feel inclined to support many of the amendments listed. It is hoped that the new attitude of the Leader of the House will be reflected in today's events.

Hon J.M. Berinson: My attitude is consistent with the Government's past performance.

Hon G.E. MASTERS: I remind the Leader of the House - whose memory is quite remarkable when it is convenient - of the debate on the workers' compensation legislation.

Hon J.M. Berinson: I remember that quite well, and how embarrassed you were.

Hon G.E. MASTERS: I was a Minister at that time and debated the matter with Howard Olney; by arrangement the Government accepted 50 amendments from the Opposition. I remind the Leader of the House of those events in connection with his talk of flexibility.

With regard to the legislation before the House, it is a tragedy that we have reached the stage at which it is necessary to introduce a Bill dealing with official corruption. We all know that the Government is in desperate trouble as a result of recent events and that is reflected in the matters brought to the attention of the media and the public in recent weeks in another place. That desperate trouble is a consequence of the Government's continued wheeling and dealing; scandal after scandal is reported in the newspapers on a daily basis and in tonight's

edition of the *Daily News* is a report of the great concern in the community about the Government's method of operation. Those events are the reason for this legislation; I refer to Government appointees and Government friends getting special favours. The term "WA Inc" is in daily use, not just in Western Australia, but in many other places.

Hon J.M. Berinson: How do you spell longbow?

Hon G.E. MASTERS: C-I-D-E-R. The Leader of the House may not be aware that Long Bow is a brand of excellent cider. That is a foreign brew, but we are not talking about a foreign brew at the moment. The subject under discussion is a home brew of Western Australia, brewed by the Labor Government and the ex Premier, Brian Burke, and continued by the present Premier, Peter Dowding. The establishment of WA Inc is reflected in this legislation. I have said time and time again that we should be using more often in Western Australia the expression "corruption of privilege". The Government of the day has certain powers to confer contracts, make arrangements, and give favours; those favours are given by all sorts of Governments for good reason. However, if there is no good reason for bestowing those favours, that represents corruption of privilege.

Hon Tom Stephens: You are corrupting the privilege of this Parliament by those comments.

Hon G.E. MASTERS: This is not just a Western Australian or national scandal, it is an international scandal.

Point of Order

Hon J.M. BERINSON: I draw your attention, Mr Deputy President, to the need for relevance. At the moment the Leader of the Opposition is not complying with that Standing Order, and I suggest that he be asked to revert to the contents of this Bill.

The DEPUTY PRESIDENT (Hon D.J. Wordsworth): I am sure the Leader of the Opposition will explain the relevance of his comments to this Bill.

Debate Resumed

Hon G.E. MASTERS: I am certainly referring to the legislation. I understand that the Leader of the House may be upset by my comments, but I draw his attention to page 4 of the legislation, on which it is stated that the functions of the commission are to receive information furnished to it by any person who alleges that a public officer has corruptly acted to obtain any benefit for himself or any other person. The events in Western Australia have led to the suggestion that those suspicions exist.

Hon J.M. Berinson: To the totally unsubstantiated suggestion, one which the Leader of the Opposition would never repeat outside this House.

Hon G.E. MASTERS: They have led to the suggestion that the Government of the day is not able to refuse the progress of this legislation because it would add to its embarrassment. Of course, the Government has to support this legislation and I hope it will do so with good grace and without embarrassment. On this subject, I prefer to use the expression "corruption of privilege". There is no doubt that the business integrity of Western Australia is suffering and is under suspicion and threat as a result of WA Inc and the activities of the Labor Government in this State. That reflects not only on the business community, but also on the people of Western Australia. They are becoming deeply embarrassed about the events in Western Australia. I can understand why the Leader of the House is smiling, he would be foolish not to do so.

Hon J.M. Berinson: What has that to do with this Bill?

Hon G.E. MASTERS: That embarrassment felt by the Government and the concern felt in the community have everything to do with this Bill. I remind the Leader of the House that the legislation refers to official corruption and the setting up of an Official Corruption Commission to investigate some of the accusations and concerns brought to the commission's attention.

Hon Tom Helm: You have been wrong in the past and you will be wrong again.

Hon G.E. MASTERS: Many people come to this State from the Eastern States and other parts of the world and almost the first thing they talk about is WA Inc. They ask how such a thing could happen in a civilised country - in Australia of all places, particularly Western

Australia. It happens because of this Labor Government. It has not happened under any previous Labor Government, and it has not previously been necessary to introduce this type of legislation at any time in the history of Western Australia. It was not necessary because in the past there was not a stream of doubtful deals. If I went through all the doubtful deals, it would take until the dinner suspension and I do not intend to do that. However, I remind members of a few matters which should be of concern: The sale of the abattoirs started the ball rolling; SGIC purchases are viewed with suspicion because of the amounts of money and the people involved; I do not need to go into the State Superannuation Board fiasco in great detail because people are aware of that scandal; and the Teachers Credit Society collapse occurred as a result of the Government's failure to act early enough, and ultimately it had no alternative.

Hon J.M. Berinson: Are you suggesting that corruption was involved?

Hon G.E. MASTERS: No, I am not saying that.

Hon J.M. Berinson: Then what has it to do with this Bill?

Hon G.E. MASTERS: I am giving the background of some of the doubtful deals which should be investigated; for example, the \$150 million guarantee for Rothwells and the recent events surrounding the petrochemical plant. That fiasco has become a subject for international discussion. I do not want to go through all of the details because I am sure that would upset Government members. I have been talking about corruption of privilege for the last few months, and no-one seems to want to understand. Corruption of privilege involves more than someone just handing over a few dollars and getting a benefit out of it. The Government of the day is always in a position to confer favours, and it is corruption if that Government confers those favours for the wrong reasons.

I draw the attention of members to a report in the *Financial Times*. I am sure no-one will argue against the reputation of that newspaper or its standing not just in the country where it is produced but all over the world.

Hon J.M. Berinson: Does it allege corruption?

Hon G.E. MASTERS: No.

Hon J.M. Berinson: So what are you talking about?

Hon G.E. MASTERS: The newspaper says that "Western Australia's deals taint overseas image". They taint it because they smell, and they smell because they suggest corruption.

Point of Order

Hon J.M. BERINSON: I do not want to upset the Leader of the Opposition, but he was invited by you, Mr Deputy President, to relate his remarks to the Bill. He has repeatedly conceded that the matters he is discussing are not related to corruption, so they cannot be related to this Bill. I refer again to the Standing Orders requiring relevance, and ask that the Leader of the Opposition be requested to restrict himself to the matters under discussion, and to leave other matters to another suitable time.

The DEPUTY PRESIDENT (Hon D.J. Wordsworth): I request the Leader of the Opposition to confine himself not to recalling what might be rumour but to pointing out the relevance to the Bill of what he is saying.

Debate Resumed

Hon G.E. MASTERS: I certainly will.

Hon Tom Stephens: Stop treating the Chair with contempt.

Hon G.E. MASTERS: I have the utmost respect for the Chair, and when you rule me out of order, Mr Deputy President, I will not continue with my remarks. I certainly have never treated the Chair with disrespect. I am explaining to the House the need for a corruption commission, much to the chagrin of the member opposite, who is deeply embarrassed, and understandably so, because all he does is mouth off a few remarks, and no-one takes him seriously in this place, least of all his own members. I was talking about the accusations and reports that are being made, suggesting that in Western Australia there is something wrong. The word I used was "taint", which means the Press feel there is a funny smell about it, and that suggests corruption.

Hon J.M. Berinson: Rubbish!

Hon G.E. MASTERS: I can understand that Government's concern. I am talking not just about the *Financial Times*, because it does not matter on which day one opens the newspaper, nor which newspaper one is looking at, nor in which State or country, there is always a report about the shifty deals being carried out by this State Government. I am referring now to an article in tonight's *Daily News*. This legislation needs to be addressed as quickly as possible, and I hope the Government will put it into effect at the first opportunity and, having made a bit of a show about putting it through this House, the Government will not suddenly say, "We will sit on it for a month or two." Let us get it off the ground right now because it is important legislation, dealing with the setting up of a corruption commission. It is a tragedy that there should be corruption, but we are pleased that the Government has seen fit to support our private member's Bill. We ask for an undertaking from the Government, and from the Leader of the House when he deals with the Committee stage, that the Government will be in a position to proclaim this legislation fairly swiftly, and I am sure the Leader of the House will give us an indication of how quickly he can put it into operation. I support the legislation.

HON A.A. LEWIS (Lower Central) [4.25 pm]: I support this Bill. I listened with interest to the Leader of the House's point of order. Members will remember the Leader of the House, in his role as Attorney General at the time, and the John O'Connor case. One wonders whether a corruption commission may have been useful then.

Withdrawal of Remark

Hon J.M. BERINSON: I do not get excited any more about rubbish like this, but that is a most improper statement. It is implying corruption in an action taken by me in my role as Attorney General, and I demand that it be withdrawn.

The DEPUTY PRESIDENT (Hon D.J. Wordsworth): I request Hon A.A. Lewis to be more careful with his wording. He should not make such an analogy about a member. I appreciate he is trying to recall what happened, but I do not believe he can attribute that sort of action directly to a member.

Hon A.A. LEWIS: I will withdraw my remarks, but we were challenged in this House a few moments ago, when the Leader of the Opposition was talking, to give examples of things.

Debate Resumed

Hon John Halden: A childish example!

Hon A.A. LEWIS: If I have to put up with the interjections of this commercial prostitute on my left, when the Leader of the House is so tender -

Hon John Halden interjected.

Hon A.A. LEWIS: He admits he is getting money for it.

Several members interjected.

The DEPUTY PRESIDENT: Order! I request that you do not use words like that, and if you must use quotations, you can quote the source.

Hon A.A. LEWIS: I will quote the source. It was a former Deputy Prime Minister, Dr Cairns, who was talking on the ABC about the Labor members of Parliament, and I think we have all heard it and agree with what he said.

Hon John Halden: All the time!

Hon A.A. LEWIS: Not all the time, but we will agree with this example. We have before us a Bill where we are being challenged by the Leader of the House to give direct examples of what this commission may look into.

Hon J.M. Berinson: I did not challenge that at all.

Hon John Halden: Another scurrilous remark!

Hon A.A. LEWIS: It is fascinating how tender these people get when we start to talk about corruption.

Hon J.M. Berinson: That is not what you are talking about.

Hon A.A. LEWIS: It is amazing how tender the Leader of the House is. He is a critical member of WA Inc. He has always told us that he has been involved in all these decisions.

Hon J.M. Berinson: That is wrong, too.

Hon Tom Stephens: Will you wave a flag when you get a fact right so that I can turn around?

Hon A.A. LEWIS: Listen to old windmills over there, sitting next to Mr McKenzie. He is asking me to wave a flag when I am accurate. I must be fairly accurate to have everyone on the Labor Party bench wanting to shoot me down. I will stay here for the next 41 minutes if they continue to interject.

Hon S.M. Piantadosi: He has it wrong again. I have not interjected at all.

Hon A.A. LEWIS: No, and nor has Mr McKenzie. There are two genuinely honest members in the ALP - Mr Piantadosi and Mr McKenzie.

It is interesting how the rest of the rat pack yell and scream about this subject. The subject that I was asked to withdraw is one of the subjects that I believe could be investigated.

Withdrawal of Remark

Hon J.M. BERINSON: That is totally unacceptable. The honourable member has withdrawn a statement and is in effect repeating it and compounding the offence. I demand that that comment again be withdrawn.

Hon A.A. LEWIS: I thought I was asked to withdraw the allegation against the Leader of the House, which I did. I then said that the subject matter could be one of the things that needs investigating; this shows how tender these people are.

Hon J.M. BERINSON: It shows nothing of the sort and I demand that this line of discussion be discontinued and the comment be withdrawn. The member is alleging that there was something illegal about my conduct at some stage. That is an outrageous statement and he cannot continue to make it simply by changing the form of the words.

Hon P.G. Pendal: That is your opinion. The member's comments are a reasonable conclusion. Everybody is entitled to make a judgment and people have made their judgments about this Government.

The DEPUTY PRESIDENT: I request members to ensure that the debate does not reflect personally upon any member in the Chamber. I am not going to allow the member to substantiate his arguments as he is endeavouring to do, as I think the member can speak without referring directly to any individuals.

Hon A.A. LEWIS: That is exactly what I have been endeavouring to do, and I will follow your line and your decisions, Mr Deputy President.

Debate Resumed

Hon A.A. LEWIS: I wish to quickly refer to another little matter that may or may not come within the area of corruption. As members may recall, I had a very unfortunate experience several months ago when I was, what is called in the trade, "de-selected" by the Liberal Party. I am using the word "de-selected" because the Deputy Premier told me that is what would happen to me during a conversation we had, and I think that is a wonderful phrase and I bear no rancour about it. One of the jobs that I was offered within 10 days of being "de-selected" was the managing director of a firm, and that firm was putting propositions to this Government. One of the propositions was a petrochemical plant of the same size and magnitude as the one the Government is presently pursuing, which created a little problem in my mind.

Hon Doug Wenn: It is a little mind.

Hon A.A. LEWIS: My friend from the forests said that it is a little mind, and he can make that interjection if he wishes.

The thing that went through my mind when this consortium went to the Government with a proposition for a petrochemical industry of the same size as the one the Government will build was the question of cost. Do you know what the cost was, Mr Deputy President? Finance was arranged at five per cent and the cost was \$580 million. When I see the Leader

of the Government with his tender little hide jumping up and taking points of order - tell him to take a point of order on this, Mr Deputy President - it makes me wonder about a Government that doubles the price of a facility and does not want anybody to look into what the blazes is going on in this State. It may be called corruption or whatever, but it has doubled the cost -

Hon J.M. Berinson: Have you forgotten that the Government is supporting this Bill?

Hon A.A. LEWIS: I have not forgotten anything.

Hon J.M. Berinson: I think you might have.

Hon A.A. LEWIS: I think the Attorney General ought to take his Whip's advice and try to stop interjecting and taking points of order, because Hon Fred McKenzie is an honest bloke and he knows what I am saying is correct. There is a need for a Bill like this and if the comparison which I have drawn has hurt the Government, or it will change its mind because I have brought it up, I do not mind. The perception of this Government throughout this country and overseas is of a Government with a fishy smell, which is doing things that the average person in the street does not trust. We have seen some advertisements in the newspapers about Teachers Credit Society -

Hon T.G. Butler: Very good ones too.

Hon A.A. LEWIS: What did this Government do about the people in Payton Finance? It did nothing and the previous Premier said, "We are not going to have anything to do with them".

Point of Order

Hon J.M. BERINSON: We are now going to "Payton Place" and I cannot for the life of me understand the relevance of this subject. The honourable member is simply taking a tour of this State, the nation and the world and I do not know what he is doing. The member is not talking about the Corruption Commission Bill and, once again, I draw attention to the Standing Order requiring relevance.

The DEPUTY PRESIDENT: I am sure that the honourable member is getting around to the point in this connection.

Debate Resumed

Hon A.A. LEWIS: I am sorry if I draw the net too tightly -

Hon S.M. Piantadosi: You are drawing it too wide.

Hon A.A. LEWIS: - and cause the Attorney General to squirm and take points of order continually. If I quietly pass over these things and say, "Here is one group of financiers who have been left in the dark by this Government and here is another group of financiers which has been lifted up and we as the Labor Party and the Government are supporting one against the other", is there not a smell about that? I would think there is, Sir, and if it is to be called corruption or neglect of duty as a Government, so be it. This Government leaps to the defence of its friends, and anybody that is not friendly - it reminds me of the computer term "user friendly" - and it cannot use, the Government is not friendly towards and forgets about them.

The need for a corruption Bill and a corruption commission is so obvious to the people of this State that they will make their final decision in February next year when the election is held. It will not affect me personally, but it will affect a lot of people sitting on the Government benches.

HON MAX EVANS (Metropolitan) [4.40 pm]: I support the Official Corruption Commission Bill.

The functions of the commission are to -

- (a) receive information furnished to it by any person who alleges that a public officer has corruptly acted or corruptly failed to act in the performance or discharge of the functions of his office or employment or has corruptly taken advantage of his position as holder of that office or employment to obtain any benefit for himself or any other person or has committed any other offence under Chapter XIII of the *Criminal Code*;

- (b) consider whether, in its opinion, the matter should be referred to a person or body who, or which, is empowered by law to investigate and take action in relation to allegations of the kind made; and
- (c) consider every report furnished to the Commission by a person or body under subsection (5).

I see this as being very important, particularly in view of what has happened over the last 12 to 18 months. Legislation dealing with corruption is not just the flavour of the month; it is the flavour of our times. It is related to the way people are now getting into big business and big money. In the interests of the public, right must be seen to be done. The public deserve to have legislation dealing with corruption and they need to know where they can go to lodge complaints. They must know that they can complain to a person or body which has the integrity to look into the matter. Once this Bill is proclaimed, the test will be how quickly appointments are made and how quickly complaints can be made to the commission. I wonder whether it will be left until after the election, because some matters may be raised which could be embarrassing to the Government or to its officers. That will be the real test: Will the Government have the fortitude to rush this legislation straight through and, as my leader said, test it in order to give the public a chance to make their complaints?

There are many public servants who are worried about what is going on. Over the last six to nine months I have been amazed at the number of people who have rung me and spoken about problems they perceive - things they do not like; not corruption, but things which have a smell about them and do not look right. Those people want such matters investigated because from where they are they do not see the full transaction - they do not see the beginning and end of the transaction; they see only the middle, and they would like to see something done. They would like the matter made clear in their own minds. They would like to do that because they are well intentioned citizens and public servants and they want something done to clarify such matters. They deserve to have that done.

A good example is this: In December 1986 members of the Liberal Party had knowledge of untoward transactions in the State Superannuation Board investment trust. There was nowhere for them to turn to verify this. Members of the Liberal Party went to the police, who investigated the matter. At the end of March the Premier said that in early January he had known Mr Len Brush was being investigated by the police, but did nothing about it. That was the then Premier's answer to a parliamentary question asking when the Premier first knew about the matter. I think it was on 14 February that information began to come through. The Premier promoted Mr Brush out of his job and appointed him the head of FundsCorp. He had been investing funds of \$500 million with the SSB and he was then promoted to FundsCorp where he was to invest \$1 billion at a time a police investigation was going on. We did not have a corruption commission to investigate such a matter officially. It was not until 27 February that *The Australian* headlined the story of the State Superannuation Board's problems and the matter of three cheques of \$50 000 to Mr Brush, which had been classified as loans on documents that were backdated. That was officially accepted - the documents were not properly drawn up; they were backdated. Loans totalling \$150 000 to a public servant were made by a person outside the service who was gaining a benefit, and yet nothing happened. It was not until 28 February that *The West Australian* printed its first story on this matter; it had known for over six weeks that the story was around and yet it would not print it. It would not print a story involving big sums of money in the State superannuation fund. There was no corruption commission to which to take this matter; we had to wait for the effluxion of time for this matter to surface. It hit the headlines around 14 March. Mr Len Brush retired from the State Superannuation Board and we had a case which did not prove secret commissions but acknowledged that Mr Brush had made loans of \$150 000 from a man with whom he was doing business at the State Superannuation Board. That is the sort of transaction which has been going on through WA Inc. There have been transactions such as the Anchorage deal, share dealings, deals done with Austec International in the Eastern States and so on. There is a lot of doubt about them. What benefits are these people getting?

Hon Fred McKenzie: I thought there was a trial and they were found not guilty.

Hon MAX EVANS: I said they were not found guilty of paying and receiving secret commissions; but the court accepted the fact that Mr Martin had received loans totalling \$150 000.

Hon Garry Kelly: What are they guilty of?

Hon MAX EVANS: There were loans of \$150 000 made from one man to another.

Hon Tom Helm: Not illegal though, Max.

Hon MAX EVANS: Not illegal, but the functions of the commission are to investigate whether any officer has taken advantage of his position -

as holder of that office or employment to obtain any benefit for himself or any other person . . .

Brush received a benefit of loans totalling \$150 000. A person would be entitled to make a complaint and to go to the official corruption commissioner to have that matter investigated -

Hon Garry Kelly: Was that at a concessional interest rate?

Hon MAX EVANS: I did not say that.

Hon Garry Kelly: You just said he had the benefit of a loan.

Hon MAX EVANS: A loan of \$150 000 is not bad in any man's language.

Hon Tom Helm: Was corruption proved? Was there a trial?

Hon MAX EVANS: Oh, yes, let us have a go at this. Yes, corruption was; conspiracy was - they had documents drawn up which said that they were signed and witnessed at a certain date when Mr Brush's wife was in Kununurra. They then said, "Oh, sorry, that was not the right date"; they went back and looked at another date and said, "Oh, it was in July all right -

Hon Graham Edwards: Are you alleging some corruption?

Hon MAX EVANS: He was asking about the document.

Hon Graham Edwards: Are you alleging corruption or not?

Hon MAX EVANS: No, I did not say that.

Hon Graham Edwards: You are not alleging any corruption at all?

Hon MAX EVANS: I am alleging that there is enough evidence here to require an investigation of a commission on corruption.

Hon Tom Helm: What do the police say?

Hon MAX EVANS: This document was drawn up in September of that year.

Hon Garry Kelly: What did the jury say?

Hon MAX EVANS: It was drawn up in September that year and the lawyers admitted it was a fake document; it was backdated. They knew that because the machine had not been bought in September; the document was signed and dated in July, when it was not drawn up at that time, to cover these loans.

Hon Tom Helm: Was it illegal?

Hon MAX EVANS: It would have been quite in order for a man to apply to a commissioner of corruption to have that looked at because a man obtained some advantage from the position he held. Mr Martin would not have lent him any money; he said that he knew Brush was the Chairman of the State Superannuation Board and had only lent him money because of his position.

I support the legislation. I challenge the Government to bring it forward as quickly as possible because I think there will be other complaints. I support the legislation.

Debate adjourned, on motion by Hon Fred McKenzie.

Hon Tom Stephens: The problem is we have a blind Chairman.

Hon P.G. Pandal: Did you reflect on the Chair?

Withdrawal of Remark

The PRESIDENT: Order! I heard what the member said and I am waiting for him to do something about it.

Hon TOM STEPHENS: I withdraw the reflection on the Chair.

ACTS AMENDMENT (PREVENTION OF ACCESS TO RECORDS) BILL

Second Reading

HON G.E. MASTERS (West - Leader of the Opposition) [4.49 pm]: I move -

That the Bill be now read a second time.

The reintroduction of this legislation by the Liberal Party into the Legislative Council is because of the Federal Government's determination, one way or another, to set in place a national identification or surveillance system, this time under the guise of a Government tax file number system. The Government appears to be deaf to the voice of the vast majority of Australians who gave a resounding "No" to any national numbering or surveillance system; that is, the ID card. The Federal Government's tax file number is just another subterfuge to introduce the failed Australia Card, so that we all have a national identity.

The Australian Small Business Association rightly described the proposed tax number system as a "Clayton's Australia Card" - I refer here to *The West Australian* of 5 September, 1988. Dr Les Lawrence told the Senate Standing Committee on Constitutional Affairs that, "The proposed tax file number system will not stop big fraud and could be a danger to honest people. It would be easy for dishonest people to get false numbers." These are the words of a computer security expert.

The proposal for a national ID number for each Australian was overwhelmingly rejected by the people of Western Australia. On 23 September 1987, 40 000 Western Australians staged the biggest demonstration in our State's history, all totally opposed to any form of a national identification system being introduced into Western Australia. The 40 000 were but the tip of the iceberg in the outcry and rejection of a national identification system. This massive demonstration of outrage was clearly lost on an insensitive and contemptuous Labor Government.

This Bill is aimed at ensuring there is no cooperation from the State in the provision of records that will help in the building of a data file of people with a tax file number. The Commonwealth Government would like information from two of our data bases. Those concerned are -

The Registration of Births, Deaths and Marriages Act.

The Road Traffic Act, 1974-1988.

At present the records contained in the two pieces of legislation I have named may be passed to the Commonwealth Government by the State Government without reference to State Parliament. The Bill I present to the House will make it illegal for any person to pass on such information to any Commonwealth agency for any purpose associated with a national identification or tax file system, or a national registration of births, deaths and marriages.

The Liberal Party of Western Australia is totally opposed to any national identification system, especially the Clayton's Australia Card disguised as a tax number system. The Government, in its quest to establish a tax number system, can be expected to make all sorts of promises on how the information will be restricted. The reality is that once introduced it will become a major intrusion into the privacy of the individual. It is Big Brother Government gathering information and building databanks with information about the lives of every man, woman and child in Australia. If introduced in the next decade it will expand like an octopus into every facet of our lives. By the introduction of this Bill we are making our stand in protecting the freedom of the individual.

The Western Australian Labor Government has demonstrated on many occasions its ability to get Government into the commercial world, competing with business in an area where it has no business. Now it wants to support an intrusion into the private affairs of all Western Australians by supporting the Federal Government in establishing a Clayton's Australia Card. I call on all members to cast their minds back to that massive demonstration in September 1987, when people from all walks of life and every political colour marched shoulder to shoulder upon Western Australia's Parliament House in a rejection of any form of a national identification system.

I commend the Bill to the House.

Debate adjourned, on motion by Hon Fred McKenzie.

LIQUOR LICENSING BILL*Second Reading*

Debate resumed from 18 October.

HON P.H. LOCKYER (Lower North) [4.54 pm]: Mr President, as is common within the Liberal Party on matters involving liquor or racing and gaming, we have an individual right to our say, no party room decision is made, and this is the case with the Bill before us. I speak in my own private capacity, and do not commit my colleagues to my point of view.

This is an excellent Bill, except in one or two areas with which I will deal as we go through it. When it was mooted, back in 1983, that there would be a total rewrite of the liquor legislation, I was one of the people who greeted that with some applause because, as the Minister said in his second reading speech, the old Act had got so difficult to read, because of the considerable number of amendments to it and its complexity, that it was necessary to have a totally new Bill.

I have said before in this Parliament that Governments of all political persuasions have unwittingly attacked the liquor industry - particularly the hotel industry - with a variety of taxes. The liquor industry seems to be the very first arena that the Government enters when it needs extra funds for Consolidated Revenue. This Bill is a positive step in the direction of redressing some of the misdeeds which have been done over the years resulting in unwarranted burdens on that industry. There is no doubt that a great change has taken place in the liquor industry during the last decade. People are more aware, these days, of their drinking habits, and hotels and other liquor outlets have had to adjust their operations to suit that awareness. For instance, there has been random breath testing and extra taxation on liquor, and these are areas in which publicans, in particular, have taken steps to keep out of the bankruptcy courts. This Bill will go some way towards assisting hotels and the liquor industry generally to tidy up and streamline their operations, and cut out some of the red tape.

In his second reading speech the Minister said -

The Bill changes significantly the provisions relating to objections by widening the grounds of objection and classes of people who may object to applications, to give more scope for the general community to affect licensing decisions.

Members will have received today an amendment which I have placed before Parliament to discuss, during the Committee stage of the Bill, an area where I believe the Bill has gone too far. This is the area relating to the responsibility of the publican for the behaviour of his patrons on their way to and from his premises. The publican must accept responsibility for patrons whilst they are on his premises but there are several reasons, which I will go into in more detail in the Committee stage, why the publican should not be responsible for the behaviour of patrons on their way to or from his premises. That is the only area where I have any conflict with this Bill at this stage, although a number of questions about particular clauses will be put to the Minister where information is required.

I welcome the decision to recognise the role played by local government because local government - more so these days, particularly in planning - has an important role to play when decisions are made about where licensed premises should be located. Many members will, no doubt, have been approached by people seeking support when licensed premises are envisaged for certain areas, or existing licensed premises are to be expanded or changed.

I welcome the new special facility category which has been inserted in the Bill. It provides for special facilities where no other single licence is reasonably adequate. This provision is highly overdue.

[Questions taken.]

Hon P.H. LOCKYER: In his second reading speech the Minister made it clear that it will have to be shown that the requirements of the public warrant the granting of a special facility licence. I welcome this proposition because it was, for people wanting to apply for this type of licence, a difficult procedure to follow. This proposal will overcome that.

The Minister also made it clear in his second reading speech that special facility licences will be able to be sought to enhance tourism. This is particularly important because of the ever

increasing tourist areas developing across our State and, to assist them, adequate attention needs to be given to liquor licences. In the past it was almost impossible to get a licence for this type of operation quickly, the procedure was long and drawn out. I have studied the Bill quite closely and I note that that will be improved. It is recognised, of course, that tourism is the world's largest industry. It was stated in the second reading speech that the licensing authority is given an overriding discretion to grant or refuse an application if the public interest so dictates. The authority could, for example, grant a licence where a ground for objection had been established, but could impose conditions aimed at ensuring that the conduct alleged in the ground for objection did not eventuate. For example, people could object to an application if the licensee were allowed to employ a band and the authority could grant the licence on the condition that bands were not allowed. I ask the Minister to expand on the discretionary powers of the licensing authority and to provide some examples.

The unlicensed club permit will be abolished - I welcome that amendment - and replaced by club restricted licences; that is, a club licence subject to restrictions including no takeaway liquor sales, and a requirement that liquor supplies be obtained from nearby hotel, tavern or liquor store licences. The second reading speech states that any club with a club restricted licence may apply to the director to have those restrictions revoked if it is incorporated and has premises of adequate standard. This means that more and more unlicensed clubs, such as yacht clubs and football clubs, which have substantial clubrooms and facilities, will now be able to apply to the director to have those restrictions revoked if they are incorporated and have premises of a standard acceptable to the authority. This will reduce considerably the time and expense involved in clubs achieving complete trading rights under a club licence. This will be welcomed across the State, especially by football clubs and the like.

It is a wise decision not to change the trading hours from Monday to Saturday. I note that on Sundays hotels, taverns and restricted hotels will be permitted to operate at any time between 12.00 noon and 9.00 pm or for all that period. It is important that the House note that the opening hours will be at the licensee's discretion. I would not like to think that hotels, taverns and restricted hotels in some areas would be required to operate during the entire period. The second reading speech states that club licensees may operate between 10.00 am and 10.00 pm at their discretion. I assume that they will be allowed to operate on Sundays throughout those hours and will not be required to close during that period. I ask the Minister to clarify that point.

The Government shows good sense in its statement that hotels, taverns and liquor store licences in the metropolitan area will be obliged to trade each day from 11.00 am to 7.00 pm, or some other eight hour period nominated by the licensee, except on Sundays and some public holidays. Outside the Perth metropolitan area, that eight hour period will be reduced to four hours in the case of hotels and taverns. In his second reading speech, the Minister recognises the greater hardship faced by licensees in those areas. This certainly applies to some of the small wheatbelt and country towns in which the majority of the business could take place in the afternoon. Therefore, licensees will have the opportunity to restrict their trading hours to the most appropriate time for their business.

The Government proposes to lift the obligation for licensees to provide food or meals, except for hotels and restricted hotels which must supply breakfast and dinner to lodgers. That is good sense because in some areas that requirement for licensees to provide meals applied in cases where the facility was never used. Of course, it is important that hotels and restricted hotels be required to supply breakfast and dinner. Those who travel extensively in remote areas, as I do, will be aware that it can be a long time between meals!

It is proposed to abolish licence renewal applications and that is a worthwhile amendment. It was draconian legislation which required a licensee to make an annual renewal application. In future licences will remain in force on the payment of an annual fee unless the licence has been suspended, surrendered or cancelled. That is good sense. It was unnecessary to have the reams of paper work involved in application renewals each year, the only purpose of which was to keep a multitude of clerks occupied. It was also a nightmare for licensees every year, particularly if they forgot to apply. This amendment is very welcome. Reference is made in the second reading speech to a complaint for disciplinary action against a licensee which may be lodged with the Liquor Licensing Court by the director, police or relevant local government authority. I assume this relates to such things as excessive noise and dirty establishments. I ask the Minister to explain when summing up what sort of disciplinary

action may be taken, and what sort of objections or complaints would warrant such action. The Minister indicated that the grounds for complaint include such factors as the management of the licence, suitability of the premises, or public health or safety. However, I think a broader range of activities should be included.

I refer now to the statement that licensees are not expected to control the behaviour of patrons off the premises, but where persons who disturb nearby residents, workers or worshippers are attracted to licensed premises, licence conditions may be imposed to alter the nature of the licensee's operations where this would result in a reduction of the problems. Herein lies a problem. It relates to clause 117 of the Bill, and I advised the Minister previously that during the Committee stage I would seek to amend this clause, which needs to be watered down. It is too much to ask publicans and licensees to be responsible for the behaviour of the patrons going to or from their premises. It is my intention during the Committee stage to delete any reference to that provision. My reason is that in Canada, the only other country in which hoteliers are charged with a duty of control of patrons before and after patrons visit the licensed premises, legal action has resulted in substantial damage awards which have considerably inflated insurance costs. This provision is too tough on the poor old licensee, bearing in mind that he has enough to worry about with the patrons inside the premises, without worrying about their behaviour going to and from the hotel. Naturally, no responsible licensee and publican wants his patrons making a nuisance of themselves outside the hotel, but it would be difficult to put the finger on what those patrons had done prior to visiting those premises. The patrons could be on a bar hop in the afternoon and have visited other hotels before making a nuisance of themselves in one particular hotel. The public are ably covered by the Police Act; there is a section of the Police Act which could easily deal with this problem. I do not believe an extra onus needs to be placed on licensees and publicans to be responsible for patrons coming to or going from their premises. Their responsibility should be for the behaviour of patrons within their premises. It is a tough enough job for them to be responsible for policing under age drinking, without them having to worry about what is done after people leave their premises, walk down the road and make nuisances of themselves in someone else's front yard. It is a different story when it comes to the problems of excess noise or bad smells emanating from hotels, where hotels cause nuisances in particular neighbourhoods, but the behaviour of patrons should be dealt with elsewhere, and we can deal adequately with this subject during the Committee stage.

I welcome that part of the Bill dealing with the abolition of premiums for renovations to licensed premises, because no other State or Territory has provision for premiums. This will provide an incentive for licensees to undertake renovations to their premises, which they would not have gone ahead with if they had to pay a premium.

Another interesting section of this Bill - which causes one's mind to boggle a bit - says that in some small country towns that are disadvantaged when the only hotel or store licence in the area is purchased for relocation, and where a small community loses its only liquor outlet, the relevant local shire may obtain approval to conduct a liquor outlet for up to 12 months or until alternative arrangements can be made. I am a former shire councillor, and I find this to be an interesting section, but in some cases it could be like putting a kid in charge of a chocolate shop.

Hon Graham Edwards: It adds a new dimension to the old three per cent.

Hon P.H. LOCKYER: There is no need for three per cent, but it could be, as I said, like putting a kid in charge of a chocolate shop. This is interesting because it shows how closely the Government has examined the Bill. I guess this could be very relevant in a small community. I know Hon David Wordsworth has brought to the attention of this House many times the problems at Lake King, and I understand this Bill will solve overnight the problems Lake King faced at that time.

Hon D.J. Wordsworth: Not quite - this concerns the sale of a licence, rather than the gaining of a licence.

Hon P.H. LOCKYER: My reading of the Bill indicates that the local authority could have dealt with this problem, but this is perhaps something we might examine in the Committee stage so that the problems faced by the people of Lake King will not occur in the future.

It has been brought to my attention - and the Minister might like to listen quite closely here -

that this Bill may herald the opportunity for the Government to try to introduce an 11 per cent licence fee on under-bond liquor sold in duty free stores. I understand this happened in South Australia, without the knowledge of a number of people, and it caused great concern to those people in the duty free liquor industry - such as we have in Perth at the airport and at the sea terminal - and to those people travelling overseas and wishing to buy duty free liquor. We would like an undertaking from the Minister that this will not take place under this Bill.

I believe this is an excellent piece of legislation, which has been accepted by the liquor industry. There are some sections of the industry which would have liked more, and some would have liked less, but I commend the people in the liquor industry for their broad acceptance of the changes made. It is quite obvious that the people operating licensed liquor stores would have liked the opportunity to trade on Sundays. However, they have tempered their point of view because of the great advantages of the Bill in the areas covering licensed liquor stores. I commend the responsible attitude taken and representation made by the Western Australian Hotels Association, and particularly by its president, Peter Eakins, and of the Licensed Stores Association and those people representing the liquor industry as a whole. No industry will ever be totally satisfied with new legislation, and I welcome the input of the industry into the drafting of this Bill. So with the exception of clause 177, I support the Bill as it stands at the second reading.

HON J.N. CALDWELL (South) [5.26 pm]: The National Party supports the Bill, which will repeal the Liquor Act 1970 and replace it with a new Liquor Licensing Act. The Bill comprises 208 pages, which shows how important the liquor industry is to our society. I suppose one could say that people enjoy partaking of a few drinks now and again on social occasions and at meetings, and it is terribly important that we control this consumption to the best of our ability. I do not intend to speak for very long because the Bill has been fully covered by the previous speaker and by my colleagues in another place.

I would like to comment on the provision in the Bill whereby when a small community loses its only liquor outlet, the relevant local shire may obtain approval to conduct a liquor outlet for up to 12 months, until alternative arrangements can be made. Hon Phil Lockyer commented on this, and said his mind boggles at the way in which a local shire could conduct this liquor outlet. I wonder whether the Minister could enlighten me about whether the local shire could detail a store in the town to run the liquor outlet, instead of it being run by the shire. I do not think the shire would be equipped to do that sort of thing, and it would be better to give that function to some other person in the town. This would be imperative in the case of a town which did not have in it the headquarters of the shire, because a small shop or store would have to be used in order for the council to avail itself of the liquor licence.

It is apparent that it will be much easier for sporting clubs to obtain a licence, possibly a weekly licence for, say, a Saturday afternoon when football clubs have their sporting activities. I understand they would be able to gain a licence each Saturday and not have to reapply each week. I draw the Minister's attention to the sport of rifle shooting.

Hon Graham Edwards: You surprise me.

Hon J.N. CALDWELL: In the past rifle clubs, because they were part of the defence force, could apply through the supervisor of rifle clubs for a three monthly permit on shooting days. For instance, if they chose to shoot on Saturdays and Sundays they could apply for a licence for three months for those days. I wonder whether that kind of licence would still be available and, if so, whether it would be obtained through the supervisor of rifle clubs, or the Licensing Court, or either of those bodies. Perhaps the Minister does not have the answer at the moment, but if he could ask one of his advisers to give an answer I would be grateful.

That is all I intend to say at this stage. I am very interested in the amendments foreshadowed by Hon Phil Lockyer and will listen very closely when he moves them. I believe some anomalies exist in that part of the Bill and we will make our decisions during the Committee stage.

HON G.E. MASTERS (West - Leader of the Opposition) [5.32 pm]: I support the Bill. I have some reservations about certain areas, which have already been indicated by my colleague, Hon P.H. Lockyer, and the last speaker, Hon J.N. Caldwell, but in the main I think it is good legislation. Our experience of liquor legislation would suggest that this Bill will be

brought back next year for amendment and probably once a year after that; nevertheless, the intent and the direction are good and the legislation contains many commendable provisions. It has been a long time in coming. In my party's time in Government we talked about rewriting the legislation and changed many of the provisions, which caused some fairly lively debate in the Parliament at one time or another. Our experience of liquor legislation, certainly in the Legislative Council, is that members, on the Liberal Party side anyway, seem to be on different sides quite often. In other words there is a strong difference of opinion on liquor legislation. As always, it is a pity the Labor Party is not able to make that sort of decision and vote on legislation which in this case is non political and which does affect every community, very often in different ways. However, that is not to be, and I anticipate my party certainly will be voting in different directions on certain clauses of the Bill.

Many calls have been made over the years to deregulate the industry altogether, and although that could be commendable in the long term, I cannot see that it could be done in the short term, any more than it could be done with a lot of other industries. The liquor industry has grown up under a regulated system. Many millions of dollars have been invested in it - invested and planned on the understanding that it is a regulated industry rather than a deregulated one. Simply to deregulate would cause chaos in the industry and it certainly could not be countenanced at this stage. Change must be a gradual process.

I understand the legislation simplifies many of the procedures and there are fewer categories of licence. It is important that the legislation contain the ability for members of the public to object to the operation of hotels and licence holders under certain conditions on an ongoing basis. That means that the public, if they have good reason to object or have a genuine concern, can lodge objections for any number of reasons, perhaps because the licence holder is not behaving in a proper way. They can object if a licensed premises is causing a nuisance or disturbance, or is causing difficulties - not just on the premises, as I read the legislation, but off the premises as well. If that is the case I do not think clause 117(1)(b) - which is the one we will have some debate on later - is needed. In fact I think it is quite wrong to hold hoteliers responsible for people going in the direction of their premises or leaving those premises. There is adequate facility, both in the legislation and in the Police Act, to deal with that problem.

It is good also that the legislation provides an ability for local government, through planning approvals, to be involved in the establishment of liquor outlets, and I am sure local authorities as well as people in the community, if they have reason to object to the operation of a hotel or noise or disturbance emanating from a hotel, will have the ability to go to the director and the court.

I am quite amazed at the lack of response and objection - if that is the right way to describe it - to the change in Sunday trading hours. As it happens, I have no strong objection to that change. Certainly in the case of licensed clubs it was essential. The existing situation has always seemed stupid to me in relation to clubs, especially bowling clubs - and there are others, such as tennis clubs, golf clubs and so on - which exist in every country town in Western Australia. Bowlers enjoy their sport. They are very often retired people who start playing bowls in the morning, have one or two drinks during the lunch hour - they do not go out and get drunk - and while they are playing for the rest of the afternoon the bar must close and they must wait until later in the day for another drink. I see that problem has been addressed and Sunday trading hours have been extended, particularly for licensed clubs but for hotels as well. I do not believe people should be too worried about the extension of Sunday trading hours, because I point out again that if disturbances, nuisances or difficulties occur, the court and the director have the ability to place certain restrictions on that licence holder. Therefore it could be that a hotel in one area will have different conditions and trading hours from one where some difficulties are experienced.

I am amazed also that the Government has got away with this move in view of its determination to set up the random breath testing arrangements, which it has succeeded in doing. On one hand the Government was crying out that it was essential random breath testing be introduced because people were driving on the roads under the influence of liquor; on the other hand within a matter of weeks, or probably days, it announced it would extend Sunday trading hours.

Hon N.F. Moore: Paul Keating cut the price of beer.

Hon G.E. MASTERS: He launched the "drink more beer" campaign, as I said before. The Government has got away with this quite well in the circumstances. Everyone would know I was a bitter opponent of random breath testing and my fears have been realised by the fact that literally tens of thousands of vehicles are being stopped and one in 100 drivers is being charged; therefore 99 innocent people are being stopped, inconvenienced, and tested. However, that is just an aside. The fact is, the police superintendents or chief inspectors who are in charge of random breath testing think because they are charging only one in 100 they are successful. I suggest that was all there were before random breath testing. The random breath testing operation is unfolding exactly as I feared: Tens of thousands of innocent people are being stopped and inconvenienced for no purpose.

Hon B.L. Jones: And how many lives may have been saved, or injuries prevented?

Hon G.E. MASTERS: I doubt whether that has changed the situation. We have gone through that before.

Hon B.L. Jones: Time will tell.

Hon G.E. MASTERS: My fear is that tens of thousands of innocent people who are driving according to the rules of the road are being stopped without reason. We have had that debate. The member's view is different from mine. The Government, having introduced that measure, and having then extended Sunday trading hours - I favour that especially for licensed clubs - still leaves me with a few reservations about hotel hours in certain circumstances, but I support the legislation.

One excellent move in the legislation is to mould the licence arrangements for the tourist industry. I have long thought that in Western Australia the licensing laws have been far too restrictive, considering the needs of the tourist industry. For that reason, the flexibility contained in the legislation is very good. If there is a need for someone to cater for a section of that industry or for a particular event, or events, that is fine.

Hon Fred McKenzie: Sunday trading has the same effect.

Hon G.E. MASTERS: Maybe it does. I strongly support the flexibility contained in the Bill. The ability to set certain conditions in specific localities is another arrangement which will result in more flexibility in the system.

Hon Fred McKenzie: That does not mean that people will drink more.

Hon G.E. MASTERS: I agree. That has been proved in Victoria where they used to have the two hour rush, or the six o'clock swill. That was madness. If ever a mad arrangement existed, it was the six o'clock swill. That situation was almost as bad as the one where people were able to buy only two bottles of beer at a time. This caused difficulty, before Mr McKenzie's time.

I can never justify or substantiate any argument to liquor store operators who say, "Why shouldn't we have the same trading hours as hotels on a Sunday?" In the old days, when hotels did not have drive in liquor outlets, maybe some justification existed, but now with most hotels having a licensed store attached, in effect they are doing the job of a licensed store. I will not pursue that point to the stage of moving an amendment but I suggest that it is only a matter of time before licensed stores have the same trading facilities as hotels. In the Kalamunda area where I live, a hotel is able to open and people are able to drive through and buy a carton of beer and a couple of bottles of wine on a Sunday, but the licensed store down the road is forced to remain closed. Quite often a person who goes to a hotel to buy liquor is charged a higher price because the licensed store is not open. Arguments can be made for and against the situation but I have not ever been able to justify why one outlet should open and the other outlet should not.

Hon Graham Edwards: It is very hard to meet the wants of all sections of the community.

Hon G.E. MASTERS: That is why I say the legislation is good. We should move step by step but I reiterate that it is only a matter of time before this area is addressed and maybe the Government of the day will change the situation. I acknowledge that the Minister's comments are true. The legislation before the House is, in the main, very good and is similar to legislation which we would introduce were we in Government.

Another excellent provision is that licences will not be renewed every year. Hon Phil

Lockyer addressed that question, which is part of the bureaucracy and the regulation which applies to all industries. This is the first step and many other areas should be addressed.

Clause 117 has been discussed by my colleague and I imagine that will be the subject of some debate when the amendment is put forward. The director has colossal powers - whether they are too great, I do not know. This is an industry in which big money is invested, big money made and big money lost. To have a single person - a director, in this case - making the sorts of decisions that he or she will be able to make will create difficulties for that person. That person will need to be tough as accusations of bias may occur; it will not be an enviable job. I support the concept and if we have the right sort of person appointed with the necessary ability and guts to do the job, that person will take the flak. It is always simpler for a one man committee to make decisions.

Hon Graham Edwards: A course of action exists for aggrieved people.

Hon G.E. MASTERS: I understand that. Those people can go to the Supreme Court on a question of law, but on nothing more than a question of law. So the director makes the decision, and if an argument follows about that decision, a person can go to court. Again the court is one person - and I support the concept - but I think those two people will have a torrid time. I hope they are good sleepers and do not worry too much at night because the industry is a tough one to be in.

Can the Minister comment on the future of wine houses? I may not have read the legislation properly, and I wonder what arrangements will be put in place for existing wine houses. I have always had an interest in the liquor industry - when I was a Minister and since I have been in Opposition. Again, I cannot sustain an argument why wine houses should not have wider trading provisions, why they should not sell beer and operate in a way that other liquor establishments operate. I know the practice is an old one, and that there is strong resistance from the hotel industry, which says that it would be giving wine houses the opportunity to get into businesses cheaply. The wine house area should be tidied up because the old arrangements are archaic and unfair.

How are liquor store licences issued, operated, reissued and controlled? I understand how a liquor store can be established - and most of them are very successful if they are run properly - but I am not sure to whom the licence is issued - whether to the owner of the property or to the person running the business, or to either one; whether if a person operating a liquor store were to lose the lease on that property, the licence is taken away. I can pursue this point at the Committee stage but perhaps the Minister would take the opportunity at the dinner break to consider the question.

I have briefly covered some general aspects of the legislation, understanding that my colleague, and perhaps other people, will be specific in other areas. In the main, the legislation is good and my intention would not be to see the legislation unduly delayed. One or two amendments may be justified; I will be supporting some of them in good faith and hoping that the Minister will be prepared to consider the amendments on the arguments we will mount. I support the Bill.

HON A.A. LEWIS (Lower Central) [5.49 pm]: I want to talk on the whole sphere of licensing legislation. We should look at what we have traditionally tried to achieve with such legislation in this place. We need to go back over the history of the State and see why the Licensing Court was first established. As I understand it, the Licensing Court was established at about the time of the First World War to look at the rationalisation of pubs in Kalgoolie and Boulder; from that time onwards it has built up into a nice little bureaucracy which covers everything a publican does. I, for one, cannot see why the toilets of a hotel have to be controlled by a court instead of the local health authority. The selling of the amber fluid over the bar is better controlled by the local health authority than the Licensing Court, because it is closer to the problem.

I wonder whether, in the past, we have not had too much of a good thing. Alcohol has been a beautiful revenue collector for Governments. I have only quickly glanced at this Bill, and I am assured that it is extremely good in the main, but we should not have a Liquor Act at all. Publicans and bottle shop licence holders would throw their hands in the air and say, "All the money we have paid for goodwill for hotels and various licences would go out of the window." It could be phased in. A percentage of the liquor tax which such people pay could

be taken off each year and, at the end of seven years, anybody could be entitled to sell liquor. I suppose that seems a pretty outlandish statement to some people, but why do we need this total control of liquor? Mr Deputy President (Hon John Williams), in your position with the Drug and Alcohol Authority you have probably seen far more problems caused by alcohol than I have. I do not see very many. However, I notice that they closed my local the other day because some people kicked up a fuss.

Hon Graham Edwards interjected.

Hon A.A. LEWIS: My attitude was that the local was there before those people were and I am glad to see that Bob Pearce did the right thing when he overruled the Nedlands Shire Council; its performance was pitiful. As I understand it, everything was agreed by the planning committee and was then knocked back by the council. I cannot understand that sort of mentality at all.

Talking about the Nedlands Park Hotel brings me to clause 117 - what I call the to and from clause - which, if we implement it, will bring us a great deal of trouble. Imagine somebody fronting up at a 21st birthday party and saying, "I'll go down to the pub and get some more beer." He shoots off to the pub, pulls into the car park and finds he has no money, so he pulls out. Because he has been on the licensed premises he is the responsibility of the publican. We can go too far. I do not believe we should attempt to legislate everything for people. People should be responsible for what they do. Too often legislation is passed which tries to put the blame on somebody other than a person who has committed an offence. We have a "do gooder" system. I am not blaming anybody except ourselves. We think we can take one step and then we take another, and we get further and further into the mire with less and less personal discipline. That is why we have more problems. I will be debating clause 117, along with a few others.

I believe there is absolutely no necessity for a licensing Act. I believe there is no necessity for a court or a director to appear on the landscape at all. We should take an enlightened view - consistent with how the rest of the world treats alcohol. I see no more alcohol problems in industrial towns in the United States than in industrial towns here. The higher socioeconomic areas probably have a worse problem than industrial towns. People in industrial towns usually can hold their liquor.

I will not say any more now because time is short, but I will be contributing to the debate in the Committee stage. I am sure that with the Minister handling this Bill every effort will be made, during the Committee stage, to accommodate various views. I am sure numerous amendments will be debated, some of which appear now and others which do not. It is our duty to make sure that when the rewrite of this Bill leaves this place it is a proper Bill which gives publicans a little bit of backing.

When a publican says, "You have had too much to drink" and the person on the other side of the bar says, "I haven't", why can we not call on an arbitrator? If a court and a director are to be established, let us call the director to say whether the customer is drunk. That is what the publican has to do. It might sound very amusing, but it is not. Publicans have to shoulder too much of the responsibility for the law; they have to do the job of the Police Force and the director. The onus on publicans in this State is far too great, and we should be helping them to do their jobs within the community.

Debate adjourned, on motion by Hon Fred McKenzie.

FORESTRY - STATE FORESTS - REVOCATION AND PARTIAL REVOCATION

Assembly's Resolution

Message from the Assembly received and read requesting concurrence in the following resolution -

That the proposal for the revocation of State Forest No 42 and the partial revocation of State Forests Nos 14, 36, 39, 58 and 64 and laid upon the Table of the House by command of His Excellency the Governor on the 19th day of October 1988, be carried out.

ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [5.59 pm]: I move -

That the House do now adjourn.

Legislative Council, Legislative Assembly - Sitting Hours Comparison

HON G.E. MASTERS (West - Leader of the Opposition) [6.00 pm]: Earlier this afternoon the Leader of the House mentioned the fine way in which his Government is prepared to accommodate the Opposition. I draw his attention to the Notice Paper and specific items on it which are of interest to members of the Opposition, on which they would like to see progress. I noticed some information which was circulated to members of Parliament setting out the hours that the Legislative Assembly and the Legislative Council have sat. Up until 22 September, the Legislative Assembly sat for 176 hours, and the Legislative Council sat for 98 hours. The way we are going, those figures will become worse. The comparison between the Legislative Assembly and the Legislative Council indicates that the Legislative Council is not doing enough work and, indeed, it is not because of the lack of the opportunity to do so. I ask the Leader of the House to give serious consideration to some of the very important matters which the Opposition has on the Notice Paper. I look forward to a situation in the future when we are given the opportunity to debate some of those issues which we consider to be of great importance.

Question put and passed.

House adjourned at 6.01 pm

QUESTIONS ON NOTICE

STATE SUPERANNUATION BOARD - ROTTNESST ISLAND
Hotel Proposal - Cabinet Rejection

448. Hon P.G. PENDAL to the Leader of the House representing the Premier:

I refer to a Cabinet decision to reject a State Superannuation Board proposal to build a \$20 million hotel-marina complex on Rottneest Island and ask -

- (1) Were any other groups, companies or private individuals involved in the Superannuation Board proposal?
- (2) If yes, will he list those who were part of the proposal or project?

Hon J.M. BERINSON replied:

(1)-(2)

The only parties associated with the State Superannuation Board's proposed hotel-marina at Rottneest Island were the various consultants that would normally be appointed to assist in a project of this nature.

EDUCATION - HIGH SCHOOLS

Swanbourne Senior - Intellectually Talented Program Enrolments

460. Hon N.F. MOORE to the Minister for Community Services representing the Minister for Education:

- (1) How many students are enrolled in the intellectually talented program at Swanbourne Senior High School to commence in 1989 at year 8 level?
- (2) How many students can this program accommodate?
- (3) How many students applied for entry to this program at Swanbourne Senior High School?
- (4) How many applications were refused due to lack of accommodation?
- (5) Does the Ministry plan to provide transportable accommodation to allow more students to enter this program?
- (6) If not, why not?

Hon KAY HALLAHAN replied:

(1)-(2)

Thirty.

- (3) Swanbourne Senior High School was the first preference for 77 applicants, and the second for 158 for 1989 prior to selection to participate in the program. Only 300 children are selected for the entire program.
- (4) No applications for the 1989 intake have been refused on the grounds of lack of accommodation.
- (5) No.
- (6) There is no need for extra accommodation as Craigie, Duncraig and Hollywood Senior High Schools also provide special placement for academically talented students.

ROADS - CANNING HIGHWAY

Crossing Difficulties - Senior Citizens Hall, Collins Street

461. Hon P.G. PENDAL to the Minister for Consumer Affairs representing the Minister for Transport:

- (1) Is the Minister aware of the difficulty senior citizens have in crossing Canning Highway to reach the senior citizens hall in Collins Street?
- (2) If he is aware of this, will a median strip be constructed on the highway to enable older people to safely cross the busy traffic thoroughfare?
- (3) If he is not aware of the problem, will he investigate the crossing and advise if such a median strip is possible?

- (4) Is he aware that the current safe crossings are a set of lights or an underground walkway, both some distance from the hall in question, and are too far for the elderly to walk to?
- (5) If the median strip is not possible, what alternative solution is recommended for safe crossing of the highway?

Hon GRAHAM EDWARDS replied:

(1)-(5)

The Minister is aware of difficulties experienced by pedestrians crossing Canning Highway in the area. The Main Roads Department is currently working towards the provision of pedestrian medians in several sections of Canning Highway. The plan includes islands at Collins Street.

LAND - PLANTAGENET LOCATION 5783

Bell, Mr Leonard Matthew - Fencing Order

463. Hon D.J. WORDSWORTH to the Minister for Consumer Affairs representing the Minister for Agriculture:

- (1) Has a letter, ordering fencing, been sent to the owner of Plantagenet Location 5783, Mr Leonard Matthew Bell?
- (2) If so, under what section and regulation was this order issued?
- (3) Is the land ordered to be enclosed considered to incorporate pasture and, if so, what hectareage?
- (4) Is it considered that this land is -
 - (a) a remnant forest;
 - (b) has sufficient possibility to regrow; or
 - (c) has to be replanted?

Hon GRAHAM EDWARDS replied:

- (1) Yes, and a notice.
- (2) Under section 32(1)(a) and (b) via clearing regulations under section 48 of the Soil and Land Conservation Act 1945-1982.
- (3) No.
- (4)
 - (a) Yes;
 - (b) yes - to remain viable only if fencing is done and grazing is prevented; and
 - (c) no.

EDUCATION - OVERSEAS STUDY TOURS

Two Groups - Report Preparation, Singapore

464. Hon N.F. MOORE to the Minister for Community Services representing the Minister for Education:

Further to the answer to question 348 of 1988, will the Minister advise -

- (1) Are either or both of the groups meeting in Singapore to prepare a report?
- (2) If so, for how long will the group/s remain in Singapore and why was it considered necessary for the report to be prepared in Singapore?
- (3) Is it correct that the Acting Director of TAFE has flown to Singapore to participate in the preparation of the report?

Hon KAY HALLAHAN replied:

The Minister assisting the Minister for Education with TAFE has advised me that -

- (1) No. The groups have a full itinerary of visits and discussions with a range of vocational training institutions in Singapore. While they are there they will compare notes and decide on a framework for their report in any available spare time.
- (2) Arrival - Saturday, 15 October 1988.
Departure - Thursday, 20 October 1988.
- (3) No.

POLICE - STATIONS
Civilian Clerical Employees

466. Hon W.N. STRETCH to the Minister for Consumer Affairs representing the Minister for Police and Emergency Services:

- (1) How many civilian clerical staff are now employed at police stations in Western Australia?
- (2) How many such assistants are employed in -
 - (a) metropolitan police stations;
 - (b) the larger regional centres in rural areas; and
 - (c) rural police stations employing less than five policemen or women?
- (3) What criteria are used in selecting which police stations are eligible for civilian clerical assistance?

Hon GRAHAM EDWARDS replied:

- (1)-(2) There are a total of 1 046 civilian staff attached to the Police Force of which 609 undertake a direct support role. Further details as to deployment will be made available to the member in writing.
- (3) The criterion used in determining which stations are eligible for clerical assistance is need, as determined by the Commissioner of Police.

ARTS - WESTERN AUSTRALIAN MUSEUM
Percy Markham Collection - Disposal Adviser

469. Hon P.G. PENDAL to the Leader of the House representing the Minister for The Arts:

- (1) Who is the Government's adviser in the matter of the disposal of the Vintage-Veteran cars known as the Percy Markham collection?
- (2) Will she table all or any documents that passed between the Western Australian Government and Christies on the matter?
- (3) How did the Government and/or the Museum arrive at the basic or reserve price that was to accompany the vehicles to the auction in London?
- (4) Will she table that part of the Functional Review Committee's findings which recommends the disposal of the Markham collection?

Hon J.M. BERINSON replied:

- (1) The Museum sought advice from a number of sources.
- (2) No documents have passed between the WA Government and Christies. Negotiations between Christies and the WA Museum fall within the realm of commercial confidentiality.
- (3) By discussion with the auctioneers, as is usual in such cases.
- (4) The Functional Review Committee is part of the internal process of advice to Government, and information concerning specific reviews is confidential.

JAMES STREET - PLAZA
Beaufort Street-Alexander Library - Controlling Body

471. Hon P.G. PENDAL to the Leader of the House representing the Minister for The Arts:

- (1) Under whose control is that section of James Street, now a plaza, between Beaufort Street and the Alexander Library?
- (2) Will the Minister list the names of the people who sit on that controlling body?

Hon J.M. BERINSON replied:

- (1) The area referred to is Reserve 37000 vested in the Minister for Works.
- (2) Not applicable.

ARTS - PERTH INSTITUTE OF CONTEMPORARY ART
Government Allocation

472. Hon P.G. PENDAL to the Leader of the House representing the Minister for The Arts:

- (1) How much money has the Government allocated to the Perth Institute of Contemporary Art in the past three years?
- (2) How much is for -
 - (a) refurbishing the old Perth Technical College; and
 - (b) for recurrent expenditure?

Hon J.M. BERINSON replied:

- (1) In the three years ended 30 June 1988, the Government's allocation to the Perth Institute of Contemporary Art has been \$110 000.
- (2) (a) Nil; and
(b) \$110 000.

CRIME - SEXUAL ASSAULTS
Statistics - Year Ending 30 June 1988

474. Hon P.G. PENDAL to the Minister for Consumer Affairs representing the Minister for Police and Emergency Services:

How many sexual assaults were reported and/or dealt with during the year ending 30 June 1988?

Hon GRAHAM EDWARDS replied:

	Reported	Cleared
Aggravated Sexual Assault	201	143
Sexual Assault	99	73

EDUCATION - PRIMARY SCHOOLS
Canning Vale - Demolition

475. Hon P.G. PENDAL to the Minister for Community Services representing the Minister for Education:

- (1) Is the Minister aware that the Canning Vale School has been demolished recently?
- (2) Why was the building demolished, especially as local residents fought, in recent years, to have it preserved?

Hon KAY HALLAHAN replied:

- (1)-(2) When the site at Canning Vale school was zoned "industrial" the former school buildings and the site became the responsibility of the Industrial Lands Development Authority. The school was leased back to the Ministry of Education during 1986-87 until it closed in December 1987. Questions about recent decisions should be addressed to the Minister responsible for the Industrial Lands Development Authority.

EDUCATION - STUDENTS

Cycling - Safety Helmets

476. Hon N.F. MOORE to the Minister for Community Services representing the Minister for Education:

- (1) Does the Ministry promote the use of safety helmets for student cyclists?
- (2) Can the Minister advise what is the cost of a helmet through a school to the parent purchasing?
- (3) Is it correct that there is a hold up in the supply of these helmets to school outlets?
- (4) If so, why?
- (5) What is the length of the delay in supply of the helmets to school outlets?
- (6) Can parents obtain a safety helmet of similar quality at the same price through other outlets without having to wait?
- (7) If not, why not?

Hon KAY HALLAHAN replied:

- (1) Yes.
- (2) Depending on model selected, \$13 or \$15.
- (3) No.
- (4) Not applicable.
- (5) Delivery time is 10-15 days.
- (6) No.
- (7) The price was a negotiated contract between the ministry and the manufacturer.

SPORT AND RECREATION - GRANTS

1988-89 Program - Sports Instant Lottery Fund Allocations

477. Hon A.A. LEWIS to the Minister for Sport and Recreation:

- (1) Is the detailed list of sport and recreation grants for the 1988-89 program available?
- (2) If so, would the Minister table it and also the allocations from the Sports Instant Lottery Fund for the same period?

Hon GRAHAM EDWARDS replied:

The Minister will reply in writing as soon as the detail the member seeks is available.

QUESTIONS WITHOUT NOTICE

NEWSPAPER ARTICLES - "DOWDING RECOVERS BURKE GUARANTEE"

Guarantee - Discharge Time

238. Hon G.E. MASTERS to the Minister for Budget Management:

- (1) Has the Minister noted a report in *The Australian Financial Review* dated 19 October and headed "Dowding Recovers Burke Guarantee"?
- (2) Is anyone who stands as a guarantor able to withdraw that guarantee at short notice?
- (3) I understand that if a guarantee is given it takes some time for it to be discharged; in fact, I understand that a guarantee of this nature probably takes six months to discharge. Is the Minister aware of this situation as, no doubt, it will affect his considerations as Minister for Budget Management?
- (4) If so, is the Government still liable to perform on that guarantee if anything happens to Rothwells in the next six months?

Hon J.M. BERINSON replied:

(1)-(4)

I did not read *The Australian Financial Review* article to which the Leader of the Opposition refers. Any question relating to this matter requires a response from the Treasurer and I suggest the Leader of the Opposition put the question on notice if he wishes to pursue it further.

STATUTORY AUTHORITIES - ANNUAL REPORTS
Government Machinery

239. Hon MAX EVANS to the Leader of the House:

Today the 1987 accounts for the Busselton Water Board were tabled in this House. I found out last week that the Western Australian Mint accounts for 1987 have not been tabled in this Parliament. Does the Government have in place any machinery, or time frame, in the interest of Parliament, under and by which annual reports of statutory authorities should be lodged?

Hon J.M. BERINSON replied:

I am not sure whether there is some machinery to check on this. My impression is that the Financial Administration and Audit Act may contain a provision about the presentation of reports. I only make that comment subject to correction because I cannot be certain. In any event, whether or not such a system exists it does not come within my portfolio. Again, if the member would like to put the question on notice I would be happy to pursue it for him.

SPORT AND RECREATION - SURFING
Margaret River Thriller Contest - Withdrawal of Support

240. Hon BARRY HOUSE to the Minister for Sport and Recreation:

I refer to recent statements made by both the Premier and the Minister for Sport and Recreation claiming to have saved the Margaret River Thriller surfing contest by underwriting the event by up to \$30 000. In view of the radio report I heard this morning that the Federal and State Governments have withdrawn their support and the contest will not go ahead, I ask the Minister -

- (1) From whom did the Minister take advice before committing the funds to the contest?
- (2) Was the support by the Governments withdrawn because the Margaret River Thriller is no longer recognised as a significant event on the world surfing circuit and most of the world's top surfers would not compete?
- (3) What is the Government's commitment to the Margaret River Thriller in future years?

Hon GRAHAM EDWARDS replied:

(1)-(3)

The Premier did indicate publicly that the Government would be prepared to underwrite up to \$30 000, being the shortfall that was required to be found for the event to proceed. That matter came about because of the withdrawal of a major sponsor. The reason for attempting to retrieve the contest was simply that the Government felt it was a world ranking event which would attract a large number of Australian ranked and world ranked surfers to the State. The Government also felt that because it was an event which had attracted some \$30 000 from the Drug Offensive campaign run by the Federal Government it was an event worthy of saving for the benefit of the State. In arriving at that decision advice was taken from a number of quarters, including the Surf Life Saving Association of Australia, the organisers of the event and, indeed, the Department for Sport and Recreation. It should be remembered that the Government was given 48 hours in which to manoeuvre in order to save this event. The Government did everything it could to ensure it did that. Unfortunately, funds were withdrawn by the Federal Government and, in

addition to that, the event would have lost its rating had it gone ahead because a number of surfers had actually left Australia because they had been advised from people in the Eastern States that the event would not be going ahead when, in fact, steps were being taken to save it.

The future of the event is uncertain at this stage. I hope that, if we cannot have it again with its original status, surfers and their controlling bodies will get together in an attempt to ensure that a similar event is held at some stage in the future. I hope that the event, if it is held in the future, is an event which will be controlled by the Surf Life Saving Association. It is a great event for that association to control. I also hope that it will attract funding from the Drug Offensive campaign.

SPORT AND RECREATION - FOOTBALL

West Australian Football League - Newspaper Support Statement

241. Hon MAX EVANS to the Minister for Sport and Recreation:

The statement this morning on the West Australian Football League was not very clear and I ask the Minister whether he is in a position to make a clear statement on the support to be given to the WAFL?

Hon GRAHAM EDWARDS replied:

I am not sure to which statement the member is referring.

Hon Max Evans: I am referring to the article in *The West Australian*.

Hon GRAHAM EDWARDS: I have not made any statement to *The West Australian*.

SPORT AND RECREATION - FOOTBALL

South West Football League - Assistance Request

242. Hon P.H. LOCKYER to the Minister for Sport and Recreation:

Has the Minister had representation from the South West Football League requesting assistance for its joining the West Australian Football League?

Hon GRAHAM EDWARDS replied:

To me directly, no.
