

Legislative Assembly

Thursday, 22 October 1981

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

BILLS (2): INTRODUCTION AND FIRST READING

1. Grain Marketing Amendment Bill (No. 2).
Bill introduced, on motion by Mr Old (Minister for Agriculture), and read a first time.
2. Equal Opportunity Bill.
Bill introduced, on motion by Mr Pearce, and read a first time.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Second Reading: Budget Debate

Debate resumed from 13 October.

MR BRIAN BURKE (Balcatta—Leader of the Opposition) [10.50 a.m.]: The Opposition concedes, and has done so publicly, that the Budget brought down by the Treasurer was framed under difficult financial circumstances. Notwithstanding that, it is our firm contention that those difficulties were largely of the Treasurer's own making.

The Treasurer was the boastful co-author of the policy of new federalism which has cost this State so very dearly. The Treasurer is responsible for his Government's soft approach on royalties—an approach which has cost this State so dearly—and the Treasurer has been the leader of a Government responsible for unparalleled waste in government during the past six years.

If we look firstly at the question of new federalism, we ask the Treasurer how it feels to have come back to haunt him the things he said at the time the policy was shaped and at the time he boasted he was a co-author of the policy which has snatched from this State so many millions of dollars.

In 1976, in a special ministerial statement recorded in *Hansard* on 14 April on pages 494 to 496, the Treasurer had this to say—

I am confident that the scheme will now operate successfully and to the advantage of the States.

The guarantee provisions are a complete answer... we can be better off... but we

cannot be worse off... These are history-making developments...

Mr Tonkin: True.

Mr BRIAN BURKE: To continue—

I believe the Premiers' Conference last week will be seen in future years as a turning point in Federal-State financial relations and the beginning of an era of greater State independence and increased self-reliance.

How do members on that side of the House feel as they sit behind the Treasurer who was so inept and so incapable of seeing what would come about so as to say those things.

Mr Clarko: You asked the question and the facts are that what is happening today is not new federalism, and that is the problem. It is not even federalism.

Mr BRIAN BURKE: The member for Karrinyup is partly right. What is happening today is the problem. The fact is we are being led by a Treasurer who was so incapable five years ago of predicting what was to come about in the face of repeated warnings from this side of the House, in the face of predictions about the precise path along which the policies boastfully co-authored by him would go that he was unable to see the mess into which he was propelling the State and I repeat again the Treasurer's own words, "We cannot be worse off, and we will be better off—the guarantee provisions are a complete answer". That is what the Treasurer said in 1976 when he set about the task of formulating new federalism. The cost to this State of the Treasurer's ineptness, by the Treasurer's endorsement of new federalism since 1976-77, has been a revenue loss of \$350 million.

Mr Clarko: It is not new federalism.

Mr BRIAN BURKE: That is what we have lost as a result of this Treasurer's commitment of Western Australia to this policy of new federalism.

Mr Clarko: You are quite wrong. Your argument is ill-founded from the start.

Mr BRIAN BURKE: It has cost this State \$350 million to take part in the Treasurer's new federalism—to take part in the mistakes made by the Treasurer—when in 1976 he said publicly that the guarantee provisions were a complete answer.

An amount of \$350 million would be enough to finish the extensions to Royal Perth Hospital; enough to employ 1 000 extra nurses; enough to employ another 1 000 primary and pre-primary teachers; enough to employ 1 000 additional secondary school teachers; enough to build eight

new primary schools with pre-primary facilities; and, enough to build five new high schools. A sum of \$350 million has been lost to this State as a result of this Premier's action in 1976.

Sir Charles Court: I take it you intend to explain how you arrive at that figure.

Mr BRIAN BURKE: Not only has Western Australia lost the potential in those areas; also, in addition to the provision of those things, another \$170 million which would have been left over after those things had been provided has been lost to this State. This money would have been available to avoid the harshness the Government is now proposing in respect of four-year-olds at pre-school. The Government would have had another \$170 million to avoid the local government cutbacks announced in this morning's newspaper; another \$170 million to restore and improve the textbook subsidy scheme; and, another \$170 million to maintain swimming classes for young children and to maintain and improve library services.

Six years ago, the Labor Party in this State said new federalism would be a disaster. We warned the Treasurer about the dangers of the path on which he was embarking. However, it was not until May of this year at the Premiers' Conference that the Treasurer finally brought himself to agree with the proposition the Opposition had put forward time and time again. His comments appear at page 122 of the transcript. These are not my words; these are the words of the man behind whom members opposite sit. The Treasurer made the following statement—

Had I known this was to be the situation and that the promise we would not be worse off would be broken, I would not have had a bar of it.

That is what the Treasurer said after stating that the guarantees were the complete answer. I would love to be in business dealing with this Treasurer, a man who, on the one hand, can say the guarantees are the complete answer and then, on the other hand, after being dragged unwillingly through the loss of \$350 million which would have benefited the people he pretends to govern, reaches the point where he says, "Had I known this was to be the situation and that the promise we would not be worse off would be broken, I would not have had a bar of it".

It is the Treasurer's job to be adroit and to ensure the State is not sold a pup and is not disadvantaged by agreements entered into by him on behalf of Western Australia. However, the Treasurer endorsed and embarked upon those

proposals at a time when the Opposition said what would happen would be as certain as night follows day. We warned the Treasurer the course upon which he was embarking was a dangerous one. It has taken the Treasurer five years, and the loss of \$350 million, to accept the point the Opposition made in 1976.

Mr Young: At what stage of your speech do you intend to spell out the basis for your calculation of the \$350 million?

Mr BRIAN BURKE: I am perfectly happy to accommodate the Minister for Health, because his record is not one of which to boast.

Mr Young: You are being nasty again. You said last week you intended to be sweetness and light, but you have started being nasty again.

Mr BRIAN BURKE: I will accommodate the Minister for Health in my own good time.

Mr Young: Do I translate that to mean you do not intend to explain your calculations?

Mr BRIAN BURKE: We will answer all the Minister's arguments—

Mr Young: You are not going to explain your calculations.

Mr BRIAN BURKE: —and all his challenges which, in reality, are challenges of his own making to his own veracity.

Mr Young: I just hope that everyone, particularly members of the Press, understand that means you do not intend to explain your calculations.

Mr BRIAN BURKE: New federalism has meant higher taxes and charges, lower living standards, and cutbacks in essential services to the people of Western Australia. We told the Treasurer, but he would not listen. This refusal to listen, this intolerance, and this irascible style of government has become a hallmark of his Government and his leadership. We warned the Treasurer and told him what would happen, but he took no notice.

If we turn from the question of new federalism to the issue of royalties, it becomes clear this Government is soft on royalties. It is clear that during the past six years there has been a dangerous deterioration in that situation regarding the development of this State.

I wonder how members opposite feel about the fact that in 1973-74, royalties comprised 4.15 per cent of the value of Western Australia's mineral production, whereas this year, the proposition in the Treasurer's Budget is that the percentage shall be only 2.8 per cent. What excuse is there for that? What excuse is there for the proposition that we should receive a smaller share this year

than we received seven years ago of the wealth that is being exported from this State?

How does the Treasurer defend that proposition? The Treasurer did not mention this fact in his Budget; he did not explain that we were to receive royalties at just over half the level we received in 1973-74, when expressed as a percentage of the value of production. It is an indefensible proposition that progress should consist of a lessening of the share which goes to the people of this State of the wealth they own. This Government is soft on royalties.

The Opposition is not suggesting we should impose dramatic increases in royalties; we simply suggest we maintain the percentage figure set in 1973-74, and relate it to the value of production in 1981-82. What justification is there for the proposition that we should share less in the wealth of this State?

The revenue loss which accrues as a result of the failure of the Government to maintain at 1973-74 values the share the State receives from the export of minerals amounts to \$228.2 million in 1981-82 prices. Therefore, on top of new federalism's cost of \$350 million, by not maintaining the value of royalties at the level set in 1973-74, the State has lost another \$228.2 million. Who can justify that situation? Which member on the Government side would say publicly, "I support the proposition that we should have lost \$228.2 million by failing to maintain royalties at the 1973-74 level"?

The truth is that abroad in the community is a widespread belief we are not receiving a fair share of the development going on in this State and that the Treasurer's promises of \$8 000 million worth of investment, with benefits flowing through to the entire community, are hollow. When the public realise that because we have failed to maintain the value of our share of the mineral production of this State at levels set in 1973-74 the State has lost \$228.2 million, I am sure the defeat of this Government will be writ in that issue alone.

A sum of \$228.2 million is a large figure, which may be difficult to comprehend. Had the Government received that amount, it would mean that the rates, taxes, and charges paid by every family in this State could be reduced by \$13.50 a week.

It is an indefensible proposition that we should not be looking seriously at increasing the share of the benefits coming to people in this State. If that is indefensible, how much more indefensible is the proposition that we should allow to continue to deteriorate the share set in 1973-74?

Mr Shalders: Do you think we should get a share of royalties on goldmining as well?

Mr Bertram: Don't worry about a red herring!

Mr Shalders: Come on! Tell us.

Mr BRIAN BURKE: I am quite happy to answer the question. I understand the Treasurer has answered it previously.

I have said previously in this House, in answer to the member on the same question—I will cover it in detail shortly—that we support the proposition for a Royal Commission into all those mineral development projects, with the exception of gold, presently occurring in this State. I maintain that the Royal Commission should look to the way in which we can most efficiently take, for the people of this State, a fair share of the wealth that they own.

The third point I made was the question of Government waste—

Mr Young: That was a good explanation!

Mr Old: Tell us about royalties on gold.

Mr Shalders: If you multiply five by seven you get 35, which is as good as the answer to that question.

Mr Terry Burke: Thank God he is not teaching my kids!

Mr BRIAN BURKE: New federalism has cost this State \$350 million. The failure of the Government to maintain the level of royalties at the 1973-74 value cost the State \$228.2 million.

The third point I made initially was that this Government has been responsible for unparalleled waste in Government activities. The contention of the Opposition is that that waste amounts to a loss of at least \$100 million to the people of this State.

Mr MacKinnon: It was \$130 million last week.

Mr BRIAN BURKE: For the benefit of the Honorary Minister for Industrial Development and Commerce, I will repeat what I said. It is the contention of the Opposition that the loss of revenue to the people of this State is at least \$100 million.

Some of the items that we see as areas in which waste can be avoided, and areas in which efficiency in Government can save money for the people of this State, include the Government's decisions in respect of Royal Perth Hospital. Its decision to delay and its failure to complete the project will cost in the region of \$70 million.

Mr Young: How did you calculate that? I saw that in the paper the other day, but it is absolute nonsense. How did you calculate it?

Mr BRIAN BURKE: The Minister for Health is usually the last—

Mr Young: I have asked you a few times to talk about calculations.

Mr BRIAN BURKE: —to know what is going on in his department; and he is usually informed by the shadow Minister for Health.

Government members interjected.

Mr BRIAN BURKE: Because I do not intend to chase the Minister for Health up every drain pipe that he wants to flee into today, let me say—

Mr Young: You have not answered anything, yet.

Mr BRIAN BURKE: —that the contract price for the north block extensions, as announced publicly and as escalated, amounts to an increased cost in the region of \$70 million.

Mr Young: But the total estimated cost is about \$80 million, so that sounds a little strange.

Mr BRIAN BURKE: In addition, this Government has constructed and is maintaining a public relations corps of at least 66 people. Never in the history of this State has any Government amassed such a marvellous machine in order to maintain its message in the community.

Mr Tonkin: The department of propaganda!

Mr BRIAN BURKE: The cost of that department of propaganda exceeds \$2 million. We would be looking very closely at that.

The splitting of the former Department of Industrial Development has been estimated conservatively at \$1 million, but now the Government is considering putting the two new departments together again. Let us hear the Honorary Minister deny that.

Sir Charles Court: Well, you said it.

Mr BRIAN BURKE: The Honorary Minister appears to have lost his tongue.

Mr Old: He does not have to answer you.

Mr BRIAN BURKE: That cost of \$1 million is something that never should have happened.

Sir Charles Court: Who told you that?

Mr MacKinnon: A reliable source!

Mr Old: Off the back of a truck!

Mr BRIAN BURKE: In relation to the Greenplace sale, the Government lost \$1 million.

Mr Young: That is nonsense. We picked up about \$1 500 000 more than we would have the other way.

Mr BRIAN BURKE: Let us hear the Minister for Health defend the situation in which the Government obtained the services of a private

auctioneer and paid him more than \$100 000 for doing his job of selling a property to a person who, one week later, was offered \$1 million more for the same property.

Mr Young: Who said that? You know that for a fact, do you?

Mr Old: He made the offer.

Mr BRIAN BURKE: Let us hear the Minister for Health deny that situation. Let us hear him defend it.

Mr Young: I point out to you that we got at least \$1.5 million more at that stage by doing it the way we did. You obviously were present when someone made an offer later.

Mr BRIAN BURKE: The Minister for Health has involved himself in a situation in which he has paid more than \$100 000 to auction a property for which he received \$1 million less than was subsequently offered within a week. A report of that offer was published in the paper within a week. Now he seeks to defend his action by saying that he received \$1.5 million more by doing it that way.

Mr Young: I do not have to defend my actions. What nonsense!

Mr BRIAN BURKE: I point out to the Minister he would have made an extra \$2.5 million had the auctioneer been able to do his job. The Minister does not have to defend anything, because all his actions in the past have been indefensible. It is no wonder that rumours are rife about the transfer of the Minister for Transport in the Health portfolio. However, that is another matter.

[Laughter.]

Mr BRIAN BURKE: The refurbishing of the Premier's office cost \$90 000 at a time when a Government that is frugal says that it cannot afford to appoint as many policemen as are needed. That is done by a Government that increases the community welfare budget by about 1 of 1 per cent.

Mr Hassell: You have not read it too well, have you?

Mr BRIAN BURKE: The refurbishing of the Premier's office cost \$90 000; and the appointment of new Ministers and members of Parliament is an expense, when the only people who believe they are necessary for their political survival are the members of the Government. Those extra appointments will cost at least \$1 million. Is not there any reading on the part of this Government of the public opinion about the need to appoint new members of Parliament?

Who in this place says that we need extra members of Parliament? Nobody!

Mr Young: When will you get to your total? You have totted up about \$4 million. When will you make up the other \$95 million?

Mr BRIAN BURKE: Nobody says we need more members of Parliament. There has not been a public demand for their appointment. The shame of it is that that sort of action brings into disrepute every other member who sits in this place.

Mr Bertram: Precisely. We could do with 50 less.

Mr Watt: As long as you are one of them!

Mr BRIAN BURKE: The Government's reputation as money managers is nothing but a myth. No clearer demonstration of that myth can be found than the Treasurer's deficit Budget of last year.

Mr Young: Have you stopped totting up the \$100 million? Don't tell me you cannot explain the \$100 million.

Mr BRIAN BURKE: In 1980-81 the Treasurer announced a deficit of \$1.4 million.

Mr Young: If you are not going to explain these calculations, why don't you simply say \$600 million, or \$1 000 million?

Mr BRIAN BURKE: The estimate of the deficit for the last Budget was \$1.4 million. How does the Treasurer explain that, according to the Auditor General's figures, the total revenue shown was \$1 875.9 million as opposed to the figure of \$1 860.5 million put forward by the Treasurer? Where has the deficit gone?

Mr Young: Where is the rest of the \$100 million?

Mr BRIAN BURKE: Is the Treasurer denying the Auditor General's integrity? His integrity has never been previously impugned by the Treasurer and has never been previously adopted for anything else but to support the Treasurer's position. Yet the Auditor General's own figures show that the deficit reported by the Treasurer is nothing but a massive deceit. In addition, the Opposition maintains that departments were told they should not bank funds until the end of the financial year. The Opposition further maintains that moneys were held back deliberately to prevent their showing up in the Budget outcome.

Sir Charles Court: Can you give the basis of that? It is a reflection on the Treasury, as distinct from the Treasurer.

Mr Young: He has not substantiated anything yet.

Mr BRIAN BURKE: Let us see whether the Treasurer is prepared to deny those figures of the total revenue reported by the Auditor General.

Mr Young: Why don't we try you out and ask if you can explain all these figures?

Mr BRIAN BURKE: It is strange that the Treasurer chooses now not to give an answer, because a moment ago he was very keen to interject.

Sir Charles Court: I am trying to avoid interjections; I want to listen to you. But I did make a very pertinent observation. No-one is questioning the Auditor General's figures, but I hope you compare like with like. That is very important in your position.

Mr BRIAN BURKE: I am simply talking about the Government's reporting to the public of this State on its financial management and on what it called the "small" deficit.

Whether the Government wants to base that sort of report on the comparison of like with like and not on the foundation that has been used previously by other Treasurers for as long as I can remember, is the Government's business; I am simply saying that the Auditor General's report and his computation of the total revenue do not measure up with the Government's statement that there is a small deficit.

Sir Charles Court: What deficit did he say we have?

Mr BRIAN BURKE: I am not aware of that.

Mr Young: That is No. 5.

Sir Charles Court: You had better have a look.

Mr BRIAN BURKE: The other idea the Budget attempted to spread across the State was that suddenly the Government was toughening up on the matter of royalties. Certain increases in royalties were announced in the Budget, and in an accompanying statement by the Minister for Resources Development there was a further indication of some general decisions adopted by the Government.

The truth is, as I have said previously, last year we received more in royalties than we will receive this year. The percentage of the value of production that came as royalties to the coffers of this State was 2.9. It is projected that this year the figure will be 2.8 per cent. How can the Government maintain its publicly toughened stance on royalties when the truth is we are experiencing a decrease from last year; and in comparison with 1973-74 we are experiencing a massive cutback?

Mr O'Connor: You are suggesting there will be a reduction in the amount of ore mined this year.

Mr BRIAN BURKE: No, I am not. Those figures are based on the estimation of a growth in the influencing factors this year as in last year—something in the region of 12 per cent—and also in the price received for ore.

The truth is that even if the figure is 8 per cent or 14 per cent we are experiencing a cutback in the value of royalties being received by the people of this State as a result of the sale of the wealth of the State. In money terms, 10.9 per cent is the increase in the amount of money to be received from royalties.

Mr Mensaros: As a result of creating job opportunities.

Mr BRIAN BURKE: This Minister should not interrupt; he is the man who suggested we were proud to be a low royalty State, in fact the lowest in the world. His integrity is in tatters and he should be ashamed.

That figure of 10.9 per cent is less than the anticipated rate of inflation. Who supports that sort of proposition?

Mr Mensaros: You would have them all unemployed.

Mr BRIAN BURKE: The way this Government is going almost everyone is unemployed anyway. The only benefit the Minister sees in the situation is that he is able to boast publicly to the world that Western Australia is a low royalty State—he thinks the lowest in the world.

Mr Young: You know the \$100 million saving you didn't explain, how much of that was wages?

Mr Wilson: Listen to the leadership contender speaking.

Mr BRIAN BURKE: Another point that should be mentioned which is of interest—and the Government mentioned it—involves companies operating under agreements. We heard a lot about what the Government thought was a fair thing in the matter of increasing royalties paid by companies operating under agreements. Let us see where the Government really stands, because there was no substantial action announced in the decision to set out those broad general principles.

We want to know whether the Government intends to interfere with agreements under which certain companies operate. We want to know what the Government intends to do if the companies which have signed those agreements take the attitude that they will not accept any changes. Does the Government intend to impose its will either by reopening the agreements or by imposing charges in other areas that will reflect the policy announced in the Budget, or will we be

waiting until the agreements have run their course? The Government has an obligation to explain to the Parliament what it intends to do, because without that explanation the Government's statement of broad general principles about royalties is nothing more than a political con job.

Mr I. F. Taylor: It was a load of rubbish!

Mr BRIAN BURKE: The other thing that is of interest by way of a sidelight is the fact that some of the matters about which I am speaking were the subject of an advertisement published in the Press last Friday. Those matters have not elicited any denial at all from any Government Minister. Members should compare that lack of contradiction on the part of the Government with the advertising activities of this Government in February 1980 when it sought the support of the people. It promised \$8 000 million of investment moneys, and it promised resource development that would flow on to every family. What nonsense.

The Opposition maintains that the Budget brought down by the Treasurer is without central purpose; it lacks direction and it fails to set out any economic strategy that will assure the business sector generally or the working men and women in this State of their future.

Mr Sibson: Your strategy is to nationalise everything.

Mr Pearce: Rubbish! Here we go again!

Mr BRIAN BURKE: The Opposition maintains that the Budget is an abysmal document produced by a bookkeeper; that is a ledger balanced on the family budget; that it is taking the commitment that families in this State have in Government taxes and charges to \$31 a week.

Mr Rushton: That is not even accurate.

Mr BRIAN BURKE: I point out that \$10 of that \$31 was the extra imposed on families in this State.

Let us look at some of the areas of impact on family living standards, taking, for example, taxes and charges announced outside the Budget, Budget measures themselves, and the Cabinet expenditure review committee. Outside the Budget, the money from the revenue-raising measures announced by this Government amounted to \$165.8 million. That sum has been announced outside the Budget and is reflected in such items as an increase in the average family's electricity bill of \$48 a year; an increase of \$23 a year in the average family's gas bill; an increase of \$17 a year in the average family's water bill;

and an increase of \$4 a year in the drainage bill. It represents also an increase of \$147 in transportation and motoring charges and of \$234 in health and medical charges.

All those were charges announced outside the Budget and, of course, that has been the pace set by the Treasurer in his effort to relieve himself of the burden and odium of Budget stringencies—the pace set by his announcing charges outside the Budget and, in this case, the increase is \$165.8 million. That is what the increases outside the Budget will amount to.

I turn now to the Budget measures themselves. In a nutshell, they take \$39.3 million and they give \$7.2 million. That is what the Budget has done when one takes away the rhetoric of the Treasurer and when one disregards the accompanying claims of the Minister for Resources Development which embodies broad general statements without any substance about the royalties position.

As a result of this Budget, the Government is taking \$39.3 million and the concessions it is extending amount to \$7.2 million.

The Government's priorities are reflected clearly in that decision, because if one looks at the Budget and understands where the revenue is being raised, one knows that from one form of stamp duty increase alone, this State will receive more than will be obtained from the increase in mineral royalties announced by the Government. Who can defend the proposition that the burden should be borne by the families by way of increases in taxation such as that, and that the royalty-paying developers should be allowed to escape some responsibility?

I shall look now at the Cabinet expenditure review committee. The Government has been very reticent about the activities of this committee for very good reason, because it is partly as a result of the activities of this committee that the Opposition says this Budget is one of hidden horror. The Treasurer did not announce many things when he announced his balanced Budget. For example, he did not mention the significant cuts in local government funding which have been announced since then. Except in response to questions asked by the member for Victoria Park, the Treasurer did not announce the decision to curtail library services in this State or the curtailment of funding for pre-school education for four-year-olds.

The Treasurer had plenty to hide when he announced his Budget and I have just mentioned some of the areas about which we have learned within 10 days of the Budget being brought down.

We predict that in the weeks and months to come, if the Government is to maintain its position, we will be subjected to the slow release of cuts of this sort at regular intervals. That is why we say this Budget is one of hidden horror.

In conclusion, I want briefly to outline to the Parliament the sorts of things the Labor Party would be seeking to do in Government. Firstly, on the question of royalties, we would be seeking to establish the Royal Commission of which we have spoken previously and we would see that as a vehicle to ensure initially that the people of this State were getting a fair share of the resources of the State as they were developed, and we would be seeking also to maintain a proper examination of the avenues by which that fair share might be obtained and distributed.

We would be seeking to establish what has been called the "Western Australian Development Corporation" as a means of assembling funds in this State and preventing the diversion of investment moneys to the only significant money markets in the country on the eastern seaboard. We would be seeking to use the funds of that corporation to enable private investment in the resource development projects of this State.

We would be seeking to eliminate some of the waste about which I have spoken, by introducing a system of performance audits that would subject the performance of Government departments to the scrutiny of independent and Government officers at regular intervals; and we would be seeking to assure the public that those performance audits made sure the money allocated to Government departments was spent efficiently and wisely.

We would be seeking to introduce sunset legislation attaching to the more than 70 boards set up by the Treasurer during his term in office, so that we would not have the ridiculous spectacle of the Government abolishing the emu and grasshopper committee which languished for 10 years without meeting. We would try to ensure that, when these boards and authorities were set up, there would be some guarantee that, after a certain period of time during which they had ceased to function, they would go out of existence.

We would be seeking to look at the building and construction industry and we would introduce a number of measures which would include the family allowance conversion scheme. We would be looking also at a system which would attempt to avoid one of the very worst aspects of this Government's and its Federal counterpart's performance; and that is the provocation to pensioners to invest their money in areas that do

not earn interest, simply because, if they earn interest, they lose their fringe benefits.

We would be looking to the establishment of some sort of fund or the provision of an investment opportunity which would allow pensioners to obtain some benefit, perhaps through the reduction in the cost of Government services, provided they invested in this fund which would then provide housing moneys for young people.

We would certainly have a full inquiry into the activities of the MWB. On that subject, I cannot understand a Government which allows scandal after scandal to surface about the MWB without taking any steps whatsoever to make sure an inquiry is instigated into its activities. It is a public disgrace that the Government's only refuge appears to be that, because the Opposition seeks an inquiry, it is *prima facie* a bad move to make. That sort of situation is the living and breathing proof of why waste in government at the hands of this Government continues.

Mr Young: What about giving us the calculation of those figures?

Mr BRIAN BURKE: I shall accommodate the Minister for Health, but I do so very reluctantly, because we all know that the Minister has been having a very difficult time. We all know that the shadow Minister for Health has pursued the Minister relentlessly and embarrassingly.

Mr Young: I am simply asking you to explain some calculations.

Mr BRIAN BURKE: We all know the Minister for Health and his leadership aspirations have been suffering at the hands of the member for Melville and I am very proud of that member's contribution.

Opposition members: Hear, hear!

Mr BRIAN BURKE: But let us just do the Minister for Health this service this time. However, let him not expect that he will be accommodated in this way in the future.

Mr Young: Are you saying you will not justify anything in the future?

Mr BRIAN BURKE: I will not listen to the pronouncements of a man who carries on in this way and then complains himself when people interject on him.

Mr Young: I have not complained.

Mr BRIAN BURKE: If the Minister for Health wants to make interjections which are 10 sentences long, he should not then whinge and cringe when people talk back to him.

Opposition members: Hear, hear!

Mr Young: Are you going to give us the calculations?

Mr BRIAN BURKE: On 22 January 1975 the public report of the Government figure released to *The West Australian* of the cost of extensions to Royal Perth Hospital was \$25.5 million. The escalation in the figure, as announced publicly within the last two months, implies that the increase is at least \$50 million and may be as high as \$70 million.

Mr Young: You have got it wrong.

Mr Grill: Your own figures were produced on 15 September 1981.

Mr BRIAN BURKE: The Opposition does not intend to oppose the Budget, but it does say that there is no economic strategy attaching to the Budget, and that there is no purpose or direction in it. The Opposition says that the new federalism has cost this State \$350 million in the context of the warning from the Opposition that its predictions would come to pass, and in the contest of the Premier's refusal to face up to anything. All he could do was boast about his co-authorship of the new federalism.

We say also that because this Government has failed to maintain mining royalties at the level set in 1973-74 the State has lost more than \$228 million. The Opposition maintains that wastage in Government has cost the people of this State in excess of another \$100 million. We call on the Government in its 1981 year in office to set about the task of trying to bring together the threads of some sort of purpose and some sort of strategy and coherent economic thinking in its operations. If it does not the loss of confidence expressed in it by the private sector will continue, and in 1983 the Labor Opposition will be elected to the Government benches in this place.

Mr Young: Let me give the calculations so that the Press will know.

MR MacKINNON (Murdoch—Honorary Minister Assisting the Minister for Industrial Development and Commerce) [11.37 a.m.]: It is patently obvious why the Leader of the Opposition did not last year make a speech on the Budget—because he did not have anything to say. The hallmark of the speech today by the present Leader of the Opposition was not what he did say, but what he did not. He showed today that the Opposition is exactly what, in public statements, he has accused the Government of being, and that is an *ad hoc* decision-making body of the first degree.

The inaccuracy of his statements were highlighted by my colleague, the Minister for Health. The Leader of the Opposition did not

justify any of his comments or any of his purported statements of fact. Half of his speech was spent on personal abuse of the Minister for Health.

Opposition members interjected.

The SPEAKER: Order!

Mr MacKINNON: The other half of his speech was spent on commenting—

Opposition members interjected.

The SPEAKER: Order! I prevail upon members of the Opposition to desist from interjecting in batteries of three or four. I call the Honorary Minister.

Mr MacKINNON: The other half of his speech implied that the Government does not have any financial expertise. The record of this Government as I will outline slowly during my speech will prove that the Leader of the Opposition totally misstated the facts. We heard mistaken statements of facts from a confused journalist.

If we compare his opening remarks with the remarks made at this time last year by the previous Leader of the Opposition we see that both were fairly similar. The comment was made that this year's Budget was a difficult one to prescribe because of the financial difficulties presently suffered by this State. The present Leader of the Opposition paid the Premier and the Government a compliment with this statement because he accepted that the Government has achieved an excellent result by way of this year's Budget despite the difficulties the Government has faced—that is credit in itself.

The Leader of the Opposition made many statements about the Premier's previous comments on new federalism. I subscribe to the comments made by way of interjection during the debate by the member for Karrinyup. If the new federalism had progressed as it was supposed to we would all have made comments lauding the Premier for the benefits that we would be obtaining.

The Premier and the Government have admitted publicly that the new federalism has not proceeded, and that is more the pity.

Mr Carr: Is that the State taxation you are talking about?

Mr MacKINNON: One specific statement by the Leader of the Opposition to which I wish to refer is the one relating to the position of royalties. The public comments and the advertisement of the Opposition, and its statements made here today in relation to royalties, really are a distortion of the facts in the

worst possible way. The highlight of the speech made by the Leader of the Opposition in relation to royalties was not what he did say, but what he did not. When comparing the 1973-74 figures with today's figures he did not say that gold production has increased substantially. The total value of production, the percentage term he used, in relation to royalties to which he referred, did not include gold because gold does not attract a royalty. He did not make the statement of fact that in the period since 1973-74 exports of iron ore have attracted a substantially lower royalty. He did not comment on the fact that coal production has increased substantially since 1973-74, and that coal attracts a low royalty.

The Leader of the Opposition did not come out to make any comment whatsoever about remarks made by his colleagues. If one cared to take some time to consider the facts of the matter, one would realise that in regard to royalties received by this State and the areas from which the Government has an opportunity to obtain income, it must be accepted that the colleagues of the Leader of the Opposition were concerned only about alumina and bauxite production. His colleagues indicated there should not be a royalty on gold, and that there should be no increase in royalties on nickel, iron ore, or coal. Where does that position of the Opposition leave us? We are left only with a consideration of bauxite and alumina. Members of the public, alumina producers, and the thousands of people of this State dependent on the alumina industry for jobs should realise that the Leader of the Opposition is attacking the alumina industry and know exactly what the Leader of the Opposition and his colleagues would do if they ever got into Government.

Mr Blaikie: The Leader of the Opposition is sitting there with stunned amazement at that argument.

Mr Brian Burke: The Leader of the Opposition wasn't even sitting in his chair at the time.

The DEPUTY SPEAKER: Order!

Mr MacKINNON: I will now outline the policy to which the Labor Party would subscribe if elected. This would not be as evidenced by its advertisement in the newspaper and its glossy election handout but by its *State platform* which was published on 27 August 1980.

Mr Brian Burke: If you allow me the courtesy I extended to the Minister I will be able to outline the \$350 million—

Mr MacKINNON: I don't particularly want the Leader of the Opposition to do so.

Mr Brian Burke: The financial—

Mr MacKINNON: At the appropriate time he had the opportunity to say whatever he wanted.

Mr Brian Burke: I would like to get the information into *Hansard*—

Mr MacKINNON: I have a limited time, and he had unlimited time, but he chose not to use it to refer to the figures which he now wishes to put before the House.

Mr Brian Burke: How could I use unlimited time, you idiot? Do you want me to speak for three weeks?

Mr MacKINNON: I will refer to the platform of the State ALP. It sets out exactly what the ALP would do if it became the Government, although that is extremely doubtful under its present leadership. Item 19 at page 18 relates to minerals and energy. The Labor Party would borrow funds from overseas through public corporations. The Leader of the Opposition has talked about that process previously; and in other words, it would be nationalisation of the mining industry to facilitate what the Opposition says would be public participation in mineral development, and to assist associated developments in the infrastructure. The Opposition says that mining companies would be called upon to service the loans which the Government would borrow. The mining companies would pay the interest to finance a Labor Government's entry into mining developments, and that would be socialisation by stealth.

Mr Blaikie: Would you say that would be very similar to what the socialists did in Great Britain?

Mr MacKINNON: Yes, I would, and it is exactly what is happening in France. Members should mark my words that France is a doomed country.

I refer also to the comments by the Leader of the Opposition in regard to waste in government. To me he seemed to be relatively confused—in fact, totally confused. One can see in the Press advertisement produced by the ALP that it believes the waste has cost this State \$130 million; yet today the statement was made that the waste is \$100 million. The figure will come down day by day.

The Leader of the Opposition referred to waste at Royal Perth Hospital. My colleague, the Minister for Health, has shown that that remark was a total misstatement of fact. The Opposition is banking on that so-called waste to contribute \$70 million to the waste it says has occurred in government. The advertisement then refers to a so-called public relations corps within the

Government to somehow or other confuse and mislead the public.

Mr Brian Burke: It is true.

Mr MacKINNON: I will give the facts. Of the 66 people mentioned by the Leader of the Opposition, only 15 are assigned to ministerial staff. Of those 66 he talks about, many are assigned to departments such as my own and the Department of Tourism. Their job is to publicise the benefits of this State, and I doubt very much whether the people of Western Australia would permit the emasculating of that service, which does a very good job for this State in publishing the many investment-type magazines for the State. The *Western Australia* magazine and tourism magazines promoting the benefits of investment and tourism in this State are examples. We have 66 people at a cost of \$2 million. I challenge the Leader of the Opposition to say which people he would dispose of out of that 66.

Mr Bryce: Mr Leggoe would be one.

Mr MacKINNON: One person is not going to save us \$130 000 000.

Mr Bryce: One person would help. We could dispose of two Ministers, and you would be one of them.

Mr MacKINNON: The split-up of the Department of Resources Development was also commented on by the Leader of the Opposition, and I will move onto that later. It was evident from the Leader of the Opposition's speech that one very important area of the community was not even mentioned by the Leader of the Opposition in any Press statement or his speech today. That is the group for which I am responsible—the small businessman and woman in this State, a group of people over whom the Opposition cries crocodile tears and in regard to whom it puts its policies forward within the Parliament to the public; however, its real policies stated in the ALP platform prove nothing of the sort.

Mr Bryce: You have quite a few of those policies yourself. Look at the last 12 months.

Mr MacKINNON: He also went on to say that the Minister for Health and the Government had wasted an apparent \$1 million by the sale of Greenplace. He tried to justify that—I do not know how—by saying we had an auction. Tell me a fairer system of selling a property.

Mr Pearce: Tendering.

Mr MacKINNON: The Government realised \$1.5 million more than the estimate of valuers prior to that auction. The Government paid out

approximately \$100 000 in agent's fees. Apparently the Government should have auctioned it itself and not had an auctioneer as he cost us money.

Mr Bryce: If the Government had subdivided that land it would have made more than \$1 million.

Several members interjected.

The DEPUTY SPEAKER: Order! The Minister will resume his seat. There are too many interjections. As someone mentioned earlier today, very lengthy interjections are especially annoying particularly when the speaker on his feet obviously shows he does not wish to catch the interjections. I have always made it a practice to stop such interjections when a person finds it impossible to get his message across due to the interjections. The situation is intolerable—when that occurs I will stop them.

Mr Bryce: It is not the interjections which stop him getting his message across.

Mr MacKINNON: The whole question of subdividing property was considered by the Government at the time. I can assure the Leader of the Opposition that the Government did the best it could by having the property auctioned.

Mr Bryce: Rubbish!

Mr MacKINNON: Of course, to accuse the Government of total waste for refurbishing the Premier's office indicates that the Leader of the Opposition has not been there very often. He will never be there in an official capacity as Premier. Even if it did cost \$90 000, that is a far cry from the \$130 million figure the Opposition is trying to accuse the Government of wasting.

The other area which the Leader of the Opposition did not speak about today, but which was stated by him and reported in the Press, concerned Government waste. I refer to *The Sunday Times* of 11 October in which Mr Burke claimed that "\$7 million had been lost on Government loan guarantees to businesses and several million more were wasted in a variety of areas." What are these areas? In relation to these several million dollars-worth of guarantees and loans, I challenge the Leader of the Opposition publicly in this House to list all the companies concerned, because the figure is nowhere near that. The Government has done a lot to assist industry. Our loan rate is less than 4 per cent. When the Leader of the Opposition gives us that list I will challenge him also to say which of those companies he would not have assisted. Would he not have assisted the Albany Woollen Mills, for example?

A Government member: He cannot accept the challenge. He is not even here.

Mr MacKINNON: I challenge him to say which company he would not assist. The member for Warren would agree that the loans to the Manjimup Canning Co-op were not written off in a poor way. I challenge the Leader of the Opposition to list the total of the \$7 million and to state how he arrived at it and, secondly, I challenge him to name which of those his party, if in power, would have guaranteed. Which company would he have refused to assist? He will come back with absolutely nothing—a great empty, hollow sound, I am sure.

The other area mentioned by the Leader of the Opposition is that of Government departments working at peak performance, and sunset legislation. The Government would share my view that the sunset has its place in legislation, as was indicated last year when we included such a clause in the Industrial Lands Development Authority amendment which I brought to this House. The Leader of the Opposition is wrong to say that through performance audits and, of course, sunset legislation of the Government will save millions and millions of dollars.

Once again, I issue a challenge to any member of the Opposition—the Leader of the Opposition or any Opposition spokesman—to say which of the 70 so-called enterprises or QASOS or QANGOS, whichever he likes to call them, would his party dispense with tomorrow and save the money he talks about? There would be very few, if any.

How is it that sunset legislation will save the Government millions of dollars? I cannot see how. I do not think the Leader of the Opposition understands what efficiency audits are when he says they will improve the policy of the Government when the Public Service Board is already set up to review the efficiency of Government departments on an ongoing and regular basis. For example, it reviewed last year the activities of my own department.

One area in connection with this topic of waste that the Leader of the Opposition overlooked or ignored and passed off as a committee doing no really valuable work is the Cabinet expenditure review committee under the chairmanship of the Deputy Premier. He did not mention that the work of that committee, by improved efficiency and better programmes, has saved \$32 million. The Leader of the Opposition did not comment on the fact that that committee's work in a revised form is now to be continued. Every department will be reviewed once again during the coming

year to find new areas of efficiency and economy so that the Government will be operating at its maximum performance once again.

The Leader of the Opposition's claim is totally spurious. In the statement about some of the things the Opposition would do if it were in Government, he says it is a Budget of hidden horror. I do not believe there is any hidden horror in the Opposition—certainly not in the Leader of the Opposition who would find it difficult to hide anywhere—but certainly there is no hiding the facts on what the Opposition would do if it, per chance, got into power.

Let us look at the development corporation that is supposed to be the great panacea for what the ALP believes is some form of rip-off of the community of Western Australia. I outline once again a statement contained within the State platform of the Australian Labor Party, which I would remind members of this House is binding on members of the Opposition, and I would remind them to make sure that their friends, colleagues, and all the small businessmen and women in the community are aware of this fact.

A Labor Government will—not if, not but, not maybe—“create a number of corporations which would be State owned and would stimulate the growth of small privately-owned manufacturing and service industries, particularly in rural areas either by participation”—in other words, by ownership, takeover, control—or by loan functions”.

Mr Sibson: The ownership of all land by the State.

Mr Pearce: What that means is that we will give loans to small businessmen.

Mr Sibson: It means nothing of the sort.

Mr Pearce: It means absolutely that.

Mr MacKINNON: I once again remind the member for Gosnells that it will create a number of corporations that would be State owned. They would be taking over the most profitable ones and they would of course run them very quickly into a loss situation which would cost the taxpayers millions. The Leader of the Opposition did not outline to us exactly how this great Western Australian Government corporation would be able to marshall funds more efficiently than a private corporation.

Mr Pearce: Mr Holmes a Court could do it.

Mr MacKINNON: There is only a certain amount of money in the community and no such corporation would be able to marshall those funds better than any private enterprise.

Mr Pearce: Holmes a Court does it well.

Mr MacKINNON: I further refer members to the era of the Whitlam Federal Government and ask them to consider the statistics during that time. Oil exploration and mining development in this country decreased, but now those activities in this State have started to rejuvenate and reach the levels I believe they should.

Let us now have a look at the building construction industry and at exactly how the Opposition would assist it in this State. The Opposition would set up some sort of scheme aimed at relief through capitalising family allowances, a scheme which my colleague the Honorary Minister for Housing has effectively denounced. He has answered the arguments on this matter very well many times and proved the arguments to be untrue, misplaced, and unbalanced. I remind members just how the Government assists the industry with public works programmes. The Capital Works Budget this year totalled \$670-odd million. I ask members to once again consider the Labor Party platform for small businesses in this State through Public Works.

The platform states that the Labor Party will—not maybe or perhaps, but will—ensure that wherever possible Government contracts will be carried out by Government labour otherwise such work will be done by contractors using only a day labour work force. In other words, it would do away with most of the subcontractors who are being used by the Government now. Most Government projects would be completed by Government workers.

When one considers the building industry in this State one notes the tremendous way in which public works can assist small businesses.

Several members interjected.

Mr MacKINNON: However, I have outlined exactly what this Opposition would do. It would decimate the small businessmen and women in this State.

The Leader of the Opposition has made no public statement in the great advertisement in the Press and has been very conspicuous in his absence of comment on small business people, people with whom I am involved.

This Government on the other hand has endeavoured to assist the small businessman and woman in this State and I remind members about the Budget and the initiatives which have been taken, including pay-roll tax relief. Also, this Government did not place a surcharge of 1 per cent on large companies as has happened in other States and which I am sure the Labor Party would do. This Government has increased the pay-roll tax exemption level by 42 per cent. The

Leader of the Opposition did not comment on the fact that the small business advisory service budget has been increased by 41 per cent. He did not comment on the fact that that service has doubled its inquiry rate over the last 12 months. He did not comment on the fact that we have provided special exemptions for small businesses and home buyers through a reduction in stamp duty on conveyances. Of course, there was no comment whatsoever on the activities of the Government in assisting 16 small wine growers from Western Australia to display their wares in Victoria at the Expovin.

Mr Watt: Highly successful, too.

Mr MacKINNON: There was no comment on the fact that the Government has been assisting farm machinery manufacturers over many years. The Leader of the Opposition did not comment on the fact that we will be assisting a small business man to attend a petroleum conference here later this year and hopefully in Singapore early next year.

No comments were made about the initiatives taken by this Government on the whole question of the valuation method of rating and the working party set up under the auspices of the Metropolitan Water Board to examine this issue.

I remind members of the words contained in the ALP platform; it is obvious the ALP's assistance to small businesses would be an assistance to take them over.

The Leader of the Opposition of course made statements about the living standards in this State. He said nothing other than that they had declined, but he did not justify his statement. If we refer to the advertisement placed by the Leader of the Opposition, we find it contains a number of inaccuracies. The advertisement for example assumes that every home in Western Australia uses gas and electricity; that is far from the truth. It assumes that every home in the metropolitan area is sewered and that everyone in the metropolitan area catches a bus and owns a car. That is clearly untrue. So in that advertisement we have a total misstatement of the facts.

When considering the performance of this State and its economy, members should keep in mind the fact that there has been real wage growth in Western Australia during the past 12 months. It has increased by 4.5 per cent and that is not an inflated value; it is real wage growth. I am sure that fact has not escaped the attention of the community in Western Australia, especially the working people who have benefited. Average weekly earnings have gone up by 13.5 per cent in

the last 12 months. Motor vehicle registrations are up 5 per cent to March 1981 and I do not think they are the signs of a "sick" economy.

Several members interjected.

The Leader of the Opposition did not comment on the fact that the Consumer Price Index of this State at the current time represents the best record of any State Government. There was no comment made about the fine employment record of this State over the past 20 years.

Mr Parker: This State has the worst record. The rate of unemployment here is one of the highest of any State in the Commonwealth.

Mr MacKINNON: This month. I am talking about the 20-year period. Once again, the member for Fremantle is talking about unemployment—

Several members interjected.

The DEPUTY SPEAKER: Order! The member for Fremantle has interjected at length and I ask him to cease. The member for Gosnells has also interjected and I again request him to desist. I am not seeking to stop all interjections, but I find constant interjections unacceptable.

Mr MacKINNON: I remind members that I am speaking about employment and the record in this State. The Western Australian employed labour force increased by 3.3 per cent in the year to June 1981, compared with an increase of 2.3 per cent in Australia as a whole.

The State of New South Wales was below the national average. We have created more jobs in this State on percentage per head of population faster than any other State in Australia over an extended period of time.

If the member for Fremantle considers the last 20 years he will note that the population of this State has increased faster than the national average and it will of course continue to do so.

One area, of course, of great importance to myself and, I believe, Western Australia, because of its great employment impact is the manufacturing sector of the State. Once again I refer the Leader of the Opposition to page 13 of this document where it shows that the manufacturing sector's share of the total State employment rose from 13.2 per cent to 14.3 per cent last year and that is against the national trends which, of course, indicates the great benefits and the value of resources development.

Mr I. F. Taylor: What about reading the last three paragraphs.

Mr MacKINNON: Finally, I would like to make a couple of comments in relation to the background against which this Budget was

framed. I remind members that the level of Budget expenditure was achieved despite the fact that the Commonwealth Government increased our total share of funding by only 7 per cent. Again I remind members we still have hanging over our heads the Grants Commission review and I hope that the Grants Commission will take into account the level of tariffs provided to industry and commerce throughout Australia. The table I have in front of me, for example, relates to Commonwealth assistance to industry, and hence to the community, by tariffs throughout Australia. The dollar per capita assistance to New South Wales, for example, is \$363 through the tariff system. The dollar per capita assistance to other States including Victoria is \$492. The two States in the worst position are, of course, Queensland and Western Australia, which have \$186 and \$235 per capita respectively.

I urge the Grants Commission to take into account, through the review currently being undertaken by the Industries Assistance Commission in relation to tariffs, export incentives and general assistance to industry. It is my view that any review by the Grants Commission of assistance to Western Australia, or to any other State in fact, would be remiss if it did not include a total examination of the very real benefits or subsidies applicable to those States. I am pleased to say that the Federal Government is examining these matters at the present time.

In conclusion, it was interesting to note that the Leader of the Opposition's comments went very much unheralded by his colleagues and we have not seen any of his members patting him on the back as a consequence.

Mr Parker: That is a lie.

Mr I. F. Taylor: You are blind as well as deaf.

Mr MacKINNON: If they pat him on the back they would be afraid that they would end up with knives in their hands.

Mr Young: It was the worst reply to a Budget speech in the history of this State.

Mr MacKINNON: The Leader of the Opposition, both by public comment and in the speech he has delivered today, has indicated he has no understanding of State finance nor of how we, as a Government, have achieved such a fine record. We will continue to remain in office for years to come.

Debate adjourned, on motion by Mr Pearce.

METROPOLITAN MARKET AMENDMENT BILL

Second Reading

Debate resumed from 21 October.

MR HERZFELD (Mundaring) [12.09 p.m.]: I rise briefly to make a few comments on this legislation and to seek some clarification from the Minister on one of its provisions. The main purpose of this Bill is to give the Metropolitan Market Trust control over the wholesale facilities for fruit and vegetables within a 70 kilometre radius of the Perth GPO.

I support this Bill for the same reasons that my colleague, the member for Whitford, outlined last night. It is in the interests of growers and consumers that there is no proliferation of market facilities in the metropolitan area. Very few cities in the world, however large, have more than one central market for selling and distributing produce. Certainly no city the size of Perth would have more than one market.

My understanding is that this legislation is necessary because tentative moves have been made to establish other markets and were this to take place the facility that is provided at West Perth would be in jeopardy of losing its viability. It must be remembered that the trust does not in any way interfere with the normal market forces in the sale of produce; it simply provides the facility. I refer briefly to this point because there has been misunderstanding in some quarters, particularly by the Midland Chamber of Commerce, as to what this legislation is really all about. The Midland Chamber of Commerce expressed a fear that legislation of the type we have before us at the moment would interfere with the normal market forces. My understanding—and perhaps the Minister may refer to this when he is replying to the debate—is that the Metropolitan Market Trust simply provides the facility in which free market forces can operate.

The system used is that of auctioning; the growers bring their produce, place it on the floor and buyers bid in competition for it. A system such as this provides the means whereby the grower can obtain the best price for his produce depending on the normal supply and demand forces. At the same time the consumer also benefits by purchasing his produce at the most competitive prices. I believe that this is a very good system, and one which could be undermined and destroyed if more than one market were to operate; and, as I see it, this is the main purpose of the legislation. It is to protect the growers, the

producers, and consumers from the forces that work against their interests.

I have been advocating for some time that the Metropolitan Markets should be moved from their present location, and specifically, to the eastern sector of the city. There are very good reasons for this though I do not intend to outline them at the present time.

My view is that the proposed legislation will certainly enhance the opportunity to move the markets when it becomes economically viable to do so. It will also provide the opportunity for the markets to be moved to the east of Perth where I would like to see it established. I do not believe this will happen if there is a proliferation of markets in the metropolitan area. If even one other market were established, that would not happen, and it would not assist the re-establishment of the existing markets to the eastern sector of the city.

For those reasons, I support the legislation and ask the Minister to confirm that it is in the best interests of the consumers of Perth and the growers that this legislation is passed.

I also use this opportunity to express the hope that the Government will continue to keep a close watch on opportunities for moving the markets out of West Perth. It is becoming extremely difficult to move around the Metropolitan Markets. I have seen the activities there grow over a long period. In fact, the Metropolitan Markets was the first place in which I worked, at the age of 13 years, and it has always been a place of great interest to me as a result of that experience.

I hope the situation is not reached where the markets become increasingly unworkable and because of that, those who use the facilities are persuaded to move out and use methods of exchange other than the auction system which exists at present.

MR McPHARLIN (Mt. Marshall) [12.17 p.m.]: One of the purposes of this legislation is to define a region within a 70-kilometre radius of the Metropolitan Markets in order to maintain the markets as a viable operation. After careful consideration, I believe this move to be justified. The need for such a move is illustrated by the fact that another market operated for some time which did not prove to be viable and which did not provide the sort of returns for which producers were looking. It became necessary to review the situation to ensure the market system provided the producers with adequate returns for their products.

It also illustrates there is a need for the Government to work side by side with the industry to provide stability to the industry. It may be argued by some—as mentioned by the member for Mundaring—that this in fact represents an interference in the free market forces. I do not believe that applies in this case. The markets operate on an auction basis, and the price structure is not interfered with, so there is no requirement for controls in that area.

It is estimated that a population of at least 700 000 is required to sustain a wholesale market. In fact, the population of the metropolitan area is in excess of that number, but is insufficient to sustain two markets. This legislation will benefit not only growers, but also all those consumers who purchase their fruit and vegetables from the markets; this would include not only those living within the metropolitan area, but also the many country people who buy their produce direct from the distributors at the markets.

The Bill also deals with the Perth City Council's representative on the Metropolitan Market Trust. I can recall an occasion when I was Minister for Agriculture when the Perth City Council representative on the trust lost the council seat, and there was no provision for that person's appointment to the trust to be terminated. After some consideration of the matter, I requested the person involved to see me in my office and, after some discussion, that person decided to retire from his position on the trust.

The Bill provides for such a situation to apply automatically; in other words, if a person representing the Perth City Council on the trust loses his seat on the council, he is obliged immediately to retire from the trust. I cannot foresee any problems in this area; it is a desirable amendment which should be acceptable to the House.

Various other amendments in the Bill deal with the outdated Municipal Corporations Act, which is now the Local Government Act 1960; the opportunity has been taken to correct terminology. No objection could be taken to those provisions.

I believe the legislation will be of benefit to producers and the public alike, and it has my full support.

MR OLD (Katanning—Minister for Agriculture) [12.22 p.m.]: I thank the member for Warren, who spoke on behalf of the Opposition, and the members for Mundaring and Mt. Marshall for their general support of the Bill

and for their explanation of the philosophy behind the need for these amendments.

Mr Watt: Do not forget the member for Whitford.

Mr OLD: I apologise to the member for Whitford; he is the most important member in the Metropolitan Markets organisation.

The member for Warren referred to a number of problems raised by Carnarvon producers. At the time, I assured him the Bill would not go forward until the two Carnarvon organisations had had the opportunity to put forward their case. Those organisations sought a place on the trust for a representative of the Carnarvon producers. This matter is not included in proposed amendments to the Act.

I reiterate it is difficult to make available on the trust a place for a representative of a particular district in Western Australia, because there are many districts which are important to the production of fruit and vegetables. Whilst I freely acknowledge the importance of the Carnarvon producers to the Metropolitan Markets, and to the consumers of this State, I point out there are equally important areas adjacent to the metropolitan area and, indeed, in the member for Warren's own electorate, in addition to the vegetable growing currently going on at Kendenup. If we started to regionalise, and tried to include on the trust a representative from each area actively involved in growing fruit and vegetables for the Metropolitan Markets, the trust would soon become quite unwieldy.

The situation at present is that there are two producer members on the trust. Despite the fact allegations have been made that these people have other interests, I assure members their prime interest is to represent producers, and they do so particularly well. So, at this stage I do not give an undertaking that the Government will sectionalise producer interests and provide for a multiplicity of representation on the trust.

The Carnarvon producers expressed doubts about whether they should enter into private negotiations and have a floor. They talked about a floor at Kewdale from which they could sell their produce by private treaty. I assured them at the time of the deputation that nothing in the Act would stop them from doing this. This was reinforced by Crown Law advice.

However, the Carnarvon producers had consulted a solicitor, and his opinion in regard to their ability to do this was somewhat at variance with the opinion expressed by the Crown Law Department. In view of this, and rather than have the necessity for the producers to take a case to

court, if in fact they wished to go ahead with their desire to form a market, I took the course of placing amendments on the notice paper.

These amendments are designed to put beyond doubt the ability and the right of organisations to sell by private treaty, to sell directly to the shops, or whatever they might wish to do. It was never the intention of this Bill that any prohibitions would be placed on the right of the producers to sell their produce as they saw fit.

This Bill aims to protect the market as it exists today until a need for another market in the metropolitan area arises. It has been stated that 700 000 people are needed to support a market. Currently we have about 850 000 people in the metropolitan area, so we are a long way from the time the necessity will arise for another market to be established in the metropolitan area.

I know of the interest of the Chamber of Commerce of Midland Junction, which has been mentioned by the member for Mundaring. We have had discussions with that organisation. In fact, a proposal was put forward that the Midland Junction abattoir site should be designated as the market area.

The members who have an interest in the markets have seen the WAIT-Aid report which was commissioned seven or eight years ago, and which was firmly of the opinion that the present market site was suitable for the foreseeable future for the requirements of the marketing of fruit and vegetables in this State. With that report in mind, the Metropolitan Market Trust—which is nothing more than a landlord, having nothing to do with the sale of produce, but only with letting selling floors, shop spaces, and office spaces—has gone ahead with a very extensive improvement programme at fairly great expense. Therefore, it is certainly not the desire of this Government to start talking about shifting the Metropolitan Markets at this stage.

It will be my intention in Committee to move those amendments which stand in my name. They will put beyond any doubt the ability of the producers to be the masters of their own destiny if they do not wish to utilise the Metropolitan Markets as they exist today.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Reference to Select Committee

MR EVANS (Warren) [12.30 p.m.]: I move—

That the Bill be referred to a Select Committee.

The purpose of this move is to enable a committee to inquire into, report upon, and make recommendations regarding the position of the Metropolitan Market Trust, with specific reference to the appointment of a representative on the trust from the Carnarvon area.

I appreciate the consideration that the Minister has given in delaying and referring this measure and I appreciate the submissions put forward by the members of the Carnarvon growing community.

It is true that two members of the trust represent producers; but because of the two difficulties concerning Carnarvon growers—firstly, that of distance, and secondly, that of the out-of-season growing in which they specialise—it is appropriate that the matter be considered a little more closely.

In relation to this matter, the Geraldton growers have a certain empathy because they have a similar problem, but not perhaps to such a marked degree.

In order to illustrate the feeling of remoteness that can arise in the industry as well as in other ways, I quote the following paragraph from a letter I received from the vegetable growers—

In our opinion, the upgrading of the Act is necessary to keep abreast of the changes that are taking place in our fast growing State. Further to this, the WA Fruit and Vegetable Industry Advisory Committee have discussed the changes and reached agreement. It is pertinent to note that there are four grower organisations represented on that Committee, namely:

- The Market Gardeners Association of WA (Inc)
- The Potato Growers Association of WA (Inc)
- The Western Australian Fruit Growers Association (Inc)
- The WA Vegetable Growers Association (Inc)

The point is that no reference is made to the two grower organisations from Carnarvon.

Mr Carr: Or Geraldton.

Mr EVANS: Important matters fundamental to the running of the markets were discussed. A collective view has been put forward in that letter, without reference to a specialist group that needs to be represented in all the stages affecting it in the production and the marketing of the produce upon which the growers and their districts depend.

During my speech on the second reading, I pointed out also the extent to which the Carnarvon growers furnished the Metropolitan Markets. The report of the Metropolitan Market Trust relating to the total supply available is not comprehensive. The contribution of the Carnarvon growers in 1980 reached \$8.3 million in value; and the commission on that sum was \$1 million. By any standard, that is a substantial contribution. I pointed out also that 70 per cent of all bananas sold in Perth come from Carnarvon. In relation to out-of-season vegetables, 90 per cent come from Carnarvon; and in relation to the full range of vegetables sold in the markets, 15 per cent come from Carnarvon.

It is to that extent that the growers have an involvement in the markets in Perth. Their fears, which have been expressed to me, have not been allayed completely.

The Minister mentioned that in the amendment he proposes to move he has accommodated some of the fears of the Carnarvon growers and given them two assurances. One is that by way of legislation the growers would not suffer any inhibition in any method of selling they chose, and the other is that the growers from that area could set up a private treaty board. It is to the Minister's credit that he intends to move that amendment, which I will be supporting.

Unfortunately, it will not overcome the basic problem of representation that has been alluded to. The Minister expressed fears that regionalisation might creep in and that there could be other areas in the State which seek direct representation on the market trust. He said it could make it very difficult to refuse these approaches.

I do not think any other area of the State is in the same kind of situation as that faced by the Carnarvon growers. Kendenup is a considerable distance away, but the growers there are not so dependent on our markets as most of their produce is sold under treaty to a single producer. Any analogy here would not bear up. Neither would it bear up as far as it concerns growers in perhaps Wanneroo or Spearwood. This would apply also to my own area, as well as to the developing area between Mandurah and Bunbury.

For these reasons I feel further consideration should be given to these matters, and I have therefore moved that the Bill be referred to a Select Committee in the interests of an isolated and specialist group of growers who have a very considerable involvement in the out-of-season supply of vegetables to the Perth Metropolitan

Markets. In fact, they embrace 90 per cent of the total supply of out-of-season vegetables.

MR OLD (Katanning—Minister for Agriculture) [12.38 p.m.]: Firstly, there is one thing I must put straight. The Carnarvon growers do have representation on the advisory committee and have had that representation for three years. The representative at the time these amendments were discussed was Mr Sheridan; I cannot recall the name of the present representative, although I did see him recently in a deputation to my office. I can see no reason whatsoever for a Select Committee being appointed and so I oppose the motion.

Question put and a division called for.

Bells rung and the Committee divided.

Remarks during Division

Mr Brian Burke: I hope *Hansard* shows that the member for Gascoyne is in the Chamber and is opposed to the Carnarvon growers having a representative.

Mr Old: You were not even here.

Mr Evans: Neither was the member for Gascoyne.

Mr Nanovich: Do you reckon Bill Stephens is not doing a good job?

Mr Brian Burke: I believe there is a case for looking at Wanneroo's situation.

Mr Nanovich: The current representation is excellent.

Mr Terry Burke: Look at it, strawberry.

Mr Nanovich: You are a fairy.

Result of Division

Division resulted as follows—

Ayes 15

Mr Barnett	Mr Hodge
Mr Bertram	Mr Parker
Mr Bridge	Mr Pearce
Mr Brian Burke	Mr I. F. Taylor
Mr Terry Burke	Mr Tonkin
Mr Carr	Mr Wilson
Mr Evans	Mr Bateman
Mr Grill	

Noes 22

Mr Blaikie	Mr O'Connor
Mr Clarke	Mr Old
Sir Charles Court	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr Herzfeld	Mr Spriggs
Mr Laurance	Mr Tubby
Mr MacKinnon	Mr Watt
Mr McPharlin	Mr Williams
Mr Mensaros	Mr Young
Mr Nanovich	Mr Shalders

(Teller)

(Teller)

Pairs

Ayes	Noes
Mr Jamieson	Mr Trethowan
Mr Bryce	Mrs Craig
Mr A. D. Taylor	Mr Grayden
Mr McIver	Mr P. V. Jones
Mr Harman	Dr Dadour
Mr T. H. Jones	Mr Crane

Question thus negatived.

Motion defeated.

Sitting suspended from 12.44 to 2.15 p.m.

In Committee

The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr Old (Minister for Agriculture) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 1A amended—

Mr OLD: I move an amendment—

Page 2—Delete the definition "market" and substitute the following—

"market" means a place or places in the vicinity of each other (whether contiguous to each other or not) at which persons meet for the purposes of selling or purchasing for re-sale general produce or prescribed produce, as the case requires, but does not include any place—

- (a) at which the sale of general produce or prescribed produce, as the case requires, occurs if the place is the premises of the seller; or
- (b) at which the purchase for re-sale of general produce or prescribed produce, as the case requires, occurs if the place is the premises of the purchaser.

I explained previously the connection between the amendments to clauses 3 and 9. This amendment relates to the definition of "market".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 4 put and passed.

Clause 5: Section 3 amended—

Mr EVANS: I move an amendment—

Page 3, line 20—Insert after the passage "(2)" the following paragraph to stand as paragraph (a)—

- (a) by deleting the word "five" in the first line of the subsection and substituting "six".

If that amendment is agreed to, I shall move a subsequent amendment to the effect that one of the persons shall be a representative of fruit and vegetable growers from the Carnarvon region.

During the course of debate I indicated the reasons for this amendment. I referred to the isolated and specialised nature of the growing of out-of-season vegetables. Approximately 90 per cent of out-of-season vegetables sold at the Perth market come from the Carnarvon region.

I would have been happier to see the matter go to a Select Committee of this Chamber in order that its full ramifications could be aired; but, as the Minister has taken a very definite attitude in this regard, we shall have to proceed in a more direct manner and increase the number of members from five to six.

Mr OLD: I oppose the amendment. I have given already what I consider to be good reasons for not accepting this amendment at this time. I am not positive that I will not be prepared at a later stage to consider amending this provision, but at this stage I see no justification to amend it without giving the matter very serious consideration to the extent that we are today altering the balance of the trust.

I believe this amendment was moved in an endeavour to overcome the fact that the motion for a Select Committee to inquire into these matters was defeated.

I reiterate that I have no intention of supporting the amendment.

Amendment put and a division taken with the following result—

Ayes 12

Mr Barnett	Mr Hodge
Mr Bertram	Mr Parker
Mr Bridge	Mr I. F. Taylor
Mr Carr	Mr Tonkin
Mr Evans	Mr Wilson
Mr Harman	Mr Bateman

(Teller)

Noes 21

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Dr Dadour	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr Herzfeld	Mr Tubby
Mr Laurance	Mr Williams
Mr MacKinnon	Mr Young
Mr McPharlin	Mr Shalders
Mr Mensaros	

(Teller)

Pairs

Ayes	Noes
Mr Jamieson	Mrs Craig
Mr Bryce	Mr Grayden
Mr A. D. Taylor	Mr P. V. Jones
Mr McIver	Mr Spriggs
Mr Davies	Mr Crane
Mr T. H. Jones	Mr Trethowan

Amendment thus negatived.

Clause put and passed.

Clauses 6 to 8 put and passed.

Clause 9: Section 13 amended—

Mr OLD: I move an amendment—

Page 6, line 9—Delete the words “or place”.

The amendment is consequential and designed to put beyond doubt the right of a producer to sell produce from a building belonging to him.

Amendment put and passed.

Mr OLD: I move an amendment—

Page 7, line 3—Delete new subsection (2a) and substitute the following—

“(2a) A by-law made pursuant to paragraph (3a), (3b), (3c) or (3d) of subsection (1) of this section does not apply to or in relation to the sale of general produce or any kind of general produce or of prescribed produce or any kind of prescribed produce—

(a) by such persons; and

(b) in such circumstances,

as are prescribed for the purposes of this subsection.”; and”.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 10 put and passed.

Schedule put and passed.

Title put and passed.

Report

Bill reported, with amendments, and the report adopted.

**SMALL CLAIMS TRIBUNALS
AMENDMENT BILL**

Second Reading

Debate resumed from 13 October.

MR TONKIN (Morley) [2.30 p.m.]: The Opposition supports this measure which, on the surface, appears to improve the Small Claims Tribunal. I was very interested in the Minister's second reading speech in which he said a difficulty had arisen because justices of the peace

are not always available. It seems the Minister would not admit, as he would not admit last night, that he had made an error, because the Opposition has claimed that justices of the peace have not always been readily available. Therefore, it makes it difficult for people to be put on the electoral roll and in the Electoral Act we should not have this requirement concerning a justice of the peace. However, the Government is prepared to listen when it suits its argument, but at other times it is not prepared to listen.

The Minister has admitted that there is a shortage of justices of the peace. Of course, this is a real problem with respect to the Electoral Act and it is a problem with respect to the Small Claims Tribunals also.

Mr Carr: There is a shortage in Labor electorates.

Mr TONKIN: There is no doubt about it, it is a problem and of course we believe that is why that requirement is part of the Electoral Act.

Mr O'Connor: There are a couple of other things short in those electorates.

Mr TONKIN: The Minister is reflecting on the choice of the people. He is saying that the people have made a bad choice and if he wishes to cast that slur on them it is up to him.

I am pleased that insurance matters come within the ambit of the Bill. The Minister has said that it is not always possible for the Consumer Affairs Bureau to solve matters by agreement. I believe the Consumer Affairs Bureau is often hamstrung because it does not always have the ability to see that justice is done. This Government should consider the Consumer Affairs Act with a view to improving it so that when the Consumer Affairs Bureau cannot solve matters by agreement it will have the legislative teeth to be able to do so.

I am disturbed that at the present time the Consumer Affairs Bureau is hamstrung legislatively; and I do not think that is the bureau's only problem. However, we will talk about that matter at another time.

The Opposition certainly welcomes this change which will enable the Small Claims Tribunals to deal with insurance matters. Most of the provisions are of a machinery nature, but that is not to deprecate the changes, because they are important to the proper functioning of the Small Claims Tribunals.

I am often assailed by people in the community—as are probably other members—who ask why the Opposition does not agree more often with the Government. I usually

make the comment that we do agree on most things.

Mr O'Connor: There is little publicity on that.

Mr TONKIN: There is no publicity on that fact. Recently, I heard the Speaker talking on a radio programme in which he said that there is a large measure of agreement between the Government and the Opposition. The Opposition is agreeing with this Bill and there is no doubt that my remarks will not be printed. It is a pity, and I say it is the fault of the media that there is no coverage of such matters when the Government and Opposition are in agreement. As a result, the people in the community believe that the Opposition is always disagreeing with the Government.

I wish to have this fact placed on the record in *Hansard*, if nowhere else. Although not many people read *Hansard*, it will be placed on record to indicate that there has been some agreement between the Opposition and the Government.

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [2.35 p.m.]: I thank the member for Morley and members of the Opposition for their general support of this Bill. I agree generally with the remarks made by the member for Morley when he said that there is often agreement in this place on a great deal of legislation. It is probably only the controversial points which are reported in the Press. I would say that most of the Workers' Compensation and Assistance Bill, which we have discussed over the last few days, has been agreed to by both sides of the House because it is offering support and a benefit to the community in general.

Mr Parker: There were only three paragraphs reported in the Press on debates which took two days.

Mr O'CONNOR: It is a very important Bill which is of benefit to the community and the same applies to the Small Claims Tribunals Bill. I am pleased the Opposition has supported it.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr O'Connor (Minister for Labour and Industry), and transmitted to the Council.

AGRICULTURE AND RELATED RESOURCES PROTECTION AMENDMENT BILL

Second Reading

Debate resumed from 13 October.

MR EVANS (Warren) [2.39 p.m.]: This is a measure about which no-one will argue because it seeks to rectify an anomaly which has occurred in recent years not only for the pastoralists in the sheep areas, but also for those in the Kimberley area.

The measure was designed to overcome the problem of the Agriculture Protection Board rating which was based upon the pastoral rental. These two rates were tied under the Land Act, and for various reasons disparities have arisen, often even between neighboring properties. The whole rating system was inequitable.

In some cases amalgamation of leases has occurred. One pastoralist may have been required to cut back on his stock and other areas have been taken out of actual production with the consequence that the effective overall revenue to individual pastoralists has been decreased. However, pastoralists are still required to pay on their annual pastoral rental lease amount.

So an inequitable situation has arisen with neighbours paying differing amounts of APB rating. The purpose of the measure is to allow the Minister, in cases which he considers to be inequitable, to redress that inequity by ministerial prerogative. While that may be a desirable approach at this time, and while it will rectify the disparities and anomalies that have been created in recent years, it is not something that should be maintained indefinitely. A law which depends on the subjective opinion of an individual is not necessarily a good law.

Instead of pastoral lease rentals being determined by a formula and applied regulations, it is reasonable that the APB rental should be fixed to some extent by a Minister of the Crown. However, that situation should not be allowed to continue indefinitely.

The Minister acted fairly and with despatch to overcome the problem, and it is to his credit that he made a move to resolve it. However, the system of arriving at a rate needs to be put on a permanent basis so that we do not have the principle of a subjective assessment extending into a matter of law. Some problems will have to be ironed out. In matters of this kind it often happens that for every anomaly resolved another one is created. However, I am sure the Minister is aware of this, and he will want to take action as

soon as he can to formalise and regularise the overall situation.

The opposition supports the measure, but at the same time it trusts that the Minister and the Government will move to sort out permanently the disparities that have arisen.

MR BRIDGE (Kimberley) [2.44 p.m.]: I would like to indicate my support for this Bill. My views run fairly parallel with the views of my colleague, the member for Warren.

The measure will be welcomed by a number of pastoralists in the Kimberley region. A considerable anomaly had arisen under the current legislation, particularly where there has been a cross-transfer—if one can use that expression—of pastoral leases. As members will be aware, sometimes neighbouring pastoralists enter into negotiations to excise and exchange portions of land held under a lease to enable, say, the erection of a boundary fence. It is these pastoralists who have been dealt with fairly harshly under the present Act. When such an arrangement is entered into, a new leasing agreement must be prepared and then the new rating becomes applicable.

I will give an example of the disparity that can arise. One pastoralist previously paid approximately \$200 per annum on APB rates. Because of an increase in the unimproved capital value of his lease, suddenly he found he had to pay \$800 per annum.

This is a very practical measure, and one which the Opposition believes the pastoralists will welcome. The problem has not been an easy one to overcome. However, the solution contained in this measure is a very fitting one as it will benefit an industry which presently needs as much help as possible in the way of Government assistance to keep down costs. The industry is facing considerable increases in many areas.

As the member for Kimberley—the area in which the greatest effect of this legislation will be felt—I am very happy that the Government has seen fit to introduce it into the Parliament. It is a very appropriate form of amendment to the Act, and I support it fully.

MR OLD (Katanning—Minister for Agriculture) [2.46 p.m.]: I thank members for their support of the Bill. When the parent Act was introduced, it was decided that 30 June 1973 would be the operative date for valuations, and that the APB rating would be set on that date. However, after the legislation was proclaimed, for various reasons it was decided that 30 June 1976 would be the operative date.

I have taken note of the remarks of the member for Warren regarding the necessity to normalise the system of applying the rates at some future date. I agree that it is necessary to keep this matter under constant review. As he is very well aware, and as the member for Kimberley—who has been involved in the industry—is aware, the industry has been through some fairly traumatic times, and it is still facing problems in regard to the price of cattle, the export price of beef, as well as in other areas, because of the prolonged drought. It is with these factors in mind that the Government reviews the situation regularly. The Government realises that to keep the industry going some concessions must be made to it. That does not mean, however, that the pastoral industry is not contributing to the activities of the APB. Far from that, its members are contributing revenue in accordance with their ability to pay at this stage.

As was pointed out, some anomalies have arisen because pastoralists who held a lease at 30 June 1976 were rated upon the valuation at that date. However, people who purchased a lease after that time are rated on a valuation assessed by the Department of Lands and Surveys. The Rural Adjustment Authority has now extended its activities into pastoral areas, and in some cases it has assisted in the amalgamation of leases by amalgamating one unviable lease with another lease where the viability may be in doubt.

After such an amalgamation takes place, it is treated as a new lease and consequently another valuation is made. Under the wording of the Act as it stands today the people who hold the lease are liable for rating on the department's latest valuation. To overcome the problem this amending Bill has been introduced. The reason that the power to assess the rental for the purpose of the APB rating is to be vested in the Minister for Agriculture and not the Minister for Lands is that we virtually worked backwards from the rate to the rental. As members are well aware, it is a nominal rental. It has nothing whatsoever to do with the actual rental payable to the Department of Lands.

I thank the two members for their support of the Bill, and I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr Old (Minister for Agriculture), and transmitted to the Council.

FISHERIES AMENDMENT BILL

Second Reading

Debate resumed from 18 August.

MR BARNETT (Rockingham) [2.53 p.m.]: The Opposition has given close consideration to this Bill. It has been brought before the House as a result of an agreement between the Premiers of the various States at a Premiers' Conference some two or three years ago, in an endeavour to have uniform legislation in all the States and the Commonwealth of Australia.

This Bill will enable the duplication of services and paperwork in the fisheries field in the past to be overcome. Having given the matter serious consideration, the Opposition has no objection to its continued passage through the House.

MR O'CONNOR (Mt. Lawley—Deputy Premier) [2.54 p.m.]: I thank the member for Rockingham for his support of the Bill. As he said, it will clarify the position as far as we are all concerned. The legislation has been discussed by various countries for a long time, and it is time that it became part of our Statutes.

This legislation is in line with the Commonwealth's requirements, and this is one occasion on which we do not mind fitting in with the Commonwealth.

I thank the Opposition for its support of the Bill, and I commend it to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr O'Connor (Deputy Premier), and passed.

BILLS OF SALE AMENDMENT BILL

Second Reading

Debate resumed from 13 August.

MR BERTRAM (Mt. Hawthorn) [2.58 p.m.]: This Bill comes before the Parliament in consequence of the Government's mismanagement and malhandling of the finances of this State. This morning we were fortunate to hear the Leader of the Opposition discussing the State

Budget as presented by the Government a short time ago. He pinpointed most eloquently, effectively, and accurately the financial dilemma in which the State apparently finds itself; and he identified the reasons for that.

The present financial dilemma is a legacy of the new federalism, the co-author of which is the Premier of this State. I imagine that one of the arms of the Treasurer—the Cabinet expenditure review committee—has been instrumental in bringing forward this amendment to the Bills of Sale Act.

The amendment contained in the Bill will raise \$160 000 a year. The Treasurer indicated that sum did not represent an increase in taxes, but rather was an increase in charges. I do not agree with him. If it is an increase in charges, all I can say is, once again the Treasurer's efficiency is in question. Usually, with proper financial management of Government or business affairs, one does not allow one's charges to remain fixed for 10 years or so in an inflationary economy such as we have before one does something about them. If one is efficient, and if there is justification, one usually increases one's charges when it is necessary to do so.

I am sure all members of the House, the public listening in the gallery, and readers of *Hansard* would agree that, bearing in mind the rate of inflation over the past decade, it is probable that the "charges" for the registration of bills of sale should have been lifted sooner. It is not really a charge; it is a mandatory form of tax. It is just another tax against the people and, on this occasion, as is so typically the case, it is a tax against the people who can least afford it.

The people who have to bear the costs of bills of sale are those who have to borrow money. People who borrow money these days pay interest on it at a rate frequently in excess of 16 per cent and sometimes up to 22 per cent. It would seem from what the Treasurer has hinted recently that, in the near future, there will be no ceiling on interest rates at all!

Comparatively recently the Treasurer boasted proudly that interest rates here are not really high, because the ceiling on interest rates in Victoria is 48 per cent. The clear inference which can be gained from the Treasurer's comments is that, if the people of Western Australia pay interest at a rate less than 48 per cent, they are doing very well. The Treasurer intimated recently also that there may be a time in the near future when there will be no ceiling on interest rates in this State.

It is the people who have to borrow money and pay phenomenal rates of interest who will have to bear the extra costs involved in the registration of bills of sale. Some members here may believe that to be fair and equitable, but the Opposition does not. It takes the view that the people who should be paying the increased taxes are those who are more able to do so without being financially embarrassed.

The tragedy of this legislation is that it will yield only an additional \$160 000 which is not a great sum when one bears in mind that the State Budget has increased from a figure of \$500 million a few years ago to in excess of \$2 billion today. The people who will have to pay the additional charges for registration of bills of sale will find this amendment a significant imposition. Therefore, the Opposition is disinclined to support the Bill.

I shall turn now to look at the matter from a different perspective. For many years it has been evident that the Bills of Sale Act is unsatisfactory and should be repealed and rewritten. At best, from the Government's standpoint, the Act should undergo very real and significant amendment. Some of the other States performed this exercise years ago and the legislation there is now in an acceptable form.

Instead of going to the heart of the problem and amending significantly the unsatisfactory Bills of Sale Act, the Government has fiddled around with a bit of window dressing on this occasion and has left the Act in a mess. The Government has fiddled with the Act in an attempt to extract still greater taxes from the section of the community which is least able to pay. I refer to people who have to borrow money, who have to give security by way of bills of sale and through other means, and who are currently reeling under the impost of most extraordinary interest rates.

Recently I heard the Honorary Minister for Housing tell the House the Government is concerned about interest rates. I am not too sure that is correct, bearing in mind that a significant number of people who vote for the Liberal Party do very well out of high interest rates.

Mr Sibson: That is a ridiculous statement! It is loaded and biased.

Mr BERTRAM: If the member for Bunbury were to make an assessment of the position, he would find the dyed in the wool supporters of the Liberal Party received by way of income sums of money from interest which exceeded greatly the sums of interest which would, on average, be received by people who support the ALP. I would

have thought that even the member for Bunbury would comprehend that. However, if he cannot comprehend that, he may comprehend this: If the Government is very concerned about extraordinary interest rates, as it says it is, it is passing strange that it should now introduce extra charges for bills of sale.

One would have thought, if the Government was concerned about high interest rates and the severe impact they have on people who borrow money, it would say, "We have refrained from increasing charges for registration of bills of sale for a decade; therefore, we will refrain from increasing them for a little longer". That is what most people would have done, were they concerned about high interest rates.

This Government professes to be greatly concerned about the plight of people caught by high interest rates, but it has increased the charges for the registration of bills of sale. After a period of approximately 10 years, the Government has introduced this Bill to increase the taxes paid by people who are heavily burdened and willing already under the extremely high rates of interest which are being charged currently in this State.

The Government is to be condemned on two grounds in respect of this Bill. Firstly, the Government should be condemned for fiddling around with the Bill in the manner it is doing when the Act itself is accepted almost universally as being in a shambles because it is thoroughly unsatisfactory, out of date, and is just not coping adequately with the situation, bearing in mind also that other States have already updated their bills of sale legislation years ago. The Government is not getting to the core of the problem. Secondly, the Government should be condemned for increasing taxes particularly in respect of people who are already finding themselves very often in a position where they are paying extraordinarily high rates of interest. This will make their burden and financial problems even more of a hardship.

MR O'CONNOR (Mt. Lawley—Deputy Premier) [3.11 p.m.]: I was rather interested in the remarks made by the member for Mt. Hawthorn on the Leader of the Opposition's speech this morning. He must have made two speeches in the House because the one I heard in connection with the Consolidated Revenue Fund was certainly not along the lines mentioned by the member for Mt. Hawthorn. I thought the Leader of the Opposition showed both a lack of knowledge and an incapacity to appreciate the contents of the Bill on the information he was trying to give this House.

However, getting back to the legislation before us, the member for Mt. Hawthorn made comment that we ought not to take out this small amount of money. The amount of \$160 000 is not much in a Budget of this size. Having been involved with the Cabinet expenditure revenue committee, I can assure the member that small things do matter and the old saying of, "Look after the pennies and the pounds will look after themselves" is a fairly true one. Look at motorcars, for instance, where in this field we have 26 000 vehicles in the Western Australian Government. If we could save \$5 a week on each of those vehicles it would amount to \$130 000 a week and between \$6 million and \$7 million a year. The member might say \$5 or \$6 a car is peanuts or small fry, but it is not in terms of the overall Budget.

In connection with the increases in these particular charges under the Bills of Sale Act, these registrations and renewals have not been increased since 1971, 10 years ago. Frankly, it is an area that if we are not going to watch ourselves and avoid flak from the Grants Commission in due course, it is important that we try within reason to keep our charges comparable with those of other States. In this field, I do not believe we have done that.

The increase in registration and renewal fees is \$2, which is not a large sum, but helps towards creating a balanced Budget in the long term and avoids other charges being increased in other areas.

The last time the miscellaneous items were increased was in 1957. I have been in Parliament for 22 years and some people would say that is too long and they might be right in that regard, but it was before that time that the miscellaneous charges were last increased, 24 years ago. If 24 years ago the charges were at a certain figure, in view of the escalation of inflation since that time, it is not unreasonable to consider giving them some increases at this stage.

I cannot say I thank the member for Mt. Hawthorn for supporting the Bill. I appreciate the remarks he has made and I hope he appreciates mine.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by Mr O'Connor (Deputy Premier), and transmitted to the Council.

WORKERS' COMPENSATION AND ASSISTANCE BILL

Third Reading

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [3.16 p.m.]: I move—

That the Bill be now read a third time.

MR I. F. TAYLOR (Kalgoorlie) [3.17 p.m.]: The Workers' Compensation and Assistance Bill 1981 is a milestone in the history of legislation in this State. This is the first time that any Government has bowed to the will of the people and has in fact come back to the Parliament with a substantially amended Bill which in many ways is in accordance with the wishes of the people it most affects. A Bill such as this should be a lesson to this and all Governments that they must heed the needs of the people.

A Bill was put forward for the insurance companies which were able to convince bureaucrats that their needs and those of the workers and employers concerned were not being heeded. There was insufficient discussion with the workers and employers over a wide spectrum of the community. As a result of the efforts of the Opposition and the trade union movement, the Government had another look at the Bill.

I am proud to say that the people of Kalgoorlie and the eastern goldfields played a major role in bringing about the changes that took place. The original Bill was brought down before the Kalgoorlie by-election and in fact became a major issue during that by-election campaign. After being elected, I attended a number of public meetings both in my electorate and that of the member for Murchison-Eyre. As a new member of Parliament representing the will of the people who elected me, I was astounded at the reaction of the workers and their families in these communities to the Bill proposed by this Government. If any Government member had attended any of those meetings he quickly would have got the message and we would never have reached the stage of workers in the eastern goldfields having to go on strike in order to get the message through to the Government.

Nevertheless, the Government did get the message and the Bill is a great improvement on that which was originally introduced in this House. There are, of course, some problems and one, I believe, is the prescribed amount. The Opposition does not—and never will—go along with the prescribed amount.

As far as I am concerned, as member for Kalgoorlie, there is one good aspect and that is the change with reference to silicotics. The

proposed provision is a great improvement on the previous one and I am sure silicotics who are protected by it will take advantage of it as it will improve their lot in life.

This Bill represents an improvement and even though the Opposition voted against the second reading, it did so as a measure of its concern with some particular aspects of the Bill. As I have already mentioned, I support the third reading.

MR PARKER (Fremantle) [3.21 p.m.]: I wish to make some points during the course of the third reading debate on this Bill. There has been a considerable degree of controversy in regard to this Bill and we have had a lengthy debate. It is true that the Bill the Minister introduced in this place a few weeks ago, and even more so the Bill which will leave this Chamber to go to the other place, is a considerable improvement on the Bill we were dealing with in May this year. However, there are still a number of issues in the Bill which concern the Opposition and which ought to be dealt with, and I wish to place them on record.

The first point concerns the prescribed amount. As the Minister conceded during the course of the debate on this Bill—and no matter how it is interpreted—the effect of the changes made by the Government to the prescribed amount is that it will be reduced by \$12 000 in real terms over the next nine years. This is something which this Opposition cannot support and, as the member for Kalgoorlie said, will not support.

The provisions in the current Act concerning the make up of the prescribed amount were put there by the Tonkin Government in 1973, and they were in the forefront of industrial legislation in Australia at that time.

As the Minister pointed out, they are still to some degree to the forefront now. The manner of the adjustment of the prescribed amount also was inserted in the Act at that time. Those changes were accepted by all parties in this Chamber and in another place and were adopted after a tripartite inquiry into this question.

Secondly, although the 65-year age limit has not been included in the Act as strongly as was the original proposal in the May legislation, nevertheless there are people over the age of 65 who are currently entitled to workers' compensation but who will not be entitled to it either at all or in full as a result of the amendments in this Bill. We believe that if a person would have been working and obtaining a full income had it not been for an industrial injury, he ought to continue to receive workers' compensation, which is the position under the present Act.

The third point, and one which I hope and trust will be dealt with before the Bill leaves the other place, is the question of the definition of "worker", particularly the extended definition. It has always been intended that the extended definition of "worker" should apply to most categories of subcontractors—that is, those people who are often known as "labour only subcontractors". We have put forward a number of different propositions as to how this can be done. One of the most recent definitions put forward by the Hon. H. Olney, QC—who is not only acknowledged as probably the foremost practitioner in the workers' compensation field in Western Australia but who is also an expert on the matter and has written books and articles on it—would accommodate the situation which was agreed to in negotiations between the Government and the TLC and so on.

He suggests that "labour only subcontractors" should be covered by workers' compensation legislation in this State as they are in every other State. I believe the restrictions which have been placed on the extended definition of "worker" by virtue of the new words inserted in the Bill make the situation even worse than it is at the moment. If the Hon. H. Olney's propositions are accepted and adopted in another place that situation could well be sorted out not only to the benefit of workers but also to the benefit of the general clarity of the Bill.

The fourth problem of a major character I see in this legislation is the composition of the Workers' Compensation Board, the Workers' Assistance Commission and the Premium Rates Committee. A change for the worse has taken place between May and now. It was not something which was subject to negotiations or consultation in the tripartite meetings. It was something that was included in the Bill by the Government and I do not believe it is acceptable. It will have the effect of making it virtually unnecessary for there to be any qualifications for a person to be nominated as one of the so-called nominee members of the board because they will not be nominee members in anything but name. They will not be nominated essentially by either the Confederation of Western Australian Industry, which is the major employer organisation in the State, or by the Trades and Labor Council, which is the major employee organisation in this State.

They will be nominated by the Minister; he will determine precisely who will be nominated. He may consult with employer and employee organisations if he wants to, but he need not accept the results of the consultation. There is no

guarantee whatsoever that the people wanted by the employer or the employee organisations will be put on the Workers' Compensation Board, the Workers' Assistance Commission, and the premium rates committee. Now, as I have said, it will be possible for the Minister to appoint as the workers' nominee a person who is not a worker or a trade unionist. He may nominate as a representative of management someone who is not representative of the view of management or employers in this State. There is nothing in the Bill to prevent that. It simply means that the whole question of having a nominee member has become a farce, as far as the Bill is concerned.

The fifth point refers to the journeying provisions. Although substantial improvements have been made in the Bill before us—particularly since the amendment to clause 19—the position, nevertheless, is that the journeying provisions will still mean some people who currently are entitled to workers' compensation when they are travelling in their vehicles will not be entitled to it under the new provisions.

The member for Mt. Hawthorn raised with the Minister during the Committee stage the question of epileptics. I understand a letter has been forwarded to the Minister from the organisation of epileptics. Has the Minister received the letter?

Mr O'Connor: No.

Mr PARKER: I understand one is on the way and perhaps the Minister could give consideration to it between now and when the Bill is considered in another place. The member for Mt. Hawthorn, representing the view of the association of epileptics, considers there is a serious problem concerning epileptics, who feel they are being discriminated against. As well as that, there is still the problem of the onus of proof. Although the position has been improved, I can still foresee circumstances in which workers will be put through unfair trials to see whether they are entitled to workers' compensation based on the journeying provisions.

The sixth point concerns chiropractors, about whom a lot of debate has occurred in the Committee stages. The fact is that at the moment there is no definition of "chiropractor" under the existing workers' compensation legislation. In the new Bill there is a definition, and that cannot be disputed; however, it will restrict substantially those people who can be described as chiropractors. In the current situation the position is that chiropractors are accepted within the community. Western Australian chiropractors

cannot be registered elsewhere, which means that workers injured here who move to the Eastern States will not be able to receive treatment under the Workers' Compensation Act. Also those people registered in Western Australia will not necessarily be regarded as chiropractors for the purposes of the Act, because there is a requirement not only that they register, but also that they must be approved by the board.

Those are simple statements of fact; there can be no dispute in any of the things I have said. It is no wonder the chiropractic community and workers who attend chiropractors are upset about the changes contained in this legislation.

Secondly, with regard to the ability of chiropractors to provide first medical certificates—in other words, to sign people off work—there can be no doubt the Government's legislation is a substantial retreat from the position it put to us in May. It appears to have been acknowledged by the Government, the member for Bunbury and, I understand, the Secretary of the AMA, that this change in position has been as a result of direct lobbying by the AMA.

Mr Sibson: I did not say that.

Mr PARKER: There is no logic to the Government's position, because even its own insurance agency, the State Government Insurance Office, has been one of the main companies which has been accepting first medical certificates from chiropractors. The Minister has stated that he does not intend to interfere with that position. If that is the case, one wonders why on earth under the legislation chiropractors are not to be allowed to issue first medical certificates. After all, under this legislation only a very small number of people will be entitled to call themselves "chiropractors".

The Minister's statement that he does not intend to interfere with the SGIO's acceptance of first medical certificates from chiropractors, apart from going against the law he is trying to have passed here today, also goes completely against statements made by the member for Subiaco and other Government members in support of the Minister's move not to allow chiropractors to issue first medical certificates. The member for Subiaco believes chiropractors should not be allowed to issue such certificates due to the lack of scientific basis for their work; other members have said chiropractors have an inability to make diagnoses. I do not accept either argument. However, whichever way one looks at it, there is a strange inconsistency between the Minister's

statements, and statements made by his own colleagues in support of his action.

None of the things I have said about the operation of this legislation in respect of chiropractors is rhetorical or even polemical; they are all simple statements of fact. None of the things I have said during this debate can be disputed.

One could make a number of points in respect of this Bill, but time does not permit. The Minister indicated during the course of the debate that he would examine the position of occupational therapists between now and the time the Bill is debated in another place. He might make that examination in conjunction with the submission made by occupational therapists, or that put forward by Sir George Bedbrook.

Mr O'Connor: It is already being done. I have made arrangements to see the Parliamentary Draftsman on Monday.

Mr PARKER: I am pleased to receive that undertaking from the Minister.

The only other matter to which I wish to refer relates to industrial deafness. I indicated during the second reading stage the importance to the trade union movement and the working class people of Western Australia of appropriate legislation concerning industrial deafness. As I understand it, one of the undertakings given during the July negotiations was that industrial deafness would be legislated for at the earliest opportunity in an acceptable way in line with existing legislation in other States. That should not be particularly difficult to achieve. The legislation in other States is extensive and, in some cases, similar to each other. It should be possible within a short period for the Government to examine that legislation and bring forward an appropriate Bill dealing with the matter.

I would be pleased to receive from the Minister an undertaking that he is prepared to bring forward legislation at the earliest opportunity. We should not be required to wait six months or 12 months. I assume the House will sit for at least another six weeks, so it should be possible to bring forward legislation before the House rises. After all, the Government would not be breaking completely new ground. I understand it is to form a working party to examine existing industrial deafness legislation. The very least the Minister should do is to call the working party into operation at the earliest date to enable legislation to be brought forward here within a short period, thus enabling the Minister to keep faith with the undertakings given during the July negotiations

and, more importantly, to satisfy the needs of the workers involved.

In conclusion, this Bill represents a substantial change in the area of workers' compensation. In some respects, particularly in respect of its organisation and clarity, and the ability of medical practitioners to work in this area, it represents a substantial improvement on current legislation; that is what it was intended to be.

However, there are problems with regard to the diminution of standards about which the Opposition is concerned. If the Opposition were in Government and legislating in this way, we would look to cover a much broader spectrum to include a whole range of sickness and accident benefits, as is provided for in the legislation of some States and the Commonwealth and also as has been implemented in some provinces of Canada, in New Zealand, and in other parts of the world. However, we are not in that position; therefore, we must make the best of what is before us.

Although the Opposition opposes the Bill, it recognises it is a substantial improvement on what would have been the situation had not strong opposition been taken by the trade union movement, which forced the Government into negotiating with it, and had not the very strong suggestions made by the Opposition not been accepted by the Government. If the legislation contains any decent aspects at all, it is for those reasons.

DR DADOUR (Subiaco) [3.38 p.m.]: I refer members to an advertisement which appeared in yesterday's *The West Australian*. I am not sure who placed the advertisement in the newspaper. It may have been the chiropractic board of Australia, but this is not revealed in the advertisement. It contains some terrible remarks about the Deputy Premier. It commences with the following question—

Are chiropractors or the Minister for Labour, Mr R. O'Connor, misleading other members of Parliament and the public?

The obvious answer is that the chiropractors themselves are the ones who are guilty of misleading the public and trying to confuse the issue. This was simply a mischievous advertisement, as were those contained in last Sunday's *The Sunday Times* and the *Sunday Independent*.

The chiropractic association of Australia has issued each member of Parliament with a brief, and correspondence concerning its wishes in this respect. These also were very misleading at times.

The advertisement also said that parliamentarians and the public have the right to know who is making totally untrue statements. My answer to that is that it is the people who inserted the advertisement. At no time have I ever seen so many half truths and such a conglomeration of downright lies. Having read the advertisement I can say it is nowhere near the truth as we understand it.

There is nothing in the Workers' Compensation Act or in this Bill which interferes with the right of an injured worker to attend a chiropractor for the treatment of a work-caused injury. There happens to be a gentlemen's agreement between chiropractors and some of the insurers to accept treatment and certification by chiropractors, but this has nothing to do with the present Act or the Bill before us. The status quo will remain. I do not know why the chiropractors are beefing.

If the chiropractors wish to expand their field of operation they should seek to have their Act altered accordingly. I view this terrible advertisement in the paper as an attempt by them to expand their field of operation. They are trying to get in through the back door via our workers' compensation legislation. The right thing for them to do would be to make representations to the Government, which could view their case and decide whether they could expand their field of operation.

In no way can chiropractors be considered or accepted as being parallel to medical practitioners. Their training is not in any way capable of comparison with the training of medical practitioners. I do not deny that within their special limited scope of treatment they give treatment of excellence. I accept that. However, in all health care fields doctors are trained as the leaders of the other paramedical groups, which must always be under their control. Therefore, in the first instance, certification must be by a medical practitioner.

If I were to fall head over turkey at home and hurt my back and then go to a chiropractor who said that I should be off work for a couple of weeks, would his certificate be accepted by my employer? No way. An employer can accept a certificate only from a medical practitioner if he is to pay workers' compensation.

Why are we splitting straws on this matter. The certification must be made by a medical man. If a person injures himself at work and presents himself to a chiropractor for a first medical

certificate and the insurer accepts it, 12 months later that person could develop complications. If he presented himself back to his insurer the insurer would refer him to a specialist medical practitioner. Unfortunately, that medical man will not have the benefit of having a medical opinion of the injury the man first suffered. The injured worker would be at a disadvantage at a Workers' Compensation Board hearing because there is no way that any member of the board would be sufficiently informed about the first injury to be able to accept a specialist opinion at a later date.

This legislation is protecting the public, not the doctors or the chiropractors. This advertisement is wrong and scurrilous. The Deputy Premier has been an excellent member of Parliament in all the 10 years I have been in Parliament. He has been a Minister *par excellence*. It is a pity other Ministers are not like him. Were they, they would not get into the terrible pickles they do from time to time.

The Deputy Premier has been extremely open in his handling of this matter. I am protecting him because he deserves protection when one considers the manner in which he has handled this legislation. In the beginning of the year he introduced a Bill which was withdrawn because there were a number of objections to it. We all helped to rewrite a new Bill which the Minister has before us now. He made peace with the unions, the employers, and everyone involved. The first Bill contained incongruities; it was going to give certification to the chiropractors. This was objected to and so we further considered the matter. We all decided that certification should not be available to chiropractors. I will not repeat the reasons for this, but they deal in part with the protection of workers.

The advertisement contained copies of treatment certificates. These first became necessary in 1970 because chiropractors were treating injured workers, although the 1970 Act did not authorise this. Nevertheless, some insurers commenced to deal with chiropractors who treated injured workers, and so they required some documentation. The chiropractors obtained, illicitly, certificates used by medical practitioners. These they signed without indicating they were chiropractors. Because of this practice, in 1966 the certificate previously used by medical practitioners was amended to include in the heading the words "This form is for use only by a registered medical practitioner". Where a signature was required the words "Signature of registered medical practitioner" were inserted. This is why sections 12A and 12B gave meaning to the fact that chiropractors needed certificates.

The Chiropractors Act defines "Chiropractic" as—

A system of palpating and adjusting the articulations of the human spinal column by hand only, for the purpose of determining and correcting, without the use of drugs or operative surgery, interference with normal nerve transmission and expression.

Unfortunately, there are many examples of chiropractors giving treatment far beyond the authority in the Act. An examination of the certificates issued by the chiropractors will reveal they have overstepped the mark and the regulations in the Act. They are not qualified or registered to do this.

The whole purpose of this advertisement was to confuse the parliamentarian, the worker, and the people generally. I am trying to set the position straight, because much confusion has arisen.

The chiropractors have a gentleman's agreement with some of the insurers to issue off-work and on-work certificates. I believe the SGIO is one of the insurers in that category. If the chiropractors want to have such a gentleman's agreement, they may have it; but that does not mean we have to enact the provision.

Probably a gentleman's agreement exists with respect to prostitution and gambling, and it may be decided that one establishment will be allowed to remain open whilst another is closed. I do not know what happens in that regard. However, we do not legalise the position with respect to prostitution and gambling; therefore, I do not see why we should legalise this sort of gentleman's agreement.

As far as I understand the position, the insurance companies will continue to accept the certificates of the chiropractors who treat the injured workers. The position is no different now from that which has prevailed previously. The status quo will remain.

It is important to realise that, if an injured worker is not seen in the first instance by a medical practitioner, problems can arise. The person may go initially to a chiropractor who treats him for the injury. The worker may recover from the injury and go back to work, but at a later date he may suffer complications. He has to prove the complications have arisen from the injury he sustained previously. Therefore, the worker has to go back to his insurer, who will then refer him to a specialist medical practitioner who will want to know what happened when he sustained the injury. If an assessment by a medical practitioner was not carried out when the man was first injured, it is difficult to make a comparison and say that the complications arose from the injury sustained initially.

Thus the worker would be hampered when he sought treatment for the complication. It is possible the insurance company would not accept that the complication resulted from the injury the worker received initially and it could involve litigation before the Workers' Compensation Board which could be influenced only by the opinions of the various doctors concerned.

My intention in speaking was to set the record straight. The Minister for Labour and Industry should be given a gold medal for introducing this provision. He has not tried to confuse people; the confusion arose out of the volume of correspondence entered into by many people.

As far as chiropractors are concerned, the position which obtained prior to this amendment will not be altered and the status quo will prevail.

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [3.53 p.m.]: I thank members for their general support of the Bill. As indicated, I believe this is the best piece of legislation in the field of workers' compensation that we have ever seen in this State.

I thank particularly the member for Subiaco for his comments in regard to chiropractors. He set out the position very clearly. As I explained previously, chiropractors do a very good job and have an important part to play in maintaining the health of the community.

We are concerned about people who are ill and need medical attention and they ought to be able to receive the type of treatment they require. The member for Subiaco referred to an advertisement which appeared in the Press and I should like to comment on it briefly. It was almost a full page article and was headed, "Who is misleading the public—the Minister for Labour and Industry or the chiropractors?" The people who compiled the advertisement set out to mislead the public. It is a great pity that such an organisation which can do a great deal for the community set out to mislead the public in that way.

The advertisement referred to two certificates and the inference was that these certificates could be used prior to the amendments in this legislation, but they would not be able to be used after they were passed. The certificates in that advertisement bore no relevance to the Bill. The legislation does not relate in any way to documents of that nature. The certificates referred to in the advertisement are the type which are drawn up by arrangement with insurance companies and, if it is desired, they may be used in the future.

The inference contained in that advertisement was below the standard expected of such an

organisation. It has a part to play in the community and it is to be hoped this sort of attitude will not continue. Whenever legislation is required in the interests of the public, people can rest assured that we will do our best to meet the requirements.

The members for Kalgoorlie and Fremantle commented on the legislation and referred to the fact that it had been altered. I agree with that comment and, in many ways, the amendments will result in better legislation. However, I point out most of the important aspects were contained in the legislation before the Kalgoorlie by-election took place. A member in the other place is aware of this, because prior to the by-election he had a number of discussions with the Government, as did the TLC.

Around the time the Kalgoorlie by-election was held a number of untrue statements were made about workers' compensation. Some union representatives telephoned me to clarify the position, because they were not interested in going on strike on 4 August. They wanted the facts in order that they would not mislead their members, as occurred in certain cases.

I appreciated the fact that these union representatives approached me and obtained the facts in relation to the legislation, which enabled them to advise their people accordingly. By avoiding the strike on 4 August, we were not only able to save the loss of wages by individual workers, but we were also able to obviate losses to industry in the order of \$20 million.

Mr I. F. Taylor: It should never have got to that stage anyway.

Mr O'CONNOR: No, it should not have got to that stage, because the legislation was quite all right.

Mr I. F. Taylor: The legislation was subsequently changed.

Mr O'CONNOR: The legislation had been altered at that time.

Mr I. F. Taylor: It had not been altered. There had not even been discussions with the TLC.

Mr O'CONNOR: We tried to have discussions with the TLC and also with members of the ALP. We invited representatives from the TLC to attend the Minister for Labour and Industry's advisory council to discuss the matter, but they did not turn up.

Mr I. F. Taylor: You did not sort it out then, but you sorted it out later on when there was the threat of a strike.

Mr O'CONNOR: The union movement was embarrassed about this strike, because it knew there was no justification for it.

Mr I. F. Taylor: You were embarrassed, because the employers came to you and said, "This is what is happening" and they asked you to sort it out.

Mr O'CONNOR: The employers came to me and told me that the TLC had approached them and asked them to see me. I telephoned the TLC—I did not intend to refer to this matter, but because the member for Kalgoorlie has brought it up I shall set the record straight—on the Thursday afternoon and said, "I will see you Friday, Saturday, Sunday, or whenever you like". The TLC representatives said they wanted to see me that afternoon and they did. I saw them again on the Saturday, because they were not sure of the alterations they wanted made to the legislation. I met not only with the TLC on the Saturday, but also with the Confederation of WA Industry, and the Chambers of Mines people were present. The meeting was abandoned again while the TLC went away to ascertain the points they wished changed and there were five of them.

The situation presented by the member for Kalgoorlie is not right. Most of the points were clarified previously and only a few points were sorted out at the meeting to which I have just referred.

I do not wish to take up the time of the House unnecessarily, but I should like to point out we have reached a stage where it appears the TLC will attend future meetings of the Minister for Labour and Industry's advisory council. That will benefit all concerned and it is to be hoped that we can sit around the table and discuss all these matters in a sensible manner in order that strikes can be avoided.

I thank members for their general support of the Bill.

Question put and passed.

Bill read a third time and transmitted to the Council.

BILLS (4): RETURNED

1. Transport Amendment Bill (No. 3).
 2. Road Traffic Act Amendment Bill (No. 2).
 3. Metropolitan Water Supply, Sewerage, and Drainage Amendment Bill (No. 2).
 4. Transport Amendment Bill (No. 2).
- Bills returned from the Council without amendment.

QUESTIONS

Questions were taken at this stage.

House adjourned at 4.30 p.m.

QUESTIONS ON NOTICE

EDUCATION: SCHOOL BOOKS

Assistance Scheme

2274. Mr BATEMAN, to the Premier:

- (1) Has he considered the possible burden which will be placed on many parents with the phasing out of the school book subsidy?
- (2) If "Yes", does he realise the burden will be magnified many times by the 2½ per cent sales tax, which will be placed on textbooks in January 1982 by the Fraser Government?
- (3) If "Yes" to (1) and (2), will he reconsider his decision and give some relief to parents by not phasing out the book subsidy?
- (4) If not, why not?

Sir CHARLES COURT replied:

- (1) to (4) The school book subsidy has been available to all parents regardless of their means. Some parents claim the subsidy. Others, often those most in need, do not. As a consequence, the subsidy is received by many parents who are not in need of financial assistance. By withdrawing this subsidy scheme, the Government has been able to approximately double the funds available to the school book assistance scheme. This scheme is means-tested and gives significant help to needy parents in meeting the cost of school books.

RECREATION: OFFICERS

Local Government

2286. Mr EVANS, to the Minister for Local Government:

- (1) Is it intended to transfer the employment of recreation officers to local authorities from 1982-83?
- (2) If "Yes", will the State Government provide any assistance to meeting the cost of recreation officers, and if so, at what level?
- (3) How many country shire councils are currently involved in the present recreation officer scheme?

(4) How many country shire councils is it expected will continue to employ recreation officers with the proposed reduction of assistance from the State Government?

(5) What will be the increase of cost which will have to be met by each of the following shire councils in order to employ a recreation officer—

- (a) Manjimup;
- (b) Bridgetown-Greenbushes;
- (c) Boyup Brook?

Mrs CRAIG replied:

(1) to (5) See answer to question 2281 of 1981.

LOCAL GOVERNMENT

Sporting Facilities: Grants

2287. Mr EVANS, to the Minister for Local Government:

- (1) Is it proposed to reduce the sporting facilities fund grants to local authorities?
- (2) If "Yes", by how much is it proposed to reduce this fund?
- (3) (a) How many applications for assistance for projects under the sporting facilities fund has each of the following shire councils before the Government at the present time—
 - (i) Manjimup;
 - (ii) Bridgetown-Greenbushes;
 - (iii) Boyup Brook;
 - (iv) Nannup?
- (b) What projects are involved in each case, and what level of funding is being sought by the shire concerned in each case?

Mrs CRAIG replied:

(1) to (3) See answer to question 2281 of 1981.

EDUCATION: DEPARTMENT

Overpayment of Allowance

2336. Mr PEARCE, to the Minister for Education:

- (1) How many employees of the Education Department have been asked to repay

amounts allegedly overpaid to them in each of the last three years?

- (2) How much money was involved for each year?

Mr GRAYDEN replied:

- (1) 1978-79—1 043
1979-80— 802
1980-81— 868
(2) 1978-79—\$315 538
1979-80—\$252 355
1980-81—\$273 133

While the overpayments amount to a substantial total it must be appreciated that the 1980-81 overpayments amount to less than .1 per cent of the total salaries and wages expenditure.

MINING

Accidents

2337. Mr PARKER, to the Minister for Mines:

- (1) What was the total number of—
(a) fatal;
(b) non-fatal;
accidents in the mining industry in Western Australia in each of the last 10 years?
(2) In the same categories, and for the same time period, what was the total number of accidents which involved—
(a) Western Mining Corporation; and
(b) subsidiaries of Western Mining Corporation?
(3) For each of the past ten years—
(a) how many prosecutions have been taken out and against which employers;
(b) how many convictions have been recorded; and
(c) what was the penalty imposed in each case for breaches of safety provisions of the Mining Act or regulations?

Mr P. V. JONES replied:

- (1) to (3) Considerable research is needed to answer the question in the limited time given. If the member would indicate the specific reason and any area of concern, it may assist in providing information.

FUEL AND ENERGY: ELECTRICITY

Power Line: Kalgoorlie

2338. Mr COWAN, to the Minister for Fuel and Energy:

- (1) Can he give details of the route of the proposed State Energy Commission transmission line to Kalgoorlie?
(2) Will it be possible for power from this line to be fed into the interconnected grid or isolated generating systems on the extremity of the eastern wheat belt?

Mr P. V. JONES replied:

- (1) I have been advised by the State Energy Commission that studies of the route of the transmission line to the eastern goldfields have commenced, but details of the final route are not yet available.
(2) The State Energy Commission is planning to rationalise supplies to the eastern wheatbelt region as part of its plans for the eastern goldfields interconnection.

EDUCATION

Country Travel Subsidies

2339. Mr COWAN, to the Minister for Education:

- (1) What amount of money was allocated for country travel subsidies in the 1980-81 financial year?
(2) What has been allowed for the same purpose in the 1981-82 financial year?

Mr GRAYDEN replied:

- (1) \$100 065
(2) \$116 300

Note: These figures do not include the payments made for transporting children to and from school.

EDUCATION: PRIMARY SCHOOL

Shackleton

2340. Mr COWAN, to the Minister for Education:

- (1) Have plans been prepared for a building to replace the Shackleton School?
(2) When will the provision of a new school at Shackleton be included in the works programme?

Mr GRAYDEN replied:

- (1) No.
- (2) Replacement of this school will be dependent upon funding being available from a future capital works programme.

HOSPITAL

Merredin

2341. Mr COWAN, to the Minister for Health:

- (1) Have any plans and specifications been prepared for improvements to the Merredin Hospital?
- (2) If "Yes"—
 - (a) when is it likely that the first stage will be implemented;
 - (b) are they available for the Merredin Shire to examine?

Mr YOUNG replied:

- (1) No. It has been agreed that the present hospital should be substantially redeveloped in stages and proposals for this, together with the necessary briefs, are under preparation.
- (2) (a) 1982-83, depending on availability of funds;
- (b) when approved sketch plans are available, the Merredin Shire will have the opportunity to examine them.

RAILWAYS: FREIGHT

Less than Container Loads

2342. Mr COWAN, to the Minister for Transport:

- (1) What is the policy of the Government in regard to the transport of less than wagon load freights?
- (2) Has there been any discussion with a road haulage firm about a franchise to transport less than wagon load freights to Merredin?
- (3) If "Yes"—
 - (a) what is the basis of the franchise being offered;
 - (b) which firm is involved in the discussions;
 - (c) will the West Merredin goods shed be used by the firm as a goods depot;

(d) what is the effect such a move would have upon Westrail employees at Merredin?

Mr RUSHTON replied:

- (1) to (3) It is assumed that the member is referring to the current examination by Westrail in regard to the handling of "smalls" and parcels freight, in response to the Government land freight transport policy outlined in the document issued in 1980 requiring Westrail to become commercialised. In this regard a number of alternatives have been evaluated by Westrail in order to make "smalls" traffic viable. A joint venture between Westrail and a private company is one of the alternatives being considered. In the course of its studies Westrail has had assistance from freight forwarding companies in examining the concept in broad terms, which did not include discussion about a franchise arrangement for any location. No decision has yet been made on how Westrail's operations might change.

WATER RESOURCES: METROPOLITAN WATER BOARD

Employees

2343. Mr BRIAN BURKE, to the Minister for Water Resources:

- (1) What qualifications are necessary to become a labourer in construction, maintenance or water treatment for the Metropolitan Water Board?
- (2) How many persons have been employed in these areas in the last three financial years?
- (3) How many of those persons employed hold the necessary qualifications for the position?

Mr MENSAROS replied:

From the terminology it is assumed that the question applies to the nominated sections of the Water Supply Branch.

- (1) The qualifications necessary to become a labourer in the construction or maintenance sections are:
 - over 18 years of age;
 - pass a basic fitness examination by the occupational health sister;

hold an "A"-class driver's licence and be capable of obtaining a "B"-class licence;
speak and write basic English.

No labourers are employed in the water treatment section.

- (2) 6, 13, and 33 were started as labourers in the construction and maintenance sections during 1978-79, 1979-80 and 1980-81 respectively. Precise figures are not available but most, if not all, started in the construction section for initial training.
- (3) All labourers started met the requirements.

2344. *This question was postponed.*

SEWERAGE

Collie

2345. Mr T. H. JONES, to the Minister for Water Resources:

Will he detail the sewerage extensions to be carried out at Collie for the next 12-month period?

Mr MENSAROS replied:

Funds allocated in the 1981-82 capital works programme are expected to enable an area generally bounded by River Avenue to the north and east and Wells and Raymond Streets to the east and south to be seweraged.

In addition, minor extensions to new houses being erected and sewers in new subdivisions will be constructed.

ALUMINIUM SMELTER

South-west

2346. Mr T. H. JONES, to the Minister for Resources Development:

When does he consider a firm assessment will be made in connection with the establishment of an aluminium smelter in the south-west?

Mr P. V. JONES replied:

Discussions are continuing with interested parties, but I am unable to indicate when a firm assessment will or can be made.

2347. *This question was postponed.*

HOUSING

Collie

2348. Mr T. H. JONES, to the Honorary Minister Assisting the Minister for Housing:

What is the commission's building programme for Collie for the next 12-month period?

Mr LAURANCE replied:

The commission is continuing in 1981-82 with a programme of upgrading 146 of the older houses in Collie, and will spend in excess of \$470 000 on this project during the year.

Three houses and three two-bedroomed apartments commenced in 1980-81 for GEHA will be completed and a further three houses and three apartments commenced in 1981-82.

Negotiations are continuing with the shire towards construction of additional housing for Aboriginal applicants.

Also, in excess of \$40 000 will be spent on renovation of 65 houses during the year and \$150 000 on work to connect houses to the new sewer mains.

MINING: COAL

Collie: Deep Mine and Open Cut

2349. Mr T. H. JONES, to the Minister for Mines:

What is the present ratio of production—i.e., open cut and deep mine coal—being produced from the Collie coalfields?

Mr P. V. JONES replied:

I am advised that percentages are approximately—

80 per cent—open cut

20 per cent—deep mined coal in 1980.

LAND: BUILDING BLOCKS

Collie

2350. Mr T. H. JONES, to the Honorary Minister Assisting the Minister for Housing:

Will he list the blocks of land for sale by the commission at Collie and the reserve prices?

Mr LAURANCE replied:

Lot	Street	Sale Price \$
118—	Blayden Street	10 000
1946—	Blayden Street	10 000
2153—	Mornington Mills Road	9 000
2152—	Mornington Mills Road	9 000
2148—	Mornington Mills Road	9 000
2146—	Mornington Mills Road	9 000
2143—	McKinley Street	9 000
2141—	McKinley Street	10 500
2139—	McKinley Street	10 500
2138—	McKinley Street	10 500
2124—	McKinley Street	10 500
2123—	McKinley Street	10 000
2120—	McKinley Street	10 000
2118—	McKinley Street	10 000

HOUSING: RENTAL

Emergent: Medical Case

2351. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

- (1) Is the State Housing Commission aware of the situation facing a woman and her four children living in a house in Albany Highway, Bentley belonging to the Main Roads Department which is due for demolition in the immediate future?
- (2) In view of the fact that the commission has been supplied with strong letters from a specialist and social workers relating the need for adequate accommodation to the serious medical problems of this woman and her children and that arrears owing on a previous tenancy have been cleared, will he see that a special effort is made to meet the family's need for housing, as a matter of urgency?

Mr LAURANCE replied:

- (1) Yes.
- (2) Yes.

CULTURAL AFFAIRS: WA HERITAGE COMMISSION

Draft Legislation

2352. Mr DAVIES, to the Minister for Cultural Affairs:

- (1) When did he receive the report of the WA Heritage Commission on the draft State heritage legislation?

- (2) Is the final draft of the legislation completed?
- (3) If not, when is it expected to be completed?
- (4) When is it anticipated it will be introduced into Parliament?

Mr GRAYDEN replied:

- (1) 5 January 1981.
- (2) No.
- (3) Early 1982.
- (4) See answer to (3).

QUESTIONS WITHOUT NOTICE

EDUCATION: TEACHERS

Union: Levies and Dues

658. Mr GREWAR, to the Minister for Labour and Industry:

- (1) A recent circular to teachers implies that a member of the State School Teachers' Union remains legally bound to pay all dues and levies of the union until resignation is received in writing and that resignation takes effect one month from the date of the letter. Is such a statement legally correct?
- (2) Would it mean that all union members must pay levies to cover strike action costs despite the fact that the member was—

Point of Order

Mr PEARCE: Point of order!

Acting Speaker's Ruling

The ACTING SPEAKER (Mr Nanovich): I do not think the member is entitled to ask for legal opinion in the question.

Mr PEARCE: That was the substance of my point of order.

Mr GREWAR: Can I change that to the Minister's opinion?

Mr Parker: You are not allowed to ask his opinion.

The ACTING SPEAKER: The member cannot seek an opinion either. I am sorry.

Mr GREWAR: I will reword it.

Questions (without notice) Resumed

HOSPITAL: ROYAL PERTH

North Block: Cost

659. Mr CLARKO, to the Minister for Health:

It has been alleged by the Leader of the Opposition that delays on extensions to the Royal Perth Hospital will add \$75 million to the final cost of the north block. Is that assertion correct?

Mr YOUNG replied:

The member's question gives me the opportunity to clear up something the Leader of the Opposition has not only put in print in the newspaper, but also went on at great length about today. The Leader of the Opposition's claim that delays on extensions to RPH will add more than \$75 million to the final cost is complete rubbish.

The estimated final cost to complete the north block itself is \$75 million.

This includes fees and allowances for escalation in the cost of building and furniture up to 1985.

Mr Pearce: On top of what you have spent already!

Mr YOUNG: About \$8.54 million has been spent to date on completed work, plus \$150 000 on the electrical substation contract currently in progress.

This financial year \$450 000 has been allocated for preliminary works leading to the commencement of major construction.

Original plans were prepared for the project in the early 1970s, and it is now necessary to replan before construction proceeds so the opportunity can be taken to review those plans in the light of current priorities, requirements, and circumstances.

Mr Bryce: What was the initial cost?

Mr YOUNG: In the light of current priorities and circumstances, an amount of \$300 000 has been provided in 1981-82 to engage a consultant, quantity surveyors and electrical services consultants with the aim of reducing the project's cost before a commitment is made to proceed with further work.

Mr Bryce: You don't know how much it is going to cost, do you?

Mr YOUNG: It is anticipated the total completion cost will be substantially reduced from the \$75 million. The

estimated final cost of the north block was calculated in January 1976 at \$61 million on the basis of completion in 1981.

MINING: ROYALTIES

Policy

660. Mr BRYCE, to the Premier:

Is the Premier yet able to tell the House how he intends to deal with those companies producing and exporting minerals under agreements with this State in the event of those companies not agreeing to alter the agreements in line with what has been the stated royalties policy of his Minister for Resources Development?

Sir CHARLES COURT replied:

The Government will negotiate with the companies and, from my experience, will negotiate successfully. I want to say here and now that this Government does not want to abrogate agreements—as has been done in some parts of Australia—and it does not find any need to do so. In my experience, provided the Government's requests are reasonable and sensible in all the circumstances, the companies concerned are prepared to negotiate. In fact, there has been no reluctance on the part of the companies to negotiate up to this stage. The reverse situation could apply now, of course.

There will be occasions and there were occasions—both with this Government and the Government that was in power from 1971 to 1974—where companies have had to come to the Government to ask for amendments—the other way around—and for good and sufficient reason. If the reasons are good and sufficient, the Government is then prepared to co-operate, but I do not want to answer a question which is purely hypothetical at this stage because I do not think the position the Deputy Leader of the Opposition foreshadows will arise.

EDUCATION: PRE-SCHOOL

Teachers

661. Mr PEARCE, to the Treasurer:

Can the Treasurer explain to the House why, in his Budget presented to the Parliament on Tuesday of last week, he

allowed for an allocation for expenditure on teachers of pre-school centres on the assumption that there would be the same number of teachers in pre-school centres in 1982 as there were in 1981, and yet, three days later, the Minister for Education has announced that that number of teachers is being reduced by between a third and a half because of the constraints of budgetary expenditure?

Sir CHARLES COURT replied:

The task of formulating and presenting a Budget is not as simple as the member might think. I suggest to him that if he wants to have a detailed explanation of the point that he has raised, he puts it on the notice paper or, alternatively, I will use his questions without notice and follow up with an answer on Tuesday.

I would not like him to take things literally as they appear in the Budget unless he studies the background of the particular matter in conjunction with other programmes. Many of these are continuing things that actually exist at the time when the Budget is brought down but change during a year. I would not be so bold as to attempt an off-the-cuff answer to the question, but would be only too pleased to look at it if the member wishes me to.

HOSPITAL: ROYAL PERTH

North Block: Cost

662. Mr HODGE, to the Minister for Health:

This question follows on the invitation the Minister extended to me before. I asked him a further question on the Royal Perth Hospital north block extension. Did the Minister, by his previous answer, suggest that in 1975 when the then Minister for Health, Mr Baxter, misled the public when he announced in *The West Australian* on 22 January 1975 that the Cabinet had approved the \$25.5 million extension to the Royal Perth Hospital and that the new extension would be completed by 1980? Is the Minister suggesting by his previous answer that Mr Baxter gave an

untruthful or misleading statement to the public?

Mr YOUNG replied:

I am not aware of the background to the announcement.

Mr Bryce: Or anything else in your department.

Mr YOUNG: I am not aware of the background of the Press statement made by Mr Baxter in 1975.

Mr Pearce: You should be.

Mr YOUNG: What I have told this House and what I am prepared to stand by is that in January 1976—unless Mr Baxter was referring to a different building or type of building—

Mr Bryce: How many extensions are there going to be?

Mr YOUNG: The north block of the Royal Perth Hospital was calculated to be completed in 1981—

Mr Bryce: This is a charade.

Mr YOUNG: —at a cost of \$61 million.

PRISON

Fremantle

663. Mr PARKER, to the Chief Secretary:

I preface my question by briefly stating that for most of the time since I have been here I have been able to visit people who ask me to do so in the Fremantle Prison at the convenience of the superintendent of that prison. Also, I have been able to receive censored letters from prisoners asking me for advice or expressing the need to see me to raise some issue. I have since been advised that this practice will have to be dropped. I ask the Chief Secretary the following question—

- (1) Is it true that a member of Parliament including the member for Fremantle is now required, before visiting a prisoner at Fremantle Prison, to obtain the Minister's permission before so doing?

- (2) Is it the case that letters sent to members of Parliament by prisoners are now censored and in fact are subsequently referred to the office of the Director of the Department of Corrections and the Minister before being forwarded to the member concerned?

Mr HASSELL replied:

- (1) and (2) I advise the member that to the best of my knowledge there has been no change of policy or practice. I also advise him that I am in no way involved in the censoring of prisoners' letters.

EDUCATION: TEACHERS

Union: Levies and Dues

664. Mr GREWAR, to the Minister for Labour and Industry:

This is my reframed question—

- (1) A recent circular to teachers implies that a member of the State School Teachers' Union remains legally bound to pay all dues and levies of the union unless a resignation is received in writing and that resignation takes effect one month from the date of the letter. Is such a statement legally correct?
- (2) Would it mean that all union members must pay—
- (a) levies to cover strike action costs despite the fact that the member—

Point of Order

Mr PEARCE: On a point of order, Sir: In your absence when the speaker was halted by one of your deputies, a question of a similar type was ruled out of order on the terms that the member sought a legal opinion. The member has reworded his question but it still seeks a legal opinion.

He is seeking an interpretation of certain laws and regulations.

Mr O'Connor: No, he is not.

The SPEAKER: Order! The member will resume his seat. The member for Roe read his question fairly quickly, and I found it difficult to hear all of it. I am

aware also of the fact that one of my deputies ruled out of order a question on the subject matter of this question. In the circumstances I ask the member for Roe to supply me with a copy of the question he now seeks to ask. If his question is in order, I will give him an opportunity to ask it at a later stage in question time.

I point out to the member for Roe and to members generally that it is not within the competence of any member to seek from a Minister an interpretation of a Statute, nor is it within the province of any member to ask an opinion of any Minister. In my view the member was not seeking an interpretation of a Statute. However, it seemed to me that perhaps he was seeking an opinion from the Minister. If that be the case, I would be required to rule the question out of order, so I ask the member for Roe to make a copy of the question available to me.

Questions (without notice) Resumed

HOSPITAL: ROYAL PERTH

North Block: Cost

665. Mr BRIAN BURKE, to the Treasurer:

As there seems to be such a wide variation between the knowledge of the Minister for Health and his predecessor about the cost of the extensions to Royal Perth Hospital, would the Treasurer undertake to consider these apparently conflicting statements and clarify for me in due course which of the two people—the present Minister or his predecessor—is reporting accurately to the Parliament?

Sir CHARLES COURT replied:

Without looking at the actual papers, and from what I have heard, I would say both Ministers have been right.

Mr Brian Burke: You know that Billy Snedden said, "We didn't win, but we didn't lose".

Sir CHARLES COURT: If Opposition members would just listen occasionally, they might learn something. Then they would not make themselves look so stupid.

Mr Pearce: We are getting a good laugh.

Sir CHARLES COURT: They might both be right. The Leader of the Opposition is not necessarily comparing like with like. If my memory serves me correctly, there has been quite a major change in the concept of the north block.

Mr Brian Burke: It doesn't look like being anything actually.

Sir CHARLES COURT: When the full details are put together it may be that the Leader of the Opposition and some of his colleagues who want to guffaw at these matters might realise that both Ministers were correct. I know at one stage the RPH board asked me to visit the hospital personally with the Under Treasurer to examine a number of the problems confronting them so far as the facilities they need to perform more advanced surgery were concerned.

Mr Brian Burke: I hope it wasn't urgent surgery.

Sir CHARLES COURT: They wanted to demonstrate to me on the spot the sort of thing they were talking about so that when we discussed the economics of the project we could understand why they wanted certain things. If the Leader of the Opposition desires it, I will be only too pleased to obtain an interpretation of the figures for him.

MINING: IRON ORE

Japanese Contracts: Price

666. Mr GRILL, to the Treasurer,

- (1) Does the Treasurer believe that Western Australia is receiving a fair and equitable price from the Japanese for WA's major export; namely, iron ore?
- (2) If the Treasurer does not, what action is the Government prepared to take to help ensure that a fair price is obtained?

I would just like to add that the major iron ore companies are prepared to say quite openly that they are not receiving a fair and equitable price for their product.

Sir CHARLES COURT replied:

- (1) and (2) To the best of my knowledge the vendors of our raw materials, and particularly iron ore, are obtaining a fair price in today's economic climate. If criticism has been made that they are not receiving a fair price, certainly it has not been made known to me.

Mr Grill: They can't even talk to you.

Sir CHARLES COURT: Where we believe the policies of the Government are not being observed by the buyers, or where we believe the companies might require some intervention by the State Government, we have no compunction about intervening.

I want to tell the member that it may be that the Japanese are paying a fair price but the industrial militancy makes it uneconomical. They have made a serious complaint to me, and also the Federal Government on occasions, that it is useless trying to fix a fair price for Australian raw materials such as iron ore. Sometimes, after a fair price has been negotiated to the satisfaction of both parties, in a matter of months that fair price has been eroded because of irresponsible, unreasonable, and extravagant demands made on the companies supplying the iron ore.

These demands erode the profitability and the viability of a whole range of projects to the point where employment could be threatened. I hope that the member will look at the problem more deeply—

Mr Grill: I am aware of the problems; you are in charge.

Sir CHARLES COURT: —and try to bring his influence to bear in those quarters. The buyers of our raw materials do not have to buy from us. If we persist in this attitude, they will try to buy less, and then we will have a very serious situation.

COMMUNITY WELFARE

Cullacabardee Village

667. Mr WILSON, to the Minister for Community Welfare:

- (1) Can he confirm that the Department for Community Welfare will be exercising

overall responsibility for the Aboriginal housing concept at Cullacubardee Village?

- (2) Can he confirm also that the original concept for this project was that it should be for fringe dwellers and that the elders were to be consulted about people referred to the village for accommodation?
- (3) Is he aware that the Housing Commission is now referring families for replacement at Cullacubardee without such consultation?

Mr HASSELL replied:

- (1) and (2) It is correct that the Department for Community Welfare exercises a broad responsibility for Cullacubardee. However, it has always been the objective of the department to develop a situation in which the different groups—because I understand there are at least three separate groups there—should assume increasing responsibility for their own management and organisation. A great deal of effort has been put into preparing people to assume that role, and to undertake it.
- (3) I am not aware of any difficulties in regard to the allocation of housing there. At one stage, contrary to our expectations, a number of units were vacant and this indicated that people who were expected to live there did not do so. It may be that because of that, the commission, having regard for the shortage of accommodation especially for certain Aboriginal people, sought to make these units available. I am not aware of the details; however, I will look into the matter.

WATER RESOURCES: MWB

Chairman: Present Whereabouts

668. Mr DAVIES, to the Minister for Water Resources:

- (1) Has the Chairman of the MWB yet returned to Western Australia?
- (2) Have members of the board made contact with the chairman?

(3) Has the chairman lodged a report about his activities?

(4) If so, will a copy of the report be made available to the Parliament?

Mr MENSAROS replied:

- (1) to (4) As I announced, I asked the commissioner—the chief executive of the board—to relay to the chairman my request for a report. I have not had any contact with the chairman, nor do I have knowledge of whether he has returned to Western Australia or contacted any member of the board.

Mr Davies: Have you asked?

MINING: IRON ORE

Japanese Contracts: Price

669. Mr GRILL, to the Treasurer:

My question follows the question I asked a few moments ago, and it is in the following terms—

- (1) Is the Treasurer indicating that the chronic industrial problems in the Pilbara are eroding the viability of our iron ore mining and export projects?
- (2) If so, is he conceding that the Government is incompetent to deal with those problems, and indeed, incompetent in the whole field of industrial relations?

Mr Brian Burke: Hear, hear!

Mr Grill: Because that is what the companies are saying, Mr Treasurer. They are saying that you are absolutely incompetent in this field. Come on, let us hear your answer.

The SPEAKER: Order!

Sir CHARLES COURT replied:

- (1) and (2) The member for Yilgarn-Dundas knows it to be true that not only the iron ore projects, but also other resource projects are being eroded because of this excessive industrial militancy. He knows also the findings of one of the commissioners who pointed out in the loudest and clearest terms possible that it is time the hierarchy in some of the unions looked at their organisations on the spot to try to prevent some of the local irresponsible actions. Alas, the TLC is reported to have joined forces with the people on the spot to erect some sort of smoke screen to give the impression of solidarity amongst the union people. In their hearts the union people know that their actions in the Pilbara have been catastrophic in regard to those projects.

At the same time the Government is always ready, willing, and able, to involve itself in these matters. I remind the member that his great mentors and friends at the TLC have, in the loudest and clearest of terms, castigated the Government for wanting to be involved! In turn we have said to them that if they do not want the Government involved it is about time they did something to sort out their own union administration. If I were the boss of one of these unions, I would not be proud of what is going on in these areas. In many cases the industrial action is completely out of the control of the union concerned.

EDUCATION: TEACHERS

Union: Levies and Dues

670. Mr GREWAR, to the Minister for Labour and Industry:

- (1) Is he aware of a circular to members of the WA State School Teachers' Union that they remain legally bound to pay all dues and levies to the union until their resignation is received in writing, and that that resignation takes effect one month from the date of the letter?
- (2) Could he comment—

Mr Brian Burke: That is asking for an opinion. Come on!

Mr GREWAR: —on what recourse teachers have against union levies which are collected by the union when strike action is taken by that union, and for affiliation fees with the TLC, even if such teachers had nothing to do with the union action.

Point of Order

Mr PEARCE: I rise on a point of order.

Mr Hassell: You are anxious not to hear the answer, aren't you?

The SPEAKER: Order!

Mr PEARCE: I was worried you were about to call off question time, Mr Speaker!

Sir Charles Court: Worried for your sake, yes.

Mr PEARCE: I seek your ruling on the legitimacy of this question, and I refer you, Sir, particularly to the second part of the question which clearly asks for an opinion of the Minister. The question also asks what recourse people would have in certain cases. Clearly that refers to legal recourse, which makes it a legal opinion.

The SPEAKER: The latter part of the question that the member seeks to ask is clearly out of order. However, I am prepared to allow the earlier part of the question. I now ask the Minister for Labour and Industry to reply to the earlier part of the member's question.

Mr Tonkin: Are you aware? Yes or no!

Questions (without notice) Resumed

Mr O'CONNOR replied:

- (1) It is understood that at the School Teachers' Union annual 1980 conference, a resolution was passed which allows the executive of the union to levy \$10 from every member to build up a fund that can be used to compensate members who lose pay due to industrial action.

It is believed that the union had legal opinion that it had the right to raise the levy from members. Clause 15 of the

Teachers' Union constitution states "Conference may impose levies on full members".

Section 44(a) of the union's affiliation constitution states—

- (a) The Union may join any Federation of Teachers' Unions.
- (b) Before the Union may affiliate with any political organisation such affiliation must be approved in a ballot of all financial members by a two-thirds majority of all financial members.

Therefore there might be some complication regarding the levy in regard to that particular point.

Several members interjected.

PRISON

Fremantle

671. Mr PARKER, to the Chief Secretary:

- (1) Can he now confirm that members of Parliament are entitled to visit prisoners at Fremantle Prison provided the times are acceptable to the superintendent?
- (2) Can he confirm that uncensored letters to members of Parliament will now be sent to them with expedition?

Mr HASSELL replied:

- (1) and (2) No, because off the top of my head I am not aware of the precise details of the procedures followed in relation to either matter.

Mr Tonkin: Will you make inquiries?
