Legislative Assembly

Thursday, 30 April 1981

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

MEMBERS OF PARLIAMENT: OFFICES OF PROFIT

Inquiry by Joint Select Committee: Council's Concurrence

Message from the Council received and read notifying that it had considered the Assembly's resolution, and had resolved—

(1) To agree to the re-appointment of a Joint Select Committee of the Legislative Assembly and the Legislative Council in accordance with the terms of the Resolution transmitted to the Legislative Council by Message No. 3 of the Legislative Assembly.

(2) That the Resolution, so far as it is inconsistent with Standing Orders, have effect notwithstanding anything contained in the Standing Orders and that any member be entitled to sit on the Joint Select Committee notwithstanding the provisions of Standing Order 340.

(3) That the Legislative Council be represented on the Joint Select Committee by the following members, namely—

The Hon. N. E. Baxter
The Hon. V. J. Ferry
The Hon. R. Hetherington
The Hon. N. McNeill
The Hon. H. W. Olney

(4) That the Hon. N. McNeill be the Chairman of the Joint Select Committee.

(5) That a message be sent to the Legislative Assembly acquainting it of this Resolution.

BILLS (6): INTRODUCTION AND FIRST READING

1. Valuation of Land Amendment Bill.

   Bill introduced, on motion by Sir Charles Court (Treasurer), and read a first time.

2. Seeds Bill.

3. Wheat Bags Repeal Bill.

   Bills introduced, on motions by Mr Old (Minister for Agriculture), and read a first time.

4. Local Government Amendment Bill (No. 2).

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

5. Misuse of Drugs Bill.

6. Acts Amendment (Misuse of Drugs) Bill.

   Bills introduced, on motions by Mr Hassell (Minister for Police and Traffic), and read a first time.

ACTS AMENDMENT (ELECTORAL PROVINCES AND DISTRICTS) BILL

Leave to Introduce

MR HASSELL (Cottesloe—Chief Secretary) [10.52 a.m.]: I move—

That leave be given to introduce a Bill for an Act to amend the Constitution Acts Amendment Act 1899-1980 and the Electoral Districts Act 1947-1975.

Question put and a division called for.

Bells rung and the House divided.

Remarks during Division

Mr Hassell: The champions of democracy who decide issues before they know what they are.

Mr B. T. Burke: I'd trust Darcy Duggan, too, with my valuables, before he pinches them!

Mr Nanovich: A good friend of yours!

Mr H. D. Evans: Reminds us of someone we know.

Mr B. T. Burke: If a lion tells you he does not eat meat, don't believe him, my friend.

Result of Division

Division resulted as follows—

Ayes 25

Mr Blaikie	Mr McPharlin
Mr Clarko	Mr Nanovich
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr Sibson
Mrs Craig	Mr Spriggs
Mr Crane	Mr Trethowan
Dr Dadour	Mr Tubby
Mr Grayden	Mr Watt
Mr Grewar	Mr Williams
Mr Hassell	Mr Young
Mr Herzfeld	Mr Shalders
Mr P. V. Jones	*(Teller)*

Noes 14

Mr Bertram	Mr Harman
Mr Bryce	Mr Hodge
Mr B. T. Burke	Mr Jamieson
Mr T. J. Burke	Mr McIver
Mr Carr	Mr Parker
Mr Davies	Mr Taylor
Mr H. D. Evans	Mr Bateman *(Teller)*

Pairs

Ayes	Noes
Mr Laurance	Mr Barnett
Mr Rushton	Mr E. T. Evans
Mr Sodeman	Mr T. H. Jones
Mr MacKinnon	Mr Skidmore
Mr Mensaros	Mr Grill

Question thus passed; leave granted.

First Reading

The SPEAKER: The question is—

That the Bill be now read a first time.

Question put and a division called for.

Bells rung and the House divided.

Remarks during Division

Mr B. T. Burke: You are strange; no-one on your side has ever been able to explain why we need more members of Parliament.

Mr Young: Take another dose!

Mr B. T. Burke: Here is another chance. Why do you not tell us why we need more members of Parliament?

Mr Hassell: You want to debate the Bill you do not want to introduce, do you?

Mr B. T. Burke: We have to sack nurses, and yet here we are to have more members of Parliament.

Mr Sibson: You are a bit short on yourself this morning.

Sir Charles Court: Let them be seen for what they are.

Mr B. T. Burke: These things have a funny way of going off the tracks, my friend.

Mr Davies: The Premier will be seen for what he is—a worker of rorts.

Mr B. T. Burke: Even *The West Australian* does not agree with you this time.

Sir Charles Court: That is not unusual.

Mr B. T. Burke: Better pop down and tell *The West Australian* to lean on its people.

Mr Bryce: Haven't you convinced the editor that they are all baddies in the Press Gallery yet?

The SPEAKER: Lock the doors. The question is that the Bill be read a first time. Those of that opinion will say "Aye" and pass to the right of the Chair and those against will say "No" and pass to the left of the Chair. I appoint the member for Murray teller for the Ayes and the member for Canning teller for the Noes.

Points of Order

Sir CHARLES COURT: I rise on a point of order. While you were making your statement, Sir, the member for Ascot referred to me as a great thug. I take exception to that statement, and I ask for those words to be withdrawn.

The SPEAKER: I did not hear the remark, but it appears it was made. In the circumstances I would ask the member for Ascot to withdraw it because I believe it to be an unparliamentary term.

Mr BRYCE: I find it hard to imagine that the Premier finds the truth so difficult to face.

The SPEAKER: Order! The member will resume his seat. He has been called upon by the Chair to make a withdrawal and he must do so without qualification. I ask him to withdraw the remark.

Mr B. T. BURKE: Mr Speaker, my point of order is that it is not within the scope of Standing Orders to make unparliamentary that which 24 hours previously was considered to be parliamentary, and the fact—

The SPEAKER: Order! The member will resume his seat. The term was not considered to be parliamentary; indeed, I warned the member for Balcatta to desist. On that occasion he did not make reference to any particular person and I took it as a general comment. On this occasion the remark obviously was made directly to a particular member and in the circumstances a withdrawal is required. I ask the member for Ascot to withdraw the remark without qualification.

Mr BERTRAM: It appears the Premier has some objection to something which was said. I did not hear what was said or what he is objecting to. In order that I may be acquainted with what is going on I would be most obliged if you, Sir, would tell us what it is the Premier is complaining about.

Mr B. T. Burke: The Speaker said he didn't hear it, either.

The SPEAKER: There is no point of order. In point of fact the Premier drew my attention to what was said and if the member for Mt. Hawthorn did not hear what the member for Ascot said, surely he should have heard what the

Premier said when he rose and deliberately asked that the member for Ascot withdraw his remark. I request the member for Ascot to make an unqualified withdrawal.

Mr BRYCE: I withdraw.

The SPEAKER: Thank you.

Mr Bryce: I shall have the opportunity to explain the truth subsequently.

Mr B. T. Burke: It really means you are accepted as thugs in general but not in particular.

Mr Bryce: A Government of thugs is all right, but let us not impugn the integrity of the individual who leads it. A bunch of thugs!

Several members interjected.

The SPEAKER: Order! It seems to me that bearing in mind the stance I have taken in respect of the use of that word members should desist from using it. If members continue to refer to others on the opposite side of the House as thugs I will have to take some action.

Mr Davies: They should remember that over there, too.

Mr Melver: I think it is going to be one of those days!

Mr Bryce: Continued political corruption.

Result of Division

Division resulted as follows—

Ayes 25

Mr Blaikie	Mr McPharlin	
Mr Clarko	Mr Nanovich	
Sir Charles Court	Mr O'Connor	
Mr Cowan	Mr Old	
Mr Coyne	Mr Sibson	
Mrs Craig	Mr Spriggs	
Mr Crane	Mr Trethowan	
Dr Dadour	Mr Tubby	
Mr Grayden	Mr Watt	
Mr Grewar	Mr Williams	
Mr Hassell	Mr Young	
Mr Herzfeld	Mr Shalders	
Mr P. V. Jones		*(Teller)*

Noes 15

Mr Bertram	Mr Harman	
Mr Bryce	Mr Hodge	
Mr B. T. Burke	Mr Jamieson	
Mr T. J. Burke	Mr Melver	
Mr Carr	Mr Parker	
Mr Davies	Mr Taylor	
Mr H. D. Evans	Mr Bateman	
Mr Grill		*(Teller)*

Pairs

Ayes	Noes
Mr Laurance	Mr Barnett
Mr Rushton	Mr E. T. Evans
Mr Sodeman	Mr T. H. Jones
Mr MacKinnon	Mr Skidmore
Mr Mensaros	Mr Bridge

Question thus passed.

Bill read a first time.

As to Second Reading

MR HASSELL (Cottesloe—Chief Secretary) [11.05 a.m.]: I move—

> That the second reading of this Bill be made an order of the day for the next sitting of the House.

Mr Bryce: Shame upon you!

Question put and a division called for.

Bells rung and the House divided.

Remarks during Division

Mr Davies: Spending Government money unnecessarily.

Mr B. T. Burke: The Opposition has consistently sought an explanation of why we need more members of Parliament, and no-one has been able to explain.

Mr Davies: They have dodged it every time.

Mr B. T. Burke: Why is it necessary?

Mr Clarko: Why should we answer someone like you?

Mr Sibson: We need them to make up for your incompetence.

Mr B. T. Burke: Can you explain, at a time when the Government is sacking nurses and cutting back on facilities, why we are putting on more members of Parliament?

Mr Bryce: Don't they squirm when they know they are doing something crooked. Look at them!

Mr Clarko: We need a microscope to see you.

Mr Bryce: When you see me you will never find me doing anything crooked like this.

Mr B. T. Burke: What is the justification for extra members of Parliament? You are closing down high schools but putting on extra members of Parliament.

Mr Old: Why don't you ask Mr Dowding? He will tell you he wants an extra member.

Mr B. T. Burke: There has never been any explanation.

Mr Davies: There never will be; it is like the drawing of the boundary for the metropolitan area.

Mr B. T. Burke: Every time the Liberal Party develops feet of clay we get new members.

Mr Clarko: Why don't you make a speech at the proper time?

Mr B. T. Burke: I find it hard to be interested in anything you say.

Mr Davies: We will try to drag out the information if the Government will not give it voluntarily.

Mr Jamieson: It must be pretty bad if *The West Australian* will not have a bar of it.

Result of Division

Division resulted as follows—

Ayes 24

Mr Blaikie	Mr McPharlin
Mr Clarko	Mr Nanovich
Sir Charles Court	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr Sibson
Mr Crane	Mr Spriggs
Dr Dadour	Mr Trethowan
Mr Grayden	Mr Tubby
Mr Grewar	Mr Watt
Mr Hassell	Mr Williams
Mr Herzfeld	Mr Young
Mr P. V. Jones	Mr Shalders

(Teller)

Noes 16

Mr Bertram	Mr Harman
Mr Bryce	Mr Hodge
Mr B. T. Burke	Mr Jamieson
Mr T. J. Burke	Mr McIver
Mr Carr	Mr Parker
Mr Davies	Mr Pearce
Mr H. D. Evans	Mr Taylor
Mr Grill	Mr Bateman

(Teller)

Pairs

Ayes	Noes
Mr Laurance	Mr Barnett
Mr Rushton	Mr E. T. Evans
Mr Sodeman	Mr T. H. Jones
Mr MacKinnon	Mr Skidmore
Mr Mensaros	Mr Bridge

Question thus passed.

TRANSPORT AMENDMENT BILL

Introduction and First Reading

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

GRAIN MARKETING AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

SUPERANNUATION AND FAMILY BENEFITS AMENDMENT BILL

Second Reading

SIR CHARLES COURT (Nedlands—Treasurer) [11.10 a.m.]: I move—

That the Bill be now read a second time.

This Bill proposes to amend the Superannuation and Family Benefits Act to end a practice which is contrary to the principles on which the fund is based and which could threaten the viability of the fund if present trends were allowed to continue. The practice in question is that of contributors being able to withdraw past contributions from the fund by reducing the number of units for which they had elected to contribute or by changing from the aged 60 retirement table of contributions to the aged 65 retirement table for which unit contribution rates are lower.

This is a complex matter with consequences to the structure and viability of the fund which may not be readily apparent. If members will bear with me, it warrants a careful and necessarily somewhat technical explanation. Also the roots of the matter go back to the early days of the fund; and some historical background is necessary to an understanding of how the present situation has developed.

When the superannuation scheme commenced operation in 1939, eligible employees who decided to become contributors were required to contribute for units of pension in accordance with an entitlement scale related to salary; that is to say, although membership was voluntary, those joining the scheme were required to take up their full unit entitlement as determined by their salary. For many lower salaried employees, it was soon apparent that this meant a choice had to be made between joining the scheme and paying significant fortnightly contributions, and, at the same time denying themselves in the future the right to either the whole or part of Commonwealth social service benefits to which they might otherwise have become entitled, or electing not to join the scheme. This situation was no doubt regarded as unnecessarily harsh on lower salaried employees who stood to gain little from the scheme; and in 1945 the Act was amended to provide that contributors could contribute for any number of units between a minimum of two and a maximum, determined as previously, in accordance with salary.

To ensure that members who had joined the scheme between 1939 and 1945 and had been required to take up their maximum unit entitlement were placed on the same footing as

new members, the amending legislation gave contributors the right to surrender any number of units in excess of two. The amendment also conferred upon the board discretionary power to either refund the surplus contributions or apply them to meeting the cost of the units retained, that being the arrangement already applying in cases where a contributor's salary was reduced.

Since that time, the Superannuation Board has accepted the view that the Act, as currently worded, permits contributors to reduce their unit holding at any time and claim a refund of past contributions. It has therefore followed the practice of accepting such elections and, after applying any credit towards paying the full cost of the reduced number of units, refunding any excess as a cash payment. It will be seen that the practice of contributors reducing units of pension and receiving refunds has been going on for over 30 years. The question may then be asked: why, after all that time, is it necessary to change the arrangement? The answer is that for many years the provision was little used by contributors other than in cases where changed family circumstances or hardship led them to seek to reduce the amount of their contributions.

However, in recent years increasing numbers of contributors are opting to adjust their unit holding, not because of unforeseen circumstances, but to obtain the moneys that result from such action, and in this context, they are blatantly abusing the arrangement. To illustrate this fact, many contributors who have paid considerable sums of money into the scheme have been applying to reduce their units to the minimum of two, receiving a refund of most of their contributions, and, on production of a medical certificate, repurchasing the surrendered units. While this action results in the contributor paying a higher contribution rate, very little equity remains in the fund to offset the cost of death and disablement benefits which may become payable, and this in turn imposes a greater liability on the other members of the fund who do not engage in this practice.

The Superannuation Board has been concerned deeply about the financial viability of the fund if contributors retain the right to manipulate their superannuation in this manner and, particularly, about the increasing number of contributors engaging in the practice. Furthermore, the refunding of contributions while the member remains in service is contrary to the fundamental philosophy of superannuation schemes which imply that benefits should not become available until retirement.

It is important to remember that superannuation payments enjoy special treatment under the income tax laws; and we have an obligation to ensure that we do not support an arrangement that could bring the fund into conflict with the Commonwealth taxation department. It would be irresponsible of the board to jeopardise the position of genuine contributors by condoning apparent doubtful practices.

As a matter of interest, none of the superannuation schemes established by the Governments of the Commonwealth and the other States, for their employees, permits its members to withdraw funds from the scheme while they continue to be employed.

In the knowledge of the history of the Superannuation and Family Benefits Act the Government decided that the right of contributors to adjust their unit holding and/or their retiring age should not be changed as these rights conform with the philosophy of a voluntary superannuation scheme. However, the Government decided to change the present legislation to provide that excess contributions arising from such elections should remain in the fund, accumulating interest at a rate decided by the board, until retirement.

In the course of examining the need to amend legislation, a doubt arose about the legality of approving the refunding of moneys in cases of reduction in units other than where salary reductions occurred. Doubts were expressed also as to whether the legislation permitted refunds to be made following retiring age variations, although the right to vary retiring age is not in question. When the board received this advice, it resolved immediately not to process applications by contributors to reduce units and receive cash refunds from the fund or to refund credits occurring from decisions by contributors to extend the age of their retirements.

The Bill proposes to place beyond doubt the position of contributors and the Superannuation Board in regard to these matters.

I turn now to the specific intentions of the Bill which are to—

(a) provide that where contributors elect to reduce units of pensions or amend their retiring age, any resultant excess contributions are to remain in the fund;

(b) empower the Superannuation Board to determine, from time to time, the rate of interest to be paid on such credits;

(c) clarify the legal entitlement of pensioners to reduce the number of units for which they contribute;

(d) validate the past practice of the Superannuation Board of refunding excess contributions; and

(e) validate the recent decision of the board not to process applications currently before it to participate in these practices.

Another matter not contained in the notes I have given to the Leader of the Opposition is one to which I should invite the attention of members. Clause 2 reads as follows—

2. This Act shall be deemed to have come into operation on 13 April 1981.

A number of dates were discussed. One was the date of introduction of the Bill; another was the date of the Press announcement by the Premier. Eventually, after consultation with the board, it was decided that the fairest date to accept was 13 April which, I understand, was the date on which the Superannuation Board made it known that it would not process any more of these applications.

Mr Davies: Was it discussed with any of the contributing groups—the Civil Service Association, or any other organisation?

Sir CHARLES COURT: The Leader of the Opposition knows that there is statutory representation on the board. I raised a query on this matter, and I was assured that the board was absolutely unanimous in its desire to have this change made, and to have the clarification introduced. The board realises and accepts, as I do, that what is now being practised—and it was gaining momentum—is contrary to the basic principles for a fund of this kind, and is against the interests of those who go along quietly, continuing to pay their contributions.

It will be apparent to members that the idea of receiving one's money back and then buying in the same number of units—even though at a higher rate—one would be buying in at a time when the fund is most vulnerable in respect of that contributor.

What the board seeks to do is fair and equitable in the circumstances and I am quite certain that, knowing the people involved as I do, they have looked at all aspects of the matter in an endeavour to be fair to all concerned and, more particularly, to be fair to all the contributors.

I commend the Bill to the House.

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

CLEAN AIR AMENDMENT BILL

In Committee

Resumed from 29 April. The Chairman of Committees (Mr Clarko) in the Chair; Mr Young (Minister for Health) in charge of the Bill.

Clause 5: Section 8 amended—

Progress was reported after the clause had been partly considered.

Mr HODGE: This clause is the one about which we argued at some length yesterday. It increases the membership of the council by two, from 15 to 17 members. The two additional appointees are comprised of a representative from The Confederation of Western Australian Industry (Inc.) and a representative from the Local Government Association of Western Australia.

As I said yesterday, the Opposition is strongly opposed to the expansion of the committee, because it is far too large already. Such an expansion will add to the problems involved in making the council an efficient and successful organisation.

When I raised the query yesterday, it was explained to me it was necessary to have two persons to represent local government, because two separate local government associations were involved. On the surface, that sounds feasible, but when one looks at the situation, it can be seen that the argument does not hold water. In fact, only one of the associations has been named in the legislation. Therefore, if the purpose of having an additional appointee is to represent two different associations—I do not believe it is—in fact the legislation will not achieve that, because it names only the association which represents metropolitan shires.

That was a weak excuse thought up on the spur of the moment. However, at least it was an excuse, because no excuse at all has been offered for the other additional appointment; that is, the creation of a fourth representative from The Confederation of Western Australian Industry (Inc.).

I find it strange that the confederation needs four people to represent it when the TLC and all the other organisations involved have to make do with one representative. Either the TLC representative is four times as competent as the representatives from the confederation, or the confederation people are very incompetent if it takes four of them to put the point of view of one organisation.

I do not believe the Minister's proposition that the needs of industry, etc. had to be balanced on

this committee, because that is not the purpose of this body. It is not a committee for the benefit or enjoyment of the confederation or any other association. It has been created as a watchdog to guard the public interest and ensure the air remains as unpolluted as possible. Therefore, it is illogical to upgrade the representation from private industry. After all, those involved in private industry are the main offenders in this area: they are the people who pollute the air. They are the main people with whom the council has to work and the activities of whom it must keep within the law.

The efficient operation of this statutory organisation will be frustrated if the Government stacks it with representatives from private industry. That will not improve the efficiency of the operation of the council. It is a public body and it was created to look after the interests of the public. Indeed, if it is intended that the council should have such a large number of members, I should like to see more representatives from the public area. Perhaps there should be a consumer representative on the council. However, I see no good reason for increasing the size of the council by two additional appointments.

I raised a matter briefly with the Minister yesterday and I should appreciate an answer to it today. I asked why the University of Western Australia was invited to submit the name of a person to sit on the Clean Air Pollution Control Council whilst the other tertiary institutions in this State were ignored.

We have now a second university in this State—that is, Murdoch University—and there are also a number of other tertiary institutions. It seems strange that those institutions are excluded from putting forward a candidate. It is possible the most suitable, qualified person in this State to represent a tertiary institution may be a person from Murdoch University, WAIT, or one of the other tertiary institutions. However, under this legislation that person would be prohibited from sitting on the Air Pollution Control Council. That situation should be rectified. It will act as an impediment also to the advisory council, because the same stipulation applies to both these bodies.

Mr YOUNG: Yesterday the member for Melville made most of the points he has made today, but it is quite proper that he refer to them again in the Committee stage of the Bill today. This clause deals with the increased representation of certain organisations on the Air Pollution Control Council.

I point out to the member for Melville that, in addition to the fact that one extra member of The Confederation of Western Australian Industry (Inc.) has been added to the council, plus a member of the Local Government Association, provision has been made for an additional member representing the Department of Conservation and Environment who will replace the representative nominated previously by the Department of Local Government.

What has happened to the representation on this particular council to which the member takes exception is that there has been a shift of emphasis, but it has taken a different form from that set out by the member.

The Confederation of WA Industry (Inc.) will increase its representation by one. I pointed out yesterday I could see nothing reprehensible in the fact that, on a body such as this where the industry is well and truly outnumbered by representatives of Government and other bodies, it should have another representative to put the points of view of industry. It will not necessarily be on a "gang-up" basis as suggested by the member for Melville, but rather it is for the purpose of balancing the opinions which might be formed from time to time by the Air Pollution Control Council.

If members look at the additional appointments provided for in the legislation, they will see one new member from the Local Government Association and one new member from The Confederation of WA Industry (Inc.) may be appointed. On past experience, it is clear both those members will be particularly concerned about the pollution of the air.

The member representing the Local Government Association will almost certainly have had the experience of ratepayers, ratepayer groups, or individual persons who live within the particular local authority he or she represents, coming to the local authority and complaining in some way or another of air pollution.

Indeed, the local authorities connected most closely with industrial areas which in the past caused air pollution, have been plagued by complaints. I refer specifically to the Shire of Cockburn with regard to certain industrial plants in the Kwinana area which emit and cannot avoid emitting some degree of air pollution. I might add that over recent years pollution control in that area has improved out of sight; nonetheless, that local authority and others have a vested interest in the council to ensure the very best methods are adopted to control air pollution; and there is no doubt the representative of the Department of Conservation and Environment has such a vested interest.

The representative from the Confederation of WA Industry—he will broaden the view of the council—will be outnumbered by people whose vested interests clearly will be seen to prevent air pollution.

The member for Melville insisted on the use of the word "stacked" in regard to the number of representatives on the council. I cannot prevent his using that word: and certainly nothing is wrong with his making that suggestion other than the fact that he is totally incorrect. It is clear to anyone who can make a calculation of a fraction that the council is not stacked with representatives of industry. Quite clearly they will be outnumbered by all other groups which have a vested interest in ensuring any pollution control methods are proper.

The other point made by the member for Melville related to the University of Western Australia. To date the member has espoused the cause of a smaller council, but almost in the same breath he said he wanted an explanation as to why the university should be the only tertiary education body represented on the council. I am not an educator and I am not qualified to judge the expertise or standing of one institution compared with another; however, I would say the University of Western Australia would be pre-eminent in academic circles in this State. If the member wants to be consistent he should accept the fact that if I were to agree to the proposition—he did not exactly advance this because he asked only for information, although certainly he inherently suggested this—that all tertiary institutions be represented on the council—

Mr Hodge: You misunderstood me. I did not say in addition. I think they ought to be available for selection. There should still be only one representative, but you should widen your area of selection.

Mr YOUNG: I am sorry I missed the point the member made. I understood him to mean further representations ought to be made from other tertiary institutions. Obviously the thrust of what he said was that the selection ought to be made from all tertiary institutions. In that case I am sorry the answer I intended to give in regard to his point is based on a misunderstanding, and what I intended to say will not be sufficient. I must further consider that matter, and I give the member an undertaking that I will do just that.

Mr BERTRAM: We have just heard a completely unsatisfactory explanation: in fact, a purported answer to the case put forward by the shadow Minister for Health, the member for Melville. The reply of the Minister for Health was thoroughly inadequate. It consisted of generalised comments which did not meet satisfactorily the argument put forward by the Opposition.

The Air Pollution Control Council as it stands presently has approximately—I do not know the exact number—14, 15 or 20 members, and that number in itself is enough to cause reasonable and prudent people to be concerned—the council is very large indeed.

When we have councils, committees, executives, or the like, with many representatives on them, there is a grave risk that the council, committee or executive, or whatever it is called, ceases to be efficient or effective and becomes buried in grey areas and unable to make clear and precise decisions. It will find itself not being active and only appearing to do its job. The Government wants to increase further the number of representatives on the Air Pollution Control Council and thereby place it in a danger greater than it has been in. One should not do those sorts of things unless one is of the opinion that a committee or council is not doing its job. If a committee or council is doing its job, why should the number of members on it be increased? If a committee or council is doing its job why should the number of members on it be decreased? It may be the Air Pollution Control Council is not doing its job. Certainly clear and unmistakeable evidence is available to show the council is not doing its job.

I refer members to question 614 of 15 April this year. The first part states—

> How many successful prosecutions have occurred during the past five years for breaches of the Clean Air Act?

The answer to that is "One", and that does not seem to be the sort of statistic to stir great enthusiasm over the performance of the council. It could be the council is doing its job and one successful prosecution is enough; but on the overwhelming probability what is the answer? The answer is that the council is not doing its job adequately. We have had one successful prosecution in five years. On the balance of probabilities, is that satisfactory? The overwhelming probability is that it is thoroughly unsatisfactory, and if it is thoroughly unsatisfactory we should not increase the number of members on the council, we should, if anything, reduce the number of members on it.

The second part of question 614 reads—

> How many successful prosecutions have occurred during the past five years for

breaches of regulations issued pursuant to the Clean Air Act?

The answer is "None". If the state of affairs is so extraordinarly satisfactory as that statistic indicates, one wonders whether a need exists at all for a Clean Air Act. We all know an extraordinary and urgent need exists for the Clean Air Act, but more importantly the Act should have teeth and be enforced efficiently. The Government decided that to improve the council's effectiveness the number of members on it should be increased, but already it has too many members on it. It will be made larger, and no real reason for that has been given. We have been given hope of benefits, but no real reason for the change.

The council is to have an additional member, a representative from the Confederation of WA Industry. The member for Melville made it clear, and nobody disputed the point, that most of the pollution around the place is caused by big factories. Usually at night they emit smoke from their chimney stacks. They do not do so as much during the day because the public would see the pollution. The factories spew out an extraordinary amount of billowing smoke. I passed through an area just the other evening in which the stench of pollution was unbearable. The place was in a fog. I had passed through the area a few days earlier in broad daylight, and there was no smoke at all, and it was not possible to believe that a factory existed there.

An extraordinary need exists to watch very closely the activities of industry in connection with air pollution. Most certainly industry is entitled to a voice; we have not quite degenerated to the stage where we would expect anything otherwise. Let industry have a voice, but not an unnecessarily large voice. The voice of industry is to be increased so I imagine that in five years' time when the same questions are asked, the answer to the first will be "Nil", and to the second "None". The Opposition just cannot sit here and allow this sort of action to be perpetrated and say nothing about it.

Mr Young: Would you not hope that was the answer in five years' time?

Mr BERTRAM: No; I am giving a forecast, a great deal of justification for which has been available over the years. The shadow Minister for Health who will be the Minister for Health shortly, is protesting about this position because the people would expect him to protest. They would wonder what was wrong with the Opposition if it sat here mutely while this proposition, with no evidence to justify it, was being discussed. The Minister gave no evidence in his remarks a moment ago to suggest that the control council is not up to standard. The inference is that he thinks it is operating very well. I am one member of the Opposition who does not think so. Nevertheless the Minister believes it is operating efficiently, yet he is the one now who is proposing an increase in its membership.

Mr Shalders: He is a far better judge than you are.

Mr BERTRAM: Presumably this is to make it more efficient. With an increase in the number on a committee one usually finds it operates less efficiently. We all know that. Some members of Parliament operate with a committee at election time and this is a first-class method of being unsuccessful. Members do not need a team of committee members around them to tell them what to do. This is what we do in the interests of our own advancement. This is the sort of thing we should be thinking about in the interests, of the preservation of clean air. As the member for Melville has pointed out so correctly, we should not be "stacking the council". We do not want to stack it at all. What the Opposition wants is efficiency and I have the gravest doubt, from the evidence I have presented in the Chamber, that we do have an efficient council; and by increasing the numbers once again it will be even less efficient.

The Government, from time to time, pretends it is concerned about the interests of the people in the country. It has been stated that the representation of local government on this committee is protecting the interests of the rural sector. It has come to my attention that this is not correct and that the Local Government Association, as I understand the situation, represents only the metropolitan area. Therefore, the country is certainly not represented through local government. This seems to be an extraordinary change of attitude by this Government, when we remember that one moment it is concerned about giving country people an advantage which in some circumstances gives them a vote which has 17 times the value of my vote in the city, but when it comes to dealing with air pollution those same country people do not get a vote at all. No-one in the so-called National Country Party—one of the coalition parties—thinks about the situation. None of them probably knows or cares. Anyhow, the Opposition does know and does care, and hopes something will be done about it.

It would be more practical if country shires were given a voice, than to give an extra seat on

this council to the Confederation of Western Australian Industry which already has sufficient voice, and which point seems to be amply demonstrated by the performance of the committee to date.

The committee really requires the Minister to get down to tin tacks and to give a proper, adequate, and responsible answer to the matters which have been raised by the shadow Minister for Health, because thus far the Minister for Health has not given a proper answer at all.

Clause put and a division taken with the following result—

Ayes 23

Mr Blaikie	Mr McPharlin
Sir Charles Court	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr Old
Mrs Craig	Mr Sibson
Mr Crane	Mr Spriggs
Dr Dadour	Mr Trethowan
Mr Grayden	Mr Tubby
Mr Grewar	Mr Williams
Mr Hassell	Mr Young
Mr Herzfeld	Mr Shalders
Mr P. V. Jones	*(Teller)*

Noes 17

Mr Bertram	Mr Harman
Mr Bridge	Mr Hodge
Mr Bryce	Mr Jamieson
Mr B. T. Burke	Mr Melver
Mr T. J. Burke	Mr Parker
Mr Carr	Mr Pearce
Mr Davies	Mr Tonkin
Mr H. D. Evans	Mr Bateman
Mr Grill	*(Teller)*

Pairs

Ayes	Noes
Mr Laurance	Mr Barnett
Mr Rushton	Mr E. T. Evans
Mr Sodeman	Mr T. H. Jones
Mr MacKinnon	Mr Skidmore
Mr Mensaros	Mr Wilson
Mr Watt	Mr Taylor

Clause thus passed.

Clauses 6 to 9 put and passed.

Clause 10: Section 20 amended —

Mr HODGE: This clause seeks to alter the composition of the scientific advisory committee. The committee will be increased in number from eight to nine. The additional position to be added seems to me to be a worth-while and sensible appointment because that person will be a biological or agricultural scientist, employed by the Department of Agriculture. The Opposition is happy about the appointment.

The clause seeks to delete the description of a fuel technologist and substitute it with a description of a person who is a qualified engineer or industrial chemist; and again, the Opposition has no objection to that alteration.

I note that the advisory committee also has an over-representation from The Confederation of Western Australian Industry (Inc.). The confederation has two representatives on the committee and no other organisation has that number, the other organisations being represented by one person. I see no logical reason for us to persevere with legislation which specifies that two persons shall represent the confederation.

The argument advanced by the Minister for Health with respect to the representatives from the confederation does not hold and cannot be applied to the scientific advisory committee. The Minister said that four people were needed on the council, to balance all points of view and to represent all sections of industry. That argument cannot be used with respect to the scientific advisory committee. Surely the confederation could be adequately represented by one scientific adviser on the committee. Surely, they will not have two scientific advisers, with different opinions, to represent the confederation.

I note that the Trades and Labor Council is not represented at all and I make the same point I made with respect to the Noise and Vibration Control Council: I believe it would be proper for the Trades and Labor Council to be invited to have a professionally qualified person to represent it on the advisory committee.

I wish to point out to the Minister also that there is no representative of the Department of Conservation and Environment and I believe that is a major oversight. The Minister said yesterday, by way of interjection, that the Federal Department of Science and Environment was represented on this committee. That may be so, but it is certainly not written into the legislation. It may be that one person on the committee just happens to be an employee of that Federal department. It is just good fortune for us that person is on the committee at present, but it is certainly not a statutory requirement. I believe this oversight should be rectified because the State department most concerned with the environment is not represented on this scientific advisory committee.

I wish to advance the same comments I made previously about the Noise and Vibration Control Council and its advisory body. I am of the opinion that this body should be amalgamated with the parent body. I believe the system of having a technical advisory committee and an overriding council is not the most efficient and streamlined way of achieving our objective, which is to have a quiet, pollution-free environment. This could be achieved with the amalgamation of those organisations.

Mr YOUNG: This clause will amend section 20 which sets out the composition of the scientific advisory committee. On reading the legislation, members will be aware that the appointments are made by the council; that is, the Air Pollution Control Council, and this clause sets out the persons whom the council may appoint.

The member for Melville has made a number of recommendations as to how the scientific advisory council should be constituted. However, the legislation itself quite clearly states that the Air Pollution Control Council shall make its appointments from a certain number of people.

If the people referred to by the member for Melville wished to be represented on the scientific advisory council then they would have made representations to me requesting that that committee be amended. The bodies to which the member referred are eminently responsible bodies and if they felt they had an obligation to be represented on the committee they would have made representations to me.

Mr Hodge: That is putting the cart before the horse.

Mr YOUNG: It is not because this Bill has been before the Parliament for approximately seven or eight months. No body to whom the member for Melville has referred has communicated with me to state that an amendment should be made. The member for Melville did not communicate with me, at any time prior to yesterday, requesting amended representation on this committee, nor did the member make any representation at the time I wrote to him requesting comment in respect of the legislation. So, quite apart from those three aspects one would think that any responsible body, which required representation, would have made a serious representation to me in the past. This Bill has been in existence for some time and I am not aware of any representation from any body.

However, I will not say I disagree flatly and absolutely with all the things the member for Melville has said. I am saying that as those representations were not made to me by the bodies referred to, they could hardly have been considered by me. Therefore, as I said during the course of the debate on the Noise Abatement Amendment Bill with regard to an appointment that he recommended to the Noise Abatement Advisory Committee—in respect of representation from the Department of Conservation and Environment, I think it was—I would consider such a representation when made to me.

Mr Hodge: It was the Trades and Labor Council.

Mr YOUNG: Yes, the Trades and Labor Council. If such a body were to contact me to make a case as to why it should be represented on this particular committee, I would consider it. However, the member for Melville does not make a very strong case when he suggests I should amend the Bill to include representation from organisations which have made no submission to me about such representation.

Mr HODGE: I will reply briefly to the Minister; certainly I am not satisfied with his explanation. Surely it is the Government's responsibility to ensure that these statutory bodies are properly composed. He is suggesting that unless he receives an approach from an organisation to be represented on a committee, he would not consider such an appointment.

Mr Young: I am saying I consider the committee to be constituted properly. You are saying otherwise, and I am saying that those people never put a case to me.

Mr HODGE: I cannot believe that the Minister is saying he is quite satisfied that the State Department of Conservation and Environment is not on the advisory committee of the clean air council.

Mr Young: I do not think it the end of the world that it is not.

Mr HODGE: That is a staggering admission. It is perfectly obvious to everyone except the Minister for Health that the State Department of Conservation and Environment should be represented on this committee. That is a glaring oversight. The Minister has fallen down on his job, and he is now casting around and trying to blame me or anyone else for not drawing up his legislation for him.

I have learnt my lesson. I will not in future place my proposed amendments to a Bill on the notice paper for this Minister. How naive I was to give him forward advice on the Noise Abatement Bill. Any amendments suggested by the Opposition are thrown out just as easily whether or not they are placed on the notice paper.

Mr Young: I gave you 12 days' notice of the fact that they did not make sense.

Mr HODGE: The Minister did not respond to my complaint about the overrepresentation of the Confederation of Western Australian Industry. A point in regard to the composition of the council itself is the fact that there is provision for an appointment from the University of Western Australia and no other tertiary organisation. My

comments apply also to this appointment. We should be able to look for possible appointments from other tertiary institutions. It may well be that an eminent, highly-qualified person in these areas is on the staff of Murdoch University or of the Western Australian Institute of Technology. We should not exclude such a person from the council.

Clause put and passed.

Clause 11 put and passed.

Clause 12: Section 24 amended—

Mr HODGE: This clause seeks to amend section 24 of the principal Act by deleting paragraph (b) of subsection (4) and replacing it with a new paragraph. The Opposition approves of this amendment; it is a very sensible one which will give the clean air council much more flexibility in policing the Act. The amendment will give the council the power to revoke a licence or to suspend it for any period not exceeding six months if it thinks fit. It can revoke or vary any condition attaching to a licence, and it can attach new conditions to a licence. Apparently some doubt existed in regard to this power in the old legislation, so it appears to be a very good move to amend it in this way.

I raised a point briefly during my second reading speech, and I hope the Minister has had time to look at it. I will quickly recapitulate my remarks. The Bill does not propose to amend paragraph (a) which uses the words "the Council shall grant any application for a licence or renewal or transfer", and as the word "may" is to be used in the new paragraph (b), it seems to me that the word "may" should be substituted for the word "shall" in paragraph (b) to be consistent and to avoid any possibility of conflict. I believe there is a possibility for confusion because of the inconsistency and there may be a legal challenge in the future. I would like to know whether the Minister can clear up that point.

Mr YOUNG: On the surface the point raised by the member for Melville appears to be valid, but when we look closely at the wording of paragraphs (a) and (b) as they will be constituted, we find it appears that no problem will exist as a result of retaining the word "shall" in subsection (4) rather than substituting the word "may". The intention of the legislation was that on application for a licence for scheduled premises, the council was to make a grant, and that the grant could be subject to conditions that may be made by the council. So the word "shall" was written into that paragraph advisedly.

The member for Melville raised the point that when new paragraph (b) comes into force it means that the council may do certain things. Those things will be to revoke, vary, or apply conditions to a licence, and the member for Melville suggests that will be in conflict with the word "shall" in subsection (4). I think he best described his fears by saying that if a licence were revoked, the company or individual against whom the licence was revoked, could simply return to the council and say "I want another licence". That is quite correct, but the situation is highly unlikely to arise for the reasons that I will enunciate to the committee. Also, it would serve absolutely no purpose for someone to take such action.

If one happens to be a polluter of the air, one would be looking for the lesser of the two evils—the two evils being the revocation or the suspension of a licence. If the council decided to revoke a licence, as the member for Melville says quite rightly, the person concerned could come back to the council to say that he wanted another licence. Of course the licence would be subject to new conditions written into it, and this would be one method by which the council could say "Okay, we will give you another chance if you like". However, the person concerned would have to wait up to a month, plus the time necessary for the procedures involved to be followed. So the person would be in default of the Act for a considerable time and the revocation of a licence would put the person who has committed some form of transgression against the Act into a very difficult position. It would not be very sensible for such a person to proceed without rectifying the conditions that gave rise to the original revocation.

As I pointed out, the new conditions would be written in immediately and if the person was in default of them he would be well and truly out of pocket as a result.

Mr Hodge: Would it not be preferable not to issue that licence instead of issuing it and then attaching conditions to it?

Mr YOUNG: Do you mean the second licence?

Mr Hodge: Yes.

Mr YOUNG: I really cannot see any reason that no license should issue, because the conditions imposed on the second licence obviously would be those which the council would want spelt out in any event. The idea of the Act is not to put people out of business, but to ensure that they comply with the requirements of the Act. I do not see any advantage would be gained by a person returning immediately to the council and saying "Give me another licence." On the other hand, a suspension would be even worse

than revocation if that power is contained in paragraph (b) for a licence to be suspended for up to six months; and if a person transgressed the suspension of a licence he would be liable for a tremendous amount of money on a daily basis.

Although the point made by the member for Melville is correct in that on the surface it appears a person can overcome the provisions of this section by asking for another licence, firstly, that person would be liable for a daily penalty until such time as the council was in a position to grant a new licence; and, secondly, the new licence certainly would contain conditions which the council would want to impose on it, and failure to comply with those conditions obviously would cost the person in transgression a considerable amount of money.

If the word "may" were written into the Bill the council would be able to sit back and decide to go against the original intention of the Government and the Cabinet at the time the Act was drafted. The original intention was that the licence would be issued and people would not be held up by the council saying "We will think about it." In other words, the licence is issued, subject to certain conditions which the council may want to impose from time to time, as an encouragement to get on with the job.

Mr HODGE: I appreciate the Minister's detailed explanation. I still do not agree with him, but I will not make an issue of it.

I believe the word "may" would give the council more flexibility. Circumstances could arise in which a person continually offends against the Clean Air Act, and it seems to me that instead of going through the procedure of reissuing a licence to such a severe offender it would be better if the council had the authority to decline to issue him a licence. I cannot imagine the council being so irresponsible or negative as to refuse to grant a licence to a person without very good reason, or being excessively tardy in issuing a licence. If the council did that the Minister would have grounds for taking action against it. Rather than going through the procedure of granting a new licence to a person whose licence has been revoked it may be preferable in some instances for the council to say "We will not give you a licence." I believe that would add a little more flexibility to the legislation.

Clause put and passed.

Clause 13: Section 26 amended—

Mr HODGE: The Opposition objects in principle to this amendment. It is a minor one to add the words "Minister or the" to section 26(2). However, it touches on the matter we debated yesterday in respect of providing an alternative avenue of appeal to the Minister for Health rather than continuing with the sole avenue of appeal to the Local Court. Under this amendment people may appeal against decisions of the council either to the Minister or to the court.

This amendment is not worthy of a long debate, but it is the first amendment which introduces the proposition of an appeal to the Minister, and we are strongly opposed to that. Therefore, we are opposed to the clause.

Mr YOUNG: Perhaps by interjection the member for Melville could tell me whether the whole argument on the matter of the appeal to the Minister could be confined to this clause.

Mr Hodge: We can argue it on this clause or clause 23.

Mr YOUNG: I would prefer this one.

Mr Hodge: All right.

Mr YOUNG: I thank the member for Melville for not repeating the debate of yesterday, and it is not my intention to repeat it, either, other than to reiterate that there seems to be general acceptance of the fact that under other Acts Ministers are appealed to on matters similar to that dealt with in this Act. I know the member for Melville has expressed the Opposition's view in respect of this matter. The Opposition feels it is bad, but there are many reasons that such an appeal should be provided, even under the Health Act.

Perhaps it seems strange that a Minister can be appealed to and override the opinion or direction of the commissioner who is a qualified man in respect of public health matters. However, I evidence the fact that the Minister for Local Government makes decisions in respect of technical matters such as those which the Minister for Health would deal with in an appeal under this Act.

I made all the points that I care to make in respect of this matter yesterday in reply to a rather longer submission by the member for Melville.

Mr HODGE: I did not go into a great deal of detail because I intended to speak to this matter on clause 23. However, it is the same argument and the matter can be debated on clause 23 or clause 13. I will reiterate briefly the points made by the Opposition yesterday in case anyone is under the impression that our opposition to this measure may have waned since then.

It is most improper to provide this avenue of appeal to the Minister for Health against the decisions of the council. As I said yesterday, the

Minister for Health, under this Statute, has very close day-to-day links with the administration of the legislation and the council. I quoted yesterday the numerous provisions in the legislation giving the Minister power to appoint people to the council, power to sack people, and power to ask the council to do things and to give him advice. He can convene meetings of the council; he can do all sorts of things. It is improper for a Minister, who is very close to the operation of a council, to sit in judgment on the decisions of that council.

The Minister for Health quoted the Minister for Local Government as a similar avenue of appeal against decisions of local authorities. That is not a good argument. I do not approve of her doing that. The Opposition has said on a number of occasions that it is our intention, when we become the Government, to reduce drastically the number of occasions on which the Minister for Local Government can act in that capacity.

The Minister for Health instanced the power given to him under the Health Act to override the Commissioner of Public Health on some technical matters. Again, that is unsatisfactory. I hope he would not be exercising those powers except in very extraordinary circumstances.

What we are legislating for now is not something confined to very rare or extraordinary circumstances. It could become quite a routine matter. The Minister has not put up any argument in favour of the change. He has not advanced one jot of argument as to what is wrong with appealing to the Local Court.

As far as I am concerned, and as far as the Opposition is concerned, the present arrangement is satisfactory. We have confidence in the Local Court to deal with these matters. We do not have confidence in the Minister for Health—this Minister for Health, or any other Minister for Health. If I were the Minister for Health, certainly I would not want to have that responsibility. It is not proper for a political head of a department to have that sort of responsibility, sitting in that kind of judicial position.

Mr BERTRAM: This is a thoroughly unacceptable provision. It reeks of mischief. It is a thoroughly unsatisfactory one; and I support all that the shadow Minister for Health has said. I will repeat one or two of the points he has made, because they bear repeating, and they should be repeated. I do not expect we will achieve anything with the vote; but that does not mean we are not right. That only highlights the inadequacy and the inefficiency of this Committee, and the people in it.

The member for Melville pointed out, as he ought to point out, that no case has been made to show that the present arrangements under the Act are not satisfactory—that any person who is aggrieved may appeal to the Local Court. There is no evidence before this Committee to suggest that that system, as it is now operating, is not operating satisfactorily and adequately. It is in that context that the Minister now comes along and says "I am going to arrange through this Bill, by this amendment, to give to aggrieved persons an alternative avenue of appeal"—that is to say, that henceforth, instead of being entitled to appeal to a magistrate of the Local Court only, an appellant can go to the Minister.

The other most objectionable aspect of this is that when there is an appeal to the Local Court, at least there is some prospect of publicity being given to the appeal and to the proceedings in the court. Of course, the Press may exert its powers of censorship and decline to publish the proceedings. We have no control over that.

The Press virtually has an absolute power of censorship. It takes great exception to censorship by anybody else; but it is thoroughly happy with censorship by itself and of itself.

In any event, if this clause is passed, it will not even be within the power of the Press to censor or to publish, because it will all be secret. The public will not have the faintest idea of what is going on, or why it is going on. Whilst that might have been a satisfactory arrangement a few decades ago, it is certainly not satisfactory to the ordinary member of the public today. The public believe that where the full light of day shines upon proceedings, and there is plenty of daylight shining on the activities of mankind, and plenty of publicity, there is a greater chance of a better standard of performance.

Now, we might not like lots of things that go on in the United States of America. For one, I do not. However, one has to concede that in the United States plenty of publicity is given to lots of things—far more publicity than is given in our society.

Amongst other things, this provision has a potential to favour appellants—give them a better run than they should have. Clearly it is going to hide appeal proceedings so that the public will not have the faintest idea of who is appealing against what. People will not know what went on at an appeal. They will not have the faintest idea of the outcome of the appeal, either. The public should have knowledge of all of those things.

There are lots of other things one could say about this clause, but one does not need to. If the

argument put before the Committee by the shadow Minister for Health and by myself is not adequate to carry the day, nothing else will carry the day.

We know what the Government will do about it—absolutely nothing at all. It will railroad this through, unsatisfactorily, against the public interest—not caring. It is being done because of the sponsorship and the urging of the people in the Liberal Party upon the Government—nobody else. It is not an initiative merely of the Minister sitting there, with all the jobs he has to do. He did not suddenly turn up this Act and say, "I will alter the appeal." What nonsense!

Somebody within the portals of power has told the Minister, "This is what we want." He is doing as he is told. It is important that we acknowledge this is happening, when we have performances of this sort—"mal-performances", one should say. One has to look for the reasons. Odd situations call for odd origins, or usually spring from odd origins. That is what has happened here. Somebody has applied the pressure to the Government and to the Minister: and he is bowing to their directions, notwithstanding the case against it is overwhelming.

I do not propose to labour the point any more. For the reasons I have given, we must inevitably oppose this provision, which is absolutely beyond justification, thoroughly bad, obnoxious, mischievous, and has nothing good about it whatsoever.

Clause put and a division taken with the following result—

Ayes 24

Mr Blaikie	Mr Nanovich
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr Sibson
Mrs Craig	Mr Spriggs
Mr Crane	Mr Stephens
Dr Dadour	Mr Trethowan
Mr Grewar	Mr Tubby
Mr Hassell	Mr Watt
Mr Herzfeld	Mr Williams
Mr P. V. Jones	Mr Young
Mr McPharlin	Mr Shalders *(Teller)*

Noes 17

Mr Barnett	Mr Hodge
Mr Bertram	Mr Jamieson
Mr Bryce	Mr Melver
Mr B. T. Burke	Mr Parker
Mr T. J. Burke	Mr Pearce
Mr Carr	Mr Tonkin
Mr Davies	Mr Wilson
Mr H. D. Evans	Mr Bateman
Mr Harman *(Teller)*	

Pairs

Ayes	Noes
Mr Laurance	Mr E. T. Evans
Mr Rushton	Mr T. H. Jones
Mr Sodeman	Mr Skidmore
Mr MacKinnon	Mr Grill
Mr Mensaros	Mr Taylor
Mr Grayden	Mr Bridge

Clause thus passed.

Clauses 14 to 17 put and passed.

Clause 18: Section 37 amended—

Mr HODGE: This clause seeks to amend section 37 of the principal Act. The Bill seeks to prohibit the occupier of an unscheduled premises from emitting smoke from a chimney or open fire. Such a provision closes a loophole which existed and formerly allowed the occupier of an unscheduled premises to emit smoke from an open fire. The occupier was prohibited from emitting smoke from a chimney, but not from an open fire. I am pleased to see that loophole has been closed.

During the second reading debate I mentioned briefly that it seemed to me section 32 of the parent Act may have also required a similar amendment. That section deals with the emission of smoke from a chimney of a scheduled premises. It seems to me it may be necessary to amend section 32 and to insert the words "or an open fire", so that the same sort of safeguard will be provided.

It would be rather ludicrous to prohibit an unscheduled premises from emitting smoke from a chimney or open fire, but to allow a scheduled premises to emit smoke from an open fire, but not from a chimney.

I raise that matter briefly in the hope that the Minister will look at it and discuss it with his advisers. I leave it at that, in the hope that the Minister can provide an explanation.

Mr YOUNG: Very briefly, I should like to tell the member for Melville I will refer his comments to the Air Pollution Control Council. We are talking about the Act and it would appear that, at the moment, section 37 contains the power to prohibit the emission of smoke from any or all premises; but subsection (4) specifically precludes scheduled premises. Therefore, the aspects raised by the member for Melville will be given close attention by the Air Pollution Control Council.

Clause put and passed.

Clauses 19 to 22 put and passed.

Clause 23: Section 45 amended—

The CHAIRMAN: In line 27 the word "are" has been omitted. I am sure the Committee would be prepared to accept such an error in the same way as it is prepared to accept typographical

errors. In that case, I propose that we insert the word "are" after the word "relates" on page 11 and, therefore, the motion before the Chair is that clause 23, as corrected, be agreed to.

Mr HODGE: This is the clause which amends section 45 of the parent Act and provides the framework for the new avenue of appeal to the Minister. I will not repeat the arguments we have canvassed already. We are opposed to this clause, because we do not believe there should be an avenue of appeal to the Minister. Had that decision not been made by the Government, this amendment would not be necessary, because that is what it provides for. For that reason, we oppose this clause.

Clause, as corrected, put and a division taken with the following result—

Ayes 24

Mr Blaikie	Mr Nanovich
Sir Charles Court	Mr O'Connor
Mr Cowan	Mr Old
Mr Coyne	Mr Sibson
Mrs Craig	Mr Spriggs
Mr Crane	Mr Stephens
Dr Dadour	Mr Trethowan
Mr Grewar	Mr Tubby
Mr Hassell	Mr Watt
Mr Herzfeld	Mr Williams
Mr P. V. Jones	Mr Young
Mr McPharlin	Mr Shalders *(Teller)*

Noes 17

Mr Barnett	Mr Hodge
Mr Bertram	Mr Jamieson
Mr Bryce	Mr McIver
Mr B. T. Burke	Mr Parker
Mr T. J. Burke	Mr Pearce
Mr Carr	Mr Tonkin
Mr Davies	Mr Wilson
Mr H. D. Evans	Mr Bateman
Mr Harman *(Teller)*	

Pairs

Ayes	Noes
Mr Laurance	Mr E. T. Evans
Mr Rushton	Mr T. H. Jones
Mr Sodeman	Mr Skidmore
Mr MacKinnon	Mr Grill
Mr Mensaros	Mr Taylor
Mr Grayden	Mr Bridge

Clause, as corrected, thus passed.

The CHAIRMAN: I ask the member for Ascot, as he crosses the Chamber in front of the Chair, to pay the normal courtesies that exist. I know he did not on a previous occasion.

Mr Bryce: The Chairman of the Committee might well ask, but whether a member complies is up to the member. Don't take yourself so seriously!

Several members interjected.

The CHAIRMAN: Order! I inform the House I made that remark because the member in company with others had not paid on a previous occasion the normal courtesies to the Chair. Most members follow the courtesies of the House.

Clauses 24 to 28 put and passed.

Title put and passed.

Bill reported, without amendment, but with corrections.

Sitting suspended from 12.42 to 2.15 p.m.

INDUSTRIAL ARBITRATION AMENDMENT BILL

Second Reading

Debate resumed from 2 April.

MR PARKER (Fremantle) [2.15 p.m.]: At the outset I state that the Opposition is strongly opposed to this piece of legislation. It is yet another attempt by the Government to remove a group of workers from within the confines of the jurisdiction of the Industrial Arbitration Commission of Western Australia.

Last year we saw another amendment to the Act; indeed, it was an amendment to a section which had a similar effect; namely, to remove groups of workers from the control of the Industrial Arbitration Commission therefore removing the ability to resolve disputes through the commission.

That legislation was very much a result of an industrial dispute in which the Government was involved with its officers and departments. However, the Government found it was on the losing end and, because it was not able to win in the industrial arena, it decided to bring the matter to the place where it would win; namely, the Legislative Assembly in the Parliament of Western Australia where it has the numbers.

Now, we find ourselves in the same situation with legislation to amend section 96 of the Industrial Arbitration Act. The Government undertook action with respect to the prison officers and the Prisons Officers' Union of Workers and it decided to reclarify the matter in a certain way. The Government thought it could do that in a fairly simple procedure. However, the Industrial Arbitration Commission said the Government did not have the power to do what it wished so the Government brought the matter to this Parliament.

This is a tactic of the Government and it displays its arrogance in that it does not believe the machinery it has set up to deal with industrial disputes is sufficiently trustworthy so, the matter is brought to this place because the Government is not prepared to accept the umpire's decision.

One feels somewhat strange in dealing with this legislation today—important though it is—because on the basis of what I heard on the radio at lunch time of what is happening in the Federal Parliament, it seems that it is like the synod of the Russian church discussing the finery that should be worn during the time of the start of the Bolshevik revolution. It is a pity because with that happening, what is occurring here will look somewhat pale and insignificant. What is being attempted here is important and it is necessary that the public have an understanding of the reasons behind the Government's actions in this matter.

The Government started thinking of this action following a dispute in the Fremantle Prison on 13 August 1979. The dispute arose because prisoners were wandering around carrying their personal effects in cardboard containers. The prison officers requested that the containers be withdrawn as they posed a security threat because they could not be properly searched. Prior to this matter there had been considerable public alarm about the number of escapes from Fremantle Prison.

Mr Davies: More out than in.

Mr PARKER: I think one of the prisons has the unfavourable reputation of having more escapes in one year than prisoners inside.

On 14 August 1979 a conference between the Prison Officers' Union and the Department of Corrections failed to resolve the dispute. The department acknowledged that the boxes posed a security threat, but was not prepared to authorise their removal, despite the fact that the prison officers felt they posed a security threat. The recommendations of the prison officers, who had expressed a genuine concern about security, was overridden.

The members of the Prison Officers' Union were not prepared to continue to work under such conditions, because they felt the precautions were insufficient for themselves, and insecure so far as the public were concerned. Later that day the prison officers removed the cardboard boxes from the prisoners and as a consequence a number of prison officers who supervised the removal were charged under prison regulations.

On 15 August, the following day, the department ordered the principal officer at the prison to distribute plastic containers to persons throughout the prison. The principal officer refused, and was charged with refusing to fulfil a lawful order under the same prison regulation. Two other prison officers were given the same order, they refused, and were subsequently charged, on Thursday, 16 August 1979, for refusing to obey a lawful order.

A meeting of prison officers was held at 8.00 a.m. to discuss what action could be taken as a result of the charges being laid against the officers concered. During the course of that meeting, certain officers left on duty as part of the skeleton staff were relieved of their positions by administrative officers. It is important to understand that point because one of the charges made against these men was that they were irresponsible for leaving the prison unattended. That is not the case.

The principal officers and other wardens were anxious that prison security was not threatened and so a skeleton staff was left on duty. Despite that, administrative officers of the department decided to come to relieve them of their duties. So it is not true to say, as has been alleged often in the Press, that these officers were being transferred because they would not accept the very grave security responsibilities that go with their positions. In fact, they were taking the action they did take precisely because of their concern about their own security, their own working conditions, and indeed, the security of the public.

I recall being told at the time about one prisoner who was walking around with his cardboard box containing a valid Australian passport, a knife, and various other implements. Apparently this prisoner had some idea that he would not be staying in the prison very long, and he made sure his passport was up to date—he was carrying it with him at all times just to be on the safe side. It is not surprising that the prison officers were concerned at the level of security in the prison.

When these wardens were relieved of their duties by the administrative officers, on making inquiries it was found that the officers had been locked out of the prison by the prison administration. Some two hours after the lockout, a further meeting of officers took place just inside the prison. Officers were allowed in the first part of the prison, but they were not permitted to have keys.

At that meeting the director of the department (Mr Kidston) informed the officers at the meeting of the decision to transfer principal officers to the Civil Service. It is important that that sequence of events be noted. As I will reveal later when I come to refer to the decision of the Industrial Commission, that statement conflicts to some considerable degree with the evidence which the

department put before the Industrial Commission with regard to the sequence of events.

On the following day, Friday, 17 August 1979, the dispute over the containers virtually ended when the prison officers and the department agreed that the most appropriate way to handle the matter of prisoners wanting to carry gear around and prison officers being concerned that solid containers would enable offensive weapons and other things to be secreted in them was to distribute clear plastic bags to the prisoners to carry their gear. Originally the officers had taken the position that they did not want prisoners to be carrying things around the prison at all. However, rather reluctantly they accepted the position they were put in by the department.

Obviously the department was not going to control the prisoners; the representatives of the department suggested to the prison officers that the prisoners would riot if some form of container was not made available to carry their gear around the prison.

On that same day, Friday, 17 August, all the principal officers were informed that they had been transferred from the employment of the department to the employment of the Public Service Board, and that they were eligible to become members of the Civil Service Association. The following week the Prison Officers' Union took out a prerogative writ in the Supreme Court against the then Chief Secretary claiming that employees could not be transferred to another employer without their consent. Prior to the writs being heard in the Supreme Court, the letter of appointment to the Civil Service Association was withdrawn.

This is another example of the ineptness of the Government or its advisers in dealing with such situations. Obviously the Government was advised that it could take certain action: namely, the action of transferring people from one employer to another. Obviously, once the Government sought the advice of the Crown Law Department—or whomever it turned to for advice—I am sure the Government was informed very quickly that the action it intended to take was beyond the bounds of possibility. Again we see the Government taking action only to discover later that it does not have the ability to do so. Then the Government has to rush around hurriedly or seek to change its tactics or even introduce legislation to meet the situation it has created. That is precisely the reason we have this Bill before us today.

So the instruction to the principal officers was withdrawn prior to the hearing of the prerogative writ, and the principal officers were "invited" to apply for positions of chief officers in the Public Service. These men were not forced to become chief officers, although the department told them that it could not guarantee they would not be demoted from principal officers or dismissed from their positions if they decided not to apply to become chief officers.

The principal officers were told that if they did not apply for the positions of chief officers within 24 hours of being given the offer, they could not subsequently be guaranteed those or similar positions in the Public Service.

Needless to say, with terms like that—that sort of bludgeoning of the principal officers—most of the men accepted the positions of chief officers, and one can hardly be surprised at that. However, some refused to be so bludgeoned, and as a result of conferences between the parties, and later before the Industrial Commission, it was agreed that principal officers who had not, at that stage, elected to become chief officers, should not be required to make a decision until after the Industrial Commission had considered the dispute.

Numerous conferences took place on the question of this dispute before the Industrial Commission. In those conferences the union argued that it was not the province of the Government to decide to which union a group of employees would belong. The whole purpose of the exercise had been to remove the prison officers from the area of membership of the Prison Officers' Union, and to put them into the area of membership of the Civil Service Association, apparently in the belief that this would have some effect on their industrial behaviour.

One can only ask whether that will be the case. It is by no means certain that the principal officers will change their opinion as to what action they should be involved in, simply because they belong to a different union. The Government takes a very simplistic view of industrial relations; it takes the view that the question of which union one belongs to is much more important than one's own view, and that certain unions are likely to act in certain ways and others are not.

The list of unions the Government regards as militant continues to grow and grow, as more and more workers—particularly those employed by the Government—decide they are fed up with the way the Government handles its industrial relations policy or the way in which the

Governments, Federal or State, try to force the arbitration commissions, Federal or State, to handle industrial policy. More and more groups of workers are attempting to take action, including many who hitherto have never resorted to this type of action.

Instead of looking at the reasons behind the action and instead of trying to sort out the problem and recognise that more than anybody in the administrative section of the Department of Corrections, the prison officers—particularly the senior officers—are the people most concerned about security and in fact have constantly told the department its security is inadequate and some of the decisions made in respect of the security of long-term prisoners is quite ludicrous, the Government thinks that by simply changing the name, classification, and status of these officers, and changing the union which it thinks those prison officers should belong to, it will solve the problem. That shows the sheer ineptitude of the Government in the field of industrial relations.

The Government does not understand what industrial relations are all about. The Government has a reaction to unions which is not unlike the reaction of Count Dracula to the crucifix, and almost as dramatic. The Government believes this is the way in which it can sort out this problem. It needs only to look at the way in which the Civil Service Association, for the first time in its history, has taken action against the Government as its employer to see that this position is very unlikely to remain the case for very long.

In the conference before the commission, the union argued that the Industrial Commission had been established to prevent and settle disputes and if there were disputes between the union and its members and the Department of Corrections, the proper place for sorting out those disputes was in the Industrial Commission, using the various mechanisms, and not by unilateral action on the part of the Government by transferring employees or—as at the moment—by legislative action in insisting certain things happened, even though nobody wanted them to happen.

After nearly three days in conference, it was agreed the commission should have the opportunity to recommend whether principal officers should remain as principal officers under ministerial employment, or whether they should become civil servants, in the Public Service. The Public Service advocates indicated the Government would place argument before the commission that it would not necessarily be bound by any recommendation of the commission. Once, again, this shows the hypocrisy of the Government in regard to industrial relations. We hear the Government, and particularly this Minister, talking about accepting the umpire's decision. The Minister himself has used the expression "fair go" more than a few times in this Chamber and in his public statements and dealings with people in the industrial field. Despite that apparent support of the philosophy of a fair go and of accepting the umpire's decision, the real position of the Government is that if it does not get its own way in terms of the established mechanism, it will take some other opportunity to get its own way.

In order to facilitate the inquiry by the commission into the legal position, it was agreed the Department of Corrections would make application to delete from the prison officers' award the classification of "principal officer". The hearing was delayed due to another matter before the commission, but it finally went before then Senior Commissioner Kelly, now the Chief Industrial Commissioner, on 27 March last year. The Public Service Board, representing the Minister, indicated that the department had given consideration to transferring principal officers to the Public Service well before the August 1979 dispute. However, it had not acted upon the matter before the dispute arose.

The argument which the Government put to the commission was that the Government, and not the Industrial Commission, had the power to create positions under the Public Service Act and of removing like positions from ministerial employment. The Government advocated that the commission should not involve itself in such activities. The Government also said it was prepared to argue that chief officers were Government officers, although at the time, the Government advocate did not so argue.

Some weeks after that, Senior Commissioner Kelly called the parties together to make submissions as to whether the new classifications were in fact Government officers under the then existing provisions of section 96 of the Industrial Arbitration Act. The commission handed down its decision on 11 July in which it was concluded they were Government officers. However, no decision or recommendation was made as to whether the position of "principal officer" should continue. Senior Commissioner Kelly refused to delete from the prison officers' award the classification "principal officer".

I believe it is worth referring to the decision, because Senior Commissioner Kelly made some very valuable comments. The following statement appears on page 9 of the decision—

> From the evidence of those witnesses it is clear that any difference between their duties as Chief Officers and their duties as Principal Officers, was a paper difference only and was, in any event, insignificant. Indeed, on the case as a whole, the only conclusion which one could reasonably draw is that the way in which the Public Service Board and the Director of the Department saw the administration of the Department being strengthened by the Principal Officers being appointed Chief Officers under the Public Service Act was that they would thereby be removed from the Prison Officers Union and would be subject to direction and control under the Public Service Act.

In other words, the commissioner's decision ignored all the nonsense of administrative changes being necessary to effect this decision. The commissioner brought it down to the nub. Despite the fact these officers had exhibited an extremely responsible attitude towards industrial relations; despite the fact that they, more than anybody in the department, were concerned about departmental security, about their own security and about public security in regard to prisons; despite the fact the Government was ignoring the views of these officers, the department thought its problems could be solved by transferring these groups of workers from one union to another union and from one type of employment to another.

Subsequent to that decision, the union filed an application to cover chief officers and the answers from the Public Service Board were filed on 14 October 1980. On 16 October, the union contacted the Public Service Board and inquired whether it had any objections to an award for chief officers. The advocate receiving the call indicated that he would check the position with his senior officer and advise the union in due course.

The reason for this activity was contrary to what the Government thought was the position. It suddenly discovered it could not force these people to become members of the Civil Service Association. It found these people were eligible to be members of that association in so far as the classification of Government officers was concerned, but because of the way in which section 96(1) of the Act read, they were also eligible to become members of the Prison Officers' Union.

That meant the Prison Officers' Union was eligible to serve a log of claims on the Department of Corrections, or the Public Service Board, as the employer, seeking to have those workers covered by an award.

Whether the commission would have granted such an award, whether it would have decided it was better for the workers to be covered the way of other people employed under the Public Service Act are covered, is something that was, and still is until the passage of this Act, the province of the Industrial Commission to decide. The mere serving of a log of claims on an employer and all the various other formalities does not then require the Industrial Commission, whether it is happening in a State or Federal jurisdiction, to go ahead and make an award with respect to those groups of employees. It is within the competence of the parties to the proceeding—including the employers and the unions, although they would not be expected to make such decisions, and any other party such as the Attorney General on behalf of the Government—to argue that the discretion of the commission ought to be exercised in a way which would prevent the making of such an award. That is not something which is unusual; it is not something which has never happened before. For example, I recall that during the time I was on the Senate of the University of Western Australia a Federal union made application for a log of claims covering all workers in universities—all non-academic workers including registrars and various other very senior administrative officers. The vice-chancellor's committee decided that whilst it was prepared to have an award for general administrative staff it thought it would be highly inappropriate for people such as registrars, deputy registrars, and assistant registrars to be covered by an award of the same type and essentially binding both them and people of whom in many respects they were the employers—they were not legally the employers but they had similar rights in regard to hiring and firing. The university made a submission to the Federal commission for that commission to refuse to make an award with respect to those senior administrative classifications.

The commission agreed to that submission but in this instance, as one would expect of this Government, we had a Government which was not prepared to take a chance and not prepared to risk the merits of its argument and put them before public scrutiny. The Government has insisted with this legislation in having its own way with the result that the matter has not been left to the Industrial Commission. Despite the fact the matter was before the commission and despite the fact the application came on for hearing on 3 March, the Government obviously hurriedly

introduced this legislation. In fact, various delaying tactics were used in the commission by the Government's agents in this matter to ensure that time would be given before a decision was made so that this legislation could be passed. I believe that once this legislation is passed the Government will go back to the commission and say "Sorry, you have no jurisdiction in this matter. The Parliament has amended section 96(1) of the Industrial Arbitration Act."

In order to get the time it needed, the Government went through the farce of asking that the matter be referred to the Industrial Appeals Court, although it never sought to appeal the decision made by Senior Commissioner Kelly. If the Government felt there was something legally wrong with what Senior Commissioner Kelly did, the other thing it could have done was to appeal his decision to the Industrial Appeals Court; but once again it did not take that action for some reason or other.

As I understand it, what the Government is seeking to do by amending section 96(1) is to make it clear that a person who is employed as an officer under or within the meaning of the Public Service Act is a Government officer. Now the way the Act reads at the moment, the words "who is eligible to become a member of the association" refer to the whole of the subsection. The way the Government intends to amend this section will mean that each individual subsection stands on its own and each individual group of workers will be eligible to become members of the Civil Service Association only. I do not know that the Government has told the Civil Service Association that if it does not amend its rules to cover the classification of "General Officer" in the prisons service the Government will open up the position so that other clerical unions also can recruit and operate within the Public Service area. Needless to say the Civil Service will, with some alacrity, ensure its rules are amended to allow chief officers to come in. It shows the bludgeoning attitude this Government adopts in terms of the way in which it deals with its own employees.

It would be amazing to know what the Government thinks of the idea that if a private employer had the same sort of problems with his employees he could simply change willy-nilly the industrial conditions of employment in the way in which the Government is doing now. Of course he could not. A private employer faced with this situation—although I am sure he might possibly persuade this Government to change the legislation in some respects—cannot do it because he feels like it. Private employers are required to go to the Industrial Commission or some other private tribunal in order that their case can be scrutinised on its merits. The Government, by this legislation brought in to prevent a hearing—a legitimately filed hearing under the Industrial Arbitration Act—is ensuring that if the mechanism which it set up and substantially revamped in 1979 will not allow it to operate to regulate the conditions of employment of people it was originally intended to regulate, it will take the necessary action. Effectively what the Government is doing is overruling a decision made by Senior Commissioner Kelly.

This legislation should be seen as yet another attack on the independence and sovereignty of the Industrial Commission in respect of this sort of legislation. What is the point of having an Industrial Commission? How does one persuade unions to go before the commission and have a case argued on its merits if at the conclusion of the case the Government introduces legislation to change the effect of the decision?

The Government continually appeals to these people to be responsible unionists and it continually refers to unions as becoming increasingly irresponsible. The litany of unionists who it is alleged take on irresponsible tack becomes daily longer. The Government should look at its own position because the reason public servants in this State have gone on strike for the first time in 60 years and the reason teachers have taken their unprecedented action in ways which would have been unheard of only a few years ago—taking action against their own employers—is the actions of this Government and not because there is something innately wrong with those workers. The Government, in terms of its whole attitude in the dispute as it has progressed since 1979 and in this legislation, is making a mockery of the dispute-settling procedures of the Act. It is deliberately frustrating proceedings before the commission. I referred before to the delays, to the refusal of the Government to negotiate adequately, to its refusal to sort out problems and instead simply removing those problems by sweeping them under the carpet.

During the dispute the Government threatened the new principal officers with dismissal unless they agreed to become chief officers in the Public Service. As an inducement to the principal officers to join the Public Service, the Government offered them additional annual leave, a shorter working week, an additional four public holidays per annum, and additional wages. This is rather amazing. As a result of this change in which the principal officers have become chief officers employed under the Public Service Act

their conditions of employment have substantially improved, including a shorter working week. Here we have a situation where the Federal Government is saying it is against a shorter working week and abuses anyone who tries to achieve it, where the Minister for Industrial Relations in Canberra has had to resign because of his contretemps, and where the State Government has said it supports the Federal Government in regard to the matter of shorter working hours. But when it comes to a situation where expediency rules and where the Government wrongly believes that by transferring groups of workers from one union to another it is going to achieve an amicable and more peaceful industrial situation, it is prepared to give extra annual leave, shorter working hours, additional public holidays, and more wages.

One might say we are objecting to something which generally speaking the trade unions would support; but, of course, the answer is that the Government hopes to obtain in return for these things a compliant group of officers in this level of the prison service. I understand that not only these officers have been bludgeoned into leaving the Prison Officers' Union and joining the Civil Service Association, but also the superintendents have voted recently by 17 to one to go into the Prison Officers' Union. The superintendents of prisons are the people higher up the scale than the people about whom we are talking now and whom this legislation affects. The superintendents stated by a majority of 17 to one that they wanted to go back into the Prison Officers' Union.

If we consider, for example, the situation with fire brigade officers, it is precisely comparable to the situation with prison officers. Each fire brigade officer including the chief officers is part of the Fire Brigades Employees Union which like the Prison Officers' Union adopts a responsible attitude towards leaving certain officers on duty when industrial action takes place.

The prison officers did that at the time they took industrial action, because they were concerned for the safety of the community, but the Department of Corrections culpably ignored the safety of the community when prisoners could, simply by burrowing at the cell walls of Fremantle Prison, get out in a matter of half an hour and undertake attacks on citizens of Western Australia.

The Government has not been inclined to consider greater prison security. It is something about which the Opposition spoke before the election, and since then it is something about which the prison officers have been concerned constantly. They have been trying to get the Government to do something about prison security. Because of that dispute which was not over wages and conditions or any terms of service for the officers—it was not a self-aggrandisement exercise, but a question of security at prisons where prisoners could wander around with knives and other offensive weapons and passports in boxes obviously in anticipation that they would not be inside for very long—the Government achieved a situation whereby it has had to undertake a whole series of actions to have these workers moved from one union to another. The hoped-for long-term effect—possibly not in the short term—is that the prison officers will be compliant. Senior Commissioner Kelly so rightly pointed out that the only advantage of not having the officers under the Prison Officers' Union by comparison with the Civil Service Association is that, as the Government believes, they will be more compliant under the latter than the former. That should be considered in the light of where industrial relations in this State are going and the way in which the Government is antagonising its own work force.

I ask members to consider the development of the Civil Service Association of Western Australia and the development of similar bodies in other States in the way they have changed. Only last week when I was in South Australia there was a large strike and demonstration by 10 000 Government employees against the Tonkin Government in that State.

Mr Bertram: It is the worst one they have ever had in South Australia. I heard that yesterday.

Mr PARKER: That is quite correct. The Public Service employees association in South Australia like the Civil Service Association of Western Australia is an organisation which has been forced into a position of becoming—in the Government's terms—more militant. The Civil Service Association has been forced into a position of standing in a much stronger way then has hitherto been required for the benefit of its members' interests. It has been forced to do that by this Government which creates industrial problems and industrial confrontation. It does not seek to sort out the problems which lead to industrial action. It seeks to do what it is attempting to do here today, and that is remove a group of workers from one union to another union in a forlorn hope they will not cause the Government any more problems. That is the first step before the Government says these people cannot belong to a union at all. I would be surprised if we do not see such legislation come from this Government in the future. I believe such legislation and the legislation before us should be opposed.

The Opposition will oppose the legislation before us and it believes the provisions of the Industrial Arbitration Act are adequate to cover the situation. That is evidenced by the fact that the prison officers concerned and the department with the assistance of the commission were able to sort out the immediate dispute which concerned whether solid containers would or would not be provided. In a short period, less than a week, the parties were able to sort out their difficulties, but the Government seeks to stop that occurring again and stop these workers from using that avenue of conciliation.

I oppose the Bill.

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [2.55 p.m.]: In reply to the comments made by the member for Fremantle and, in particular, his claim that the Government has lost touch with unions and industrial relations in this State, I say to him quite frankly that the Opposition is out of touch with reality and the needs of the community generally in this State. This Goverment is trying to ensure the needs of the community are protected properly. The member said the Government is attempting to reduce arbitration powers, but what it is endeavouring to do is bring into being what we, the Parliament and the public, thought was the position prior to the recent Industrial Commission action before Senior Commissioner Kelly taken by the Prison Officers' Union.

The Government and, I believe, the unions, for some time believed the position existed as we are now attempting to bring it into being. For 12 months that belief applied.

I ask: Is it right the supervisors belonging to the Prison Officers' Union should be in the same union as the men they supervise? Is that in the best long-term interests of the public? We on this side of the House believe it is not and are trying to make clear the position as we thought it existed when the 1979 Act was passed by Parliament.

The member for Fremantle and other members opposite must realise laws are made by the Parliament and carried out by institutions such as the commission. If, for instance, we found a legal loophole in our legislation which allowed criminals to commit certain crimes, should we sit back and say "Let that apply and carry on because that is the law"? It is the job of this Parliament and this Government to ensure the laws are applied in a way we believed they would be.

If we consider the legislation as it existed in 1979 following the introduction of the Industrial Arbitration Act we realise that at the bottom of clause 96 it is listed who is eligible to become a member of the Civil Service Association. We believed that applied, but the commissioner ruled otherwise.

In considering the matter we believe the application of the law as ruled by Senior Commissioner Kelly is correct, but we believe it is contrary to what the Parliament thought and, certainly, contrary to what the Government thought, was the case. What we are trying to do now is bring the legislation back into the proper context of what we thought existed before that ruling.

It is the commission's right and, certainly, the Senior Commissioner's right to rule as they believe the law reads. We have no gripe with the ruling and believe it is correct, but we are trying to bring the legislation back into perspective so that it reads the way we believed it read when it was first brought before this House.

The member for Fremantle made some comments about the CSA and action that will be taken by it. I remind him that the CSA some time back had a meeting at which it agreed to alter its rules to allow the people concerned into the category of CSA members and to come under its control. I believe it has not at this stage moved on that decision, and that is because of Senior Commissioner Kelly's ruling which we believe is right. However, I believe it would be farcical for them at this stage to put their case before the court. This legislation will ensure all public servants are Government officers so that we can protect the public and endeavour to ensure where possible that when people strike and leave public facilities unattended people will be available to control those facilities and run them in the public interest.

Whilst most unions in this State are responsible and act properly, a few bludgeon their members and act in a Nazi style in an endeavour to exterminate the desires of people who do not think their way.

Mr Parker: Would you categorise the Prison Officers' Union in that group?

Mr O'CONNOR: I did not say that. If the honourable member had been listening, he would know I said that most of the unions in this State are proper and decent unions but, unfortunately, some are not. All we are trying to do is to bring back some perspective. We are trying to bring the situation back to the situation that we believed existed prior to the union taking this matter before Senior Commissioner Kelly. I commend the Bill to the House.

Question put and a division taken with the following result—

Ayes 25

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Mr Cowan	Mr Sibson
Mr Coyne	Mr Spriggs
Mrs Craig	Mr Stephens
Mr Crane	Mr Trethowan
Dr Dadour	Mr Tubby
Mr Grewar	Mr Watt
Mr Hassell	Mr Williams
Mr Herzfeld	Mr Young
Mr P. V. Jones	Mr Shalders
Mr McPharlin	*(Teller)*

Noes 17

Mr Barnett	Mr Harman
Mr Bertram	Mr Hodge
Mr Bridge	Mr Jamieson
Mr Bryce	Mr Parker
Mr B. T. Burke	Mr Pearce
Mr T. J. Burke	Mr Tonkin
Mr Carr	Mr Wilson
Mr Davies	Mr Bateman
Mr H. D. Evans	*(Teller)*

Pairs

Ayes	Noes
Mr Laurance	Mr E. T. Evans
Mr Rushton	Mr T. H. Jones
Mr Sodeman	Mr Skidmore
Mr MacKinnon	Mr Grill
Mr Mensaros	Mr Taylor
Mr Grayden	Mr McIver

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr O'Connor (Minister for Labour and Industry) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 96(1) amended—

Mr PARKER: This is the operative clause of the Bill, and I would like to make one or two comments concerning the Minister's reply to the second reading debate. The Minister said that the basic reason for the Government's action was that although it agreed that Senior Commissioner Kelly's decision was a correct legal decision at the time, the Government believed that the decision was wrong in terms of the Parliament's intention when the legislation was enacted.

Because of its relevance to this view, I would like to read the statements made by Senior Commissioner Kelly in the decision which the Government itself considers to be correct. This commences on page 17 of the decision as follows—

> Section 14 of the Public Service Act, 1978, by subsection (3) of it, purports to give the public Service Board exclusive authority to, *inter alia*, create offices, appoint officers and determine salaries or allowances for officers and determine the conditions under which such salaries or allowances are payable in cases in which such matters are not determinable by the Salaries and Allowances Tribunal. It would seem, however, that that provision must be read down in the light of subsection (2) of section 23 of the Industrial Arbitration Act, 1979,

Senior Commissioner Kelly sets out subsection (2) of section 23 of the Act. His decision then continues on page 18 as follows—

> Moreover, that the Public Service Act itself envisages the possibility of terms and conditions of an office in the Public Service being regulated by an award made under the Industrial Arbitration Act appears clear from the definition of the expression "relevant union" in S.35(4) of the Public Service Act, 1978.
>
> It may also be remarked that an examination of S.96 of the Industrial Arbitration Act, 1979 and its counterpart in the 1912 Act seems to support the conclusion that it was the intention of Parliament that authority to decide whether positions which had not previously been "Government Officer" positions should be made such should reside with the Commission in Court Session; and that appears particularly to be the case where the positions in question fall within the constitution of a union other than the Civil Service Association.

In other words, in that decision which the Government believes is a legally correct decision, Senior Commissioner Kelly is saying that in 1912 when the Arbitration Act was brought in, in 1978 when the Public Service Act was brought in, and in 1979 when the Industrial Arbitration Act was brought in, the intention of those who introduced those pieces of legislation was, in some circumstances, to allow the Industrial Commission to make a determination as to how the conditions of employment of certain Government officers would be regulated.

Mr O'Connor: I was referring to the legal rights of the commissioner when I said those people came under the Industrial Arbitration Act.

Mr PARKER: That is the point I was making.

Mr O'Connor: We believed that they did not when the legislation was brought forward.

Mr PARKER: I said this last year when we were debating the amendments to section 23 of the Act. During the time I have been in this

House, not only in relation to industrial legislation but also in relation to so much other legislation, it has been my experience that the Government believes something to be the case only to discover subsequently that it is not so. One wonders whether the Crown Law Department or, in this case, the Public Service Board, are giving correct advice to the Government, or alternatively, whether these bodies are giving correct advice to the Government and the Government is not able to interpret that advice or translate it correctly into legislation.

Quite clearly Senior Commissioner Kelly said that the question of the union to which a worker can belong is tied up totally with the way in which his conditions of employment are to be regulated. In the case of prison officers, their conditions of employment are regulated under the Industrial Arbitration Act. On the other hand, in the case of civil servants, their conditions of employment are regulated under the Public Service Act. So Senior Commissioner Kelly is saying that all along the intention has been clear. It is the Commission in Court Session which will make these decisions—not the Government, and not the Parliament. The Parliament, in passing this legislation, envisaged that the Commission in Court Session would make the decisons.

As I said, here we have the situation where the Government was so worried about what might come out of the decision of the commission that it was prepared to direct the prison officers to join another union. It would have been quite within the province of Senior Commissioner Kelly, on an application which was correctly before the Commission in Court Session, to make a decision. Obviously the Government is not prepared to take that risk; it is not prepared to have the argument dealt with either by a single commissioner as an award, or by the Commission in Court Session, as to which union is appropriate

The Government is not prepared to take that risk, so it comes to this Chamber with this Bill to ensure that whatever the attitude of the commission, whatever the attitude of the union, and, most importantly, whatever the attitude of the workers themselves, the Government will have its way and put the employees under the Civil Service Association, rather than under the Public Service Act. That is what we object to: That the decision is taken in this place rather than by the proper industrial authority which was set up for the purpose.

The Government as an employer should be prepared to put its position before the authority and take the consequences, which may even have been in the Government's favour had the hearing gone ahead. No doubt once the Bill is passed the hearing before the commission will lapse or the Government will submit to the commission that it should no longer continue to hear the matter.

I believe that places any union or group of workers dealing with the Government or appearing before the Industrial Commission in an invidious position because the union or group of workers will not know from day to day whether the commission will be handling the dispute the following day. If Parliament is not in session the people concerned may know for a few months they will not be interfered with, but if the Parliament is in session they will know they may well be in a position where something which is being dealt with by the commission will be taken out of its hands.

I suggest that, as with the section 23 amendments with which we dealt last year and which would have prevented the settlement of the mental health dispute in the way it was settled last year by the Industrial Commission, this legislation also will prevent settlements of that sort of problem. I believe the Government is digging its own grave in the manner in which it is going about this. It would be far more sensible to leave these matters in the hands of the proper industrial authority.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

GENERAL INSURANCE BROKERS AND AGENTS BILL

Second Reading

Debate resumed from 7 April.

MR JAMIESON (Welshpool) [3.14 p.m.]: This Bill will be supported by the Opposition, but not with any great degree of relish because it does not appear to give as much protection to the public as one would like to see in this field. In general support of the measure one can say it is a form of consumer protection in that it will give the public something they do not have at this time. However, it appears to me that the Bill is a weak approach to the subject, especially when one reads the recommendations of the Commonwealth Law Reform Commission after its inquiry into insurance agents and brokers.

It appears clear that the Government has fallen far short of the recommendations which were made after considerable inquiry. It is true the

Government had its own advisory committee which brought down certain recommendations. No doubt this Bill was compiled as a result of the recommendations of the committee and after taking into consideration the draft Bill suggested by the Commonwealth Law Reform Commission. However, in doing this the Government seems to have lost many of the points which seemed to be paramount in the determinations of the Commonwealth Law Reform Commission.

For instance, the Bill does not cover life insurance brokerage. Whilst the Minister mentioned that life insurance generally is carried out by agents, in this day and age more so than ever before that is not the case because people often obtain limited life cover. I am not referring to extended life cover in which premiums are paid year after year; I am referring to the type of cover provided when people take trips. Before leaving they ring a broker and obtain an immediate cover. The broker might say "Put a cheque in the post and you will be covered. I will take out the necessary cover for you."

That sort of life insurance is not covered under this Bill. If the broker fails to meet his obligations the persons concerned have no redress because life insurance is not intended to be covered by the Bill. Therefore the Bill does not avoid the problems faced by people who think they have such cover when going on a plane or bus trip and who suffer injury or death in an accident only to find that the broker has defaulted and not obtained their cover. The persons involved face a great deal of trouble in trying solve that problem because the position is not clear.

I would say the fact that many failures have occurred in the general insurance field does not mean to say that we should not be concerned also with the other field of life insurance. The fact that agents or companies are registered will not protect the individual persons affected, and it appears to me the Minister's attempt to grant more exemptions by way of his proposed amendments on the notice paper to his own Bill will weaken the measure even further.

As I understand it, this is not the attitude of the larger insurance companies. We have to be careful that the companies do not over-protect the industry, and the Commonwealth Law Reform Commission sounded a warning in that respect. It said we should not make the academic qualifications required of brokers or agents too high. Generally that seems to be the experience when the matter is left to the industry concerned. In America it is often easier to qualify for a course in medicine than it is to qualify for a course in some of the professional areas such as insurance broking because the industry concerned has made the academic requirements so high that they are almost out of reach. They become unnecessarily high because such qualifications are not required in respect of the work undertaken by the people in the industry.

Often one needs only common sense in order to succeed. It seems to me that many failures in brokerage and agency businesses which have caused problems in the community have occurred for reasons which are common in respect of all businesses; that is, the persons concerned did not have a proper understanding of business techniques, or did not keep proper accounts. They did not watch where they were going. This could send a person broke, whether he be in the building industry, or in a small corner shop, or whatever. He has to have an understanding of the business he is in.

Far too many people could obtain agencies and set themselves up in a form of brokerage position without really knowing what they should be doing. Before long, people will start to have their fingers burnt.

When we learn the extent of it, we discover that there is a long history of people failing in this regard. As I say, it has been the subject of many inquiries, not just the recent one. We want to ensure that those who are acting in this capacity in this State are protected. Not all States have this type of legislation. As a matter of fact, I think there is similar legislation in Queensland only. However, it is not identical with ours, so we are at an experimental stage in State legislation.

As I have said, the industry claims that it wants to regulate itself. This leads to a lot of problems. Generally the bigger companies take the view that they want some regulation because their reputations have been tarnished by the actions of the agents or brokers, or whatever one might call them.

When it comes to the definition of a broker, it is interesting to note that one who sets himself up as a broker has to be covered by the provisions of the proposed board. The man who has four agencies is deemed to be a broker. As I said, under the suggested amendments that might be dealt with later, he might be exempted even if he had 100 agencies, provided the board felt there was a satisfactory reason for exempting him. I suppose Lumley, or somebody like that—

Mr Hassell: There is a limit of 10 for exemptions.

Mr JAMIESON: Even above that figure, there are some circumstances in which there could be some form of exemption. The point is that it does

not matter whether a person has one agency or 10 agencies if he defaults. This is the problem—a loophole that needs to be filled. To that extent, the Law Reform Commission recommendation was a far better provision. Let us consider the definition of "insurance broker" in clause 3 of the Bill—

(a) a person whose business, either alone or as part of or in connection with any other business, is to act, for or in expectation of gain, as an agent for insureds or intending insureds in the transaction of general insurance business; or

(b) an insurance agent who is a party to agency agreements with 4 or more insurers,

It is interesting to note that in the model Bill suggested by the Law Reform Commission, the definition is a little different—

> "Registered insurance broker" means a person who is for the time being registered under part (3) whether in respect of general insurance business or life insurance business or in respect of each of those businesses.

That gives cover overall to people involved in this sort of activity within the industry.

From the point of view of the public, many people might think they will be protected completely by the legislation. However, there could be shortcomings, and they will discover them to their regret and dismay later on. They may find they have not the protection they thought they had.

No doubt there is some disquiet amongst the public. That is what is causing the major insurance companies to back this type of legislation. One would normally regard as restrictive legislation something which administered a private enterprise group, and regard it as repugnant to the members of the group. However, for the benefit of the good name of the insurance industry, the members of that industry and I see justification for giving them the protection of a parliamentary Act. People who are doing business and taking out insurance policies have to be certain that their transactions will be completed.

The working party originally set up had a number of people on it who I thought were rather important in insurance matters in this State. However, it is a disappointment to me to note, on reading the Bill, that it does not include on the board such people in the membership of the board. I mention particularly the Commissioner for Consumer Affairs and the General Manager of the State Government Insurance Office. One of those people might be considered to be associated with insurance business, yet he is away from the normal company actions of insurance, and he is not subject to the profit motives that the companies consider. Therefore, he should be able to take a more independent view of insurance than the people associated with the companies. Because of that fact, the likes of such people should be able to give desirable assistance to the board, and I intend to move to have them included on the board at a later stage.

We have before us legislation that is aimed at doing something good in the community for the protection of the people who think that because they have negotiated with somebody in some way to secure insurance of the kind for which they are looking, they are covered and are in a satisfactory position. Later they find that is not so. Therefore, the Bill savours of achieving something, but it is not achieving what we would like to see it achieve.

The makeup of the Bill is a little unusual. I have not seen such a makeup before. Usually when a board is created as a result of legislation in this Parliament, the provisions relating to the board are included in the legislation itself. However, on this occasion they are included in the schedule. This is most unsatisfactory, because it is not possible to amend the schedule to a Bill. Therefore, those provisions become exempt from actions in this legislative Chamber. That is an undesirable feature; and I hope future legislation dealing with boards will not follow such a practice. As I say, such things are usually part and parcel of the Bill, and therefore we can deal with it by way of amendment. In this case, those provisions have been placed in the schedule.

When the Minister introduced the Bill he did not explain how many people were likely to fall into the categories of insurance brokers and agents. It is normal that, when legislation of this nature is introduced, in which a group of people previously free from legislative cover are brought under it, an indication is given of the number of people concerned. This information should be provided by the Minister.

The future of the insurance broking industry is in doubt, because the legislation does not set out the standards necessary for a person to be admitted to the industry by the board. Entrance into the industry is "subject to the standard set by the board". In the report of the Law Reform Commission, an academic qualification was not envisaged, but rather practical experience was required before a person would be admitted. For example, prior to admission into the industry it would be necessary for a person to have worked in

an insurance broker's office for a certain period of time so that he had gained the practical experience necessary to be able to work effectively in it. These sorts of qualifications and standards should have been set down in the legislation and we should know the admission standards which will determine whether a person will be admitted into the industry by the board.

It appears it would be practically impossible to have an academic course which such people could follow, but insurance companies may disagree with that. They might be able to produce a pro forma of educational qualifications which they feel it would be desirable for a person entering the industry to have. This is usually what occurs when legislation of this nature is dealt with, but the Bill before us does not contain such provisions.

The best I could say about the Bill is that it is of a piecemeal nature. It will be beneficial to some extent, but it will not achieve a great deal. It will be necessary for us to deal with the legislation at a later stage when the problems to which I have referred become apparent. We will have to deal with people who have only one or two agencies and who default in some form of brokerage transaction. An agency usually has an agreement with a company with which it is dealing, but if it is dealing with a number of companies, as many of them are, it is difficult to pinpoint the agreement under which it is operating. There are various agreements between companies and agents and different commissions are paid. An agent may deal with one company for a particular type of insurance because the commission offered is better than that provided by another company and, at another time, an agent may deal with a different company in relation to another type of insurance, once again based on the level of commission.

There is no clearcut definition as to the company with which a person is dealing. The agent is supposed to tell the person concerned that it is negotiating insurance with a particular company with which it is registered. There is provision for that in the legislation. However, most people do not enter into insurance transactions daily and it is doubtful whether many questions will be asked. It is possible the person may not remember whether the agent told him with which insurance company he deals. Indeed the local insurance broker or agent may be left to obtain the best service possible from whichever company he chooses.

I mentioned earlier it appears the larger companies are keen that the legislation should be passed and this would be true also of people who have had unfortunate experiences with the insurance industry in the past.

The Administration and Public Relations Manager (Mr P. B. Stock) of the National Mutual Life Association of Australia made the following comments—

> National Mutual Life, and to my knowledge all the large Australian Life Offices support the Bill.
>
> In particular National Mutual fully supports limiting registered agents to a maximum of three general insurance agencies. This will effect quite a number of our life agents and I understand that some life agents have been making representations to the Government to have this number increased. We hope that any such representations will be resisted as it would defeat one of the main objects of the legislation.

I believe that will be the case. The remarks contained in that letter indicate generally the attitude of the industry and this was apparent also in submissions made when the Law Reform Commission carried out a comprehensive inquiry in this regard.

In our opinion, a few aspects of this legislation need further study. However, we accept the Bill, because it is better than nothing at all. We do not believe the legislation goes far enough and it will not safeguard the public adequately.

The Opposition supports the legislation and hopes that, within the near future, more comprehensive provisions will cover all aspects of the insurance industry.

Debate adjourned until a later stage of the sitting, on motion by Mr Herzfeld.

WESTERN AUSTRALIAN GREYHOUND RACING ASSOCIATION BILL

Second Reading

MR HASSELL (Cottesloe—Chief Secretary) [3.37 p.m.]: I move—

> That the Bill be now read a second time.

This Bill reflects the recommendations of a committee set up by Cabinet in June 1980 to report to the Government on the future of greyhound racing in Western Australia.

Among other things, the committee comprising the Chairman of the Totalisator Agency Board, the Chairman of the Greyhound Racing Control Board, and the Director of the Chief Secretary's Department, was asked to report on—

(a) The existing state of greyhound racing in Western Australia,
(b) The future of greyhound racing in Western Australia, and
(c) Government action necessary to put any recommendations into effect.

The committee submitted its report to the Government in February this year.

Greyhound racing commenced in Western Australia at Cannington Central in 1974. The Canning Agricultural, Horticultural and Recreational Society established the course and erected buildings on land it owns at Cannington Central. To do this, the society borrowed approximately $2 million, financed by commercial bills, secured by a mortgage over the land. The complex at Cannington Central is leased from the society by the Canning Greyhound Racing Association.

The association pays rent to the society representing interest charges and repayments, together with a ground rent of $5 000 per annum. Currently, the association is faced with an annual rental exceeding $250 000 per annum. The debt outstanding on the Cannington Central venue is $1.65 million. Financially, the association is in dire straits.

Even with special assistance from the Totalisator Agency Board in the form of an allocation of $140 000 per annum from "favourite numbers" it has barely been able to meet the interest and charges in the 1979-80 financial year.

In its budgets for the current financial year and the succeeding three years it does not expect to be able to meet any interest or principal payments on any of its debts without incurring further losses.

Since racing commenced at Cannington Central, fully paid adult attendances have fallen from 100 000 to 66 000 per annum and totalisator betting on course has declined. Off course betting is now at the level of $100 000 per meeting.

Greyhound racing at Mandurah, which is conducted under licence from the control board by the Mandurah Greyhound Racing Association, does not suffer the same problems. That association is not faced with burdensome repayments for capital works. Off course betting at Mandurah now almost equates the turnover at Cannington Central.

Despite this unsatisfactory situation, the committee in its report stated that current official Greyhound Control Board statistics show that at 30 June 1980 there were about 5 000 greyhounds registered with the board. In addition, 581 owners and 441 owner-trainers, 11 private trainers, 75 public trainers and 37 attendants were registered.

In all, at 30 June 1980, 1 145 persons were engaged in the industry, mostly part-time. This does not include permanent and temporary staff employed by the control board and the associations. If the sport ceased, many persons, apart from those mentioned above, would lose their livelihoods. Businesses dealing in pet foods, special foods for greyhounds and special supplies of leashes, muzzles, blankets and the like, would lose custom.

The committee concluded that if greyhound racing was to continue, then clearly two areas must be immediately restructured if the sport was to have any chance of surviving in the long term.

The two areas are—

> the management and operation of the sport; and the re-financing of the capital debt of the Cannington Central complex.

The Bill now before the House will enable both of these aims to be achieved. It cannot guarantee that those involved in the industry will be able to achieve the success the industry so badly needs—but it does give them a realistic chance to do so.

The Bill repeals the Greyhound Racing Control Act and abolishes the Greyhound Racing Control Board. The Government wishes to emphasise that this move is no reflection whatsoever, on the operations of the control board. The action is taken purely for reasons of economy, and as part of the overall plan to restructure.

The Bill establishes the Western Australian Greyhound Racing Association which will take over the regulatory and control function from the control board.

The association will also be responsible for the conduct of racing at Cannington Central. To do so, the Bill provides for the association to take over the assets and liabilities of the control board and the Canning Greyhound Racing Association.

The net result of these actions is that there will be one body, located at Cannington Central, charged with the responsibility of all functions previously carried out by the Greyhound Racing Control Board and the Canning Greyhound Racing Association.

There will be an immediate saving on rented premises in the city, now the headquarters of the Greyhound Racing Control Board.

With the co-operation of the WA Turf Club and the WA Trotting Association, the Totalisator Agency Board is to invest $1.65 million dollars with the Canning Agricultural, Horticultural and Recreational Society to discharge the roll over

Bills being used to finance the existing debt on the Cannington Central Complex.

The Totalisator Agency Board in return will hold first mortgage over the land and buildings at Cannington Central.

The Western Australian Greyhound Racing Association will lease the complex from the Canning Agricultural, Horticultural and Recreational Society and pay rent for 15 years.

The basis of the investment with the society is that it will be interest free for five years, and then attract 5 per cent per annum for the remaining 10 years.

The association will lease the premises for a rental based on the arrangement between the TAB and the society and will also be exempted from paying the $5 000 per annum ground rent presently payable for the first five years, and pay a fixed $5 000 per annum ground rent for the remaining 10 years.

This arrangement by the Totalisator Agency Board does not affect returns to the Government in any way. It does cause a reduction in payments made by the Totalisator Agency Board to the WA Turf Club and the WA Trotting Association.

This will be offset to some extent by the discontinuance of the $140 000 previously paid under a special arrangement to the Greyhound Racing Control Board.

The savings on premises in the city, the consolidation of all greyhound racing functions at Cannington Central within the one body and the rearranged financing of the capital debt on the Cannington complex, will give the sport the necessary impetus to achieve viability.

The Government's involvement is confined to the initial reorganisation which requires statutory amendment, and as a backer of last resort in the event of total collapse by the industry and the failure of all securities.

Whilst the Government has this interest in the progress of greyhound racing until it becomes viable, it is desirable that the committee of the new association be appointed by the Governor on the recommendation of the Minister. The appointment of a committee of five is provided for in the Bill.

Should greyhound racing prosper as a result of the new financial arrangements, it is envisaged that the new association at a later stage would have a committee of management elected by the greyhound fraternity, similar to the WA Turf Club and the WA Trotting Association.

However, I must point out that if the industry is not able to put its house in order under these new arrangements, no further approaches to the Government will be entertained.

It is the intention of the Government that the Western Australian Greyhound Racing Association take over the functions of the Greyhound Racing Control Board and the operations of the Canning Greyhound Racing Association by 1 August 1981.

The Bill lists the functions of the association as—

(a) to control, supervise, promote and regulate greyhound racing;
(b) to conduct greyhound racing and provide facilities to enable greyhounds to compete in trials and to be trained in racing; and
(c) to exercise and discharge such powers, functions and duties as are conferred on the association by this Act or any other Act.

Provision exists for the existing staff of the Greyhound Racing Control Board and the Canning Greyhound Racing Association to be taken over by the new association.

Whilst no immediate staff reductions are contemplated, experience should prove that, in total, less staff would be required to conduct the consolidated functions of the new association located at the one headquarters.

Provision exists for the appointment of a chief executive officer and such other staff as the association may require. The person holding the position of Secretary of the Greyhound Racing Control Board will become the chief executive officer of the association.

The Bill in many respects reflects existing provisions of the Greyhound Racing Control Act, but also embodies the power to conduct racing as distinct from the previous regulatory role of the control board.

Provision exists for the Western Australian Greyhound Racing Association to take over the conduct of racing in country areas if considered necessary.

The association may appoint an administrator to take control of the affairs of a club. This is only a precautionary measure because the current operations of the only country club at Mandurah are satisfactory.

The Bill provides for a maximum of 60 race meetings in the metropolitan area and for country clubs.

The committee to manage the functions of the association will be appointed by the Governor on

the nomination of the minister for a period of three years.

Schedule 2 of the Bill specifies the provisions to repeal the Greyhound Racing Control Act 1972 and the dissolution of the Greyhound Racing Control Board.

Schedule 3 contains provisions as to the take-over by the Western Australian Greyhound Racing Association of the operations at the Cannington race course from the Canning Greyhound Racing Association.

The Government considers that under the very favourable financial arrangements provided with the co-operation of the Totalisator Agency Board, the WA Turf Club and the WA Trotting Association, coupled with the consolidation of the administration of the sport, there is every prospect that greyhound racing in this State can become a viable proposition. However, I repeat that we cannot give a guarantee of that and it will be up to the people in the industry to put forward those measures and to take the steps necessary to make these opportunities a reality.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Jamieson.

GENERAL INSURANCE BROKERS AND AGENTS BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

MR HERZFELD (Mundaring) [3.48 p.m.]: It is a rare occasion when I find myself in some agreement with the Opposition and today is one such occasion. Today is one such day when I listened to the comments made by the member for Welshpool and I found myself in agreement with him on a number of points.

We live in an age where it appears it is necessary to protect the consumer. Therefore, I find myself somewhat reluctant philosophically to accept all regulations which result in additional protection. My view is that the more protection there is the greater reliance people will place on others such as the Government and boards rather than on their own ability to protect themselves.

The measure before us is such a device. It is to protect people from others. I accept the Bill and support it—although I do so reluctantly—because it has resulted from a considerable amount of public demand and demand from those people in the insurance industry. Therein lies one of my first objections, because I believe that had the insurance industry been sufficiently aware and interested, it could well have done something itself to protect the public in the way this Bill proposes.

It is interesting to note that in his second reading speech the Minister outlined six major reasons reported to him by the working party as reasons that failures of brokers had occurred. Upon looking at them one sees clearly that all the reasons are such that had action been taken by the insurance companies themselves this legislation would not have been necessary.

The first reason is the lack of relevant insurance and/or business experience on the part of the members of the broking company. I put it to you, Sir, that had insurance companies in fact assured themselves that the people they were dealing with were properly experienced, some of the failures that have occurred may not have eventuated.

The next reason is inept management. Again, this is the sort of thing insurance companies themselves should have been aware of. They should have ensured that was not so. The third reason is insufficient working capital. Again, this is a matter of the relationship which exists between insurance companies and insurance brokers.

Mr Jamieson: All these things cause failures in all businesses.

Mr HERZFELD: Yes, failures occur in all businesses. We cannot protect against everything.

Mr Jamieson: I am saying these are the same sorts of things which bring down truckies, and other business operators.

The ACTING SPEAKER (Mr Watt): Order! If the member for Welshpool wishes to interject, I would appreciate it if he did so in a manner which would make it easier for his comments to be recorded.

Mr HERZFELD: I think what the member for Welshpool was saying is that failures have occurred in many businesses for the same reasons. I would agree with him. However, because of the very special nature of this industry and the special role played by insurance companies, I believe the companies could have played a more positive role in vetting brokers.

The fourth reason given by the Minister was poor credit management by broking firms, and particularly the failure to maintain adequate collection procedures for payments due from clients. Again, that is a management function which reflects the type of people apparently involved in insurance broking.

The fifth reason given was poor credit management by insurers. Surely that is something that is within the role of the insurance companies themselves. The sixth reason was that some insurance companies and underwriters allowed broking firms very long credit terms. That again is a matter which insurance companies could have done something about.

However, having made those comments and having said I am somewhat reluctant to accept any more regulation than we already have, I point out it is a fact that we have reached the point where a number of failures have occurred and a number of people have suffered as a result. Therefore, upon looking at the legislation as it is proposed, I find it does provide some measure of control of brokers with the least possible amount of intrusion. I give the Minister credit for introducing fairly simple legislation which will undoubtedly have some effect in ensuring that people seeking insurance cover are protected.

The Bill will not, of course, go the full way and there is no doubt in my mind that despite this legislation we will still have cases of theft. That is inevitable because we cannot stop people stealing money or misappropriating it in some way.

Mr Bertram: Stealing votes, too.

Mr HERZFELD: However, where this occurs there will be professional indemnity and the guarantee fund will provide a small measure of protection.

One matter which concerns me is that the legislation might act to restrict the entry into the industry of what I would call the small man. I know a few small insurance brokers who have a number of agencies—admittedly probably more than three or four—and who have acted very honestly and are reputable people who as a matter of course have always handled money they receive in the manner in which this Bill proposes money should be handled. They have done that because they are people who are absolutely honest and who try to do the right thing by the people they represent.

The Bill contains two provisions which I think are pertinent to this question of how the small man will fare in the long term under this legislation. I refer to clause 10(2), which deals with qualifications and 10(1)(c) which deals with the resources a person must have in order to be licensed.

As the legislation stands it seems fairly obvious that if people who have had appropriate experience as a broker seek a licence they will not have much trouble in receiving one, provided their track record has been good. However, the provision in respect of qualifications is somewhat open because I believe it is subject to alteration by regulation. I suppose as time goes on the qualifications could be gradually tightened so that the one-man type of brokerage could be phased out of the industry.

The same situation applies in respect of clause 10(1)(c) which deals with financial resources. I hope the day will never come when the one-man operation will be excluded from operating as a broker. Nowadays there are not many things one can do without being licensed in some way.

Someone suggested to me that one of these days, the only occupation left which is not licensed will be that of members of Parliament. However, I advised him there were a number of qualifications which had the effect of preventing many people in various categories from becoming members of Parliament, so even that avenue no longer is open.

Leave to Continue Speech

Mr HERZFELD: I move—

That I be given leave to continue my speech at a later stage of the sitting.

Motion put and passed.

Debate thus adjourned.

QUESTIONS

Questions were taken at this stage.

House adjourned at 4.25 p.m.

QUESTIONS ON NOTICE

858. *This question was further postponed.*

CONSERVATION AND THE ENVIRONMENT

Borden Chemical Plant: Leschenault Inlet Management Authority

878. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Has the Leschenault Inlet Management Authority investigated and reported on the proposed Borden chemical plant?

(2) Can I have a copy of the report please?

Mr O'CONNOR replied:

(1) No. The plant is not in the Leschnault Inlet Management Authority's management area.

(2) Not applicable.

CONSERVATION AND THE ENVIRONMENT: LESCHENAULT PENINSULA

Vegetation

881. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) In respect of the Leschenault Peninsula what is the predominant vegetation on the southern half of the peninsula?

(2) What is the predominant vegetation on the northern half of the same peninsula?

(3) What was the predominant vegetation on the southern half of the peninsula 15 years ago?

Mr O'CONNOR replied:

(1) to (3) Coastal dune scrub 1-2 m with some tuart along the eastern margin.

LESCHENAULT INLET

Fish Deaths

882. Mr BARNETT, to the Minister representing the Minister for Fisheries and Wildlife:

(1) Is it a fact that large numbers of dead fish have been found over the last two weeks in certain areas coming under the auspices of the Leschenault Inlet Management Authority?

(2) In what areas, and on what dates were they found?

(3) What was the cause of their demise?

(4) What action has been taken to remove or reduce the cause?

Mr O'CONNOR replied:

(1) No. Approximately 50 dead fish were reported to fisheries and wildlife, Bunbury, on 22 April, 1981.

(2) Collie River between the elbow and the mouth of the Brunswick River, observed on Easter Sunday.

(3) Probably of biological origin as a result of a toxic algal bloom or temporary deoxygenation of the water from a decomposing algal bloom.

(4) Follow up investigation did not show any new fish deaths, it was a short term once off event. No further action taken.

TECHNOLOGICAL CHANGE

Education Department: Plans

928. Mr BRYCE, to the Minister for Education:

(1) Has he received a copy of the State Government's technological change study group report wherein it is stated *inter alia* on page 6—

> ....The impact of new technology in the private and public sectors has created a need for greater awareness and understanding of new technology. This could be best achieved through an education system geared to keeping pace with technological change and teaching the new skills essential to the maintenance and development of new technologies....?

(2) What special plans does the Education Department have to enable the education system to keep pace with technological change, etc.?

(3) Why was no submission made to the study group by the Education Department?

Mr GRAYDEN replied:

(1) Yes.

(2) The Curriculum Branch of the Education Department maintains an awareness of changing technology and

modifies its materials accordingly. The schools computing section ensures that schools keep abreast of developments in computer technology. For example, a course in "General Computing" has been introduced to year 11 classes this year. Also a policy paper on "Computing in Secondary Schools" and a discussion bulletin entitled "Computers in Primary Schools" have lately been issued to schools. Copies of these publications are tabled.
The Technical Education Division of the Education Department is constantly developing new courses to assist industry personnel and the community to become informed about aspects of technological change and to develop new skills in pace with technological change.

(3) Not invited to do so.

The publications were tabled (see paper[1] No. 175).

TECHNOLOGICAL CHANGE

Electronics Industry

929. Mr BRYCE, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

(1) With reference to the technological change study group report, does his department accept the view of the study group " . . . . that the development of the computer and micro-processor comprises a small though important part of the total process of technological change in the State's economy . . . . "? If so—

(a) what positive steps has the Department of Industrial Development taken to encourage the growth and development of the Western Australian electronics industry;

(b) what policy initiatives in this field does his department have planned for the future?

(2) Will the technology review group be undertaking the appropriate research work to identify the sectors of industry where new technology is likely to have an important impact?

Mr MacKINNON replied:

(1) The department is aware of the importance of computers and microprocessors.

(a) The department has a very close association with the electronics industry and was instrumental in the establishment of the Electronics Industry Association of WA.
The growing strength of the electronics industry is illustrated in the summer 1981 issue of the department's quarterly magazine.
The Systems Research Institute of WA was set up with Government support and is an important focal point for development of computer software and other electronic industry research.

(b) The technology review group is expected to make recommendations for future assistance to the industry.

(2) Yes.

TECHNOLOGICAL CHANGE

Trade Unions

930. Mr BRYCE, to the Minister for Labour and Industry:

(1) Has he received a copy of the State Government's technological change study group report—published in February 1981—in which it is stated *inter alia* on page 6—
. . . . that in respect of union amalgamations the study group accepts that industry unions can play a vital part in reducing industrial unrest arising from technological change . . . . ?

(2) Is it the policy of the Government to encourage union amalgamations?

(3) Is it the intention of the Government to encourage and support union amalgamations in an endeavour to reduce industrial unrest arising from technological change?

Mr O'CONNOR replied:

(1) Yes.

(2) The Government has endorsed the recommendations of the technological change study group referred to in (1) above. Paragraph 10 of page 6 of that report states in full—

In respect of union amalgamations the Study Group accepts that industry unions can play a vital part in reducing industrial unrest arising from technological change. The fact, however, remains that each industry and amalgamation will need to be examined on its merits with due regard to the interests of employees, employers and the community.

(3) Answered by (2).

931. *This question was postponed.*

WORKING WEEK

Awards

932. Mr BRYCE, to the Minister for Labour and Industry:

(1) What is the estimated proportion of the State's work force—

(a) in the private sector;
(b) in the public sector;

which has been granted a working week of less than 40 hours per week?

(2) What is the estimated proportion of the State's work force which according to award conditions exceed 40 hours per week?

(3) What is the estimated proportion of the State's work force which enjoys a "nine-day" fortnight?

Mr O'CONNOR replied:

(1) to (3) The information requested is not available.

FUEL AND ENERGY: PETROL

Price

933. Mr BRYCE, to the Minister for Fuel and Energy:

(1) (a) Has his department prepared estimates of the anticipated or approximate price that Western Australian motorists will be paying for petrol by the end of the 1980s;

(b) if so, will he provide details?

(2) What evidence is there that the rising price of petrol has reduced petroleum consumption in Western Australia in recent years?

Mr P. V. JONES replied:

(1) (a) and (b) No.

(2) It is difficult to segregate the effect of rising petrol prices on petroleum consumption, but I am advised that petroleum consumption has decreased by 7.2 per cent over the last two years.

COMMUNITY WELFARE

Homeless Persons

934. Mr BRYCE, to the Minister for Community Welfare:

(1) (a) Has he or officers of the Community Welfare Department had consultations with the Commonwealth Minister for Social Security and/or her officers concerning the existing Commonwealth programme of assistance to homeless persons;

(b) if so, what stage have the discussions reached?

(2) (a) Is it the State Government's policy to take over the administration of services presently provided under the Commonwealth Homeless Persons Assistance Act;

(b) if so, on what basis and with what financial assistance from the Commonwealth?

Mr HASSELL replied:

(1) (a) Only with regard to the homeless youth programme, the Department for Community Welfare has had discussions with officers from the Department of Social Security.

(b) In relation to the homeless youth programme, final determination of the level of funding for 1981-82 and guidelines for expenditure are now being considered.

(2) (a) and (b) This is not under consideration at this point in time.

COMMUNITY WELFARE

Homeless Persons

935. Mr BRYCE, to the Premier:

What financial assistance does the State Government provide towards homeless persons or organisations assisting homeless persons?

Sir CHARLES COURT replied:

The State Govenment makes a grant of $10 000 to The Jesus People Incorporated, an organisation which assists homeless persons.

However, it also provides financial assistance to a number of other charitable organisations which, in the course of their day-to-day activities, also assist homeless persons.

If the member has any specific organisation or purpose of assistance in mind, I would be pleased to provide the relevant details, if requested.

INDUSTRIAL DEVELOPMENT

Development Phone-in Campaign

936. Mr BRYCE, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

(1) Is he aware of the apparent outstanding success of the recent "three day development phone in campaign" conducted by the Victorian Department of Economic Development?

(2) Will he secure details of the campaign from his Victorian counterpart and make the information available to the members of the Legislative Assembly?

(3) Will he give consideration to the conduct of a development phone in campaign in Western Australia?

Mr MacKINNON replied:

(1) Yes. Whether it was an "outstanding success", as the member says, is dependent on how the response is viewed.

(2) Our information indicates that the three-day campaign cost in excess of $34 000 in advertisements alone. About 1 500 phone calls were received. These indicated problem areas largely related to administrative delays in the municipal councils. The Government decided to appoint a "trouble-shooter" to overcome problems.

(3) The current situation in Western Australia does not warrant a similar campaign.

The member may wish to know that the Public Service Association in Victoria did not take kindly to the Government's move and ran counter advertisements in its local papers.

INSURANCE

Brokers

937. Mr BRYCE, to the Premier:

(1) With reference to the problems being encountered by several insurance brokerage firms around Australia, has the State Government made representations to the Commonwealth Government urging swift action by the Commonwealth to take action to protect the many thousands of people who are insured through insurance brokers in this State?

(2) (a) Has the Commonwealth Government given any indication that it proposes to take such action;

(b) if so, when is the action anticipated?

Sir CHARLES COURT replied:

(1) and (2) In response to the need to protect insurers who have in some cases suffered severe financial losses as a result of broker failures, the State Government has itself caused a study to be undertaken leading to legislation being presented to this House. That legislation is intended to improve the situation in Western Australia by requiring brokers to be licensed and insured, and by restricting the financial investments brokers may make.

Initially we had approached the Commonwealth in the hope they would move simultaneously, but when no action appeared forthcoming we moved separately.

Any action taken by the Commonwealth will be considered if and when it occurs.

FUEL AND ENERGY: GAS

Natural: Resource

938. Mr BRYCE, to the Minister for Fuel and Energy:

(1) As at 30 June 1980, on a field by field basis, what was the estimated size of Western Australia's demonstrated natural gas resource and what proportion was defined as economically winnable?

(2) What proportion of Western Australia's economically winnable natural gas resource, on a field by field basis, have been allocated to or reserved for—

(a) the State Energy Commission;
(b) Alcoa of Australia Limited;
(c) export purposes;
(d) other specific purposes?

Mr P. V. JONES replied:

(1) and (2) The information sought is being collated and the member will be advised by letter as soon as possible.

HEALTH

Lasers

939. Mr BRYCE, to the Minister for Health:

(1) What safety standards and controls for the use of lasers have been introduced in Western Australia?

(2) Do such controls implement Australian Standard AS 2211—1978 "Laser Safety"?

Mr YOUNG replied:

(1) There is provision under the Radiation Safety Act to control the use of lasers, but regulations for this purpose are still in the drafting stage.

(2) No, the Radiological Council has prepared guidelines for users of lasers in Western Australia and is using these in an advisory manner. The guidelines are similar in many respects to the provisions of AS 2211—1978.

CITIZENS

Information: Department of Treasury

940. Mr BRYCE, to the Premier:

(1) Does the State Treasury supply other public authorities with information about private citizens?

(2) If so—

(a) what information is provided;
(b) which public authority/authorities receive information about private citizens from the Treasury;
(c) what guidelines exist to control the use and disposal of this information?

Sir CHARLES COURT replied:

(1) Not to my knowledge, but if the member has any information to the contrary I would appreciate receiving it.

(2) (a) to (c) Answered by (1).

941. *This question was postponed.*

PARLIAMENT HOUSE

Telephone Calls: Monitoring

942. Mr B. T. BURKE, to the Speaker:

(1) Is it a fact that incoming and outgoing telephone calls through the Parliament House switchboard can be monitored?

(2) If this is so, when and on whose authority are calls monitored?

The SPEAKER replied:

(1) and (2) This is a matter which comes under the jurisdiction of the Joint House Committee. I will forward a copy of the member's question to the chairman of that committee and ask that he reply to the member direct.

EDUCATION

Television Programmes

943. Mr TONKIN, to the Minister for Education:

(1) Is his department concerned, as many teachers are, at the influence of early morning television upon students, especially those of a young age?

(2) If so, have representations been made by him, or upon his behalf, to the television channels concerned?

(3) If so, what are the details?

Mr GRAYDEN replied:

(1) to (3) Naturally the department is concerned at anything which may have an adverse influence on children's education. However, as the department recognises the rights of parents to decide their children's out of school activities, no direct approach to television channels has been made.

CONSUMER AFFAIRS

Bait Advertising

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

(1) Is he concerned with the incidence of bait advertising—
  (a) in general;
  (b) in the motor vehicle trade in particular?
(2) Have any such complaints been made this year to the Consumer Affairs Bureau?
(3) If so, what are the details?
(4) Is it the policy of the Government that the bureau handle such complaints itself, or are they passed over to the Trade Practices Commission?
(5) How many prosecution have been taken in Western Australia in relation to bait advertising in the past 12 months either by the bureau or by the commission?

Mr O'CONNOR replied:

(1) (a) and (b) I would be concerned if there were evidence of a high incidence of bait advertising, but I do not have evidence of that nature.
(2) and (3) I am advised that a number of complaints have been received concerning misleading advertising and some few of these have related to allegations of bait advertising. There is one matter currently under investigation but I am not prepared to give details because it may prejudice the course of justice.
(4) Yes, it is the policy of the Government that the bureau handle such complaints itself.
(5) 17 prosecutions in relation to misleading advertising have been taken by the bureau in the past 12 months. It is not practicable to distinguish cases relating to bait advertising as such. I have no details of the prosecution activities of the Trade Practices Commission.

EDUCATION

School-to-work Transition Funds

945. Mr TONKIN, to the Minister for Education:

How much finance has been made available in 1981 by the Australian Government to—
(a) Government schools; and
(b) non-Government schools;
for the purposes of assisting students to make the transition from school to work?

Mr GRAYDEN replied:

(a) The Commonwealth has approved a notional total of $2.25 million to Government Schools in Western Australia for the year 1981. Approximately equal portions are to be allocated to secondary education and to technical education.
(b) The amount approved for non-Government schools in Western Australia was not finalised when the Commonwealth Minister for Education released his most recent statement on 16 February 1981.

HEALTH: DISABLED PERSONS

Training

946. Mr TONKIN, to the Minister for Health:

(1) How much has been allocated by the Australian Government in 1981 for the training of the disabled in Western Australia?
(2) Is there any State Government involvement in the Western Australian committee for Commonwealth employment promotion for the disabled?
(3) If so, what are the details?

Mr YOUNG replied:

(1) The actual amount is not known.
(2) Yes.
(3) There is a combined committee set up by the Confederation of Western Australian Industry and the TLC and the Department of Employment and Youth Affairs on which there are representatives from State Government departments.

BUILDING INDUSTRY

Owner-builders

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

(1) Has the Government received requests from the—

(a) Builders' Registration Board; and

(b) Housing Industry Association;

to curb the building of houses by owner-builders, in general, and to prevent the sale of such houses for five years after their completion, in particular?

(2) If so, what is the Government's policy on this matter?

(3) If not, is he aware of the development of such a lobby?

(4) Is his department concerned that charges have been made in the news media that building materials have been stolen by owner-builders?

(5) Since his answer to question 162 of 31 March 1981, has he been able to verify whether—

(a) the Builders' Registration Board circularised registered builders advising them of their possible deregistration if they work for owner-builders;

(b) there has been any approach by the board to lending institutions urging them not to approve loans to owner-builders?

Mr O'CONNOR replied:

(1) (a) and (b) Requests have been received to restrict the issue of owner-builder permits to five years.

(2) and (3) Consideration is being given to the requests.

(4) This is a matter for the Police Department to investigate on complaint.

(5) (a) The board circularised registered builders pointing out that it is an offence to allow the use of their registration number to an unregistered person, partnership, company or owner-builder and can lead to deregistration if so done;

(b) I am advised that no such circular has been issued.

HEALTH

Aromatic Amines

948. Mr TONKIN, to the Minister for Health:

(1) What is his department's policy with respect to aromatic amines being used in cosmetics?

(2) Is it a fact that such additives are carcinogenic?

(3) Is it a fact that such additions are prohibited in some countries?

(4) If so, which countries have taken that action?

(5) Is this question currently being examined by his department?

Mr YOUNG replied:

(1) To ensure that no substances harmful to human health are used.

(2) Some are recognised as human carcinogens.

(3) Yes.

(4) Not known.

(5) Yes.

CONSUMER AFFAIRS

Investments: Advertising

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

(1) Has the Consumer Affairs Bureau received complaints relating to the advertising for the deposit of cash?

(2) Have these complaints related to any of the following particular omissions:

(a) a clear statement of the interest payable related to the term;

(b) the security of the investment;

(c) the conditions of deposit and withdrawal, such as, *inter alia*, the minimum amount to be deposited or withdrawn?

Mr O'CONNOR replied:

(1) Yes.

(2) (a) to (c) Yes.

HOSPITAL

King Edward Memorial

950. Mr TONKIN, to the Minister for Health:

(1) Is he aware that patients at the King Edward Memorial Hospital are prevented from watching their own television sets and are directed to hire sets from "Hospital TV Hire" (33 Railway Parade, Mount Lawley. Phone 271 8100)?

(2) If he is not aware, will he make inquiries?

(3) What justification can the hospital advance for preventing patients from watching their own television sets and putting them to extra expense at a time of possible hardship and suffering?

Mr YOUNG replied:

(1) Yes. This requirement applies in most public hospitals. Tenders are called for the provision of TV sets in hospitals—such sets must conform to a certain wiring code.

(2) Answered by (1).

(3) This requirement is designed to protect patients and others in the hospital from possible electrical faults in private TV sets. Tests have shown many privately-owned electrical appliances, such as TV sets, have electrical faults which can be dangerous in the hospital situation, particularly to patients who have intravenous fluid lines inserted. Before private TV sets could be brought into the hospital, it would be necessary for them to be checked for electrical faults. This takes time and would involve the hospital in additional expense. In addition, the hospital is liable for any damage caused to private TV sets on hospital premises.

WATER RESOURCES

Dam: Mundaring

951. Mr BARNETT, to the Minister for Water Resources:

(1) Will increased public use of the Mundaring catchment area be permitted in the near future?

(2) When will this policy be implemented?

(3) What form will it take?

Mr MENSAROS replied:

(1) There are no present plans for increased public use of the Mundaring catchment area. This may change if recommendations arising from the System 6 Review which are not detrimental to water quality are accepted by the Government.

(2) and (3) Answered by (1).

LAND

Vesting for Multiple Use

952. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Is it possible under current legislation to vest land for a multiple of uses such as water, mining, conservation?

Mr O'CONNOR replied:

Yes.

CONSERVATION AND THE ENVIRONMENT

Open Space Planning

953. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Does the State Government recognise the need for a State-wide policy for open space planning and management?

(2) What has been done to formulate such a policy?

Mr O'CONNOR replied:

(1) and (2) For the member's enlightenment and as was carefully explained at the launching of the System 6 Report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

CONSERVATION AND THE ENVIRONMENT

Open Space Planning

954. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Is it the Government's intention to create a secretariat with responsibility for co-ordinating open space planning as a matter of urgency?

(2) When will it be formed and how will it be funded?

Mr O'CONNOR replied:

(1) and (2) For the member's enlightenment and as was carefully explained at the launching of the System 6 Report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

TOWN PLANNING

Private Open Space

955. Mr BARNETT, to the Minister for Urban Development and Town Planning:

(1) Is it the intention of the Town Planning Department to undertake a review of the Town Planning and Development Act in order to provide for the management of private open space by local authorities as part of a town planning scheme?

(2) When will this review begin?

(3) Who has or will be appointed to head the review?

Mrs CRAIG replied:

(1) to (3) See answer to question 962.

RECREATION

Department for Youth, Sport and Recreation

956. Mr BARNETT, to the Minister for Recreation:

(1) Is it the intention of the Department for Youth Sport and Recreation to undertake the production of a comprehensive statewide recreation areas strategy plan?

(2) (a) Will the department be undertaking a survey of the recreational resources available within System 6;

(b) an assessment of current and likely future recreational demand?

Mr GRAYDEN replied:

(1) and (2) For the member's enlightenment, and as was carefully explained at the launching of the System 6 Report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 Committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

CAMPING

Health Regulations

957. Mr BARNETT, to the Minister for Health:

Will he undertake to have his department review the public health

regulations covering camping so as to allow for informal bush camping areas and low-cost caravan and tent-camping areas along scenic routes?

Mr YOUNG replied:

These matters have been examined and draft legislation is now being prepared.

CONSERVATION AND THE ENVIRONMENT

Darling Range

958. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Does the Government recognise the unique combination of attractive scenery and water supply potential of the northern Darling Range?

(2) Does the Government recognise the need for overall protection and management in the area?

(3) What is his Government's attitude to the proposal supported by Sir Paul Hasluck for a northern jarrah reserve?

Mr O'CONNOR replied:

(1) to (3) For the member's enlightenment and as was carefully explained at the launching of the System 6 Report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

CONSERVATION AND THE ENVIRONMENT

Linear Park

959. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

What is meant by the term "linear park"?

Mr O'CONNOR replied:

A linear park is a long narrow park normally following a linear feature such as a river, coastline, or disused railway or road reserve.

CONSERVATION AND THE ENVIRONMENT

Riverline Parks

960. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

What is the Government's attitude to the provision of riverline parks extending along at least one bank of all river systems with year-round water?

Mr O'CONNOR replied:

For the member's enlightenment and as was carefully explained at the launching of the System 6 Report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report but is a report "to" the EPA by the System 6 committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

CONSERVATION AND THE ENVIRONMENT

System 6: Land Reserves

961. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Is it a fact that the System 6 study recommends a further 624 km^2 or 2.4 per cent of the area of System 6 for addition to the 2.1 per cent of existing Land Act reserves?

(2) Is it the Government's intention to comply with this recommendation?

Mr O'CONNOR replied:

(1) Yes—see page 46 of the System 6 report.

(2) For the member's enlightenment and as was carefully explained at the launching of the System 6 Report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

TOWN PLANNING

System 6 Study Group

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

(1) Is she and her department aware of the new planning procedures developed by the tourism and recreation sub-committee of the System 6 study group?

(2) What are the details of the new procedures?

(3) What are the new procedures for developing a system of regional open space developed by the same committee?

Mrs CRAIG replied:

(1) to (3) For the member's enlightenment, and as was carefully explained at the launching of the System 6 Report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 committee.

(c) After receiving the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

CONSERVATION AND THE ENVIRONMENT

System 6: Localities

963. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) In terms of the localities identified by the conservation reserves and national parks committee of the System 6 study, how many localities had their boundaries changed from the time they were first recommended by the committee to the time of publishing the report?

(2) (a) Which were they; and

(b) in each case what was the change made and the reason for it?

Mr O'CONNOR replied:

(1) and (2) For the member's enlightenment and as was carefully explained at the launching of the System 6 report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 comittee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

CONSERVATION AND THE ENVIRONMENT

Mining: Impact

964. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Is it a fact that the nature of the impact of mining on forestry, water supply, conservation, and recreation were comprehensively reviewed by a technical advisory group appointed by the Environmental Protection Authority?

(2) When did this take place?

(3) Is a report available?

(4) Will the Minister please provide me with a copy?

Mr O'CONNOR replied:

(1) Yes, in respect of bauxite mining in the Darling Range area.

(2) August 1978.

(3) and (4) A copy of the report is available in the reading room of the Department of Conservation and Environment or can be borrowed through the Parliamentary Library.

CONSERVATION AND THE ENVIRONMENT

Bauxite Mining

965. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Is it a fact that Alcoa's mining and rehabilitation plans are regularly assessed by a State mining and management planning group?

(2) Is that group attached to the Environmental Protection Authority or the Department of Conservation and Environment?

(3) Who are the members of that group?

Mr O'CONNOR replied:

(1) Yes.

(2) No.

(3) The group is chaired by a senior officer of the Department of Resources Development; others on the group are: the Chairman of the Darling Range Study Group, senior officers of the Department of Conservation and Environment, Forests Department, Public Works Department, and the Metropolitan Water Board.

CONSERVATION AND THE ENVIRONMENT

System 6: Public Utility Authorities

966. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

In respect of the System 6 study, why is it considered necessary to allow public utility authorities to have overriding powers of access to conservation and recreation reserves?

Mr O'CONNOR replied:

For the member's enlightenment and as was carefully explained at the launching of the System 6 report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

TOWN PLANNING: MRPA

Basic Raw Materials Committee

967. Mr BARNETT, to the Minister for Urban Development and Town Planning:

(1) When was the basic raw materials committee of the Metropolitan Region Planning Authority set up?

(2) Who are its members?

(3) How often have they met?

(4) Which reserves and/or tracts of land have already been assessed, and with what results in each instance?

Mrs CRAIG replied:

(1) The basic raw materials committee of the Metropolitan Region Planning Authority first met on 14 September, 1979

(2) Its members are—

Chairman—Mr E. R. Gorham (Dept. of Resources Development)

Mr I. A. Wilkins—(MRPA)

Mr C. F. Porter—(Dept. of Conservation and Environment)

Mr D. J. Collins—(Town Planning Dept.)

Mr C. C. Cheyne—(MRPA)

Dr A. Trendall—(Geological Survey)

Cr A. N. Whittington—(Local Government Association—City of Fremantle).

(3) The committee has met four times.

(4) The entire metropolitan region is the subject of assessment to determine where basic raw materials for the building and construction industry are located. The work is not yet complete.

EDUCATION: PRIMARY SCHOOLS AND HIGH SCHOOLS

Rockingham

968. Mr BARNETT, to the Minister for Education:

Would he please provide me with a map of the Rockingham region showing present and proposed high schools and primary schools?

Mr GRAYDEN replied:

Yes. This information will be forwarded to the member as soon as possible.

CONSERVATION AND THE ENVIRONMENT

System 6: Government Action

969. Mr BARNETT, to the Premier:

(1) In respect of the system 6 study and its urgent recommendation: "A detailed study of the legislation and the roles of existing management bodies, leading to recommendations on necessary changes in the present structure and legislation and the need or otherwise for new management bodies with appropriate areas of expertise", what action has the Government taken to implement the recommendation?

(2) If no action yet, what will be done and when?

Sir CHARLES COURT replied:

(1) and (2) For the member's enlightenment and as was carefully explained at the launching of the System 6 report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report but is a report "to" the EPA by the System 6 committee.

(c) Having received the report, the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

CONSERVATION AND THE ENVIRONMENT

System 6: Open Space Management

970. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) In respect of the System 6 report urgent recommendation: "An examination of the present funding of management of open space leading to recommendations for future funding and co-ordination of development programmes", what action has been taken by the Government so far?

(2) What action will the Government be taking on this issue?

Mr O'CONNOR replied:

(1) and (2) For the member's enlightenment and as was carefully explained at the launching of the System 6 report "Green Book" yesterday—

(a) The System 6 report is the result of four years' work by a dedicated group of people representing a variety of views and interests.

(b) The report is not either a Government or an EPA report, but is a report "to" the EPA by the System 6 committee.

(c) Having received the report the EPA is now seeking public comment upon its recommendations.

(d) When all the public submissions have been received and reviewed, the EPA will make recommendations to the Government in the form of a "Red Book".

In the meantime, the Government has no intention of answering questions or entering into any debate or discussion on the report.

BURRUP PENINSULA

Woodside Petroleum Development Pty. Ltd.: Cooling Water

971. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) In respect of the Woodside Petroleum development project on Burrup Peninsula, is it a fact that the Environmental Protection Authority is satisfied with the mean levels of contaminants in the cooling water expected under normal operating conditions?

(2) Are they expected to be—

(a) residual chlorine 0.5 mg/L;

(b) organophosphate anti scaling agent 0.04 mg/L;

(c) trisodium phosphate 0.002 mg/L;

(d) oil 0.2 mg/L?

(3) (a) Are any other contaminants expected; and

(b) if so, what and at what levels?

(4) How often is it expected that operating conditions other than normal will exist?

(5) What are the possibilities of higher concentrations of contaminants?

Mr O'CONNOR replied:

(1) Yes, at the expected levels outlined in the company's ERMP.

(2) (a) to (d) Yes.

(3) (a) No.

(b) Not applicable

(4) Very rarely.

(5) Negligible.

BURRUP PENINSULA

Woodside Petroleum Development Pty. Ltd.: Carbon Dioxide

972. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Is the Woodside petroleum development on Burrup Peninsula expected to discharge carbon dioxide at a rate of 246 000 N m^3/hr?

(2) What studies have been done by his department on the effect of this discharge on nearby flora and fauna and on the ocean and its biota?

(3) What were the recommendations of those studies?

(4) Will the Minister provide me with a copy of the report?

Mr O'CONNOR replied:

(1) Yes.
(2) to (4) The member is referred to the EPA's report on the North-West Shelf development project—DCE Bulletin No. 69.

BURRUP PENINSULA

Woodside Petroleum Development Pty. Ltd.: Gaseous Hydrocarbons

973. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Relevant to Woodside petroleum's development on Burrup Peninsula is it a fact that gaseous hydrocarbons will be emitted at a rate of 380 N m^3/hr?
(2) What studies have been done by his department to ascertain the effect of this discharge on—
(a) nearby flora and fauna;
(b) the ocean and its biota?
(3) What were the recommendations of those studies?
(4) Will the Minister provide me with a copy of the report?

Mr O'CONNOR replied:

(1) Yes.
(2) to (4) It is considered that gaseous hydrocarbon emissions at this level would not have any significant effect on nearby ecosystems.

BURRUP PENINSULA

Port Authority

974. Mr BARNETT, to the Minister for Transport:

(1) Relative to the establishment by Woodside Petroleum on Burrup Peninsula is it proposed to establish a new and independent port authority?
(2) What will be its area of control?
(3) Will the Minister please advise details?

Mr RUSHTON replied:

(1) This is under consideration.
(2) This has not yet been determined.
(3) Yes, in due course.

BURRUP PENINSULA

Management Programme

975. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

What steps have been taken by the Minister's department to implement a management programme for Burrup Peninsula to limit incursions by four wheel drive vehicles and to establish fire controls?

Mr O'CONNOR replied:

It is not the Department of Conservation and Environment's responsibility to implement management programmes for Burrup Peninsula.

BURRUP PENINSULA

Aboriginal Sites

976. Mr BARNETT, to the Minister for Cultural Affairs:

(1) In respect of the Burrup Peninsula has the Aboriginal sites department of the WA Museum undertaken surveys of Aboriginal sites within the development areas?
(2) Is it a fact that their findings and recommendations have been presented in at least three reports?
(3) What are those reports?
(4) Will he please undertake to provide me with copies of those reports, or at least the sections of them relating to the above?

Mr GRAYDEN replied:

(1) Yes. Preliminary surveys were undertaken in 1979 and 1980, and work to record, assess, and where possible preserve sites and salvage examples of rock engravings, has been on-going since April 1980.
(2) Yes. Five have been produced so far; they relate to survey results. Reports on the current salvage programme will be prepared on completion of the field work.
(3) "Dampier Archipelago Liquefied Natural Gas Project—A survey for Aboriginal Sites", Vol. 1, 1979.
"A Survey for Aboriginal Sites, King Bay Area", Vol. 2, March 1979.

"A Survey for Aboriginal Sites. Quarry, Communications Station and Access Roads, Vol. 3, April 1979.

"A Survey for Aboriginal Sites, Proposed Access Road," Vol. 4, January 1980.

"A Survey for Aboriginal Sites in the Vincinity of Proposed Borrow Pits, Granite Quarry and Lay Down Areas. Burrup Peninsula, Western Australia. Supplementary Report II", Vol. 5, August 1980.

(4) The reports are not public documents.

BURRUP PENINSULA

Industrial Development

977. Mr BARNETT, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

Is the Burrup Peninsula being considered by the Government as a site for further industrial development in the future?

Mr MacKINNON replied:

Yes.

BURRUP PENINSULA

Mangrove Sites

978. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

In respect of the Environmental Protection Authority bulletin No. 69 on the development of the Burrup Peninsula, on page 15 claims appear that localised damage to mangrove communities appears inevitable. It also mentions that these features are commonplace in the region: will the Minister provide me with a map of Burrup Peninsula showing alternative mangrove sites?

Mr O'CONNOR replied:

Such a map is figure B 5 Woodside Petroleum Development Pty. Ltd.'s ERMP. A copy of this document is available on loan through the Parliamentary Library.

BURRUP PENINSULA

Aboriginal Sites

979. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Has a qualified archaeologist been employed by Woodside Petroleum to develop programmes in conjunction with the WA Museum to minimise damage to Aboriginal sites?

(2) If "No", is it expected that this will happen?

Mr O'CONNOR replied:

(1) and (2) No. However, the company has provided the WA Museum with finance and supporting facilities to enable the Museum to employ qualified archaeologists to record, assess and where possible, preserve sites and salvage examples of rock engravings.

BURRUP PENINSULA

Quarrying

980. Mr BARNETT, to the Minister for Resources Development:

Has Woodside Petroleum in developing Burrup Peninsula had limits placed on it to ensure quarrying operations do not take place within 200 metres of the shoreline?

Mr P. V. JONES replied:

Yes.

Quarrying operations on the Burrup Peninsula have been approved in two locations—

(i) immediately behind the supply base at King Bay which is necessary to provide adequate land for this facility; and

(ii) immediately south of the LNG plant site where the main quarry operations will be centred.

Detailed consultations took place between Woodside and the Departments of Conservation and Environment and Resources Development and the WA Museum prior to these approvals being given.

BURRUP PENINSULA

Woodside Petroleum Development Pty. Ltd.: Restrictions

981. Mr BARNETT, to the Minister for Resources Development:

(1) Has Woodside Petroleum in developing Burrup Peninsula had restrictions placed on it which will necessitate consultations with the Department of Conservation and Environment regarding the disposal of pipeline test solutions?

(2) What are these restrictions?

Mr P. V. JONES replied:

(1) and (2) Pipeline licence No. WA-1-PL issued by the designated authority provides as one of its conditions that detailed proposals for the treated water used for testing the offshore pipeline shall be approved by the designated authority.

BURRUP PENINSULA

Dredging and Spoil Disposal

982. Mr BARNETT, to the Minister for Resources Development:

(1) In respect of Woodside Petroleum's development of Burrup Peninsula, has the company submitted detailed dredging and spoil disposal plans to the Environmental Protection Authority for approval?

(2) Have they been approved in total?

(3) Will the Minister provide me with plans for the dredging and disposal?

Mr P. V. JONES replied:

(1) In respect of dredging operations associated with the supply base such information has been submitted to the Government and approved prior to such works commencing.

(2) Approval for dredging operations for all other proposed works has not been given at this date.

Detailed discussions have been going on for some considerable time between Woodside, Department of Resources Development, and the Department of Conservation and Environment on various options. To support these discussions Woodside has undertaken detailed biological monitoring studies of some of the spoil sites under consideration.

(3) In view of the above, this is not possible.

DAIRYING

Milk: Market

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

(1) Has any survey to determine the cost of production of market milk in each of the Pinjarra, Harvey, Waroona, Brunswick, Busselton, Pemberton, Northcliffe, and Albany districts been carried out since the 1976-77 financial year?

(2) (a) If "Yes" to (1), what was the cost of production in each district;

(b) if "No" to (1), is it intended to carry out such a survey and, if not, why not?

Mr OLD replied:

(1) In accordance with section 48 of the Dairy Industry Act a survey is conducted every three years to estimate the average cost of production of market milk. The most recent survey was for the 1979-80 financial year.

(2) (a) No attempt is made to determine cost of production for separate districts;

(b) answered by (1).

MUSHROOMS

Donnelly River Mill

984. Mr H. D. EVANS, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

(1) Has the Government received a request through the regional administrator of the south-west to finance the visit of a

New Zealand expert to determine whether the kilns used previously at Donnelly River mill can be adapted to the growing of mushrooms for canning by the Manjimup Canning Co-operative?

(2) (a) If "Yes", does the Government intend to accede to this request, and if so, when is it expected that the visit will be made;

(b) if "No", in view of the fact that mushroom growing for canning purposes will extend the period of operation of the Manjimup cannery, will he have the potential of the Donnelly River mill kilns for growing mushrooms evaluated in some other way, and if so, what way?

Mr MacKINNON replied:

(1) Not to my knowledge.

(2) (a) and (b) It is the Government's belief that sufficient expertise probably exists within Western Australia to undertake such an evaluation if a request is made by the company.

ANIMALS

Donkeys

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

(1) How many donkeys were shot in—

(a) 1980;

(b) 1981 (to date)?

(2) Can the carcases of donkeys be used for pet food?

(3) (a) Has any approach been made to the Government for assistance to set up a pet food business which involves the shooting and processing of donkeys; and

(b) if so, what was the result of such an application?

(4) Would a proposition which involved the processing of donkeys for pet meat be eligible for Government support in principle, assuming of course that all other Government requirements confirmed with eligibility guidelines?

Mr OLD replied:

(1) (a) 1980

Agriculture Protection Board 13 600

Pastoralists 30 000 (estimated)

Pet meat shooters 20 000 (estimated)

(b) 1981 (to date)

Agriculture Protection Board 10 477

Pastoralists not available

Pet meat shooters not available.

(2) Yes.

(3) (a) and (b) No.

(4) The Department of Industrial Development and Commerce advises that each application is treated on its merits.

INDUSTRIAL ACCIDENTS

Injuries Sustained

986. Mr H. D. EVANS, to the Minister for Labour and Industry:

In what five industries have workers sustained the greatest number of industrial injuries in each of the past three years, and what were the numbers in each case?

Mr O'CONNOR replied:

Industry	No. of Accidents Finalised 1976-77	1977-78	1978-79
Construction	3 441	3 014	3 679
Other manufacturing	2 519	2 238	2 584
Wholesale and retail trade	1 993	1 973	2 316
Food, beverages, and tobacco	2 318	1 941	2 059
Transport and storage	1 843	1 697	1 594

The above figures include fatal and non-fatal accidents as reported in Australian Bureau of Statistics Reports—Industrial Accidents, Series B.

Figures above refer to date of finalisation of workers' compensation claims since figures for date of occurrence of accidents are not currently collected by the bureau.

The above figures are the latest currently available.

INDUSTRIAL ACCIDENTS

Injuries Sustained

987. Mr H. D. EVANS, to the Minister for Labour and Industry:

What number of industrial accidents for which compensation was paid have occurred in the—

(a) mining industry;
(b) timber industry;
(c) clerical industries;

in each of the past three years?

Mr O'CONNOR replied:

Industry	No. of Accidents Finalised 1976-77	1977-78	1978-79
(a) Mining	1 809	1 548	1 573
(b) Agriculture, forestry, fishing and hunting	883	722	701
(c) Clerical (refer fourth note)	—	—	—

Above figures include fatal and non-fatal accidents as reported in Australian Bureau of Statistics Reports—Industrial Accidents—Series B.

Figures above refer to date of finalisation of workers' compensation claims since figures for date of occurrence of accidents are not currently collected by the bureau.

The above figures are the latest currently available.

Accidents involving clerical staff are not processed under a separate industry classification, but absorbed into other appropriate industry classifications and therefore figures are not available.

FISHERIES

Tuna: Imports

988. Mr H. D. EVANS, to the Minister representing the Minister for Fisheries and Fauna:

(1) Does the Western Australian Government intend to press the Federal Government to impose a tariff on imported tuna?
(2) If "Yes", what approaches have been made and what are the details of any such submissions?

Mr O'CONNOR replied:

(1) It is not intended to seek the imposition of a tariff on the importation of whole tuna. Under the Customs Tariff Act there exists a Tariff on the importation of canned tuna.
(2) See above.

MEAT

Beef: Imports

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

What quantity of beef has been imported into Western Australia from the Eastern States in each of the past three years?

Mr OLD replied:

	1978	1979	1980	to 17 April 1981
Cartons	65 318	27 328	15 214	387
Bodies	4 613	224	—	—

Cartons are packed to weigh 27 kgs.

ANIMALS

Dingoes

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

(1) What has been the cost of dingo control to—
  (a) the State Government;
  (b) the pastoral industry;
  (c) any other involved sector;

  in each of the past three years?
(2) Have any studies been carried out to ascertain if the dingo is an endangered species, and if so—
  (a) who carried out this research, and when;
  (b) what were the conclusions of such research?

Mr OLD replied:

(1) (a) Direct costs of dingo control have been—

1977-78 $822 500
1978-79 $885 400
1979-80 $982 000

Pastoralists contribute approximately $200 000 per year through agriculture protection rates, a proportion of which is used for dingo control and is included in the above;

(b) unknown;
(c) unknown.

(2) (a) and (b) The Victorian Department of Crown Lands and Surveys' Vermin and Noxious Weeds Destruction Board commenced a study approximately two months ago, aimed at determining the status of the dingo in Victoria.

The work will take some years to complete.

IMMIGRATION

Ethnic Liaison Officer

991. Mr DAVIES, to the Minister for Immigration:

(1) Why has the ethnic liaison officer been removed from Graylands migrant hostel to Noalimba?

(2) Is there a welfare officer presently stationed at Noalimba?

(3) Is he aware that the removal of this officer will place significant strain on other officers at Graylands migrant hostel?

(4) Is it his intention to provide a replacement?

Mr O'CONNOR replied:

(1) The ethnic liaison officer was a State officer who was originally made available on a temporary loan basis to assist with the settlement of refugees at Graylands centre. However, the needs and requirements at Noalimba Reception Centre, the State Government migrant hostel, are such that they necessitate the return of this officer.

(2) Yes.

(3) Although Graylands centre is a Commonwealth Government migrant hostel, the State makes a significant contribution to the settlement programme conducted at the centre, through State Government departments such as Community Welfare, Health and Medical Services, and Education Departments. The settlement and orientation programme conducted at Graylands centre is primarily the responsibility of the Commonwealth Government.

(4) No.

992. *This question was postponed.*

SURVEILLANCE CRAFT

P150

993. Mr DAVIES, to the Premier:

(1) Further to question 455 of 1981 concerning the prototype surveillance craft P150, can he indicate how representations were made to the Federal Government, and when they were made?

(2) Will he also advise me of the results of the representations when received?

Sir CHARLES COURT replied:

(1) Representations to the Federal Government were made as early as February 1979 by telex from myself to the Prime Minister (Mr Fraser).

Subsequent representations have been made—

(a) in the form of letters to a number of Federal Government members of the House of Representatives and senators by the Minister for Industrial Development and Commerce in May 1980;

(b) in several discussions with senior personnel from the Federal Government Departments of Defence, Transport, and Productivity during 1980-81.

(c) Representation to 11 Federal Government departments was made by the P150 consortium during 1980-81 with State Government assistance.

(2) Results of the representation have, in discussion, indicated a favourable response to the vessel by the Departments of Transport and Defence, but no commitment has as yet been forthcoming. Subsequent representations are still under consideration. The Leader of the Opposition will be advised of the results when firm decisions have been received.

FUEL AND ENERGY: ELECTRICITY

Power Station: Bunbury

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

(1) Further to question 372 of 1981 relevant to Bunbury power station, can he

provide a list of potential equipment suppliers and financiers for the proposed Bunbury power station?

(2) Can he also advise when the formal process of registration of interest began?

Mr P. V. JONES replied:

(1) and (2) It is not possible to provide any such list at the present time since the registration of interest on the part of potential suppliers is still proceeding. Preregistration was called for on 4 April, and the closing date for such registration is 30 April.

FUEL AND ENERGY: ELECTRICITY

Power Station: Ord River

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

Further to question 370 of 1981 concerning negotiations on a proposed 60 MW hydroelectric power station at the Ord River, can he indicate when negotiations will be completed and can he give a draft timetable for construction of the station?

Mr P. V. JONES replied:

Negotiations are still proceeding with the Northern Territory Government, the Commonwealth Government, and prospective industrial users in the East Kimberley area and no timetable can be given.

WAGES

Average Weekly

996. Mr BRYCE, to the Minister for Labour and Industry:

(1) Is it a fact that the Western Australian weekly wage rate for adult males, all industry groups, is $188.26 per week?

(2) Is the wage rate index for January 1981, the latest monthly index available—catalogue No. 6311?

(3) Is it a fact that the rate referred to in (1) is the lowest rate of all States?

(4) Is it a fact that the rate referred to in (1) is $5.14 per week lower than the national average?

(5) What are the latest average weekly earning—seasonally adjusted—rates for Western Australia?

Mr O'CONNOR replied:

(1) No. Table 5 of ABS Catalogue No. 6311.0 dated 28 April 1981, shows the latest weighted average minimum weekly rates payable for a full week's work—excluding overtime—as prescribed in awards, determinations and collective agreements for Western Australia as being $188.38.

(2) No. The figures for February 1981 were released on 28 April 1981.

(3) Yes. However, ABS Catalogue No. 6311.0 states that the indexes are only designed to measure trends in wage rates in current awards, etc., excluding the effects of changes in the relative importance of industries, awards, and occupations. The weighted average wage rates are, therefore, indexes expressed in money terms, and do not purport to be actual current averages.

Similarly, neither these weighted average wage rates nor the corresponding index numbers measure the relative levels of average current wage rates as between States or industries.

(4) Yes.

(5) The latest figures for average weekly earnings—seasonally adjusted—per employed male unit are included in the ABS Catalogue No. 6302.0 dated 23 March 1981—Average Weekly Earnings, Australia—December quarter, 1980.

The figure for Western Australia for the December quarter is $275.60.

HEALTH: DISABLED PERSONS

Employment: National Conference

997. Mr BRYCE, to the Minister for Labour and Industry:

(1) Did the State Government send representatives to the national conference on the employment of disabled people held in Canberra on 7 March 1981?

(2) If so, what were the names and positions of the representatives?

(3) Will he table the papers presented at the conference?

(4) If the papers are not available, will he secure them as a matter of urgency for interested members of the Legislative Assembly?

(5) Is it a fact that Mr C. L. Meeres, QC, chairman of the national advisory council on the handicapped, at the conference stated that the four greatest obstacles to the rehabilitation of injured workers were—

(a) the common law action for damages for personal injury, which is still available as an alternative to workers' compensation;

(b) the litigious nature of the determination of workers' compensation claims;

(c) the lack of adequate comprehensive and co-ordinated rehabilitation schemes;

(d) malingering?

(6) Which of the above obstacles are not reflected in the Workers' Compensation Bill?

Mr O'CONNOR replied:

(1) Yes.

(2) I am advised that Mr Graham Law, President of the disabled advocates and self-help group and Mr Darryl McCarthy, representative of disabled consumers in this State, represented the State Government and were nominated by the International Year of Disabled Persons committee.

(3) Papers are not yet available.

(4) Yes.

(5) (a) to (d) I understand this was said.

(6) The member would be aware that the Workers' Compensation Bill was presented to this Chamber on 15 April and I am sure that should he care to peruse the Bill he would be able to ascertain its content and intent.

EDUCATION: HIGH SCHOOLS

Bentley and Tuart Hill: Closure

998. Mr BERTRAM, to the Minister for Education:

(1) Does he still say that $15 million will be saved by closing Tuart Hill and Bentley High Schools?

(2) If "Yes", what precise sum of money, if any, was actually budgeted for, for senior colleges as at 7 April 1981?

(3) If a sum of money was in fact budgeted for before 7 April 1981, what has or will this money now be used for?

(4) Apart from evidence as to feeder school populations, what evidence does he have, and when was it obtained, as to the changing demography of the area served by Tuart Hill Senior High School?

(5) When and for what purposes was the Post-Secondary Education Commission established?

(6) When did the honourable members for the North Metropolitan Province first learn of the possibility of the closure of the Tuart Hill Senior High School?

(7) Why did he refuse, fail or neglect to attend the public meeting at Tuart Hill Senior High School on 15 April 1981?

Mr GRAYDEN replied:

(1) The relocation of secondary school students from Tuart Hill and Bentley Senior High Schools to neighbouring schools will free, at very little comparative cost, buildings worth approximately $15m. for other purposes.

(2) and (3) No money was allocated for the establishment of senior colleges as at 7 April 1981. The savings from the plan will arise over a period of years as the accommodation of students on these two sites reduces the need for additional buildings, particularly in the technical division. Over the next two years it is estimated that the senior colleges will absorb approximately 1 000 students who are currently enrolled in technical colleges. The alternative cost of providing 1 000 additional places in new buildings is estimated to be $8 million. Within a period of perhaps five years the senior colleges are likely to accommodate between 1 500 and 2 000 students.

(4) The planning branch of the Education Department employs very sophisticated procedures in estimating the future populations of schools. These include indices for interstate and international migration, indices of retention of students within particular schools, data giving the number of school age children per dwelling from new housing developments and estimates of future fertility rates. This information is monitored continuously and tabulated annually.

(5) The Western Australian Post-Secondary Education Commission was established by enactment of Parliament on 17 December 1976. The functions of the commission are set out in section 12(2) of the Act.

(6) A statement was released by the Premier immediately following the Cabinet meeting on Monday, 6 April.

(7) The member is well aware that the parliamentary debate on this topic was scheduled for the same evening.

LAND

Agricultural: East of Emu Spur Fence

999. Mr CARR, to the Minister representing the Minister for Lands:

(1) Does the Government have any plans for land north of the old vermin fence or east of the emu spur fence to be surveyed and opened up for expansion of farming activities?

(2) If "Yes", will he please provide details?

Mrs CRAIG replied:

(1) and (2) The Government has no current plans for the release of agricultural land in the area nominated.

EDUCATION

Gifted Children's Programme

1000. Mr CARR, to the Minister for Education:

(1) How many children are being catered for by the gifted children's programme being conducted in Geraldton?

(2) How many children were tested in Geraldton for consideration of inclusion in the programme?

(3) How many were deemed suitable for inclusion?

(4) How many similar projects are being conducted elsewhere in the State?

(5) What is the total number of children involved in the State?

(6) What plans are there to extend the programme—

(a) at Geraldton;

(b) in other parts of the State?

Mr GRAYDEN replied:

(1) The Education Department has recently established a special interest centre at Beachlands Primary School, Geraldton, to serve the needs of intellectually talented students in the Government primary schools of the Geraldton area. At the present stage of this pilot development 31 children are enrolled at the centre.

(2) Approximately 1 000 children were assessed to determine eligibility for inclusion in the centre's programmes.

(3) 31 children have been offered places in the programme.

(4) Similar projects are being piloted at Kalgoorlie and Albany; a similar centre is in operation at Bunbury, and there are others operating in the metropolitan area.

(5) There are approximately 400 children in programmes of this type in centres in the metropolitan area and in the country.

(6) (a) At the present time there are no plans to extend the special interest centre programme in Geraldton;

(b) answered by (4) above.

FUEL AND ENERGY: ELECTRICITY

Power Station: Eneabba-Geraldton Area

1001. Mr CARR, to the Minister for Fuel and Energy:

(1) With regard to proposals to provide power to the Pilbara from the main State Energy Commission grid, what consideration has been given to constructing a coal-burning power station in the Eneabba-Geraldton area, utilising Eneabba coal, to feed the grid?

(2) What are the benefits to be derived from such a station in terms of—

(a) shorter transmission distance to Pilbara;

(b) decentralisation and diversification of inputs to grid;
(c) other?

(3) Does the Government see any significant disadvantage in such a proposal?

(4) If "Yes" to (3), will he please indicate?

Mr P. V. JONES replied:

(1) to (4) Only general consideration has been given since further exploration is required to prove up the quantity and quality of Eneabba coal to the point where serious consideration could be given to its use for power generation.

QUESTIONS WITHOUT NOTICE

INDUSTRIAL DEVELOPMENT

Borden Chemical Co. (Aust.) Pty. Ltd.

196. Mr BRYCE, to the Premier:

My question concerns the decision of the Bunbury Town Council in respect of the proposed establishment of the Borden chemical industry.

(1) Does his Government accept the decision of the Bunbury Town Council as an expression of the opinion of the people of Bunbury with regard to the establishment of that noxious industry so close to the population, and as an expression of their preference for that factory to be established out of town in an area designated for noxious industries?

(2) Does his Government have the power to override the Bunbury Town Council and if so, does it intend to override that decision?

Sir CHARLES COURT replied:

(1) and (2) I have heard only indirectly and from what was in the newspaper this morning that the Bunbury Town Council, by a small margin, had decided to reject this industry for the second time. I must admit I was rather surprised, because a lot of negotiations and discussions had taken place to demonstrate that this industry was not of the injurious nature suggested and as had been emotively described by certain people in their campaign against the industry.

We have sought this industry for a long time as a necessary corollary to the very efficient industry at Dardanup. I understand the Borden company had explained at great length why it was necessary to locate the industry there, or not at all. I do not know anything beyond that.

I could not hazard a guess as to what the Government's role or intention will be in the matter. I have asked the Minister for Industrial Development and Commerce to let me know the position. I wish to discuss the matter not only with him but also with the company because it is very important to Bunbury and Western Australia as a whole that this chemical industry is established.

It is not a new proposal; it goes back to the days when I was Minister for Industrial Development. We sought what we believed was a very necessary industry to give another dimension to the Dardanup industry. I think most members would like to see such an industry established in Western Australia. I do not intend to express an opinion on a decision of the Bunbury Town Council because, frankly, I am not aware of all the circumstances surrounding the decision—particularly as I had previously been advised the decision was going to be in favour of the industry.

EDUCATION

Colleges of Advanced Education: Closure

197. Mr PEARCE, to the Minister for Education:

(1) With regard to the "razor gang's" proposal as reported in tonight's issue of the *Daily News* to close the Nedlands, Mt. Lawley, and Claremont Colleges of Advanced Education unless the State Government is prepared to pick up the total funding tab for those institutions, was that decision made with the consultation and agreement of the State Government?

(2) If it was not made with the agreement of the State Government, was the State Government informed in advance of the recommendation of the "razor gang"?

(3) What consideration has been given to ways of raising the many millions of dollars necessary to keep these colleges in existence?

(4) Why has the Churchlands College of Advanced Education been exempted from the fate to be shared by the other institutions?

Mr GRAYDEN replied:

(1) to (4) I have not seen the newspaper report to which the member refers.

Mr Pearce: That is rubbish; you were reading the newspaper just before I asked my question.

Mr GRAYDEN: Therefore I ask the member to place the question on notice.

TRANSPORT: AIR

International Charter Services

198. Mr BRYCE, to the Premier:

(1) Appropos a question of mine of a couple of days ago, to which the Premier indicated his Government supported the proposals of Laker Airways Pty. Ltd. and British Caledonian Airways to bring cheap air charter services to Perth, would the Premier indicate approximately how long ago it was that those companies sought the support of his Government?

(2) Could he indicate whether, to the best of his knowledge, either or both of those companies currently has a submission before the British Government seeking approval to bring that service to Perth?

Sir CHARLES COURT replied:

(1) and (2) The last negotiations and discussions known to me between the Government and British Caledonian Airways and Laker Airways Pty. Ltd. took place towards the end of January and perhaps into the first week in February. Prior to that, the Minister for Tourism and the Minister for Transport were involved in discussions with both enterprises and the companies were also in consultation with me through the two Ministers. We encouraged the companies to further their applications because we believe Australia is going to need all of this type of traffic it can get if it is going to get into the international tourist circuit, quite apart from the use of these aircraft by commercial people. In these two cases we thought more in terms of the package-type tour. The tourist-type visitor is very important to the system. We are also anxious to have such airlines land in Western Australia for at least some of their services because we would then get the opportunity to have some of the tourists stay in Western Australia and become part of our own tourist circuit.

Both companies were very actively pursuing their applications, including the through Perth proposals, before the British authorities. I can say that with some confidence because it happened to be in the few hours I spent in London on my way back to Perth at the end of my January visit to America that I took the liberty of going down to hear the inquiry commence. I was rather anxious to see how the inquiry was held. Both Laker Airways Pty. Ltd. and British Caledonian Airways had an application before the inquiry, and both stated their position at that time. Members must bear in mind that the inquiry was due to continue for some weeks; in fact, I would be surprised if it has yet concluded. Needless to say, British Airways opposed the application.

I think that answers the member's question. We were actively pursuing their desire to come to Australia, and particularly Western Australia.

EDUCATION: HIGH SCHOOL

Tuart Hill: Closure

199. Mr BERTRAM, to the Minister for Education:

(1) Will he list the various options placed before him by his advisers and from which he decided to close Tuart Hill Senior High School?

(2) If "No", why?

(3) Of the various options placed before him what were each of the considerations which caused him to close Tuart Hill Senior High School and not some other school or schools?

Mr GRAYDEN replied:

(1) Yes, Tuart Hill, Mirrabooka, and Perth Modern School.

(2) Not applicable.

(3) The main considerations which led to the choice of Tuart Hill as the best option were—

Central location.
Seriously declining enrolments with this trend continuing.
Availability of public transport and access roads.
Lack of future potential for growth from new housing areas.
Suitability of facilities.

EDUCATION

Colleges of Advanced Education: Closure

200. Mr PEARCE, to the Minister for Education:

Since he appears not to have read the newspaper report to which I referred earlier—he was obviously just looking at the pictures on the front page—is he prepared to tell the House whether the Lynch "razor gang" consulted with the State Government about the proposed transfer of funding responsibility completely from the Commonwealth and completely to the State with regard to the Mt. Lawley, Nedlands, and Claremont CAEs?

Mr GRAYDEN replied:

I do not know what the member is talking about and I suggest he place his question on the notice paper.

MEMBERS OF PARLIAMENT

Telephones: Scrambling Devices

201. Mr B. T. BURKE, to the Premier:

Acknowledging the wisdom contained in the Premier's decision to have a scrambling device installed on his telephone line, would he say whether his Government is prepared to extend the same courtesy to other members of this House?

Sir CHARLES COURT replied:

No.

EDUCATION: TERTIARY

Commonwealth Responsibility: Transfer

202. Mr PEARCE, to the Treasurer:

Was any consultation entered into between himself, as Treasurer, with the Lynch "razor gang" on the question of the transfer of Commonwealth responsibility for tertiary funding to the State Government and, if so, what was the outcome of those consultations?

Sir CHARLES COURT replied:

I think it would be a good idea if we dropped this slangish term of "razor gang" used by the Press when referring to this committee.

Mr Bryce: It flushed off 17 000 jobs—it was fairly razor-like.

Mr Young: It is the Committee of Review of Commonwealth Funds.

Sir CHARLES COURT: Until I see the report made by the committee headed by Sir Phillip Lynch I am not prepared to comment on it. There may be aspects of it where they have consulted with the States and there may be others where they have not. From the general comment I have heard there seems to be quite a few items where I cannot recall any consultation with the State.

Mr Pearce: What about the transfer of education funds?

Sir CHARLES COURT: Successive Federal Governments of both parties have shown no great propensity to confer with the

States before they make these rather dramatic announcements. My guess is that when I read the report there will be a lot of things I hear about for the first time.

EDUCATION

Senior Colleges

203. Mr WILSON, to the Minister for Education:

What is the expected population of Tuart Hill Senior College for each of the years 1982 to 1990?

Mr GRAYDEN replied:

As indicated in my answer to question 635 of 15 April 1981, it is considered unwise to make predictions of this sort.

EDUCATION: HIGH SCHOOL

Tuart Hill: Boundaries

204. Mr BERTRAM, to the Minister for Education:

(1) Will he describe the boundaries of the area presently served by Tuart Hill Senior High School?

(2) When were the said boundaries last fixed?

(3) Will he describe the boundaries of the area served by Tuart Hill Senior High School from its inception, giving the dates of any changes made thereto?

Mr GRAYDEN replied:

(1) Boundaries of the Tuart Hill Senior High School are related to its contributory primary schools which are—

Osborne
Tuart Hill
Yokine
Kyilla (option to attend Perth Modern and Mt. Lawley also according to location of residence).
Mt. Hawthorn (Green St. and north of it. Students living south of Green St. have the option of attending Perth Modern Senior High).

(2) 1980.

(3) Because of the very considerable changes made over the years, due to fluctuations in population, the detailed information sought is not available.

CULTURAL AFFAIRS

State Library: Computer

205. Mr BRYCE, to the Minister for Cultural Affairs:

This is a follow-up question to question 852 of yesterday; the Minister will recall I asked him a series of questions concerning the scope and nature of the computer information system to be installed in the new State Library. The Minister will recall indicating to me that since the Library Board had no indication of what level of funding is available, he was unable to provide the answers to my queries.
Can the Minister give some indication of when the Library Board will be advised of the level of funding available for this computer system but, more importantly because public libraries of this sort are basically built only once a century, will he give the House an assurance that the austerity campaign does not mean Western Australians will be asked to accept second-best with the system to be placed in the new library building?

Mr GRAYDEN replied:

I imagine it will have an approximate idea of the level of funding within the next three months and I can assure the member for Ascot that quite naturally we will be going out of our way to ensure as far as possible it has funds which are necessary for that purpose.

MINISTER OF THE CROWN

Premier: Visit to Geraldton

206. Mr B. T. BURKE, to the Premier:

I refer him to his recent visit to Geraldton when he went there specifically to address a Liberal Party meeting. As that was the specific purpose of the visit, will he indicate to the House whether the expenses attaching to his visit and that of his staff will be borne by the Liberal Party or the Government?

Sir CHARLES COURT replied:

If the member puts the question on the notice paper I will gladly answer it for him in specific detail. I could not be expected to carry all these

administrative details in my head. I make it clear the Liberal Party was not the only reason I went to Geraldton.

IVORY

Prohibition of Imports: Request for Funds

207. Mr PEARCE, to the Minister for Police and Traffic:

The Minister may not have seen the advertisement in this week's issue of *The Sunday Times* which had a picture of an elephant with the word "Help" put across it and a text which purported to seek support in monetary form for a fund for animals. It contained a request for donations of $5 or more in order to prohibit the import of ivory into Australia. Since I have been told this afternoon by the Bureau of Customs that the import of ivory into Australia has been prohibited since 1976 under the Customs (Endangered Species) Regulations, can he tell me whether the Police Force regularly monitors these requests for funds from groups outside Western Australia—this group advertises from 399 Pitt Street, Sydney—to see that frauds are not practised through our newspapers and mail?

Mr HASSELL replied:

I did not see the advertisement and I cannot tell the member whether the police regularly monitor such advertisements. However, if he refers a copy of the advertisement to me I will refer it to the Commissioner of Police to have him check it both in regard to the matter of fraud and the restrictions and controls we have in this State in relation to the collection of money for alleged charitable purposes under the Charitable Collections Act.

The SPEAKER: I will take two more questions.

INCOME TAX

Indexation

208. Mr B. T. BURKE, to the Treasurer:

(1) Is he aware of the recent Federal Government announcement in respect of tax indexation and its cessation?

(2) Does he support this Federal Government move?

(3) If not, when can the people of this State expect their Premier and his Government to start to counter effectively some of the very harsh restrictions on finance and other matters that the Fraser Liberal Government is implementing to the disadvantage of every Western Australian?

Sir CHARLES COURT replied:

(1) to (3) The only knowledge I have of the intention to abandon the tax indexation proposal is what has appeared in the Press. I gather from the statements released that it is the price to be paid for making the hospital benefit funds contributions tax deductible. Let me say at the outset I applaud the decision to make hospital benefit funds contributions tax deductible. It is one of the things this Government has advocated very strongly to the Federal Government. I believe this measure will do more than any other single measure to encourage people to return to hospital benefit funds. I also must say in the strongest terms that the basic philosophy behind what the Commonwealth Government has done in respect of health funds is supported by this Government because the Medibank scheme, as well as the subsequent variations it took, has been a disaster.

Mr Pearce: You should have left it.

Mr Bryce: You promised to leave it untouched.

Sir CHARLES COURT: I hope we can return to a situation where people understand and accept their fair responsibility; and the needy are taken care of.

Mr B. T. Burke: What about tax indexation?

Sir CHARLES COURT: I am coming to that.

Mr B. T. Burke: You are taking your time.

Sir CHARLES COURT: People must understand how the private sector can now be used properly instead of wasted; how the waste within the present system can be eliminated; and taxpayers generally obtain better value for their

money and at the same time receive top-line health services. We must bear in mind it is not only a matter of hospitals, but also all health and medical services, mental health and community health services. There are a host of other things. People forget these and just talk about hospitals.

Apart from any quarrel I might have with the Commonwealth Government about the small print of its proposition—I have many—the basic thrust of it as set out is to my mind very commendable and will bring about a better deal for taxpayers and, at the same time, give better and more balanced services to the community.

Returning to the question relating to indexation, always I have had very serious reservations, which I have expressed, about the indexation of taxation. If we stop to think for a while—I have expressed this view in the strongest terms to the Prime Minister—we must wonder what is the use of indexation.

As far as I am concerned, the sooner we return to the basic method of fixing taxation which is based on financial and economic grounds, the better. This idea of an indexation of taxation was a "no-win" system for anybody. If we stick to indexation our situation will not be improved—in fact, we would go slightly back. If we do not index—wholly or in part—it means we will just be slipping back further.

For my part I want to consider the fine print of this decision, but I feel as a result of the health funding and other decisions made we will return to a clearer picture which will enable the taxpayer to receive not only greater efficiency of health services by State and Commonwealth Governments, but also, hopefully, some taxation reductions.

Mr B. T. BURKE: Supplementary—

The SPEAKER: Order!

Mr B. T. BURKE: —to my question, I would—

The SPEAKER: Order!

Mr B. T. BURKE: —ask the Premier whether—

The SPEAKER: Order! The member will resume his seat. I indicated to him I would permit two further questions; his and one from the member for Mt. Hawthorn. I now give the call to the member for Mt. Hawthorn.

EDUCATION

Students: Second-chance

209. Mr BERTRAM, to the Minister for Education:

(1) Does he believe present-day high school students should be disadvantaged in favour of second-chance students?

(2) If "yes", why?

Mr GRAYDEN replied:

(1) and (2) I thank the member for some notice of this question. It is important to provide the best opportunities possible for present-day high school students, and also for second-chance students. The Government's current policies relating to secondary education and to the projected senior colleges will achieve these objectives.