Legislative Assembly

Thursday, 24 September 1981

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

COMMITTEES FOR THE SESSION AND SELECT COMMITTEES

Resignations: Statement by Speaker

THE SPEAKER (Mr Thompson): I am concerned at a practice which has developed in recent years, the latest occurrence being on Tuesday of this week, by which members of this House address letters to me containing "resignations" from committees of this House.

May's *Parliamentary Practice*—(19th edition)—at page 633 says—

> A Member cannot relieve himself from his obligation as a Member to obey the commands of the House by declining to serve on a committee. Members originally nominated to serve on committees may, however, be discharged from further attendance, and members may be added to committees in the room of members who have been so discharged . . . .

This principle is expressed in our Standing Order No. 360 which reads—

> 360. Members, by order of the House, may be discharged from attending a Select Committee, and other members appointed, after previous notice has been given.

My interpretation of this Standing Order, aided by the comment in May's *Parliamentary Practice*, is that it is not in order for members to submit purported resignations from Select Committees to which they have been appointed.

In my view the same rule should apply in respect of other committees of this House, and for the same reasons. I am supported in this view by a ruling by Speaker Walker in 1928. *Hansard* of 4 December 1928 at page 2176 records Speaker Walker's ruling of which I shall quote a very relevant portion as follows—

> Once a member is appointed by a vote of the House to any Committee, whether it be a select committee or a committee of the House, it is impossible for him to resign. A duty is cast upon him from which he can be relieved only by being discharged from the performance of it by the House itself.

I am aware that in later years there have been several occasions when "resignations" from committee service were addressed to the Speaker.

My intention is that from now onwards this practice must cease and the former, more correct, procedure implemented. I am no longer prepared to read letters of "resignation" to the House concerning the committee responsibilities of members. In future, if and when I am so informed, I shall report to the House that a member seeks to be discharged from his obligation to serve a committee of this House. Subsequent action is a matter for the House itself.

PUBLIC ACCOUNTS COMMITTEE

Membership: Motion

SIR CHARLES COURT (Nedlands—Premier) [10.50 a.m.]: I move—

> That the member for Yilgarn-Dundas (Mr Grill) be discharged from membership of the Public Accounts Committee and that the member for Kalgoorlie (Mr I. F. Taylor) be appointed in his place.

This motion arises from the fact that, presumably by arrangement within the Opposition, the Opposition has sought a change in the membership of the Public Accounts Committee. Of course, the member for Yilgarn-Dundas (Mr Grill) is a current member of the committee and it is the request of the Opposition that he shall be replaced by Mr I. F. Taylor.

I take this opportunity to record the appreciation of the House for the service rendered by Mr Grill as a member of the Public Accounts Committee. I must say I find rather disturbing the wording of this motion which we traditionally move. It gives the impression, by use of the word "discharged" that a member is being dismissed from the committee—the word is open to misinterpretation. However, that is the traditional wording of the motion and it serves its purpose and really follows on logically from the comments the Speaker made to the House this morning.

However, I wish to make it certain in the minds of members that the reference to the "discharge" of Mr Grill is at his request and the request of his party, and for no other reason but to facilitate his replacement on the committee by Mr I. F. Taylor.

MR DAVIES (Victoria Park) [10.52 a.m.]: I made this request to the Premier some time last week, before there were certain changes within the structure of the Opposition party. The request was made only because Mr Grill found that, being a country member, it was difficult for him to attend the meetings which are very necessary for

the proper functioning of the committee. Mr Taylor, because of his experience in Treasury and accounting matters, was happy to take up that position. It was for that reason I made the request to the Premier. I suppose it was an arrangement between the two members concerned as to how the Opposition could be best served on the Public Accounts Committee.

The Opposition thanks Mr Grill for the work he has done; it has been fairly difficult for him because of his situation. I suppose that as he is the member for Kalgoorlie, Mr Taylor will experience similar difficulties in relation to attending meetings of the committee. Nevertheless, it is what they both thought would be the most effective arrangement. I thank the Premier for complying in the manner he has, and for foreseeing the Speaker's ruling relating to resignations from committees of the House.

Question put and passed.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE AMENDMENT BILL (No. 2)

Second Reading

MR MENSAROS (Floreat—Minister for Water Resources) [10.54 a.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill now before the House is to dismiss any suggestion of doubt, in respect of existing legislation, as to the power of the Metropolitan Water Board—

> to reduce the supply of water to a property in certain circumstances, in particular where rates or other charges relating to the property are overdue for payment; and
>
> to charge a fee to cover the cost of reducing and restoring, or disconnecting and reconnecting, such supply.

The Bill is intended further to protect the interests of the vast majority of its ratepayers—namely, the prompt paying customers—with regard to past actions of the board which might otherwise be called in question. On the Government's part there is not, nor has there ever been, any doubt that the Water Board's practices in pursuing debts are justifiable from a business standpoint and are proper according to law.

What is proposed now is not to be construed as a change of view. We are by no means convinced by recent arguments suggesting that the board's policy does not accord with the intent of existing provisions of the Act. However, it is not reasonable to expect the board's employees to take recovery action under a shadow of doubt—a rather flimsy shadow, I suggest—cast by the Opposition for highly questionable reasons. Consequently, our aim is to remove any possibility at all of variance in interpretation of the powers conferred on the board in the matter.

Over a period of some years, and again in recent times, the subject of turning or cutting off, or reducing the supply of water, for the non-payment of rates and charges has been much discussed both within this House and outside of it. I am not altogether sure that the issues raised at times in some quarters are motivated by genuine concern for the board's ratepayers or for other, more obtuse, reasons. Certainly a lot of the arguments opposing this direct method of recovering debts, and many ideas that have been aired on alternative methods, display a deal of clouded thinking.

The need to bring forward this amendment, in fact, would not have arisen but for another example of clouded thinking on the matter, particularly by the Opposition. I wonder whether behind these motives there was genuine concern for ratepayers, or whether political point-scoring was the real purpose of this further instance of apparently compulsive and well-publicised trouble making.

Mr Parker: This is a shameful amendment!

Mr MENSAROS: If the latter is not the case it seems, by this questioning of the propriety of the board's current procedures, that the Opposition would prefer the full disconnection of water services rather than the more humane approach the board takes in only restricting supply.

I wonder, too, whether the Opposition sits comfortably with the knowledge that the board has had to defer its recovery programme until this whole business is resolved, and that this little mischievous game has led to a disrupted revenue inflow at further cost to ratepayers.

Mr Brian Burke: Why don't you speak up? Speak more clearly so we all know what you are doing.

Mr MENSAROS: It goes without saying that more urgent and important business of the House is interrupted as a consequence.

Mr Brian Burke: Will you pay back the money to the people you illegally cut water from?

The ACTING SPEAKER (Mr Sibson): Order!

Mr MENSAROS: It must be acknowledged that the practice of restricting the supply of water—

Mr Brian Burke: —is illegal!

Mr MENSAROS: —to properties subject of overdue accounts is consistent with normal commercial practice in withholding the provision of further service or goods to tardy customers.

Mr Parker: How many other Governments cut off services in midstream?

Mr MENSAROS: Despite the contrary belief by the Opposition, similar business methods are used by water instrumentalities and other servicing authorities Australia-wide. They are more effective than costly and lengthy legal processes through the courts.

Locally, the Water Board, or its predecessor authorities, have applied such methods since 1910. In early years the means for prompting the settlement of overdue accounts was full disconnection of the water supply; and this was applied only in more recalcitrant cases of non-payment.

In 1966, to improve the efficiency of its financial operations and in an endeavour to reduce debt recovery costs—at a time when the board was adapting to new responsibilities requiring it to perform with the efficiency expected of a business enterprise—the board was forced to extend the application of the policy generally and use cutoff action, or the threat of such action, as a normal procedural step in circumstances where the account was overdue and arrangements to pay were not made by the debtor or not honoured. The board, of course, is loath to take harsh action against people in financial difficulty; and always it has been prepared to consider arrangements for payment by instalments.

In 1979 the practice of disconnecting the water service was modified to that of reducing the available rate of flow to a minimum requirement for domestic necessities—a more lenient approach, but just as effective. Restricting or reducing the amount of water available through the service is effected by installing a perforated disc, a procedure again not uncommon among other water authorities in Australia.

It has been the practice since 1910 to charge a fee to cover the costs of disconnecting or restricting the supply of water. Where restriction action is taken for recovery purposes, it is only reasonable that those ratepayers who pay their share of charges when due—the vast majority of ratepayers, I might add—do not carry the extra cost of recovering the portion owed by those who neglect to pay.

As I have stated already, recovery procedures involving the direct approach of interrupting supply, with costs charged to the recipient of the service, have been operating for many years. It is only recently that doubt has been expressed in some quarters as to the adequacy of the authority delegated to the Water Board with respect to the actual method of approach; that is, the reduction of supply. The same doubt has been raised with respect to the charging of a fee to cover costs of reduction and restoration, as is presently the case in recovery action, or disconnection and re-connection as may be required in other operations carried out by the board.

It is proposed, therefore, that the Act be amended to clarify these matters and dispel any doubt even in the minds of those mischief makers who cannot be relied upon to apply some common sense. At the same time, it is intended to ensure that action taken in good faith by the board in the past is supported by clear retrospective authority. This latter provision is essential to avoid any possibility of claims being made for the repayment of charges by those who should rightfully bear the cost.

For these reasons, I commend the Bill to the House.

Adjournment of Debate

MR PARKER (Fremantle) [11.03 a.m.]: With respect to the shameful piece of legislation, I move—

That the debate be adjourned.

Mr Mensaros: That is the speech.

Points of Order

Mr MENSAROS: Mr Acting Speaker (Mr Sibson), I would like you to rule whether the comments made by the member of the Opposition benches has not exhausted his right to reply in the debate, because the Standing Orders say specifically that the adjournment has to be made without any comment.

Mr BRIAN BURKE: On the same point of order, if the Government wants to persist, I shall move to adjourn the debate. It would be unfortunate if the Government, on this occasion, wanted to seize upon the few words—

Mr Mensaros: The inexperience of the people you elect to represent you; is that what you are saying?

The ACTING SPEAKER (Mr Sibson): Order!

Mr BRIAN BURKE: —spoken by the member for Fremantle to insist on this point.

The ACTING SPEAKER: The Leader of the Opposition may resume his seat. A point of order has been raised by the Minister.

It is the tradition of this House simply to move the adjournment, and not to enter into any debate. On that basis, I request the member for Fremantle to rise to his feet again and move formally that the debate be adjourned.

Debate (adjournment of debate) Resumed

Mr PARKER: Thank you. I move—

That the debate be adjourned.

Mr Tonkin: A very wise ruling. Congratulations!

Question put and passed.

Debate thus adjourned.

TRANSPORT AMENDMENT BILL (No. 3)

Second Reading

MR RUSHTON (Dale—Minister for Transport) [11.05 a.m.]: I move—

That the Bill be now read a second time.

The Bill before the House proposes to transfer the control exercised over the operations of country taxis from the Road Traffic Authority under the Road Traffic Act, to the Commissioner of Transport under the Transport Act. Before providing members with an overview of the proposed Bill, I am sure it would be helpful if I first outlined the historical background that led to the control exercised at the present time over country and metropolitan taxi operations alike.

Prior to 1964 the control of taxis throughout the State was vested in the Commissioner of Police as the chief administrator of the Traffic Act. Whilst it might appear to be a matter of historical accident that control of taxis, particularly in country areas, devolved upon the Police Department it must be remembered that the authority of this department, at that time, was represented throughout even the more remote areas of the State. As such the representatives of the Police Department, particularly those representatives stationed in the country areas, have in the past been called upon to exercise or have referred to them a variety of matters not strictly within the ambit of police work. These times of course are behind us and, with the appointment of district administrators, regional councils and the like, and with more Government departments having their own representatives in country districts, it has been possible to redress this situation.

However, in 1963 taxi industry members in the metropolitan area were very concerned about the many changes in the offing that affected their industry. At that time, of paramount importance to them was the number of taxi plates on issue, trafficking in plates, the introduction of traffic control lighting and its attendant operational difficulties, and cruising by taxi-cars in the main city thoroughfares brought about by the reduction in the number of central city taxi stands. This industry concern resulted in representations being made to the Government for the setting up of an authority to look to the metropolitan taxi industry's special interest needs. I refer members, of course, to the existing Taxi Control Board, which concerns itself with the operation of taxis within the defined metropolitan control area.

Whilst the action then dealt with the problems associated with metropolitan based taxis, it is interesting to note that when the Act setting up the Board came before the House, the then Minister for Transport stated, *inter alia*, "It is also contended that the board will extend its activities to country areas in the not too distant future."

However, it is not considered that the Taxi Control Board, which has no affinity with country based taxis, would be the body best suited to exercise administrative control over country taxis.

As members would be aware, the administrative function of the board is at present under review as a result of the P L J Carly report into the metropolitan taxi industry.

Nevertheless, it is considered that the Transport Commission, under the Commissioner of Transport, who is also the Chairman of the Taxi Control Board, would be the suitable authority to administer control over country taxis because of its present role in connection with taxis, and for further reasons—

(a) There is already an existing nexus between taxis and the control that is exercised by the commission over the development of country bus operations. Both industries are oriented to public passenger transport;

(b) the present Road Traffic Authority, from a service viewpoint, has no interest or control over public passenger facilities and as such has no defined policy on the interrelationship that exists between these two complementary modes of transport;

(c) the correct determination, which does not exist at the present time, of a fare rate structure for country taxis which takes into account differing regional characteristics; and

(d) the development of a dialogue and liaison with country taxi operators which they do not have at the present time as their only contact is with a local constable or officer in charge of a station who would normally have little experience of their real problems.

Members would also be aware that as a result of recent amendments to the Transport Act brought before the House, the nature of the Transport Commission is, as the Government's land freight transport policy is progressively implemented, being changed from that of a regulator of transport to that of a supervisory and monitoring role. As such, any supervision over country taxis will be complementary to this role.

It is also considered that the fundamental obstacle to any future change in the role of country taxis is the fact that control is at present being exercised by an authority that does not possess any definite policy in relation to its operational development.

Already, recent research in relation to metropolitan taxi operation indicates that there could well be a changing role for the taxi in the future. There is no reason to suppose that with different administration this should not also apply to country taxi operators.

In the Bill before the House, whilst there are no clauses of a substantive nature that are not already contained in those parts of the Road Traffic Act and regulations governing the operations of country taxis, there are one or two matters of an administrative nature to which the attention of members is directed. These matters relate to the issue and transfer of plates, and local government responsibilities in this area.

At the present time the Road Traffic Authority may not issue or transfer a taxi-car licence without first obtaining the approval of the local government authority in the district concerned.

Under the proposed amendment, the Commissioner of Transport may not issue a taxi-car licence without obtaining the local council's approval, but he may transfer a licence without first obtaining council approval. Whilst it is appropriate that local government bodies should, if they think fit, exercise some control over the number of taxis operating within their districts, to have to obtain their approval to transfer a licence is administratively cumbersome.

At the same time an additional clause has been included which provides for a local council to surrender all its rights regarding the operation of taxi-cars within its district, if the local government council concerned considered this course of action desirable.

A complementary Bill to amend the Road Traffic Act is to be introduced at the same time.

I commend the Bill to the House.

Debate adjourned, on motion by Mr McIver.

ROAD TRAFFIC AMENDMENT BILL (No. 2)

Second Reading

MR RUSHTON (Dale—Minister for Transport) [11.13 a.m.]: I move—

That the Bill be now read a second time.

The amending Bill before the House complements the proposals contained in the Transport Amendment Act (No. 3) 1981 and removes from the Road Traffic Authority its control over the operations of country taxis provided under the Road Traffic Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mr McIver.

TRANSPORT AMENDMENT BILL (No. 3)

Message: Appropriations

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

LIQUOR AMENDMENT BILL

In Committee

Resumed from 23 September. The Deputy Chairman of Committees (Mr Watt) in the Chair; Mr Hassell (Chief Secretary) in charge of the Bill.

Clause 21: Section 36 amended—

The DEPUTY CHAIRMAN: Progress was reported on the clause to which the member for Merredin had moved the following amendment—

Page 11—Add after paragraph (b) in lines 25 to 32 the following new paragraph to stand as paragraph (c)—

(c) (i) between the hours of eleven in the morning and one in the afternoon and between half past four and half past six in the afternoon on a Sunday; or

(ii) between such other hours on a Sunday as the court may authorise.

Mr HASSELL: This amendment relates to the proposal put forward by the member for Merredin to allow licensed stores to trade on Sundays. I am aware the Licensed Stores Association has that point of view and it is understandable it should;

but at the same time the Committee should be aware of the very far-reaching nature of the change which is in fact proposed by the amendment.

The amendment would allow licensed stores to trade on Sundays in a way that other stores are not able to trade. It would bring a retail operation into a completely new area. In response to that it will be said immediately that we have just extended the right of hotels to trade in packaged liquor on Sundays and, of course, that is correct. However, that is in association with those establishments being open for business anyway, because they will be operating under existing provisions to sell liquor for consumption on the premises.

I point out to the Committee what was said by the members of the committee which inquired into the Liquor Act on the basis of whose report this legislation has been presented. The third paragraph on pages 26 and 27 reads as follows—

> The enactment of the Liquor Act in 1970 granted substantial benefits to licensed stores, previously referred to as gallon licences, in that single bottle sales were introduced for all kinds of liquor. It is significant to note that sales of packaged beer by licensed stores now accounts for 48 per cent of the total distribution of local production, compared with 42 per cent in hotels and taverns and 7 per cent in clubs.
>
> In the opinion of the Committee, existing trading hours and methods of operation give licensed stores an ample share of the available liquor market and their operations should not be extended to include Sunday trading.

That appears to me to be a very responsible approach to the matter.

It is not possible to argue on the basis of any great principle that the stores should or should not be allowed to trade on Sundays. In many areas the issues determined by the Liquor Act are simply not issues of logic in any strict sense; they are issues of long-standing practice and a slow development of change in community attitudes.

In considering the issue of hotels trading on Sundays, I said that if one were logical, the move to be made would not be to continue the two-bottle limit, but to eliminate Sunday trading altogether; but clearly that is not acceptable and, therefore, an anomaly in the legislation has now been removed by the very clear vote of this Committee. I do not believe that should extend to permitting licensed stores to trade on Sundays.

Licensed stores have very generous trading hours during six days of the week. They were given a very substantial concession in 1970, as a result of which they have captured nearly 50 per cent of at least one market—that relating to the sale of packaged beer. Under this legislation licensed stores will obtain an extension of their trading hours. It is a very slight extension, but it brings them into line with other retailers as far as late-night trading on Thursdays is concerned. There is a point in that because they are retailers in the retail industry, and it was on the basis of their own submission that they were brought into line with other retailers, in trading until the close of trade by other retailers on a Thursday night.

However, my view is that it is not now the time to change the balance of the economic benefits of this industry and at the same time interfere with the general approach adopted to retail trading which is to exclude it on Sundays and, in my submission, we should not go along with an amendment which would make this change now.

Mr PARKER: I wish to put forward my point of view on this amendment. It is a personal point of view and it is not something on which the Opposition as a whole has an attitude. I am aware some of my colleagues have points of view which are different from mine.

My attitude towards this amendment is that I am opposed to it and I believe the balance of the situation is best maintained by the Bill as it stands.

As the Minister said, either yesterday or the day before, and as he reiterated to some extent today, licensed stores were virtually created as they exist currently by the operation of the amendments to which he referred and, as a result of those amendments, those licensed stores have now gone from strength to strength. I believe the Minister indicated the sales of packaged liquor by licensed stores amounted to approximately 48 per cent of total sales in that area. Of course, licensed stores have gone from a situation in which they made no sales of packaged liquor to the present position to which I have just referred.

We have the position where the hotel owners and licensed club proprietors, who virtually had a monopoly on the sale of this liquor, now sell approximately half the amount they sold previously. Whilst I aknowledge some of the logic of the amendment, it seems to me we are dealing with a controlled industry, and it has always been controlled by the Parliament of this State. We should not reach the situation in which the industry becomes totally uncontrolled as far as the legislation is concerned. Indeed, if we are

controlling the industry, we should have regard for the balance which would be created in that industry by any amendments that we might make to the legislation which controls it.

I believe, therefore, it is unquestionably the case that both the club and hotel sections of the liquor industry have been suffering for a whole range of reasons over the last few years and, most particularly, during the last couple of years. Many hoteliers and club owners are in very dire straits whereas that does not appear to be so much the case as far as licensed store owners are concerned.

It is true to say those categories were virtually created by the legislation which was introduced here some years ago in any event. In many respects, the licensed stores have been given a very good deal and, whilst I acknowledge some of the logic of their case, it seems to me, for that reason alone, the amendment ought to be defeated.

However, there is another reason I believe the amendment ought to be defeated and that is it is the general view of the Opposition on the question of retail trading, and the view of the Government also which was borne out by an announcement by the Deputy Premier, that retail trading should not be extended basically beyond the hours during which it operates currently. That is the common attitude of both the Government and the Opposition.

As the Minister has stated, the only real difference between this form of retail trading and any other form is the nature of the goods which are sold and the fact that the sellers have to be licensed pursuant to this piece of legislation.

I am opposed very strongly to any move to extend retail trading beyond the hours during which it operates currently. That is the view held by the Opposition and, therefore, I transfer the logic of that general view to the specific point in relation to this particular amendment. As I have said, that is not the view of the Opposition; it is a personal view. I intend to vote against the amendment.

Mr WILLIAMS: I rise to support the amendment. We have gone quite a way to control the industry, so I do not see any reason for our not going all the way. This legislation will allow hotels and clubs to sell unlimited amounts of liquor on Sundays, but the third arm of the industry will not be allowed to open. To my mind that is unjust and unfair. In this enlightened age that situation should not be tolerated because the majority of the people in this third arm of the industry are small retailers. They pay rates and taxes at the same level as hotels, and at a greater level than most clubs. They have a right to trade on Sundays as will the other sections of the industry.

If this Parliament does not pass the amendment we could be accused of encouraging a closed shop situation, and that would not be correct. As I mentioned the other day, the less distance people must travel to acquire their liquor requisites, the better. More outlets will keep more vehicles off the roads and, therefore, the number of people on the roads will be fewer.

I reiterate that our not allowing licensed retailers to open on Sundays will cause an anomaly; we will create a closed shop situation. They pay the same rates and taxes—including liquor taxes which the Government certainly needs for the present economic situation—as do hotels and licensed clubs. On the whole these retailers are small businessmen; they employ people; and they should be given the right to trade on Sundays.

Mr TRETHOWAN: I, too, must support this amendment. It would be unfair of us to disadvantage one section of a competitive industry, and that is precisely what would be done if this amendment were not passed. The legislation will allow certain sections of the industry to open on Sundays to sell unlimited amounts of liquor, but one section of the industry will be at a disadvantage in its competition with the rest of the industry. This situation will apply particularly during the summer months in holiday areas where I understand large amounts of packaged liquor are sold each weekend.

For some time licensed stores have competed with the other sections of the industry because all sections basically have been limited to Saturday trading on weekends. However, if only hotels and licensed clubs are allowed to sell unlimited amounts of packaged liquor on Sundays the licensed stores will be severely disadvantaged; and that will apply particularly during holiday-season weekends.

I encourage other members to preserve equal competition within the industry and, therefore, support the amendment.

Mr McPHARLIN: I oppose the amendment. My colleague is quite aware of my attitude towards it. Licensed stores in many cases were granted liquor licences on the basis that those licences would offer a convenience to consumers. In fact this occurred in the majority of cases.

Liquor sales are not the major source of revenue for these stores. They sell many other goods. The licences granted to retail stores in

country areas were for convenience. When people purchase their weekly requirements of other goods on any day of the week they are able to purchase their liquor requisites. In my view no need exists to extend that trading to unlimited sales on Sundays.

I concur with the Minister's remarks when he referred to the report of the Government committee which investigated amendments to the Liquor Act. Licensed stores already have acquired a considerable amount of the packaged beer and other liquor market. That trend has been of benefit to many stores and has not disadvantaged the public. People have been able to purchase their liquor requirements at these stores for 5½ days of each week to carry them over for just one day.

No reason at all exists for our extending the present hours during which licensed stores can sell liquor or packaged beer. The public would not be disadvantaged in any way if this amendment were not passed.

I have been consistent in my attitude of not agreeing with the extension of any trading hours in any liquor outlet which would make the purchase of alcoholic beverages easier. I will not support the amendment before the Committee because I intend to follow that principle.

Mr COYNE: I intend to make some observations to outline my opposition to this amendment. The thrust of my argument is that generally hotels carry a greater community responsibility than do liquor outlets with a bottle licence.

I can speak from experience. At one time I held a gallon licence in a Murchison district town. In those days the gallon licence was enforced inasmuch as a retailer could sell only one gallon of each type of liquor. A customer could purchase only one gallon of either wine, beer, whisky, brandy, or whatever. The operation of that system was difficult. If we could have mixed the gallon the operation of the store would have been much easier; we would have been able to have a fairly good business. I must say that certain subterfuges crept into the operations of the stores.

With the advent of bottle licences we saw a tremendous change in the industry. Certainly those licences brought about a new era. The holders of bottle licences have much less responsibility than hotel licensees because they do not have the same obligations in regard to the necessity for staff to dispense bulk beer. Everything the bottle licence holder sells is in neat packages, and his ratio of expenses to sales is much lower than that of a hotel.

One of my brothers is in the hotel business and another is the holder or a gallon licence. I understand the impact the licences have on each operator. The brother with the hotel has it at Bruce Rock. It is one of the eastern wheat belt hotels suffering fairly grievously as a result of a combination of events. I believe about 15 hotels in that area are now up for sale.

One of the problems is the attention the Road Traffic Authority gives to those hotels, but another problem must be the fact that the amount of packaged beer they sell has fallen dramatically. For that reason alone we should not allow the amendment to succeed. I hope I have made adequately the points I intended to put.

Mr PEARCE: It seems to me we have moved away from the matters about which we were arguing yesterday. Really, they were matters of principle—

The DEPUTY CHAIRMAN (Mr Watt): That is mainly because we are debating an amendment to a different clause.

Mr PEARCE: I am indebted to the Deputy Chairman for his interjection. He is in the habit of interjecting from his normal seat, but he has now taken to interjecting from the bench, as it were. Nonetheless, I am aware we are dealing with an amendment to a clause different from that which we debated yesterday, but it seems to me that not only are we debating a different clause, but also we are dealing with it in a different way.

Yesterday we discussed whether people should be allowed to drink on Sundays. A number of moralistic sermons were delivered by members from either side of the House. Now we are discussing who should have access to the Sunday liquor market now that it will be extended considerably.

It may be the case that the member for Murchison-Eyre can point accurately to problems suffered by hotels in country areas, and be able to say quite rightly that they are going broke. However, he has a conflict of interest. No matter which way he votes on this amendment one of his brothers will not be pleased.

Most hotels, including those in the country, sell their packaged beer from drive-in bottle shops; and licensed stores sell their packaged beer from an ordinary shop. The only difference is that a customer going to a licensed store must get out of his car and walk through the door of the shop. It is not right to suggest that hotels carry a greater responsibility to consumers because they have large retail liquor outlets. A liquor store merely is a smaller outlet called by another name.

It seems to me that if we take yesterday's clause and today's clause together, we find we have a situation where we are extending the ability of hotels to sell packaged beer and are not giving the same extension to liquor stores. In that case we are tilting the balance of the market force in favour of hotels. That seems to me not to be justified. If we are creating a situation where alcohol should be more freely available for sale in packaged form on Sundays, then it seems to be a corollary that all people who deal in packaged beer should be given equal access to the Sunday trade. I actually agreed yesterday with the points made by the member for Murray with regard to drinking at home.

If people must drink to dissipate social tensions or for some other reasons, it is much better for them to drink in their own homes than it is to drink in hotels, particularly during restricted periods such as sessions on Sundays. The point was made about young people particularly going to hotels on Sundays for the morning session, drinking copiously there, buying packaged beer and taking it away with them to a friend's place, drinking heavily there and then returning to the hotel for the afternoon session. People who drink in that way are a grave danger on the roads. It is not safe to drive in some areas on a Sunday. I accept that point. However, if there are to be beer sales on Sundays, packaged beer sales are in some ways more preferable to sales over the bar.

Mr Clarko: It assumes one is drinking on his own. If friends are drinking with you those friends have to come to and from that person's place.

Mr PEARCE: I accept that. The member for Murray and I have substantial agreement on this. I think we can put him into our little troika. People drink more moderately in a party situation than they tend to do in hotels, because of the schools which develop in hotels where people find themselves, through social pressures, drinking more rapidly and often than they would otherwise in order to make up the number of rounds that constitute a school.

Mr Clarko: I do not think that is necessarily so because, as I understand it, people drinking in hotels usually drink from a jug. One does not have as much pressure on him with a jug as with the other arrangement.

Mr PEARCE: That may be so, but people have to have their turn to buy a jug.

Mr Clarko: It is not the same as buying in a school.

Mr PEARCE: It is not the same. Nevertheless, the pressure to drink in these restricted hours are pretty strong. We are not talking about whether people should or should not be drinking on a Sunday. The point is simply who should have access to the Sunday liquor market. We are giving a considerable extension to hotels. We did that yesterday by removing the two-bottle limit, against the beliefs of the member for Karrinyup. The member for Merredin is quite right to suggest that liquor stores should be given equal hours for the Sunday market.

Mr Coyne: Would you say hotels have a community responsibility? They are bound to open.

Mr PEARCE: That is true. However when we were discussing responsibilities, I thought the member was really dealing with the responsibilities of hotels to ensure that their consumers do not overimbibe.

Mr Coyne: That is what I mean, in terms of public access.

Mr PEARCE: Really what is being said is this: Because there are some obligations placed on hotels, when we amended the Liquor Act we should have rearranged the market so that hotels are advantaged to compensate for their other responsibilities. I do not entirely accept that because, as I say, in the metropolitan area hotels operating as packaged liquor outlets do so through appendages to their buildings. They have specific employees who do nothing but sit in the bottle store and dispense packaged beer. It is exactly like a liquor store. I cannot see that they have any more or any less responsibility to consumers than liquor stores would have if they were trading in the same way on Sundays. The member believes the hotel industry is being disadvantaged generally because of obligations to stay open at certain times, although my understanding is that there is no obligation for a hotel to open on Sundays at all for liquor trading.

Mr Parker: There are other times when they are bound to stay open outside the hours of liquor stores.

Mr PEARCE: That is true. If the member is suggesting that hotels should not be obliged to stay open outside the hours which liquor stores operate, I suggest he would have little support from the hotel industry. Hotels see as one of their big advantages the fact that they can sell packaged liquor at times when liquor stores do not open. I do not think the hotel industry will support the member's point of view on that.

The point I was making about Sunday trading particularly is that hotels are not obliged to trade if they do not want to. Most hotels choose to do so because it is a lucrative trade, and will become much more lucrative because of the amendments

we passed yesterday. It seems to me to be a matter of fairness that if we are extending trading hours for one group selling a particular commodity, we should automatically extend hours for similar groups.

It is my intention to support the amendment of the member for Merredin.

Mr BRIDGE: It is not hard to predict where I stand on this amendment.

Mr Hassell: You are opposing it!

Mr BRIDGE: Having made my position clear yesterday about what I thought of any move that increases the opportunities for more liquor to be made available, I want to say I vigorously oppose the amendment of the member for Merredin. Having listened to the debates in this Chamber I wonder where we stand in this case. Are we interested in the welfare and habits of the drinking person or are we interested in welfare as a whole? If we are interested in dollars, this amendment reflects our greed.

People who operate licenced stores have a pretty good run. They are open six days a week. They have more than their fair share of the trade. I do not see that this is a useful provision at all. I do not support it. As a matter of fact, in rural areas such as the Kimberley, the goldfields, and Murchison-Eyre—I am sure the member for Murchison-Eyre would have to agree with this—licensed liquor stores have plenty of opportunity to meet the needs of the people. In certain areas they have a large percentage of the trade. People are able to go there six days out of each week; they are able to plan their supplies.

Surely we can look at the fundamentals of Sunday trading and the needs of the family structure in our society. We should not make liquor available on Sundays. I do not deny that people like to drink. I accept that people want to and should be able to, but surely there is more to it than worrying about the availability of supplies for people who want to indulge in alcohol. Surely there is the need to look after the family set up, the wives and the children who look to Sunday as a day in which they can go quietly about their affairs without the evil of drink; and drink is evil, especially in outlying areas.

If one goes into the Kimberley and sees what goes on six days a week, one will see people killing themselves, drinking themselves to death. Somebody said to me in the Chamber last night that people do not have to have drink, but if one puts a chocolate before a person—

Mr Clarko: Hear, hear! Great stuff.

Mr BRIDGE: —that person will accept it. The point about it is this: If we make alcohol available more readily, people will drink more. It is as simple as that. As politicians we should be responsible and acknowledge what happens before our eyes. It is a problem. Alcohol creates an evil situation in many parts of our State. We members have the capacity to minimise the extent of that situation.

I believe it will worsen the position which exists now and will do no good. It smacks of greed because these outlets have plenty of opportunity to make profits under the existing trading hours. Surely we should keep Sunday as it is now. I am completely opposed to this move.

Mr CLARKO: What we are seeing now is natural enough because it follows from the mistake made by this Chamber yesterday. The ground rules have been changed and hotels will have the opportunity to maximise their sales of packaged liquor. Naturally, people will now say that liquor stores will be placed at a significant disadvantage but what we are about to do now is to create two wrongs. That will not solve the problem. We have already made a decision in regard to the sale of packaged liquor on Sundays and those who voted for that must absorb the criticism which will come from the liquor store proprietors.

Sunday is a special day and everyone in this Committee obviously sees it as a special day because they are supporting legislation which treats Sunday as a special day, by the mere fact that the hours of opening are restricted on Sundays.

From the point of view of hoteliers, they have great financial burdens in terms of meeting commitments for their licences. Hotels play an important role in country areas because they create a meeting place for people who would otherwise not have such a place. They also provide an important place for people who have travelled the long distances which exist in Western Australia and may seek to participate in the drinking of liquor at a Sunday session. Whilst I am not a strong advocate of the Sunday session I can understand people wanting to do that.

Hotels are more comfortably appointed today than they have ever been, with carpets, air-conditioning, and comfortable seating. Often they are the only places in a country town where anyone can obtain food or refreshments.

Whilst I can see the logic behind this amendment, I do not find it acceptable because it will compound the problem of drinking and I agree with the member for Kimberley when he

said that Sunday is a special day. We should not move to a situation where we seek to resolve one problem by creating another.

I oppose this priniciple because Sunday is a family day; it is a traditional day of rest. It is a day when most people do not work, apart from those involved in the essential services of our community.

In the past people have put forward forcibly the wishes of tourists, but I believe we should ensure that the Western Australian weekend is preserved as a time when most of us can truly enjoy a rest or take part in recreation with our families and friends.

The proposition before us will significantly increase the sale of liquor, which will increase the consumption of liquor, and whilst I am not opposed to the liquor industry I think it is important that we have some controls, particularly in regard to Sunday, as do many countries in the world.

Mr COYNE: The Minister may be able to answer my query. It seems to me that some injustice may be caused to hoteliers because as I understand, hotels are obliged to open from 10.00 a.m. to 10.00 p.m. or, in the case of the goldfields, from 10.00 a.m. to 11.00 p.m. I do not know whether they can opt out of that responsibility at all. In the case of Sunday trading I think the matter depends on whether hotels are obliged to stay open for Sunday sessions or are able to opt out of that situation if they wish.

Mr Hassell: I understand they can opt out of it, but of course once some hoteliers decide to open, they all decide to do so.

Mr COYNE: If the hotels are obliged to open for the Sunday session the same should apply to licensed liquor stores. That is one of the reasons I did not support the amendment, because the hotels are such an important social centre in every community and it is their responsibility to provide facilities for the travelling and ordinary public. It is for that reason I do not think the licensed liquor stores should be allowed to compete with hotels on Sundays.

Mr COWAN: I can appreciate the comments made by members who have spoken in opposition to this amendment because they are merely being consistent with the views they expressed earlier. I respect their views but do not agree with them.

I believe we should allow full trading on Sundays because trading is already allowed to some extent. The member for Fremantle spoke about retailing on Sunday as though it we an innovation. I ask the member for Fremantle: What is the difference between a hotel retailing packaged liquor and a licensed store retailing packaged liquor on Sundays? There is no differnce so I do not think we are making any great innovative stand as far as Sunday retailing is concerned.

It has been noticeable in the liquor industry, in the past, that the trend has been towards packaged liquor. The Minister spoke of that fact and this amendment recognises that trend and will allow it to continue. The public demand is for packaged liquor—or bottles—and the Government to some extent recognises that by allowing liberalised trade of packaged liquor on Sundays in hotels. I do not see why the same privilege cannot be extended to licensed stores, especially if we recognise the trend in liquor consumption; let us meet the public demand.

It seems to me that once upon a time hotels had the monopoly over the liquor trade and there was a desire to incorporate entertainment within the hotels in the metropolitan area. The proprietors of hotels now find that they have to continue providing entertainment—usually of a very noisy nature—in order to survive. Fortunately that trend is disappearing and people are frequenting taverns. Perhaps people are now moving away from the tavern scene to a situation where they want to consume liquor in their own homes. All I am asking is that people be given the opportunity to follow this trend and be able to purchase liquor at different outlets at their convenience. I think members who support the concept that hotels be given the opportunity to sell unlimited quantities of packaged liquor on Sundays, to be consistent, should support this amendment. Those members who oppose my amendment should do so on the basis that they opposed the amendment relating to extending franchise for hotels, and those members who supported the extension of the franchise for hotels should be duty bound to support this amendment.

Mr SHALDERS: I was interested in all the comments that have been made by members in this Chamber concerning this particular question. I can see the logic in both arguments put forward and it has made me think, long and deep, as to what I should do in respect of voting on the amendment. In reaching a conclusion I have tried to cast my thoughts along the lines of the convenience to the public. The argument put forward by the member who has just resumed his seat was a logical one. If sales of packaged liquor are extended to hotels I cannot see the reason that the same provision should not be extended to licensed stores.

This proposal should be given consideration because members of the public should have the opportunity to obtain their liquor from their

nearest outlets regardless of whether it is a hotel or a licensed store. It is important that packaged liquor be available on Sundays because it is far better for people to consume liquor in their own homes rather than in hotels bearing in mind the possibility they may drive their vehicles under the influence of alcohol.

I am not concerned about the profitability of liquor outlets but I am concerned with the convenience that should be extended to the members of the public. For this reason, I intend to support the amendment.

Amendment put and a division taken with the following result—

Ayes 18

Mr Barnett	Mr Shalders
Mr Bryce	Mr Stephens
Mr Terry Burke	Mr I. F. Taylor
Mr Carr	Mr Tonkin
Mr Cowan	Mr Trethowan
Mr Davies	Mr Tubby
Mr Grill	Mr Williams
Mr Hodge	Mr Wilson
Mr Pearce	Mr Bateman

(Teller)

Noes 24

Mr Bertram	Mr Laurance
Mr Blaike	Mr McIver
Mr Bridge	Mr McPharlin
Sir Charles Court	Mr Mensaros
Mr Coyne	Mr Nanovich
Mrs Craig	Mr O'Connor
Mr Evans	Mr Old
Mr Grayden	Mr Parker
Mr Grewar	Mr Rushton
Mr Hassell	Mr Sibson
Mr Herzfeld	Mr Spriggs
Mr P. V. Jones	Mr Clarko

(Teller)

Amendment thus negatived.

Clause put and passed.

Clause 22 put and passed.

Clause 23: Sections 38A and 38B inserted—

Mr HASSELL: I would like to indicate that at the conclusion of the debate on this clause I will be moving an amendment to meet the objection which has been raised concerning the proposed reception lodge licences. The point was made during the course of the second reading debate that a reception lodge licence holder should be able to operate after 8.00 p.m. on a Sunday. This limitation is contained in the proposed section 38B(1)(b). It has been suggested that many weddings take place on a Sunday and that people will want to be able to continue their celebrations later than 8.00 p.m. At this stage no-one has indicated he wishes to debate an earlier part of the clause. I move an amendment—

Page 14, line 5—Insert after the word "Sunday" the following passage—

> , or such hours on a Sunday as the Court may authorise under subsection (3) of this section.

I propose to move the insertion of a new subsection (3) as follows—

> (3) The Court may, having regard to the requirements of the type of functions for which the licensed premises are used, from time to time, on the application of the holder of a reception lodge licence, authorise him to sell and supply liquor for consumption on the premises between such hours, other than those mentioned in subsection (1)(b) of this section, but not in the aggregate exceeding a total of eight hours, on a Sunday as the Court may specify; and an authority so conferred shall remain in force until the Court otherwise orders.

That will eliminate the need for continuing applications and will allow the court to exercise a discretion; however, it will also limit it to eight hours, which is the total trading period proposed.

Mr I. F. TAYLOR: Having quickly examined the amendment to be moved by the Chief Secretary, I believe it to be satisfactory and I give notice that I do not intend to proceed with the amendment on the notice paper in the name of the member for Welshpool.

Amendment put and passed.

Mr HASSELL: I move an amendment—

> Page 14—Insert after subclause (2) the following new subclause to stand as subclause (3)—
>
> > (3) The Court may, having regard to the requirements of the type of functions for which the licensed premises are used, from time to time, on the application of the holder of a reception lodge licence, authorise him to sell and supply liquor for consumption on the premises between such hours, other than those mentioned in subsection (1)(b) of this section, but not in the aggregate exceeding a total of eight hours, on a Sunday as the Court may specify; and an authority so conferred shall remain in force until the Court otherwise orders.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 24 to 39 put and passed.

Clause 40: Section 60 amended, and transitional provisions—

Point of Order

Mr EVANS: I seek leave to withdraw the amendment standing in my name on the notice paper. I do so because originally, in the Minister's second reading speech, he stated that the figure of $2 was too low to pre. nt the practice of clubs signing new members as provisional members. The tenor of the debate has been such that instead of some compromise being struck, members have—

Mr Clarko: This is not a point of order; you are now debating the subject.

Mr EVANS: I am explaining why I seek leave to withdraw the amendment standing in my name. Surely the Deputy Chairman is entitled to an explanation.

The DEPUTY CHAIRMAN (Mr Watt): Order! The thoughts expressed by the member for Karrinyup were very similar to those in my mind. I have allowed the member for Warren some latitude to explain why he does not intend to proceed with his amendment. However, there is no need for him to seek permission of the Committee to withdraw an amendment which has not been moved,, but which is only on the notice paper.

Mr EVANS: I appreciate your guidance, Mr Deputy Chairman. At least our intention and purpose has been placed on the record.

Mr Clarko: We know the purpose.

Committee Resumed

Mr BLAIKIE: I indicated during the second reading stage my opposition to the Government's proposal to amend section 69 of the Act by increasing from $2 to $20 the annual fee clubs may charge.

Point of Order

Mr COWAN: Mr Deputy Chairman, I draw your attention to the three amendments on the notice paper, one of which is in the name of the member for Vasse and the other two of which are in my name. If you examine the amendments you will observe that the ones I have placed on the notice paper are far tidier and more orderly and follow the legislation more correctly than the amendment about to be moved by the member for Vasse. I put it to you that the member for Vasse in moving his amendment will need to move a later amendment. Rather than take that course, I suggest that you accept my amendment, which is far tidier and more compact.

The DEPUTY CHAIRMAN (Mr Watt): I suggest that is a matter of opinion which is not appropriate for me to debate. It seems appropriate for three reasons that I should give the call to the member for Vasse: Firstly, because his name appears first on the list of amendments on the notice paper; secondly, because in the chronological sequence of lines of the Bill, his amendment should correctly come first; and, thirdly, because the member for Vasse was the first to his feet for the call.

Committee Resumed

Mr BLAIKIE: I move an amendment—

> Page 21, line 17—Delete the passage "(ii) in paragraph (g), by deleting "two"."

The proposal contained in the Bill should not be supported. The Government proposes that the $2 charge, which I would define as being merely a peppercorn charge, is to be changed to $20. In their speeches on the second reading, some members have indicated that will be an increase of almost 1 000 per cent. The effect of the percentage rise is of concern to me; but I am more concerned with the principle of the Government's establishing the fee for people to belong to a club.

If we were to take this a step further, the Government could decide the fee for a person to belong to a senior citizens' centre, or a parents and citizens' group. That is laughable and ludicrous, and the proposal for the $20 fee is in the same category.

As far as the fee is concerned, it is properly the responsibility of the clubs to establish the joining fee; and that is where it ought to stay.

The proposal would affect two clubs in my electorate. One is the Cowaramup District Social Club; and although Cowaramup is a very small rural centre, the club has a membership of more than 1 000. The members come from a wide area of Western Australia. Currently, the membership fee for that club is $4. I am not aware of any breaches of the Liquor Act by the club in relation to its membership.

Margaret River also has a district social club; and the fees are $4 for a single membership or $6 for the membership of a husband and his wife. Concurrent with that membership, the people also become fully paid members of a host of other clubs in the community.

My concern is that an increase in the fee to $20 would detract from the membership of these clubs. The same thing could be said of many clubs across the State.

The principle of the establishment by the Parliament of the fee ought to be opposed strongly. The clubs should prescribe the fees for

their own members. On those grounds, I trust the Committee will give due consideration to leaving the fee at $2.

Mr COWAN: I support the amendment moved by the member for Vasse. I have a similar amendment on the notice paper. In fact, had it not been for a breach of convention, I may have been able to move my amendment initially.

The DEPUTY CHAIRMAN (Mr Watt): Is that a reflection on the Chair?

Mr COWAN: Certainly it is not a reflection upon the Chair. I am merely making clear that I was approached last night with a view to opposing the entire clause. Because of the system in which we operate, I wanted to keep the minimum membership fee at $2, but because I was not able to assess whether I had the numbers, it was my task to ensure that the $20 fee was amended to a lesser figure. I made my intent known; and having made it known, I was surprised to discover that the amendment I was proposing had been put on the notice paper by the member with whom I had been discussing it. That is not a reflection upon the Chair.

The DEPUTY CHAIRMAN: I accept the member's explanation; but I ask him to choose his words carefully when he makes comments.

Mr COWAN: Mr Deputy Chairman, if you had given me time to conclude my remarks, you would not have had to make that comment.

The issue of the minimum membership fee should not even have been considered in the amending Bill. I do not know of any clubs in my constituency which have a maximum fee of $20, let alone a minimum one. I do not think any country clubs would be in that position.

Consequently, I suggest to all rural members representing constituencies with licensed and country clubs that they support this amendment before the Chair.

As I said, the court will be able to curtail the practice of provisional members being enrolled at clubs which have attained already their maximum allowable ordinary or full membership levels. The amendments will require the applications to go before election committees. That will prevent the practice, which is quite common, of people entering the clubs, being granted provisional membership on the spot, and paying $2.

I support the principle of people who want to be considered as provisional members having to be nominated. Their membership applications should be considered by committees. That will be sufficient to prevent the practice being pursued in the future.

For that reason, and for the reason that most of the licensed clubs with which I have some affiliation or which I represent do not have $20 as their full membership fee, let alone for memberships such as provisional, junior, or social, the amendment should be supported. Of course, the fees for other memberships are far less than the ordinary or full membership fees.

We need to make it difficult for clubs, particularly in the metropolitan area with a wide following—and I suggest that it would be the football clubs that violate this provision more than any others—to accept provisional members; and other provisions in the amendment we are debating will be sufficient to prevent that practice.

If the amendment moved by the member for Vasse is carried, and if I am given the call for the subsequent amendments, we will allow the clubs to retain some autonomy in deciding what membership fee they will charge.

Mr CLARKO: I support the amendment moved so ably by the member for Vasse. It is important to realise that there might have been some of us, including myself, who were of the feeling when we first read the Bill that it was desirable to have a higher figure included to stop what might have been the instant signing up of a group of people who suddenly came to a club and were signed up *en bloc* as provisional members. I thought there was merit in the change, but when I read it more closely I became aware that, as set out in the earlier part of the clause, the words "or provisional members" are now being deleted from section 69(f) of the existing Act. So, to become a member of a club a person will have to go through the proper processes, and this will inhibit the situation I outlined.

Secondly, I support the amendment because by this Committee's refusing to delete the word "two" it will mean that "two" will prevail, and I think it is more than proper for clubs themselves and not the Parliament to decide what their fees should be.

I have been a guest at the Cowaramup club, which charges $4 a year for membership. It is a very nice club with a pleasant atmosphere. That club should not be put in the position of being forced to charge a very significant fee. We must admit that $20 is much higher than $4. I will not fall into the asinine habit of some members during debate in working out what the percentage difference is. Some members would say that 2c is 100 per cent more than 1c. I would much rather accept 5 per cent of $100 million. Certainly there is a great deal of misuse of the use of percentages.

It is important we establish the basic principles which will be achieved by this Committee's deciding not to delete the word "two".

Mr HASSELL: I have no resistance to the proposed amendment. The objection made in the second reading debate was noted. Alternatives have been put forward to reduce the amendment to $5. I have not moved my draft amendment to change the amendment to $10. I will be satisfied as long as we delete the three lines for the sake of clarity of drafting. I hope the member for Merredin will move his subsequent amendment after we have passed this amendment.

Mr EVANS: I appreciate the attitude and spirit of the Minister in accepting this amendment. I made it perfectly clear in my second reading speech that an increase to $20 would have been grossly unfair and would have disadvantaged hundreds of members of clubs throughout my electorate. These people are not in the best of financial positions and they would have been unduly penalised.

Amendment put and passed.

Mr COWAN: We now have to delete lines 18 and 19 and so I now move an amendment—

> Page 21, lines 18 and 19—Delete the following passage—
>
> and substituting the following—
> "twenty".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 41: Section 70A inserted—

Mr HASSELL: A technical amendment was found to be necessary by the draftsman subsequent to the Bill being prepared. I move an amendment—

> Page 25, lines 13 to 16—Delete the passage "and 53(2) (so far as they relate to a nominee), 59, 60(1) (so far as it relates to a nominee), and 60(2)" and substitute the following—
>
> (so far as it relates to a nominee), 53(2), 59, 60(1) (so far as it relates to a nominee), 60(2), and 69 (so far as it applies by virtue of subsection (1) of this section)

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 42 to 54 put and passed.

Clause 55: Section 119 amended—

Mr COWAN: There is a practice being followed in the community for some licensees of hotels, clubs, or other premises to sublease their dining room or restaurant facilities. Section 4 of the Act states that a licensee shall not let or sublet a bar or dining room or the right to sell liquor on the licensed premises. Subletting is not necessarily a common practice, but it does occur. A licensee might offer to a chef the right to manage his restaurant on a sublease basis.

I do not see anything wrong with that. Quite often a licensee is interested only in hotel management which deals specifically with bar trading. He may have very little training in the management of the restaurant or food outlet side of the business. Consequently, that section in the Act should be changed in order to give some dispensation to licensees who wish to apply to the court to be able to sublease the restaurant or dining room area.

Perhaps the Minister can tell me whether that provision in the Act relates to only hotel licensees, or to all licensees. I am interested in licensed clubs as well and it is my understanding that that provision relates to all licensees. That being the case, we should take advantage of the fact that this Bill amends section 119 and, if the Minister agrees with my conclusions about whether the section in the Act deals with all licensees, I should like to move an amendment under which the court will be allowed to give permission to a licensee to sublet the dining room premises.

I should like to hear the Minister's reply and, depending on that, I shall decide whether to move an amendment to this clause

Mr HASSELL: The member for Merredin has taken the opportunity to refer to a provision of the Act which is not actually subject to amendment in the Bill, with the exception of the technical amendments and the amendment relating to penalty.

In my understanding, the member is correct in his interpretation of section 119 (4) and it applies to all licensees. It does so because of the need for the authorities responsible for the administration of this Act to exercise effective control over the licensing system which is very strict. As we know so well from this debate, the licensing system affects the economic well-being of certain business operations. The licensing system has been regulated in great detail and it has long been considered—of course, this is not a new provision—that a licensee should not be able to farm out part of his operation.

The Chamber may accept an amendment of this nature, but without full consideration I could not do so. I would have to oppose an amendment which purported to change this principle.

If I heard him correctly, the member for Merredin indicated his concern was principally with clubs.

Mr Cowan: I was concerned with both hotels and clubs.

Mr HASSELL: From memory, I have a feeling this issue has been raised with me before in a different context. Without studying it properly and taking advice from the courts and the liquor and gaming squad as to its implications, I could not accept an amendment of this nature.

I would prefer it if the member for Merredin did not proceed with this amendment now. Perhaps he could give us notice of precisely what he would like to see amended and one of his colleagues in another place could move an amendment. That would give us a chance to look at the situation properly, because it materially affects a portion of the Act.

Mr COWAN: I hope, perhaps by way of interjection, the Minister can inform me whether he intends to continue with this Bill after the luncheon suspension.

Mr Hassell: Yes.

Mr COWAN: The Minister has satisfied one of the queries I raised. The matter about which I am very concerned is a practice which has taken place already and which is in fact unlawful. I do not intend to in any way detract from the powers of the court to administer and enforce the Liquor Act.

In another provision of section 119 of the Act the term "without leave of the court" is used. In essence, I simply wish to add a new subclause to clause 55 which, in effect, amends section 119(4) of the principal Act. At the present time the provision says, "A licensee shall not let or sublet a bar or dining room or the right to sell liquor on licensed premises . . ." As a result of my amendment, the provision would read, "A licensee shall not, without leave of the court, let or sublet a bar or dining room or the right to sell liquor on licensed premises".

Having given that indication to the Minister, I seek his opinion as to whether he believes an amendment in those terms is acceptable or whether he thinks the matter needs to be examined further to ascertain its full implications. My impression is that position is perfectly clear; my amendment would in no way alter the powers of the court to administer the Act.

Mr HASSELL: When I spoke previously, I had not seen the amendment proposed by the member for Merredin, but I have seen it now. I indicate to the member for Merredin that, having seen the amendment, and having taken some very quick preliminary advice on it, two questions arise in my mind. One is whether this kind of amendment should be accepted at all and I shall seek to obtain some advice on that during the luncheon suspension. The second question is, if the amendment is accepted, whether its drafting might not be improved by using the words "not without the leave of the court which may be granted on such terms and conditions as the court thinks proper" or other words to that effect. The court would then not only have the discretion to give leave, but also would have discretion to apply conditions.

I shall check those matters during the luncheon suspension and, if I am not satisfied on those scores, I shall have to ask the member to have the amendment moved in another place as I mentioned previously.

Sitting suspended from 12.44 to 2.15 p.m.

Mr COWAN: To continue my remarks on clause 55, it has been a common practice for licensees of hotels and clubs to be more interested in the management of the bar facilities on their premises to the extent that they wish to sublet the catering or restaurant facilities they have. According to the Liquor Act that practice is illegal.

I cannot see anything wrong with licensees being able to choose whether they will specialise in one aspect of the industry as opposed to another. For that reason it is my intention to move an amendment which would provide for licensees of hotels and, in particular, clubs, to be able to sublet their dining room facilities or such facilities as are referred to in the Act. I would not agree to such a move unless the Licensing Court had final approval over such subletting. Therefore the proposed amendment allows for subletting on the basis that it is carried out with the leave of the court.

I move an amendment—

> Page 31—Add after paragraph (c) the following new paragraph to stand as paragraph (d)—
>
> (d) in subsection (4) by deleting "not" and substituting the following—
> "not, without the leave of the court,".

Mr HASSELL: Prior to the luncheon suspension I undertook to seek further information on this matter. I have been advised quite firmly by the Licensing Court and the Police Department that the amendment would not be desirable from the point of view of the operations of the Liquor Act and the enforcement of its provisions.

Mr Cowan: Why not? The court would still have the right to determine the sublicence.

Mr HASSELL: I will refer to that point later. The member for Merredin said that he does not understand why the holder of a licence must be interested in every aspect of his business. He feels licensees may choose to specialise in certain areas of their operations, and have one person operate in the area of accommodation, one in the area of liquor sales, and one in the area of the supply of beer.

Mr Cowan: Already the court has determined that can be the case because it has issued tavern licences which delete any responsibility for accommodation.

Mr HASSELL: That is so. However, the decision was specific for a particular licence. I make the point that the Liquor Act controls the sale of liquor and historically has been linked with other obligations. The introduction of tavern licences was a big change in the law of this State because it was the first recognition of the point that the sale of liquor for drinking in bars need not be linked to the obligation to provide accommodation, although the provision of liquor in bars remains linked to the obligation to provide food.

Mr Hodge: It doesn't give the right to sublet other facilities.

Mr HASSELL: That is the very point I am making; it does not give the right to sublet catering facilities. If a hotelkeeper or club licensee does not want to provide dining room facilities it seems to me he must do one of two things: Either he must accept that he will not take on the obligation linked with his liquor licence; or he must—I assume this would be possible, although I have not examined this matter from the legal point of view—apply to the court for that part of the hotel dealing with catering facilities to be delicensed and for the person wanting to operate the facilities, or a restaurant, to be given a separate restaurant licence.

Mr Cowan: Then they can't sell liquor.

Mr HASSELL: If a person obtained a restaurant licence he could sell liquor, but the hotel or tavern keeper, or the club licensee, would not be able to fulfil his obligation to provide meals.

Having made that point, and having said that the Licensing Court and the Police Department envisage difficulties with the proposed change, I repeat that which I said before lunch—

Mr Cowan: Please enunciate the difficulties. You haven't given any real enunciation of what the difficulties are from the view of the Licensing Court.

Mr HASSELL: I thought I had.

Mr Cowan: What control will they lose?

Mr HASSELL: The control they would lose is the blurring of the obligation of a licensee to provide certain things.

Mr Cowan: You have admitted that licences already have been given which relieve licensees of the responsibility in some instances to provide accommodation.

Mr HASSELL: The creation of a separate category of licence relates to separate premises—it is a separate operation. The amendment contemplates different licences within one set of premises. The licensee would not have direct responsibility for all his obligations under the Act. It would be open for the licensee to say, "Well, that is not my obligation any more. I have let that part out". This could be in the situation of the police or the court saying that he has not carried out his obligations. The sublessee would be able to say, "Well, I am not really that interested in the obligation because I am not the licensee of the premises. I only have a contractual obligation with the licensee to provide meals". It has been an accepted, deliberate, and historical obligation upon a licensee that he provide all services.

Having made these remarks I am still prepared to have a more thorough consideration of the proposition by obtaining more direct and written advice. I will be able to examine the issues properly upon that advice. Sometimes there is a tendency to not want to bring about a change because people have been accustomed to the way things have been done in the past.

I intend to oppose the amendment now, but I will examine the issues more thoroughly. It may be that if the member for Merredin has a similar amendment introduced in another place, a different response will then be available from the Government.

Mr HODGE: I also oppose the amendment, but on slightly different grounds from those of the Chief Secretary, although I do not disagree with what he has said. I have had experience as a union official for the Liquor and Allied Industries Employees' Union with trying to deal with clubs and hotelkeepers who have illegally entered into contractual arrangements to provide catering services. From an industrial relations point of view, I am very opposed to legitimising the practice.

Mr Cowan: Why?

Mr HODGE: I have had many experiences of workers being disadvantaged in the club, hotel, and motel industries by that sort of illegal subletting arrangement. Often the subcontractor—the caterer—who comes into the licensed premises is not a person of any substance; these people are known commonly as fly-by-nighters in the industry. Sometimes subcontractors mismanage the catering facilities, get into financial difficulty, and disappear, leaving employees with money owing, as well as annual leave, holiday pay, etc. The hotelkeeper, the actual proprietor of the business, has a fairly large capital investment in it and is a much more stable person to be the proprietor. He is not likely to do a "midnight flit" without paying his employees.

In such cases confusion arises as to which award applies. For instance, the award wage for hotel workers is different from the award wage for catering. The two awards are not identical; they have different wage rates and classifications. Then disputes arise over changes in rest rooms and things like that. Are they the responsibility of the caterer who is the employer or are they the responsibility of the hotelkeeper who is the proprietor of the whole building? There are all sorts of similar difficulties from an industrial relations point of view.

Mr Cowan: That applies to any restaurant where a person who is managing the restaurant is operating on a lease. What is the difference if the restaurant happens to be in the hotel?

Mr HODGE: The difference is that one employer—the proprietor of the business—is responsible under the terms of the industrial award and he is the person who will be prosecuted by the union if proper facilities are not available, if wages are not paid, or some provision is not complied with. But where a subcontractor is somewhere in the picture, practical difficulties are created. I have been involved with these cases and I found them almost impossible to resolve.

So I believe the amendment is not in the best interests of employees in the hotel and catering industries. I intend to oppose it.

Amendment put and negatived.

Clause put and passed.

Clauses 56 to 90 put and passed.

Title put and passed.

Bill reported with amendments.

BORROWINGS FOR AUTHORITIES BILL

Second Reading

Debate resumed from 17 September.

MR I. F. TAYLOR (Kalgoorlie) [2.30 p.m.]: I will now continue my remarks commenced some time ago. At that stage I was commenting on a situation in respect of the SEC, and the fact that this Bill should be used to allow the Treasury or the Treasurer to take over the SEC's borrowing operations as the borrowing authority. The operation of the SEC is of great concern to the community at present. In fact, since March 1974, electricity and gas accounts for the average family had increased from $115 a year to $345 a year—an increase of about 200 per cent. A number of other factors about the SEC are of concern to the Opposition.

Mr P. V. Jones: Could I just check your mathematics? You said $115 to $345?

Mr I. F. TAYLOR: Yes, $115 to $345. Has the Minister got his calculator?

The capital works expenditure of the SEC has risen from $16.9 million in 1976-77 to $154.5 million in 1980-81—an increase of 227.5 per cent. Would the Minister like to have that checked also? Over the same period the interest payments of the SEC have risen by 285 per cent from $20 million to $57 million in 1980-81.

I will continue with the figures relating to the capital difficulties of the SEC. The proportion of interest on loan floatation expenses compared with total commission expenditure has risen from 13.4 per cent in 1976-77 to 18.9 per cent in 1980-81, while the proportion of financial charges compared with the total loan expenditure has risen from 26.3 per cent in 1976-77 to 34.3 per cent in 1980-81. Those figures cover a period of reasonable interest rates.

I am sure many members in this House would agree and all members on this side would definitely agree that interest rates are now at an exorbitant level and are running out of control. The SEC must cope with those interest rates in its borrowings. An advertisement appearing in the daily Press now reveals that the SEC is offering 15.7 per cent in interest over a period of 10 or 15 years. The future of the capital borrowings of the SEC must be of concern to society as a whole and the State Government in particular.

Recently the member for Maylands asked a question regarding the interest rates on overseas borrowings of the SEC. The answer was that at the moment the interest rate was in the vicinity of 19.5 per cent, an increase from around 9 per cent

12 months ago. The SEC and the State Government should be concerned with these figures. The Premier already has stated publicly that the commission's works programme for the next 10 years should involve spending $3 000 million.

From my investigations I have been able to determine that projects total $1.9 billion. The projects on the drawing board include Muja D, $280 million; Dampier-Perth pipeline, $670 million; Pilbara area power pool, $150 million; and the Bunbury power station, $450 million. There seems to be a great deal of uncertainty as to whether we will build a Bunbury power station. I hope the Government is giving serious consideration to the matter of enabling Alcoa—or whatever aluminium smelter may be built in the south-west—to build its power station rather than have domestic consumers subsidise the power for this project. The other projects are the Pilbara transmission line, $700 million, and the eastern goldfields power line, $60 million.

The Premier has stated, and I believe he seems to be concerned, that the future of the State Energy Commission borrowing programme would need the highest possible expertise and that increased borrowings and more complex and sophisticated overseas capital markets would stretch fully the commission's management.

In June 1981 the Minister announced that management consultants had been appointed to find ways to cut costs.

Mr P. V. Jones: What was said was it was not only to cut costs where possible, but also to increase efficiency. I cannot see anything wrong with that.

Mr I. F. TAYLOR: I cannot either. I am not disagreeing. Let me finish.

Mr P. V. Jones: It was more than just cutting costs; it was to increase efficiency where possible.

Mr I. F. TAYLOR: Increased efficiency also results in the cutting of costs and that is the point I wish to make. I believe we should look no further than to using this authority to borrow on its behalf. One of the ways costs can be cut is to allow this authority to borrow through the Treasury rather than the SEC.

The efficiency of the Treasury in borrowing for the State Government as a whole and its instrumentalities could be of considerable benefit to the SEC and the State Government's capital workings area as a whole.

This rationalisation is needed, otherwise the SEC is in danger of bringing the State's finance into a great deal of trouble. This is borne out by the very fact that it is considering borrowing $3 billion and the fact that the interest rate offered at the moment is 15.7 per cent. The SEC is operating at the rate of over 19 per cent. When we consider that in relation to the rate overseas, we realise it is a high rate.

As a result of these charges, tariffs will increase and they will increase for consumers who have already had to pay a 200 per cent increase over a five-year period. It seems to me the consumers should be concerned about both the operating activities of the SEC and the fact that the Government is not concerned to ensure that the SEC comes under some strict control of the Treasury. This Bill gives the Government the opportunity to bring the SEC under the control of the Treasury.

I am sure many people consider, as I do, that the SEC is highly secretive in its borrowings operations. It is very difficult for Government departments to achieve access to the SEC as to details of its activities in this area. I believe also that the SEC is such a body that it may be possible that the Minister could have difficulty in gaining access to details of its inner workings.

The time has come for the Treasury to oversee, and, if necessary, control, the operating activities of the SEC, the Metropolitan Water Board, and Westrail, and in fact all State Government instrumentalities and departments. This legislation gives the Government the vehicle to do that and I hope it will take up the opportunity.

SIR CHARLES COURT (Nedlands—Treasurer) [2.40 p.m.]: The former Leader of the Opposition and the member for Kalgoorlie have given their support to the Bill. In fact, they have applauded the Bill, but as is not unusual in cases such as this, they have sought to introduce some other angles into the main reason for the Government's bringing the legislation to this Parliament.

I felt we had spelt it out very clearly that the Government introduced the Bill in order to set up this borrowing authority. I would have thought that because of the background of the member for Kalgoorlie he would be able to guide the previous Leader of the Opposition as to the reason for the necessity for the Government to have a multiplicity of borrowing authorities.

Mr I. F. Taylor: My previous background led to the statements I made.

Sir CHARLES COURT: It is well known by those who have to operate in the money market that it is an asset when one is attempting to borrow large sums of money if one has a number of well-established proven borrowing authorities which have established their credibility and

capability with the money market and are able to present a well-documented case which is accepted because of the research which is undertaken.

Mr I. F. Taylor: Here we have one authority.

Sir CHARLES COURT: Then they can go onto the market with the full benefit of a proven history of borrowing and servicing of loans.

The three main borrowing authorities we have at the moment are the SEC, the Metropolitan Water Board, and Westrail. The most experienced and accepted borrower of those three is the SEC, because it has a long history of borrowing and servicing debts and satisfying the money market of its capabilities.

I remind the member for Kalgoorlie that far from being secretive, when one goes into the money market, the conditions of borrowing are so stringent that one has to satisfy the potential lenders—

Mr I. F. Taylor: Through a department such as the Treasury.

Sir CHARLES COURT: —through the underwriters, about the performance of the instrumentality and its ability to service the debts as well as the legal requirements. So, far from being secretive, they have to be very open in their transactions and in the presentation that finally takes place with the public.

Mr I. F. Taylor: Come back to the Treasury and how about the SEC?

Sir CHARLES COURT: I am talking about the Bill before the House and do not wish to use this occasion so that the member for Kalgoorlie can settle any vendetta he has within the Treasury.

Mr I. F. Taylor: That is a ridiculous statement.

Sir CHARLES COURT: We are dealing with a borrowing authority and I just wish to answer the honourable member because of the questions he raised and the amendments the Opposition has on the notice paper. I would have thought that he, above others in this place, would have knowledge and understanding of this matter. I am surprised if he does not understand the desire of the Treasury and in fact the insistence of the Treasury that there be a number of properly accredited proven borrowing authorities. To concentrate all our borrowings from the State, whether they be for infrastructure, for the SEC, for the Water Board, for Westrail, or for any other authority that may develop from time to time, would be a disaster.

Mr I. F. Taylor: Don't you consider that the State has sufficient standing overseas to borrow?

Sir CHARLES COURT: Of course we have a high rating; indeed we have one of the highest ratings in the world.

Mr I. F. Taylor: I realise that.

Sir CHARLES COURT: If the honourable member would listen—

Mr I. F. Taylor: I am listening.

Sir CHARLES COURT: The practicalities of it are that we need a number of borrowing authorities if we are to obtain the maximum share of the market. Let me put it another way: If we had one single borrowing authority, no matter how reputable it was—it may have an "AAA" rating in America and elsewhere abroad—it would still not be able to raise as much money as if we had three or four reputable borrowing authorities.

Mr I. F. Taylor: It is going to be more expensive.

Sir CHARLES COURT: The reason for it is simply that when we are dealing in the money market, we are not dealing with someone who advances thousands, hundreds, or tens of dollars on a particular borrowing prospectus; we are dealing with a total market the anatomy of which is complex. It needs to have great flexibility so it can deal in a multiplicity of securities and not be locked into any one particular security.

So I want to say, with all the emphasis I can, that in spite of the superficial benefits, it appears that with one single authority having control—as the honourable member suggests—over the Water Board, SEC, and Westrail it would not be the best method in practice. I am not suggesting that we have a multiplicity of authorities with extra costs involved with unnecessary legal documentation, underwriting fees, and so on.

But we are not dealing with chicken-feed type authorities; we are dealing with major ones and we are trying to bring all the others together in this borrowing legislation so that we are able to get the best of both worlds. I am not one who would want to see a multiplicity of borrowing authorities such as Westrail, the SEC, and the MWB, as well as the proposed new authority, if it could be avoided. It would be wonderful to have one authority only and a prospectus that might even be open-ended to a certain extent so that we could keep going onto the market until the circumstances changed and we had to have a completely new document. I am realistic in the matter and I accept the advice not only from our own officers who are experienced in these matters now, but also the advice of the money market which is, in the final analysis, the arbiter as to

how and when and in what quantity we will be able to borrow this money.

It has been suggested that we might have set up this new borrowing authority—and this was the former Leader of the Opposition expressing this concern—because we might have some pet projects. I can assure members that we have no pet projects. It is a matter of borrowing money for well-defined objectives under a set of priorities because we cannot go out willy-nilly and borrow money. We have constraints, but that is not a bad situation under normal circumstances. However, at the moment we are irked by the severity with which the Commonwealth Government uses its power of the purse to override the Loan Council in these matters. The Commonwealth Government is taking full advantage as it is the possessor of the purse.

We believe that at the present time we could possibly go into the world markets as well as into the local markets to get on with some of this infra-structure so that major projects and major employment opportunities can get off the ground.

It is as basic as that. If we have no power, water, or transport, none of the projects can be carried out, so I would like to remind members opposite that the purpose of the Bill is to simplify and clarify the borrowing authorities of the Government, and also to give greater confidence to the local market, as well as to the world finance markets. Then the Treasury, when it goes into these markets, does so with the full authority of Parliament—which has been spelt out in the legislation—and with, of course, the full authority of the Loan Council and the gentlemen's agreement.

I would like to refer to the other comments of the member for Kalgoorlie. He made great play of the interest burden. Of course we have an interest burden which is increasing and even if the cost of money is not increasing as it has been over the last few years, the fact remains that our total interest commitment would still be increasing because we are on the move and our major developments require water, sewerage, rail, and energy, etc. I repeat that if these basic developments did not take place the whole economy would come to a halt and none of the major projects could proceed to its full potential—the whole of the economy would stagnate.

Of course we do not like the present cost of money, but we do not pay one cent more than we have to. The honourable member must face up to the question of whether he is following the Federal Government's line with its strict monetarist policy—its Freidmanism—or whether he believes the State should be able to go into the market and borrow so it can get going with the Bunbury power station which is the key to the smelter, titanium metal, and the petrochemical plant, and get on with all these great developments—including the power line to Kalgoorlie, the Pilbara, and a host of other things. We are in the unique situation—no other State is in this position—that we can go into the expansion of our power generating capacity with the power from the new station virtually committed the day it is commissioned. Most power stations—and this has happened here in the past—have to wait for the demand to catch up.

In the meantime the full burden of interest and all the other indirect costs are built into that particular station; but we are in a different position. We do not have to wait for the demand to catch up because at the moment the Minister is in a position to negotiate on the basis of the commitment of most of the load of the station the day it is commissioned.

Mr I. F. Taylor: Would you make this statement in respect of the Dampier to Perth gas pipeline?

Sir CHARLES COURT: The very nature of those negotiations in relation to this matter is to pre-commit the capacity to the maximum extent done, and that has been possible in this case, because we have been able to presell the energy. Most new power stations would be lucky to have 25 or 30 per cent of their load sold prior to commissioning of the plant. From that point onwards they go to a normal annual growth rate which varies from 4 to 8 per cent—8 per cent would be a high growth rate—and they catch up eventually. One of the problems of financing power stations is that as far as energy production is concerned, they must jump up to a new plateau every time another power station is built. The energy production cannot increase at a normal graph rate.

Mr I. F. Taylor: If the Bunbury power station is such a wonderful project, why is the State Government so concerned that it should be built privately?

Sir CHARLES COURT: I will tell the honourable member.

Mr I. F. Taylor: Well, I asked the question—you tell me.

Sir CHARLES COURT: I am surprised that the honourable member asked the question. I will just complete my explanation about the power station. Normally, when a power station is built, one would be lucky if 25 to 30 per cent of its

capacity were committed at that stage. We have a different situation in regard to the Bunbury power station. The Minister can presell most of the output, so most of the capacity is precommitted.

In fact, if we went into a smelter operation, a petrochemical operation, or a titanium metal operation, we could have most of the power presold on a take-or-pay basis.

Having said that, I would like to move on to answer the honourable member's question. I hope it is understood we are in a materially different situation from that of most power station authorities where they have to wait for the growth to catch up at a fairly modest rate, which could be anything from 4 per cent to 8 per cent and where a growth rate of 10 per cent would be considered extraordinary.

The honourable member asked, "If the Bunbury power station is such a good thing, why doesn't the Government build it instead of seeking private enterprise to do it?" The simple reason is that we would build it tomorrow if the Commonwealth would allow us to go into the money market to borrow the money. If the money were not available in Australia, we could raise it overseas. We would gladly build the power station because we could presell the power on a take-or-pay basis.

The honourable member apparently has not noted the fact that the Commonwealth rejected our request, which rather shocked us because we felt what we had done was strictly in conformity with the guidelines laid down for infrastructure borrowing; we thought we had complied with all the conditions imposed on us, and we thought our request was a mere formality. However, not only Western Australia, but also New South Wales and Queensland were knocked back by the Commonwealth Government and, in the case of those other States, for larger amounts.

Mr I. F. Taylor: One of the reasons is that the SEC has gone overboard in its attempts to borrow funds. The funds it has been required to borrow have been so extraordinarily large that much of the proposed development has had to be cut back.

Sir CHARLES COURT: I cannot follow the honourable member's reasoning.

Mr I. F. Taylor: Be very careful of the SEC.

Sir CHARLES COURT: The honourable member should just listen for a minute. I cannot follow his reasoning; he is back tracking. I have just explained why we are trying to get private enterprise to build the power station. It is not our first choice.

I remind the honourable member that if we have a power station operating as the back-up for a smelter, to produce the base load of that smelter operation, it would have to be gridded. Whether it is a private power station or a Government-owned power station, it would have to go onto the grid system, because the weakest link in any power system is the biggest station. The entire operating programme must be based on the assumption that at any point in time the biggest station will be out of commission for one of a dozen reasons. Therefore, it must be gridded into the system. No-one would establish a smelter, a petrochemical plant, or a titanium metal plant using power which was not linked into a gridded system so that in the event of sabotage, disaster, or simple mechanical breakdown, power would still be available through the grid system, even if only on a restricted basis to the industry involved.

Having asked us why we are not building the power station ourselves, and having received the explanation that the Government would gladly build it if the Commonwealth would allow us to borrow the money, the honourable member then says we were knocked back by the Commonwealth because the SEC borrowings were too high. That was not the reason at all. The reason our approach was rejected was that the Commonwealth decided it must slow down development programmes. We took strong exception to the Commonwealth's decision, because, firstly, the Prime Minister accepted our proposition that one of the guidelines for infrastructure borrowing was a proposal which included switching from imported fuel—whether it be oil, or any other fuel—to an indigenous solid fuel, such as coal.

It was on that basis our submission was made, plus the fact we also complied with all the other legs of the guidelines, one of which was to generate export income and another of which was to give added value to our raw materials. The best way to give added value to our raw materials which are to be exported is to apply energy from the power system to convert minerals into metals. This is a classic case of that principle.

We did not accept the Commonwealth decision. What the honourable member might be getting at—which is quite valid in its way—is that in its present form, the SEC will not be able to raise a large part of its borrowings from internal finances for many years. The honourable member would know that the best of all forms of finance is to be able to generate a large proportion of borrowings from internal funds, some of which come from depreciation, some from profits and some from

other internal sources which generate a cash flow which can be applied to capital investment.

We do not have as high a proportion of internal funds as we used to have because we have not been trading at a substantial profit—in fact, we traded at a loss last year—and we are not planning in our charges to trade at handsome profits because we have to carry something like $50 million internally as a subsidy to non-metropolitan power; that must be absorbed within the system.

Another factor is that we have a very quick rate of growth; we must get our pipeline and power plants built at a faster rate than that at which they would normally be constructed, but before they can start to earn. That makes it very easy to understand why we do not generate as much funds internally as we would like to generate.

A situation exists within the Metropolitan Water Board where it would like to generate more of its funds internally. The same applies to Westrail; however, as that authority operates at such a huge deficit, it does not have a great capacity to generate funds on an internal basis, within its own system.

We have not accepted the suggestion that until we can generate more funds internally we should not be allowed to borrow, because if we follow that principle to its logical conclusion we would bring the whole of Australia to a halt.

Some States have greater capacities than others in this direction. For example, under its present pricing system Victoria generates a surprisingly low percentage of its funds internally. Of course, that State enjoys a tremendous advantage because, with New South Wales, it has the benefit of the Snowy Mountains scheme running for it to which it does not need to make any capital commitment. It receives a very adequate form of power on a flexible basis, when the water is available, without any capital involvement on its part.

We have convinced the Prime Minister that we cannot be measured by the same yardsticks as other States. We want to generate as much finance as we can internally, but if the Commonwealth wants to hold us back until we can generate all our funds internally, the time will never come when we will be able to build the power station at Bunbury. Without the capacity to borrow, we could never break into some of these very important projects which will generate such a lot of employment and export income for the nation and which in the final analysis will give us a lot of highly profitable operations and, therefore, give us the capacity to generate funds internally. In other words, we must invest before we can obtain a return.

If our policy is followed, I believe that in the next decade, the internal financing capacity of the SEC will be tremendously improved. It will make it a much easier borrower so far as the total State finances are concerned. However, if we keep growing fast, it will never get to the point where its development finances will be largely self-generating; if we are allowed to get on with our policy, it will reach a stage where it will generate internally for development, say, 40, 50 per cent or 60 per cent of its requirements.

I thank members for their support and will deal with particular aspects of the amendments during the Committee stage. However, I foreshadow that I cannot accept the amendments because they seek to write into the legislation not the basic principles and authorities we normally write into Statutes, but rather, administrative procedures which any Government, regardless of its political colour, would find cumbersome and unacceptable.

Question put and passed.

Bill read a second time.

In Committee

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

Clauses 1 to 6 put and passed.

Clause 7: Disposal of moneys borrowed by Treasurer—

Mr I. F. TAYLOR: There is on the notice paper an amendment to which I wish to speak.

I take issue with one of the points raised by the Treasurer in his speech relating to my conducting a vendetta against the people in the Treasury. The Treasurer knows that that is an absolutely ridiculous statement. He knows as well as I do that I have excellent relationships with the people in the Treasury. In fact, I am quite certain that nothing I have said in the Chamber would upset the people in Treasury.

Sir Charles Court: I was going on what you said this afternoon.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! I suggest that the member relates his remarks to the amendment.

Mr Pearce: He is replying to the points the Treasurer made.

The DEPUTY CHAIRMAN: The member for Gosnells will keep order!

Mr I. F. TAYLOR: Clauses 4 and 7 establish a form of intermediated financing where the

Treasurer raises the capital and on-lends it to the authority or department concerned. The Opposition believes that the clause does not contain a provision for the Treasurer to on-lend to those authorities or departments at a rate of interest equivalent to the rate at which the Treasurer borrows those funds.

There is no requirement on the Treasurer to pass on any favourable terms and conditions that have been obtained by the Treasurer in his borrowing activities. The Treasurer said that the Bill would enable him to gain favourable terms and conditions. If he is able to gain such terms and conditions, it is not unreasonable that he should be required by the proposed Act to pass on those favourable terms and conditions to the departments or authorities requiring the funds.

If that provision is not contained in the legislation, it could become a revenue-raising measure for the Government. In other words, the Treasurer, as the authority, could borrow the funds and on-lend them to the authorities or departments at a higher rate of interest, or on less favourable conditions, than those at which he borrowed the money. As a result, the Treasurer could walk away with the money in his pocket. For that reason, I move an amendment—

Page 6, line 19—Delete the word "and".

Sir CHARLES COURT: I have indicated indirectly in my concluding remarks on the second reading that the Government will be opposing the amendments on the notice paper. The Opposition seeks to write into the Bill administrative procedures which are not normal, and which would inhibit the operation of the legislation in practical terms, regardless of who is the Government.

I remind members opposite, in view of the fact that they keep saying that one day they will be the alternative Government—

Mr Pearce: We are not far away from it, either.

Sir CHARLES COURT: Heaven forbid that it should happen.

Mr Pearce: Seven per cent ahead in the polls; and you cannot rig the boundaries that much.

Sir CHARLES COURT: "Hope springs eternal in the human breast"!

Mr Barnett: But not in the breast of an elderly gentleman like yourself, I presume.

Sir CHARLES COURT: Therefore, when the Opposition considers legislation—

Mr Pearce: You will not be here very long. Your colleagues think you are past it.

Sir CHARLES COURT: —they should consider it as legislation not only for today. It is legislation that has to go on indefinitely, hopefully.

Mr I. F. Taylor: That is the point we tried to make on the second reading.

Sir CHARLES COURT: The legislation has to be accompanied by sensible administration.

It might surprise the honourable member, but I have no difficulty with the intent of the amendment. Indeed, the Bill has the same intent.

Mr Pearce: Well, agree to it, then.

Sir CHARLES COURT: Wait a minute. It is the intent of the whole Bill; and in this respect it is important to know that the Bill specifies in clause 4 that the Treasurer is to borrow, with the approval of the Governor, "for the benefit"—and I emphasis the word "benefit"—of authorities. Clearly the terms and conditions of any borrowings will be passed on to the authorities concerned, with minor variations only in relation to cash flows, as the authorities may seek.

Either because of a suspicious mind, or because it seeks to leg-rope the authority and the Treasury, the Opposition seeks to write in conditions which, in practical terms, would be taken into account.

I am speaking to the total amendments related to this clause, because in deleting this particular word, or in not deleting it, we are referring to the whole of the amendments on the notice paper in clause 7.

The phraseology of the proposed amendments is vague. It could be meaningless in law. A good reason for not approving of the amendment is that it would be meaningless. It raises the question of what is meant by "favourable terms and conditions", particularly in terms of an authority requesting a slightly different repayment schedule from that of the primary loan to suit its own cash flow. The Opposition has overlooked that.

There could be circumstances in which an authority requests minor variations so as to suit its own purposes. As the Bill is presently worded, it makes such arrangements possible, should they be in the best interests of the authority concerned, and the circumstances warrant it.

It would be undesirable to circumscribe possible arrangements of this kind by a vague requirement which was capable of different legal interpretations. I have had the question considered, not only by the Crown Law Department, which looked at it from a purely legal point of view, but also by the Treasury. I asked officers of the Treasury to consider this matter from a practical point of view, as they are the people who would have to operate the

legislation, regardless of who was the Government of the day.

It is important to bear in mind that borrowing legislation of this kind is scrutinised by the legal advisers of lenders. We are required to show clearly that all legal requirements have been observed.

The Opposition should consider its amendment in the light of what I have said about locking in too many tight administrative procedures. It would be foolish, therefore, to insert into the legislation a requirement that is capable of varying legal interpretation, thereby risking an opinion from one of the multitude of legal advisers involved in a syndicated loan that we were in default because of the possible non-observance of a requirement capable of bearing different interpretations.

We have had some very salutory lessons in the last few months with our first experience of borrowing overseas in the private market in Japan. We were the first Australian State to borrow in that market. We had to borrow substantially, and I think we made very satisfactory arrangements. It was something of a prototype arrangement and we learned from it.

With matters involving legislation or agreements that are capable of a number of interpretations, we have nothing but trouble. We had eleventh hour crises with that loan because of this very fact. There are lawyers in Perth acting for the SEC, other lawyers acting for the Treasury, other lawyers acting for the various lenders, and lawyers in other countries, all involved in these transactions. I can assure members it is a fairly traumatic business and for that reason we have built up a team of experienced people in the SEC and the Treasury. We are hoping that one of the things this legislation will do for us is remove some of the problems that arose last time.

Quite apart from anything else I reject the amendment because it introduces some uncertainties from a legal viewpoint which would only add to the confusion. What is more, it tries to build into the legislation some basic principles covering administrative machinery which would be undesirable in the operation of the legislation.

Mr I. F. Taylor: You are saying that you basically agree with the intent of the amendment, but you believe from a legal viewpoint it has not been constructed correctly?

Sir CHARLES COURT: I will not criticise the draftsman, because I am no draftsman myself. I do not object to the amendment's intent, because it is the same as the intent of the Bill. It is spelt out in clause 4.

Furthermore, we have been advised both by practical people who administer these things and by legal people that, in its attempt to spell out administrative procedures as distinct from basic principles, the amendment would leave open the legislation to a variety of interpretations which could be catastrophic if we were in a tight situation of borrowing internationally. In such cases there are dozens of lawyers representing dozens of lenders involved in a syndicated loan, all of whom take a pinpricking attitude to this sort of amendment.

In framing this legislation both the Crown Law Department and the Treasury went to as much trouble as they could to put it under the microscope in the hope they would produce a Bill which would have the minimum chance of being subject to varying legal interpretations.

Mr DAVIES: Our amendment was moved for the reasons the Premier has already mentioned; that is, we want to make certain everyone knows where he stands and what the Bill is all about. I do not believe this sort of amendment would have the slightest effect on any approach made to international financiers to borrow money. In no way does it preclude any negotiation which might take place.

We are saying that the Government, having once borrowed the money on behalf of an authority or a number of authorities and having borrowed it under certain rates, terms of interest, and other conditions, should not on-lend that money to the authority or authorities involved at any greater rate or under less favourable conditions than it borrowed it initially. Let us be simplistic about this. If the Treasury borrows $100 million at 20 per cent on behalf of the SEC, the Water Board, and perhaps Westrail, it should not on-lend that money to those authorities at anything more than 20 per cent interest.

The Treasurer should not say that the money was secured at a bit below the going rate and that he will let Westrail have a share at 21 per cent and give the rest to the SEC at 19 per cent with the idea he will make certain he will get back what he has paid out and perhaps make a little on the side.

I am quite certain that is not the Government's intention, but the legislation as it now is—and we have studied it carefully—allows the Government, after having got its hands on the money, to on-lend it at different terms than it has borrowed it. I do not think the Treasurer intends that to be the case. He has said his main concern is that the

amendment may prevent a loan being obtained because someone lending the money might say he was not quite sure what the clause meant. I think it is quite apparent what the clause means. It merely indicates that because this authority is set up, no-one shall gain advantage from it when on-lending the money it borrows in the first place. We believe our amendment is reasonable.

We have supported the Bill and we have made no secret about the amendments we would like included in it. We do not believe this amendment will in any way inhibit trading. If the Government accepts the amendment it would indicate that what the Government has led us to believe the position is going to be will in fact be the position because these matters are written into the Bill.

Sir CHARLES COURT: I want to make it perfectly clear that the actual intent of the amendment is not in question, because it is also the intent of the Bill. Although the member dismissed lightly the interest of the lenders, I can tell him from our experience—and it was foremost in our minds when the Crown Law Department and Treasury were working on the draft of the Bill—that lenders will be interested in amendments of this kind, when something of an administrative nature is written in so as to lock the people administering the Act into a set course of conduct and spelling out what they can do in words of one syllable, so to speak. They will want to ensure we have complied with the tight wording of any amendment such as this.

The intention is to borrow "for the benefit of any one authority or any two or more authorities from any person". I did explain that there are circumstances when the authority itself, because of its own cash flow situation, might want some minor variation of the conditions. It will not be because the Treasury is seeking to obtain a gain or accept any loss. The lending authority might want minor variations for its own benefit.

If we had the tight wording proposed by the Opposition, we would get away from the intent of the legislation and it would put the Treasury into an administrative strait-jacket. I can assure members that, as sure as I am standing here, lending authorities' solicitors, who seem to want to earn their living by looking for fly dots all over the place, would want to interpret the meaning of this particular part of the legislation as they would interpret the rest of it.

Therefore, I cannot accept the amendment is either necessary or desirable, but I have made it clear the intention in the clause is to spell out the situation clearly. There is no question about the intent of the legislation, because the whole purpose of the Bill is to make the position clear.

Mr Davies: You would not look to on-lending $2 million and add a .5 per cent interest rate yourself, would you?

Sir CHARLES COURT: Of course not and I hope future Treasurers would not do that. That is not the intention of the present Treasurer. He is trying to obtain cheaper money for everybody.

In the other amendments on the notice paper, the Opposition is expressing its concern in a reverse manner, because it wants us to charge every cent possible. We simply want to obtain this money and on-lend it for the benefit of the authority and we want to have a piece of legislation which is easy to administer and explain to lenders.

Amendment put and negatived.

Clause put and passed.

Clause 8 put and passed.

Clause 9: Repayment of moneys paid out of Consolidated Revenue Fund—

Mr DAVIES: I move an amendment—

> Page 7, lines 29 to 31—Delete the passage "an amount equal to the amount of the moneys so paid out of the Consolidated Revenue Fund." and substitute the following—
>
> an amount equal to—
>
> (a) the amount of the moneys so paid out of the Consolidated Revenue Fund; and
>
> (b) an amount of moneys equal to the maximum amount of interest that would have accrued if the moneys referred to in paragraph (a) had been invested under the Public Moneys Investment Act 1961 for the period commencing on the date on which those moneys were paid out of the Consolidated Revenue Fund and ending on the date on which those moneys were paid into the Consolidated Revenue Fund under this section.

Under this amendment we propose to establish a situation that if at any time the fund runs short of money and has to borrow from the CRF, that money is borrowed at a suitable rate of interest.

In answer to a question asked approximately two weeks ago, the Treasurer indicated he believed that, under those circumstances, that should occur and during the second reading

debate I referred to the Government's policy in this regard.

I do not wish to say anything further, except to point out that if money is borrowed by the authority it must pay the going rate of interest, regardless of the fact that the money was borrowed from CRF.

During the second reading debate, I mentioned banking conditions and tendencies change over the years and I referred to the fact that the Treasurer has always been very keen to ensure the Treasury in Western Australia operates within the full ambit of modern-day standards. We all know that these days we cannot borrow money without paying interest on it. In this case, irrespective of the fact that the money is borrowed by the borrowing authority from the CRF, a proper rate of interest should be paid.

In effect, the fund is borrowing from the Treasury and, as the Treasury invests money on the short-term money market and expects to get interest on it, as that money is directed back into Treasury funds for eventual use—we can always argue about how this money should be used—and as it is working for the Government all the time, we are not in a position where a situation would arise as it would in the case of the authority running short of money and having to get it from somewhere else to remain viable. It may require the money for only a matter of days or weeks, but the money is needed to enable the authority to continue to operate. In that situation, it is quite correct the authority should be able to borrow from CRF, but because of the principles built into this State's finances, money borrowed from CRF by the authority should have ruling rates of interest attached to it and that is what we propose in the amendment.

Mr I. F. TAYLOR: I should like to speak briefly in support of the amendment moved by the member for Victoria Park. As I understand this clause, it requires repayment of an amount equal to the sum of money paid out of CRF and that is contrary to Treasury practice, which is to charge interest on money provided for special projects by way of Treasury advance. That is the way we see the position under this provision.

This amendment is in line with the sort of practice which I believe the Treasurer himself agreed should be applied in such a situation. To substantiate that, I refer to the Treasurer's answer to question 1831 where, in relation to Treasury advances, he said—

> Advances from the account advance to Treasurer are provided from balances in the Public Account which would otherwise be invested. For this reason, if the advance is required for a commercial or income-generating purpose, interest is charged by the Treasury to offset income foregone.

It seems to me the advances referred to here are of an income-generating nature and in fact should attract interest rates to which we refer in the amendment and, for that reason, I commend the amendment to the Chamber.

Sir CHARLES COURT: The concept put forward by the Opposition in this amendment is not opposed, because it is in fact the intention of the Government. However, I suggest that if the amendment is written into the Statute in its present form, it would so lock in the Treasury that it would have no flexibility at all in relation to charging interest on amounts which were not worth the bookkeeping involved or where other circumstances prevailed and Treasury, in its advice to the Treasurer, wanted to forego that particular sum.

Let me assure the Committee that, if the amount was considerable, there would be no doubt that the interest would be charged. That is just plain good sense and good business practice. However, a situation could arise where, if the proposed amendment were incorporated in the legislation, we would have to become involved in fiddly little sums to comply with the law—someone always reminds us about the law when it is written down—and that would be completely impractical at times.

The concept put forward by the Opposition is not opposed and I understand fully what the Opposition is getting at. It does not want an authority to be allowed to achieve a substantial saving in interest, because it was tardy in making its payments and CRF had to provide the money and, instead of paying the going rate for the money, without any penalty at all for its tardiness it would obtain the money free of charge. Such a situation is not intended and it is certainly not the practice.

I suggest we do not incorporate the amendment, because it would act as a strait-jacket, and unacceptable administrative problems would arise. We will continue the study we have been making of the clause and the amendment. The Crown Law Department and Treasury have both been looking at the position. However, if we wanted to spell out in specific terms the intent which is there already, we would have to recast clause 9 completely. We cannot achieve the suggested result by a simple amendment. I have requested the Crown Law Department to get busy on the matter, to consider the suggestion, and to

see whether it can come up with some simple words which would not lend themselves to any misinterpretation, but which would show the intent clearly.

I have given the Committee the assurance that certainly we will not let these authorities off in regard to their debts, and we will have the Treasury follow the matter through. The Treasury is not bad at chasing up these sorts of debts. However, if it is felt that the legislation should be amended to refer to the matter in principle, and so long as such an amendment does not place the Government in a strait-jacket situation, I would have no objection to an amendment being made.

If an appropriate amendment can be determined it may be moved in another place, but I say to the member for Victoria Park that such an amendment would have to be one that would not leave us open to the tremendous interpretation traumas we have had recently.

Mr DAVIES: I thank the Treasurer for the assurance he gave. We hope Crown Law will be able to find some suitable wording to ensure the just dues are paid by the authorities.

Our amendment was drawn up by the Opposition draftsman, and its form is the form in which he brought it to us after we gave him a broad idea of our thoughts on the matter. Naturally we will vote for the amendment because we believe it is proper, but we note with some pleasure that the Government has accepted the principle we are attempting to enshrine in this legislation. By the time the legislation reaches another place I hope something suitable will be done.

Amendment put and negatived.

Clause put and passed.

Clauses 10 to 13 put and passed.

Clause 14: Accounts and records—

Mr DAVIES: The proposed amendment appearing under my name on the notice paper is self-explanatory. At least once a year the Auditor General should report to each House of Parliament the results of his inspections and the audits he carries out under subclause (4). We believe the Parliament should be informed of what has happened. The fund should lay bare its soul and show the negotiations which have taken place during any financial year.

The clause is far too wide in that it states just that the Auditor General shall report. The Parliament is not giving him any indication as to how he shall report.

The Opposition constantly has said in this place that it believes in open government. We believe in the public being given as much information as possible. They should know exactly what is happening to their money; where it has come from and where it has gone. They should know what the trading has been. They should know what they are up for and which debts are outstanding. There is nothing wrong with that.

From the Budget we obtain a great deal of information. We can determine the indebtedness of the State—the indebtedness of each man, woman, and child of the State. I believe the attempt to provide additional information in the Budget is genuine, although I have been critical and will be critical of the form of some of the accounting which makes it difficult to know exactly how a department is going; from where its finance has been obtained; and where money has gone.

In relation to this fund, which all of us in this Committee acknowledge as being very good and deserving of our support, we want to know exactly how it operates; we want to determine that money is borrowed on the best possible terms and that advantages flow down the line to individual members of the public. We want to know that consumers of electricity, users of Westrail, and consumers of water and other things receive the benefits they should.

The Government cannot by shy about where it has received its money—there should be no secrets. I know mention has been made about Khemlani dollars in one form or another, although on the occasion when that matter arose not one cent was actually borrowed. It may be that money is available from that same area, if not from the same person; and it may be that petro-dollars are available—they appear to be quite acceptable.

Mr Cowan: There is plenty of that money for land, but not for Government authorities.

Mr DAVIES: With the backing this legislation will give to the Government, and its borrowing authority, we may see an easing of the availability of money to the Government; although at present that is a huge problem with which I am glad I do not need to deal. It concerns every Government authority, local authority, and individual. It concerns individuals because they want a few dollars for a home or a car, or whatever the object might be. The fact remains that this Parliament is entitled to know what is going on.

It is true we can ask questions; and it is true we must ask at times many questions to get the little bit of information we require. It would be far

better for the Auditor General when preparing his report to have before him provisions in the Act to indicate the required content of his report. At present he is required just to make a report. I know of no provision in any other clause of the Bill which sets out the form his report should take.

We want the information to be readily available to every member of Parliament, and we want to know the position of the borrowing authority. We want to know what the State will be required to pay; where the money will come from, and where it will go. Also we want to know who will be required to pay back the money. Those are the things we are really asking for, and therefore we have detailed in proposed subparagraphs (a) to (g) the various items we consider essential if we are to receive any meaning from a report by the Auditor General.

I move an amendment—

Page 10, line 34—Add after the word "section" the following—

and include in the report a detailed explanation of all financial transactions conducted under this Act, with special reference to—

(a) the amounts borrowed by the Treasurer under section 4, the persons from whom the moneys were borrowed and the terms and conditions on which each loan was made;

(b) the amounts lent by the Treasurer to an authority or authorities under section 7 and the terms and conditions on which each loan was made;

(c) the amounts paid from the Consolidated Revenue Fund under section 4 and the amounts paid into the Consolidated Revenue Fund under section 9;

(d) the amount credited to the Account at the end of the financial year and the purposes for which all moneys were held;

(e) the amounts of money invested, the interest earned thereon and the authority or authorities to which interest was paid or is owing under section 11;

(f) the person or persons to whom the Treasurer delegated powers under section 13; and

(g) any other matters which in his opinion require special comment.

Sir CHARLES COURT: The Government cannot accept the amendment because it would mean we would write into the Statute detailed things which, firstly, would be most unusual, and, secondly, would be quite unnecessary.

The amendment overlooks the function of the Auditor General; and I remind members that he is an officer of the Parliament, not a servant of the Government. He is regarded as separate and distinct from a servant of the Government. No doubt I will make these comments when the member for Victoria Park moves that a proposed new clause be inserted in the Bill.

The point is evidenced by the fact that the Speaker receives a copy of the report before I receive a copy. I get my copy when the Speaker makes it available to the Parliament.

I invite members to refer to clause 14(2) which states—

(2) The Auditor General shall inspect and audit the accounts and records kept under subsection (1) and shall forthwith draw the attention of the Treasurer to any irregularity disclosed by that inspection and audit that is, in the opinion of the Auditor General, of sufficient importance to justify his so doing.

Clause 14 (4) states—

(4) The Auditor General shall, at least once in each financial year, report to each house of the Parliament the results of the inspection and audit carried out under this section.

The Auditor General is a responsible officer quite independent of the Parliament. He reports to Parliament. I believe it is sufficient to leave the matter to his discretion.

It is quite clear that he has to bring to the notice of the Treasurer any discrepancies in and deviations from the Act and then he has to report to the Parliament. Obviously, if he has not had things sorted out by the Treasurer in the meantime he will tell Parliament, as he does in so many cases, and spell out matters where he believes that the Government of the day, a department, or some instrumentality has not conformed with the law so far as the Statute is concerned and so far as the financial matters are concerned.

The honourable member brought up for the second time the possibility of "Khemlani dollars". I can assure him there is no prospect of us getting any under this Statute. One of the reasons the Bill is drawn up as it is is to ensure than no-one now or in the future can get involved in a "Khemlani-type" deal. The constraints are written into it so

clearly that the Government and the authorities will be dealing within the Loan Council or the gentlemen's agreement, as the case may be, and very much so. Any Government again, be it State or Federal, which attempts to go outside those provisions and cause a repetition of the attempted "Khemlani" deal, beware!

This legislation was very clear on the point and makes that sort of thing impossible. That in itself is quite worthy. I raise again this question of putting too much administrative detail into legislation instead of spelling out the basic principles. Once we do that we are opening the door again, as I said on clause 7, for a pernickety lender to want proof of certain actions, and then legal interpretations are involved.

To sum up, I believe the important thing to do is to have the legislation clear, as it is, and leave it to the good offices of the Auditor General, because of his special position, to make such report as he feels necessary. It will always be within the competence of the Parliament to ask the Auditor General to expand on his report.

Furthermore, it is also within the competence of the Public Accounts Committee to ask for further information from the Auditor General. In my experience in dealing with him, such information would be forthcoming because that is his duty and also his commitment. I have seen this in a number of reports over the years.

On those grounds, we cannot accept the amendment.

Mr DAVIES: To say the least, we are disappointed. We are not trying to hamstring the Government or the Auditor General. We are just trying to provide an avenue for open government. The Auditor General, it is very true, has to draw to the notice of the Treasury any deficiencies or irregularities when he makes his inspection. That is very proper. It does not say, of course, that he must tell Parliament about it. I imagine that he would because it is true he is an officer of Parliament and not an officer of the Treasury.

I think it would be fairly necessary to give him some guidelines as to what we are thinking when we ask him to report to us. His report can be in the form of a certificate saying that he has examined the accounts of the fund and everything is in order as far as he is concerned and he would have met the requirements of the Act. He would not have met the requirements of myself, my colleague from Kalgoorlie, the Leader of the Opposition, or any of those persons who would require more detailed information. We are then faced with the situation that the Auditor General has made his report and that is it.

I do not suppose that we can ask the Treasurer to give us any information. We would then have to introduce a motion into Parliament, perhaps asking that the Auditor General do something or follow some line required. Of course, the chances of an Opposition getting a motion of that nature through Parliament are very remote indeed. I am trying to be as practical as possible. It is only because we believe that this fund is so important, that it can run the State many millions of dollars into debt; even by so doing, it can effect some savings to the State.

We would like to know just how the money is going, where it is coming from, where it is at present, where it is going and what is owing. That is all we are asking. We will certainly be watching with interest the report which is tabled by the Government. I am quite certain that the Government will be asked questions on it. I hope it will be asked questions and that it will clearly answer those questions. We will not then at that stage have to take it any further.

Amendment put and negatived.

Clause put and passed.

Clause 15 put and passed.

New clause 16—

Mr DAVIES: I move—

Page 11—Insert after clause 15 the following new clause to stand as clause 16—

Periodic review of this Act.

16. The Auditor General and the Under Treasurer of the State for the time being shall, at least once in every five years after the coming into operation of this Act, review and report to both Houses of Parliament on the provisions of this Act as they relate to the requirements of the persons from whom moneys are borrowed and the authorities for the benefit of which moneys are borrowed, and recommend any changes to the Act, if any, which in their opinion are necessary or desirable to ensure that the Act operates efficiently and in the interest of the public of Western Australia.

It is a very simple amendment; it is sunset legislation, in its widest sense, but in other areas it is a safeguard. Parliament is serving notice that from now on it is not prepared to enact legislation and leave it on the Statute book without its being looked at for years and years. We had the investing of public moneys legislation which was passed by this Parliament in 1961. I do not want to bore members by saying again, as I have already said many times, what we found wrong

with that Act. In fact, the Government did amend it.

This afternoon I am not even going to argue whether they were our amendments or the Government's amendments. We were all in favour of it. We believe, and we will never be convinced otherwise, that the way in which the investing of public moneys had developed over the years was illegal. We were happy with the way it was being done, but we believe it was outside the ambit of the Act and nobody had had a look at the Act. Nobody had really closely looked to see whether or not the way money was being invested was in accordance with the Act which would, of course, have been in accordance with the law. We do not want it to happen again.

In this clause we are saying the Auditor General and the Under Treasurer of the State for the time being shall at least once in every five years, after the coming into operation of this Act, review the Act. It is all there for everybody to read. I do not think it is necessary for me to detail it again.

Perhaps I can forecast some of the Treasurer's objections to the clause. He is going to say we cannot write that into an Act because we are asking the Auditor General, who is an officer of Parliament, to do something in collaboration with the Under Treasurer, who is an officer of the Government. That is very true indeed, but I do not think that is a real objection. We are looking for the two people best suited to do this kind of work.

We believe that the Under Treasurer, who will be operating the fund, is one of the best persons available. Secondly, we believe that the Auditor General who has to examine the fund in accordance with the clauses we have just been debating, and who has to report any deficiencies or irregularities to the Treasurer and also has to report to the Parliament—even though the report may be in the briefest form—is the man next best qualified to know whether the Act needs amending.

We do not wish to go through the procedure of making new laws when we have laws with which we all agree. We do not wish to put those laws into operation and then never check their effectiveness. We believe this has happened before and with an important piece of legislation such as this it should be necessary that at least once every five years—it may be required more often than five years—its operation be reviewed.

It may be, as the Premier has indicated in accordance with matters we were discussing previously, that this legislation will be amended in another place or next session. We were then referring to the interest rates on money borrowed from the CRF. So, it is likely the legislation will come back next year or even next session and on many occasions in the years ahead. Just in case it does not, we find this is a time to write into it the fact that Parliament wishes someone periodically to review the legislation to ensure that it is operating successfully.

I do not know whether it may be a job for the Public Accounts Committee. I doubt that it would have an entrée to all the information required. The people who are using the Act, the people dealing with the fund, the Under Treasurer, and the Auditor General, should at least once a year sit down and ascertain how the Act is operating and whether it is operating within the law. I do not think that will hamstring any negotiations. I do not think this will in any way inhibit the operations of the Act; the amendment is seeking an addendum to it.

I had some argument with several of my colleagues before I agreed with this amendment. Initially, I did not think it was necessary, but I do now. It may be a new procedure and it does not limit the life of the Act. We can have a report which states that the Act is going along nicely or the report may be that the Act does need some amendment. The report could be one of no concern whatsoever to this Parliament, but at least we would have the assurance that the people who are using our legislation think it is doing a satisfactory job.

Sir CHARLES COURT: On the surface, this new clause appears logical enough until one examines the anatomy and practicability of it. First of all it attempts to mix oil and water. The member for Victoria Park has referred to the fact that one person must answer to the Parliament and the other to the Government. Therefore, their whole approach to the Government is quite different from their whole approach to the proclamation of the report. Those approaches are quite different. The Attorney General reports to the Parliament and the Under Treasurer normally reports to the Government. On reflection, the member for Victoria Park will understand my point. We would be asking the Under Treasurer to bypass the Government of the day and maybe put himself in a very onerous and embarrassing situation when he makes a report to the Parliament which is different from the advice he has given to the Government.

I know it would seem difficult to contemplate, but that is virtually what Parliament is asking of the Under Treasurer. We would be putting him in a situation which would be untenable and

embarrassing to a man trying to fulful his function as a public servant in the true tradition.

Another aspect is: How would the Attorney General go about making this report? Would he conduct an opinion poll of all the people who lend money to the Government to ascertain whether or not they are happy about the operation of the legislation?

If members canvassed the practicalities of this matter, as I have done in my search for a possible alternative, they would reach one conclusion; that is, it is neither practical nor fair or proper. It is cutting across the Westminster system as far as the Under Treasurer is concerned and will create an embarrassing situation for two very senior people working in different fields and reporting to different people.

Therefore, on reflection, and having considered the merits and problems of the amendment we have no alternative but to oppose it. Under clause 14, the Auditor General does report to the Parliament each year and his powers are very wide indeed. For that reason I hope the Chamber will reject this amendment.

Amendment put and negatived.

Schedule put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

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

QUESTIONS

Questions were taken at this stage.

House adjourned at 4.33 p.m.

QUESTIONS ON NOTICE

HOUSING: BUILDING SOCIETIES

Terminating

1936. Mr BARNETT, to the Honorary Minister Assisting the Minister for Housing:

(1) What authority is there for the Government to increase interest rates on home building account allocations to terminating building societies for loans made prior to 1978?

(2) What authority exists for these increases to be charged to the borrowers?

Mr LAURANCE replied:

(1) The authority is contained in the Housing Agreement (Commonwealth and State) Act 1981.

(2) Variable interest rate clauses in mortgage documents.

ELECTORAL: DISTRICTS

Enrolments

1957. Mr CARR, to the Chief Secretary:

What is the current enrolment in each of the 57 proposed Legislative Assembly electorates?

Mr HASSELL replied:

Rolls have not been compiled on the basis of the proposals published by the Electoral Commissioners on 28 August 1981.

The redistribution will not take effect until the next general election after the commissioners' decision becomes final. In the meantime rolls are maintained on their present basis and no current figures are available for the proposed electorates.

However, as at 18 May 1981, enrolment in each of the 57 proposed Legislative Assembly electorates was:

Armadale	15 843
Ascot	16 138
Balcatta	16 049
Balga	16 259
Canning	16 088
Clontarf	15 985
Cockburn	17 084
Cottesloe	16 996
East Melville	16 554
Fremantle	16 235
Gosnells	15 637
Helena	15 442
Joondalup	14 847
Karrinyup	16 658
Maylands	16 409
Melville	17 117
Mt. Lawley	16 857
Murdoch	15 075
Nedlands	17 050
Nollamara	16 789
Perth	16 658
Reabold	16 729
Rockingham	15 072
Scarborough	16 680
South Perth	16 084
Swan	16 310
Victoria Park	16 171
Welshpool	16 419
Wembley	16 234
Whitford	15 256
Albany	8 388
Avon	9 382
Bunbury	7 983
Collie	8 289
Dardanup	8 494
Darling Range	8 440
Esperance-Dundas	9 026
Geraldton	8 803
Greenough	8 115
Kalamunda	8 416
Kalgoorlie	8 830
Mandurah	8 179
Merredin	9 267
Moore	8 347
Mt. Marshall	8 976
Mundaring	8 252
Murray	8 809
Narrogin	9 029
Roe	8 898
Stirling	8 248
Vasse	8 773
Warren	7 979
Wellington	8 505
Gascoyne	3 762
Kimberley	11 596
Murchison-Eyre	1 932
Pilbara	9 271

HOUSING: BUILDING SOCIETIES

Permanent: Town and Country

1959. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

(1) Is he aware that home loan borrowers with loans from Town and Country Building Society have received letters outlining—

(a) increased repayment to cover the latest 1 per cent interest rate rise to commence January 1982; and

(b) increased repayment to cover the July 1981 rise to commence in August 1982?

(2) Is he aware that the likely amount of the increase under (1) (a) alone on a $30 000 loan over a 30-year term would be $5.77 per week?

(3) Is he also aware that in the same letter borrowers are warned that housing rates at around 14 per cent are still well below rates being paid by semi-Government authorities at 15.5 per cent to 15.7 per cent and that any further interest rises would necessitate a further immediate rise in repayments?

(4) What recent discussions, if any, has he had with building society representatives regarding this prospect for home borrowers, and what proposals, if any, has he put to them from the Government?

Mr LAURANCE replied:

(1) to (3) A copy of the Town and Country Permanent Building Society's letter to its borrowers was forwarded to me and is hereby tabled.

(4) Interest rates charged by building societies are market orientated, and as has been said on many occasions by the Premier, he will continue to press the Federal Government for it to change its monetary policies so as to relieve the pressure on interest rates generally.

I am continually in touch with building societies on the important matter of interest rates.

The member will also be aware of my continuing efforts to have the Federal Government introduce a scheme of income tax deductability on mortgage interest payments and the action taken by the State Government in setting up a mortgage assessment and relief committee to provide assistance for families experiencing genuine hardship as a result of the interest rate increases.

The letter was tabled (see paper No. 445).

CONSERVATION AND THE ENVIRONMENT

Canal Developments: Steering Committee

1963. Mr BARNETT, to the Premier:

(1) Relevant to the recommendations of the steering committee on canal development recently promulgated—

(a) have all the five recommendations under land planning been accepted in full;

(b) which have not been accepted and why?

(2) (a) Have all the five recommendations under procedure been accepted in full;

(b) which have not been accepted and why?

(3) (a) Have all the five recommendations under design requirements been accepted in full;

(b) which have not been accepted and why?

(4) (a) Have all the four recommendations under water quality requirements been accepted in full;

(b) which have not been accepted and why?

(5) (a) Have all the four recommendations under reserve requirements been accepted in full;

(b) which have not been accepted and why?

(6) (a) Have all the three recommendations under vesting been accepted in full by the Government;

(b) which have not, and why?

(7) (a) Have all the seven recommendations under management and management funding been accepted in full by the Government;

(b) which have not, and why?

(8) (a) Have each of the two recommendations under non-compliance been accepted in full by the Government;

(b) which have not, and why?

Sir CHARLES COURT replied:

(1) to (8) I shall seek leave to table copy of my Press release dated 26 August 1981 which announced that the State Government has adopted, as new guidelines, the recommendations of the steering committee on canal developments. I suggest if the member has specific cases causing him concern, he writes to the Minister for Urban Development and Town Planning or the Minister for Conservation and the Environment, as appropriate.

The paper was tabled (see paper No. 447).

EMPLOYMENT AND UNEMPLOYMENT

BHP: Kwinana

1964. Mr GRILL, to the Minister for Resources Development:

How many jobs would be lost in the event that BHP's Kwinana blast furnace is not refired for the production of pig iron?

Mr P. V. JONES replied:

The plant at Kwinana has had several difficult periods since commissioning of the blast furnace because it has to rely heavily on export markets to sustain a minimal safe operational level of production of about 500 000 tonnes of pig iron per year. I am advised that the current market position is the worst it has faced, and the prospects for sales are bleak.

I have previously commented on the efforts being made by BHP to sustain the industry. Its efforts are continuing.

The refiring of the blast furnace would directly affect several hundred people. At this stage, I am unable to estimate how many would face retrenchment if the plant was not recommissioned for an extended period.

EDUCATION: HIGH SCHOOLS

Right to Life Association: Film

1965. Mr DAVIES, to the Minister for Education:

Referring to the Right to Life Association's visual presentation on abortion being shown in schools—

(a) what modifications were requested to the presentation following the review by the health advisory committee;

(b) how and when were the request conveyed to the association;

(c) what was their reaction;

(d) how many modifications were subsequently made, and what was the nature of such?

Mr GRAYDEN replied:

(a) See answer to question 478 *Hansard*, 26 August 1981;

(b) I personally discussed specific concerns with representatives of the Right to Life Association last month and earlier this month;

(c) the Right To Life Association is very co-operative;

(d) length of time slides remain on screen will be reduced and adequate explanation of other concerns will be made prior to screening of presentation.

EDUCATION: TECHNICAL COLLEGES

Classes: Transfer to High Schools

1966. Mr SKIDMORE, to the Minister for Education:

(1) Is he aware of any changes that are to be made that would cause the woodwork, wood carving, polishing and upholstery class to be relocated from the present technical colleges into high schools?

(2) If it is intended to relocate such classes, can he assure me that the equipment at the high schools will be of a sufficient standard to allow for a continuation of class attainment such as is only possible at present at the technical colleges because of their quality of equipment?

Mr GRAYDEN replied:

(1) No.

(2) No decisions have been made about relocation of adult non-vocational classes.

PORT: GEOGRAPHE BAY

Conservation and the Environment

1967. Mr SKIDMORE, to the Minister representing the Minister for Conservation and the Environment:

Further to question 1872 of 1981, part (2) relating to Geographe Bay and the proposed fishing boat harbour development, wherein the Minister stated that it was not his intention to carry out the investigation as requested, will the Minister tell me reasons that it is not felt necessary that such an investigation should be carried out at this time?

Mr O'CONNOR replied:

In the terms of financial and staff resources available such an investigation as mentioned in question 1872 of 1981, part (2), is not judged to be of a sufficiently high priority at least at the present time.

POLICE: PERSONNEL

Court Building

1968. Mr TONKIN, to the Minister for Police and Traffic:

(1) How many police officers will be needed for the new court complex in St. George's Terrace?

(2) How many additional officers is this than are at present required in the courts which will be replaced?

(3) From where will these additional officers be drawn?

Mr HASSELL replied:

(1) to (3) The staffing requirements for the new court complex in St. George's Terrace are being examined by the Police Department and the Public Service Board. The court will not open for some time yet. Estimates at this stage are that 40 additional officers will be required.

POLICE: STATION

Dampier-Karratha

1969. Mr TONKIN, to the Minister for Police and Traffic:

(1) What is the situation and name of the new police station to be created between Karratha and Dampier?

(2) How many officers will be stationed there when it is completed?

Mr HASSELL replied:

(1) Hearson Cove Police Station situated at the construction camp on Burrup Peninsula.

(2) The police station is now completed and staffed with one sergeant and one constable. Additional staff will be appointed commensurate with growth of workforce.

CEMETERY

Pinnaroo Valley Memorial Park

1970. Mr HODGE, to the Minister for Local Government:

Further to question 1909 of 1981 relevant to the Pinnaroo Valley Cemetery development, when does she intend supplying the funds that are necessary to enable the Pinnaroo Valley Cemetery Board to implement its plan to develop portion of the cemetery for headstones?

Mrs CRAIG replied:

The allocation of funds in 1981-82 for the further development of the Pinnaroo Valley Cemetery will be decided in the

course of deliberations on the forthcoming State Budget.

MINING: BAUXITE

Alcoa of Australia Ltd.

1971. Mr BARNETT, to the Minister representing the Minister for Forests:

(1) Relative to clearing and mining work undertaken by Alcoa of Australia within the State forest area, how much forest land was cleared for bauxite mining operations in each of the years from 1977 to today's date?

(2) Would the Minister provide a map of the Darling Range showing the areas already mined and those areas due to be mined over the next five years?

Mrs CRAIG replied:

(1) The Forests Department records annually the areas cleared for mining and other work undertaken by Alcoa in conformity with the provisions of the agreement.

Information is available for the period 1 June 1977 to 31 December 1980, as follows—

	ha.
1977	352.75
1978	120.98
1979	341.29
1980	397.8

(2) No. This information is not available. Proposals for clearing during the period 1982-86 are currently being negotiated.

WATER RESOURCES: EFFLUENT

Point Peron

1972. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Relative to the proposed Point Peron effluent disposal pipe, have the studies being conducted at the moment to determine tidal movement in the area, had as an integral part of them, a beach inspection programme to determine whether effluent disposed of at the pipeline discharge point would wash on to the beaches?

Mr O'CONNOR replied:

The studies being conducted are considered adequate to predict the dispersion of the effluent plume.

WASTE DISPOSAL

Rockingham Shire

1973. Mr BARNETT, to the Minister for Health:

(1) Is he aware of any problems being experienced by the Rockingham Shire Council relative to suitable sites within the shire area for the continuation of rubbish disposal by the sanitary landfill method?

(2) Is he aware of efforts by the shire to embark on a new method of rubbish disposal?

(3) What stage has this development now reached?

(4) What is the Government doing to assist with the problems being experienced by the shire and the company involved prior to commencement?

Mr YOUNG replied:

(1) Yes.

(2) Yes.

(3) Initial proposal has received preliminary departmental approval. It is understood that further development is dependant upon acquisition of suitable land and finance.

(4) The Public Health Department has given every assistance to both the council and the company regarding the technical aspect of the proposal.

TOWN PLANNING

Warnbro Sand Dunes

1974. Mr BARNETT, to the Minister for Urban Development and Town Planning:

(1) Has an application been received by her department for the development of all or a part of the area known as the Warnbro sand dunes?

(2) What is the nature of such application?

Mrs CRAIG replied:

(1) and (2) As I am not aware of the precise delineation of the area referred to as the "Warnbro sand dunes" could the member provide me with details of the location?

INDUSTRIAL DEVELOPMENT: COCKBURN SOUND

Waste Emissions

1975. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Relevant to waste emissions from the industries surrounding Cockburn Sound, is the Government prepared to implement a system whereby reports of waste emissions from the industries are either made public or available on a quarterly or annual basis?

Mr O'CONNOR replied:

The implications of such a scheme in respect of confidentiality of industrial processes need careful consideration. The Minister for Conservation and the Environment will discuss the suggestion with the Minister for Resources Development.

ZOOLOGICAL GARDENS

Animal Housing

1976. Mr BARNETT, to the Minister representing the Minister for Lands:

Further to the Minister's answers to question 1898 of 1981 relating to South Perth Zoo, what alternative methods of fund raising are being investigated in order to upgrade the animal housing at South Perth Zoo?

Mrs CRAIG replied:

No decisions have been made.

HERBICIDES: 2,4-D AND 2,4,5-T

Investigation

1977. Mr BARNETT, to the Minister for Health:

(1) Has his department examined the possible effects to humans in the vicinities of areas where 2,4-D and 2,4,5-T is manufactured?

(2) What is the result of such investigation?

Mr YOUNG replied:

(1) and (2) No effects on humans are expected or have been experienced elsewhere and no specific investigation has been done or is, indeed, possible.
The congenital malformation register and information collected on congenital malformations over the years certainly do not suggest any ill-effect on pregnant women.

HERBICIDES: 2,4-D AND 2,4,5-T

Use

1978. Mr BARNETT, to the Minister representing the Minister for Lands:

(1) Are the herbicides 2,4-D and 2,4,5-T still used in areas of Western Australia under his control?

(2) (a) In what quantity;
(b) in what locations is it currently used?

(3) Are any restrictions currently applied to its use?

Mrs CRAIG replied:

(1) The Lands Department does not use the herbicides mentioned. The Minister is not in a position to state whether persons or authorities holding tenures over land that comes under the control of the Land Act—such as pastoral leases, conditional-purchase leases—are using these herbicides.
King's Park Board uses 2,4-D but not 2,4,5-T.
Forests Department uses both herbicides.

(2) (a) King's Park Board has used 6.7 kg. of 2,4-D over the last 12 months and Forests Department 3 084 litres in the past 12 months comprising—

416 litres 2,4-D
2 668 litres 2,4,5-T and herbicides containing 2,4,5-T.

(b) King's Park Board on lawn areas and the old Hale Oval.
Forests Department in the southern region for control of isolated blackberry infestations, in the central region for control of arum lily and thistle, and in various pine plantations for scrub control.

(3) Yes. Stringent restrictions apply.

HERBICIDES: 2,4-D AND 2,4,5-T

Use

1979. Mr BARNETT, to the Minister for Agriculture:

(1) Are the herbicides 2,4-D and 2,4,5-T still used in agricultural areas of Western Australia?

(2) (a) In what quantity;
(b) in what locations is it currently used?

(3) Are any restrictions currently applied to its use?

Mr OLD replied:

(1) Yes.

(2) (a) In 1980 approximately 550 tonnes 2,4-D and 7.5 tonnes 2,4,5-T were used.
(b) Most 2,4-D is used for spraying cereal crops in the agricultural districts. 2,4,5-T is used for the control of woody regrowth and some declared plants. Such use could occur at any location within the State.

(3) Yes.

STATE FINANCE

Kwinana Chemical Industries

1980. Mr BARNETT, to the Premier:

(1) Is it a fact that the Kwinana Chemical Industries was previously known as the Technical Supply Company and was located at Thornlie?

(2) Is it a fact that the Government of the day at the time advanced $30 000 from loan funds for the transfer of the factory and that $15 000 of this was a direct gift to the company?

(3) For what purpose was this $15 000 used?

(4) Why was it necessary for the Government of the day to give this sum of money to the company?

Sir Charles COURT replied:

(1) Yes.

(2) $30 000 was advanced to the company from General Loan Fund in 1960-61 to finance removal of the firm's factory at Canning Vale. Of this amount the company was only liable to repay $15 000, which was repaid in August 1961.

(3) See (2) above.

(4) The Commissioner for Public Health recommended that the industry should relocate at a more suitable site at Kwinana.
The proportion of the loan funds advanced which was non-repayable was regarded as compensation for the enforced relocation of the company's operations.

HERBICIDES: 2,4-D AND 2,4,5-T

Standards

1981. Mr BARNETT, to the Minister for Health:

(1) What recent tests have been carried out relative to the hormonal sprays 2,4,5-T and 2,4-D in respect of possible miscarriages among women?

(2) What standards have been laid down as a result of these tests?

(3) How do Western Australian standards compare with world health standards covering similar types of hormonal sprays?

Mr YOUNG replied:

(1) Animal experiments are on-going on a world wide basis in respect of 2,4-D, 2,4,5-T and 2,3,7,8-TCDD.
The National Health and Medical Research Council has examined the matter and has found no correlation between use of these herbicides and miscarriages.

(2) None. Standards have been laid down, but not as a result of these tests.

The NHMRC recommends a limit of TCDD in 2,4,5-T of less than 0.1 mg per kg calculated on the acid content.
The Australian Standard AS1175-1976 is "herbicides of the phenonyacetic acid type" level of TCDD not to exceed 0.1 mg per L calculated on acid content.

(3) There is no recognised world standard. A WHO data sheet uses the figure 0.1 mgms/kg.

HERBICIDE: 2,4,5-T

Precautions

1982. Mr BARNETT, to the Minister for Health:

In respect of spraying 2,4,5-T in areas around Western Australia, what precautions are required by the Public Health Department to protect women of childbearing age from possible birth defects?

Mr YOUNG replied:

No particular precautions are required. 2,4,5-T was formerly labelled with a warning statement advising care in regard to pregnant women. This warning was removed following advice from the National Health and Medical Research Council that there was no evidence to justify this warning. Approved uses of 2,4,5-T are highly unlikely to affect pregnant women, anyway.

HERBICIDES

Dioxin Levels

1983. Mr BARNETT, to the Minister for Health:

What were the levels of dioxin found in locally produced 2,4,5-T that necessitated the return of a quantity of this chemical?

Mr YOUNG replied:

There is considerable variance in figures obtained from Government Laboratories. Figures given vary from 0.39 mg to 0.8 mg per kg. This matter of variance has been taken up with the Federal Minister for Science and Technology.

HERBICIDE: 2,4,5-T

Dioxin Levels

1984. Mr BARNETT, to the Minister for Health:

What dioxin levels are considered acceptable to the—

(a) Western Australian Government;

(b) World Health Organisation;

in locally produced 2,4,5-T?

Mr YOUNG replied:

(a) The standard must be considered a minimum requirement but there is continued liaison with the company with a view to producing 2,4,5-T with as low a level of dioxin as possible;

(b) World Health Authority data sheets quote a figure of 0.1 mg per kg TCDD in 2,4,5-T.

STATE FORESTS

Dieback

1985. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Is it a fact that studies done by both the Minister's department and the Forests Department indicate that areas of the forest which show evidence of dieback and are mined, will bring about further devastation by dieback of the forest area at a ratio of three hectares to every one hectare mined?

Mr O'CONNOR replied:

No.

FISHERIES

Scallops: Imitation

1986. Mr BARNETT, to the Minister representing the Minister for Fisheries and Wildlife:

(1) Is the Minister aware of reports in *The West Australian* of Tuesday, 22 September, that Victoria's fishing

industry has uncovered a Japanese attempt to sell imitation scallops containing illegal quantities of egg white?

(2) Has the Minister or his department investigated the possibility that this Japanese attempt to sell imitation scallops may be occurring in Western Australia?

(3) What was the result of those investigations?

Mr O'CONNOR replied:

(1) Yes.

(2) Preliminary inquiries have been made.

(3) There has been no reported attempt to sell imitation scallops within the Western Australian fish wholesale trade.

VEGETABLES: LEAD CONTENT

Market Gardens

1987. Mr BARNETT, to the Minister for Health:

(1) What tests for lead content have been made in market garden vegetables in the near Perth suburbs?

(2) What was the result of those tests?

(3) Will he table any documents relating to the research?

Mr YOUNG replied:

(1) Tests were carried out on vegetables from the Kwinana area.

(2) The results are tabled.

(3) Yes.

The paper was tabled (see paper No. 446)

ANIMALS AND BIRDS

Extinct and Endangered Species

1988. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Can the Minister provide me with a list of all those animals and birds throughout Western Australia that have been listed as having become extinct over the last 50 years?

(2) Can the Minister provide me with a list of those animals and birds which are considered rare or an endangered species in Western Australia?

Mr O'CONNOR replied:

(1) Crescent nail-tailed wallaby—*Onychogalea lunata.*
Desert bandicoot—*Perameles eremiana.*
Heath rat—*Pseudomys shortridgei.*
Rufous bristle bird—*Dasyornis broadbenti litoralis.*

(2) The current list of fauna which has been declared to be rare or otherwise in need of special protection under section 14(2) of the Wildlife Conservation Act 1950 is published in the *Government Gazette* No. 6 of 3 February 1978.

WATER RESOURCES: DAMS

Darling Range

1989. Mr BARNETT, to the Minister for Water Resources:

(1) Is it proposed to construct any major water catchment dams in the Darling Range for metropolitan consumption or south-west consumption over the next 10 years?

(2) If "Yes", where precisely will each dam be located and to what purpose will the water in any such dam be put?

Mr MENSAROS replied:

(1) Investigations are being undertaken but construction within the next 10 years depends on the growth of demand and also on seasonal conditions.

(2) Major storage dams are being investigated on the South Canning at Eagle Hill and North Dandalup at the site of the existing pipehead dam.
The water will be used for public supplies.

CONSERVATION AND THE ENVIRONMENT

Bibra Lake

1990. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) Has an environmental impact study been done on a proposal by Michael

Edgley to develop a Disneyland type complex at Bibra Lake?

(2) If such an impact statement has been prepared, will the Minister table it in the House?

(3) If not, why not?

Mr O'CONNOR replied:

(1) No.

(2) Not applicable.

(3) The Environmental Protection Authority has sought information from the company, but its planning has not yet proceeded far enough to enable it to respond adequately.

WATER RESOURCES

Jandakot

1991. Mr BARNETT, to the Minister for Water Resources:

(1) With respect to the Jandakot water reserve area, what is the closest point the Alcoa red mud lakes containing caustic come within this reserve?

(2) What is the name or title of the mud lake that comes the closest?

(3) Has this lake leaked in any way over the last 12 months?

(4) In what direction is any leaked pollutant travelling?

(5) Is this pollutant travelling towards the Jandakot water reserve area?

Mr MENSAROS replied:

(1) No part of any mud lake is within nor has impact upon the Jandakot water reserve. The nearest lake is approximately 100 metres beyond the western boundary of the reserve.

(2) "F" lake.

(3) Yes.

(4) In a westerly direction.

(5) No.

WATER RESOURCES: DAMS

Darling Range

1992. Mr BARNETT, to the Minister for Water Resources:

(1) In respect of each dam in the Darling Range used for the supply of water for human consumption, how often are samples taken to determine total dissolved solids per litre in each individual dam?

(2) In respect of each dam what were the results in terms of total dissolved solids per litre giving maximum and minimum over the last 12 months?

Mr MENSAROS replied:

(1) Weekly.

(2) Maximum and minimum total dissolved solids in m.g./litre for water over the last 12 months for dams within the Darling Range are as follows—

	Minimum	Maximum
Canning.....	200	270
Churchmans.....	120	150
South Dandalup.....	110	200
North Dandalup Pipehead.....	110	240
Serpentine Main Dam.....	160	240
Serpentine Pipehead Dam....	140	240
Victoria Reservoir..	190	270
Wungong Dam	140	260
Mundaring Weir....	420	540
Wellington Dam	820	970

CONSERVATION AND THE ENVIRONMENT: WESTERN MINING CO. LTD.

Tailings Dam: Baldivis

1993. Mr BARNETT, to the Minister for Health:

(1) Have any tests been done by his department on the bores recently sunk around Lake Cooloongup to test for the extent of the leak from Western Mining's tailings dam at Scotty Miller Road, Baldivis?

(2) Are any of these tests designed to indicate levels of radio activity which may have leaked from uranium tailings that were dumped in the same tailings dam some years ago?

(3) What is the result of these tests?

Mr YOUNG replied:

(1) No.

(2) Not applicable.

(3) Not applicable.

CONSERVATION AND THE ENVIRONMENT: WESTERN MINING CO. LTD

Tailings Dam: Baldivis

1994. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

(1) If, as evidenced by answers to questions in this session of Parliament, there is in fact a leak in the north-west corner of Western Mining's tailings dam situated at Scotty Miller Road, Baldivis, can the Minister advise why three exploration bores have been sunk around the edges of Lake Cooloongup, which are situated south-west approximately, of the dam and are one kilometre or more away from the closest portion of the dam?

(2) Have tests been done as yet on samples taken from these bores?

(3) What is the result of these tests?

(4) Do they show that pollutants from the dam have reached the shores of Lake Cooloongup?

Mr O'CONNOR replied:

(1) to (4) Western Mining Corporation is undertaking further studies to define the extent of contamination and will report its results to the Government in due course.

LOCAL GOVERNMENT: FREMANTLE CITY

Treaty between Aborigines and Commonwealth Government

1995. Mr BARNETT, to the Minister for Community Welfare:

(1) Is he aware of reports that the Fremantle City Council is now the second local government authority in Australia to support the principle of a treaty between Australian Aborigines and the Federal Government?

(2) (a) Are reports that this treaty between Australian Aborigines and the Federal Government has as yet not been considered by the State Government, fact;

(b) if it has not yet been considered, will he undertake to give it due consideration?

(3) If it has been considered, what was the result of that consideration?

Mr HASSELL replied:

(1) Yes.

(2) and (3) The State Government does not support the introduction of a treaty which is considered to be unnecessary for the welfare of Aborigines and divisive for Australians as one nation. This Government is firmly committed to a policy of equal rights for all Australians regardless of ethnic origin. This is not to say, however, that the Government does not recognise that there is a need for special programmes for Aborigines to assist them to take full advantage of the opportunities available to all Australian citizens.

I have agreed to discuss the concept of a treaty with the National Aboriginal Conference representatives and they have been advised accordingly.

TOURISM

Promotion

1996. Mr BARNETT, to the Honorary Minister Assisting the Minister for Tourism:

(1) Is he aware of reports coming from the conference "Destination Australia Market Place Perth" that only 20 per cent of the 130 000 British visitors to Australia each year, come to Perth?

(2) Is the report factual?

(3) What is the Western Australian Minister for Tourism or his department doing to ensure that the future brings about a far greater share of the tourist dollar to Western Australia?

Mr LAURANCE replied:

(1) Yes.

(2) Yes.

(3) Recognising the potential of the United Kingdom tourist market, the Western Australian Department of Tourism appointed a London based tourist officer in January 1978.

This initiative was the first of its kind by any Australian State tourist authority in the United Kingdom market and has resulted in Exchange Travel Ltd., a major wholesale/retailer being appointed as general sales agent for the Western Australian Department of Tourism.

In conjunction with elements of the Western Australian travel industry, a special 18 page section featuring Western Australia has been included in the Exchange Travel Australasian travel brochure for 1981-82.

Already significant bookings of "stopovers", coach, airline and motor home holidays have resulted.

As a follow up to the extensive promotional activities associated with the general sales agency announcement in March 1981, the Western Australian Department of Tourism will be carrying out promotional activities in London and major regional centres in October this year.

TOURISM

Packaged Tours

1997. Mr BARNETT, to the Honorary Minister Assisting the Minister for Tourism:

(1) Is it a fact that Australia is the only country to which a wholesale or tour-basing fare is not available?

(2) As this wholesale or tour-basing fare is used as the basis for preparing packaged tours in every other tourist conscious country, what is used as the basis for preparing package tours in this country?

(3) Are efforts being made by the Minister or his Western Australian department to arrange for wholesale or tour-basing fare to be made available for package tours in order to facilitate and increase tourism in Western Australia?

(4) If so, what are these efforts and what has been the result?

(5) If not, why not?

Mr LAURANCE replied:

(1) No. There is a tour-basing fare available into Australia for groups of not less than 10.

(2) The basis for preparing package tours in this country is a tour-basing fare used by both domestic airlines in their many and varied holiday programmes.

The granting of this fare to other tour wholesalers has been sought by the Western Australian Department of Tourism for many years and is currently a matter of negotiation between both airlines and tour wholesalers.

For package tours into this country from, for example, the United Kingdom wholesalers and tourists can use advance purchase fares which offer sizeable reductions on normal economy fares. Advance purchase fares are themselves being discounted currently by airlines and travel into Western Australia from the United Kingdom has never been cheaper. Ground content packages, as add-ons to those fares, are readily available at competitive prices.

(3) Yes.

(4) Tour-basing fares to facilitate and increase tourism in Western Australia are available and have been used, most successfully, for a number of years by Airlines of Western Australia (formerly MacRobertson Miller Airlines).

The tour programmes marketed by MMA/Airlines of Western Australia are promoted via the Western Australian Government Travel Centres in Adelaide, Melbourne, Brisbane and Sydney and by a number of overseas wholesalers.

In order to facilitate and increase tourism into Western Australia, the Department of Tourism has undertaken regular promotional tours, to major overseas markets, built around its multi image audio visual programme.

The case for improved fares into Western Australia is constantly being raised with Transport Australia and at all meetings of ASCOT—the Australian Standing Committee On Tourism—and the TME—Tourist Ministers' Council.

Currently the Department of Tourism is pursuing with Transport Australia the introduction of a lower airfare between west coast North America and west coast Australia and between New Zealand and Perth.

(5) Answered by (4).

FISHERIES

Fish Trap

1998. Mr BARNETT, to the Minister representing the Minister for Fisheries and Wildlife:

(1) Is the Minister aware of a fish trap —known as a snapper trap—which is reported to be used by spare time and amateur fishermen?

(2) Is it a fact that this trap cohtinually re-baits itself?

(3) What investigation has been done by the Fisheries and Wildlife Department to determine the number of these traps which are—

(a) in use;

(b) have been used and left around the coastline and forgotten by people using this technique of fishing?

(4) What is the result of that investigation?

(5) Is it intended by the department to ban the use of such a trap which is self-re-baiting on a continual basis?

Mr O'CONNOR replied:

(1) Fish traps known as snapper traps are used by professional fishermen in the Shark Bay area. The Minister is unaware of the traps being used by amateur fishermen.

(2) Fishermen in the past reported that lost snapper traps do continue to trap fish. In response to this advice a notice under the Fisheries Act, 1905, section 10, which related to the use of fish traps, was published in the *Government Gazette* No. 16, 11 March 1977. It stated that a trap could only be used if "the trap is not left in the water for the purpose of taking snapper (*Chrysophrys unicolour*) for any period exceeding 30 minutes and is so constructed that should it be lost or left in the sea for a prolonged period it will cease to trap fish".

(3) (a) and (b) A research programme has been commenced on the snapper fishery in the Shark Bay area. It will include an examination of all methods of catching snapper.

(4) The results are not yet available. The study is scheduled to be carried out over a period of three to four years.

(5) See answer to (2).

1999. *This question was postponed.*

MINING: GOLD

State Batteries: Charges

2000. Mr I. F. TAYLOR, to the Minister for Mines:

With reference to question 1581 of 1981 relating to State Batteries, how does he reconcile his grounds for refusing to review State Battery charges at that time with the recent increases in those charges?

Mr P. V. JONES replied:

The charges at $10, $15 and $20 per tonne are related to the average gold price over the previous financial year. The reduction of the tonnage allowed for each area of charge was necessary after the initial test period, to achieve the object of more established mines paying a larger portion of the State Battery costs.

The final charge of $35 per tonne was established to avoid the subsidising of large-scale operations. The costs for the first 600 tonnes are still in the order of 1 gram of gold per tonne, which has been normal for many years.

2001. *This question was postponed.*

HEALTH: INSURANCE

Hospital Treatment

2002. Mr HODGE, to the Minister for Health:

(1) How many extra staff have been employed in Government hospitals to cope with the implementation and administration of the new health arrangements?

(2) How many extra staff have been employed in each of the five teaching hospitals since the new health arrangements commenced?

(3) What will be the total annual cost of employing the extra staff referred to above?

(4) Is the Federal Government paying for the cost of the extra staff?

(5) Is it a fact that the Department of Hospital and Allied Services has instructed hospital administrators to encourage all chargeable outpatients to pay their accounts for treatment at the time of treatment?

(6) Is it a fact that if chargeable outpatients with hospital insurance were encouraged to complete a claim form and sign a procuration order, the hospitals could send batches of accounts to the health funds and receive full payment by bulk cheques?

(7) Is it a fact that if a patient completed a claim form and signed a procuration order it would be unnecessary for the patient to be asked to pay cash at the time of treatment or for accounts to be sent later and that the fund would pay 100 per cent of the cost for a hospital service outpatient?

(8) Why are the Government hospitals not encouraging all insured hospital service outpatients to sign procuration orders rather than asking for cash or sending out accounts?

Mr YOUNG replied:

(1) Non-teaching hospitals—

To date only 2.13 full time equivalent staff have been employed. The need for further additional staff will be under continuous review based on actual hospital experience.

(2) Teaching hospitals—

Royal Perth Hospital	15
Sir Charles Gairdner Hospital	13
Princess Margaret Hospital	9
King Edward Memorial Hospital	3
Fremantle Hospital	4

(3) $500 000.

(4) No.

(5) Yes.

(6) Yes—this procedure is being followed where the patient requests procuration.

(7) Yes.

(8) Payment of cash at the time of service is the most acceptable method of payment to the hospitals as hospital insured persons may not bring their membership cards with them and the basic responsibility of claiming fund benefits lies with the patient, not the hospital.

HOUSING: RENTAL

Flats

2003. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

(1) With reference to a situation in which a family unit including young children aged five years, three years, and one year respectively, who are being required to move out of private rental accommodation and cannot afford to pay rent and who are being asked to seek alternative private accommodation, and who are also being required by the State Housing Commission to accept above ground floor flat accommodation as the only alternative, is it the hard and fast policy of the commission to house families with young children in such accommodation?

(2) If "Yes", is his department not concerned about the implications for the safety and welfare of young children forced to live in such accommodation?

(3) Will he undertake to intervene in the situation concerned to ensure that a more suitable offer of accommodation is made to the family involved?

Mr LAURANCE replied:

(1) No. Where possible families with young children are housed in ground floor level accommodation. However, in cases where such accommodation is unavailable then families in need of urgent housing are offered the next suitable available accommodation. Most of the commission's ground floor accommodation is occupied.
(2) Answered by (1).
(3) If the member supplies me with the details of the family I will look into the matter and advise him by letter.

HOUSING: RENTAL

Flats

2004. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

(1) Is he aware that Mrs K. Hart and her family who have been living in overcrowded accommodation with relatives since they applied for State Housing Commission accommodation at the beginning of August have still not been offered a flat by the commission?
(2) Is this long delay in allocating urgently needed flat accommodation an indication of a developing crisis in the availability of State Housing Commission accommodation in the metropolitan area?
(3) Will he undertake to see that after this long delay, a firm offer of accommodation will be made to this family within the next week?

Mr LAURANCE replied:

(1) This family has previously been offered accommodation twice and declined.
(2) No.
(3) A further offer will be made when suitable accommodation becomes available.

HOUSING: RENTAL

Emergent

2005. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

(1) Is he aware of the urgent representations that have been made to the State Housing Commission regarding the desperate need of a widower and his five children now in temporary refuge at an aged persons' hostel in Maylands, for proper accommodation?
(2) Is he also aware that this family, who have been forced to sleep in the open in parks, and who have been able to find temporary refuge at the Aboriginal Rights Hostel for the elderly where room is so scarce that the father and two sons have to sleep on the floor, is now being pressured to move out of this hostel because of the age of the children, so that they will again be forced to sleep in the open?
(3) Will he undertake to see that an offer of accommodation is made to this family within the next week?

Mr LAURANCE replied:

(1) to (3) If the member will provide details of this particular case, I will undertake to make inquiries and forward a reply to him.

HOUSING: INTEREST RATES

Mortgage Assessment and Relief Committee

2006. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

(1) Is it a fact that the majority of home being referred to the mortgage assessment and relief committee are those whose monthly payments are in the order of $300 or more per month?
(2) If "No", what is the range of payments of those who have so far been referred for assistance?

Mr LAURANCE replied:

(1) and (2) Of the applications referred to the mortgage assessment and relief committee the monthly repayments are—

Less than $200	—	4
$200 to $250	—	4
$250 to $300	—	22
over $300	—	16
		46

HOUSING: INTEREST RATES

Mortgage Assessment and Relief Committee

2007. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

With regard to the stipulation in the stated objects of the mortgage assessment and relief committee that the main assistance is expected to be given to families of moderate means purchasing modest homes, will he provide concrete examples of the type of family and home situation covered by this generalised reference to "families of moderate means purchasing modest homes"?

Mr LAURANCE replied:

So as to be fair to all home purchasers, and as indicated in the basic guidelines, it is not intended to be over restrictive in setting the eligibility for relief.

The committee has examined the aspect of setting a generalised criteria for granting relief, but resolved that each case experiencing genuine hardship in meeting mortgage repayments as a consequence of rising interest rates needs to be looked at individually.

HOUSING: RENTAL

Emergent

2008. Mr WILSON, to the Minister for Community Welfare:

(1) Has he received a submission regarding the housing needs of Mrs L. Hansen and her children presently at Emmaus Refuge and Mrs R. Hansen presently at a Katanning children's home?

(2) If "Yes", can he say when his department is likely to respond to this submission so that the problems associated with the proper housing of these families may be resolved?

Mr HASSELL replied:

(1) Yes.

(2) I have already replied—10 September 1981—and advised those concerned regarding the department's position in this matter.

HOUSING: RENTAL

Emergent

2009. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

(1) Has he received a submission regarding the housing needs of Mrs L. Hansen and her children presently at Emmaus Refuge and Mrs R. Hansen presently at a Katanning children's home?

(2) If "Yes", can he say when his department is likely to respond to this submission so that the problems associated with the proper housing of these families may be resolved?

Mr LAURANCE replied:

(1) and (2) As a result of representations I have received from the Minister for Health and various welfare workers, I requested both the Board of Commissioners of the State Housing Commission and the Aboriginal Housing Board to reconsider the decision to evict Mrs L. Hansen and Mrs R. Hansen due to rental arrears and unsatisfactory tenancy.

Both boards have now reported to me that following a re-examination of the Hansens' case, the strong recommendation is that the families should not be rehoused by the commission.

I have accepted this recommendation and requested the Chairmen of the State Housing Commission and the Aboriginal Housing Board to meet with concerned welfare workers to see if a solution to the Hansen families' accommodation problems can be found within the welfare field.

HOUSING: RENTAL

Emergent

2010. Mr WILSON, to the Minister for Health:

(1) Has he received a submission regarding the housing needs of Mrs L. Hansen and

her children presently at Emmaus Refuge and Mrs R. Hansen presently at a Katanning children's home?

(2) If "Yes", can he say when his department is likely to respond to this submission so that the problems associated with the proper housing of these families may be resolved?

Mr YOUNG replied:

(1) Yes.

(2) The Minister for Health referred the submission to the Minister for Housing.

EMPLOYMENT AND UNEMPLOYMENT

Community Youth Support Scheme: Victorian Proposal

2011. Mr WILSON, to the Minister for Labour and Industry:

With reference to his answer to question 1922 of 1981 relating to the Commonwealth Youth Support Scheme—

(1) When is he due to have further discussions with other State-Commonwealth Ministers following his consideration of the Victorian Labor Minister's proposal for a scheme to replace the Commonwealth youth support scheme?

(2) Is he concerned to expedite consideration of the proposal in view of the fact that the CYSS is to be wound up on 31 October?

(3) If "Yes", what degree of consultation does he intend to have with those involved in existing CYSS programmes?

Mr O'CONNOR replied:

(1) At the Labour Ministers' Conference in Darwin, discussion on this subject terminated on the understanding that the Federal Minister for Employment and Youth Affairs would convey the particular views of the States to the Federal Government for consideration. At the same time the State Ministers indicated that they were prepared to examine the Victorian proposal in more detail and submit comment to the Federal Minister.

(2) Yes. The Federal Minister has already indicated that he will convey the States' views to the Federal Government.

(3) I would remind the member that CYSS is a scheme which is funded and administered by the Federal Government and therefore it is not my intention to consult with those involved in CYSS programmes.

EDUCATION: SCHOOL SWIMMING PROGRAMME

Country Centres

2012. Mr EVANS, to the Minister for Education:

(1) (a) Will swimming classes be conducted at—

(i) Bridgetown;
(ii) Manjimup;
(iii) Pemberton;

in 1981;

(b) if so, for how many weeks; and

(c) will previous staffing levels at these centres be reduced; if so, to what extent?

(2) (a) Will vacation swimming classes be conducted at each of the same three centres in the 1982 summer vacation;

(b) if "Yes" to (a)—

(i) for how many weeks will lessons be conducted;

(ii) what fees will pupils be required to pay for such classes?

(3) (a) Will swimming classes be conducted at the Bridgetown, Manjimup, and Pemberton centres during term I, 1982;

(b) if "Yes" to (a), for how many weeks will lessons be conducted;

(c) will there be any restrictions or alteration in the 1981 formula for staffing at these centres, and if so, what differences will be made?

Mr GRAYDEN replied:

(1) and (3) Details will not be known until the Budget is announced. However, I hope to make a Press statement in the very near future which will assist in clarifying the matter.

(2) (a) Yes.

(b) (i) Two weeks—first series only.

(ii) $6 per student for the 10 lesson series.

DROWNINGS

Children

2013. Mr EVANS, to the Chief Secretary:

How many accidental deaths by drowning of children under the age of 14 years have occurred in Western Australia in each of the past five years?

Mr HASSELL replied:

Statistics supplied by the Bureau of Census and Statistics relate to children 14 years of age and under and are as follows—

1976	—	15
1977	—	19
1978	—	27
1979	—	16
1980	—	14

QUESTIONS WITHOUT NOTICE

STOCK: SHEEPSKINS

Treatment: Tests

534. Mr OLD (Minister for Agriculture):

Yesterday, in answer to a question asked by the member for Avon I indicated that I would table papers referring to the publicity which has been given to the matter of the application of Clout and I seek your permission to table those papers.

The papers were tabled (see paper No. 448).

FOREIGN INVESTMENTS: REAL ESTATE

Guidelines

535. Mr BRIAN BURKE, to the Premier:

(1) Has the Government produced any written guidelines setting out its policy in the matter of the sale to overseas investors of residential and commercial real estate?

(2) If the Government has not produced any written guidelines can the Premier advise those people who have been engaged in speculative selling the whereabouts of guidelines to govern their activities?

(3) If the Government has produced such guidelines would he be prepared to table them?

Sir CHARLES COURT replied:

(1) to (3) Personally I know of no actual release which has been promulgated as an official document and I know of no circumstances where any of my colleagues would have produced such a document. Both the Commonwealth Government and the State Government are moving to a situation where there will be a tighter surveillance of these transactions and if necessary we will obtain legislative support.

In the meantime I must say that we have had a fairly sensible response from those people who handle most of the overseas investments in land, whether urban or rural, and they seem to have the message that the Government is interested in the matter and intends to proceed further with it. Most of the people involved have no hesitation in contacting us if they want clarification of the Government policy.

SALES TAX

Federal Budget: Building Industry

536. Mr WILSON, to the Premier:

(1) Is the Premier aware of the concern expressed by the WA division of the Housing Industry Association regarding

the introduction of the 2.5 per cent sales tax on home building materials by the Federal Government which is likely to add at least $500 to the cost of a modest new home with a similar increase in the cost of furnishing that home?

(2) If "Yes", has he made his usual strong representations to the Prime Minister opposing the imposition of this sales tax in view of the threat it poses to the future prospects of the housing industry and prospective home buyers in WA?

(3) Has he had discussions with the WA members of the Federal Government regarding this threat to Western Australian industry and Western Australian home buyers?

(4) In view of similar past approaches to Western Australian Senators on other matters, is he prepared to ask that they join with the Opposition, the Australian Democrats, and an independent in the Senate to vote against the Federal Government's sales tax on home building materials?

(5) If not, why not?

Sir CHARLES COURT replied:

(1) to (5) The member for Dianella gave me no notice of this question. I think he will agree it is a very lengthy one. I have done my best to absorb most of the points of his question. However, if he wants a considered answer on a matter such as this, he should at least give some notice of it. If the member wants to put the question on the notice paper, I will expand on the answer which I will now give. I make it very clear that the Western Australian Government has not made specific representations to the Commonwealth Government regarding the Federal sales tax legislation. I made some very pungent criticism of the Federal Government and the way it was arrived at. However, in the final analysis, the decision is one for the Federal Government. I expressed my criticism of the way the Budget details were arrived at; there is nothing more I can do. I remind the member that the Federal counterpart of the party he belongs to—if I am correct about its commitment on this matter—is not of a mind to withhold Supply from the Federal Government. Indeed, it has been critical of others who have sought to do this in the past.

Mr Wilson: I have not referred to withholding Supply.

Sir CHARLES COURT: The fact is that when the Federal Government submits its Budget, it also submits Budget Bills. The defeat of any one of those Budget Bills would be the defeat of the Budget and the defeat of the Government. I just remind the member of my understanding of the Federal ALP policy, although I may be wrong.

Without covering the many points the member made, the short answer is that we have made no specific representations in regard to sales tax, beyond criticising the Federal Government's decision to move more into the indirect tax field without compensatory relief in the direct tax field.

WATER RESOURCES: MWB

Public Accounts Committee

537. Mr PARKER, to the Minister for Water Resources:

(1) Is he aware that the Public Accounts Committee will meet with Metropolitan Water Board officials on 8 October for talks that could lead to an investigation of the board's operations?

(2) Will he defer the water board Bill, the second reading of which was introduced

today, until the Public Accounts Committee has had an opportunity to investigate the board's operations?

Mr MENSAROS replied:

(1) Yes.

(2) No, and I would like to add that it is without precedent that the operations of the Public Accounts Committee are being used to flout something in the House.

Mr Parker: The majority of its members are Liberal.

STATE FINANCE

Semi-Government Borrowings

538. Mr BRIAN BURKE, to the Premier:

(1) Is the Premier aware that the interest rates offered by some Government authorities are substantially higher than those being offered by building societies in this State at the present time?

(2) Does he concede this is a major provocation to increase interest rates on home loans?

(3) Would he inform the House of the steps he intends to take in an effort to retain interest rates at as low a level as possible?

Sir CHARLES COURT replied:

(1) to (3) The Leader of the Opposition knows that the Government generally, and myself in particular are committed to a policy of lowering interest rates.

Mr Brian Burke: How?

Sir CHARLES COURT: The Government opposed the last increases with whatever force it had. The Commonwealth has, at the moment, thanks to the authority given to it by States other than Western Australia, power to fix the base figure for official money from which semi-Government borrowings flow. The member should know that I have objected to the Commonwealth retaining this power and I have sought to have a Loan Council meeting as soon as possible in an endeavour to have the power transferred back from the Commonwealth to the Loan Council for normal deliberations. The meeting has not been held yet. I requested that the meeting be held immediately, but the Federal Treasurer has indicated that he will hold the meeting but not immediately. The main item on the agenda for that meeting will be a review of the tap stock system and hopefully, as a result of that the firming of interest rates will revert to what it should have been.

That is the key as far as official money is concerned. The relativity between building society borrowing and semi-Government borrowings is a fact of life, and it is certainly not due to any action, or lack of action, on the part of the WA Government.

We are committed to reducing interest rates as soon as we can. The Commonwealth Government has accepted the market decision in this matter which we did not accept, and therefore, we could not do anything. Hopefully I will have the support of other States to get the power back to the Loan Council.

TRANSPORT: AIR

Perth Airport: Future Expansion

539. Mr DAVIES, to the Minister for Town Planning and Urban Development:

(1) What stand is the Government taking on the proposals by the Belmont City Council regarding the redevelopment of Perth Airport?

(2) If it is supporting the proposals what positive action has the Minister taken to refer them to the Federal authorities.

Mrs CRAIG replied:

(1) and (2) It is my understanding that the proposals for the extensions and alterations to the Guildford airport are matters very much in the hands of the

Commonwealth. The State has been involved in some discussions with representatives of the Metropolitan Region Planning Authority, the local governments concerned in the area, and with officers from the transport and other departments. It is my understanding those people have compiled a report but, as the member for Victoria Park would know, that submission will be only a part of what the Commonwealth Department of Works takes into consideration at the time it makes its final decision. I understand the Commonwealth Department of Works is having further consultation with the local authorities involved.

WATER RESOURCES: EFFLUENT

Point Peron: Environmental Review

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

(1) Has the Minister prereleased a document relating to the environmental review carried out by his department on the proposed Point Peron pipeline?

(2) Is it not normal and decent practice to provide a copy of this sort of material to the Opposition, and to the member concerned?

(3) If it is normal and decent practice to do that, why has it not been done?

Mr Hodge: Because he is not normal and decent.

Mr MENSAROS replied:

(1) to (3) It is typical of the member for Rockingham to ask a question in this way. I agree with him that it is normal and decent practice; in fact, every member has received a copy, or is in the course of receiving one.

Mr Barnett: No member has received a copy, and you know it.

HEALTH

Isolated Patients' Travel and Accommodation Assistance Scheme

541. Mr BRIDGE, to the Premier:

With reference to an article in the *Weekend News* dated 19 September 1981 which reported that the WA Government was seeking immediate approval from the Commonwealth for a new scheme to financially assist people travelling long distances to seek medical attention, and in which the Premier was quoted as having put forward a proposal by the State, would the Premier advise—

(a) what the new proposal is; and

(b) how will the new proposal alleviate problems faced by northern residents whose financial position makes it difficult for them to readily utilise benefits provided by the IPTAA Scheme?

Sir CHARLES COURT replied:

(a) and (b) The proposal put forward to the Commonwealth is that Western Australia would make available a fund for the purpose of assisting those people who qualify for the Commonwealth scheme which, in some respects, is more generous than the State scheme used to be, because it contains an allowance for accommodation. The funds would be available to meet the expenses of people whilst they waited for a period of what I understand could be up to five months for reimbursement of their expenses by the Commonwealth. I accept the fact many people experience difficulties in paying the amount necessary for their fares and accommodation and then waiting between three and five months while the Commonwealth administrative machinery gets into gear and provides reimbursement. The State scheme was quite different.

So, we put forward a proposition to the Prime Minister that we would be prepared to establish such a fund to assist people of that kind, without a lot of red tape, and we would then be assigned their entitlements, so that when the Commonwealth got around to paying their bills the money would come to the State instead of the people concerned. It is a means of overcoming the cash problems which may be experienced by people who are forced to wait between three and five months for reimbursement. That is the object of the scheme, and I have asked the Prime Minister to give it a high priority.

HOSPITAL: FREMANTLE

East Fremantle and Mosman Park Annexes

542. Mr HODGE, to the Honorary Acting Minister for Health:

Further to question 1925 of yesterday's date concerning the possible closure of the East Fremantle and Mosman Park annexes of the Fremantle Hospital, can the Minister inform me whether his Government is giving consideration to selling the land occupied by those hospitals, should they be closed?

Mr Laurance (for Mr YOUNG) replied:

No.

MINING: GOLD

Amalgamated Industries Ltd.

543. Mr J. F. TAYLOR, to the Minister for Mines:

I refer the Minister to his action in overturning in favour of the Bond Corporation's Amalgamated Industries Ltd. five Warden's Court decisions. In particular, I refer to the decision on the Golden Star lease in the north Coolgardie goldfield in which Mr Darrell Crouch, a genuine gold prospector, has recently had a Warden's Court decision overturned by the Minister.

My question is as follows—

(1) Is the Minister aware that Mr Crouch, on the advice of the Mines Department, commenced work on the lease within 14 days of the Warden's Court decision and has spent $108 000 in developing an open-cut goldmine and now, as a consequence of the Minister's decision, will find himself bankrupt?

(2) Is it correct that the Minister, due to many pressures including that of time, is failing to make himself aware of such consequences of his decisions, and is unaware that Amalgamated Industries Ltd. is pegging mineral claims with the sole and unlawful object of exploring for gold?

(3) Is the Minister able or willing to review some of his recent decisions, or at least agree to meet with Mr Crouch to discuss the situation?

Mr P. V. JONES replied:

(1) to (3) The member for Kalgoorlie gave me some notice of his question, and I have been able to review some of the factors presented to me at the time consideration was given to the matter. The facts are not quite as indicated in the question. As I understand it, and having received a recommendation from the Mines Department, I gave consideration to a further report and some more papers, and reconsidered the whole matter, including the Warden's findings, before reaching a decision. The simple facts are not quite as implied. I have already indicated some of the assertions in the member's question are

not correct. For example, in the copy of his question given to me, but not read out, he asked, "Is the Minister aware Mr Crouch was advised by the Mines Department to commence work on the goldmining lease?"

Mr I. F. Taylor: I did read that out.

Mr P. V. JONES: I am sorry; I did not realise that. I simply wanted to draw attention to the matter. As the member would be aware, under the provisions of the Mining Act 1904, a person applying for a gold mining lease in fact is required to commence work within 14 days.

However, he is not required to commence work of the magnitude undertaken by Mr Crouch, particularly as I have been able to establish that Mr Crouch was advised of the application and subsequent objection by Amalgamated Industries Ltd.—so much so, that Mr Crouch wrote to the Under Secretary for Mines on 2 June indicating that at the hearing on 1 April the Warden had recommended the tenements be awarded to Mr Crouch, subject to the final approval of the Minister.

Mr Crouch indicated to the Under Secretary for Mines that up to that time he had already spent $27 000 in order to establish his rights to the tenement at a time when he knew the tenements had not been granted to him but simply recommended.

The other point worthy of note is the fact that Amalgamated Industries were clearly first in time, a point which in my opinion the Warden's Court did not properly consider. It is one of the points I wanted to go back to and on which I sought further information, because it appeared to me the Warden did not fully take this fact into account. Amalgamated Industries pegged the area in question on 23 October 1980 and Mr Crouch pegged it on 17 February 1981.

Notwithstanding the facts, and because it is a matter of some sensitivity, Mr Crouch has been in touch with the Mines Department and, I understand within the least few weeks has been given a very lengthy hearing and discussion on the circumstances surrounding the whole situation. Indeed, some explanation was sought from him as to why he undertook such significant expenditure before he had been granted the tenement, particularly when he had heard that an objection was pending. Mr Crouch in fact acknowledged in writing that he was aware of the objections by AMIN.

Notwithstanding that, and because the member has raised it and it will undoubtedly receive some publicity, I have asked the Mines Department to search out all the relevant papers and, if necessary, to contact Mr Crouch and to pursue the question with him. If necessary, the department will identify to him the recourse he might have, should he wish to take the matter further.

HOUSING: PURCHASE

Assistance Scheme

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

(1) What is the current state of progress in the home purchase assistance plan for up to 1 500 Western Australians which he announced on 1 September?

(2) What publicity has there been to indicate to people wishing to take advantage of new home loan assistance schemes where they may make applications for such loans?

(3) What procedure should prospective applicants adopt?

Mr LAURANCE replied:

(1) to (3) The scheme announced some time ago to assist home purchasers in Western Australia, and particularly the people who have been affected by increasing interest rates, has been well publicised through the Press. In

addition, it has been publicised by a number of financial institutions, depending upon the sort of assistance they can provide. For instance, some $20 million is being made available at a subsidised interest rate by the permanent building societies; and most of those have indicated in advertisements that these funds are available. Another amount has been made available through the terminating building societies, again on a subsidised interest basis. The Federation of Terminating Building Societies has placed advertisements advising of that fact. Between the public statement I made and the follow-up advertisements by the lending institutions, the public of Western Australia would be aware of the sorts of subsidised finance available to eligible applicants.

INTEREST RATES

Money Lenders Act

545. Mr BERTRAM, to the Treasurer:

(1) Can he state the maximum rate of interest currently lawfully chargeable pursuant to the provisions of the Money Lenders Act?

(2) Is it the Government's intention, notwithstanding his earlier comments on interest, to increase the ceiling on that interest rate?

(3) If so, when, and to what rate?

Sir CHARLES COURT replied:

(1) to (3) I know that the rate was adjusted recently. Rather than trusting my memory, I would rather obtain the figure for the member from the appropriate *Government Gazette*.

So far as any future movement in the rate is concerned, the Government has no such intention at the moment. I remind the member that the Government has to respond to the official rates so far as some of these statutory provisions are concerned. All of the States have to do that. Some States have abandoned their interest ceiling for money lenders. Some have set a high rate, but one can hardly imagine that the rate would ever reach the limit they have set. We have sought to keep our rate at a reasonable level above the official rates, and thus keep some control over the rates.

We have considered whether the whole matter should not be abandoned because it is required no longer. It does not seem to be serving any particular purpose in our modern society, when credit is available so freely; but the Government has decided to retain the legislation and review the rate from time to time. There is no immediate intention to review it; but I could not give an undertaking that it will not move if the interest rates go against our wishes.

RESOURCE DEVELOPMENT

Contracts: Preference Scheme

546. Mr SODEMAN, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

(1) Has the Minister had an opportunity to read the report prepared by the Karratha delegation to the United Kingdom to study the effects of the North Sea oil and gas development which was presented to him at a meeting in Karratha attended by the Minister and myself last evening?

(2) Did he note the comments on page 22 of the report relating to the contract preference scheme operating in these special development areas adjacent to the North Sea?

(3) What did the report say with respect to the preference scheme?

(4) What is the position in Western Australia with respect to local preference for private industry in relation to resource development projects?

Mr MacKINNON replied:

(1) Whilst I have not read the document referred to in detail, I have perused the report and its recommendations briefly.

(2) Yes.

(3) The report states—

> A Contract Preference Scheme also operates in these Special Development Areas and is designed to ensure that the local firms are given every opportunity to tender for public sector contracts for the supply of goods. Where the price, quality, delivery and other considerations are equal, government purchasing departments nationalised industries and other public bodies will let contracts to firms in these areas rather than elsewhere.

(4) With respect to major resource projects, such as the North-West Shelf gas development project, a local preference clause is included in the agreement confirming the project.

(In the North West Gas Development (Woodside) Agreement Act this is section 12.)

With respect to Government business, a monetary price preference of up to 10 per cent depending on the local manufactured content may be afforded to locally produced goods competing against goods not manufactured in this State.

Decentralised manufacturing industry may qualify for a preference margin of up to 10 per cent on the local content value of goods and products required by State Government departments and instrumentalities within the boundaries of the decentralised area.

Country contractors tendering for Governmental works in a decentralised location, up to a maximum value of $50 000 within a 160 kilometre radius of the contractor's fixed establishment, may be afforded a 5 per cent preference allowance.

To date 57 per cent of the value of all contracts let by Woodside on the North West Shelf gas project have gone to Western Australia based companies.

MINING: GOLD

Amalgamated Industries Ltd.

547. Mr I. F. TAYLOR, to the Minister for Mines:

> This is supplementary to the question I asked earlier. In his reply, the Minister did not address himself to my statement that Amalgamated Industries Ltd is pegging mineral claims, with the sole and unlawful object of exploring for gold. In fact, that was the matter considered by the warden in awarding a claim to Mr Crouch. Would the Minister care to review his decision on this matter, taking into account that aspect rather than the fact, as he stated, that the Bond Corporation or Amalgamated Industries Ltd. pegged first claim in time?

Mr P. V. JONES replied:

> Further to my earlier answer, I am sorry I did not address myself to that question. That was not done intentionally. Certainly the warden considered that question; but other factors were involved. The member asked me to review my decision based on that part of the question, but the answer is "No.".