

# Legislative Assembly

Tuesday, 19 March 1985

**THE SPEAKER** (Mr Harman) took the Chair at 2.15 p.m., and read prayers.

## SPORT AND RECREATION: SWIMMING POOL

### *Shire of Wanneroo: Petition*

**MRS WATKINS** (Joondalup) [2.20 p.m.]: I have a petition to present which is couched in the following terms—

To The Honourable the Speaker and Members of The Legislative Assembly of the Parliament of Western Australia in Parliament Assembled. We, the undersigned request that should a decision be made to fund a swimming pool complex in the Shire of Wanneroo, earnest consideration be given to a site in the Joondalup Regional Centre rather than the proposed site in the Craigie Regional Open Space.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound will ever pray.

The petition bears 286 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The **SPEAKER**: I direct that the petition be brought to the Table of the House.

(See petition No. 85.)

## FORESTS: NELSON LOCATION 2882

### *Acquisition: Motion*

Debate resumed from 7 March.

**MR BLAIKIE** (Vasse) [2.21 p.m.]: The Opposition has considered the proposals submitted by the Minister in relation to the acquisition of Nelson location 2882 and raises no objection to it.

Question put and passed.

Resolution transmitted to the Council and its concurrence desired therein, on motion by Mr Davies (Minister for Forests).

## FORESTS

### *Revocation of Dedication: Motion*

Debate resumed from 7 March.

**MR BLAIKIE** (Vasse) [2.22 p.m.]: The items under consideration in paper No. 340 which was tabled on 27 November 1984 relate to the proposals for the revocation of State forest No. 66

and the partial revocation of State forests Nos. 14, 20, 30, 33, and 65. It is important that some comments are made in regard to this matter and also in regard to the acquisition of Nelson location 2882, an acquisition which has the Opposition's support.

Revocations or partial revocations are of concern to the people of Western Australia. It has been decided that approval for revocations must be given by Parliament. It is important for the Government to understand that these lands are held in trust on behalf of the people of Western Australia and any changes made must be as a result of a determination by Parliament. That is an important principle which has been in effect during the entire period of settlement of Western Australia.

The areas under consideration relate to a number of districts in the State. One proposal relates to an area of 3.469 hectares, 22 kilometres south-west of the Boddington town site. The Opposition has no objection to the request before Parliament in this instance.

A further area relates to four hectares adjacent to the south-west area of the Greenbushes town site. The Opposition has no objection in this instance. The reason for seeking the revocation is that some houses have been built on the State reserve and, therefore, it is important to rectify an anomaly created some years ago. This is an important request which should be agreed to. The follow-up research I have carried out indicates that there is no millable timber on the land involved and the State will not suffer any loss of resources.

A further area relates to 31.4 hectares adjacent to the Bridgetown town site and in this instance it is proposed to make an exchange of land. The timber on the current reserve has died back through disease; it is difficult to manage it properly; it is a difficult area with regard to fire protection; and, therefore, the Forests Department sees the advantage of excising the land. The land for which it will be exchanged will be far more manageable and it will improve the forest estate. The Opposition supports the proposal on area three.

Area four relates to 3.7 hectares located seven kilometres from the Nannup town site. It is proposed to exchange this land for Nelson locations 1201 and 1422 with a combined area of seven hectares. The State forest land of 3.7 hectares has little commercial value as far as timber is concerned and it will be used for agriculture, but the land for which it will be exchanged has far greater potential for timber production. That is an important point.

I wish to raise queries with the Minister with regard to area five which consists of 155 hectares north of the Wanneroo town site. It is proposed that this area, which is currently under the control of the Mines Department, should be controlled by the Forests Department. One of the reasons given for this proposal is that over the next 30 years an estimated 800 000 tonnes of road-making material will be sought from this area and the land in question will be made a quarry reserve vested in the Conservator of Forests. Although this land is virtually on the outskirts of the metropolitan area, it is a substantial area to establish as a limestone reserve. If it is intended to remove 800 000 tonnes from the reserve, a substantial hole will be left. We have no objection to the proposal, but ask the Minister to make a further explanation of the reason this area is required and to give details of the full extent of the reserves it seeks.

Area six relates to 1494.5 hectares situated 14 kilometres south of the Northcliffe town site. This represents an enclave to a planned extension to the South Coast National Park. Although the Opposition does not oppose the excision of that area from the State forest, it will raise a number of questions with the Government on this proposal and a series of others it has made since assuming office.

I now refer to State forest No. 66—1 400 hectares will be removed from the State forest and added to the national park area. Therefore, the size of the forest estate will be substantially reduced.

Although this was an area which was recommended for inclusion in the South Coast National Park during the service review, it gives the Opposition some concern about the ongoing policy of the Government and its performance in relation to the timber industry. Already the Government is intent on proclaiming, either this week or next, the conservation and land management legislation.

Tied in with that no doubt will be the final decision, and the Forests Department will no longer remain in existence because the conservation and land management body will take over. We have already seen what I regard as a debacle with the position of the Conservator of Forests being abolished. The Acting Conservator has been "acting" since this Government took office. The Forests Department has been without an appointed head, and the Government has proceeded on its way in a white-ant fashion, eating away the department. It has now succeeded in bringing about the demise of the department because it has changed the Act.

So much for the Forests Department and what has happened in the short two years since this Government came into office. Coupled with that, 3 000 or 4 000 acres of forest land has also been taken out of production. The area I refer to is the Shannon River Basin, where some 50 000 hectares have been taken out of production, because the Government has indicated that the Shannon River Basin shall be operated as though it were a national park.

The Shannon River Basin produces something 20 per cent of the State's total hardwood. It was a very important area to the State, very important to the economy of Western Australia, and to the economy of the Manjimup region in particular.

That hardwood timber has been denied to the State because the Government has pursued a policy of locking up these areas for no reason other than to satisfy the whims of radical, environmental lobbyists. It is certainly not to satisfy the demands of the professional people in this field, the professional foresters.

I cannot hear the Government or the Minister saying it was the professional foresters who supported taking the Shannon River Basin out of existence. It is a tragedy that the current Minister for Forests has, so to speak, been left holding the baby. It was the responsibility of the Premier, and the Premier has now sidestepped the problem and handed it to another Minister.

Turning to the northern jarrah areas, the Northern Jarrah Reserve has also been mooted by this Government. This reserve will amount to over 100 000 hectares. When one couples the two areas together—the Northern Jarrah Reserve and the Shannon River Basin—one is talking of 150 000 hectares or something approaching 400 000 acres. That is a very substantial area.

The Government's action in this regard has been totally irresponsible, in my view. It has denied that production to the State's timber industry, and the State will pay the penalty for the next three or four years because the timber will not be coming out of the remaining forest. What the Government is doing right now is ordering the timber industry to go back and start cutting into the reserves which were held as safety valves on behalf of the timber industry. If one went into the Manjimup area at this stage one would find reserves which were being held for posterity, as safety factors or for fire prevention, now being cut by the direction of this Government. Road reserves are being substantially cut into.

There is no complaint from the community. The reason is because people are a little frightened to

complain about this Government. Stream reserves are also being cut into, as are fire reserves.

The reason these reserves are being cut into is because the Government has taken some 400 000 acres of timber out of production, and in the measure currently before the Parliament the Government proposes to take yet another 300 000 acres out of production.

We do not disagree with the motion currently before the Chair, but we want to point out to the Government its errors concerning the timber industry and the general direction in which it has taken the industry. It will mean a dramatic loss of employment and job opportunities in the timber industry. We are not talking of the idle one or two people, we are talking about literally hundreds of people.

The greatest effect will be felt in the Manjimup region, because it is there that the Shannon River Basin, which contributed 20 per cent to the State's total timber intake, has now been denied to that timber industry.

This Government has a cross to bear on that, and it is a cross about which I believe the electorate will give a clear indication. The electorate believes that the Government has not performed; it has ignored the timber industry.

It is important that the Government is reminded from time to time of what it has done to the timber industry. It is only in the next week or so that the Royal assent will be given to the current legislation. When that is given, the Forests Department will no longer exist. It has operated under a State Statute for some 75 years.

Again in relation to the Forests Department, what we are talking about is the Forests Act. This is the last time that the Forests Act will come before this Parliament, because after that the conservation and land management legislation will take over. We are talking about the revocation or partial revocation of State forests. It is important to remind the Government of the error of its ways. It is important to realise that 400 000 acres of productive forests has been lost to the State. It is important to understand that we have this conservation and land management legislation coming forward.

The final point I want to make is this: If ever there was an occasion where the concept of "jobs for the boys" has applied, it was in relation to the conservation and land management legislation. All the chickens came home to roost when the Government appointed Dr Shea as head of the new body. Dr Shea now takes over total control of all forest operations. He rose from the ranks to become a political adviser to the Premier, and he

has now taken over the total operation of the State's forests, national parks, and wildlife reserves. I find that distasteful, and it is not in the best interests of proper forest management. Parliament has a responsibility to get away from the hurly-burly of day-to-day political haranguing and back to proper forest management.

The Opposition does not oppose the proposals currently before the House, but it reminds the Government of the errors of its ways in relation to its forest policies. The Opposition will certainly be relaying these proposals very strongly, and I hope very effectively, to the electorate, and we look forward to the next State election.

**MR DAVIES** (Victoria Park—Minister for Forests) [2.42 p.m.]: I thank the member for his support, albeit that 95 per cent of what he said was totally irrelevant to the motion under discussion. I noticed how temperate you were, Sir, in allowing the member to continue his remarks and how persistent he was in repeating what has been said in this House on a number of occasions. I am quite certain that nothing we say could ever alter his view. Indeed, while I am being harangued by the conservationists for selling out to the foresters, the member is haranguing me for selling out to the conservationists.

The consolidated departments will be of considerable benefit throughout the State. If goodwill, common sense, and give and take are exercised I am quite certain that, at the end of 12 months, the new Department of Conservation and Land Management will have done more than we expect it to do and will be doing all the things which the member fears it might not do.

However, I thank the member for his support for the motion and point out that proposed area No. 6, about which he spoke at some length, will be of considerable benefit as an addition to the South Coast National Park, and bordering as it does a major road, it will be a significant tourist attraction. I am certain that it is something for which we would earn the approbation of the Opposition.

Question put and passed.

Resolution transmitted to the Council and its concurrence desired therein, on motion by Mr Davies (Minister for Forests).

## **POSEIDON NICKEL AGREEMENT AMENDMENT BILL**

### *Second Reading*

Debate resumed from 21 February.

**MR PETER JONES** (Narrogin) [2.42 p.m.]: This Bill seeks to amend an agreement ratified by

this Parliament some time ago. That agreement relates to a project which has undergone some traumas. Probably the trauma which has been undergone by the project is exceeded only by the trauma the Minister has had to undergo in producing a second agreement to be passed by the Parliament. As I understand the comments the Minister made behind the Chair, the agreement which appears on the addendum paper is the one about which we are talking.

Mr Parker: That is right.

Mr PETER JONES: It is only there because of an oversight or an error which occurred in respect of the original agreement.

Mr Parker: That is right.

Mr PETER JONES: The very nature of these agreement Acts results in the necessity for the whole process to be gone through again. I can well understand that these things happen and I accept the fact that the Government has had to bring a new agreement before Parliament.

The amendments in themselves demonstrate the fact that these agreement Acts are very flexible, and are designed to meet the exigencies of time. They demonstrate also the fact that what we project will be the case in future years does not always come to pass. Commercial markets may change and, as a result, projects may be severely affected.

In this case, the proposed amendments, for the most part, reflect two aspects: Firstly, the physical aspects where an endeavour was made to adjust the position in respect of the water supply at Windarra which has not been found to be satisfactory; and, secondly, technical and administrative changes which reflect the requirements of the 1978 Mining Act.

I shall deal with the second situation first. The project encompasses several mineral leases and the 1978 Mining Act referred to leases which could cover all minerals. The changed position in respect of all minerals has resulted in the necessity to amend the mining agreement.

Another basic aspect of the 1978 Mining Act was that, whereas previously labour was the criterion for working on tenements, that criterion has been changed and it relates now to expenditure, although the commitment of physical labour can be measured in terms of money.

The provisions of the 1978 Mining Act in relation to expenditure are reasonable. They are designed to ensure that the ground is worked, and as long as the holder of a mining tenement expends a reasonable effort in respect of his tenement, that will be sufficient to satisfy the expenditure provision. I do not refer there only to the

cost of the tenement holder's labour, but also to equipment and the like which comes with it. Therefore, in this situation, that is allowed for.

The 1971 agreement Act probably suffered from the same problem the Minister experienced a short time ago in respect of drafting, because one section of the agreement was missed out altogether. Therefore, an amendment must be made in order that the omission of 1971 is ratified and the area of land left out is included within the agreement.

As far as the water supply at Windarra is concerned, the Minister's second reading speech provides adequate reasons for the changes to the agreement Act. The position has changed—indeed, it probably changed some years ago—in that no longer can Governments expect companies to provide all of the infrastructure of a project under terms and conditions established by the Government.

If members reflect on the position, they will realise that too frequently the Government says to a company, "You will provide an adequate water scheme for a particular project or town, or to service this resource project, but we will tell you how to do it and it will be done to the satisfaction of the Public Works Department." If it is done under terms and conditions established by the PWD, that, in turn, means it will be done at great cost.

To his credit, the Minister was able to establish a working party to reassess the way in which water is being provided to Kalgoorlie, the resource projects, the State Battery, and the companies which operate in its direct vicinity. That is being done over and above the requirements preordained by the PWD.

The Minister inherited this matter, but, through his department, he brought it to fruition. Originally I took the initiative to bring to the attention of the PWD the fact that the matter should be examined, and there was marked resistance to that approach.

I mention that simply because the matter has proceeded now and the Minister and his department were able to undertake a study which had very practical and adequate terms of reference. The reason I draw attention to it is this: Here we have a variation to an agreement Act which reminds us that, if Governments intend to ask companies to do certain things, it does not always mean that the Government should retain unto itself the right to tell a company not only how to do those things, but also to meet requirements which impose severe additional costs on the company concerned. Water is a case in point here, but there

are many other instances where, for some time, the situation has needed to be appraised more realistically, bearing in mind the prevailing position.

The water arrangements which are varied by this change to the agreement Act seem to be very satisfactory. I am advised they have the approval of the parties concerned and consequently reflect a situation which is now far more practical than that which was originally intended, and occurred, in 1976. The Opposition supports this variation to the agreement Act and the new agreement which the passing of this Bill will ratify.

The future of Windarra as a whole is undoubtedly related to the future of the nickel industry which is in turn related to the future of the international steel industry. We certainly want to see Windarra continue and indeed increase so that it might realise its full potential. The effect this would have on Laverton in particular and on the eastern goldfields in general is very important. The Opposition hopes the project at Windarra will develop without any undue delay. We support the Bill.

**MR PARKER** (Fremantle—Minister for Minerals and Energy) [2.51 p.m.]: I thank the Opposition for its support of the Bill and I will make one or two comments on points raised by the member for Narrogin.

Firstly I agree with him that the time has come when we must consider carefully the distribution of infrastructure costs between the Government and the private sector. When we consider the competition we are facing we realise this is very necessary. If nothing else has happened as a result of the problems which we faced in Australia over the past four or five years there has been a realisation of problems which were reflected throughout the world. All sections of the Australian community must realise just how much we are in competition with other countries, not just in the individual sales of particular commodities on a particular day but also in attracting industry to the State.

We have a number of resources but none of them is cheaply won; they must be identified and developed. We are looking at a very substantial area where we can do business and increase our activity. But we are competing with a whole range of countries, some of which appear to have unlimited sources of money, often not their own money, to throw away to attract enterprises to those areas. Even if we manage to attract different enterprises we must realise that they are competing with other people in other countries who have had those concessions made available to them.

There is no doubt that a serious issue which has to be addressed is the distribution of infrastructure costs in any new development between Governments, both State and Federal, and companies coming here to take our resources. That is a matter needing serious consideration. The AMEC conference held in New Zealand had this on its agenda, although unfortunately I was not able to be there. But the problem is recognised as serious.

It is understood that agreements made in the 1960s and the 1970s—and this is one of them—at the height of the nickel boom, which reflected the attitude that these things ought to be paid for entirely by the companies, might have reflected the economic realities of the time but they certainly do not reflect the economic realities of today.

Poseidon is a name which conjures up all sorts of images, but the original company has long left the scene. The project has faced a number of problems, not the least of which has been its ownership. One of the good things which has happened has been the complete takeover of the project by Western Mining Corporation Ltd., firstly in a joint venture with Shell and now by itself. Both at the corporate management level in regard to investment decisions and at the working staff level on the operations side of it, people are finding it much easier now to get things going. Western Mining has an attitude which is generally against joint ventures because it has had some bad experiences; it is much happier at all levels when operating on its own. The headquarters at Windarra gave the people a time-frame in which to make the project cash positive. I understand that it has been successful and that the company is behind the project.

With the combined effect of the increase in the US dollar, in the price of nickel, particularly of the upturn in the steel industry, and because the Kanak National Liberation Front has taken out the nickel mines in New Caledonia recently, prices have improved. We have seen a substantial price rise which is related to the fall in the value of the Australian dollar. Right now the project is witnessing some of its better days, because the economies the company effected earlier will stand it in good stead when there is more cream in the price of nickel.

The availability of water is important right throughout the eastern goldfields. The member was right in saying that I got under way an engineering study by BHP Engineering jointly with my own department and the Public Works Department to ascertain the potential water requirements in the goldfields. The problem we have is that the PWD had its headworks charges to cover and it

said to people, "This is what you need to pay", and people would reply, "We can't afford it". Then, when anyone asked the PWD about what was happening, its officers would say that there was no demand for water; no-one was asking them for it. It was a bit like the chicken and the egg story.

However, the extensive drilling and the discovery of other water sources had that drilling not been successful, and also the considerable work done which showed how saline water could be used for industrial purposes, which water had not previously been used, have had a beneficial impact on the water reserves in the eastern goldfields and indeed in the whole State. So, BHP Engineering's engineering study has been received and it is being evaluated by both my department and the PWD. I hope to be able to release it very soon for public comment, following which we will address the issues in both the report and the input, made by industry and the public generally.

The future of Windarra is something which I believe now to be very strong. Obviously the price of nickel goes up and down, and one can never tell from one month to the next precisely what that price will be. But the Western Mining Company—which is the most efficient nickel producer in the world—has a strong stake in this industry and this State, and the company is very viable. I hope these new arrangements will assist the company and give it more flexibility while at the same time releasing the State from obligations the State entered into when the original agreement was drawn up. This relates also to water because we will be giving the company more flexibility in allowing it to obtain its own water in a way that best suits it.

Laverton is an area where there is considerable mining activity. It has its phosphate potential, the SEC has taken over the power distribution activities in the town, and it is the centre of a lot of gold prospecting with potential for goldmining. The future of the region is very strong.

I hope this agreement goes some way towards assisting Western Mining in its task of running this operation, and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (Mr Barnett) in the Chair; Mr Parker (Minister for Minerals and Energy) in charge of the Bill.

**Clauses 1 to 5 put and passed.**

#### **Clause 6: Second Schedule added—**

**Mr PARKER:** I move an amendment—

Delete clause 6 and substitute the following—

" 6. The principal Act is amended by adding the following Schedule—

#### **SCHEDULE 2 "**

**THIS AGREEMENT** made the 8th day of March, 1985 **BETWEEN THE HONOURABLE BRIAN THOMAS BURKE, M.L.A.**, Premier of the State of Western Australia, acting for and on behalf of the said State and its instrumentalities from time to time (hereinafter called "State") of the one part and **WESTERN MINING CORPORATION LIMITED** a company incorporated in the State of Victoria and having its registered office in such State at 360 Collins Street, Melbourne (hereinafter with its successors permitted assigns and appointees called "the Company") of the other part.

#### **WHEREAS:**

- (a) Poseidon Limited a company incorporated under the Companies Act of the State of South Australia and registered in the State of Western Australia as a foreign company (hereinafter called "Poseidon") was a party to the Agreement defined in section 2 of the Poseidon Nickel Agreement Act 1971;
- (b) the said Agreement was varied by agreement dated the 9th day of April, 1973 (the said Agreement as varied being hereinafter referred to as "the principal Agreement");
- (c) Poseidon Limited by deed of assignment dated the 9th day of April, 1973 assigned a one half share of its right title interest claim and demand in the principal Agreement to the Company;
- (d) Poseidon Limited by deed of assignment dated the 4th day of February, 1974 assigned its remaining one half share of its right title interest claim and demand in the principal Agreement to Windarra Nickel Mines Pty. Ltd.;
- (e) Windarra Nickel Mines Pty. Ltd. by deed of assignment dated the 13th day of July, 1978 assigned all its right title interest claim and demand in the principal Agreement to the Shell Company of Australia Limited;
- (f) The Shell Company of Australia Limited by deed of assignment dated the 3rd day of April, 1984 assigned all its right

title interest claim and demand in the principal Agreement to the Company;

- (g) the Company and the State are now the parties to the principal Agreement; and
- (h) the parties desire to vary the provisions of the principal Agreement.

**NOW THIS AGREEMENT WITNESSETH:**

1. Subject to the context the words and expressions used in this Agreement have the same meanings respectively as they have in and for the purpose of the principal Agreement.

2. The provisions of this Agreement shall not come into operation until a Bill to approve and ratify this Agreement is passed by the Legislature of the said State and comes into operation as an Act.

3. The principal Agreement is hereby varied as follows—

(1) Clause 1—

- (a) by deleting the definition of “Mining Act” and inserting the following definitions—

“ “Mining Act 1904” means the Mining Act 1904 and the amendments thereto and the regulations made thereunder as in force on the 31st day of December, 1981;

“Mining Act 1978” means the Mining Act 1978; ”;

- (b) by inserting after the definition of “mining areas” the following definition—

“ “Mining Lease” means the mining lease referred to in subclause (1) of Clause 12A and includes any renewal thereof and according to the requirements of the context shall describe the land leased as well as the instrument by which it is leased; ”;

- (c) by deleting the definition of “Minister for Mines” and inserting the following definition—

“ “Minister for Minerals and Energy” means the Minister in the Government of the State for the time being responsible (under whatsoever title) for the administration of the Mining Act 1904 and the Mining Act 1978; ”;

- (d) by inserting, in the paragraph commencing “Reference in this Agreement to an Act” after “Act”, where it first occurs, the following—

“ other than the Mining Act 1904 ”.

(2) Clause 6—

- (a) by inserting after “the said proposals” the following—

“ or should the Company desire to mine minerals other than ore ”;

- (b) by deleting “*mutatis mutandis*.” and substituting the following—

“ *mutatis mutandis* PROVIDED that in the event of arbitration the award on arbitration shall be final and shall be accepted and given effect to by the parties and the provisions of Clause 5 dealing with cessation and determination of this Agreement shall not apply. The Company shall implement the decision of the Minister or an award on arbitration as the case may be in accordance with the terms thereof. ”.

(3) Clause 11—

- (a) in subclause (5)—by inserting after “subclause (4)” the following—

“ or subclause (7) ”;

- (b) in subclause (6)—by deleting “the licence” and substituting the following—

“ a licence ”;

- (c) in subclause (7)—

- (i) by deleting “the State”, where it last occurs in the first sentence, and substituting the following—

“ the parties hereto ”;

- (ii) by deleting the last sentence and substituting the following—

“ The State shall grant to the Company a licence to develop and draw from such sources sufficient water (subject to continued availability) to meet that portion of the Company’s daily water requirements not obtainable from sources devel-

oped pursuant to subclause (4) of this Clause on such terms and conditions as the Minister may approve. ”;

(d) by deleting subclause (8).

(4) By inserting after Clause 12 the following clause—

Mining  
Lease.

“ 12A. (1) The State shall upon the surrender by the Company of its right title and interest in mineral leases numbered 38/27 to 38/89 (both inclusive) granted pursuant to the provisions of Clause 12 (in this clause called “the surrendered mineral leases”) cause to be granted to the Company at rentals specified from time to time in the Mining Act 1978 a Mining Lease of the land comprised in the surrendered mineral leases (notwithstanding that the survey in respect thereof has not been completed but subject to such corrections to accord with the survey when completed) such Mining Lease to be granted under and, except otherwise provided in this Agreement, subject to the Mining Act 1978 but in the form of the Third Schedule hereto and in respect of all minerals and subject to such of the conditions of the surrendered mineral leases as the Minister for Minerals and Energy determines.

Term.

(2) Subject to the performance by the Company of its obligations under this Agreement and the Mining Act 1978 and notwithstanding any provisions of the Mining Act 1978 to the contrary, the term of the Mining Lease shall be for a period of 21 years commencing from the date of the grant thereof with the right during the currency of this Agreement to take successive renewals of

the said term each for a period of 21 years upon the same terms and conditions subject to the sooner determination of the said term upon the cessation or determination of this Agreement such right to be exercisable by the Company making written application for any such renewal not later than 1 month before the expiration of the current term of the Mining Lease.

Apportion-  
ment of  
rent.

(3) The Minister for Minerals and Energy shall make such apportionments of rents as may be necessary in respect of the surrendered mineral leases.

Expenditure.

(4) The State shall ensure that during the currency of this Agreement and subject to compliance with its obligations hereunder the Company shall not be required to comply with the expenditure conditions imposed by or under the Mining Act 1978 in regard to the Mining Lease. ”.

(5) Clause 16—

(a) subclause (1)—

(i) by inserting after “mineral leases” the following—

“ or the Mining Lease ”;

(ii) by deleting “Mining Act.” and substituting the following—

“ Mining Act 1904 or the Mining Act 1978 as the case may be. ”;

(b) subclause (2)—by deleting “Mining Act” and substituting the following—

“ Mining Act 1904 ”.

(6) Clause 18—by deleting paragraph (a) and the marginal note thereto.



- (7) Clause 20—by inserting after “mineral leases” the following—  
“ or the Mining Leases ”.
- (8) By deleting Clause 22 and the marginal note thereto.
- (9) Clause 32—by inserting after “mineral leases” the following—  
“ or the Mining Lease ”.
- (10) Clause 36 subclause (3)—
  - (a) by deleting “section 82 of the Mining Act 1904 and of regulations 192 and 193 made thereunder and of” and substituting the following—  
“ section 82 of the Mining Act and regulations 192 and 193 made thereunder, regulations 77 and 110 made under the Mining Act 1978 and ”;
  - (b) by deleting “the Mining Act.” and substituting the following—  
“ the Mining Act 1904 or the Mining Act 1978. ”.
- (11) By inserting after the Second Schedule the following Schedule—

“ THE THIRD SCHEDULE  
WESTERN AUSTRALIA  
MINING ACT 1978  
POSEIDON NICKEL  
AGREEMENT ACT 1971  
MINING LEASE

Mining Lease No.

The Minister for Minerals and Energy a corporation sole established by the Mining Act 1978 with power to grant leases of land for the purposes of mining in consideration of the rents hereinafter reserved and of the covenants on the part of the Lessee described in the First Schedule to this lease and of the conditions hereinafter contained and pursuant to the Mining Act 1978 (except as otherwise provided by the Agreement (hereinafter called “the Agreement”) described in the Second Schedule to this lease) hereby leases to the Lessee the land more particularly delineated and described in the Third Schedule to this lease for all minerals subject how-

ever to the exceptions and reservations set out in the Fourth Schedule to this lease and to any other exceptions and reservations which subject to the Agreement are by the Mining Act 1978 and by any Act for the time being in force deemed to be contained herein to hold to the Lessee this lease for a term of twenty-one years commencing on the date set out in the Fifth Schedule to this lease upon and subject to such of the provisions of the Mining Act 1978 except as otherwise provided by the Agreement as are applicable to mining leases granted thereunder and to the covenants and conditions herein contained or implied and any further conditions or stipulations set out in the Sixth Schedule to this lease the Lessee paying therefor the rents and royalties as provided in the Agreement with the right during the currency of the Agreement and in accordance with the provisions of the Agreement to take successive renewals of the term each for a further period of twenty-one years upon the same terms and conditions subject to the sooner determination of the said term upon cessation or determination of the Agreement PROVIDED ALWAYS that this lease and any renewal thereof shall not be determined or forfeited otherwise than in accordance with the Agreement.

In this lease—

- “Lessee” includes the successors and permitted assigns of the Lessee and if the Lessee be more than one the respective successors and permitted assigns of each Lessee.
- If the Lessee be more than one the liability of the Lessee hereunder shall be joint and several.
- Reference to an Act includes all amendments to that Act and to any Act passed in substitution therefor or in lieu thereof and to the regulations and by-laws for the

time being in force thereunder.

#### FIRST SCHEDULE

**WESTERN MINING CORPORATION LIMITED** a company incorporated in the State of Victoria and having its registered office in such State at 360 Collins Street, Melbourne.

#### SECOND SCHEDULE

The Agreement ratified by the Poseidon Nickel Agreement Act 1971 including any amendments to that Agreement.

#### THIRD SCHEDULE

(Description of land)

Section 1 :

Section 2 :

Locality :

Mineral Field:                      Area, etc.:

Being the land delineated on Original Plan No.                      and recorded in the Department of Mines, Perth.

#### FOURTH SCHEDULE

All petroleum as defined in the Petroleum Act 1967 on or below the surface of the land the subject of this lease is reserved to the Crown in right of the State of Western Australia with the right of the Crown in right of the State of Western Australia and any person lawfully claiming thereunder or otherwise authorised to do so to have access to the land the subject of this lease for the purpose of searching for and for the operations of obtaining petroleum (as so defined) in any part of the land.

#### FIFTH SCHEDULE

(Date of commencement of the lease)

#### SIXTH SCHEDULE

(Any further conditions or stipulations)

In witness whereof the Minister for Minerals and Energy has affixed his seal and set his hand hereto this day of 19                      .

5. Any reference in the principal Agreement (as amended by this Agreement) to the "Minister for Mines" shall be read and construed as a reference to the "Minister for Minerals and Energy".

IN WITNESS WHEREOF this Agreement has been executed by or on behalf of the parties hereto the day and year first hereinbefore written.

SIGNED BY THE HONOURABLE } BRIAN  
BRIAN THOMAS BURKE, M.L.A., } BURKE.  
in the presence of—

DAVID PARKER.

MINISTER FOR MINERALS AND  
ENERGY

THE COMMON SEAL of WESTERN }  
MINING CORPORATION LIMITED } [C.S.]  
was hereto affixed in the presence  
of—

DIRECTOR H. S. AMOS

J. W. WINTERBOTTOM,  
ASST. SECRETARY

Amendment put and passed.

Clause, as amended, put and passed.

Title put and passed.

Bill reported with an amendment.

#### ACTS AMENDMENT (LOTTERIES) BILL

##### *Second Reading*

Debate resumed from 7 March.

**MR BRADSHAW** (Murray-Wellington) [3.03 p.m.]: The Opposition supports this Bill in principle, although we do oppose the tax which the Bill seeks to impose on the sale of beer or bingo tickets on licensed premises.

The Bill was the result of the pre-election promise of the Labor Party to assist the liquor industry. This assistance has been provided and I certainly endorse the idea of having a moratorium on liquor licences. This is just another way of helping the liquor industry. We all know that the liquor industry is going through a hard time at present for various reasons, and I suppose the Government believes that the sale of beer or bingo tickets at hotels, taverns etc. will be of some benefit to the industry.

Also of great importance to the Government is the revenue which will be derived from the tax of five per cent which will be levied on the face value of beer and bingo tickets.

This Government is hungry for revenue, as has been illustrated since the Government came to office by its increasing by one per cent the return to the Government from the TAB, and its considerably increasing licence fees, by the revenue

4. Notwithstanding anything contained in the principal Agreement, Mineral Lease numbered 38/84 shall be deemed to have been at all material times held under and pursuant to the provisions of the principal Agreement.

which will be generated from the casino, and by various other steps the Government has taken to increase the taxes imposed on the people of Western Australia.

Basically, the Bill will allow religious, charitable or sporting bodies to sell beer or bingo tickets on licensed premises throughout Western Australia via a dispensing machine. In the past these tickets have been sold by licensed clubs such as bowling clubs and other clubs throughout the community on the proviso that no money is given for prizes; the prizes must be goods sold on the premises, such as packaged beer or services.

In general, it has been shown that packaged beer has been the most common prize.

To me, these beer or bingo ticket machines certainly smack of the one-armed bandits syndrome. A similar situation applies. One inserts 20c pieces into a slot, pulls a lever and receives a card. One either lifts the covers or the flaps on these tickets to reveal symbols or numbers, and if the right combination is revealed one wins a prize of some description.

I suppose the legalisation of this activity will make it available at more outlets throughout Western Australia. Certainly some people will not be able to control their urge to spend their money on this form of gambling. I have seen that situation arise in licensed clubs operating in my area, where people enter a club and feed many 20c pieces into the slot machine; they finish up with a large pile of used tickets under their seats or at the bar. However, I accept that we must legislate for the whole population rather than for the minority.

The Bill is discriminatory in that only licensed clubs can have these beer or bingo ticket machines. It is right that hotels or other licensed premises such as taverns, places with a limited hotel or canteen licence or wine houses, should also have the privilege of selling beer or bingo tickets on their premises.

I suppose the majority of publicans will look forward to selling these beer or bingo tickets on their premises. There should be a great increase in revenue to the publicans because the prizes to be won on the premises must be taken from stock or services from these premises. Publicans will be able to see some extra profit being generated.

On the other hand, of course, a publican could see the situation develop where a person enters the premises with a certain amount of money to spend and spends it on the beer or bingo ticket machine. Once that person uses up his money he no longer has any money with which to purchase beer or other drinks from the bar and he will perhaps leave the premises with a few tickets which are of

no value with the profit going to charitable or service clubs in the area rather than to the publican.

These beer or bingo ticket machines will not necessarily be a complete asset to the publican, but obviously the Western Australian Hotels Association Inc. feels that the proposition will be of overall benefit, because the association sent a letter to all members of Parliament urging them to support the Bill.

Ticket suppliers will be licensed and an unlimited number of people will sell them. It is interesting to see that the Bill provides that the licences are not transferable; it makes one wonder what would happen in a situation where a person has only to apply for a licence to sell or supply these tickets to various licensed hotels and clubs—whether they could just take over that person's business. It seems a little strange to me that these licences are not transferable. As long as a person wishes to take over a business and meets all the requirements set down by the regulations or by the Government, I cannot see why licences should not be transferable.

This Bill also allows publicans of licensed taverns, hotels, etc. to conduct raffles on licensed premises. I suppose this is to legalise the "chook raffles" that occur at various hotels and taverns in order to raise a few dollars for a local sporting club or charitable organisation.

I am not sure whether this will have the desired effect. I know that on the occasions that I have applied for permits for raffles from the Lotteries Commission I encountered a reasonable amount of red tape when perhaps only a few dollars was to be gained from running a chook raffle. I am not sure whether we will need to go through all the formalities to obtain a permit for these raffles.

Our party objects quite strongly to the five per cent tax which the Government wishes to impose on this type of fundraising. Charitable and sporting organisations in the community will benefit from the proceeds of the raffle, but will not be paying five per cent tax; they will be paying 10 to 15 per cent of their net profit. The five per cent tax applies to the face value of the ticket; that is, five per cent of the total value of what people pay for the tickets. Then the costs will be taken out of the proceeds and will probably be at least half of the return, if not more. Therefore, the tax will be at least 10 per cent, depending on the value of the prize.

With regard to the people indulging in this form of gambling, it will depend on the sort of tax imposed. Even though the tax is five per cent, it is more involved than that. I believe associations

such as Apex and Rotary do a great job in the community. They look after underprivileged children; they run camps for them and support sporting organisations as well. This type of gambling provides entertainment for various people in the community and these organisations provide health activities and guidance for youth.

I wonder why the Government is robbing these organisations of funds when it believes such sporting and charitable organisations are an asset to the community. In some cases the Government has cut grants to these organisations, and these organisations could benefit from the sale of bingo or beer tickets.

This clause is objectionable and is parasitic on the organisations which gain funds as a result of fundraising. If the Government continues with this tax on bingo tickets I would like to know who will police the sale of the tickets. I understand a considerable fine can be imposed if someone does not do the right thing and pay duty to the Commissioner of State Taxation.

Clubs and organisations could benefit as a result of buying their tickets from any unauthorised or unlicensed suppliers. I must admit that from my reading of the Bill I cannot ascertain how we will be able to police the supply of the tickets. Also, if the clubs are prepared to buy from unauthorised suppliers, the five per cent tax could be avoided. There is quite an incentive for organisations to add to their profits by not paying the tax.

We do support the Bill in principle, although we object to the insidious imposition on charitable and sporting organisations in the community.

**MR JAMIESON** (Welshpool) [3.15 p.m.]: I would like to defend the action of the Government in imposing a small tax with this Bill. Therefore, my comments will be at variance with those of the previous speakers. Whenever legislation for a new type of game is brought forward, we must make sure that the provisions of the Bill are policed.

If the member who just resumed his seat reads the Bill thoroughly, he will find that it contains a requirement, among other things, that the licensed operators sell tickets which have serial numbers printed on them. The sellers of the tickets have to be registered and the department will need to do a fair amount of checking from time to time to ensure that the provisions of the Bill are carried out. The department must make sure that people are not running games for themselves with a series of tickets which do not come within the prescribed ambit of the person who might be called the retailer, or the final seller of the tickets. All in all a considerable amount of paperwork will be involved.

I am not sure that the five per cent tax will be a burden on clubs and charitable organisations. Of course, this remains to be seen. If we work out the net profit on a game or lottery, we may find the percentage being paid for prizes is too high, therefore, some of the percentages allowed under the provisions of the Bill might not be in order. It is only after observation of the operation of the new legislation that the Government of the day will be able to assess how far it can go with these sorts of operations.

In South Australia the local hotels sell all sorts of open or scratch tickets, and I doubt whether there is a check on them in that State.

Many organisations in the community rely on voluntary collections for their funding, but they have found that some people have been impersonating their collectors. Therefore, the Government needs to police the collections of charitable organisations and sporting bodies to make sure everything is kept well above board.

The only other problem I see associated with this legislation is that it may cause various clubs to find themselves in a wrangle with the suppliers of liquor, because of the reduced price organisations receive from bottle shops. These people will not be able to sell tickets from their premises, therefore, it is quite possible it will give the tavern operator or hotelier an unfair advantage over the local sporting clubs which deal with them, if any of the clubs want a beer ticket machine installed in those licensed premises.

This could negate any profit they might make and may result in them purchasing liquor elsewhere. I am referring mainly to the permit clubs, not so much the licensed clubs, because as members would know the licensed clubs buy their liquor in bulk from the breweries at a concessional rate which is not available to permit clubs.

I suggest the legislation will need close observation to see how it runs, and I hope the Minister in charge of the Bill is not backward in coming forward with further legislation to deal with any problems which show themselves, maybe even in the first six or 12 months of operation of this proposed new type of lottery—something one has got used to calling a soft type of gaming.

My impression is it has been going on for a long time somewhat illegally. The Lotteries Commission has given clubs permission to operate continuous raffles for periods of three months. It is very doubtful whether it had the legislative authority to do that. This Bill tidies up that situation. There is undoubtedly a demand for this type of lottery in the community. The many clubs which have to raise finance for themselves find it hard to

get by on what they are allowed under the many restrictions placed on them by the law. To legalise beer ticket machines in such a way as to protect not only the people buying tickets, but also the clubs, is a justification in itself for bringing this legislation forward. I support the Bill.

**MR COWAN** (Merredin) [3.22 p.m.]: The National Party supports the Bill with the same exception mentioned by the member for Murray-Wellington. I am afraid I cannot agree with the member for Welshpool that we can justify the collection of this duty, because this matter must be well policed. In his second reading speech the Minister estimated the revenue to the Government in a full year from this duty would be in the vicinity of \$850 000 to \$1 million. I am quite certain that no matter how inefficient the Police Force might be, it would not be so inefficient that it could not police this matter for a sum much less than \$1 million a year.

In the area I represent the tendency has been for most of the licensed clubs to be the bodies taking advantage of these tickets or machines. They are the organisations whose income has been seriously eroded in the last five to 10 years. I would have thought the Government would pay far more attention to the needs of those bodies and somehow or other make the sale of tickets duty free to smaller clubs or taverns. It might have been an administrative impossibility because the duty will be paid by the supplier of the tickets rather than by individual hotels and clubs which sell them, but I think there could have been some way around it.

As those matters have not been addressed by the Government and no decision has been made to separate the larger hotels from smaller clubs or unlicensed bodies, the Government should really abolish the five per cent duty instead of imposing it on everybody and if it requires some funds to police this measure it could obtain them by increasing the licence fee to the particular suppliers by whatever figure is necessary. I certainly do not think anybody could justify the collection of \$1 million per annum on the basis that the measure we are introducing will cost that much to police. I do not think that argument stands up. For that reason the National Party will endeavour, during the Committee stage, to remove the clause which allows the Government to impose a duty on the suppliers of these tickets.

**MR PEARCE** (Armadale—Minister for Education) [3.25 p.m.]: I thank members for their general support of the Bill although I am a touch alarmed by the concluding remarks of the Leader of the National Party.

The move the Government is making has been sought for a long time in the community and would be supported by most people. I thank particularly the member for Welshpool for his supporting comments in that he referred specifically to the reason the Government intends to place a five per cent impost on the operation of beer ticket machines. Quite simply it is this: the member for Murray-Wellington looked at ways in which the duty might be evaded by people using double books and tricks of which I know nothing but about which he appears to be an expert. I draw his attention to other aspects of the matter. If there were no policing of the machines how would we know the funds were going to sporting associations or charities? People could be setting up machines and taking the turnover for themselves.

**Mr Stephens**: Won't they be supplied to licensed users and suppliers?

**Mr PEARCE**: Yes, but there needs to be a check. The point of making a law is that it needs to be policed. If it is not policed properly we will get the kind of shambles that has happened in other places where this move has been made without proper policing. Policing these machines will impose a cost which the Government needs to recoup from the beneficiaries—the sporting and charitable associations which will benefit from the installing of the machines in the first place. The impost is a perfectly reasonable and small one to ensure the system is policed properly and works properly. I am amazed members opposite, who often parade themselves as proponents of law and order, are suggesting we should not raise money to properly ensure that law and order prevail in this important area.

**Mr Cowan**: You do not need \$1 million to do that.

**Mr PEARCE**: It seems to me unreasonable for the Opposition to seek to have the benefit of these machines bestowed on the organisations and not ask them to meet the small cost of policing their operation. It is not as if a benefit is being taken away because under the law at present the charitable and sporting associations do not enjoy the benefit of this revenue. It will create an increased availability of funds for their purposes and the increased amount they get will be diminished by five per cent which will ensure the system operates properly and does not fall into odium or disuse and is finally scrapped because of misuse by people who are not licensed or who are channelling to themselves the funds which should go to licensed organisations. I thank members for their support and look forward to equivalent support in the Committee stage.

Question put and passed.

Bill read a second time.

*In Committee*

The Chairman of Committees (Mr Barnett) in the Chair; the Minister for Education (Mr Pearce) in charge of the Bill.

**Clauses 1 and 2 put and passed.**

**Clause 3: Section 126 amended—**

Mr PEARCE: I move an amendment—

Page 2, lines 15 to 22—To delete paragraph (b) and substitute the following paragraph—

“(b) by repealing subsection (2b) and substituting the following subsections—

“(2b) It is a defence to a complaint of an offence against subsection (1) (f) relating to betting with any person or suffering betting, gaming or the playing of unlawful games or the conduct of an unauthorized lottery on the licensed premises of a licensed casino to show that that betting, gaming, playing of unlawful games or conduct of an unauthorized lottery constituted or formed part of an authorized game within the meaning of the Casino Control Act 1984 played in accordance with rules approved under that Act.

(2c) For the purposes of subsection (1) (f), an unauthorized lottery is one that is conducted other than under and in accordance with a permit granted by the Lotteries Commission under the Lotteries (Control) Act 1954. ”.

The amendment is made necessary by the passage of the casino legislation last week. The amendment will make it a defence against a complaint of an offence under this legislation to be able to adduce the fact that the commission of the offence took place under the purview of the Casino Control Act.

Effectively, the amendment removes the casino from the operation of this Bill in relation to the games played in the casino. If we did not have the amendment, the State would find itself in a position where there would be conflict between this Bill and the casino legislation which was approved by the House recently.

**Amendment put and passed.**

**Clause, as amended, put and passed.**

**Clauses 4 to 16 put and passed.**

**Clause 17: Part IVAA inserted—**

Mr BRADSHAW: I object to the five per cent impost which the Bill intends to collect from charitable and sporting organisations. I reject the statements by the member for Welshpool and the Minister relating to the fact that the money needs to be raised for special policing of gambling. If a tax is not imposed, there will be no need for it to be policed.

At the moment, the local police enter clubs to ascertain what is going on in those clubs. If that activity is left in the hands of the police there will be no need for the Government to raise extra money for special policing. Police visit licensed premises on a regular basis.

It is also absurd to say that the Government is raising only five per cent from charitable and sporting organisations. The amount the Government will raise will be at least 10 per cent and the amount could be even higher depending on the goods the clubs give back as prizes.

Mr CRANE: This clause imposes a five per cent tax on the sale of beer tickets. I object to this clause most strongly on behalf of the licensed clubs and institutions within my electorate. They have approached me on several occasions. This is an unnecessary impost. The suggestion that the money needs to be raised for adequate policing has been covered already by the member for Murray-Wellington.

The police already keep licensed premises under surveillance and know what is going on. If there is no tax of five per cent there will not be any requirement for anybody to try to avoid that tax and there will be nothing to police. I believe this tax is not only counterproductive but also ridiculous, and is an indication of how governments want to control everything that affects the lives of the people. We will have to pay a licence fee shortly to breathe! This tax is a reflection of that attitude.

There is no reason at all for a tax to be imposed on the sale of beer tickets. Surely people should have the opportunity to help themselves without the impediment of governments making their lives so difficult.

Mr Jamieson: God helps those who help themselves.

Mr CRANE: And God help those found helping themselves. The Government has been helping itself to the public purse far too much. It should keep its sticky fingers out of the cookie jar. In saying that, I am not criticising just this Government, but all governments. Governments have made that mistake for many years.

If the Opposition lets this clause pass, it will be letting down both the rural and city communities of this State who rely so heavily on assistance for the facilities which these organisations provide for them.

The impost is immoral and I oppose this clause most strenuously.

Mr COWAN: This clause is 13 pages in length. I wish to speak to a part of the clause on page 10 and I also want to attempt to remove another part of the clause appearing on page 16. May I speak to page 10 and then deal with my amendment to the section of the clause appearing on page 16, Mr Chairman?

The CHAIRMAN: Yes.

Mr COWAN: There has been discussion that some costs would be associated with the policing of this matter inasmuch as it would be necessary for records to be kept to ensure that the beer tickets were being supplied by a licensed supplier. I do not argue with that. However, on page 10 of the Bill, the legislation refers to the amendment of the Stamp Act. The last part of new (2) states—

and shall be accompanied by a fee of the prescribed amount or, where no amount is prescribed, \$25.

In that provision, the Government has the power to increase to a necessary level the money that may be needed to carry out the policing or general recording and monitoring of what happens by way of a reasonable fee which must accompany any annual licence for which a supplier applies.

That provides ample funds to ensure that the provisions of this measure are observed. However, the real problem exists in new section 111B, in particular, new subsection (1) (b).

It will be through that provision that the Government will get its hands on the \$1 million which would be far better left with the clubs. The clubs which specialise in the sale of these tickets are normally bodies which do not have vast sums of money available to them and are generally scraping to find the next dollar. They require this money to upgrade and maintain their clubs and taverns to make them more hospitable for people to use.

It is my intention to ask that the Chamber be given the opportunity to vote against proposed section 111B(1)(b). I seek your guidance, Mr Chairman, on how this should be handled.

The CHAIRMAN: The member has three opportunities to debate this clause and I presume that he has not resumed his seat for the purpose of this exercise. He will be able to move an amendment on each of the three occasions to delete what

he seeks to delete. I cannot see why the member would not want to do that at this stage unless, of course, he has a specific reason.

Mr COWAN: Thank you, Mr Chairman, I will take your advice. However, the amendment will need to be in writing so I hope my colleague, the member for Stirling, or the member for Murray-Wellington, will have something further to say in order that I have the opportunity to write out my proposed amendment.

Mr SPRIGGS: I take this opportunity to express my support for the proposed amendment. Throughout this State clubs have done a tremendous job in providing a service to the community. I do not think there would be a suburb in the metropolitan area or a town in the country that is not supported by a club. Without clubs Governments would be up for a tremendous amount of money to provide facilities that are now provided by people who are prepared to undertake a great deal of voluntary work and who spend a hell of a lot of their leisure time in providing and financing facilities to enable other people to spend their leisure time more pleasurably.

With a reduction in the retirement age and shorter working hours, more and more people are becoming dependent on clubs. Leisure facilities have to be provided from one source or another and Governments could not supply the revenue that would be required for the facilities that are provided by clubs.

Over the years clubs have lost a lot of privileges which they previously had. At one time if a person belonged to a club he had the privilege of drinking at the club on Sundays, but that privilege was not afforded by other licensed premises. Today clubs have to be competitive with hotels and taverns and in that sense they find it more and more difficult to maintain the facilities their club members seek to enjoy.

In recent times, although it has not been legal, beer ticket sales have been tolerated in clubs. Suddenly we find the Government is big-hearted enough to legalise beer ticket sales in clubs, but in return it has asked the clubs to be collectors of revenue for it and has set a five per cent revenue charge. It is not a five per cent revenue charge on beer ticket sales because the beer tickets will present to the club, at a maximum, a 30 per cent profit and the Government will take five per cent. In fact, probably a hell of a lot of clubs are operating on a 20 per cent profit from beer ticket sales and the Government will take 25 to 30 per cent of that profit which will go into the Treasury's coffers.

Any club which operates beer ticket machines and which wants to make a profit out of that operation will well and truly police it. There is no need for any further policing of ticket sales because the clubs that do not police them will not make a profit. The only extra policing this proposal will require has been created by the imposition of a five per cent tax value on beer ticket sales. If we were to accept that the system will need extra policing, I am sure that it certainly would not warrant a \$1 million a year collection. I totally support the proposed amendment.

Mr PEARCE: The Government certainly does not support the proposed amendment and I have made its position clear.

Several members interjected.

Mr PEARCE: I am prepared to sit back and listen to what the member for Merredin has to say and if he can be more compelling in his argument than on the previous occasion, the Government will give consideration to his proposed amendment.

Mr COWAN: One can only produce a compelling argument if members on the other side of the Chamber who are listening to the argument are prepared to, in fact, listen. We should listen to the member for Darling Range who has had a long history of association with these clubs, the type of club we are seeking, by this amendment, to protect. The clubs need a ready avenue for resources and they do not need the Government to get its grubby hands on five per cent of it.

I move an amendment—

Page 16, lines 1 to 8—To delete paragraph (b).

Mr BRADSHAW: I support the amendment. As I said earlier I do not believe that it is necessary to have the proposed five per cent tax. I can understand that by having such a tax there will be extra costs involved in policing it.

The proposed tax will be an impost on charitable organisations and sporting clubs which provide a great deal of support for the community. Various clubs such as Apex and Rotary send underprivileged children to camps and sporting clubs and are always raising money to provide facilities for junior sports. The senior members of sporting clubs often provide entertainment on Saturday and Sunday afternoons or all day on Sunday.

The member for Darling Range referred to a 20 per cent or 30 per cent return from beer ticket sales, but I will go as far as saying that it will be 50 per cent and the Government will take five per cent off the total profit.

I oppose this clause and support the amendment.

Mr PEARCE: I listened with great care and attention to the comments of the member for Merredin and the member for Murray-Wellington, but I am not compelled by the argument that has been put forward. Rapid consultation with my colleagues indicates that not too many of them have been compelled by that argument either. The fact is that this measure assists clubs to raise money. I listened to the member for Darling Range and his outpourings with regard to the extent to which these clubs save the Government money. I understand his vested interest in the Pickering Brook Sports Club. However, this legislation will enable the clubs to raise money in a way which currently they cannot legally do. As the member for Murray-Wellington said they are presently operating somewhat illegally, but their actions are tolerated. It might even be said about the phrase "somewhat illegally" that there is more doubt than certainty with regard to the legality of what they are doing.

The Government is attempting to make certain that the raising of revenue by clubs in this manner is made legal, and that will be of great assistance to the clubs. However, it wishes to ensure that gambling, especially if it involves liquor, is properly policed. I cannot believe that the members making these comments are on the same side as those who recently spoke of how casinos and gambling bring corruption and need to be properly policed. We believe that gambling should be properly policed and that is why we are to have such strict security measures with regard to the casino. However, at a much lower level with regard to the premises that will be involved in beer ticket machines, these activities need to be organised properly and should not have any chaos or corruption building up around them. In order to fund the policing of this system we need to take five per cent of the face value of the tickets.

Mr Bradshaw: Fifty per cent of the profits!

Mr PEARCE: The member for Murray-Wellington must work in a different business world than I; even if a profit is made of 30 per cent of the total turnover, five per cent of 30 per cent is equal to one-sixth and it does not amount to 50 per cent or a half. The member is saying that the profit may be only 30 per cent and five per cent of that represents 50 per cent of the profit, but that is an absurd proposition. It represents one-sixth of the profit made, according to the figures produced by the member. I do not allege that the member's figures are inaccurate, but I do not know that they are accurate either.



The Government will incur costs in the operation of this legislation. The legislation assists clubs to raise money and the largest profit will be made by the clubs and not by the Government. The clubs are grateful for the ability to legally raise this level of funds and most of them are prepared to accept some slight impost. The alternative is to have the matter finalised the other way so that illegality is involved. The clubs would lose the revenue they are currently gaining in the words of the member for Murray-Wellington "in a somewhat illegal but tolerated way".

I make a further point to the Opposition; they are facing an election in a year's time in which the Opposition will seek to present itself as an alternative Government. The Opposition will be judged on the way it has been able to present itself to the people on occasions such as this. It is easy for members in Opposition to say that they want all the benefits but do not want to pay any costs. That is a cheap way of trying to gain popularity in the community; pour out the benefits but without any costs. The bottom line of that is to double the expenditure and halve the tax. However, these positions are not credible and if the Opposition seriously seeks to make itself into a truly viable alternative Government before next March, it behoves the members to take a responsible line on occasions such as this. It should not attempt to convince people that they can have benefits without paying costs. The people in this State are not as stupid as Opposition members appear to think they are.

The Opposition may feel it can tell licensed clubs that if it were in Government it would allow the machines to operate and not take a percentage of the profits. That is not a responsible position to adopt and although the clubs may thank the Opposition, in their hearts they know that the Opposition could not deliver.

If the members of the Opposition take their role as a potential alternative government seriously, when these tests arise in the Parliament they will adopt the responsible rather than what they think is the popular line.

Mr STEPHENS: The Minister for Education may have demonstrated his debating skill but I do not think he has been completely accurate.

The member for Merredin pointed out that if the Government needs to raise money to police this operation, provision is made on page 10 of the legislation to allow the Government to prescribe a fee to cover the costs. I refer to other legislation debated in this Chamber a few years ago when it was decided to license the operators of bookstands who wanted to sell pornographic literature. Pro-

vision was made for the licensees to pay a prescribed fee and no reference was made in the legislation to the Government's taking a percentage of the profits. I do not recall members of the Government, who were then in Opposition, arguing the case for a percentage of the profits to be paid to the Government. The Government of the day—and I was the Minister involved—decided that the funds would be raised by prescribed fee and that provision was included in the legislation.

On this occasion the Government wants to "double dip" and be paid twice. The Minister believes that the Opposition and the National Party are irresponsible for supporting what he thinks is an implausible argument. We are being perfectly responsible. We are saying that the Government can raise the money to cover administrative costs but that it should not get it at the expense of the religious and sporting groups which can use to advantage the small sums of money raised by this mechanism. I do not know why the Government should take five per cent of this small profit which will be used for the good of the community generally and those involved in particular.

If the Government intends to persist with its opposition to the amendment it should put forward reasonable and logical arguments. We will not have the wool pulled over our eyes by the fallacious argument that has been put forward by the Minister.

**Amendment put and a division taken with the following result—**

#### Ayes 19

Mr Blaikie	Mr Mensaros
Mr Bradshaw	Mr Old
Mr Cash	Mr Rushton
Mr Clarko	Mr Spriggs
Mr Cowan	Mr Stephens
Mr Crane	Mr Trethowan
Mr Grayden	Mr Tubby
Mr Hassell	Mr Watt
Mr Peter Jones	Mr Williams
Mr McNee	

(Teller)

#### Noes 25

Mr Bateman	Mr Tom Jones
Mrs Beggs	Mr McIver
Mr Bertram	Mr Parker
Mr Bridge	Mr Pearce
Mr Brian Burke	Mr Read
Mr Burkett	Mr D. L. Smith
Mr Carr	Mr Taylor
Mr Davies	Mr Tonkin
Mr Evans	Mr Troy
Mrs Henderson	Mrs Watkins
Mr Hodge	Mr Wilson
Mr Hughes	Mr Gordon Hill
Mr Jamieson	

(Teller)

Ayes	Pairs	Noes
Mr MacKinnon	Mr Bryce	
Mr Court	Mr Grill	
Mr Laurance	Mr P. J. Smith	
Mr Thompson	Mr Terry Burke	
Mr Coyne	Mrs Buchanan	

**Amendment thus negated.**

**Clause put and passed.**

**Clauses 18 to 23 put and passed.**

**Title put and passed.**

**Bill reported with an amendment.**

## SUPPLY BILL

### *Second Reading*

Debate resumed from 28 February.

**MR OLD** (Katanning-Roe) [4.04 p.m.]: I want to take this opportunity to raise a few points. If I get through some of them I might even talk for a few moments about rural hardship!

One of the most important things on our plate today is the situation relating to the meat industry in Western Australia. I know that the meat industry in Australia is going through some traumatic experiences at present, but it seems to me that in Western Australia we have a set of circumstances which have impacted upon a couple of the larger and more efficient abattoirs in this State to the extent that one of them has closed its doors permanently.

This is a very serious situation. I am sure that the members of the Government appreciate how serious it is when something like 175 people are thrown out of work overnight.

One of the most startling things about it is that the employees themselves are not blaming the meatworks. That is refreshing, because in the main the employees at the meatworks—or certainly a number of them—whenever trouble arises, immediately blame the management for their problems. But on this occasion it is quite a different situation.

**Mr Troy:** That is not the story going around.

**Mr OLD:** I will just quote from the *Northam Advertiser*. If the member for Mundaring wants to call the editor of that newspaper a liar he is at liberty to do so. This is from the front page of the *Northam Advertiser* of March 13. It is headed, "No animosity to company", and reads—

One of the most interesting aspects of the Linley Valley meats closure is that not one person spoken to by this writer has blamed the company for its decision.

The article goes on to say—

Even the company's employees who will be joining the dole queues in two days bear no animosity towards the Victorian-based firm.

Instead their bitterness and disappointment is directed at the State Government's decision to continue their support of the Robb Jetty abattoir complex.

That is very interesting, coming from employees who will be seriously and adversely affected by a set of circumstances which has brought the meatworks to its knees. It is all right the Premier making statements about the company doing well, and saying that it is closing up for reasons unknown to him, but he knows very well what the reasons are and why this meatworks is unable to continue. We will quietly go into that in a few moments.

Since this Government has been in power it has been very strong on appointing committees to look into things. I recall when I first came into the Parliament that the Hon. John Tonkin was known as the "mirror Premier" because he said about everything that was suggested, "We will look into it". It seems to me some of this attitude has stuck, because we have had inquiries into several facets of Government and of Government instrumentalities. Very rarely has any action come from those inquiries.

It is interesting that Mr Jamie Kronborg who was on the staff of the *Western Farmer* wrote on December 6 the following—

One inquiry leads to another . . . and another.

He goes on to talk about the potato inquiry, which was probably the lulu of them all, because we had not only an inquiry into the potato inquiry, but also an inquiry into the inquiry into the potato inquiry. Currently there is another inquiry looking at the recommendations or otherwise of the inquiry into the inquiry, and hopefully some day it will come forward with something of which the Government will take note, and perhaps the long-suffering public will become acquainted with the outcome of this series of inquiries.

At this stage no-one seems to know anything about the possible fate of the Potato Marketing Board, including the Government. I am hopeful that soon we will be acquainted with some of the findings, if there are any.

Then we had an inquiry into the Western Australian Meat Commission headed by Mr Treloar. This was a committee of people who were experts in the meat industry. That committee inquired into the industry for approximately 12 months, and eventually produced an interim report, and, on 29 November 1984, a final report.

On page one of that report, under the synopsis of conclusions and recommendations, it says—

The committee recommends that the Government close Robb Jetty Abattoir on 1 January 1989 or some appropriate earlier date.

The committee did not recommend that the Government think about closing the abattoir at some time; it recommended that it close it on a certain date, or earlier if possible. In other words, it gave the Government time to make arrangements with the staff and to carry out the closure in a decent way.

Not only did the Government ignore completely the findings and recommendations of that committee, but also, in its wisdom, it decided that it would spend more money on Robb Jetty. That is an indication of the sincerity of the Government in appointing these committees of inquiry.

One could be forgiven for thinking that this was nothing more than a delaying tactic on the part of the Government, and for thinking that perhaps the Government was giving itself time to work out what it could do and, in the meantime, putting the State to colossal expense by appointing these committees to produce worthless recommendations. When I say "worthless recommendations" I make it quite clear that that is no reflection on the recommendations of the committees. The recommendations of both the potato industry inquiry and the meat industry inquiry were well considered and they were arrived at in the light of reliable information given to them and good advice tendered. However, if no notice is taken of those recommendations, obviously they are worthless, because the only people who can take note of them and take action are the members of the Government of the day.

As a result of the inactivity and ineptitude of the Government, the management of Linley Valley meatworks decided to close its doors; but it did not make that decision before it had telephoned the Department of Premier and Cabinet.

The other day I asked the Premier some questions about this. Unfortunately things got a little heated at one stage and I did not have an opportunity to complete my questioning of him. However, one of the gentlemen appointed to the committee which inquired into the potato marketing industry was Mr Ian Johnston. He was the chairman of the committee and is the policy secretariat adviser in the Department of Premier and Cabinet.

The manager of Linley Valley meatworks, Mr Treloar, telephoned the Department of Premier and Cabinet and asked to speak to Mr Johnston.

My understanding is—and this has not been refuted by the Premier—that Mr Treloar spoke to Mr Johnston and told him that the situation at Linley Valley was serious, bearing in mind the rising costs, shortage of livestock, and the abrogation of an agreement with the Lamb Marketing Board due to the activity of the Government. Mr Treloar pointed out to Mr Johnston that the management of Linley Valley intended to issue retrenchment notices on Friday, unless it received an indication from the Government that the Government was prepared to assist it in some way by taking remedial action.

Mr Troy: That is blackmail.

Mr OLD: If a member happens to sit opposite, he might see it as a form of blackmail. In reply to that interjection, it would be interesting to hear the comments of the Government's friends, the meatworkers, who say that they do not blame the works. However, the member can go ahead, under parliamentary privilege, and denigrate these people. I ask the member whether he told the manager that he was blackmailing the Government. Of course he did not. He does not have the intestinal fortitude to do so.

Mr Thompson: The member for Mundaring is very sensitive on that issue.

Mr OLD: And so he should be, because the people of Wundowie do not like him very much.

After Mr Treloar telephoned the Department of Premier and Cabinet and spoke to Mr Johnston, he waited for a reply. That reply came in the form of a phone call from Mr Johnston to Mr Treloar in which Mr Johnston said that the Government was not prepared to do anything.

The Premier denies any knowledge of this matter, so it seems to me that Mr Johnston should be carpentered for making decisions which should rightly be made by the Government, if in fact that is the case—and I would be very surprised if it were.

The Premier was featured in an article in *The Countryman* of 6 December and was questioned as to who was running the agricultural industry in Western Australia. Alternatively, he was asked whether that industry was on automatic pilot. The article reads, in part, as follows—

Producers well may be entitled to ask just who is administering agriculture in this state: a set of inquiries of which little notice would seem to be taken, the Minister, the Premier, or a bunch of advisers?

That article was published some months prior to Mr Treloar telephoning Mr Johnston and asking him that pertinent question. It is rather prophetic

that Mr Kronborg should ask that question in December and have it answered very positively in March of this year.

On 17 March the Minister was quoted in the *Sunday Times* as saying that the Government was investigating the closure of the Linley Valley abattoir. That is great! It is what is known as closing the stable door after the horse has bolted. The article goes on—

... the Minister for Agriculture said he was not satisfied with the reasons given by the owners, Smorgons Consolidated Industries.

It went on to say—

Between June and February, the works had processed more than 200 000 lambs, compared with only 54 000 two years ago.

That is a statement which probably needs some investigation, because the manager of the Linley Valley meatworks advised me, although I knew the position when the negotiations were undertaken, that the Lamb Marketing Board asked the management of Linley Valley, which at that stage was the only approved EEC works, whether it could kill lambs for it and at what price it would do so. Naturally Mr Treloar replied that that would depend on how many lambs were put up by the Lamb Marketing Board. The board gave Mr Treloar a guarantee of 300 000 lambs. On the basis of that throughput, management was able to arrive at a price which was negotiated with the Lamb Marketing Board and found to be satisfactory.

So the season started with Linley Valley having a guaranteed kill of 300 000 lambs or more. In the event, the management at Robb Jetty found that its killing was being severely depleted and that it was counting very much on the lamb season to get it out of the awful trouble it was in—and still is in, because it has very few, if any, operators working there now. There is a shortage of cattle, and sheep are hard to come by, so Robb Jetty is working at a very slow pace.

The management at Robb Jetty complained to the Minister, and the Minister in his wisdom persuaded Cabinet to direct half the lamb kill from Linley Valley to Robb Jetty. Mr Treloar tells me that Linley Valley killed 152 000 lambs for the WA Lamb Marketing Board, and that figure has to be compared with the Minister's figure of 200 000.

Mr Evans: No, 203 000.

Mr OLD: Somewhere, some of those lambs went adrift, because they never got to Linley Valley.

Mr Evans: That is the official count from the Lamb Marketing Board.

Mr OLD: Were the killing fees on that number of lambs over that period paid for by the board? If so, I will ask the Minister to table the evidence to show that Smorgans at Linley Valley were paid for the slaughter of 203 000 lambs.

Mr Evans: I will quote the reply by the Lamb Marketing Board which indicated that 203 000 lambs were killed at Linley Valley.

Mr OLD: I will ask the Minister to table those papers at the earliest convenience. I am sure he would be prepared to do so.

Mr Evans: That information was given to me by the Lamb Marketing Board. If you would like to ask a question, please do.

Mr OLD: I have asked the Minister to table the papers. I am sure he does not need any further urging. If he does not table them, and if he cannot show this House that his figures are correct, some doubt would have to be thrown on the veracity of his statement. I have no doubt that his statement was made on advice given to him. I am not accusing him of giving false information, but this is something that needs to be cleaned up because we have problems right through our meat industry at present.

The Katanning meatworks coincidentally made an announcement the following day that it was closing its doors. This is a slightly different situation, because although it has been struggling to get enough livestock to keep the works going, it has been able to do so. But it has an industrial problem, one which has been recurring over the past year or two. It is something of the same type of problem that Robb Jetty has been having on the industrial side, but on a much larger scale. I do not intend to go into that at present because I understand that negotiations are in train in an endeavour to solve the problem and I am very hopeful that the union and the management of Metropolitan Meat Katanning Ltd. will find a solution. Metro's will be very happy to reopen the doors once this situation is resolved, but it is not going to reopen the doors on the same basis as it has in the past, when an undertaking was given and then broken. It wants something fairly firm this time and I do not believe that anyone in the House could criticise it for that.

The following is from the 8 March edition of *The West Australian*, and it is referring to the closure of Linley Valley. One assumes Mr Payne is the union secretary. I quote as follows—

Meat Industry Employees' Union, Mr Alex Payne, said that the closure was shattering

and bitterly disappointing to the people involved.

The decision reflected the difficult state of the processing industry with the good season resulting in high sheep prices—and the live-sheep trade.

I share Mr Payne's concern, because it is a sad day when we see industries having to close their doors. But he has not quite understood the cause of the closure. The live sheep industry is one which has also been quietly going downhill.

I recently asked questions of the Minister on this matter and he furnished me with figures of the number of live sheep exported from this State over the past three or four years *vis-a-vis* the export of live sheep from the Eastern States. It seems we have gone from a position of supremacy to that of an also-ran. Whereas once upon a time the main source of supplies of live sheep was WA, with a top-up operation from the Eastern States, today almost the reverse applies.

One wonders why. One hears several stories. One is that the WA industry has become too used to premium prices and that buyers can obtain live sheep at \$5 a head cheaper in the Eastern States. That has always been the case, but the fact that the steaming time from Fremantle to the Middle East is so much less than the steaming time from Portland gives WA an advantage. I am told now that because of the surplus of shipping available for shippers, they are now prepared to cut the freight from Portland and thereby take advantage of a cheaper line of sheep from the east. I do not believe this situation will continue; the shippers will be back eventually to buy our sheep. But our sheep are not easy to buy at present because the graziers' market is buoyant. So, all in all, with competition between graziers, exporters and abattoirs, it is difficult to keep livestock moving into the meatworks.

In the 8 March edition of *The West Australian* the Premier is reported to have claimed that the Government was in no way responsible for the loss of jobs at Wooroloo and that any accusation otherwise could not be substantiated. I contend that the Government is directly responsible for the closure of the Wooroloo abattoir. The reason is that not only did the Government reject the recommendation of the Treloar report that Robb Jetty be closed and that an announcement of this be made no later than 1 January 1986, but also quite contrary to that recommendation the Government in its wisdom decided to allocate \$350 000 to Robb Jetty to allow it to upgrade to EEC standards.

That is not only disastrous but also in some way cynically humorous, because \$350 000 to bring Robb Jetty to EEC standards would represent just the tip of the cost iceberg. In August I will be interested to see, when Robb Jetty is supposed to be up to EEC standards, whether the Minister can tell us, firstly, that it has received EEC approval, and, secondly, what the cost of renovations were. Not only is there a need for a reasonable amount of work on the interior of the abattoir, but also on the advice of Mr Treloar a tremendous amount of work needs to be done on the effluent disposal system.

Mr Treloar states in 4.4.14 of this report on page 209 as follows—

Current environmental problems associated with effluent can be solved at a cost but in the long run, the real environmental issue is that there has been a change in the community's assessment of the appropriate land use for the area.

That cost is variously estimated by experts within the industry as being anywhere from \$1 million upwards. Losses have been incurred at Robb Jetty—I recall that it was \$3.171 million last year—and if we tack onto that a conservative million dollars and another half-a-million dollars for upgrading, we would have gone a long way towards redundancy payments for people who become surplus to the industry. I do not wish to see people out of work; however, the Linley Valley workers are out of work on a ricochet bullet from Robb Jetty. In other words, the Linley Valley works have been closed, due to Government decisions—despite what the Premier says—to prop up the meatworks at Robb Jetty.

When we were the Government we gave an undertaking that we would continue to support a Government works. I do not deny that; it was a commitment that we honoured. But there comes a time when any commitment must be reviewed. If we look at the situation in Western Australia today, the necessity for Robb Jetty would be very difficult to justify.

I would close it if I had the opportunity. I will tell the Minister for Agriculture my reasons. We have Linley Valley redundant, with closed doors, and going into mothballs, but on the other hand we have an abattoir at North Dandalup which has never been opened. We have also surplus capacity at Katanning, Albany, and Geraldton.

The reason the commitment was given that a Government works would be fostered was the situation in 1973-74 when drought throughout the State necessitated an immediate slaughter of the surplus of drought-affected sheep. Although most

of those sheep at the time were sent down the chute, they were slaughtered in an humane manner. That was reason for a Government involvement. However, in the meantime during the later years, there has been a breakthrough in the meat industry by the management at Robb Jetty inasmuch as they were able to negotiate with the unions an agreement that they could work two shifts. So, on top of the surplus capacity in abattoirs, and the redundant abattoirs, we have the ability to double the capacity overnight by putting on more staff.

I do not want to see people out of work, but I believe the Government has a responsibility to ensure that private enterprise is able to continue its work and is able to compete, rather than be closed down.

It concerns me that the Government interferes and has so many fingers in the meatworks situation. We have now reached the stage where the industry in Western Australia is becoming concerned about its future. We have the charade of the union saying it wanted the Government to finance it into running Linley Valley. Mr Payne said, "We will show private enterprise how to run a meatworks". That would be very interesting. It would also be a wholesale waste of taxpayers' money. Fortunately the Minister said that there would be immense difficulties with the union's subsidy proposals, because the industry was presently suffering from too much abattoir space and from the continuing decline in the stock numbers for slaughter.

So, we will assume that that is the end of union involvement in Linley Valley and we will watch it with great interest to make sure that it is. When the Minister was justifying an allocation of money to Robb Jetty, he said that the Government was committed to retaining the abattoir because of the employment opportunities it provided for its full-time staff of 350.

The Shire of Cockburn has been agitating for some years to get that area cleaned up and to have the meatworks out of the road. It will not be long before the shire starts to agitate again especially with the America's Cup in the offing. The Government would be well-advised to take another look at its commitment to Robb Jetty.

Referring to the statement by Mr Horgan, the chief of Exim, the mighty commercial venture—which the Government has rushed headlong into and which it will live to regret—apart from endeavouring to take over the floricultural industry in Western Australia, which we will talk about at some other time, Mr Horgan stated—and I would like members to take note of what he says

about production—"Exim is looking at establishing another business such as chilled pork and fish". I say to members: Listen to this! "We cannot rely on farmers and miners doing all the producing". Exim is not only going into marketing, but will also produce.

I remind the Minister that we have just gone through a time of a serious glut of pork in Australia and it is only through the efforts of an efficient industry that members of the industry have got themselves on the way out of their problem. I say "themselves" because it was as a result of the very positive attitude the pork industry took to its problems, the remedial action it instituted and an intensive advertising campaign, that they returned to a viable position. However, we have Mr Horgan, that great agriculturist, now going into the pork market. I think he had better get his flowers fixed up first before he talks about pork!

It is amazing to consider the number of people who go to South-East Asia and come back laden with orders for pork. It is the same case for cut flowers. When I was in South-East Asia a couple of years ago I had the opportunity to speak to the Director of Agriculture, Dr Sew, and he told me that Singapore would be looking for pork because the pork industry was being cut back there. It was causing the pollution of the water supply.

That was no magical thing: it was not about to happen tomorrow. It will happen and there are plenty of suppliers of pork. We have Malaysia next door and Thailand across the road. I understand Thailand will be self-sufficient in the not-too-distant future, because of its population increase.

People return from South-East Asia and say, "What is wrong? You can sell pork in South-East Asia." The pork producers funded a delegation to South-East Asia some six months ago and they spent two weeks investigating the pork market there.

These people know there is potential. They know they will get pigs in there eventually; but they also know there is a price to pay. It is a matter of economics whether the price of production allows the luxury of exporting. It is too easy when somebody comes along and says that he knows they want pigs in South-East Asia and that we should be in the export market, especially when Government money is involved.

I was told by the delegation that Singapore will need approximately 20 000 pigs per week. Out of that I understand that something like 5 000 to 8 000 will be chilled and the balance will be frozen. We will get a percentage of the market.

Singaporeans are not noted for putting all their eggs in one basket.

To give some indication of what the industry thinks of the pig market, Mr Ian Barker, the manager of Baconsfield, said—

Stiff opposition, particularly from the EEC and China, would make it extremely difficult for WA to supply pigs or pigmeats to the Singapore market, according to Mr I. Barker, the former chairman of the WA and national producer bodies.

He is one of those people who know what they are talking about. They know the industry from birth to consumption. He is not one of those who races to Singapore, has a look around, speaks to some restaurateur who says he would like to buy a body of pork each week, and comes back full of great ideas. He is one of those people who knows where to go and what to talk about.

In referring to beef, Mr Tom Cyster, president of the Primary Industry Association Meat Section, said—

... one of the industry's major problems was over-capacity.

"What it boils down to is too many abattoirs and not enough cattle".

All these factors impact on whether abattoirs can keep their doors open. The PIA is not noted for its desire to see Robb Jetty closed because it has kept pressure on successive Governments to give a guarantee that they will promote a service works. However, Mr Cyster, the newly-appointed president of the meat section, has given a contrary view. It is very refreshing to see that view has been expressed.

The Western Australian Lamb Marketing Board is in a state of utter confusion. It does not know whether it can negotiate for the kill next year. It does not know whether the Government will direct it where to have the lambs killed. I do not think it even knows whether it will operate as the Western Australian Lamb Marketing Board or as part of the marketing division of Robb Jetty. Surely to goodness, it is time the Minister made some announcement. It is now March. Some lambs are now cavorting in paddocks waiting to be slaughtered. However, it is not even known to which works they will be taken. It is time the industry was given some stability by letting it know what the capacity of the Lamb Marketing Board will be this year, whether it will be the responsible body, and whether the lambs will be killed at country works.

Every lamb that is killed in Robb Jetty costs the producer more money. The lambs have to get the

extra distance from Linley Valley to Robb Jetty or from Katanning to Robb Jetty. The differential between live lambs and carcasses is quite substantial. It is in the interest of and benefit to the producers to have their lambs killed at decentralised abattoirs. Every farmer needs to be given inducements and benefits and they need to be given those benefits right now.

Mr Des Griffiths referred to the closure of the Katanning abattoir. The article reporting his statement said—

... until the industrial problem involving a pay demand by about 30 boners and slicers was sorted out—

The closure will go ahead. The article continues—

But the rescue proposal for Linley Valley has cast doubt on the future not only of Katanning but of other operations as well.

The union was, at that time, talking about running the works and it has not given up its desire to do so. Mr Griffiths said—

"It was a wild card I never expected in a month of Sundays."

"When you are talking about subsidies you are talking of permanent closures. I don't mind competitors as long as they are not subsidised."

That is the very heart of private enterprise. I think it is time this Government realised that it has to keep its sticky fingers out of private enterprise. Everything it touches turns to mud. It does not have the Midas touch. Hopefully, the Exim Corporation will be a short-lived operation. I assure the Government that if it pokes its nose into a meat industry which experts are failing to keep successful, a lot of public money will go down the drain. Flushed with the success of its recent doubtful operations in the diamond industry, the Government obviously feels it can take over the entrepreneurial role which rightly belongs to the private sector.

The Government stands condemned for its attitude to the meat industry. It stands condemned for not answering the inquiry from Linley Valley and it stands condemned for allowing its subsidy, Exim, to make wild and rash statements about moving into the meat and fish industry. God help our fishing and agricultural industries if the Government gets its fingers into them.

**MR LAURANCE** (Gascoyne) [4.48 p.m.]: I wish to concentrate on the activities of the recently revamped Western Australian Tourism Commission. What we have seen in the last two years in relation to the demise of the Department of Tourism and the establishment of the existing

Tourism Commission and the activities surrounding various appointments is a scandal of major proportions. A web of improper conduct surrounds the tourism adviser who is now a senior consultant with the Tourism Commission. I further claim that Mr Brett Goodridge and others have improperly used funds made available to that commission.

I take the time available to me to outline how the Government allowed this person into the position he is now in. He is a servant of the Burke Government because prior to the Burke Government coming to office, his experience in the tourism industry was minimal.

Since then we have seen him move through to the highest circles in the Tourism Commission and to the highest salary levels. If we consider that on the one hand and, on the other, consider what has happened to some of the wonderful officers in the former Department of Tourism where the long-standing Public Service careers of senior officers have been absolutely and totally wrecked, it can be seen what a scandal that is. Senior officers have been shifted, sacked, demoted, transferred, and paid off. They are people who had given more than 150 years of dedicated service between them to this State. Today those men are shattered and broken; their careers are in tatters.

It goes back to the statement made not long after the Government came into office that the Director of the Department of Tourism would be sacked. That was done in order to weave a web around a few chosen people. On 1 August *The West Australian* carried a headline "Doubt over top job in tourism". It was followed shortly afterwards by an announcement in December that Noel Semmens would be made a director of the activities involved with the America's Cup. On 11 December 1983 the *Sunday Times* had the headline "State tourism chief bows out". He was the first to be pushed aside by this Government in order that it could bring in its friends to do what I can only describe as its "dirty work". Noel Semmens was the longest serving director of tourism in Australia; he was held in high regard by his ministerial and other colleagues throughout Australia. His appointment was recommended by the Tonkin Labor Government and I understand the appointment took effect during the first days of the Brand Government. He served as a director of tourism for 12 years. He came from a senior marketing position in a major private company in another State and he gave tremendous service to the tourist industry in Western Australia. But the Government decided he had to go.

If one looks at the total position, one sees that not one single senior officer is left in the tourism

organisation. That has happened so that those who have gone do not know what is now going on around the place and, therefore, they cannot tell about the misappropriation of funds. They are not now in a position to observe what is happening. One can put only that construction on the Government's actions.

I refer again to Noel Semmens and his treatment by the Government. In order to leave the man with some prestige after his sacking, the Government decided he would be shifted to head the America's Cup defence unit. As Director of Tourism he did a magnificent job in that area and made the best possible use of Australia's winning the cup. Through his efforts he made sure that the Tourism Commission was in line with the development and could take the maximum advantage from it. He did this to his own detriment because many people said at the time that he was pursuing this matter for his own private purposes. Many critics said he was wasting time by concentrating so much effort on the cup. Of course, those people now have to eat their words because Australia won the cup. Mr Semmens was better placed than was any other person in Western Australia to deal with this event.

Mr Brian Burke: Who said we were wasting our time?

Mr LAURANCE: If the Premier had listened, he would know that I did not say that he had said it.

Mr Brian Burke: Who said it?

Mr LAURANCE: He was criticised by many people around the State.

Mr Brian Burke: It would be interesting to find out whom you are talking about and who said it.

Mr LAURANCE: Mr Semmens was shipped out from the Tourism Commission and shifted to the America's Cup defence unit. However, within a very short time he was replaced in that position by a close crony of the new Minister for Tourism, Mr Dans. The person who replaced him was Mr Noble and Mr Semmens was made second in charge.

In a very short time, Mr Semmens was replaced by a lackey of the Fremantle City Council, Mr David Berry, who was on secondment, and Mr Semmens was once again demoted. It was bad enough taking him from the Tourism Commission and putting him in the America's Cup defence unit, but the Government has now further humiliated him. The Government's treatment of Mr Semmens has been despicable. Next to Alan Bond he has done more than any other man in this State in respect of the America's Cup, and he should have been allowed to retain his previous



position. His record is tremendous and the Government's actions in this connection are despicable. That story should be told and I hope that one day it will be.

That was only the start of a series of actions. The minute Mr Semmens left, the Tourism Commission was masterminded by Brett Goodridge. He went from an obscure position in the tourist industry to a \$40 000 a year job as the Premier's adviser on tourism. The creation of the commission involved the sacking of Mr Semmens and just last week we saw the removal of its first chairman, Mr Hitchen—another senior man in the department. Five other officers have been sacked and others have been replaced and shifted from the limelight during this time.

Once the Tourism Commission was formed, Mr Goodridge moved from his \$40 000 a year position as ministerial adviser to become managing director of the new Tourism Commission on a salary of \$55 000.

Mr Old: That was outside the guidelines.

Mr LAURANCE: It was not only outside the guidelines; that payment is also illegal. The position of managing director was not referred to in the Bill before this Parliament.

Mr Brian Burke: There did not have to be a position of managing director. It was cleared by the Public Service Board and on legal advice. You prove it is illegal.

Mr LAURANCE: On 27 February the Premier in the Legislative Assembly told us that Mr Goodridge was managing director, but no mention was made when the Bill came before the Parliament last year of a managing director. He receives a salary of \$55 000 a year, as well as a motor vehicle and the recoupment of normal business-related expenses.

An Opposition member: He is a political wimp.

Mr LAURANCE: He is worse than that because of the misappropriation of funds to which I will refer in a moment. We believe that he was paid more than the chairman of the commission in the trumped-up position to which he was appointed. However, I understand that on the advice of the Public Service Board his salary was brought into line so that he was not paid more than the chairman at the time. The web of influence woven by this man has spread to others in the commission.

My attack is on the Government; it has mishandled this matter in a criminal way. It has ridden roughshod over people who have given excellent service to this State.

Let us look at the other people. The Government must bear the odium for this. It has appointed these people and allowed this to happen. I do not blame these people, if they can get away with these things, but the propriety of it must be called into question.

Let us take the position of the deputy chairman, Mr Basil Atkinson. Since Mr Hitchen has been sacked, he has become the acting chairman. It is wrong that a member of the commission, who is paid a normal fee in that capacity of \$3 000 a year plus travelling expenses and the like, should also be a consultant to that commission. Many of the people who have been sacked as a result of reports which have been commissioned, have been sacked on the recommendation of Mr Basil Atkinson. It is wrong that a person who is sitting on a board should also act as a consultant to that board.

It is my information that Mr Atkinson has been employed as a consultant to the commission. His family company, Basil Atkinson & Associates Pty. Ltd., has been employed as a consultant to the WA Tourism Commission on a minimum annual retainer of \$30 000.

Mr Blaikie: But the Premier would have to approve that, wouldn't he?

Mr Brian Burke: Now we have jobs for the boys with Basil Atkinson. It is unbelievable! The only friend you have left in the world is Kevin Reynolds.

Mr LAURANCE: The Premier has been looking in the mirror again. What I have indicated represents an impropriety in that people have lost their jobs on the say-so of this consultancy arrangement when no interest has been declared—

Mr Brian Burke: How do you know that is true? I am unaware that Basil Atkinson has recommended that someone be replaced. You prove it.

Mr LAURANCE: Not only has this been disguised, but also it is being kept secret deliberately. In a question to the Minister representing the Minister for Tourism asked today the following information was sought—

- (1) Do the commissioners serving on the Western Australian Tourism Commission receive any remuneration for acting in that position?
- (2) If so, will the Minister detail for me those payments?
- (3) Have any of the commissioners received payment from the Tourism Commission in addition to those payments?

The answer was to the effect that they are paid \$3 000 annually and, in addition, Mr Basil Atkinson received travelling expenses of \$233.11.

There is no mention of a payment to Mr Atkinson's private or family company, Basil Atkinson & Associates Pty. Ltd. I believe one of Mr Atkinson's recommendations is that Price Waterhouse be commissioned at a cost of \$100 000. I shall turn to that report in a moment.

However, let us look at some of the other commissioners who, together with Mr Goodridge, have perpetrated improper conduct in their work with the WA Tourism Commission. Another member of the commission is Ms Cheri Gardiner, senior executive with radio station 6PR.

Mr Old: That is the one Bob Maumill is on, isn't it?

Mr LAURANCE: Yes, it is. It was revealed that in a \$1.2 million advertising exercise last year to promote the America's Cup and Western Australia's involvement in it, \$200 000 was set aside for radio advertising. Every cent of that \$200 000 was spent with 6PR, the station for which Cheri Gardiner works. That might be purely coincidental, but when one adds to all the other improper things which have happened in respect of this commission, it is doubtful whether it happened by accident.

Mr Thompson: Does not the Premier work for the same station?

Mr LAURANCE: That matter was taken up by the *Sunday Times* and Cheri Gardiner was accused—

Mr Brian Burke: That was on the recommendation of advertising agents.

Mr Blaikie: Who were they?

Mr Old: Cheri Gardiner and Associates!

Mr Brian Burke: Another competitor recommended that all the money be spent on 6IX.

Mr LAURANCE: That matter was brought forward by Rob Bennett in the *Sunday Times*. He was criticised, because he raised the issue that \$200 000 was allocated to Cheri Gardiner's radio station. In the *Sunday Times* of 15 April 1984, under the headline "I'm still right about tourist loot", the following appeared—

That money came from my taxes and yours. I have a perfect right to question the ethics morality and business acumen of any Government spending.

Last week I suggested the commission's action was wrong. I still believe it is wrong.

That article was written by a senior journalist in this State.

Another commissioner, Mr Bill Gill, has just announced that he intends to leave his appointment as manager of tourism in Albany. The word in the industry is that he intends to return to Perth to set up a consultancy which will also act as a consultant to the Tourism Commission. That has not happened yet; however, similar situations have arisen in the other cases to which I have referred, so I can only say that I believe that is what is about to happen in respect of another commissioner.

I turn now to the Price Waterhouse report. On 8 November 1984 in this House the Premier was asked the cost of that report to the State and he replied that it would be a maximum of \$100 000. I am told, by way of interjection, that the cost of that report amounted to \$120 000.

The whole web of intrigue and impropriety goes on, because that report recommended that seven senior people should go. They were good people. For two years I worked as Minister for Tourism and I have great respect for that department. The staff of the commission had a very high morale and a tremendous team spirit. Today that morale has been shattered and is at a hopelessly low level.

I had great respect for these people, because I worked closely with them. If my judgment was clouded about them, because I felt they were doing a good job, let us say that I may have been wrong in some cases; but surely some of them were doing a good job and certainly not all of them were doing a bad job and had to be sacked.

Let us look at the structure of the Tourism Commission when this Government took over. The director at that time, Noel Semmens, was shifted sideways and demoted savagely. The chairman, Len Hitchen, has been sacked. I do not know what has happened to Eddie Watling, but Ray Bird has been moved into the America's Cup unit, so he is out of the way. Every person on the next senior level has been sacked because of the recommendations in the Price Waterhouse report. That was a very expensive report and I understand it was recommended by Mr Basil Atkinson, not in his position as a commissioner, but as a private consultant—a person who, on the one hand, was paid as a commissioner while, on the other hand, he worked as a consultant. That is quite wrong.

Basil Atkinson recommended the Price Waterhouse inquiry. It reported in December and five people went. At least one of them accepted voluntary early retirement; three were transferred to other departments; and one has left the Public Service. All of them were very disappointed when they were told they were unsatisfactory, would be required no longer, and, therefore, would be

shifted out of the commission. Between them they had given more than 100 years' service to the Public Service of this State.

Let us consider who recommended they should go. Two of the authors of that report were a Mr Webb and a Mr Barrie. Surprisingly, Mr Barrie suddenly became one of the senior officers of the commission. How could this be? The following is from the 9 March edition of *The West Australian* under the headline "One who said so gets the job"—

Mr Neil Barrie (33) will take up the position of director of the commission's new human resources division.

He was a member of the Price Waterhouse consultant team who recommended that the division be set up.

Any one of these things on its own does not represent a scandal. A sum of \$200 000 to a company is not a scandal. Mr Barrie's writing a report and recommending a new position be established and then getting that job are not a scandal. Mr Basil Atkinson's receiving \$30 000 as a consultant when he was a member of the commission is not a scandal. Brett Goodridge's going from \$40 000 to \$55 000 is not a scandal. But add them all together and we have a first-class scandal. Mr Barrie recommended that the position be set up. He sacked five men; five of the seven went and another has gone since, so six of the seven are no longer there.

Mr Brian Burke: They were not sacked.

Mr LAURANCE: The Premier should ask them. One of them has been trying to take legal action through the Civil Service Association (CSA) but was given a letter from the Premier by that association stating that he had done nothing wrong, and now the CSA has fobbed him off. Is the Premier saying that he was not sacked?

Mr Brian Burke: Yes.

Mr LAURANCE: Of course he was.

Mr Brian Burke: Can I convince you with some facts?

Mr LAURANCE: No. Remembering that Mr Barrie, who was one of the authors of the report, was appointed to the recommended new position, let us now turn to the other author of that Price Waterhouse report, Mr Webb. I make the point that I have nothing against Price Waterhouse, but that firm is playing its part in this intrigue.

Mr Webb was involved in an incident in the Northern Territory, and the following information appears in an extract in last December's issue of the *Business Review Weekly*. The Chief Justice of the Northern Territory, Sir William Forster,

blasted top accountants after a Northern Territory liquidation inquiry. The judge listed what he called "improper conduct" by three members of the Price Waterhouse company, a Mr Ah Toy, a Mr Barber, and a Mr Webb. The judge said that Price Waterhouse secured work in a deceptive and dishonest way and that it wrote a dishonest and deceptive letter to the Registrar of Companies in the Northern Territory. He threw into doubt the veracity of this man to say that senior people in the Tourism Commission should be sacked.

Let us consider just what has been achieved. Every senior person of the Tourism Commission has been moved out in some way; all have been got rid of. The Premier can say what he likes but he should ask the people involved, because they will tell him that they were sacked. One of them believes that all this helped send his father to his death. Apparently his father died just after this was going on, some time early in January, after the sackings in December. That man is currently seeking assistance from the CSA. This is what he told me. He is still trying to take legal action.

Added up, what has happened is that the Government has taken out of the way anyone who might criticise this "jobs for the boys" and this redistribution of wealth to a very few. The Government's actions are corrupt and improper.

This web of impropriety has been woven by one man who seems to have a magic spell over the Government, a man whose expertise in tourism is very much in question, a man who seems to be able to get the Premier to bend to his will and sack people who might be able to criticise the Government for what is happening now compared with what happened before. It is a scandal of major proportions.

*Leave to Continue Speech*

I seek leave to continue my remarks at a later stage of the sitting.

Leave granted.

Debate thus adjourned.

[Questions taken.]

# **WESTERN AUSTRALIAN TRIPARTITE LABOUR CONSULTATIVE COUNCIL AMENDMENT BILL**

*Assent*

Message from the Governor received and read notifying assent to the Bill.

*Sitting suspended from 6.00 to 7.15 p.m.*

## SUPPLY BILL

### Second Reading

Debate resumed from an earlier stage of the sitting.

**MR LAURANCE** (Gascoyne) [7.15 p.m.]: I wish to restate the Opposition's case on the Government's attack on the tourism portfolio. We make it quite clear that we are accusing the Government of mismanagement of the tourism portfolio; ours is not an attack on individuals but on the Government. If there has been any improper conduct by any person, the fault lies with the Government because it has allowed this situation to occur. It has not been done at the behest of any of the Ministers; this has happened at the will and direction of the Premier of this State.

**Mr Brian Burke**: You cannot get away from the fact that you called Basil Atkinson a criminal; you cannot weasel out of it in any way.

**Mr LAURANCE**: The Premier has not denied that payments were made.

**Mr Brian Burke**: Of course I have not. Until you mentioned them before the dinner suspension I could not say whether it was true. You called Basil Atkinson a criminal before tea and you will live to regret that. You would not repeat that outside the House when you were asked to do so by Channel 9 interviewers. The Channel 9 reporter said that you were reluctant to repeat or expand on the things you had said.

Several members interjected.

**Mr LAURANCE**: The Government has removed virtually every senior officer of the former Department of Tourism. These people were sacked despite what the Premier says. The Premier said they were not sacked, and when he was asked in question time this evening he again said they were not sacked. However, on 6 December 1983 *The West Australian* under the headline "Tourism men stood down" stated that these men—

... have been told to take holidays and could be allocated different jobs, outside the commission, in the New Year.

**Mr Brian Burke**: They were not sacked.

**Mr LAURANCE**: The men themselves say they were sacked and the newspaper says they were sacked.

**Mr Brian Burke**: It does not say that at all.

**Mr LAURANCE**: It says they were stood down.

**Mr Brian Burke**: That is not sacked.

**Mr LAURANCE**: They were not doing their jobs and they were removed from office. They could not all have been bad appointments; the

Government may have found somebody not doing his job properly but I do not believe seven of the most senior men in that department were not doing their jobs. They were all stood down.

**Mr Brian Burke**: There were five, not seven.

**Mr LAURANCE**: I quote again from the article—

FIVE senior officers with the WA Tourism Commission have been stood down . . . The five senior men were all with the old Department of Tourism and range in service from 17 to more than 30 years.

Let the Premier go on with his charade about their not being sacked. On Wednesday 27 February he answered a question in this place with regard to the Tourism Commission as follows—

No officers were sacked. Five officers of the Commission had their secondment from the Public Service Board terminated and were returned to the Public Service as from 5 December 1984.

Let the Premier squirm at that.

**Mr Brian Burke**: That is not sacking them.

**Mr LAURANCE**: They were put off, which is the same as being sacked. In fact, it is worse than being sacked because in a number of cases these men are paid for doing nothing and the State is paying equal amounts to people who are doing their jobs. The officers have been told to sit in the corridor and pick up their pay.

Several members interjected.

**Mr LAURANCE**: Recently I was asked to withdraw the word "lies" in this Chamber, yet Ministers of the Crown are now saying I am telling lies.

**Mr Pearce**: You are telling lies again.

**Mr LAURANCE**: I ask that those words be withdrawn, in line with your previous ruling, Mr Speaker.

**The SPEAKER**: Order! I have distinctly ruled in this place that in this respect the only phrase I object to is a member being called "a liar". I have never objected to members saying that another member is telling a lie, or telling lies. I do not know from where the member got that ruling.

**Mr LAURANCE**: Let me move on. The next point is this: The Opposition in this Parliament agreed with the establishment of a Tourism Commission. We expected that capable people would be appointed, people who would be there for the benefit of the Tourism Commission and for their impartiality.

An editorial in *The West Australian* of 31 August 1983 said this—

The composition of the commission will be vital. Members will need to have sound qualifications, not simply a good standing with the Government.

Unfortunately the worst fears of *The West Australian* may have come to pass. The appointments may have been given to those who have good standing with the Government. What has happened really boils down to the Premier's appointment of and support for a particular person who has been at great pains to ensure that everybody who had a leading role in that former department was removed and put out of the way so that they could not criticise the new group. This group has been led by what I can only say must be a crony of the Premier. He started off as his adviser.

Mr Brian Burke: On 27 February the Leader of the Opposition asked a question and was told no officers were sacked. You come in tonight and maintain officers were sacked.

Several members interjected.

Mr LAURANCE: That officer was moved from his \$40 000 post to become the new managing director at \$55 000.

An Opposition member: And perks.

Mr LAURANCE: And perks. Further, we think it is wrong and improper that members of the commission have been in receipt of consultancy fees in addition to being paid as commissioners.

Mr Brian Burke: You said it was criminal.

Mr LAURANCE: I am saying it is improper.

Mr Brian Burke: You said it was criminal.

Mr LAURANCE: No, I am saying it is improper.

Mr Brian Burke: You are retracting that now, are you?

Mr LAURANCE: The Premier can read *Hansard*. It all results in a major scandal when everything is put together. How can a person give impartial advice as a commissioner when he is in receipt of very substantial consulting fees? We doubt the propriety of that.

Further, I cite the case of a radio contract for \$200 000. That was a company, the employer of another commissioner.

Then we come to the Price Waterhouse report. Once again I outlined how a person who had been one of the authors of that report recommended that seven senior people be put off from the Tourism Commission, and suddenly the author himself is appointed to a very senior position.

Mr Clarko: An amazing "coincidence", as Mrs Malaprop would say.

Mr LAURANCE: Exactly.

When all these things are added together one can see that the Opposition has every right to question the propriety of what is going on in the Tourism portfolio. Further, we are not satisfied that the new commission—despite all these sackings and removals and stand-downs and the replacement of these officers by a crowd which seems to be favouring itself very much in the dispersal of available funds—is doing a better job than the Tourism Department it replaced.

It is true that the Government has put more funds into this area. However, the Government's handling of those funds can be very seriously questioned, and I still say the result has yet to be proved with the complete new structure involved. The whole hierarchy of the Tourism Commission is doing no better a job than the people it replaced were doing.

Why was it necessary to have a wholesale purge of all these officers? No fair-minded person could assume every one of them was a dunce, or an idiot, or should not have been there. One might say perhaps that the director or his assistant, or two assistant directors were, but surely not 10 or 12 people! That is what this amounts to. Others have been shifted within the department and put out of the way. I cannot believe that the senior 10 or 12 people were wrongly picked and were not doing their jobs. It defies imagination. No right-thinking person could suggest that is the case.

None of those who have been put in their place has a great record in tourism. Not one of them can be pointed to as having an outstanding record in that field. Why was it necessary to replace all these people right across the senior level in that department?

The Government has a great deal to answer for. The Price Waterhouse report is crucial to the whole matter. The Government should indicate who recommended the Price Waterhouse report.

Mr Brian Burke: Len Hitchen and Eddie Watling.

Mr LAURANCE: Is the Premier saying only two people were involved?

Mr Brian Burke: No. The officers of the commission made inquiries and interviewed more than one. They made a recommendation to the commission that Price Waterhouse be engaged.

Mr LAURANCE: I ask the Premier whether a company known as Basil Atkinson & Associates Pty. Ltd. also made recommendations in this area.

Mr Brian Burke: Not to my knowledge. In fact the Price Waterhouse consultancy was organised about eight months ago.

Mr LAURANCE: I do not doubt that. It was done at great cost. The propriety of this report is brought into question when we consider that one of its authors obtained a job, presumably as a result of a recommendation he made as one of the authors of that report. It brings the report into question, and the Government will not make it available. Even worse, the Government has not even made the report available to the people who lost their jobs as a result of it.

The Government was not even prepared to give a copy of the report to the people criticised in it. How unfair can that be? What is so secretive about the Price Waterhouse report that it cannot be made available? Why does not the Premier place that report on the Table of the House and let the people see the reasons behind a whole senior management level being wiped out with the stroke of a pen? The report must contain some powerful stuff. Why are we not entitled to see that report? The Premier should make it public.

The report will become public. It is hot property and I have no doubt that copies will surface eventually. However, there is no need for it to happen that way. The Government could easily make the report public. We have made serious allegations against the WA Tourism Commission and the Government could at least clear up that matter by making that report public.

Bearing in mind all the Premier's protestations about these people not being sacked, why does he not indicate what the Price Waterhouse report said about them? Why does he not make it public? Why does the Premier keep the report secret? This is a very secretive Government. It is lurching from crisis to crisis and from one hidden report to another.

We could not see the Chief Crown Prosecutor's advice in the O'Connor case. Now we cannot see the Price Waterhouse report on the Tourism Commission.

The people involved deserve a better fate. They served the State faithfully for a long time and they were axed in a most peremptory fashion without being given a chance to examine the accusations made against them.

Who made the accusations? Were the accusations made by people with longstanding records in the Tourism Commission, like the records of the people they were accusing? No; the people who made the accusations had virtually no record at all in the industry. What a sham it is!

Mr Spriggs: They were all Labor Party members though.

Mr LAURANCE: They were pretty faithful to the cause anyway.

This matter will not finish here. Further material is being made available to the Opposition. There will be a continuing attack on this matter, because it is serious, and the people of this State should know about it. In defence of the people who have lost their jobs, it is the job of the Opposition to raise this matter.

The people who have lost their jobs do not have many friends out there. They have approached the Civil Service Association without much success. One of those involved is still requesting of the CSA that he be given access to legal assistance to fight the Government over this matter. However, all the CSA would do was go to the Premier and obtain a namby-pamby letter to say that this man had done nothing to warrant being sacked. No matter what the Premier says, this man maintains, "I believe I was sacked; my family believes I was sacked; my friends in the department believe I was sacked; and my friends in the industry believe I was sacked." If the Premier believes he was not sacked, he should ask all of those people, because they believe he was sacked.

I am referring to only one of those involved. He wants to take action against the Government. The CSA has been like a limp dishrag; it extracted a wishy-washy letter from the Premier and told this man to go home. He is now working in the private sector and I wish him well.

These people were treated very shabbily. All the dastardly things which have happened to these good servants of the public are criminal.

Mr Brian Burke: As well as Basil Atkinson! Basil is criminal too!

Mr LAURANCE: No, it is the Government which is criminal. The way in which the funds have been used improperly is a criminal action on the Government's part.

The matter will not finish here. There is much more to come out. The morale in the Tourism Commission has sunk to an all-time low. Indeed, the commission is the laughing stock of tourism organisations around Australia. We shall continue our attack on the Government in this area.

Debate adjourned, on motion by Mr Gordon Hill.

## RAILWAYS DISCONTINUANCE BILL

### *Second Reading*

Debate resumed from 28 February.

**MR BLAIKIE** (Vasse) [7.35 p.m.]: This Bill is in two parts. Firstly, it seeks to take away from the railways an area of land in the Collie town site and give it back to the Crown so that it may be used for a future housing settlement within the Collie community. The Opposition does not object to that. Secondly, it seeks to close a section of railway line in Busselton. Doubtless the community will be in favour of the future development this proposal will enable with the possibility of development extending to the sea.

The whole question of the discontinuance of railways is of concern to the Opposition. This debate presents us with the opportunity to question the Government as to its future policies in this respect and to ask it whether it intends to discontinue other railway lines around the State.

The discontinuance of this portion of railway line in Busselton signals the doom of a further area of railway track between Capel and Busselton and, subsequently, the track on the same spur line to Nannup.

What the Minister proposes here tonight represents the discontinuance of part of a small section of railway track, something which the community widely accepts. However, the Government has a far wider motive than that. In the future the Minister will introduce another, bigger Bill which will propose to close down the balance of the railway lines about which the Minister is not talking tonight.

By way of interjection, could the Minister indicate whether he intends that the full railway line to Busselton should continue operating or whether its operations will cease?

**Mr Grill:** I shall reply in due course.

**Mr BLAIKIE:** It would assist me if the Minister could do that, otherwise the Speaker may say I am referring to matters which do not relate to the Bill.

**Mr Grill:** You are out of order already, but I shall reply to you shortly.

**Mr BLAIKIE:** This matter concerns the Opposition, because already in Busselton railway personnel have been relocated. The Premier is very sensitive to accusations that people have been sacked, so let me say that people have been redeployed. I think the Premier prefers that word. Some of those people have gone to new or alternative positions and others have been encouraged to accept early retirement.

These people have been lost to the communities. They were an important and integral part of the work force of those communities. Although they

were only few in number they were still quite important. Members should remember, when we are discussing rail closures and redeployments, that in Westrail only a few months ago 116 jobs were lost in the Narrogin district. That is another aspect of the Government's redeployments in the railway area.

The Government needs to indicate its policy on the future of railway lines in the south-west. I realise that the Government may be very sensitive about what it will do with the land between Manjimup and Northcliffe and whether the line will be closed forever. The section of line we are discussing tonight which is of particular interest to me is that which goes to Busselton. If the Government intends to close the full section of line and decides that the line will no longer carry freight traffic, does the Government intend to leave the line intact so that it can be used for tourism or historical purposes?

I make this final plea to you, Mr Speaker: Although this is a small section of railway land at Busselton—

**Mr Coyne:** You won't get any help from there!

#### *Withdrawal of Remark*

The **SPEAKER:** I think the member for Murchison-Eyre should apologise for that remark.

**Mr COYNE:** I assure you, Mr Speaker, that it was purely a facetious remark and I do apologise.

#### *Debate Resumed.*

**Mr BLAIKIE:** The Minister had this to say about the Busselton line, and I will quote from *Hansard*—

Opportunity is also being taken to formalise closure of 440 metres of railway at Busselton to allow reversion in the Crown of Railway Reserve No. 3364. This land formed part of the Boyanup-Busselton railway, west of the Busselton railway station to the old jetty and has not been required for railway purposes for many years.

I understand what the Government is proposing and I have no objection; I support the move. The Government has said that this land is west from the railway station to the jetty. I am concerned that the next move the Government might make will be to close the balance of the line from there back to Boyanup.

I repeat that we support the proposal but I make it clear that we seek clarification from the Minister of the Government's future policy for the railway lines I have mentioned.

**MR RUSHTON (Dale)** [7.45 p.m.]: This Bill leads us into a very serious area, namely the future of rail.

The **SPEAKER**: Order! We are not talking about the future of rail but about two closures, one in Collie and another in Busselton.

**Mr RUSHTON**: We are speaking to the Railways Discontinuance Bill, and it surely traverses more than the Collie and Busselton areas.

The **SPEAKER**: Order! I have tried to contain members to the debate before the Chair, which debate concerns the closure of two small railway lines, I think one being 50 metres and the other 440 metres in length in Collie and Busselton. The Bill has nothing to do with closure of any other railway lines.

**Mr RUSHTON**: I would like to suggest that it does and to demonstrate why it does. There needs to be provision for the future of transport in Collie.

#### *Points of Order*

**Mr BRIAN BURKE**: Mr Speaker, how much longer is this going to be allowed to continue? You have on two occasions indicated that the member should stick to the subject matter of the legislation. In deference to the member, I admit that he did say that he disagreed with you when he decided to disobey your direction. He thought you were wrong. Nevertheless the substance of his position is that, having told you virtually that he disagreed with you, he went on to discuss the future of railways in general and in Collie in particular. It simply is not acceptable.

The **SPEAKER**: I think most members agree that if the business of the House is going to be conducted properly we ought to be talking about the substance of the matter before the Chair. I ask the member for Dale to recognise this. The practice and the Standing Orders of the House clearly cover the advice I am giving to the member.

**Mr CLARKO**: The title of the Bill is—

An Act to Authorise the Discontinuance of certain Railways and for incidental and other purposes.

If in the member for Dale's debate on the closure of these railway lines between towns A and B he also talks about the effect of this on railways in general, as long as the prime part of his debate relates to the particular railways he should be able to say that this is part of a package by the Government for rail closures.

The **SPEAKER**: There is no point of order; I will interpret that.

#### *Debate Resumed*

**Mr RUSHTON**: Mr Speaker, it is my wish to abide by your direction. The discontinuance of these two railways will have an effect on the general area. I am making the point that in Collie, a very important town—a very important transport and railway town—there is a need to have a long-term future for transport. I am fully aware that it was the intention to take from Collie a railway line that would go down through Donnybrook and back to the coast—

The **SPEAKER**: Order! That has nothing to do with the Bill.

**Mr RUSHTON**: Some land will be needed in Collie for other purposes. We cannot afford to lose that land to transport by this smallest of amendments, thus taking away that opportunity. I know, because I was very supportive of the railway from Boddington to Collie to transport bauxite, that this situation is tied up with those sorts of ambitions of the railway system. It might appear to be only a minor discontinuance of the railway, but as far as I am concerned it could be all important. I ask the Minister to demonstrate how that situation is not affected by this closure.

He knows, as I know, that it was Westrail's intention—certainly, Westrail surveyed it in my time—to build a railway from Collie through to the coast to service the power stations or smelters and, of course, that objective can be thwarted if we lose a vital piece of ground which involves that railway.

The discontinuance of railway lines is important as to intention; we need to know the intention of the Government. Surely we are entitled to ask the Minister why he has not included in this Bill a line which has already been closed; namely, the Boyup Brook-Katanning line. That service has been closed for some time. Material from that line has been taken away; yet it was not included in this Bill.

I ask the Minister what are his intentions in that regard, because here is the first opportunity to cover some of those items which should have been considered. The member for Vasse drew attention to the lines from Busselton to Bunbury and Busselton to Nannup; these lines form part of the general rail system in this region. All sorts of expectations were built up by the Minister. What will happen to the Westrail service team at Bunbury—

The **SPEAKER**: Order! I think I am a very tolerant man. I must obtain the assistance of members of the House in this matter. If the House does not want me to influence members to ensure that they debate the subject before the Chair, I



ask the House to express that wish. But in these circumstances, when I have the Standing Orders and the practices of the House before me, I must ask members to co-operate with the Chair, and to speak to the subject matter before the Chair. Now, this Bill does not deal with any of those things. It deals with the closure of two small railway lines in Collie and Bunbury and I suggest that the member address himself to those subjects.

**MR RUSHTON:** Thank you, Mr Speaker. I am only interpreting the Bill, which mentions other issues. It mentions those issues in the title of the Bill and I had expected that we would have been able to traverse that ground. But if you decree that that is not so and that we are to speak about only part of the contents of the Bill as indicated in its title, we will have to abide by your wishes.

**Mr Brian Burke:** That is not what the Speaker said.

**MR RUSHTON:** The Speaker said we could not talk about the incidental purposes. I am talking about the implications of the discontinuance of those railways. Like the line at Collie, these things can be telescoped further on; close that line and it might well be that the Government will have to close more lines. I do not want to be disrespectful to the Speaker and disagree with what the Speaker directed me to do. As far as I am concerned, we must consider the implication of these closures.

#### *Point of Order*

**MR CLARKO:** I have listened with considerable interest to several remarks you have made, Mr Speaker, in regard to how widely this member's comments can range. Mr Speaker, you have indicated that a member can only speak about the particular piece of railway line that is being closed, but it seems to me that if a proposal were put forward to close the Perth to Fremantle railway line between Cottesloe and Swanbourne, your ruling would be that members could not speak about the Perth to Fremantle railway line. That is what your decision amounts to and I ask you to reconsider your ruling.

**The SPEAKER:** Order! There is no point of order.

#### *Debate Resumed*

**MR RUSHTON:** I hope I have made the point that the closure of a small portion of railway line at Collie can involve other Westrail objectives and obviously I would expect that Westrail would not be a party to a small closure if it were to have some adverse effect; unless, of course, there was to be some political gain and the Government is

walking over the rights of Westrail, we should know about it.

I ask the Minister whether there are expected to be any complications relating to the hopes of Westrail to expand its bulk services from Collie through to the coast. Could there be complications if there should ever be a time when the conveyor belt which brings bauxite into Worsley has to be replaced by rail? Those are simple matters.

Of course, the point I would have liked to make is in regard to the related issues of the impact that these closures will have on the servicing of the lines in that area, because they are all up for consideration. I had hoped we would be able to cover that field during this debate, but obviously we cannot do so; so I leave that point for the Minister to answer.

**MR GRILL** (Esperance-Dundas—Minister for Transport) [7.58 p.m.]: I thank both speakers for their support of the objectives of this Bill. As for the completely extraneous matters that those members have raised, I point out that we have question time in this Parliament and if those members wish to ask questions in respect of those matters their questions will be answered in some detail.

I also say very briefly that it is the height of hypocrisy for this Opposition to talk about the closure of railways. Members of the Opposition presided over the greatest decline in railways this State has ever seen, and this Government has been the Government—

#### *Point of Order*

**MR RUSHTON:** How does this address by the Minister relate to the Bill now before us?

**The SPEAKER:** Order! I take the point that was raised by the member for Dale and I will ensure that the Minister speaks to the Bill. I will also ensure that in the future members relate their comments to the subject matter of a Bill and not something extraneous to it.

#### *Debate Resumed*

**MR GRILL:** Speaking directly to the points under discussion, I point out to the member for Dale that these very small portions of railway line confer a considerable benefit to the communities of Collie and Busselton. The closure of the piece of line at Busselton really relates to the foreshore at Busselton and it will allow the Busselton Shire Council in due course to take control of a piece of land on the foreshore which can be developed for a whole range of community activities.

The use of the line in question was discontinued a long time ago under a conservative Government.

The same applies to the small piece of land involved in Collie. The line's use was discontinued under a previous Government and all that is happening now is that formal closure procedures are being followed.

Closure of the line in this formal sense will simply confer on the Collie Shire Council the ability to redevelop that land for residential purposes.

In deference to your ruling, Sir, I will not comment on some of the other matters which raised by the members. I simply thank them for their support of the Bill.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

Leave granted to proceed forthwith to the third reading.

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

# LOCAL COURTS AMENDMENT BILL

*Second Reading*

Debate resumed from 28 February.

**MR MENSAROS** (Floreat) [8.04 p.m.]: This is a simple amendment to the Local Courts Act. It simply lifts the jurisdiction of the small debts division within the local courts from \$1 000 to \$2 000. The move brings jurisdiction of the small debts division of the court to the same level as the Small Claims Tribunal, the jurisdiction of which was recently lifted from \$1 000 to \$2 000. Therefore, the Bill contains a logical consequential amendment which the Opposition supports.

**MR GRILL** (Esperance-Dundas—Minister for Transport) [8.05 p.m.]: I thank the Opposition for its support of the Bill.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Grill (Minister for Transport), and passed.

# JUSTICES AMENDMENT BILL

*Second Reading*

Debate resumed from 28 February.

**MR MENSAROS** (Floreat) [8.07 p.m.]: This amending Bill deals with two distinct divisions of the Justices Act. It will amend section 79 which deals with the remand rules, and the other amendment deals with alternative penalties included in section 173 which relates to domestic violence.

The alterations which the Bill proposes in connection with remand would result, with the consent of the accused, in the extension of the present maximum eight-day period to a period of 30 days. Alternatively, if the accused were serving a sentence for some other offence, then the remand period would be extended to the day of the expiry of his term of imprisonment.

I suppose the interpretation is quite clear: the important thing is not the length of the sentence which the accused has received because of another criminal offence, but the actual date until which he remains in prison; until the actual day he is set free; on parole, possibly by Royal prerogative, or for any other reason.

The amendment is not as simple as it reads because there are quite valid arguments both for and against it. One wonders why the Attorney General brought down this Bill when the matter is and was before the Law Reform Commission and the Law Reform Commission has not made a final report on it yet.

The commission has had various discussions but has only reached the stage where submissions from the public and various opinions are being sought. Although the relevant issues and arguments have been raised the commission has not reached the stage—it could not have because the material is not in—of arriving at recommendations, let alone publishing them or sending them to the Minister.

There are very valid arguments for and against this proposed change, so the solution is not a clear cut one. It is not as though it were the only solution were one to decide that the remand rules ought to be changed because the solution could be, taking the extremes, from no change to more drastic changes. To arrive at the best solution one would have to be in possession of more material, and that goes back to the fact that we are waiting

for the recommendations of the Law Reform Commission so that we will be richer in terms of the facts and arguments which might decide what changes should be made.

Nevertheless, let us look at the arguments for the change, some of which the Attorney General and his representative in this Chamber have submitted. It was said that this is a very ancient provision and because of its age it should not apply today when circumstances have changed. In itself that does not appear to be a sound argument, and I would not subscribe to the fact that something is necessarily bad because it was created a long time ago. It has also been argued that prison conditions are not as inhuman as they used to be in England when these remand conditions came into being, and they have also improved very much in Australia. That is a fact, but it is questionable whether it should be considered as a very strong argument for this particular change.

It has also been argued that the civil liberties of the accused person in custody are far less potentially endangered today and therefore that argument is not so relevant in relation to an eight-day remand period because the law has been changed particularly in relation to requests for bail, and the person being held in custody is able to apply for bail without being brought before the judge.

I think the Attorney General's main reason was carefully left to the end of his argument; that is, that the eight-day remand period is an inconvenience for court officers, police officers, and prison authorities, and it adds some administrative expense to the exercise of keeping the accused in custody. It is not the first time the Attorney General has argued this way. Only a short time ago this Chamber dealt with amendments to the Bail Act. There again the Attorney General's argument was that we ought to make conditions less restrictive or less in favour of the person being held in custody because that is an inconvenience to the officers who deal with that person and it would be less of an expense for the administration.

Those arguments seem to me to be a little overdone. After all, the connotation of the name "Public Service" is that it is there to serve the public, and that includes the accused person because he has not been declared guilty at the stage we are talking about, and legislation should not be brought down for the convenience of the Public Service or officers who deal with the particular subject of the legislation. Once we expose the arguments of the Attorney General in trying to justify the introduction of this measure, he is really on fairly thin ground.

Let us look at the counter arguments in relation to the eight-day remand period. The remand is really a reminder, almost automatic, like an alarm clock, to the various authorities which have to deal with the case in which the person who is incarcerated is involved. It is a reminder to the authorities which have to bring together the prosecution case for those who organise the hearings in the courts of law so the trial can be commenced in a reasonably speedy way. I do not think we need to waste a lot of time in explaining why it is necessary to have a speedy trial, particularly in criminal cases. Both the prosecution and defence cases will be supported by witnesses whose memory will not last forever and who could physically disappear, not necessarily willingly. They could be transferred from one State to another, become ill, or in some cases die. They may be subject to some other circumstances which make it impossible for them to appear before the court, and therefore the prosecution or defence case could be very much weakened.

We can find a stronger argument in the case of organised crime when the accused has not only acted on his own or in the company of one or two people, but also as part of an organised crime set-up. Then, of course, parts of the organisation will do everything in their power to silence witnesses, and in some serious cases that has reached the stage of witnesses being killed. That is not a theoretical argument, but a real argument which speaks for a speedy trial. The comparatively short eight-day remand provision is therefore a very good means of reminding the authorities of the necessity for a speedy trial.

It also alerts the prosecution not to be tardy. There could always be various priorities such as urgent cases coming on, and were it not for the automatic reminder—the alarm clock—after eight days, a particular case could be easily sent to the bottom of the pile and not dealt with speedily enough.

The same applies to committal proceedings which ought to go ahead uninterrupted, unless of course it is the O'Connor case, and again the remand conditions remind the authorities to do precisely that.

The necessity to extend the remand period after eight days also gives the accused the opportunity to make complaints when he is brought before the judicial authority to have his remand extended. It gives him an opportunity to reapply for bail and, although, under the recently passed Bail Amendment Act he would be able to do so without being brought before a judicial officer, it is much easier for him to do that when he is in front of a judge for the extension of the remand period. However,

most importantly, the eight-day period has still been considered as partly alleviating the restrictions of his individual rights and freedoms. The community has fought very long, especially in England, to have this system established.

Lately, we seem to be involved with the contrast between what we, on the one hand, advocate as law and order to help the eradication of crime and, particularly, organised crime, and, on the other hand, to retain civil rights and individual liberties of the accused and other persons involved in proceedings.

I do not really think there is a contrast. I do not think one can advocate law and order seriously and honestly within the restrictions of the law and try to eradicate crime and deal seriously with organised crime or any other crime. Although it is often alleged that one cannot do that and maintain the civil liberties and individual freedoms which people enjoy, I do not think there is conflict, necessarily. I think one can conduct a fight against crime quite easily without infringing on anybody's civil rights and liberties. It has been done in the past without many complaints.

I think the action is somewhat premature. I do not think this legislation should be triggered by complaints and pressures from officers, whether they be prison officers or any other officer of the judicial arm of Government. I do not think that should be a reason for introducing these amendments. The Attorney General has not provided any support for his arguments. He did not say how inconvenient it is for officers to be involved in this eight-day bail period. He did not say how much money could be saved if the period were extended.

I have asked questions of the Minister, the answers to which were not very positive. The complaints are complaints by officers and have not been proved. Claims are usually made, when we introduce changes to the Public Service, that efficiency will be improved. However, when we ask the question, "How much money would be saved?" we are told that nobody has been dismissed, that the same number of people are being employed, and that no money has been saved. The latest practical example of that is the example of the Western Australian Development Corporation. It took over certain duties from the Treasury Department. I asked how many people that move affected and I was told that it involved only one officer. One, therefore, wonders whether the claims of change for efficiency's sake are positive.

The Attorney General did not mention how many new bail applications had been made immediately to the Crown Law Department which

could have justified the demand for relief. The same examples apply to the solution which is being offered by the Attorney General in this case.

The simple consent of the accused is necessary for extending the bail period. I do not think that tells us enough. Obviously, unless a person who is arrested is a really hardened criminal who has been in and out of jail, a person would be inclined to consent to the longer period of bail, particularly if it is being put to him by a prison officer and the prisoner is unaccustomed to dealing with those sorts of situations. I am sure that in most of those cases the accused will have second thoughts. The Bill does not provide for that. The Bill says that his consent is needed and once it has been given there is no way that he can have second thoughts about it. I would not suggest that something untoward is going on in prisons. However, I remind members that we hear about intimidation being adopted by certain officers towards certain people being held in custody. The situation becomes especially sensitive if it is the first remand of that person.

I am sure that this could be a better solution although I am not suggesting it by way of amendment. I ask the Minister to consider what I have said and make provision for the accused to change his or her mind and then make application for a shorter remand period even though, in the first place, the accused has consented.

It is not the Opposition's duty to amend legislation in these routine matters. The provisions have been found to be wanting and I think I have given the reasons for and examples of that. I remind the Government that it should be more considerate in these cases. We enjoy the services of the Law Reform Commission and we should utilise that institution. Why should the Government introduce measures when the Law Reform Commission has not fully examined those measures?

The second matter does not present any problems. As the Attorney said, provision for a term of six months' imprisonment in certain cases of domestic violence appears to be justified. Apparently it has not been and is not being criticised.

It turned out however that in milder cases and in strict legal interpretation there was no alternative left but the six months' imprisonment term, and because that was not the intention of the original provision the change is justified as a result of the legal restrictive technicality which exists in the legislation as it is presently drafted.

The Opposition does not oppose the Bill, but it flags a warning of caution to the Government to be more considerate in these mat-

ters—particularly in regard to section 79 of the Act. However, the Opposition willingly approves of the provision in connection with section 173 of the Act.

**MR GRILL** (Esperance-Dundas—Minister for Transport) [8.31 p.m.]: The member for Floreat has indicated that the Opposition does not oppose this Bill, but he has raised a number of relevant considerations which should be taken into account in respect of two matters which are dealt with in the Bill.

The member for Floreat's comments are pertinent and I indicate to him that all the matters he has raised have been taken into account by the Attorney General. The member is well aware that this Bill is a temporary measure and there will be an opportunity in the future to consider all the matters he raised.

Generally, this Government has taken a number of steps to make the administration of justice in this State more efficient and, by and large, those steps have been successful. We have an Attorney General who has brought forward a whole range of remedial actions in relation to the law of this State—actions which will go down in history. This action is probably not one of those, but it is nonetheless an important efficiency in respect of the administration of justice.

I also indicate to the House that the convenience and rights of the prisoners have been taken into account in considering this legislation, and that there are many safeguards in place today in relation to the rights of prisoners that were not in place when the original Justices Act was first proclaimed. Therefore, we have probably less cause for concern about a 30-day remand period or a longer period of remand in respect of prisoners.

I repeat that this Bill is a temporary measure and that it will be reviewed. I thank the Opposition for its qualified support of the legislation.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Grill (Minister for Transport), and passed.

## ARTIFICIAL CONCEPTION BILL

### *Second Reading*

Debate resumed from 6 March.

**MR MENSAROS** (Floreat) [8.37 p.m.]: This Bill deals with some—but by no means all—of the aspects, particularly the legal aspects, of the by now apparently reasonably harmless methods of artificial fertilisation of human beings which are now accepted. One aspect with which the Bill deals is that a married woman or a woman in a *de facto* relationship must have the consent of her husband or *de facto* partner whether the sperm comes from the husband, partner, or someone else, or the ovum is implanted in a woman, or where the combination of these possibilities prevails. The consent of her husband or partner must be legally presumed a *presumptio juris*, which means that it is presumed as long as the contrary has not been proven. On the other hand, another circumstance is subject to a conclusive presumption which in legal terms is called, *presumptio juris de jure*, which means that it cannot be rebutted; that is, that the donors virtually do not exist. In relation to the donor of the sperm or the donor of the egg which might be implanted in the body of a woman who is married or who has a *de facto* relationship, there should be no proof left open that the sperm or ovum could have come from someone else. It is a legal assumption which cannot be rebutted.

The conceived child, when born, is a legal child of the social parents, and from the point of view of inheritance has the same rights as if he were a child born under normal circumstances. Therefore, all the possible legal consequences which could have an influence on the child and the parents' relationship apply.

From the point of view of inheritance the Administration Act, and from other legal points of view the Adoption of Children Act, the Criminal Code Act, the Evidence Act, the Property Law Act, and the Wills Act are being amended by this Bill in order that the legal provisions between the child and the parents will apply.

It is claimed that this is model legislation that goes further than the legislation accepted in NSW which does not include reference to the donated ova which are implanted.

Of course, it should be mentioned that the *de facto* relationship, which I suppose is the vogue and an expression of how society operates today, is on an equal basis to the married couple situation. I do not suppose it would be appropriate to oppose that principle because subsequent Governments on various matters, such as workers' compensation and family law, have used this equality between

married couples and those in a *de facto* relationship. I happen to be one of those—I am not sure whether I am one of the few or in the majority—who do not agree with this. However, from the point of view of the provisions of this legislation this only should be kept on record. Clearly it is not of great interest because it appears to be accepted by society today.

This Bill does not cater for all legal aspects directly related to artificial conception, which is the title of the Bill. No mention is made of the surrogate mother situation which, although fairly rare presently, will no doubt occur in larger numbers in the future. No mention is made of the frozen embryo situation which apparently also will occur more frequently. I understand from Hon. John Williams, who dealt with this Bill in the upper House, that a medical doctor came from the eastern seaboard to Western Australia to foster the frozen embryo situation. That is one shortcoming and one hopes the Government will not forget about it because it is always better to provide a legal background for situations which are being created even though they are just beginning to emerge. Through the practical experience gained one can amend legislation and eliminate loopholes or areas which have not been given attention.

The Bill also does not include situations involving artificial conception by an unmarried or in any way single woman. That does not create a problem because by implication one would suppose that it would not make any difference to the woman how the conception occurred—whether naturally or artificially. The legal relationship between the mother and her offspring, who undoubtedly is her child, is the same in both cases. Probably therefore it was considered there was no need to change that. Yet, there could be some legal complications in these omissions; even with unmarried mothers who have normal, natural conception, litigation often takes place in connection with the father or the presumed father against whom both the mother and particularly the child might have some claim. This could occur even if the sperm had been donated and it would be an interesting situation legally if it occurred when the ova had been donated to the single woman.

A further aspect is much more important than those I have tried to analyse somewhat critically albeit briefly: the legislation lacks any genetic or biological provisions. This is tremendously important. The Minister said in his speech that so far approximately 300 children have been born through this process, including cases where the respective women are pregnant but the birth has not yet occurred. For the reasons which I shall

now discuss, I tried to establish when these 300 children were born or conceived but the Minister in reply to question 2683 on 13 March 1985 replied that he did not have this information because it was known only by the private medical practitioners. This reaffirms my concern that if the practice of artificial conception grows—as undoubtedly it will as methods and techniques improve—in a generation's time we might have a number of artificially conceived people. Potentially a couple who wanted to marry and produce children could be half brothers and sisters or even full brothers and sisters. No thought has been given to preventing this fairly dangerous situation which could lead to inbreeding particularly in a place such as Western Australia which has one of the smallest populations of any of the Australian States. In two generations' time this could occur even more frequently.

The Government should give a great deal of attention to this question because I understand the present situation is that sperm is donated in those places where artificial conception is handled by medical people, particularly those connected with a teaching hospital, by the medical students. In itself that is reasonable but the same donor could be involved with many artificially conceived children. The same could apply to females, perhaps even medical students who are most easily accessible, and would probably be quite happy to take part in a medical experiment involving their profession and where they feel they can be of assistance. Therefore, it is even more likely that we shall create a situation where artificially conceived children will be very closely related to each other.

I am not here to recommend a solution to this problem. It might be that there is very little interest in this subject. I notice from the Press gallery that there is no interest whatsoever. It is a fairly important question because the Government cannot, or we as a Parliament should not, let things go on their merry way and create situations which are potentially dangerous. One can imagine the deformed children who could be born from a union of a couple in this artificially conceived new generation.

I suppose that somehow the solution should be through the establishment of a register so that those who are implementing artificial conception with their patients are compelled to keep a register that would, of course, be absolutely confidential and have foolproof methods to ensure that no one has access to it. I do not think that science has yet established a blood test that could be used in this respect. If in a generation's time people want to marry or perhaps one should use the expression—as we are accepting *de facto* relation-

ships—"mate", we should be able to ascertain whether the couple who want to or are in a position to produce children, are related.

In time to come, in several generations I suppose, that will be a fairly important service, because people can make sure they are not directly related as brothers and sisters, or half brothers and half sisters. As this practice goes on the children will not necessarily know if they have been conceived in an artificial manner. It would not be in the interests of the parents to let the children know, or to let anyone know, even friends. It is, after all, a private matter for the couple, and therefore it would be more important to have some type of registering instituted.

Of course, it is important that it should be absolutely confidential and absolutely foolproof. Even in adoption cases, when a child is growing up normally in a normal family, I do not believe that child should be able to establish its natural parents or natural mother. This disturbs the relationship, and that family tie which is developed. Neither should it be revealed, if a child has been conceived artificially through this donation process, who his natural parents are whether, from the male or female side, because the connection there is even less; it is purely and simply a biological connection.

I must express my serious concern about this problem. Although it might appear to be fairly remote today, undoubtedly we are going along this path, and society has accepted it, not only from a practical point of view, but even ethically, I suppose. There has been no objection from the churches or any social organisations, or from the point of view of individual morality. That process will proliferate and there will be an increased danger.

I would like to ask the Government to respond to this concern. Although I try only to sound a warning, I would like to see some sort of undertaking by the Attorney General at least that the matter will be very seriously studied and that a method will be found by which the potential danger in future generations can be avoided.

With these comments I do not oppose the Bill.

**MR GRILL** (Esperance-Dundas—Minister for Transport) [8.53 p.m.]: I thank the member for Floreat, who was speaking on behalf of the Opposition, for the Opposition's support of this Bill. It has been said before and it is quite true, that the implementation of laws falls behind social practice, and that is the case in respect of this piece of legislation. I have no doubt that laws of this type will be progressively implemented over the years,

and that they will come behind the social practice and behind what is happening in the community.

There is no doubt that this piece of legislation leaves a whole range of questions unanswered. They are unanswered simply because society has really not formed strong views one way or the other in respect of those questions. The legislation before us tonight, as the member for Floreat has pointed out, is not objectionable to any sector of the community; it has not been questioned by the churches, or by community groups. It has been the subject of fairly long and detailed discussion by the Attorneys General of Australia.

Although in some respects it is more progressive than legislation passed in New South Wales and one or two other States, nonetheless it is well-considered and generally accepted legislation.

One real misgiving raised by the member for Floreat is in relation to the lack of genetic information concerning donor sperm. Quite simply and frankly, I do not have the information at hand to answer him on that subject. However, superficially it appears as though he has some reason for concern. All I can say to him is that the matter was not raised in another place when this legislation was debated, and in view of his concern, and because I do not have a ready answer, I will request that the Attorney General consider this question seriously, and hopefully he will be able to come back with an answer at some later date.

I do not think that should delay the implementation of this legislation. I therefore thank the Opposition for its support of this legislation.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

### *Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Grill (Minister for Transport), and passed.

## **PARLIAMENTARY COMMISSIONER FOR ADMINISTRATIVE INVESTIGATIONS: RULES**

### *Adoption: Council's Resolution*

The Council's resolution was as follows—

That the proposed Parliamentary Commissioner Rules 1985 be adopted and agreed to.

*Motion to Concur*

**MR GRILL** (Esperance-Dundas—Minister for Transport) [9.00 p.m.]: I move—

That the Parliamentary Rules 1985 be agreed to by the Legislative Assembly.

The proposed rules which I now present to the House are contemplated by section 11 of the Parliamentary Commissioner Act. This section permits a limited delegation by the Parliamentary Commissioner to any of his officers with the authority of rules of Parliament or a resolution of both Houses of Parliament. To date, no such rules have been made nor resolution passed.

With the recent extension of the Ombudsman's jurisdiction to include actions of members of the Police Force, it is clear that the work of his office will substantially increase and that there will be a need for a capacity to delegate his functions from time to time to selected staff.

With a view to meeting that situation, clause 4 of the amending Bill which was introduced during the last session of the Parliament proposed that the Parliamentary Commissioner be empowered to delegate his functions to his officers without the necessity of rules of Parliament or a resolution of the Houses of Parliament. This amendment was defeated in another place.

During the debate, it was said in effect that there should be simple rules approved by Parliament relating to the delegation of the Parliamentary Commissioner's functions and setting out the particular functions to be delegated. The present motion and rules have been formulated to meet that proposition.

The functions which may be delegated to the Deputy Parliamentary Commissioner are set out in rule 4.

A further category of "special officer" to whom specified functions may be delegated is proposed in rules 3 and 5. This category includes a legal officer, an investigating officer, or any other officer who may be appointed and whose classification is not lower than a legal officer or an investigating officer.

Rule 6 sets out the matters which the Parliamentary Commissioner should take into account before delegating any function; namely, the experience, qualifications, and suitability of the person to whom the function is to be delegated and, where appropriate, the seniority and status of the person to whom the particular investigation relates.

The Parliamentary Commissioner has indicated that it would not be his intention to delegate any

of his functions either generally or in a particular case unless the workload of the office required it.

The draft rules must be read subject to the provisions of section 11 of the Parliamentary Commissioner Act which provides additional safeguards. In particular—

Subsection (1) prevents the Parliamentary Commissioner from delegating the making of any report or recommendation under the Act.

Subsection (3) enables the Parliamentary Commissioner to revoke or vary at any time a delegation under the section and that no such delegation prevents the exercise of any power by the Parliamentary Commissioner himself.

Subsection (7) provides that a delegate shall, upon request by a person affected, produce the instrument of delegation, or a copy of it, for inspection.

I commend the motion to the House.

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

**SUPPLY BILL***Second Reading*

Debate resumed from an earlier stage of the sitting.

**MR COURT** (Nedlands) [9.04 p.m.]: I appreciate the opportunity provided by this debate to refer to a few areas of concern in connection with the operations of this Government. Earlier today we heard the member for Gascoyne indicate the shambles into which the WA Tourism Commission has got itself in the last couple of years. Another big reshuffle has taken place in the Department of Industrial Development and much uncertainty has been created. We have also seen changes in the Public Works Department. All in all, people working within the different Government departments of the Public Service are very unsure of what will take place in the future.

Tourism used to be one of the Treasurer's responsibilities, and another area of his responsibility, in which major changes have taken place, is that of the Treasury. During this debate I shall comment on some issues which concern the Treasury, because some of the activities which are taking place there are rather scary.

For approximately the last year the Opposition has been asking questions relating to what the Government proposes to do in respect of the short-term money market operations of the Treasury. The Treasurer has brushed over the matter and he made an announcement that the Western Australian Development Corporation would



handle the Treasury's short-term money market operations.

What has happened is a scandal. As a result of the Treasurer's actions, he is putting taxpayers' funds at risk. Therefore, it is only right that I should take the time of the House to explain exactly how the WADC will get control of those funds. The Treasurer can correct me if I am wrong.

The Treasurer has never made it clear to the public exactly how the short-term money market funds will be transferred to the WADC for it to invest. It is intended that the WADC give the Treasury promissory notes as security for the funds which it receives. Effectively these promissory notes will mean that the loans the Treasury is offering will be unsecured.

Last year the Treasurer made it clear that, when the WADC took over the Treasury's short-term money market funds, those funds would not be put at risk. He said they would be subject to the same controls as they are subject to currently. Technically one could say that the Treasurer is correct. However, when I have finished detailing what is happening with those funds, the House will realise that money will be placed in the hands of that body which, without the sanction of this House, will be able to do what it likes with them.

What sort of promissory notes will the WADC give? The promissory note will be a very simple document and it will be worded something like this—

WADC promissory note.

We promise to pay the sum of \$1 million on such and such a date.

Signed: WADC.

It will be as simple as that. The WADC will receive a letter from the Government saying, in effect—

We certify that we have received the undermentioned sum of \$... with the attached security at such and such an interest rate on such and such a date.

That will be it. When the WADC hands over the promissory note, it could be printed on an ordinary piece of paper. That will be the security for those funds.

I asked the Treasurer whether the promissory notes would be secured by the Government, to which he replied, "The promissory notes will not be Government guaranteed". I can only assume that, if the WADC gets those funds and plays havoc with them—it might be trading in bank bills or other securities; it might invest the funds in diamond mines or whatever it likes—and, if it

cannot repay that money, it is not guaranteed by the Government. I ask members: Who will become the loser? Of course, the taxpayer will be the loser.

All this sounds very simple, and if we look at the Public Moneys Investment Act we can find the way the Government has done this. Section 3(3)(c) of the Act requires the Government to obtain the Governor's permission to go into securities issued by a statutory authority. The WADC, being a statutory authority, has to go to the Governor to get permission.

In answer to a question on Wednesday, 13 March the Premier said that the promissory notes were authorised by the Governor as approved security under the Public Moneys Investment Act on 5 February 1985. So the Governor was asked to approve these promissory notes from the WADC, promissory notes which were not guaranteed by the Government. These now become security for the funds which will become available for use by the WADC.

That is very simple and it all complies with the Act, but I am sure the purpose of the Act is not to allow these funds to get into the hands of people who are not directly responsible to this Parliament and who can do what they like with those funds. We now have the Treasury's money going into the WADC's balance sheets with only very few controls on it, and the money is to be at risk.

I asked a question about the interest rates that the WADC would pay to the Treasury for that money and the answer came back, "A market interest rate". What a joke that is. What is a market interest rate when only one body is to take the funds?

Let us consider an example: If Westpac offered the Treasury 13 per cent for those funds and the WADC offered just 10 per cent, those funds would still go to the WADC. The result of this is quite easy to see: The WADC will pay the Treasury an interest rate which is not the market interest rate, because when we have only one organisation in there bidding for the funds we do not get a market interest rate.

The WADC will be getting the funds cheaply. It will be able to play with them and to make a profit. It will end up with what could only be described as a dream cash flow at the expense of funds that should be going to the Treasury, which organisation currently runs a highly respected investment operation, one which has never seen the funds of this State put at risk, one which has never lost a dollar.

The Treasury will now be paid any interest rate, rather than the market interest rate. The funds will then go to the WADC, which can play with

that money and which can have a very tidy cash flow for its operation.

The WADC will be made to look very profitable. Why? Because it will be getting funds from a monopoly source at very low interest rates. It will be simply transferring funds from the Treasury to the WADC, which will be able to use that money as it sees fit. People ask where it gets its funds from. Well, this is where it will get most of its funds from.

It can use those funds to establish the bank it is talking about; it can use those funds to cover that bank's first year's expenses. It could use those funds to fix up its diamond trust if things started to go funny. It could use those funds for any venture, perhaps even to set up a mint. It seems to have plans to go into a wide range of industries, and these could be funded by using the funds that will be available to it because of this playing-around with the Treasury's funds—the taxpayers' funds.

It is interesting that the Government is not going to guarantee those promissory notes. The question must be asked: If the WADC cannot repay the money, what will happen? I imagine the Government will say that the taxpayer will be there to pick up the tab.

There is another way that the Government can get hold of those funds, although they might be under a few more controls. Again I will refer to sections of the Public Monies Investment Act so that we all know just what the Government is doing and how these funds are being transferred. The second option would be to purchase \$30 million-worth—let us say that is its shareholding—and use that money to purchase securities listed in section 3(3)(a) to (c). The WADC could use that money in exchange for deposit funds from the WA Treasury. When it got the \$30 million in cash from the Treasury it could use the money to buy another \$30 million-worth of securities and use that to borrow more money again. The WADC could gear itself up and in that way again be able to get control of all the Treasury's short-term money market funds. It would be handling securities in which the Treasury is operating now. Once the WADC got that it could then start trading in those securities, and that could become dangerous.

Mr Bertram: What does the Auditor General have to say?

Mr COURT: He will be very concerned.

Mr Bertram: When?

Mr COURT: Right now, because the Treasury has lost direct control of its own funds. Certainly I hope the Auditor General is not sitting idly by and

I hope that the Treasury is putting up a fight. This is what the member's Premier and Treasurer has said; these are his decisions; these are the member's Government's decisions. He should not try to blame the Auditor General for the debacles that will occur. I am taking the opportunity during this Supply debate to make it very clear to this House what the Government of this State is doing with the taxpayers' funds—the Treasury's funds—and its short-term money market operations.

I return to the second option I mentioned: A merchant banker would be able to gear up to approximately 14 times investment; the new banks which are establishing themselves here could gear up to as much as 17 times. This would give the WADC the vehicle by which it could gain control of those funds. But it has chosen this route of issuing promissory notes which are unsecured and have no Government guarantee. That is what we are getting as the security for those funds.

The first option which I mentioned, and which is the option the Government is using, means simply that the WADC can spend the funds where it likes; there are no restrictions on where it can invest. Certainly no member of the Opposition denies that, because that is the position the Government has now achieved.

The other position I want to make clear—and I would like the Treasurer to reply to this point in the Supply debate—is just where the trading banks fit into this matter. I want their position clarified. Currently Treasury has a lot of its funds invested with the trading banks. For example, in September 1984 approximately \$307 million out of \$400 million was held with the banks in secured bank bills.

When the previous Government organised the Central Borrowing Authority, for its first loan—loan No. 1—the trading banks were approached to support the loan; they were asked to take up stock on that loan, to provide funds at reasonable interest rates, and in return they were offered reciprocal support when Treasury paid out its short-term money market funds. That is how loan No. 1 got off the ground. It was not easy getting a loan of such magnitude at that time. Remember, the Central Borrowing Authority is a body which was arranging loans for a number of different Government departments. Banks supported it under that reciprocal arrangement.

Under this arrangement the banks will not be supported. They have put their share of the transaction in, but the banks will not be supported now because the funds will go to the WADC and it can do what it likes with them. The WADC can invest those funds where it likes, and that is the

part which concerns me, and that is why I say these funds can be put at serious risk.

The Treasurer and his adviser on this matter might think they are being smart, but in many ways it is an insult to the Treasury of this State which has had such a remarkable record in looking after the taxpayers' funds. Now funds can be put at risk in this manner.

I would like the Treasurer to clarify the situation in regard to trading banks because the end result of that is that the Central Borrowing Authority, which is to borrow funds, could well now have to pay far higher interest rates than it is currently paying for those funds so the WADC might pick up the profits, but Treasury will be disadvantaged when it has to go out and borrow funds. If the banks are being bypassed in this manner, they would have just cause to complain. The Government cannot have it both ways.

The end result of all of this is that Treasury short-term money market funds can now be splayed anywhere by the WADC. That is the reality of the situation. We have seen a bit of tricky footwork by this Government. In February of this year the Government was asked to accept unsecured promissory notes so that the funds could be transferred to the WADC, and away they went. The way this Government is going, one wonders where those funds will be invested. I hope for the sake of this State they will be invested correctly, but the way this Government is handing out its money, the funds could end up anywhere. They could end up being spent on flowers, or on any other adventure or venture, which this Government is determined to get into.

These funds will be managed by an inexperienced staff because the WADC has not got a proven track record in investing such large sums of money. It has gone out and employed a couple of people but those people have never had to handle a vote the size of the one they will have now. What is wrong with the Treasury people? It is a bit like the Tourism Commission, is it not? Get rid of them all! It is not good enough. Now we have funds going from an experienced operation with a good track record into a corporation which is inexperienced in this field. The Premier himself admits that the WADC is employing "outside" consultants to advise it on the establishment of the operation. It is being set up from scratch in order to handle these funds.

I hope I have made my worry about this matter very clear because it is of great concern to the community at large. In no circumstances should Treasury lose control of its funds. This Government, thinking it is being smart, has decided to put

its surplus funds, which Treasury has invested so capably and so securely in the past for the benefit of all Western Australians, into the hands of people who are not directly responsible to this Parliament and who can literally do what they like with the money. If they cannot repay those unsecured promissory notes, those bits of paper I am telling members about, the taxpayer will have to foot the shortfall bill.

My next point is also connected with Government borrowings and those of its various statutory authorities. Under Labor Governments this country is very quickly degenerating into an economic shambles.

In recent months we experienced the crash of the Australian dollar; that is, people overseas have looked at Australia and have valued our currency. They can see problems. It is all very well to read in the newspaper that the Australian dollar has crashed and will probably continue to fall further, but how is it affecting the finances of this State?

I would like the Government to outline in some detail its overseas borrowings through the different statutory authorities and to outline the effect the devaluation of the Australian dollar will have, and what measures have been taken or are being taken to try to ensure that we are not put in a position where we have to outlay considerable additional funds because of this event. One does not have to be much of an economist to realise that if the financial markets in Australia are completely deregulated, and if the Australian dollar is floated and at the same time Governments both State and Federal persist with a highly regulated labour market, we will continue to have problems. It is all very well to deregulate some sections of the economy, but all one is doing is leaving major operations in the red in other sections.

If we persist with these highly regulated labour markets, unemployment will remain high and our standard of living will continue to fall. I want to know what effect the falling Australian dollar is having on the finances of this State. I would appreciate the Treasurer's detailing to the House the different Government borrowings and the effect this will have on future borrowings. I presume, with different projects which I would like to think are coming forward, the Government will have to make arrangements to borrow certain funds. I would like to know what effect the devaluation of the Australian dollar is having on those future projects as well as on our existing borrowings.

The last point I want to make is in connection with the Government's personnel policies which have been discussed by some speakers earlier

today. The Government always says it is the expert in industrial relations, that it is there to help the worker, and that it knows what it is all about to have good industrial relations in the workplace. The Government has the attitude that members on this side of the House do not understand industrial relations, that we do not know what it is like to employ people and to have good employer-employee relationships.

That is the myth. Many people on this side of the House have been employers as well as employees and they are proud of their good industrial relations record with different businesses with which they have been associated. It is difficult to have good employer-employee relationships. Ninety-nine per cent of the time employers strive to have good relationships within their business. Government members can yell and scream as much as they like, but many of us on this side of the House are proud of our industrial record.

What happened when the Government was in charge of different departments and their employees? All we had was a complete shambles, and that has been evident in department after department, whether it be run by the Premier or his Ministers. We have heard sad stories from the Public Works Department. Many of my constituents have been detrimentally affected by what has occurred there. I believe the Minister for Works would be very hurt to know of some of the concerns that have been caused to the employees in that department.

We have heard explained in detail what has happened in the Tourism Commission. Many of its employees have been made to feel unwanted and insecure. They have been ridiculed by this Government, through the front pages of the newspapers, and the Government calls that industrial relations!

The same has occurred with the Department of Industrial Development. Elaborate investigations have taken place and talk has been heard about reorganising the department. While all this happened people within the departments were concerned because they did not know what would happen next. This Government is to be condemned for the way it has gone about treating its employees.

If the Government wants to get rid of staff it should go about it in the proper manner. The Government is about to impose redundancy provisions upon the private sector which will result in higher unemployment levels. While the Government imposes these redundancy provisions upon the private sector and knocks the business community around we have not heard a whimper from the Minister for Small Business. The Minister has

not told us the advice the Small Business Corporation gave to the Government on this issue.

The Government sat back and made these decisions, without proper handling of the industrial relationships aspects. The Government is prepared to put people through the mill, as it did in the last year or so when it reorganised some of its departments. It is no wonder that there is in the community a tremendous concern about these Government departments.

I appreciate the opportunity to explain to the House my concern about the Government allowing the WADC to take over its short-term money market operations. I think it is a scandal to put the State's funds at risk. What control has this House over those funds? The member for Kalgoorlie was not in this House earlier when I explained in detail the situation in relation to promissory notes. I have made it very clear to this House that the Government has used the Public Moneys Investment Act. The Government went to the Governor on 5 February 1984 and said, "We want you to approve these bits of paper". The Minister wonders what is wrong with that. The Minister believes it is all right to have unsecured loans.

Several members interjected.

Mr COURT: Members can rant and rave about the Public Moneys Investment Act, but the Government has used a provision in that Act, which was never used by the previous Government, to place funds at risk. The Act states that the Governor is required to approve these securities from that statutory authority. The Government had to get approval from the Governor and it did so on 5 February, but at the same time the Government says it will not secure those promissory notes. The point I am making is that we now have Treasury short-term money market funds unsecured. These funds have always been secured in the past. The whole process is a big joke. The Government will get the money from the Treasury, and place it in the WADC unsecured. The member for Kalgoorlie cannot deny that the Government can do what it wishes with those funds. Let us look at the WADC Act.

Mr Parker: It does not matter what the Treasury or the investing body does; if they are investing funds they can only be invested pursuant to the particular Act that applies.

Mr COURT: The Minister is playing into my hands. I have explained how under this Act the money can go from the Treasury across to the WADC. Once it receives the money the WADC can invest it in such manner as it thinks fit. The WADC has those funds. Let us consider whose funds they are.

I refer to a question I asked on Wednesday, 13 March, as follows—

When the Western Australian Development Corporation takes over the management of the Treasury's short-term money market operations will the Treasury funds actually be transferred to the balance sheet of the Western Australian Development Corporation or will the Western Australian Development Corporation be acting only as an agent for the Treasury in placing investment funds?

The Premier replied as follows—

Under the new arrangements, Treasury will invest surplus short-term funds with the Western Australian Development Corporation as a registered dealer under the Public Moneys Investment Act. The funds invested with the Corporation by Treasury will therefore be shown in the Balance Sheet of the Corporation as would any other temporary borrowings the Corporation may have. The Corporation will in turn invest these funds in the short-term money market as principal.

The corporation can do what it likes with those funds; they are in its balance sheet.

Mr Parker: It does not say that.

Mr COURT: It does.

Mr Parker: It says "invest them on the short-term money market".

Mr COURT: Let us have it on the record. The Minister for Minerals and Energy, the Minister for Education, and the member for Kalgoorlie say that the WADC, once it gets control of those funds, cannot invest them as it likes. Yet it was made clear in answer to my question that the funds go into the balance sheet of the corporation and it invests them as it sees fit.

Mr Taylor: No, it does not. Read the first part of the answer again.

Mr COURT: The answer says—

Under the new arrangements, Treasury will invest surplus short-term funds with the Western Australian Development Corporation as a registered dealer under the Public Moneys Investment Act.

Mr Pearce: That is right.

Mr COURT: That is how it gets the funds. The Minister for Education is stupid. The funds get to the corporation via this Act. Once it has the funds, under its Act it can invest them as it sees fit. It was this Government which brought in the Western Australian Development Corporation Act.

Mr Taylor: Who brought in the Public Moneys Investment Act? It was your Dad.

Mr COURT: What I am complaining about is that this Government has asked the Governor of this State—

Mr Parker: Under the Public Moneys Investment Act.

Mr COURT: —under that Act to accept those promissory notes which are not secured. The Premier will not secure them, as is clear from his answer to question 2675. The promissory notes will not be Government guaranteed.

Mr Parker: Absolute nonsense!

Mr COURT: I believe I have made my point very clearly. Members opposite seem to think that what is happening to the Treasury short-term money market operations is a joke. The Minister for Minerals and Energy can say what he likes. I am explaining the concern I have.

Several members interjected.

Mr COURT: I understand very clearly what I am talking about. I cannot do any more than ask questions of the Premier and get the answers. I have checked and double checked—

Mr Barnett interjected.

The SPEAKER: Order! The member for Rockingham is completely out of order.

Mr COURT: I have asked the Premier to explain the concerns I have about the effect of the devaluation of the Australian dollar on borrowings of Government statutory authorities. Finally I made the point that this Government's industrial relations record in its own departments is absolutely appalling.

Debate adjourned, on motion by Mr Tonkin (Leader of the House).

*House adjourned at 9.44 p.m.*

## QUESTIONS ON NOTICE

## GAMBLING: CASINO

*Environment: Submissions*

2617. Mr RUSHTON, to the Minister for the Environment:

- (1) Is he aware of section 56 of the Environmental Protection Act?
- (2) Has any person written to the Environmental Protection Authority expressing objection or concern over the casino development on Burswood Island?
- (3) Has the Environmental Protection Authority considered the written submissions made by persons concerned on objections to the casino development?
- (4) Will he table the Environmental Protection Authority reports upon the submissions?
- (5) Has the Environmental Protection Authority made a determination on the Burswood Island development?
- (6) If "Yes" to (5), will he table the report?
- (7) If "No" to (5), why has it not done so?

Mr DAVIES replied:

- (1) Yes.
- (2) Yes. The Hon. P. Pendal, MLC.
- (3) Yes.
- (4) Details of the EPA's recommendation were transmitted by letter to Hon. P. Pendal, MLC, a copy of which is tabled.
- (5) No—other than to decide in view of what is now known that a Public Environmental Report would suffice.
- (6) Not applicable.
- (7) The Public Environmental Report that is being prepared has yet to be completed and assessed by the Authority.

*The paper was tabled (see paper No. 501).*

2643. *Postponed.*

## ABATTOIRS: MEAT

*Antibiotics*

2714. Mr JAMIESON, to the Minister for Agriculture:

- (1) As a recent television documentary indicated that the use of antibiotics was rampant among farmers producing marketable meats, what action is being taken to curtail this action?
- (2) Is he aware that in many European countries and in the United States of America, antibiotics are banned by law from general application to live stock?
- (3) Has the Public Health Department been able to assess the potential danger to the general health of the community by the practice of excessive use of antibiotics by rural producers?

Mr EVANS replied:

- (1) Whilst there are significant amounts of antibiotics administered to animals, mostly this is under the supervision of veterinary surgeons.  
Steps are being taken to strengthen legislation to ensure illegal supply can be more effectively detected.
- (2) No, my Department is unaware of such bans.
- (3) There are theoretical problems in the consumption of antibiotics by animals entering the food chain, however, the National Residue Survey of the Department of Primary Industry has shown levels of antibiotics well below the minimum approved for those substances and I am unaware of any evidence of danger to the Western Australian public from the use of antibiotics in this way.

## GAMBLING: CASINO

*Cord Holdings: Settlement*

2715. Mr HASSELL, to the Premier:

What was the total cost to the State of the settlement with Cord Holdings?

Mr BRIAN BURKE replied:

Each party to the action was responsible for its own costs. The cost to the Crown is estimated to be in the vicinity of \$2 000.

## HEALTH: SPEECH PATHOLOGISTS

### *Appointments: Applications*

2717. Mr McNEE, to the Minister for Health:

- (1) Have applications been called recently for speech therapists' positions in the Midlands and Northam regions?
- (2) If so, have appointments been made?
- (3) If not, why not?

Mr HODGE replied:

- (1) Yes.
- (2) No.
- (3) Positions have been previously advertised but no applications received. Further advertisements have been placed. Applications closed on Monday, 18 March 1985.

## ABATTOIRS: MEAT

### *Stockinette: Quality*

2732. Mr CASH, to the Minister for Agriculture:

- (1) Further to his answer to my question 2679 concerning the use of stockinettes by the Western Australian Meat Commission's Robb Jetty division, are the stockinettes manufactured in Western Australia of sufficient quality to be used by the Western Australian Meat Commission?
- (2) For what reasons does the Western Australian Meat Commission not purchase stockinettes from a Western Australian manufacturer?

Mr EVANS replied:

- (1) Yes.
- (2) Stockinette manufactured in Western Australia is more costly than the imported product. Figures provided by the Meat Commission show that savings of 27-36 per cent are made by using the imported product.

	Local Firm	Imported
Lamb	29.47 c per wrap	18.78 c per wrap (36 per cent saving)
Sheep	29.45 c per wrap	21.61 c per wrap (27 per cent saving)

## TRAFFIC: LIGHTS

### *Pedestrian Phase: Angelo-Coode Streets Intersection*

2733. Mr GRAYDEN, to the Minister for Transport:

- (1) Is he aware that the South Perth primary school's Parents and Citizens As-

sociation has been striving for the past seven years to have a pedestrian interphase installed at the Angelo-Coode Streets' intersection and that the proposal also has the strong support of—

- (a) Wesley College;
  - (b) St Columbus primary school;
  - (c) South Perth City Council?
- (2) As the South Perth City Council has declined to accept the Main Roads Department's offer to "re-align the traffic lights to improve visibility, have pedestrian lines put in, and ask the Police Department to increase surveillance to deter motorists from doing anything illegal at the intersection", will he reconsider the request for a pedestrian interphase at the intersection?

Mr GRILL replied:

- (1) and (2) The traffic signals at Angelo-Coode Streets intersection were commissioned in November 1983. The South Perth City Council requested a walk phase at this location in January 1985. The Main Roads Department's investigations show that a walk phase is not justified at this time.

The Main Roads Department has already taken action to reposition traffic lights to improve visibility and the Police Department has been asked to keep the intersection under surveillance.

## MINERALS: DIAMONDS

### *Agreement Act: Obligations*

2734. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the Diamond (Ashton Joint Venture) Agreement Act, have all participants complied with the requirements of clause 30 of the negotiated agreement?
- (2) If so, on what basis have the participants complied?

Mr PARKER replied:

- (1) Yes.
- (2) The nature and extent of the facilities provided by the Joint Venturers are compatible with the Joint Venturers' approved marketing arrangements.

2735 to 2739. *Postponed.*

## MR J. J. O'CONNOR: CHARGE

*Withdrawal: Reversal*

2740. Mr CRANE, to the Premier:

In view of the reaction of the public of Western Australia to the action of the Attorney General of intervention in the extortion charges against the Secretary of the Transport Workers' Union, Mr O'Connor, will the Government order the reversal of this decision?

Mr BRIAN BURKE replied:

See answer to question 2526.

## EDUCATION: HIGH SCHOOL

*Narembeen District*

2741. Mr COWAN, to the Minister for Education:

- (1) When was the last major repair and renovation programme undertaken at the Narembeen District High School?
- (2) What works were included in the programme?
- (3) Does the Planning Directorate of the department have the Narembeen School listed for any rebuilding programme in the near future?

Mr PEARCE replied:

- (1) The last major repair and renovation was in 1980.
- (2) The works included in the programme were mainly to the external part of the school. Included were painting, flyscreens, door modification and maintenance.
- (3) The school will be considered for rebuilding in the context of the school's needs and the availability of funds. At present, the school does not have a high priority for rebuilding.

## ABORIGINAL AFFAIRS: POPULATION

*Western Australia*

2742. Mr COWAN, to the Minister with special responsibility for Aboriginal Affairs:

- (1) What is the estimated Aboriginal population in Western Australia?
- (2) What are the estimated number of Aboriginals living on—

- (a) reserves;
- (b) mission lands;
- (c) pastoral leases?

Mr WILSON replied:

- (1) The most recent official census figures from the Australian Bureau of Statistics which were compiled in 1981 put the Aboriginal population in Western Australia at 31 351. I might point out however, that it is the view of the Aboriginal Affairs Planning Authority and the local office of the Federal Department of Aboriginal Affairs that the official figure is quite significantly underestimated and is thought to be closer to 40 000.
- (2) It is not possible to provide the member with this information with any accuracy. I am advised that the Australian Bureau of Statistics population breakdown is in local government areas with some Aboriginal community population figures included. The collection of more detailed information on the actual number of Aboriginal people living on reserves, mission lands and pastoral leases would involve a major exercise and I would not be prepared to allocate the limited resources of my department to such a review at this time.

However, I can table population figures from the Australian Bureau of Statistics for the member's information and remind him that there is to be a census conducted in 1986.

*The paper was tabled (see paper No. 500).*

## AGRICULTURE: FARMS

*Sales: Mortgagees*

2743. Mr COWAN, to the Minister for Agriculture:

- (1) Has a record been kept of the number of mortgagee farm sales conducted in 1984-85?
- (2) If "Yes" in what shires did the sales take place?

Mr EVANS replied:

- (1) No.
- (2) Not applicable.



**HEALTH: ALCOHOL**

*Serenity Lodge: Funding*

2744. Mr MacKINNON, to the Minister for Health:

- (1) When will the \$34 000 referred to by him in question 2268 of 21 February, be paid to Serenity Lodge?
- (2) Are there any conditions applying to this payment?
- (3) If so, what are those conditions?

Mr HODGE replied:

- (1) Funds available for Serenity Lodge will be paid on receipt of a signed document entitled "The Terms of Agreement and Conditions of Grant" and in accordance with the provisions of that document.
- (2) Yes.
- (3) The conditions are contained in "The Terms of Agreement and Conditions of Grant"; a standard document signed by all agencies receiving funds from the WA Alcohol and Drug Authority.

**TOURISM COMMISSION**

*Commissioners: Remuneration*

2745. Mr MacKINNON, to the Minister representing the Minister for Tourism:

- (1) Do the commissioners serving on the Western Australian Tourism Commission receive any remuneration for acting in that position?
- (2) If so, will the Minister detail for me those payments?
- (3) Have any of the commissioners received payment from the Tourism Commission in addition to those payments?
- (4) If so, will the Minister detail for me the amounts paid to each commissioner and the reasons for that payment?

Mr BRIAN BURKE replied:

- (1) Yes.
- (2) All members, other than the Chairman and Chief Executive who is a salaried officer, are eligible for an annual fee of \$3 000. Five of the six part-time members of the commission receive the fee.
- (3) Yes.

\$

- (4) Mr Basil Atkinson—Travelling expenses 233.11  
Mr Stephen Hales—Travelling expenses 369.03

Mr Warren Tucker—Travelling expenses	289.14
Mr Ted Archer—Travelling expenses	214.09
Mr Bill Gill—Travelling expenses	6 166.81
Professional service fees	1 258.06

**TOURISM COMMISSION**

*Human Resources Division: Director*

2746. Mr MacKINNON, to the Minister representing the Minister for Tourism:

- (1) Who has been appointed as Director of the Human Resources Division of the Western Australian Tourism Commission?
- (2) When will this appointment be taken up?
- (3) What is the salary which will be paid to the person occupying that position?

Mr BRIAN BURKE replied:

- (1) Mr Neil Barrie.
- (2) Monday, 25 March, 1985.
- (3) \$42 500.

**PUBLIC RELATIONS: PRESS SECRETARIES**

*Employment: Government*

2747. Mr HASSELL, to the Premier:

- (1) What is the total number of press secretaries employed by the State Government?
- (2) In which departments do they work?
- (3) What position is held by D'Arcy Farrell?
- (4) What position is held by Don Rowe?
- (5) What are their total salaries?
- (6) What is the total cost of press secretaries and media workers to the State Government?
- (7) Have any press secretaries been transferred from the Media Department to other departments in the past six months?
- (8) If so, who were they?
- (9) To which departments were they transferred?
- (10) What are their new positions?
- (11) What are their total salaries?

Mr BRIAN BURKE replied:

- (1) 9.
- (2) In all Government Departments.

- (3) and (4) Consultants.
- (5) Consultants are not paid salaries. Fees payable depend on hours worked.
- (6) There are a number of Government employees in media and related activities. To provide total costs would involve significant research, however, if the member has any specific concerns, I would be pleased to have them investigated.
- (7) to (11) No press secretaries have been transferred to other departments in the past six months, although some are on secondment and others have successfully applied for positions in the Government.

### PUBLIC RELATIONS: ADVERTISING

*Budget: 1985-86*

2748. Mr HASSELL, to the Premier:

- (1) What is the State Government's total advertising budget for this financial year?
- (2) If an allocation is made to individual departments, can he give details as follows—
  - (a) which departments are given an advertising budget;
  - (b) how much is each of those departments given?
- (3) How much money is spent by the State Government advertising—
  - (a) in Western Australia;
  - (b) in Australia;
  - (c) overseas?
- (4) In view of the Government's disapproval of the practice when in Opposition, when did the Government decide to adopt the practice of using Ministers' photographs in its advertising?
- (5) Why was the decision made?
- (6) Who made the decision?

Mr BRIAN BURKE replied:

- (1) to (6) The Government does not maintain an overall advertising budget. Expenditures are met from the budget of departments, authorities and instrumentalities.

A considerable degree of research would be necessary to ascertain the information sought, however, if the member has any specific concerns, I will consider having them investigated.

### INDUSTRIAL RELATIONS: DISPUTES

#### *Working Days Lost*

2749. Mr HASSELL, to the Premier:

- (1) How many working days were lost through industrial disputes per head of population in Western Australia in—
  - (a) 1982;
  - (b) 1983; and
  - (c) 1984?
- (2) How many working days were lost through industrial disputes per head of population in Australia in—
  - (a) 1982;
  - (b) 1983; and
  - (c) 1984?
- (3) What was the total number of working days lost in Western Australia in—
  - (a) 1982;
  - (b) 1983; and
  - (c) 1984?

Mr BRIAN BURKE replied:

#### (1) WESTERN AUSTRALIA

Population (as at June)	No. Working Days Lost To December	No. Working Days Lost Per Person
1982 1 336 900	162 400	0.12
1983 1 364 300	270 600	0.20
1984 1 382 600	119 300	0.09

#### (2) AUSTRALIA

Population (as at June)	No. Working Days Lost To December	No. Working Days Lost Per Person
1982 15 178 400	2 158 000	0.14
1983 15 378 600	1 641 400	0.11
1984 15 543 600	1 305 900	0.08

#### (3) WESTERN AUSTRALIA

#### *Total Working Days Lost*

As at December 1982—162 400

As at December 1983—270 600

As at December 1984—119 300

NOTE: Population estimates available as at June only.

Sources: A.B.S. Catalogue Nos. 6321.0-3101.0

### ALUMINIUM SMELTER: INFRASTRUCTURE

#### *Requirements*

2750. Mr BRADSHAW, to the Premier:

- (1) Has consideration been given to the extra infrastructure requirements that will be needed if the proposed aluminium smelter is built?

(2) If so—

- (a) What considerations have been given;
- (b) who will be responsible for such infrastructure requirements; and
- (c) who will pay the costs?

Mr BRIAN BURKE replied:

- (1) Yes.
- (2) (a) to (c) These matters are being discussed between appropriate Government authorities and with the smelter Consortium.

#### ALUMINIUM SMELTER: RAIL LINK

##### *Westrail: Details*

2751. Mr BRADSHAW, to the Minister for Transport:

- (1) Has Westrail details of the proposed rail link to and from the proposed smelter site at Kemerton?
- (2) If so, is this information available?
- (3) If this information is available, will he supply a copy?

Mr GRILL replied:

- (1) The route location of the proposed rail link to the Kemerton smelter site has not yet been determined.
- (2) and (3) Not applicable.

2752. *Postponed.*

#### REGIONAL DEVELOPMENT: GREAT SOUTHERN REGIONAL STUDY

##### *Completion*

2753. Mr WATT, to the Minister for Regional Development:

- (1) When is it anticipated that the Great Southern Regional Study being undertaken by the Great Southern Regional Development Advisory Committee will be completed?
- (2) Will its findings be published in a report?
- (3) Will the report be available to the public, and if not, why not?

Mr GRILL replied:

- (1) March 25, 1985.
- (2) Yes.
- (3) Yes.

2754. *Postponed.*

#### MINISTERS OF THE CROWN: CABINET

##### *Parliamentary Secretary: Overseas Trips*

2755. Mr MENSAROS, to the Premier:

- (1) Are interstate and overseas trips by the Parliamentary Secretary of the Cabinet being paid for by the Government?
- (2) If so, what is the justification for this in the public interest?
- (3) Under which item of the General Revenue Budget have appropriations been made for this purpose?

Mr BRIAN BURKE replied:

- (1) and (2) Yes, in accordance with procedure approved by the previous Government that the Parliamentary Secretary of the Cabinet is entitled to the same travel arrangements as a Minister, with the proviso that prior approval should be obtained in each case from the Premier or Deputy Premier.
- (3) Division 4—Department of the Premier and Cabinet.

##### PARLIAMENTARY

Item 17—Ministerial Travel and Incidentals.

#### TAXES AND CHARGES: PROBATE

##### *Reintroduction*

2756. Mr MENSAROS, to the Treasurer:

Is he prepared to state that no legislation will be introduced by the Government for State Probate or Gift Duties?

Mr BRIAN BURKE replied:

Yes. No such legislation will be introduced.

#### COURTS: DISTRICT COURT

##### *Pretrial Conferences*

2757. Mr MENSAROS, to the Minister representing the Attorney General:

- (1) Since its introduction, how many cases in the District Court have been listed for pre-trial conferences, and what percentage do these represent of the aggregate number of cases during this period of time?
- (2) How many of the listed cases have been dealt with in conference?

- (3) How many of those dealt with have been—  
 (a) fully;  
 (b) partly,  
 settled out of court?

Mr GRILL replied:

- (1) Pre-trial conferences commenced in the District Court on 1 February 1985. Since then every new case has been scheduled for a pre-trial conference. A total of 500 cases have been scheduled for pre-trial conferences so far.  
 (2) 204.  
 (3) 104 cases were settled at conference. Of the actions heard in conference, 47 have been adjourned for further consideration and 53 listed for trial.

#### WATER RESOURCES: CATCHMENT AREAS

##### *Feral Pigs*

2758. Mr MENSAROS, to the Minister for Water Resources:

- (1) Are there any activities going on at catchment areas of surface water reservoirs to exterminate feral pigs?  
 (2) If so—  
 (a) would he describe these activities;  
 (b) inform the House about the catchment areas involved?

Mr TONKIN replied:

- (1) No.  
 (2) Not applicable.

#### ENVIRONMENT: ABROLHOS

##### *Closure*

2759. Mr MENSAROS, to the Minister for the Environment:

- (1) Has his department examined the proposition by Dr Paul Lewis, who led a diving expedition on the Abrolhos Islands, to close about 40 square kilometres of Abrolhos to all exploitation in order to preserve the coral reefs?  
 (2) If so, has he formulated any policy on this proposition?

Mr DAVIES replied:

- (1) and (2) Although the Department is aware of Dr Lewis' interest in the

Abrolhos Islands, no specific proposition has been presented for examination.

#### CHEMICALS: SAFETY

##### *Regulations*

2760. Mr MENSAROS, to the Minister for the Environment:

- (1) In view of the Bophal catastrophe in India, and in view of reported comments by the Director of the Department of Conservation and Environment, is the Government making statutory or regulatory provisions to list the chemical substances which, given mishandling or accident, can be dangerous to the community, and to prescribe their safekeeping?

- (2) Can he detail such proposed provisions?

Mr DAVIES replied:

- (1) Planning for the introduction of a mandatory notification and assessment procedure for all new chemicals either manufactured in, or imported into, Australia is well advanced, with legislation likely to be introduced in Federal Parliament later this year.

Most of the work has been undertaken under the guidance of the Australian Environment Council although the scheme will be administered by the new National Occupational Health and Safety Commission. Assessment of new chemicals will result in reports which will detail all likely risks and hazards and make recommendations on control measures for the whole life cycle of the particular chemical.

The many existing chemicals in use in Australia are also most important. A list of potentially environmentally hazardous chemicals has been identified and detailed profiles prepared for 14 of these substances.

It will be the responsibility of each of the States to respond to these National initiatives, and in WA the Department of Conservation and Environment is taking a co-ordinating role. Currently we are undertaking a general review of legislation and procedures concerned with the control of hazardous substances so as to be able to respond to any national legislation and to identify any gaps or deficiencies in WA.

- (2) I cannot detail the provisions for legislation at the Federal level because they are at the drafting stage. However, when a Bill becomes available I will make sure the member receives a copy.

Legislative changes in WA are part of an evolving process in which the Government is trying to minimise the likelihood of accidents occurring. In due course we will have to establish State procedures to complement the National Notification and Assessment scheme.

#### SCM PTY. LTD.: WASTE DISPOSAL

##### *Dames and Moore Report*

2761. Mr MENSAROS, to the Minister for the Environment:

As a result of the Government's reported study of Dames and Moore's report on Laporte's waste disposal, will there be a change in the so far applied and anticipated method of disposing of the waste by the Government?

Mr DAVIES replied:

The ERMP is open for public review until 12 April 1985. The Environmental Protection Authority will then make its recommendations to Government. Accordingly, no decisions have been made by Government at this time.

#### RIVER: SWAN RIVER MANAGEMENT AUTHORITY

##### *Membership*

2762. Mr MENSAROS, to the Minister for the Environment:

Who are the members of the Swan River Management Authority and what are the respective expiry dates of their terms of office?

Mr DAVIES replied:

The members of the Swan River Management Authority are:

Names	Expiry Date
Mr M. H. Shean— Chairman	30/6/85
Mr C. C. Cheyne— Deputy Chairman	30/6/85
Mr C. J. Gordon	30/6/85
Mr R. Sweetman	30/6/85
Mr M. G. Anderson	30/6/85
Mr B. S. Sanders	30/6/85
Mr C. D. Murphy	30/6/87
Dr P. Nattrass	30/6/85

Names	Expiry Date
Mr N. Halse	30/6/85
Mr R. L. Seares	30/6/85
Mrs R. Faulkner	30/6/86
Mr P. Gralton	30/6/87

#### ENVIRONMENT: PEEL INLET

##### *Algae: Harvesting Machine*

2763. Mr MENSAROS, to the Minister for the Environment:

- (1) To what extent have the floating harvesting machines been employed in the Peel Inlet and Harvey Estuary so far during this summer season?
- (2) What was the estimated quantity of harvested algae?

Mr DAVIES replied:

- (1) 18 days.
- (2) 363 cubic metres.

#### ENVIRONMENT: CONSERVATION ORGANISATIONS

##### *Non-Government: Commonwealth Grants*

2764. Mr MENSAROS, to the Minister for the Environment:

- (1) What was the aggregate amount of Commonwealth grants allocated to Western Australian non-Government conservation organisations in 1984-85?
- (2) Could he please detail these organisations and the respective amounts each has received?
- (3) Are there any conditions attached to these amounts, and if so, what are they?

Mr DAVIES replied:

- (1) to (3) The State Government does not keep this detail.

#### STOCK: STRAYING

##### *Impounding: Responsibility*

2765. Mr CRANE, to the Minister for Police and Emergency Services:

- (1) Is it the responsibility of the police or the local authority to remove or impound stock which—
  - (a) stray onto road reserves;
  - (b) stray onto private property?
- (2) Does this responsibility change if the private property is within the town boundary?
- (3) Is the property owner permitted to destroy stock straying onto the property?

- (4) If "Yes", what type of stock fall within this category, and what action must they take after having destroyed the stock?
- (5) If "No" to (3), what action can the owner of the property take to protect the property from straying stock?

Mr CARR replied:

- (1) (a) The police have authority to remove or impound straying stock from a road or reserve under Regulation 1701(3) of the Road Traffic Code.

The responsibility is twofold, in as much as the Local Council also has power under the Local Government Act, Part XX.

As Local Authorities have the facilities to impound stock, it is normal for police to seek their assistance.

- (b) Part XX of the Local Government Act (Section 458) provides for cattle found trespassing upon land to be impounded in the nearest suitable pound by the owner or occupier of the land or by a ranger or an officer of the Council or a person authorised to do so by the Council.
- (2) No. The Local Government Act Part XX covers any part of the District (447 and 458).
- (3) The Local Government Act permits the impounding of cattle from trespass by the owner or occupier of the land and in general terms stock cannot be destroyed. The only time stock can be destroyed is under the authority of a Justice after it is shown to his satisfaction that it is not possible to impound the stock, except at undue expense, and that the owner of the stock is unknown or cannot be found. (Section 459, Local Government Act).  
Section 280 of the Local Government Act permits an owner or person in charge of enclosed land under certain circumstances to destroy goats, pigs, birds or poultry.
- (4) In the rare cases where destruction of stock is ordered, Section 459 of the Local Government Act provides that if the animal is a horse, mare, filly, foal, gelding, colt, camel, bull, bullock, cow, heifer, steer, ass or mule, the Justice may order the production and delivery to a police constable of the hide of the animal

and by the order give such direction as to the disposal of the hide as he thinks fit.

- (5) Answered by (3) and (4).

## ARTS: ART GALLERY

### Board: Members

2766. Mr BRADSHAW, to the Minister for the Arts:

- (1) What is the maximum number of members able to be appointed to the board of the Art Gallery of Western Australia?
- (2) Who are the current members of the board of the Art Gallery of Western Australia?
- (3) When did the following former members' terms expire—  
(a) Mr R. S. Sampson;  
(b) Mr C. R. Leith;  
(c) Mrs J. M. Lewis?
- (4) How many members constitute a quorum of the board of the Art Gallery of Western Australia?

Mr DAVIES replied:

- (1) 7.
- (2) E. Fry, V. D. Knott, R. S. Forbes, G. E. Summerhayes.  
Three additional names are before Cabinet for consideration.
- (3) (a) R. S. Sampson, May 6, 1984;  
(b) C. R. Leith, May 5, 1984;  
(c) J. M. Lewis, May 5, 1984.
- (4) 4.

## ARTS: MUSEUM

### Board: Members

2767. Mr BRADSHAW, to the Minister for the Arts:

- (1) What is the maximum number of members of the board of the Western Australian Museum?
- (2) Who are the current members of the board of the Western Australian Museum?
- (3) When do the terms of the current members expire?

Mr DAVIES replied:

- (1) 7.
- (2) and (3) Mr Justice Kennedy (term expires on December 31, 1987);

C. T. Stannage (December 31, 1987)  
 S. Bowdler (December 19, 1985);  
 H. C. Lang (December 19, 1985);  
 B. Y. Main (December 19, 1985).

# ARTS: ARTS COUNCIL

## Board: Members

2768. Mr BRADSHAW, to the Minister for the Arts:

- (1) What is the maximum number of members of the board of the Arts Council of Western Australia?
- (2) Who are the current members of the board of the Arts Council of Western Australia?
- (3) When do the terms of the current members expire?

Mr DAVIES replied:

- (1) 12.
- (2) and (3) H. Bluck (term expires on November 30, 1985);  
 H. Colebatch (November 30, 1985);  
 J. Harper-Nelson (November 30, 1985);  
 L. Marchant (November 30, 1985);  
 R. Reilly (November 30, 1985);  
 S. Cox (November 30, 1986);  
 B. McKay (November 30, 1986);  
 A. Sumner (November 30, 1986).

Four additional names are before Cabinet for consideration.

# HEALTH: DRUGS

## Patients: Mt. Lawley Premises

2769. Mr CASH, to the Minister for Health:

- (1) Is it intended to treat drug addicted patients from the proposed Western Australian Alcohol and Drug Centre in Field Street, Mount Lawley?
- (2) Has a contract been accepted for the proposed renovation work at the Alcohol and Drug Authority site?
- (3) If "Yes", when is it intended to commence renovation work at the site?
- (4) Have the plans for the proposed work been approved by the City of Stirling?

Mr HODGE replied:

- (1) No.
- (2) No.
- (3) Not applicable.

- (4) No. Approval is not required; however, a copy of the plans were forwarded to the City of Stirling for its information.

# QUESTIONS WITHOUT NOTICE

## ALUMINIUM SMELTER: CONSTRUCTION

### Negotiations

838. Mr HASSELL, to the Premier:

What is the progress of negotiations, and the timetable, for the south-west aluminium smelter?

Mr BRIAN BURKE replied:

Not having received notice of this question, I am unable to answer the Leader of the Opposition in the detail he would like. If he puts the question on the Notice Paper I will provide him with the details.

The people who have been to Korea on behalf of the Government have reported that the negotiations to find a suitable replacement partner have proceeded very satisfactorily. Several of the major Korean trading companies have indicated an interest in participating in the project, and the Korean Government has underlined its very strong support for the project. I am expecting that within the next few weeks we will be in a position to identify and confirm those joint venturers who are participating in the project, and that within those few weeks we will be able to make a statement about the likely timetable that the establishment of the project will follow.

# ENERGY: GAS

## North-West Shelf: Government Ineptitude

839. Mr TAYLOR, to the Premier:

- (1) Is he aware of comments by the member for Narrogin and Sir Charles Court accusing the Government of ineptitude in handling the North-West Shelf gas project and claiming that the Government had sought to rock the boat in a way that must have scared the daylights out of the partners?
- (2) Is he aware that Sir Charles Court has described the Government as a boy on a man's errand and has claimed that the Government had pressed the panic button?

- (3) Does the Government concur with these sentiments?

Mr BRIAN BURKE replied:

- (1) to (3) I am disappointed that the member for Narrogin and the former Premier chose to be so critical of the present Government and so defensive of their own record. Last month the Leader of the Opposition wrote to me indicating his complete support for developments in relation to the project and expressing the wish that the Opposition not be publicly involved in defending past decisions on the project. I table a copy of that letter for the information of the member for Narrogin, who either chooses to ignore his new leader in these matters or does not bother to consult him.

From the comments of Sir Charles Court, one could be forgiven for believing he is still running for public office. I urge the member for Narrogin to read the letter as that will save my having to read it to the House. I am sure that once he reads it he will be terribly embarrassed by his contradiction of the stated wishes of the Leader of the Opposition.

Let me encapsulate this whole matter in a nutshell. It is as clear as the nose on your face, Mr Deputy Speaker, that the previous Government pushed the State Energy Commission into a series of unwise decisions involving burdens to be imposed on the people of this State as a result of the signing of the contract to purchase North-West Shelf natural gas. I will give one example: Initially, the joint venturers were to market the Pilbara gas and after a period in which they were unable to find a market for that gas the SEC was instructed to assume the responsibility for marketing the gas.

The State was crippled by the additional burden that that marketing exercise represented in the face of the failure by the joint venturers to find a market for the gas. Sir Charles Court stands condemned by not only the changing circumstances in respect of the marketing of the gas, but also by his refusal to acknowledge that it was at his behest and at the behest of the member for Narrogin that that single example was joined by many others. That illustrated the way in which the State Energy Com-

mission was forced into the gun on the question of the contract that was signed for North-West Shelf gas.

I give full credit to the Minister for Minerals and Energy who has taken that lemon—that difficult problem—and has translated it as the result of tremendous effort into a contract that is going to be of great benefit to this State; and while it will sour the thoughts of the Opposition, it is largely as a result of the efforts of the Minister for Minerals and Energy that it seems we will get a smelter in the south-west; it seems we will get a urea formaldehyde plant; and it is absolutely certain that the second stage of the North-West Shelf project will proceed. That is not as a result of the efforts of the member for Narrogin. He presided over the signing of the contract and seeks now to defend himself by attacking the State Energy Commission.

We have the crocodile tears of the member for Gascoyne defending public servants as he draws imaginary circumstances into debate at the same time as the member for Narrogin bitterly attacks Mr Kirkwood and the State Energy Commission for doing what they were told to do by the previous Government. They were told, in addition to that marketing exercise to which I have referred, for example, to conclude negotiations in respect of the contract before the back-to-back provisions in the contract that would have protected us against exposure from Alcoa when they decided to vary their stance, had been completed.

The member for Narrogin and the former Premier (Sir Charles Court) stand condemned for their actions in compelling this State into a set of decisions and burdens that could not realistically be supported. That is not our judgment; that is the judgment of the joint venturers who came to us and said, "What can we do to renegotiate the contract?" That is the judgment of the Federal Government to the State when it realised what the previous State Government had done in this State and said it would forgo royalties to assist us. This is a judgment of all those objective and impartial observers of a situation that was created by a Government intent on pumping up expectations to get votes. We have not



done that. We have rescued that situation and I give full credit to the Minister for Minerals and Energy.

*The documents were tabled (see paper No. 502).*

# HEALTH: HOSPITAL

## Royal Perth: Bed Shortage

840. Mr THOMPSON, to the Minister for Health.

- (1) Has he read the article in to-day's *The West Australian* newspaper under the heading "Bed Shortage Disrupts RPH Operations", in which article the following was revealed: That Dr Rex Joyner, Medical Superintendent of Royal Perth Hospital, stated that of the 40 or 50 emergency cases expected at the hospital yesterday only 35 could be provided with a bed, leaving the clear inference that the 62 non-urgent patients who were expected to be admitted would be turned away; that last year 500 operations were cancelled on the day of surgery, 133 operations have been cancelled in less than 3 months this year, and that many more are expected in the future; and that the bed shortage is directly related to the introduction of Medicare?

The DEPUTY SPEAKER: What is the question?

Mr THOMPSON: To continue—

- (2) What action is he taking to correct the dangerous situation which is developing at Royal Perth Hospital and other hospitals in this State?

Mr HODGE replied:

- (1) Yes, I actually have a copy of the article with me, so I did read it and did anticipate the question. I thank the member for Kalamunda for the question. I did not altogether agree with the reported comments of Dr Joyner about the fact that Medicare has caused some bed shortages at the Royal Perth Hospital. Big teaching hospitals from day to day, of course, have fluctuating work loads and it is quite common practice for teaching hospitals and indeed most large hospitals to require patients to phone in on the day of their admittance for elective surgery to check if indeed there is an available bed because large hospitals—

Mr Thompson: Emergency cases were turned away yesterday.

Mr HODGE: Emergency cases, of course, are not turned away. If emergency cases are incapable of being accommodated in a particular teaching hospital they are re-directed to another teaching hospital; and the teaching hospitals have an agreement between themselves to accommodate that point.

The point I was making before the member interjected is that it is very common for large teaching hospitals to operate at near full occupancy rate; therefore, of course, it is a wise direction—and patients are told—to phone the hospital before they actually leave home prior to being admitted to ensure a bed is available. That is not uncommon. That is not a new situation and has not been caused by Medicare. In fact, generally speaking, throughout the State's hospital system, the activity in our hospitals since the introduction of Medicare has varied only very slightly indeed. In fact—

Mr Thompson: It has deteriorated.

Mr HODGE: In some areas it has slightly decreased; in other areas it has slightly increased; but overall there has only been a very marginal increase in activity since the introduction of Medicare.

The point that I wanted to make is that in any large teaching hospital priority has to be given to emergency cases, so if beds are tight, it is commonsense for people coming in for non-urgent elective surgery to telephone the hospital and ascertain if a bed is available.

- (2) The member asked about steps that are being taken to try to alleviate these problems. One of the major steps that I have taken is to ask the Royal Perth Hospital to assume responsibility for managing the Bentley Hospital. The Bentley Hospital is one of our largest non-teaching hospitals and the nature of its operation in recent years has imposed an additional burden on the Royal Perth Hospital. The fact that there is a gross distortion in the patient admittance patterns of the Bentley Hospital is causing many patients to be directed to Royal Perth Hospital when they could readily have been admitted to the Bentley Hospital; and that has helped to put the strain onto the Royal Perth Hospital.

I am confident that when the Royal Perth Hospital finishes its negotiations

with the Australian Medical Association and the medical profession over the conditions of employment at the Bentley Hospital, and they assume the day-to-day management of that hospital, it will assist quite markedly in relieving some of the pressure on the Royal Perth Hospital.

### TOURISM COMMISSION

*Claims: Member for Gascoyne*

841. Mr GORDON HILL, to the Premier:

Are the outlandish claims made by the member for Gascoyne in his speech this afternoon about the Tourism Commission accurate?

Mr BRIAN BURKE replied:

He will answer the second part of his speech when he finishes that part of it, but it is important that the House understands the member for Gascoyne has been designated by the Leader of the Opposition to come into this place and to make any outlandish claim whatsoever in an effort to get newspaper headlines, and that fact is evidenced by the constant furtive conversations that the Leader of the Opposition carries on over his shoulder and the constant imploring to the Press gallery by the member for Gascoyne; so in those circumstances, I guess there is no apology necessary on the Government's part for answering the sorts of outlandish claims that the member for Gascoyne makes. Let us stop and consider this evening the fierce attacks launched by the member for Gascoyne.

### *Points of Order*

Mr THOMPSON: It seems to me that the question the Premier is answering is an absolute abuse of question time. The member for Gascoyne was contributing to a debate; and in a debate there is an opportunity for the other point of view to be put, and it just seems to me that it is not proper for this question to be considered during question time.

Mr TRETOWAN: On the same point of order, I raise the question whether the Premier in answering this question is not attempting to reply to the debate and whether he may in fact be closing the debate by raising these matters.

Mr Tonkin: It is not before the Chair; how can he close the debate?

### *Deputy Speaker's Ruling*

The DEPUTY SPEAKER: Order! I have considered the points of order raised by the members for Kalamunda and East Melville. I am not sure that the point raised by the member for East Melville is correct. However, the point raised by the member for Kalamunda has some merit. I believe Standing Order No. 125 relates to this matter, and I rule the question out of order.

*Questions (without notice) Resumed.*

### PORTS AND HARBOURS: JURIE

*Contract: Representations*

842. Mr HASSELL, to the Minister for Works:

Has the Minister had referred to him further representations to the Government about the awarding of the contract for the Jurien breakwater by the Public Works Department to a tenderer significantly higher than the lowest available tenderer and, if those submissions have been referred to him, has the Government reconsidered the awarding of the tender or has it rejected the submissions?

Mr McIVER replied:

I am not aware of any further request made to me since I replied to this question last week. If the Leader of the Opposition wants more detail, let him put the question on notice.

Mr Hassell: A submission was made to the Premier six days ago.

Mr McIVER: I have had no submission.

### FIRE BRIGADES

*Country: Rescue Trailers*

843. Mr D. L. SMITH, to the Minister for Police and Emergency Services:

Will he outline what action the Government has taken to provide rescue trailers to country fire stations?

Mr CARR replied:

Yes. Fire brigade officers will be able to undertake more efficient rescue work throughout the State with the addition of rescue trailers to six country stations.

The specially-designed rescue trailers are being delivered over the present period.

The first went to Bunbury last month and the second was delivered to Mandurah last week. I handed over the third to the Kalgoorlie brigade yesterday and others are proposed for Albany and Northam in April, and Derby in May. Consideration is being given to extending the programme beyond the six mentioned, and a request has been received from Carnarvon in the last couple of days and is being considered.

The trailers are similar to one designed and built at Geraldton 18 months ago after money was raised by the town's Rotary Club.

The new trailers, designed and built by the Western Australian Fire Brigades Board, cost \$23 000 each, \$13 000 of which has been provided by the brigade and \$10 000 raised by local service clubs. They will dramatically boost the stations' capability in rescue work and at incidents involving hazardous chemical spillages.

They carry the Lukas shears and spreaders, popularly known as the 'Jaws of Life'; equipment to deal with building and accident rescues; power generating units to provide lighting; and stretchers. For incidents such as chemical spills and those involving hazardous chemicals, there are splash suits and other protective clothing, as well as breathing apparatus sets.

The trailers are built of aluminium alloy and will be towed behind the brigade's light tankers, carrying a crew of two firefighters.

## EDUCATION: TEACHERS

### *Promotions: Regulations*

844. Mr CLARKO, to the Minister for Education:

- (1) When does he intend to introduce a regulation to this Parliament which will cover a new system of special promotion in primary and secondary schools?
- (2) Will affirmative action be included in the proposed regulation concerning the promotion of Class 1 deputy principal (female) to Class 1 principal?
- (3) If the answer to (2) is "Yes", will such action discriminate against both males and females who are currently on the promotion lists?

Mr PEARCE replied:

- (1) and (2) The regulations will be presented to Parliament in the normal way when they are drawn up. There will be no holding back on that. It certainly is not the case that the regulations have had all the "t's" crossed and "i's" dotted. When they are completed by the Crown Law Department I will table them in the normal way. The member will then see precisely what they contain; but there is no secret about what is proposed because details have been published in great detail in the *Education Circular*. I guess the member has access to a copy, but if not, I will send him one.
- (3) With regard to the question of whether the proposal will discriminate against male and female teachers on the promotion list, I point out that the situation has been somewhat misrepresented by only one side of the matter being reported. The Beazley committee examined and reported on this matter last April and concluded there should be a promotion-on-merit arrangement. We are moving to a total promotion-on-merit scheme over a four-year phase-in period. The phasing in advantages those people who are currently on the promotion list because the whole purpose of phasing in promotion on merit and keeping a significant number of promotions of those people who are currently on the ladder advantages those on the ladder against everybody's ultimate best interests—that is, promotion on merit. People already on the list are considerably advantaged by the phasing-in process we are using as distinct from their position if we moved completely to promotion on merit next year because all their positions on the list would disappear overnight.

It has always been the tradition that changes to promotion systems are not made with that degree of expedition. In order to remedy the position to give a greater degree of fairness and equality to those who are currently on the list, if we are to continue to work from the list, a proposal has been worked out between the Education Department and the Teachers Union, representing all teachers, as to the exact way to give some redress to women who have been discriminated against under the old system. The proof of that is in the look-

ing because about 55 per cent of the teachers in primary schools are women. Of nearly 560 principal promotion positions in the primary service less than 30 are held by women. It can hardly be argued that women are an advantaged group when it comes to promotion to principal.

As a result of the steps we have taken the grand number of nine women reached the position of principal at the beginning of this year and they had an average of 27 years' service. I do not know how many promotions were made—it was of the order of 123. I am not certain that that is accurate. Out of 550-odd promotional positions less than 30 are held by women, nine of whom got the position at the start of this year because of the changes made to the system. There is no massive improvement on behalf of women. The average experience in schools of the women who got the promotional positions was 27 years. There is no massive downgrading of the position of men or a massive upgrading of the position of women. The agreement we have reached still enshrines a measure of discrimination against women in their favour but it is a more equal position than was the case previously.

When we get to promotion on merit there will be a totally equal position.

The Government has not been involved in the drafting of this agreement between the Education Department and the Teachers Union. I have agreed to the agreement and promulgated it. I was not personally involved in drafting; I simply agreed to the agreement that was made.

Mr Rushton: It is your responsibility.

Mr PEARCE: Of course it is my responsibility, and I agreed to it. I am defending it now because I think the right decision was made. It is totally untrue to suggest that it was forced on an unwilling department or group of teachers by the Government. It is in accordance with the Beazley report and with the union's policy at the last of its two conferences. The claims that there has been no consultation are totally untrue. The principals' association which is claiming lack of consultation is the same group of people who went to the Teachers Union confer-

ence last August and sought to convince their peers—other teachers—that they should not adopt the policies they proposed to adopt; and the principals lost the debate. Now apparently they are popping up in *The West Australian* trying to pretend they had never heard of this until they saw it in the *Education Circular*. That is a very dishonest way of carrying on business. The regulations are being drawn up and will be put before the House at the earliest opportunity, and the House will have its chance to consider the agreements that have been made.

#### TOURISM COMMISSION

##### *Appointments: Senior Positions*

845. Mr GORDON HILL, to the Premier:

Will the Premier outline the arrangements which have been made for senior positions in the Western Australian Tourism Commission?

Mr BRIAN BURKE replied:

Everyone will acknowledge that recent events indicate that we should make sure that the truth comes out in respect of all matters so that the public is able to judge for themselves. I am grateful to the member for Helena for directing this question to me. I want to say, from the outset, that the Government has absolute and total belief in the integrity of Mr Basil Atkinson and his fellow commissioners.

An Opposition member: We have not.

Mr BRIAN BURKE: I know the member has not; he has made that clear.

We support Mr Atkinson's integrity and, far from calling his actions criminal, we believe that he has absolute and unstinting integrity. He has our full support. The other commissioners also have our full support. Mr Hayes, Mr Warren Tucker, Miss Cheri Gardiner, and Mr Ted Archer all have our full support. We believe they have done a marvellous job.

I now mention some of the changes that have occurred, as referred to by the questioner. First of all, there have been no sackings. As a result of the Price Waterhouse Associates Pty. report which was sought by the senior officers of the commission—namely the chairman (Mr Hitchen) and the general manager (Mr Watling) who both asked and

recommended to the commission that such a report be commissioned—five officers were offered the opportunity of returning to the Public Service or accepting a severance-pay package. How is that sacking anyone? For the purpose of some people who stand here and say anything seeking a headline—

*Point of Order*

Mr WATT: I raise the same point of order raised earlier under Standing Order No. 125. It clearly states that no member shall allude to any debate of the same session. I believe the Premier is doing that in referring to matters that were raised earlier today by the member for Gascoyne.

Mr PEARCE: For the benefit of the House, Standing Order No. 125 states—

No Member shall allude to any debate of the same Session, upon a question or Bill not being then under discussion except by the indulgence of the House for personal explanations.

The Premier's credibility is being attacked. All he was doing was making a personal explanation.

*Deputy Speaker's Ruling*

THE DEPUTY SPEAKER: My earlier ruling was made for a specific reason. The member for Gascoyne had made remarks immediately prior to question time, and those remarks during that debate were being addressed. I cannot rule the same way in respect to this question or its answer because the debate on the Supply Bill allows members to address any subject they wish. Were I to rule the Premier out of order, I could then rule the same way for every question.

*Questions (without notice) Resumed*

Mr BRIAN BURKE: I understand the chagrin of the Opposition. However, it must understand that it is directly as a result of my previous reluctance to give any credit to the outlandish and irresponsible statements made in this place that these issues have been given any credence. If these sorts of claims are made and left unanswered, that fact tends to add credit to them.

People can say anything they like in pursuit of publicity. On a number of different occasions, people have said things

that are simply not truthful. Specifically, I am referring to claims made by members that people were sacked from the Tourism Commission. That is not true in respect of Mr Semmens and Mr Hitchen, or in respect of the five other officers.

We have absolute faith in the integrity of Mr Basil Atkinson and his fellow commissioners. To accuse them of somehow or other directing advertising revenue to a particular radio or television station is to ignore the facts of the case as they were canvassed about a year ago when the acceptance of the advertising proposition involved the acceptance by the commissioners of the detailed propositions about expenditure on particular radio stations that were involved in each of the four final submissions. That was canvassed last April. However, for fear that the member should think, simply because an outlandish claim is left unanswered, that there is some truth to it, it is important for the House to know that in respect of all those matters there is simply no truth to the claims made from time to time.

The ultimate answer is that the credibility or lack of it that is generally assigned to the member in this place is assigned also in the public arena because of the sorts of statements he makes. He never backs up his statements with any facts.

**EDUCATION: HIGH SCHOOL**

*Wanneroo: Stage 5*

846. Mrs WATKINS, to the Minister for Education:

Will consideration be given in the 1985-86 Budget for the commencement of stage 5 of the Wanneroo Senior High School?

Mr PEARCE replied:

The short answer is "No". The Wanneroo High School was built to a faculty plan. When these schools were originally designed they were built over five stages to cater for a number of students in excess of 1 400. In the years since the development of the faculty plans—that is, schools which were built in the early 1970s; Wanneroo, I think, was built in 1974-1975—the decision was made—

Mr Thompson: We preferred the short answer.

Mrs Watkins: I prefer the long answer.

Mr PEARCE: The member prefers the long answer, and she is asking the question. The decision was made by the Education Department or by the previous Government—I do not know which made the decision—that stage 5 of the faculty plan high school would not be completed. That decision affected all schools in that category. Lynwood High School is certainly one at which no stage 5 is to be built. At an earlier point there were probably concept plans to build that stage. The number of students going into these schools was considerably less than the number for which the schools were designed. However, the individual needs in respect to Wanneroo will be taken into account. If the number of students and the facilities at the school require additional consideration to be given for buildings, that consideration will be given in the normal way but not in the context of the building of stage 5.

### ENERGY: FUEL

#### *Import Parity Pricing Policy*

847. Mr TRETHOWAN, to the Premier:

Does the State Government support the continuance of the oil import parity pricing policy of the Federal Government?

Mr BRIAN BURKE replied:

This question gives me the opportunity to refer to a Press statement that the Minister for Transport is about to distribute. I will ensure that the member for East Melville receives a copy of that statement.

The statement expresses the Government's grave concern at the results of the present import parity pricing mechanism. Those results are reflected in rising prices, particularly fuel prices. I have been in touch already with the Prime Minister and have indicated our concern at the immediate past rises and the prospective increases in May in the price of fuel as a result of the present pricing policy.

The Minister for Transport has returned to the Chamber and I will take this opportunity to read his statement for the

edification of the House. It reads as follows—

The Minister for Transport, Mr Grill, today expressed his concern at the current impact on the import parity pricing policy for crude oil on transport costs.

He was responding to the Royal Automobile Club's protest to the Federal Government over their policy. The protest noted that petrol prices had risen by 2.5 cents per litre so far this year and were expected to rise another five or six cents per litre in the next two months. Mr Grill said the problem had arisen because of the falling Australian dollar relative to the American dollar, the reference price of Saudi Arabian light crude oil against which the import parity price is set and that is expressed in American dollars.

Mr Grill, on behalf of the Government supported the view of the RAC that the import parity price should reflect the price Australian refiners would have to pay to import comparable crude were it necessary or correspondingly the value on world markets of Australian crude.

Mr Grill continued to say that it was by no means clear to the layman that the present system of setting import parity prices adequately takes account of these requirements in the situation of rapid currency change.

Mr Grill said that the time was right for the mechanism to be reappraised.

Mr Grill then went on to compliment his Government on some of the steps that have been taken to reduce transport costs. I will not read them to the House because I am sure the honourable member is convinced.

Mr Bradshaw: They are a joke.

Mr BRIAN BURKE: Why are they?

Mr Bradshaw: You have not done anything.

Mr BRIAN BURKE: Does the member for Murray-Wellington want the Government to abandon the grain freight agreement?

Mr Bradshaw: No.

Mr BRIAN BURKE: Is that a good thing that the Government did and that the Opposition wants to keep?

Several members interjected.

Mr BRIAN BURKE: By the time the member for Dale left, even the kids' trains were not running. That is how good the member for Dale was. He and Ronald Biggs are the greatest train robbers the State has ever seen.

To refer back to the question: I think that illustrates the attitude we are taking. It is an attitude that has been reinforced or underlined by the approaches I have made to the Prime Minister and that approach expresses the Government's concern about the prospective and immediate past increases in the price of fuel.

#### EDUCATION: TEACHERS

##### *Promotions: Meeting*

848. Mr CLARKO, to the Minister for Education:

Will the Minister, as a matter of urgency, agree to meet with representatives of the Primary Principals Association in order to discuss proposed promotional arrangements before the final drafting of the regulations which, as he has just stated, have not been completed?

Mr PEARCE replied:

I receive many requests to meet deputations and I very rarely refuse them. However, that would have to be the most extraordinary request for a deputation that I have ever received.

Let me make it clear that despite the Press publicity from the Primary Principals Association I have had no representations from it whatsoever. I checked with my office this morning and I have received no request for a deputation from that association.

Mr Bradshaw: You have told it it is not allowed to raise industrial matters.

Mr PEARCE: The association has not sought a deputation to meet me.

Mr Brian Burke: You are contradicting one another. One member opposite is saying that it has approached the Minister and the other member is saying that it has not.

Mr Clarko: A member from the principals association told me that a letter was sent to the Minister and to Dr Vickery requesting that you discuss this matter with the association at one of its regional meetings.

Mr PEARCE: That is a different question altogether. I do not recall any request to speak on that matter at any meeting. In fact, I spoke to a group of principals at lunch time today, and I will be speaking to a regional group of principals in the Bunbury area on Thursday morning.

The Primary Principals Association as an association has not made any request to me to meet a deputation to discuss the matter, and neither has it sent me a letter outlining its attitude about this matter.

If I receive a request from the association I will consider it, but if the request is coming through the member for Karrinyup one must wonder at the motivation of the Primary Principals Association.

Mr Clarko: I am not asking on its behalf, but I am asking will you?

Mr PEARCE: If I receive a request from the association I will consider it.

It is the case, as the member for Murray-Wellington said, that the proper group to approach me in regard to industrial matters is the Teachers Union; and the principals form a part of the union. It has not been a practice of previous Ministers to discuss industrial matters with the professional associations which are formed by the primary principals, the secondary principals, or the deputy principals at primary or secondary level.

In fact, the Deputy Principals Association has come out in support of the arrangements. If I were to meet with that association to receive its support I would be canvassing a whole range of opinions which have already been brought out in the proper form; that is, at the Teachers Union conference when an attitude was formed by the teachers.

Nevertheless, if the Primary Principals Association were to approach me, obviously I would give consideration to receiving a deputation from it.

## ABORIGINAL AFFAIRS

### *"Future Directions: Aboriginal Affairs"*

849. Mr BRIDGE, to the Minister with special responsibility for Aboriginal Affairs:

Will the Government be adopting the recommendations in the document entitled "Future Directions: Aboriginal Affairs"?

Mr WILSON replied:

In response to the member for Kimberley, the answer is "No".

The document released by the WA Liberal Party—"Future Directions: Aboriginal Affairs"—reflects little direction and even less relevance to Aboriginal people in this State.

The document is contradictory in that it espouses a doctrine of non-discrimination yet it recommends the maintenance of the present system of reserves for Aboriginal people based on race.

Once the rhetoric of the party is removed from the document, the principles of land tenure it espouses are very similar to those set out in the Government's land legislation in that laws relating to access, ownership, and use of land are to be the same for all Australians.

The Liberal Party is endorsing a return to a system of penal labour based on secure training centres focussed on productive, primary, or other industries. Perhaps we should also mention "concentration camps"! The document also seeks to overhaul mining royalty collection provisions established under a Liberal Government.

The document offers a series of ill-considered and rhetorical statements that many Aboriginal people will find distasteful and paternalistic.

## PORTS AND HARBOURS: JURIE

### *Contract: Tenderer*

850. Mr THOMPSON, to the Minister for Works:

I refer to the awarding of the contract for the construction of Jurien Harbour.

Bearing in mind that Simto Pty. Ltd., the only acceptable alternative tenderer to the firm which was awarded the contract for the Jurien Harbour works is a company which involves the Caruso family and which has had the benefit of 45 years' experience in heavy earthwork contracts, including major harbour works in Bunbury for the Government—

- (1) Was it involved in discussions when the tenders were being analysed indicating it was being considered for the job?
- (2) How can the Minister now justify his statement that the company was not awarded the contract which had the potential of saving the State a minimum of \$80 000 because it was not experienced?

Mr McIVER replied:

- (1) and (2) I cannot recall saying that it was inexperienced. However, I refer the member to my answer to the question raised by the Leader of the Opposition last week and if he reads my Press release, which was published in *The West Australian*, I hope it will be self-explanatory why the contract was awarded to the successful tenderer. In the past, when the Government has issued contracts to people who have not performed, the Government has paid very heavily indeed. Only a matter of 18 months ago the breakwater at Jervois Bay suffered severe storm damage and it cost the Government several million dollars to repair.

I offer the member for Kalamunda the same privilege as I offer the Leader of the Opposition; that is, if he requires an accurate answer he should place the question on notice.

When the Government issues contracts involving such large sums of money it is not a case of awarding it to the lowest tenderer. The Government awards it to the company who it knows will do the job in a satisfactory manner.