

Legislative Assembly

Thursday, 28 June 1990

THE SPEAKER (Mr Barnett) took the Chair at 10.00 am, and read prayers.

PETITION - FOOD ADDITIVES

Supermarkets and Food Outlets Coding Chart

MR KIERATH (Riverton) [10.04 am]: I present a petition 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 hereby petition that the Government require all supermarkets and food outlets to display clearly a chart detailing the coding used in food additives, thereby allowing the consumer to know which chemicals are used in the product. The consumer can then exercise freedom of choice in deciding whether or not to use the product. The chart should also warn of the possible harmful effects of food colourings, especially red E123, and yellow E102, (carmoisine and tartrazine), until it has been proven that these additives are not injurious to health.

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

The SPEAKER: Order! It is very difficult to hear the delivery of this petition and as this is a very important part of the parliamentary process members should pay attention.

Mr KIERATH: Thank you, Mr Speaker. The petition bears 16 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 66.]

PETITION - INDECENT MATERIAL

Retail Stores and Commercial Establishments - Child Protection Legislation

MR FRED TUBBY (Roleystone) [10.05 am]: I have a petition 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, humbly request that support be given to legislation aimed at protecting children from the exhibition of indecent material in retail stores and commercial establishments which are accessible to the general public.

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 2 446 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 67.]

PETITION - PEEL INLET MANAGEMENT PLAN

Entrance, Unobstructed Access

MR NICHOLLS (Mandurah) [10.06 am]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned call on the Government to implement and continually monitor a management plan which will ensure a safe and unobstructed access through the entrance of the Peel Inlet at Mandurah.

The safety hazard created with the formation of a sand bar at the entrance effects both the recreational and professional fisherman alike and therefore presents a potential risk to the general public, which is not regarded as acceptable.

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 162 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 68.]

SELECT COMMITTEE - NATIONAL HIV/AIDS STRATEGY WHITE PAPER

Report Tabling

DR WATSON (Kenwick) [10.08 am]: I have for tabling the report of the Select Committee appointed to inquire into the National HIV/AIDS Strategy White Paper. I move -

That the report be printed.

[See paper No 365.]

Dr WATSON: The National HIV/AIDS Strategy which has become known as the White Paper on AIDS was published federally on 29 August 1989. Each State was asked to respond to it. Western Australia's response was to establish a Select Committee of the Legislative Assembly and I moved on 28 September 1989 that that committee be formed. The terms of reference of the committee were to -

- (a) identify areas of concern for Western Australia; and
- (b) achieve a consensus on the precise dangers that this epidemic poses for Western Australia and the best strategies to deal with this important public health issue.

In November last year the committee was asked by the Minister for Health, Hon Keith Wilson, to consider a draft Bill to amend the Health Act. The proposed amendments to that Act would create offences of knowingly or recklessly infecting others with HIV and would indemnify those doctors who breached confidentiality in relation to AIDS patients by notifying those at risk.

The committee held 18 meetings and received 20 written and 18 oral submissions. Numerous scientific and legal papers were presented to the committee and it made many visits to places such as hospitals, clinics, prisons, juvenile institutions, the police lockup and brothels. We were most impressed by our visits with the AIDS Council Outreach services. During the course of our inquiry we had to confront a number of paradoxes, ambivalence, many injustices and much prejudice. That has been countered in many instances by the excitement of researchers on the brink of finding new cures and new preventions. Of course, none has been found. The prejudice has also been countered by the commitment and compassion of those doctors, nurses and volunteers who care for people who are HIV positive or who have developed AIDS. We were shocked by the prejudices that people who are HIV positive must confront in prisons, dental surgeries, workplaces, and even the mortuary from some health care workers and insurance underwriters. Our recommendations deal with some of these instances and call for either more information or legislative change. As a committee we also had to confront our own reluctance about issues such as sexuality, prostitution, drug use and morality. We met many people who were affected by HIV and AIDS, either because they were direct victims or their families or loved ones were. The recommendations go to many sources. The committee has made 48 recommendations, many with several parts, and some have already been implemented. For instance, we must keep intravenous drug users out of gaol whenever possible, and we must deal with the issue of IV drug use and homosexuality in prisons.

We should start educating the community while children are in primary school and we must protect health care workers and others through amendments to the Occupational Health, Safety and Welfare Act. Amendments to the Law Reform (Decriminalization of Sodomy) Act and the Equal Opportunity Act are also important. We must follow up those whose loved ones have died of AIDS and ease their grief about some of the ways in which mortuary and after-death practices are proceeded with. We need to set a course - I think the committee has been able to do that - for future directions in Western Australia. We must replace ignorance and prejudice with information. We must coordinate not only the health effort but also the legal effort, and challenges will be faced across ministerial portfolios and departments. Unless there is a coordinated response between the Ministries of Education, Corrective Services, Health and Industrial Relations we shall never beat this epidemic. We cannot afford to let our vigilance drop and, even though some comfort can be taken inasmuch as the predictions for an increase in AIDS and HIV infected people among the homosexual population have not been met, there is evidence that a whole new group of people may shortly be at risk; these people are women.

I like the coincidence that the committee was established and is reporting in an exact time frame of nine months. When women become infected their babies will also be infected, and the committee has used one gestation's length of time in which to meet and report.

In Perth people are putting themselves knowingly and unknowingly at risk. Bisexual men put their spouses and partners at risk. Intravenous drug users who do not use clean syringes and needles put each other at risk. We heard in the week we visited the prison that 15 men had shared one syringe.

The SPEAKER: Order! The volume of background conversations is too high and I ask that members reduce it, since the member delivering her speech is speaking at a reasonable volume.

Dr WATSON: Our concern is that HIV and AIDS do not get any further into the heterosexual community and that the preventive measures that have been put in place by the Health Department, particularly through the auspices of the AIDS Council, are continued. As a Government we owe thanks to many people, and the committee, of course, owes thanks to those people who gave evidence and who worked closely with it. The Health Department and its legislative policy unit produced a wonderful document advising of the legislation that needs to be considered if we are to continue to contain the AIDS epidemic. The AIDS Bureau helped us enormously and supplied us with a researcher, Paula Watt, and later Russell Greig. The doctors and nurses we met and the people at the AIDS Council, including its Chairperson, Neil Roberts, and Executive Director, Michele Kosky, have been tremendous. Most of all I pay tribute to the volunteer workers at the AIDS Council who ensure that the policies and practices which have Government support are implemented. The people who conduct what is called the Beat Patrol contribute a very valuable but dangerous service which they have been providing for five years. These men put condoms in public lavatories which are frequented by bisexual men. The home care team of 40 people tries to provide a 24-hour service of nursing and household care to enable people to live in their own homes while they are so ill. A youth line was developed last year and I had the pleasure of helping launch that with the AIDS Council. It will enable young people who think they may be at risk to contact the AIDS Council for counselling.

AIDS was first diagnosed in Australia in December 1982 and up until last year 722 deaths had occurred. We should acknowledge that those people who have died have provided a major impetus very often through the arts and creative community. Many of the people who spoke to me during the course of this committee's work pointed out that when many of those men died we lost valuable, creative, and artistic contributors to our community who have added to the quality of life for everybody.

Another aspect that struck me was that people who love each other very much and who are homosexual care for each other when one partner is HIV positive and the other has AIDS and is dying. That must be one of the most moving things one person could do for another, and it stands in stark contrast to the people I met in the course of my work on domestic violence. Since working with women who have been abused for many years by their spouses, I have queried what love is. I have been privileged to see that, in fact, love can blossom under these circumstances.

However, I digress. I turn now to the terms of reference. The committee was asked to review the AIDS specific legislation in November last year. Members will remember that, due to the publicity surrounding allegations against a woman prostitute in New South Wales, concerned people here were asked to respond about the risk associated with people infected with HIV knowingly putting others at risk. Indeed, legislation was drafted which, among other things, created the offence of knowingly or recklessly infecting another person with HIV infection and which indemnified those doctors who after treating a patient for HIV notified any person that the doctor thought at risk as well as the Commissioner for Health. We reached a consensus that in fact those proposals would have counter effects and the Minister was duly notified at the end of last year. However, we have made recommendations which go to the heart of amending the Health Act. Readers of the report will see how they are set out.

We think that the Victorian legislation provides a good framework because at one end it contains measures for truly recalcitrant people providing for segregation while also containing five steps before that is reached all of which are based on counselling and intensive work with the individual.

One area in which the committee was divided related to medical confidence. The majority of the committee believed that doctors should be indemnified against informing the partner of anybody putting them at risk. This applies not only to people working in the sex industry but also to instances where a bisexual man may be HIV positive and the doctor comes to know of that. The majority of the committee firmly believe the doctor has a public duty to inform the wife or spouse whether or not they are that doctor's patient. No doubt that matter will be debated. We thought very carefully about it, but believe that is what must happen.

The law cannot afford to be unbalanced in favour of the individual or the public good and especially we cannot just respond to public pressure. We cannot have more sticks than carrots as that will only undermine those programs administered within the shadow of the Law. As legislators and public health administrators, and as a community, it is critical that we ensure that anyone who thinks they are at risk not only present themselves for assessment, but also are able to persuade their contacts to do likewise. It is an onerous responsibility both for legislators and those in the field, particularly doctors.

No evidence exists that mandatory testing or compulsory reporting will ensure that people at risk will report. In fact, they will probably do otherwise and it will not be until they are very ill with AIDS that they will present. We were of one view that there should be no mandatory testing; and that only in those circumstances where someone was knowingly putting another at risk should confidentiality be broken.

Over 500 people in Western Australia are infected with the HIV virus. At the moment care is provided for people who develop HIV related illnesses and AIDS out of Royal Perth Hospital. We were most impressed by the care people get there and by the research going on there. However, it is unrealistic to think that Royal Perth Hospital can provide care for those people who go on to develop AIDS. An urgent needs exists to review the resources and facilities for people who will need intensive, prolonged and expensive nursing and medical care over the next eight years. The AIDS epidemic will not peak until 1993. I think we can say that our recommendations will take us there safely as they are flexible and we can move within them. It is terribly important that we continue a coordinated effort between State Government departments, between State and Federal Governments and between Government and non-Government agencies.

A challenge has been made to us to combat the threat of HIV and AIDS and the recommendations that we have made are compatible with, or endorse, those made in the National HIV/AIDS Strategy White Paper and I think that we can contribute to those goals in a positive way. I table the minutes of the committee and the submissions.

[See papers Nos 366 and 367.]

DR TURNBULL (Collie) [10.28 am]: I second the motion to have the report of the Select Committee on AIDS printed and circulated and request that the Parliament accept and include for printing and circulating a minority report presented by me, Dr Hilda Turnbull, a medical practitioner of Western Australia, and Mr Kevin Minson, a dental practitioner of Western Australia.

I support the remarks made by the member for Kenwick and congratulate her on being chairperson of this committee, which met for nine months. The committee tackled the recommendations in the Federal White Paper on the HIV/AIDS epidemic. The position adopted by the member for Greenough and me as members of that Select Committee was that AIDS is the latest disease or epidemic in the long history of sexually transmitted diseases.

Sexually transmitted diseases have been present in society since the time of Cain and Abel. They have been inflicted on people in many forms and to many degrees. The sexually transmitted disease which has been in existence for the longest time and which has been the most well documented historically is syphilis. The taboos in respect of the practice of sexuality have played an important part in the formation of the mores, moral standards and religious traditions of the world. These taboos have been developed because sexually transmitted diseases have been a scourge of humanity since the beginning of time. The incidence of AIDS is only one chapter in this long history of the transmission of sexual diseases. So the AIDS epidemic has to be looked at in that context and has to be dealt with as an epidemiological problem.

The member for Greenough and I, and the other members of the committee, support the recommendations of the Health Department in respect of dealing with the AIDS epidemic. These recommendations were that all cases of AIDS must be reported by laboratories and medical practitioners to the Commissioner for Health. The Commissioner for Health will then be able to develop a total strategy for AIDS control in Western Australia. The Commissioner for Health will be able to ensure that AIDS cases are followed up accurately, that all contact partners are traced adequately, and that the people who contract the HIV virus receive the best care that can be provided to them in our modern society. There should be no discrimination between people who live in the country and people who live in the city, nor between people who are able to afford treatment and people who are not able to afford treatment. We also support the recommendation that special clinics, wards and terminal care facilities be provided for people with AIDS.

We received many presentations from AIDS sufferers, their families and the friends who support them, in respect of the care of people who are in the terminal phase of AIDS. We must recognise that the best care that can be provided to an AIDS sufferer is the care provided by a sympathetic care giver, and were the community to contribute the money required to provide such sympathetic care givers, that would ultimately be to its advantage. The provision of a sympathetic care giver will be more valuable than the care that can be provided by a person who is providing that care under coercion. There is no point in our insisting that AIDS sufferers be dealt with on a non-discriminatory basis throughout the whole community. It is advisable that AIDS sufferers, and their relatives and care givers, have their own drop-in centres, hospices and units.

The member for Greenough and I dissented from the majority report in respect of confidentiality because we believe that the Commissioner for Health, and he alone, must be responsible for dealing with any person who has been notified that he or she has contracted AIDS, for following up that contact, and for ensuring that such a person behaves in a responsible fashion. We endorse the actions which the Commissioner for Health may be required to take, even were that ultimately, on an occasional basis, to involve his having to deal with a person who is wilfully and knowingly spreading the HIV virus. The recommendations of the committee deal with that important situation.

The sharing of needles by intravenous drug users has caused the HIV virus to spread more rapidly than has any other practice. We endorse the recommendations of the committee in respect of the collection of used needles and syringes, but in endorsing that we in no way condone or support, nor will we provide any future recognition for, the illegal use of drugs in our society, which must be controlled by whatever means society can produce. However, it can be seen from what has happened in New York and in other cities of the world which have been ravaged by this disease that the practice of needle sharing presents a major problem in controlling the spread of AIDS. There is a tribal tradition among many intravenous drug users to share their fix, so health workers must use the education program in respect of the safe use of drugs in conjunction with a program of delivering clean needles and syringes. That will require legislative change.

The committee's recommendations deal also with the provision and availability of condoms. It is well known that the use of condoms reduces the spread of AIDS and other sexually transmitted diseases. However, in our endorsement of the use of condoms we are in no way endorsing the purpose for which they can be used; that is, for the act of anal sex. The member for Greenough and I, in our minority report, dissent from the proposal to remove from the sodomy Act those clauses which relate to proselytising. We do not believe sufficient emphasis has been placed in the education program, in the general community and in the popular Press, on the fact that anal sex is responsible for the transmission of the HIV virus. Anal sex when conducted during the bisexual activities of males in our community is the most dangerous and surreptitious way in which the HIV virus can be transmitted. The committee received many presentations from medical practitioners, the gay community, and from both male and female prostitutes, that anal sex is practised in all those areas.

As a medical practitioner I know many women are virtually assaulted by this practice. Some of their husbands or partners are heterosexual, but many of them are bisexual. Society has to draw the line at bisexual activity. We do not feel the educational process has transmitted this message strongly enough, so we recommend that it addresses this problem. This is why we feel it is unfortunate that the subject of the decriminalisation of sodomy should have been dealt with prior to the committee's findings. It was dealt with according to the human rights perspective; it was not dealt with in relation to the epidemiological problem and the disaster which will befall our society if the HIV virus is not controlled or stopped. In that way we cannot support the other members of the committee in their recommendation that the clauses in the sodomy Act in relation to proselytising be removed. We feel this is the last legislative notice on our Statutes in Western Australia which recognises that society does not condone anal sex.

One other area where we dissented from the majority decision is where we did not feel the case of HIV/AIDS as an epidemic of infective disease throughout the community should be used as a precedent to abandon long-standing legal conventions. In relation to the Workers' Compensation and Assistance Act, we know that the onus of proof is on the victim, it is not on the employer, and we cannot use the issue of AIDS as a precedent to change the convention that the onus of proof is on the employee. If we did that we would open the gates wide. It would be the employer's responsibility to prove that he did not put the ladder in the way when the employee fell over it and broke his little finger. It would be open to many other abuses. For that reason we could not support the recommendation that for the exceptional case of a person contracting AIDS in the workplace, the onus of proof would be put on the employer. The employer must provide a safe workplace, he has to provide the full education process, but the employer should not have to prove that the person who caught AIDS did not catch it in that workplace.

Prisons are an unfortunate fact of life in our society. Many factors in prison reform are under discussion at the moment, and no member will deny that prison reform is a very important subject, but we feel that the subject of managing anal sex and intravenous drugs within the prison is a prison management and staff problem. The prison management and staff who spoke to the committee were very aware of the problem. They were looking at programs to deal with it. Any interference from outside would only be hindering the management of prisons. The majority recommendation of clean needles, condoms and bleach could have many other ramifications if they were introduced. In our minority report we said that we do not feel it is the function of this committee to dictate what prison management and staff should do. We were pleased to see that those who spoke to us were very aware of that, and we recognise their concern.

With those remarks I present our minority report. I thank the other members of the committee very much for the nine months we have spent together. It has not all been hard work by any means.

Dr Watson: Speak for yourself!

Dr TURNBULL: It has been very interesting and educational for all of us. The five members of the committee all had very different outlooks, origins and positions. We have been able to get through all the investigations, and all the meetings, and I congratulate the chairperson, the member for Kenwick, on the very good work she has done. I add my thanks and the thanks of all of us to our research assistant, Paula Watt.

MRS WATKINS (Wanneroo) [10.47 am]: I shall start where the member for Collie left off. On an amusing note, at the last meeting of our committee the member for Collie was summing up and praising all the members of the committee. This concerned the member for Peel, and I chuckled over her remarks. The member for Collie advised us that she had never encountered anyone like the member for Peel before, and if it had not been for the committee she doubted if she would have bothered to get to know him, but she was pleased that she had.

The committee's task was indeed a very difficult one. I pay tribute particularly to Dr Watson, the chairman of that committee. She lived, breathed and ate the report for the whole nine months. She has done a superb job.

I put on record my praise to the gay community here in Western Australia. It is my belief that the gay community in Western Australia has taken a particular responsibility to prevent the spread of this disease. If it were not for groups like People Living with AIDS, or for the WA AIDS Council, perhaps we would not be as far forward as we are.

Mr Clarko: If there was no gay community, AIDS would not be there.

Mrs WATKINS: I have heard the member's speech before.

Mr Clarko: I am reminding you of it.

Mr Pearce: It is not true.

Mrs WATKINS: I am not in the mood for getting angry.

Several members interjected.

The ACTING SPEAKER: Order!

Mrs WATKINS: The member for Marmion is a bit like the Neanderthal man; he will never change his views. That is a very sad reflection on him.

Mr Fred Tubby: Are you willing to change your views?

Mrs WATKINS: My views have changed.

Mr Fred Tubby: Are they still changing?

Mrs WATKINS: They are still changing.

Mr Fred Tubby: Do you think they will change completely?

Mrs WATKINS: No, I do not think so.

Mr Fred Tubby: Why criticise the member for Marmion?

Mrs WATKINS: I would like to get back to this Select Committee report.

Mr Clarko: Praising them is absolute nonsense.

Mrs WATKINS: That is the member's opinion, to which he is entitled, but I do not happen to share it.

Dr Watson: The American gay community is interested in blokes like you.

Mr Clarko: How do you know?

The ACTING SPEAKER (Mr Ripper): Order, members! Let us get back to the debate.

Mrs WATKINS: I was very happy to be part of the group which visited the prisons and it is a great pity that neither the member for Collie nor the Deputy Leader of the Opposition was able to accompany us there, although I understand the reasons for that.

Mr Minson: I made my own visit.

Mrs WATKINS: I am pleased to hear that. One thing that caused me a great deal of distress was that prisoners who are suffering from HIV are treated differently from every other prisoner, including those with hepatitis B. Prisoners who are HIV positive are sent to our maximum security prison at Fremantle and are locked away in an isolated unit inside the prison. One does not have to be a Rhodes scholar to understand that stress exacerbates the AIDS disease. I can think of nothing more stressful than the experience of a young man whom we met at the prison, who had spent 31 days in total isolation in Fremantle Prison. He was there for a very minor offence for which under normal circumstances he would probably have been sent to Wooroloo or possibly given a community service order; but because he had

this killer disease he was incarcerated within a prison for 22 hours a day. When he had to go to Royal Perth Hospital to receive treatment the prison officers wore rubber gloves to take him to hospital and he was also handcuffed. This young man spent one week in Royal Perth Hospital and not only was he treated in that manner by the prison officers, but also he was guarded for the entire time that he was there. The only good thing to come out of that exercise was that the prison officers who accompanied him were able to see from the wonderful care he received from the hospital staff that one cannot catch AIDS by touching, or through saliva, etc. One can catch the disease only in the ways the member for Kenwick has described - through intravenous drug use, anal intercourse, breast milk and so on. If nothing else, the committee recommends that prisoners who are HIV positive should not serve their sentences in maximum security prisons unless their crimes warrant such a sentence.

Mr Lewis: How are you going to stop their homosexual activities within the prison?

Mrs WATKINS: I am talking about an IV drug user.

Mr Kierath: What percentage of them are homosexual?

Mrs WATKINS: I really do not believe what members are saying. Is it always to be an assumption that because someone suffers from AIDS they must be gay?

Mr Kierath: Ninety per cent of them are.

Mrs WATKINS: That is not true. Homosexuals are not the greatest risk, in my opinion and in the opinion of experts. The men who are married with children are the greatest risk, and 70 per cent of the men who go to the gay sauna and the beats are married with children.

Mr Kierath: But they are still homosexual, aren't they?

Dr Watson: No, they are bisexual.

Mrs WATKINS: I suggest they are homophobic because many of them will not admit to their homosexuality. That is the difficulty with our society - we never give them a chance to admit to their homosexuality and feel a bit of pride about it.

Mr Fred Tubby: You want to encourage it.

Mrs WATKINS: Let me come back to the point of the debate.

The ACTING SPEAKER: Order! I think the member for Wanneroo has made a very well judged remark in indicating that she wants the debate to come back to the point; that is, the reports and their contents, not a general debate on the whole subject.

Mrs WATKINS: Thank you, Mr Acting Speaker. Another visit the Select Committee made was an impromptu visit to the East Perth lockup. We were greeted with a great deal of consideration by the police officers there, but one thing we learnt which caused all of us a great deal of distress was that if the admitting police officer believes that a person may be HIV positive - in other words, if that person is a known drug user, a prostitute or known to hang around the beats - an entry is made on the police computer record, "possible HIV", and that computer record follows those people around whether or not they are infected with HIV. This practice must stop - it is grossly unfair.

Mr Lewis: What must stop is the people out there spreading it.

Mrs WATKINS: That is precisely why we have a Select Committee and why the committee has made recommendations.

The ACTING SPEAKER: Order! The background conversation is making it difficult for the Hansard reporter to hear the debate. I would appreciate it if all members could moderate the level of background conversation and also the level of interjection.

Mrs WATKINS: I sincerely hope the member for Applecross reads the recommendations because I think he will agree that all of us have done a very good job. One of the recommendations we have made is that the legal and social implications of the Police Department maintaining computer records of alleged HIV infected persons be investigated with a view to ceasing that practice.

As the member for Collie said, the Select Committee has met over nine months, and has received many written submissions, interviewed many people who have made oral

submissions, and visited a number of places. It has been a very difficult task, particularly for the Chair. We were served on the committee by two wonderful people in David Robinson and Paula Watt. It has been my joy to have been part of that Select Committee and I sincerely hope that the recommendations the committee has made will soon be carried out.

MR MINSON (Greenough - Deputy Leader of the Opposition) [10.57 am]: I, too, was somewhat disappointed at the level of background noise during this debate because I think this is probably one of the most important Select Committees this Parliament has ever seen. We do not know the course that AIDS will take but I believe the work the committee has done and the findings of both the majority and the minority reports will have far-reaching effects.

Having said that, of course I support the minority report. I urge this Parliament to consider both reports, because they are both very important. I reinforce the comments made by the member for Collie that we did achieve consensus with the other members of that Select Committee in the majority of cases, and we dissented in total on a very small percentage of those recommendations.

The member for Collie has already outlined very well the areas in which we dissented. I have three major concerns. The first is mildly political but I do not want that to trigger a series of interjections; I shall merely make my concern known to members. It is that the Government proceeded with the introduction of the decriminalisation of sodomy Bill before it should have, because it pre-empted the possible findings of the Select Committee.

After considering all evidence, we might well have come down with a majority recommendation against decriminalisation. I am aware that we did not, but we might have. However, we did not proceed along those lines. I am, therefore, rather chagrined that the Government proceeded with the Bill. I am disappointed that the Government decided to do so because to decriminalise means to legalise and, in many cases, to legalise is to condone. That is the only political point I wish to make.

My second concern, about which I feel deeply, is the furphy which is currently circulating within society that the disease AIDS is rife among the heterosexual community through "normal" heterosexual activity. The facts are that it would appear that the spread of the disease into the heterosexual community is via anal sex - that is, anal sex by bisexuals. The evidence is clear, from what we saw and heard during the committee's hearings, that IV drug use - the sharing of needles - and anal sex are the activities by which the disease is spread through the community.

My third concern is that this Parliament and this society appear to have forgotten, or have chosen to disregard, that some moral absolutes should not be abandoned. The answer to the spread of AIDS is available to mankind right now but I am not so naive as to believe that that will be generally accepted. However, that does not mean that we should not attempt to instill in our children the moral ethos of the Judeo-Christian tradition that has made the Western world the leader in virtually all fields of human endeavour. The perception that everybody does it, in respect of the IV drugs and sharing of needles, in respect of homosexual and anal sex acts, and in respect of promiscuity, is no reason for this Parliament and this society to go soft.

The ACTING SPEAKER: Order! The level of background conversation is rising again. That makes it difficult for those concerned with the running of the House. I ask members once again to moderate their conversations.

Mr MINSON: Probably the most common crime in our community is the misdemeanour, if you like, of speeding, but we do not remove the laws relating to speed limits; rather we defend the rules, get more police, and enforce the law all the more. We also attempt to use educational means to try to stop the public from doing what the law says it should not do. However, for some reason, in the case of the use of IV drugs, anal sex, promiscuity and so on, we have gone soft in the face of perceived public opinion and convenience. In my opinion, as a society, and therefore as a Parliament, we - as representatives of that society - should, firstly, do what is possible to fight and discourage the use of IV drugs. Secondly, we should ensure that the facts are given to young people in a very balanced way. Thirdly, we should discard the weak and popular view that we should not moralise to our children, or in our schools; we give information to the young but we give absolutely no guidance on how to

use the information. That is of great concern to me, especially when that appears to be the case in respect of homosexuality and the consequences thereof. We should give our children the moral base to judge accordingly. I hasten to add that their judgment should not be on the person but upon the behaviour. If they judge that behaviour as they ought, not only will their lives be a lot better but the situation in respect of the spread of AIDS will also be a lot better.

At the outset, I said that the Select Committee inquiring into AIDS may be proved in history to be one of the most important committees appointed by this Parliament. In closing, I reinforce that view. We are faced with a vexed question. At the moment, AIDS is very difficult to catch. Certain behaviours certainly raise a person's chance of catching AIDS, and certainly some lifestyles would virtually guarantee that a person will not catch the disease. However, while the Select Committee has handed down its findings on the current knowledge available, we must acknowledge that viruses change. I understand that in the last week, evidence coming from the Soviet Union is that a much more virulent strain of HIV exists.

It is of great concern to me that if this society and this Parliament continue to condone - and to a certain extent encourage - behaviours that allow the spread of AIDS, and if a much more virulent strain occurs and starts to spread through the community, the future of humanity and its welfare will be very bleak indeed.

Dr Watson: Are you saying that Parliament condones it?

Mr MINSON: I am saying that Parliament should do more to encourage behaviour patterns that would decrease the spread of AIDS. I refer, of course, to legalisation and, therefore, in my opinion, to the condoning of homosexuality and of anal sex.

As was pointed out by the member for Collie, the Select Committee was fairly divergent in a number of ways. Some members were possessed with reforming zeal and that zeal began to spill over into discussions. However, I was delighted as time went by to see we all shifted position and accommodated one another's views.

Dr Watson: You shifted the most.

Mr MINSON: No, I did not, but I am aware that the member shifted the least.

Dr Watson: That is all right.

Mr MINSON: I did notice a glimmer of understanding from the other two members from the Government side. But enough of that!

All the evidence and the points of view put forward led to considerable sobering of opinion from both ends of the spectrum. I conclude by saying that at times it gave me a pain to sit on the committee but in retrospect it was my pleasure to have participated and to have made a contribution.

Question put and passed.

ACTS AMENDMENT (GOLD BANKING CORPORATION) BILL

Recommittal

On motion by Mr Taylor (Minister for Finance and Economic Development), resolved -

That the Bill be recommitted for the further consideration of clause 7.

Committee

The Chairman of Committees (Dr Alexander) in the Chair; Mr Taylor (Minister for Finance and Economic Development) in charge of the Bill.

Clause 7: Section 3 amended -

Mr TAYLOR: I move -

Page 4, line 5 - To delete "or in Part V" and substitute the following -

" , other than in section 19 or in Part V, "

I apologise to members for the fact that this did not appear on the Notice Paper previously. This amendment amends a drafting error which I intended to rectify during the Committee stage, but it did not appear on the Notice Paper at that time. Clause 7(2) amends section 3(2)

of the principal Act which involves the definition of "gold", which has an extended definition in the Act. Section 3(2) provides that this definition does not apply to section 19 and part V of the Act. The Bill deletes section 19 and part V from the Act and consequently the references to section 19 and part V in the clause are redundant and must be deleted. Therefore, the amendment deletes the reference to part V and section 19 of the Act. I apologise to the Chamber for the inconvenience.

Amendment put and passed.

Clause, as further amended, put and passed.

Bill again reported, with a further amendment.

STATE EMPLOYMENT AND SKILLS DEVELOPMENT AUTHORITY BILL

Committee

Resumed from 27 June. The Chairman of Committees (Dr Alexander) in the Chair; Mr Troy (Minister for Productivity and Labour Relations) in charge of the Bill.

Progress was reported after clause 21 had been agreed to.

Clause 22 put and passed.

Clause 23: Registration of industry employment and training councils -

Mrs EDWARDES: I move -

Page 18, lines 8 to 11 - To delete the words "employer organizations, employee organizations and persons representing State and Commonwealth governments" and substitute the following -

persons representing employers, employees and skills formation providers

Clause 23 deals with the registration of industry employment and training councils. This is a pivotal provision - as the Minister described it - which ensures that SESDA operates in an effective manner, and it is important that the IETCs include those persons representing employers, employees and skills formation providers. We have been through various amendments whereby we believe that prescriptive provisions cut off the Minister's ability to appoint the best people. We are referring to persons representing employers and employees and that may not be different from what the Bill states, but the one group which is missing in the Bill is the skills formation providers - I note that the persons representing the State and Commonwealth Governments can be training providers. By inserting the skills formation providers we put beyond doubt the fact that the expertise which is essential to provide the skills training is part of SESDA, especially when talking about the development of an annual plan to be incorporated into the strategic plan - this will require advice and support. It is critical to change the prescriptive nature of including people representing the State and Commonwealth Governments to ensure that the skills formation providers are represented.

Mr KIERATH: This is a very important clause. I listened intently to the Minister's comments last night, and I can understand his reluctance not to appoint people to the authority to whom he is beholden. However, we are not referring to the authority with this clause; we are referring to the industry employment training councils. This is the basis of SESDA and one of its most important functions. In all of the discussions we have indicated the Opposition's concern about the operation being driven from the top down as we believe that it should be driven by industry. Regarding the IETCs, this clause states -

membership of the association -

This is the association representative of industry. The clause continues -

- and any executive body of the association is comprised of employer organisations, employee organisations and persons representing State and Commonwealth governments.

What happens to the large employers? How does such a person gain a berth on the IETCs? This gets to the heart of the problem. The IETCs should be representative of the industry. However, unless someone is a member of an organisation, he cannot get a guernsey; he cannot even participate. What happens with many of the other councils around this State?

They might represent employers who are not members of a particular organisation but have other attributes. The Minister made it clear last night that because of some people's contribution to this process, he has an obligation to appoint them to the authority. I do not agree with that, but I accept that view.

Mr Lewis: Is that what he said?

Mr KIERATH: He said that, in recognition of the contribution they have made, he would not remove them.

Our amendment does not preclude the Minister from nominating whoever he likes. It allows people who are not represented on organisations to get a guernsey on the IETCs.

Mr TRENORDEN: A council will be formed in the agricultural industries. However, that industry does not have any involvement with value added; it has yet to occur. The agricultural industry, employers and trainers are not involved in value adding. In fact, when the industry becomes involved finally in value adding agricultural products, it will be brand new for everybody. It is silly to think that when an organisation talks about how it will institute something new, including training, that the training people will not be in the system. To make the system work, they should be involved side by side with others working out what will be the best mechanism to drive the system, particularly in marketing. If we want to be successful, we need to get in first and do it well. The Asian markets are close and we should not miss the opportunity. It is ludicrous not to have training providers in the system and I cannot see why the Minister is so opposed to it.

Mrs EDWARDES: The purpose of the IETCs is evident in their name. They are industry, employment and training councils and our amendment seeks to have representatives from each of those areas involved on them. Industry includes the employers, employment the employees, and training includes the skills formation providers. It is important to recognise that each of those bodies should be represented on the council.

Mr TROY: The arguments raised by the member for Riverton in support of the amendment suggest we throw away the principle of tripartism which is fundamental to the whole process of SESDA in the IETC network and allow for a whim to appoint individuals as members of the IETCs. However, the Government believes that the members of the IETCs must be representative of groups, not of themselves. The Government has been very careful not to restrict representative groups. It has maintained the tripartite process and encouraged consensus. That consensus has varied significantly from industry to industry and that is one of the reasons the Government was not overly prescriptive in this part of the Bill. When one makes an industry by industry comparison across the State, one sees there are different circumstances and ratios of employer to employee, and different levels of Government involvement. We do not want to constrain that. In some industries there may be only 10 or 12 employees but two unions involved and we do not discourage that.

The Opposition will see in subsequent clauses that the Government believes that industry should dominate and therefore it made sure that the chairperson's role was limited to industry; that is, an employer or an employee, but with the tripartite mechanism being maintained. We are not prepared to allow a subsequent Government to play around with these bodies and appoint individuals to them. That is not acceptable to the parties.

The parties have made their positions fairly clear. Employer and employee groups have been involved in the drafting of the legislation and this Bill represents their views. It is not the sole view of the Government. If it were it would immediately fracture the tripartite process. If people want change, it is about time they started to nominate who they represent.

Mr Kierath: We represent 52.5 per cent of party preferred voters in this State.

Mr TROY: How many employers does the Opposition represent?

Mr Kierath: We represent the majority view. That is what you misunderstand.

Mr TROY: I am not sure I misunderstand anything. I can read Press releases put out by employer groups which ask the fundamental question: Where is the Opposition coming from on this issue? Is the Opposition representing the Chamber of Mines only? That is what everybody outside this place thinks it is doing. There is nothing on record to show otherwise.

Mr Lewis: That is not right.

Mr TROY: That is true and the member for Applecross can try to prove otherwise. Ask those in the industry and they will tell members opposite.

Several members interjected.

The CHAIRMAN: Order! I suggest to the members for Applecross and Riverton that they could put their points across in a slightly more orderly manner. If we proceed down this path we will not get anywhere near considering all the amendments on the Notice Paper. If members wish to speak it is their right to do so, but I will not tolerate that level or strength of interjection.

Mr TROY: This clause addresses the balance which is necessary for the successful operation of SESDA. It is acceptable to the majority of employers and employees.

Mr Lewis: That is not true. You don't know what small business, which represents 55 per cent of employers in this State, thinks. Who represents them?

Mr TROY: If the member for Applecross can tell me on whose behalf he is speaking I would appreciate it because I cannot find those people.

Mr Lewis: The small business community.

Mr TROY: Does the member mean the Small Business Association?

Mr Lewis: Yes, that is one of them.

Mr TROY: I cannot find the membership for that organisation except for one person who happens to be very close to the Liberal Party.

Several members interjected.

Mr TROY: I know through the subgroups of small business on the confederation -

Mr Lewis: What subgroups?

Mr TROY: Retail groups, and they are happy with SESDA.

Mr Trenorden: That is big business.

Mr TROY: There are many small groups in retail. The member for Avon is missing the point. I come back to the subject of individual representation which these amendments are seeking and it is not acceptable to the Government.

Mr KIERATH: The sad thing about this debate is that the attitude displayed by the Minister is one of the reasons for the lack of cooperation between both sides of the Chamber. Throughout the debate the Opposition has tried to put forward constructive amendments and it has not gone out of its way to be obstructive. The Opposition has accepted the fact the Bill is before the Chamber and it would like some coordination in training. It thought the most sensible way to debate this Bill was to find out what areas of it were objectionable to people and we have tried to identify those areas. The Opposition does not agree with the Minister's view on this clause. The Minister said other parties are involved and other people need to be considered. On reading the Minister's second reading speech I found that was the tripartite council's recommendation. Who was on that council?

Mr Troy: You tell me.

Mr KIERATH: The Confederation of Western Australian Industry and the Trades and Labor Council were the two key players of that council. Is it any wonder that they have made sure their powers are entrenched in this legislation? It is an incestuous relationship. How can they take independent advice in that case? The Opposition is not suggesting that those parties should not be represented on the industry employment and training councils. This amendment is to allow other people who were not represented by the tripartite council to be represented on the IETCs. The Minister has said on several occasions that he wanted the IETCs to be industry driven. As soon as we get to the bottom line; that is, to allow other organisations to be represented, the Minister will not have a bar of it and it is extremely disappointing to the Opposition. If the Minister wants this legislation to work he should give this clause more consideration. The amendments will not prevent the Minister from doing what he wants to do. He can still have organisations represented, but the amendment will allow those people who have the skills and who are not involved in those organisations to be represented also.

Mr TRENORDEN: The Minister said something about where the Opposition parties are coming from on this issue. It is prudent for me to state where the National Party is coming from and I think it is the same place that the Liberal Party is coming from. I was told that Bill Brown spoke on the radio this morning and said that we did not understand the legislation. We understand where he is coming from and where the Minister is coming from and we are coming from a different part of the world. The Minister is talking about establishing an industrial relations system which we do not like. He is talking about groups of individuals who have spoken to us and who are in agreement with the principle of the Bill. I am not saying that those people have not been in touch with us and have said that, but at the same time they have said they are not comfortable with the tripartite system. They are also not comfortable knowing that the tanks are lined up at the border and the Commonwealth Government threatens to overwhelm us. If we had more time to debate this issue it would be interesting to discuss the matter with key bodies to find out what really is behind the Commonwealth Government's threats and the tanks lined up at the border. All we hear in this Chamber is threats from the Commonwealth Government. This is another of those issues in which some employers have been beaten into submission because they have been told if they do not submit they will be overwhelmed. We are far from convinced that will happen.

The Minister is correct in saying that a lot of employer groups have spoken to him and to me advising that they accept this legislation. We are trying to obtain a compromise from the Minister to get skills formation up and running. The employers are not comfortable with the ground rules. They do not like the Commonwealth Government's shoving things down their throats and they do not like perpetrating an industrial system which is not working. They are prepared to acknowledge that skills formation in this State is an important issue and are prepared to concede ground on this legislation. The Opposition is prepared to concede ground also, but not in respect of the hard core issues. It is those issues on which the Government, Liberal Party and the National Party will have to reach agreement. There is no point in the Minister, Bill Brown or the TLC asking the Opposition where it is coming from. We know what we are about and what the issue is about; the question is, "Can we accommodate the argument?"

Mrs EDWARDES: I took great umbrage at some of the Minister's comments the other evening about where the Opposition was coming from and as he has raised it again I am very happy to tell him. He said in response to the second reading debate that, "It clearly shows the Opposition's preparedness to face one of the most important Bills." He also said that the amendments the Opposition proposed were nothing other than the brief of the Chamber of Mines of WA (Inc). He went to the trouble of tabling a document which he said contained the amendments of the Chamber of Mines. The Minister has a department behind him and I will not make any apology for consulting industry bodies to come to a decision for the Liberal Party. While the Chamber of Mines may have done a damn lot of work and spent an awful lot of money in trying to make sure that the skills legislation survives this House, it did it in conjunction with not only the Liberal Party, but with many other industry bodies.

Mr Troy: Name them.

Mrs EDWARDES: The Minister can have his say later. The Liberal Party represents a range of people and it makes no apology for dealing with, liaising with and negotiating with other industry bodies when it does not have the same sort of resources that the Minister has.

We could not allow those comments to pass unchallenged, if that is the basis upon which the Minister wishes to deal with the remainder of the amendments after the time and effort that has gone into framing them. The Opposition could quite easily have said that it did not believe in skills formation or the proposed structure of SESDA. The Opposition could have decided to put it in the bin; however, it did not take that attitude. My colleague and I have been working hard to make sure that the skills formation legislation survives and succeeds. The Minister is well aware of that, and I take umbrage at his continual comments that the Opposition has not taken the time or trouble to deal with this most important piece of legislation, which we all agree is needed. This legislation is essential to ensure the competitiveness of Western Australian industry, and if the Minister wishes to deal with the remainder of the amendments with the attitude he has displayed, I am happy to take it up to him.

Mr KIERATH: I am disappointed at some of the comments of the Minister. I want to place on the record that the Opposition said at the outset that it supported skills development and some form of training body. I do not know whether the Minister has listened to the debate, but his remarks appear to indicate that he has not. The Opposition made it clear when the first discussion document was released that it supported the broad proposition; the problems arise from the prescriptive nature of some clauses which are being dealt with in the Committee stage. It is wrong and improper for the Minister to suggest that the Opposition does not support SESDA.

It is interesting to consider the concept of SESDA as outlined in the Bill; it begins as a tripartite group but its members all have vested interests. When the group makes a recommendation the individual members will naturally incorporate their views and look after their vested interests. Is this Bill designed to protect vested interests or to present the best possible skills development body for the people of Western Australia? It appears from the Minister's comments last night and this morning that he has a totally different agenda. He seems to be intent on looking after the vested interests of certain groups rather than looking after the interests of the people of Western Australia. It is quite wrong for him to do so. This clause relates to the very basis of the legislation, the IETCs.

Mr Troy: The Opposition has been inconsistent with its amendments. It has alleged that I am looking after individuals, but that is exactly what it is trying to do. Please do be consistent.

Mr KIERATH: We are being consistent. The proposed amendments would allow the Minister to appoint certain people, but would not provide for certain organisations to be included. The legislation in its current form is too tight, restrictive and prescriptive; it allows no flexibility. The IETCs should be industry driven, but under these provisions they will be organisationally driven. The provision will entrench the bureaucracy and anyone who has studied organisational structures will know that is the worst possible situation. It is the kiss of death to any organisational structure because the bureaucracy loses touch with the people it is supposed to represent. For example, most people who are involved with TAFE will admit that they are somewhat dissatisfied with that body because it no longer represents their views.

Mr Trenorden: TAFE certainly does not represent rural Western Australia.

Mr KIERATH: That is exactly my point; when a bureaucracy is developed it becomes distant from the people it should represent.

The Minister queried where the Opposition was coming from. Since last year when the Opposition pointed out to the Government in the early hours of the morning that it was rushing through this legislation the Government, to its credit, has communicated with the groups which will be affected by this Bill. However, I do not think the Government has listened to the groups it consulted. Our feedback indicates that those groups got a lecture from the Minister about what he wanted, but no discussion took place about their needs. The Opposition does not represent one or two groups, it has a responsibility to consult all groups. It consulted those involved, listened to their views, and after consideration made a decision with regard to its reaction to the Bill. That is the difference between the Opposition and the Government. The Opposition acknowledges that the Government has the right to deal with this matter and it has tried to accommodate that right and to approach the legislation in a constructive way. The Government appears to be backing away from its supposed consultative process.

Mr Wilson: Mr Brown said something different this morning.

Mr KIERATH: I am glad the Minister for Health made that interjection, as it is apparent that he missed my earlier comments. I said that when a bureaucracy is entrenched an incestuous relationship is created. I do not decry the organisations for their part; if I were in that position I would probably do the same. However, the Opposition must reflect the views of a much wider community, and it cannot pander to one group. The Opposition consulted widely, listened to the unions' views and even accommodated some of them. The Opposition softened its stance in some areas. It is a sad and sorry fact that the Government has accommodated certain sectional and narrow interests. The Minister is not prepared to listen to any other point of view. The Opposition is prepared to listen, has done so and will

continue to do so in the future. It was consistent in the line it took last year, as it will be in the line it takes this year and the line it takes next year.

Mr WIESE: I place on the record my reaction to the debate thus far on this clause. I express my disappointment that the Minister is not open to views which differ from those reflected in the clause. He has demonstrated in his reaction to the debate that he is prepared to listen to groups of people and organisations rather than individual businesses in the community. I refer to small businesses, which have been completely neglected in the debate so far, and in the total implementation of this legislation. I rise to the Minister's challenge to name the groups of people who are not represented and about whom we are talking. I can state specifically that when I go into my electorate and speak to small business proprietors, the people employing other people in our country towns, they say they do not know about this legislation and its implications, or if they do they only know about it from what they have read in the newspapers because they are not members of these employer organisations the Minister is insisting will be the sole bodies able to nominate people onto the councils being set up.

I can also speak about some of the employee groups, because employees in country towns likewise do not belong to organisations and are not represented in the community or in the discussions here. They have absolutely no idea what the hell they are being asked to be part of, or what they will be covered by.

Mr Troy: How long have we been developing SESDA, and you make that comment? That is an indictment of them!

Mr WIESE: No, it is not. That is an indictment of the communication between the Minister and the people bringing this legislation forward and the people out in the community who will be affected by it. The people in the community do not know what is being imposed on them. The Minister had to withdraw this legislation, or not carry on with it, last year because no communication whatever had taken place with a great number of organisations or individual groups of employers in the community. That is why the legislation was not representative of them last year. I acknowledge the fact that the Minister has since last year at least tried to communicate with employers, but despite those efforts a grave lack of information exists about what will be imposed on employers and employees in the community.

I have talked about country towns and the employers in those towns being their backbone, yet they have no idea what is being imposed on them. This legislation will, likewise, represent employees. How many employees in rural areas are members of an employee organisation? The answer is virtually none. In country towns there are virtually no people who are members of employee organisations, so all those people will not be represented. Their point of view will not be put on these employee training councils and that is the tragedy of the matter. The Minister will not accept the fact that the amendment before the Committee will at least provide an opportunity to bring representation onto these bodies of all the people out there who do not belong to an employer or employee organisation. The tragedy is that the Minister will not accept the fact that a whole group of people out there are not able to be represented on these training councils if the Minister's clause takes preference over the amendment now before us. That is why it is a tragedy that the Minister will not give this amendment the hearing I believe it deserves.

Mr COURT: I have entered this debate because I heard the Minister's outburst this morning and his cheap attack on members of the Opposition.

Mr Troy: It is on the record. Show me the difference from the Chamber of Mines amendments and other employer groups. There lies your proof.

Mr COURT: The Minister appears to be showing a form of arrogance which has not been his usual character in my experience in this House. He has become extremely arrogant in relation to all matters related to this legislation. The Minister for Education does not earn himself points by taking the cheap shot about who we are representing.

Dr Gallop: We know who you represent.

Mr COURT: I will tell the Minister for Education who we are representing; a lot of people out there who are the producing sector of this community. Too many members opposite do not have a background in what it is like to employ or train people so that they become a part

of the productive sector of our community. The member for Wagin made a point that I was going to make, that the Minister is typical of the people representing the Labor Party who think that this community fits into little brackets; that is, the union movement, employer organisations and Government. If a person does not belong to one of those organisations they are considered to be a misfit.

The Minister has it all wrong! I will tell him a little bit about my practical experience in training people. I have a firm commitment to training people and can ring half a dozen people in the community today who are skills trained because I helped them through their apprenticeship; I employed them and ensured they got their final qualifications. I will tell the Minister how that works. I employed approximately 30 people in a business. I did not belong to one of the employer organisations to which he refers but belonged to my local industry association, which does not fit into the framework he has under this arrangement. For my efforts I was president of that industry association for some years because I felt a responsibility to help the industry as a whole.

We wished to employ motor mechanics who were skilled in two-stroke engines. I will give this detail and tell the Minister the practical problems I had in helping those people obtain their apprenticeships. Our business worked only in two-stroke and diesel engines. However, the technical and apprenticeship training our staff could get at the time related only to four-stroke engines in the automobile industry. Our apprentices went into training and learnt everything about car engines even though they never worked on them because they had to work on two-stroke engines. They became qualified in that area, which was no use to our business, so we had to carry out their training in two-stroke engines privately. We ran a separate course using private organisations to make it possible for our employees to become experts in that field. We had not only the cost of the person going through their apprenticeship but also the additional cost of ensuring they were trained in the area we needed them for in the first place.

I would like to think that I was a small employer, but I made sure there were people coming through our business who had their skills developed. Once they attained their apprenticeship qualification we made sure they kept on doing further training courses. We were not a part of the organisations that the Minister refers to. I say to the Minister that it is the hundreds of thousands of people out there working in those small businesses who are the backbone of this State's economy. They are the important workers in the community. They do not fit the categories the Minister mentioned. He says that he has had four and a half years to work up this legislation and that it was disgraceful that the small business people in the community had not heard about it. I will give the Minister another example: Those people are out there working so damn hard to make a living to pay this Government's payroll taxes and water, and electricity and the 101 other charges they have to pay in business, that of course they do not hear about these new schemes the Minister is bringing forward. We will do anything we can to help skills training in this State, but we will not allow the Minister to set up a bureaucracy for his purposes which happens to fit the tripartite groupings he refers to.

I will give members a practical example. A member of my family runs a small business which employs three people. That person has only just found out that he has failed to pay a three per cent loading for superannuation, and he has to pay the money which is owing. The result of that exercise is that he will now be able to employ only two people. The reality of life is that when we receive a bill and we do not have the money to pay it, we must do something to find that money. The law provides that those superannuation payments must be made.

Mr Troy: When was that law introduced?

Mr COURT: I think it was some time ago.

Mr Troy: That is right; 1978.

Mr COURT: I am just giving an example. People in small business do not know all those things. The Minister does.

Mr Troy: They should join a small business association.

Mr COURT: There are plenty of small business associations. When the Minister was working for Telecom, did he know everything about his conditions of employment? Was he a member of a superannuation scheme?

Mr Troy: I accept your point that it is difficult for people in small businesses to keep themselves informed, but they should join an association which can provide that information. If people in small businesses choose not to join such an association, they have only themselves to blame.

Mr COURT: I was involved in small business for most of my life prior to coming into Parliament, and the associations to which I belonged were not the ones to which this legislation refers. I belonged to different associations, which do not happen to come under the Minister's groupings. I threw my weight behind the industry in which I operated because I believed that to be my responsibility.

Mr Troy: I paid for that service during my employment so that they could keep me advised. I joined an association which provided that information.

Mr COURT: I paid my way also, and by the time I sat down at the end of the month and paid all the different Government departments' bills, there was not much left for me.

The bulk of employers do not understand the machinations which are going on in these so-called umbrella organisations. There are many small organisations in the community in which the Minister obviously does not have an interest, and he obviously does not understand how the employment system operates.

Mr Troy: Those are your words, not mine.

Mr COURT: No one is more committed to the improvement of skills training than members on this side of the House. We have had the practical experience. We have employed and trained people, and made sure that our businesses could grow because those skills were being acquired; we were willing to accept that responsibility. Members opposite fail to understand that despite the fact that when they talk about tripartite consultations and committees they think they are talking about all employees and employers, and the Government, making a contribution, the reality is that will not be the case. Members opposite have never made a commitment to small business.

Mr Troy: We have done more for small business than any Liberal Government has done.

Mr COURT: I can tell the Minister what the Labor Government has done for small business: If the budget of the Small Business Development Corporation was \$100 000, the Government would give it \$300 000 and say it has done a lot for small business. That is absolute nonsense.

The CHAIRMAN: Order! I do not believe the Small Business Development Corporation is directly relevant to this amendment.

Mr COURT: I return now to the Chamber of Mines of WA. I do not see anything wrong about the Chamber of Mines proposing amendments and suggestions with which we happen to agree. If the Minister wants to go on a witch hunt against a particular organisation, let him do so, but the Chamber of Mines represents people who, along with those in the farming community, are the backbone of this State's economy, and the Minister had better start to listen to them because his Government is doing everything it can to make life difficult for the mining and agricultural industries. The Minister should start to listen to these people instead of treating them as the enemy.

Mr Troy: I do not treat them as the enemy. They represent four per cent of the people whom we are trying to involve.

Mr COURT: Were the Minister dinkum about improving skills training in this State he would start to listen to the small business community because he could learn a lot from it.

The CHAIRMAN: Order! I remind members that they have been speaking on one part of one clause for almost an hour. While I do not have any authority to restrict debate, I ask members to introduce new argument at this point otherwise they will definitely be in breach of the Standing Order in respect of repetition.

Mr AINSWORTH: Mr Chairman, does that mean I have to sit down, because I was not going to refer to new material?

The CHAIRMAN: No; it cautions you that at this stage you are not able to repeat arguments.

Mr AINSWORTH: The Minister has made great play in this debate about the fact that the

Opposition's amendment now before the Chamber mirrors, in his opinion, word for word the amendments which were proposed by the Chamber of Mines.

Mr Troy: Not the National Party's amendment.

Mr AINSWORTH: I said the Opposition's amendment. The fact that that may be so should not necessarily be a great surprise because the Chamber of Mines was very reluctant to see this Bill go ahead as it was framed last year, and it has been very reluctant to see it go ahead quickly this year because it has some concerns about the Bill. The fact that many of those concerns are shared by the Liberal Party and, in some cases, by the National Party means only that the Chamber of Mines has looked very closely at the Bill and has found some irregularities and discrepancies which it believes need to be changed and the fact that we all happen to agree does not mean that we are swallowing its story hook, line and sinker.

Mr Troy: I would not go too far with the Chamber of Mines from the National Party's point of view because there are a few other people in your constituency whom you should think about satisfying.

Mr AINSWORTH: If the Minister would allow me to continue, another group which the National Party is closer to, because of the nature of its background, than the Chamber of Mines is the Western Australian Farmers Federation. The WAFF has written to the Minister, and he is well aware of that, stating that it supports the Bill, but with major reservations. That is exactly the position which has been adopted by the National Party. We support the general thrust of training because we would be crazy to do otherwise. Everyone knows that training and improving the skills of the work force is imperative if we are to achieve greater productivity in all areas of industry in this State. The Executive Director of the Western Australia Farmers Federation wrote to the Minister in the following terms -

We believe that, neither the Confederation of WA Industry or the Trades and Labor Council, should have membership by right on the Authority.

Mr Shave: The WAFF is a pretty small organisation!

Mr AINSWORTH: It represents about 8 000 or 10 000 people but, more importantly, it represents an industry which produces 40 per cent of this State's export income, so it is by no means a minority organisation. The fact that the WAFF's view happens to be the same as that expressed in the amendments now before us, and happens to be the same as that adopted by the Chamber of Mines, only reinforces my point that we are not just blindly following the view of the Chamber of Mines but a view that is shared by a broad section of employee organisations across this State which, between them, produce 80 per cent of this State's wealth. So this issue is certainly of concern to more than just one narrow group.

It is very important to reinforce the point of view put forward several times today that the representation on the authority and on the Skills Standards and Accreditation Board should not be restricted by virtue of the specific inclusion in the Bill of the Confederation of WA Industry and the Trades and Labour Council.

Point of Order

Mr TROY: This question of representation was canvassed in earlier issues. The member is really talking about the membership of the authority. The focus of the debate was whether it involved individuals or other organisations. If the member is reading from a letter from the Western Australian Farmers Federation, I would be happy to table the complete letter so that the full comments from that association are available to members rather than members selectively taking sections from it.

The CHAIRMAN: In a debate of this sort we get crossovers and discussions. I warned the speaker about repetition before he started. It is not so much a question of what is raised here as addressing a different matter. The member needs to show that his remarks are relevant to this clause.

Committee Resumed

Mr AINSWORTH: The remarks I made in relation to the board brought the two areas together. They applied equally to both so I was not digressing to any great extent.

I would be more than happy to table the letter, because it does not seek to remove any emphasis I placed on that clause. I would like to read a little more from the letter. It says

that agreeing to support the Bill does not mean that the Western Australian Farmers Federation is totally happy. That explanation comes just before my previous quote, where the Western Australian Farmers Federation said it did not want the Confederation of Western Australian Industry or the Trades and Labor Council to be involved. In no way does the letter depart from what I was saying. I seek leave to table the whole letter, if the House so desires.

[The paper was tabled for the information of members.]

Mr Troy: Do you have a copy of my response?

Mr AINSWORTH: I was not privy to that response, but I would be interested to see it, particularly the Minister's response to the clause I read out. It is important, when dealing with this clause, to make sure that the representation available to that group is as wide as possible and not restricted, as would have been the case if the Bill were passed unamended.

Amendment (words to be deleted) put and a division taken with the following result -

Ayes (21)			
Mr Ainsworth	Mr Hassell	Mr Minson	Mr Fred Tubby
Mr Bradshaw	Mr House	Mr Nicholls	Mr Wiese
Mr Clarko	Mr Kierath	Mr Omodei	Mr Blaikie (<i>Teller</i>)
Mr Court	Mr Lewis	Mr Shave	
Mrs Edwardes	Mr McNee	Mr Strickland	
Mr Grayden	Mr Mensaros	Mr Trenorden	
Noes (25)			
Mrs Beggs	Dr Gallop	Mr McGinty	Mr Troy
Mrs Buchanan	Mr Graham	Mr Pearce	Dr Watson
Mr Carr	Mr Grill	Mr Read	Mr Wilson
Mr Catania	Mrs Henderson	Mr Ripper	Mrs Watkins (<i>Teller</i>)
Mr Cunningham	Mr Kobelke	Mr P.J. Smith	
Mr Donovan	Mr Leahy	Mr Taylor	
Dr Edwards	Mr Marlborough	Mr Thomas	
Pairs			
Mr Watt		Dr Lawrence	
Dr Turnbull		Mr D.L. Smith	
Mr Cowan		Mr Bridge	
Mr MacKinnon		Mr Gordon Hill	

Amendment thus negatived.

Mr BLAIKIE: This is a very difficult piece of legislation. The Chamber would make a lot more progress if the Minister were more cooperative and less flamboyant.

Mrs EDWARDES: I thank my colleague, the member for Vasse, for his input towards this very relevant and important debate. I move -

Page 18, lines 14 to 16 - To delete the words "be a person who is nominated by an employer or employee organization" and substitute the following -

not be a person who represents skills formation providers

It would appear at first glance that this is relevant to the clause we have just been discussing; it is consequential on the previous amendment being successful. The whole purpose is that the chairperson of each of the industry employment training councils must be an employer or employee. The words we seek to delete state that the chairperson must be a person nominated by an employer or employee organisation. We want to be assured that the intent behind this clause is that the chairperson must be an employer or employee, and that must be placed beyond doubt.

Amendment put and negatived.

Mrs EDWARDES: I move -

Page 18, lines 22 to 35 - To delete all words on these lines and substitute the following -

- (iv) any question arising at any meeting of the association or at any meeting of the executive body of the association shall be resolved by consensus of those present at the meeting.

I do not wish to go over the whole of the debate to give our view of the decision making process. However, I reiterate that decision making at an industry employment and training council would be resolved, under this Bill, by a majority of votes. As our view of the definition of consensus has not been accepted, this is perhaps a little irrelevant. The decision making process referred to throughout this Bill will not necessarily be the best process to ensure commitment by the IETCs, the board and the authority. We believe the majority decision basis, which was previously in the definitions clause and which is presently before us in my proposed subparagraph (iv), is based on compromise and that unanimity does not accept compromise.

Mr WIESE: I ask the Minister to clarify exactly what is meant by subparagraph (iv) and paragraph (c) which the Opposition is seeking to delete. I do not understand exactly what mechanism he is putting in place to establish quorums in the IETCs, and my understanding is not helped by the fact that subparagraph (iii), which we have not discussed but which is part of the clause we are debating, does not tell us what will constitute a quorum at a meeting of an IETC. A quorum, as referred to in subparagraph (iii), shall be constituted in accordance with the manner approved by the authority. Therefore we do not know what the quorum will be.

Secondly, what will happen when a question is to be decided at one of the general meetings? In the previous quorum and decision making arrangements with the authority all three groups were required to ratify a decision. My understanding now is that if two of the member groups were present at a general meeting but no representative from the third group attended that meeting could still make a decision. That is very different from what we had set up in the authority.

Mr Troy: What you are saying is correct.

Mr WIESE: Having received that clarification from the Minister, I ask him why we are setting up such a different arrangement in the IETCs from the one we have for the authority. How can he justify the fact that a decision made by the IETC when one of the member groups was not present would be binding on that group?

Mr TROY: I will not respond at length because I have covered that in earlier debate. It is unfortunate that on this, the third day on which we are dealing with this Bill, new players are joining the debate.

Mr Kierath: That is their right; it is not unfortunate.

The CHAIRMAN: Order!

Mr TROY: We are talking about the processes of getting the Bill through the Chamber.

Mr Lewis: No, we are talking about legislating.

The CHAIRMAN: Order! I have already called for order.

Mr Wiese: Do you want us all to walk out and leave the three of you to debate it?

The CHAIRMAN: Order, the member for Wagin.

Mr TROY: I am not trying to be aggressive in my answer, but the member must understand that we have previously covered this; however, I will do so again. We recognise in this Bill that the IETCs are the cornerstone of this whole structure and that the industry groups vary enormously, and we have limited our prescription in the Bill to cover IETCs. For example, in the retail area there are 17 employer organisations but certainly nowhere near that many unions, and in the rural section the situation is quite different again. All of this flexibility is being accommodated in the IETC structure, so the voting system is slightly different.

People on the authority have a broad policy requirement to range across vocational training in this State. They do not represent the narrow perspectives that we would rightly expect to be within the IETCs. By imposing the voting position of the authority on the IETCs while we are trying to improve consensus we would be removing the effect the absence of any one group from the tripartite arrangement would have on the IETC's ability to make decisions. Even if the proportions were different as between the three elements, one group of the three could, by absenting itself from a meeting of the IETC, prevent a decision being made. Therefore we are asking that all groups be present. That is where the voting structure changes. It merely reflects the different nature and composition of each IETC, as distinct from the authority. Our prime purpose in this clause was to make sure the IETCs were industry led by giving the chairperson's role on the IETC to an employer or an employee rather than have Government steering the council; because we could have a whole host of IETCs leading industry by the nose. The member for Avon has talked about training institutions not doing the right thing, so we are stopping them from grabbing control even where they may have been invited by industry partners to take the chairperson's role.

Mrs EDWARDES: Our reason for seeking to delete paragraph (c) of clause 23(2) is that it is a catch-all phrase, so that if anything else needs to be dealt with the authority can specify it and the association must conform. When we are dealing with, supposedly, an industry-led body, authority, board, council or association the function of the whole of the SESDA legislation will be industry driven and we want to make sure that any other criteria specified by the authority will be properly debated.

Whatever is proposed it can be determined and assisted by the industry employment and training councils; it will come under full public scrutiny, thus enabling a reduction in over regulation. If the legislation is returned to Parliament it will be extremely important to make sure that whatever other criteria are specified by the authority for the association to conform to, it will be worth the exercise. Otherwise, we should make sure the provision is in the Bill in the first place. I realise that after a review that is to take place two years down the track, changes will be suggested; I would be surprised if changes were not suggested as a result of the review. However, that will not necessarily allow the authority to make a direction and publish the changes in the *Government Gazette*. The proposed changes should be subjected to the full rigours of the parliamentary process, to full public scrutiny and debate in the proper forum.

Mr KIERATH: The Minister has used a red herring when talking about the chairmanship of the IETCs.

Mr Troy: That is the clause we are debating.

Mr KIERATH: No amendments have been proposed, apart from the Opposition's amendments.

Mr Troy: The member for Wagin asked a question, if the member would only listen.

Mr KIERATH: The Minister made the point that the chairmanship would accommodate the industry.

Mr Troy: I was talking about the purpose of the clause.

Mr KIERATH: That was under subclause (2). We do not have any amendments under subclause (2).

Mr Troy: Read and you will learn.

Mr KIERATH: I have. We are debating a later part of the legislation. We are debating the general meeting of the association and any meeting of the executive body. Secondly, what should be the composition of IETCs? I refer also to the decision-making process. I have concerns because we know nothing about the break up or the model of the IETCs. Last time the matter was debated the Minister was to produce a suggested model. The problem was that we did not have a model. The Minister started to talk about the retail trade group and the IETCs; he said 17 employer groups would be involved but nowhere near that number of unions. How many unions are involved? Obviously the Minister has done his homework. Can he explain how many employer groups make up the retail trade group?

Mr Troy: The member has done his work with the employer groups; he should be able to tell me. I will give a briefing later.

Mr KIERATH: This is an opportunity to place the information on the record. The Minister started to explain something to the member for Wagin. Is the Minister not prepared to explain to me?

The CHAIRMAN: I suggest that the member address his remarks to the amendment and to the Chair.

Mr KIERATH: The whole principle of the Committee stage is to receive information from the Minister. I have asked a question; it is a perfectly simple and logical question. The Minister should have no hesitation in providing the details. This matter goes to the heart of the legislation; that is, the composition of the IETCs. We have heard nothing about their construction; although we have a right to know. The Minister must have a model and I ask him to produce it now.

Amendment put and negatived.

Mr KIERATH: I am very disappointed with the Minister's refusal to respond to my perfectly legitimate question. The Opposition has exposed some serious flaws in the Bill. The vested controls in other areas will be entrenched in the IETCs. They have been entrenched in the authority and in the accreditation boards, and now they are to be entrenched in the IETCs. In his second reading speech, and throughout the Committee debate, the Minister has pointed out that the scheme should be industry driven; that we should not have any fears about the legislation as a result. I have asked how will the IETCs be set up. The 17 employer groups will find their contribution to the process is extremely diluted. I repeat that by the entrenchment of the unions and Government in the system the Minister will have control. The Opposition's proposed amendments are flexible and appropriate; if the Minister's idea is for the system to be industry driven -

Mr Troy: The retail groups did not agree with that. Does the member know more than the retail industry?

Mr KIERATH: We should not consider only sectional interests. We should understand the whole issue. Many people do not understand what is happening in this area; they have received verbal assurances from the Minister but have received nothing in writing.

The Minister is delivering training to the unions. He has avoided the accountability provisions; he is not prepared to make the system industry or market driven. The Minister wants to entrench the bureaucracy and keep the IETCs under control from the top. With control at the top, he will have control of the board and of the IETCs. Were the system truly industry driven, perhaps the Opposition would agree. The Minister is not prepared to accept any accommodations or any responsible amendments. He wants to ensure that the Opposition has difficulty in supporting the legislation.

The Minister commented about the Confederation of Industry. When the Bill was before this place earlier, the Confederation of Industry had not been consulted widely. Some members of the confederation did not know anything about the legislation. There has been a complete lack of understanding of the basis of the Bill. Superficial information has been made available, window dressing and so on, but nothing which goes to the guts of the Bill. The IETCs, the board and the authority are the key areas and represent the foundations of the legislation. The foundations are flawed; that is the problem. We thought that the Government would go part of the way and accommodate the Opposition, thereby making the system industry driven. Sadly, that has not happened.

Clause put and a division taken with the following result -

Ayes (24)

Mrs Beggs	Dr Edwards	Mr Marlborough	Mr Taylor
Mrs Buchanan	Mr Graham	Mr McGinty	Mr Thomas
Mr Carr	Mr Grill	Mr Pearce	Mr Troy
Mr Catania	Mrs Henderson	Mr Read	Dr Watson
Mr Cunningham	Mr Kobelke	Mr Ripper	Mr Wilson
Mr Donovan	Mr Leahy	Mr P.J. Smith	Mrs Watkins (Teller)

Noes (19)

Mr Ainsworth	Mr Grayden	Mr Mensaros	Mr Trenorden
Mr Bradshaw	Mr House	Mr Minson	Mr Fred Tubby
Mr Clarko	Mr Kierath	Mr Nicholls	Mr Wiese
Mr Court	Mr Lewis	Mr Omodei	Mr Blaikie (Teller)
Mrs Edwardes	Mr McNee	Mr Shave	

Pairs

Dr Lawrence	Mr Watt
Mr D.L. Smith	Dr Turnbull
Mr Bridge	Mr Cowan
Mr Gordon Hill	Mr MacKinnon
Dr Gallop	Mr Strickland

Clause thus passed.

Clause 24: Functions conferred on a council by this Act -

Mrs EDWARDES: I move -

Page 20, lines 7 to 10 - To delete the lines and substitute the following -

- (i) to promote the partnership of employers, employees and government in the development of labour market services including industry investment in skills formation.

When considering this amendment it is important to identify the words to be deleted because they highlight the agenda behind the SESDA legislation regarding the constitution of the partnership. The Bill states -

- (i) to promote the partnership of employers, unions and government within the industry in the development of labour market policies and the provision of labour market services including industry investment in skills formation.

The Minister has made it clear that he wants a coordinated framework for skills development in Western Australia. He has indicated that the bodies which are best able to deliver the successful implementation of SESDA are those stipulated in the Bill; that is, the Confederation of Western Australian Industry (Inc) and the Trades and Labor Council. I agree that SESDA requires a coordinated framework as the function will be to promote industry partnerships. The Opposition believes the partnership is more clearly identified as "employers, employees and government", as opposed to "employers, unions and government". That highlights the fact that not every employee is a member of a union. That may be an ideological sticking point for the Government, but this amendment widens the provision to apply to the general community. Changing the word "union" to "employees" will make the body more representative in the promotion of the intended partnership.

It is wonderful to have agreements between employer bodies and the TLC, but not everybody is a member of an employer body or a union. If the Minister is serious about the promotion of the partnership, he should recognise this point. Councils should not have conferred on them the function of promoting the provision of labour market services - they should not be entering the business of employment agencies. This amendment will mean that the authority and the IETCs will not be involved in the provision of labour market services.

Mr WIESE: I ask the Minister whether he could provide a definition of "labour market policy". I accept that we know what we are talking about with labour market services. Contrary to the previous speaker, I do not have a problem with the fact that something is to be gained by these groups having an advisory role in the provision of labour market services as it is defined. However, I want to know what we are talking about when referring to development of labour market policy.

Mr TROY: The question of policy is clearly a task which the authority should pick up regarding vocational training across the board. I have explained to the Chamber on a number of occasions the linkage between the labour market services and the input this provides in the articulation of policy and what will be done as a result of that knowledge. That is what is meant by "policy". It is appropriate that labour market services information form part of the

decision-making process in implementing changes for vocational training. The member for Avon should make representations to people in his electorate to identify the social agenda of the Government to help disadvantaged people in the provision of work skills. We need a coordinated approach which can be identified with the labour market services to determine what action will be taken regarding vocational training. However, no commitment exists for industry to pick up the social responsibilities of Government.

Mr Wiese: Are we talking about labour market training policy and not any policy which may come under an industrial-type agenda? Is it purely a specific training policy?

Mr TROY: It does not intrude on the Industrial Relations Act.

Amendment put and negatived.

Mrs EDWARDES: I move -

Page 20, lines 11 to 13 - To delete subclause (2).

I remind the House that clause 24 involves the functions conferred on a council by the Act, and subclause (2) states the following -

Nothing in subsection (1) prevents the Authority from performing in relation to an industry any function conferred on a council under that subsection.

We have been through clause 17 and the functions of the authority have been spelled out and clearly specified. However, we must not forget that the IETCs are industry training councils.

The IETCs are the bodies around which this legislation pivots. They are the cornerstone of ensuring that SESDA works. If the Government is going to allow different representation for the authority and for the IETC and different functions for both groups, there is no reason why this catch-all "gotcha" clause should be included in the Bill. If the authority wants to become involved in the affairs of a council and that is not covered under clause 17, it can do it under subclause (2). If the authority wishes to carry out any of the functions specified in clause 24(1) which are not specified in clause 17, they should be specified. Otherwise, it should be brought back to the Parliament to be the subject of debate.

Mr TROY: There is a link between this clause 24 and clause 26. Clause 24(2) is vital when the authority decides that an IETC is not functioning properly. There could be many reasons for that including its accountability not being satisfied under the provisions of the Financial Administration and Audit Act; or the industry group may not be able to get its act together for whatever reason. Members should bear in mind that decisions may be made about that industry at a national level about which the State would want to comment and this subclause allows the authority to move into that area. Clause 24(2) must be read in conjunction with clause 26. On that basis, the clauses are self-explanatory.

Mr WIESE: Under clause 24(2), if an IETC decided that it did not want to go down a certain path, the authority could use its power to impose upon that council what the authority wanted implemented even though the council might be completely opposed to it.

Mr Troy: Not so!

Mr WIESE: Will the Minister make a declaration that it will not be used for that purpose?

Mr TROY: It will not. The member cannot understand that what we must have for this process to work is an effective IETC network. If some super authority intrudes on that, it will cause the immediate collapse of the whole legislation because the IETCs are so important. Clause 26 limits the intrusion by the authority into the operations of an IETC. The very narrow circumstances in which it can intrude are appropriate. The Opposition does not understand the basic philosophy and importance of the IETC. As I said, if the authority intrudes it will bring about the downfall of the legislation.

Clause 26 ensures some minimal controls over the areas in which the authority can intrude. If it must act, it will come to the attention not only of the Minister, but also of the Parliament through the annual report.

Mrs EDWARDES: The Minister referred to clause 26. We are debating the deletion of clause 24(2). The language and the purpose behind them may be similar, but clause 24(2) does not restrict intrusion by the authority. The limitations imposed in clause 26 have nothing to do with clause 24(2). Therefore, the point made by the Minister is totally irrelevant.

Mr Troy: Rubbish!

Mrs EDWARDES: I am sorry, but the Minister obviously interprets the legislation differently.

Mr KIERATH: There are two reasons in clause 26 why the authority may assume the functions of a council. Clause 24(2) is what is commonly called a "gotcha" clause; that is, when everything else fails, it catches. I do not think it is the intention of the clause to allow the authority to take over the responsibilities of a council except under certain conditions, and we accept that. However, a "gotcha" clause is different and we object to that.

Progress

Progress reported and leave given to sit again at a later stage of the sitting, on motion by Mr Troy (Minister for Productivity and Labour Relations).

[Continued on p 2963.]

Sitting suspended from 1.00 to 2.00 pm

BILLS (2) - RETURNED

1. Supply Bill
 2. Treasurer's Advance Authorisation Bill
- Bills returned from the Council without amendment.

BILLS (3)

Messages - Appropriations

Messages from the Governor received and read recommending appropriations for the purposes of the following Bills -

1. Lotteries Commission Bill
2. Seniors (Water Service Charges Rebates) Bill
3. Stamp Amendment Bill

[Questions without notice taken.]

SELECT COMMITTEE - LAND CONSERVATION

South West Discussion Paper Tabling

MR HOUSE (Stirling) [2.33 pm]: I have for tabling the first discussion paper from the Select Committee on Land Conservation regarding the south west area.

Mr Pearce: Is this the itinerary? I thought you were going to table an atlas!

The SPEAKER: From what I have seen of the itinerary, it may well be!

Mr HOUSE: The committee is already preparing the interim report.

Mr Pearce: We are preparing an entry for the *Guinness Book of Records*.

Mr HOUSE: Members are putting me off. Mr Speaker, I move -

That the discussion paper do lie upon the Table and be printed.

The committee decided to tackle the problem of investigating land and soil conservation in Western Australia in a slightly different manner to that of other committees of the Parliament in the past. We decided to divide the State into three main regions: The south west region, which was roughly taken as a line west of the main highway from Perth to Albany; the agricultural region, which takes into account the main wheat and sheep growing areas of Western Australia; and the pastoral areas in the Kimberley. This discussion paper is in respect of the first of those areas which we decided to concentrate upon; that is, the south west region.

It is the committee's intention to table the paper today to allow further discussion and I will enlarge on that in a moment. We have already started on the discussion paper for the agricultural region as we have completed a fair amount of the necessary work, and we hope

to table that paper at the beginning of November during the next session of Parliament. The discussion paper being tabled today is actually a compilation of comments from groups, individuals and Government departments and agencies. These people have made submissions to the committee regarding what they see as the main problems in that region. The committee makes no apologies for including nearly all of these comments. Several of the comments are controversial and are included in the paper in an attempt to draw further comments and information from people supporting, or holding contrary views to those contained in the paper. It is fair to say that the issues confronting the south west region are varied regarding land and soil degradation. These range from salt problems in some regions, to mineral sands mining, land rehabilitation, forest management, parks and reserves management, problems of retaining remnant vegetation and to streams and harbours and the nutrification of those water ways. The problems are so varied that I am sure the other committee members would support me in saying that it is frightening to see the problems which exist in Western Australia.

Some of the comments made to the committee were provocative to say the least, and these have been included in the paper in an attempt to draw constructive comments from those who agree or disagree with the points of view expressed. In tabling this paper today we hope to be able to circulate it to those who gave evidence; that is, to the shires and the land conservation district committees, to allow them to identify what we believe to be the main issues to help determine the kind of solution that should be implemented to solve the problems. This is a discussion paper, but nobody should be afraid of those discussions. If we can provoke lively debate, we will be on the right track. The committee would welcome constructive criticism and suggestions from any persons or groups within the community who feel that they have a part to play in determining solutions to any problems regarding land and soil conservation in the south west region to which this paper is directed.

As it is a discussion paper and not the final report of the committee it would not be appropriate for me to comment any further. I have made very clear what we expect of this discussion paper and I hope by early next year we will be able to table the final report that will address the measures of soil and land conservation in the agricultural and south west regions.

The committee sat on 46 days; a great many of those days were full day sittings and included many evenings. I think that indicates a commitment by the committee. Further, there were many informal meetings and many hours of time put in by committee members.

As chairman, I express my sincere appreciation to those people who have contributed to the committee by giving evidence, both verbal and written, and by attending meetings around Western Australia. I thank the Government departments and the heads of the departments who have given so much time and effort in answering the questions of the committee. I thank also my deputy chairman, the member for Pilbara, the member for Murray and the member for Moore for their contributions and efforts. Each of them has given a great deal to this committee. The fifth member of the committee was appointed to the Ministry very shortly after the committee was established. He has not taken much part in the discussions but always indicated to me that he would make himself available if the committee needed a further opinion.

I thank John Mandy, the clerk of the committee, who has, particularly in the last couple of weeks, worked extremely hard and for many long hours to get the report ready for tabling. I thank Roni Oma who was seconded from the Department of Agriculture as a research officer and I thank the typists and people who were involved in getting the report ready.

It is a comprehensive report containing many issues. It is 200 pages long and I hope it will be the first step in what I regard as one of the most important processes that has ever taken place in Western Australia; that is, to halt and then reverse the problems of land and soil degradation. I am sure that every Western Australian hopes that we can find the answers to these problems; I think we can. That will require the help and cooperation of every person in this State and certainly help and cooperation from the Government. I am pleased and proud to be able to table this report today.

Question put and passed.

[See paper No 368.]

STATE EMPLOYMENT AND SKILLS DEVELOPMENT AUTHORITY BILL*Committee*

Resumed from an earlier stage of the sitting. The Deputy Chairman of Committees (Mr Donovan) in the Chair; Mr Troy (Minister for Productivity and Labour Relations) in charge of the Bill.

Clause 24: Functions conferred on a council by this Act -

Progress was reported after the following amendment had been moved -

Page 20, lines 11 to 13 - To delete subclause (2).

Mr WIESE: The Minister told us that there is no intention of using the authority as a vehicle to overrule or dominate in any way the functions of the IETCs. Is the Minister prepared to give an undertaking that subclause (2) will not be used to impose on the IETCs Government policies which the IETCs do not wish to adopt?

Mr TROY: The Government, in the spirit of the SESDA arrangement, will not be intruding into such areas. Since drafting on this Bill began, the Burt Commission on Accountability has said that there are areas of responsibility for the Government in this legislation as there are in all pieces of legislation. I am sure that none of us in this House disagrees with that. To satisfy the Burt Commission, the Government has allowed the authority to intrude on the IETCs under certain conditions. However, I have tried to maintain the spirit of the legislation in other activities. The Government will not allow any party to intrude on the formal operational processes outside of the accountability provisions set down by the Burt Commission. If the Government intruded in areas other than that the whole thing would collapse and it is not the Government's intention to allow that to happen. I can give the guarantee the member is seeking.

Amendment put and negatived.

Clause put and passed.

Clause 25: Cancellation of registration -

Mrs EDWARDES: I move -

Page 20, line 18 to page 21, line 4 - To delete the lines and substitute the following -

- (2) Where the Authority has decided to cancel the registration of an association as a council under subsection (1) it shall -
 - (a) give the Minister and the relevant association written notice of its decision to cancel the registration of the association and its reasons for the decision not less than 60 days prior to the date specified by it for the cancellation to have effect; and
 - (b) cause its decision to cancel the registration of an association as a Council and its reasons for the decision to be published in the Government Gazette not less than 60 days prior to the date specified by it for the cancellation to have effect.
- (3) Where the Authority cancels the registration of an association as a council under subsection (1) the Authority may give such directions as the Authority considers necessary in order to give effect to the cancellation.
- (4) Notwithstanding anything in any written law a direction given under subsection (3) has effect on and from the date specified in the direction.
- (5) Notwithstanding anything in subsections (1), (2), (3) or (4) the Authority may and shall, whenever directed by the Minister, rescind any decision to cancel the registration of an association as a council under subsection (1) and any direction under subsection (3).
- (6) Where the Authority cancels the registration of an association as a council under subsection (1) it shall incorporate the cancellation in its annual report given under section 35.

Clause 25 deals with the cancellation of registration of an association as an industry and employment training council. It would be a major event for the authority to consider such cancellation of registration, but the clause does not specify the basis on which that cancellation would occur. The Opposition's proposed amendment would allow for some accountability of such cancellation. It provides a time period for notice to be given and states that the decision and the reasons for that decision shall be published in the *Government Gazette* not less than 60 days prior to the cancellation taking effect. That would open the matter up to public scrutiny and allow questions to be asked about the cancellation, and if necessary it could be referred to the Government and the Parliament. The amendments would also ensure that any cancellation and the reasons for it would be incorporated in the annual report of the authority, and they would allow the Minister to direct the authority to rescind a decision to cancel the registration. This would be a public procedure and the reasons for any decisions would be made public.

I assume that an industry and employment training council would have to fail miserably before its registration was cancelled; it would perhaps be cancelled on the basis of gross financial misconduct. I do not believe that its registration would be cancelled simply because it had not performed to expectation. I have no doubt that if a council's performance were not satisfactory the Minister, through the authority, would work hard to get a commitment from that industry body to improve its performance.

Mr Troy: That goes without saying.

Mrs EDWARDES: I take that comment on board. This clause does not set out the basis upon which the registration could be cancelled. The proposed amendments will tighten up the provisions relating to the cancellation of the registration by the authority. The objective of this Bill is to encourage industry to develop skills. If the authority is able to cancel the registration of a major player it must be accountable for its decision. It must not have the power to cancel a registration without good cause, and certainly the system would not work if undue interference took place in these matters. The proposed amendments will ensure that any cancellation of the registration of an association as a council is subject to public scrutiny.

Mr TRENORDEN: I want to put the system on notice that if this amendment is defeated - and it appears that it will be - the National Party will watch this situation very carefully in the next two years. It is a very important area. The Minister may be able to argue with some authority that some movement is necessary in the early years to allow for the establishment of the system, but it must become very clear at a later date that these two bodies are well and truly separated and that their powers relate to different areas. The Minister may or may not be in office when this matter is reviewed, but I advise the Government that I shall watch this area with a great deal of interest and I shall assess the performance of the parties involved.

Mr KIERATH: This is a very important part of the Bill. There is no doubt that it would be a major event to cancel the registration of an association as a council. At this point we must ask ourselves what is the intent of this legislation. If the Government's intention is to allow SESDA to consume and control the system, it will have difficulty supporting the Opposition's amendment. However, if the Government's desire is to be accountable and up-front, and if it wants the IETCs to do their own thing, except in unusual circumstances, the Minister will support the Opposition's amendment. The power in this system should lie with the councils and not with SESDA. This aspect is of great concern to the Opposition.

I am not suggesting that the Minister's assurances are worth nothing, but every time we put those assurances to the test in proposed amendments to the Bill, the Minister rejects those amendments. The important test of accountability will be to make sure that the system is industry driven; the Government should ensure that SESDA is not controlling the system from the top. We accept the argument that in some circumstances it may be necessary to cancel a registration, but I do not know why the Minister is hesitant about allowing the reasons for cancellation to be published. Surely, if a council behaved badly enough to warrant cancellation of its registration, the Minister would have no hesitation in making the reasons for that cancellation public. It is a key factor which will ensure accountability. The Minister appears again reluctant to accept this amendment.

Mr TROY: An interesting point has arisen. The only significant difference between this proposed amendment and the Government's proposed new section 25(2) is the timetable; that is, the 60 day provision. Yesterday the Opposition talked about objection to articles of

association for an IETC. I said earlier the Burt Commission on Accountability required the Government under accountability provisions to make sure that a responsible statutory authority was involved in the system. That provision is in the Bill. Providing full independence to the IETC would establish it as a statutory agency and would provide the freedom the Opposition wants it to have while satisfying the requirements of the Burt commission. However, yesterday the Opposition did not want to go as far as registering an association as an industry employment and training council.

Mrs Edwardes: The Minister did not listen.

Mr TROY: Members opposite are not being entirely consistent. I can understand why. The Chamber of Mines submitted a list of provisions and the Government redrafted the Bill.

Mrs Edwardes: The Opposition will continue to discuss these amendments all afternoon, if the Minister wishes me to go over the issues again. While you continue to trivialise, minimise and misconstrue the amendments we are putting forward, I will stand up and correct you.

Mr TROY: I am providing the sequence of how this occurred. The Chamber of Mines raised these concerns with the Government and the Bill was amended. The draft was sent to the Chamber of Mines which wrote back and said that in essence it liked what it saw and that a working party would review it further. The Chamber of Mines said that it was pleased to note the substance of the amendments to the State Employment and Skills Development Authority Bill since its first introduction in Parliament and also my second reading speech. It said that its working party was reviewing its suggested amendments in the light of these changes and that it proposed to send a revised list for the Government's consideration as soon as possible.

That letter is dated 17 June and the Chamber has not submitted the revised list to the Government. It has not yet written and told us of its position. The only difference between the present clause and the Opposition's amendment is that the Opposition is arguing about making SESDA far more accountable when cancelling registration of an association. Such action would be very rare. However, provision has been made for it to fulfil the accountability obligations. This power would be pursued under very limited circumstances and a degree of urgency would arise if that action were taken. That urgency would precipitate extensive debate with the IETC. This would be necessary to withstand the questions Opposition members would rightfully ask in an annual report. Such action must be accounted for in a thorough and exhaustive way. I fail to understand the need for a great deal of red tape and drawn out debate when the action would only occur as a matter of urgency and would need to be addressed there and then. The Government's alternative is the preferred one.

Mr KIERATH: I am amazed at the Minister's comment. He said that the only difference between our amendment and the clause is an amount of time. That is rubbish. He is favouring the wrong aspect of this clause. One of the key points of the amendment is that the authority must give the Minister and the relevant association written notice of, and the reasons for, its decision to cancel registration. Provision of the reasons for cancelling an association's registration is the important part of the Opposition's amendment. The Minister has asked the Opposition to trust the Government. It says it would not cancel registration in unusual circumstances and any action taken would be above board. That is fine, but all the Opposition is asking the Government to do is to provide reasons for cancelling registration of an association. It is called justification and accountability. The Minister can call it what he likes. It is a reporting mechanism and it lays everything on the table so that an association which is about to have its registration cancelled knows the reason for that cancellation.

Mr Troy: Has the member for Riverton looked at clause 35(2)(c)?

Mr KIERATH: We will discuss that clause later on. The Minister said that the only difference between the clause and the Opposition's amendment related to an amount of time. He does not like to hear the truth. The very basis of our amendment is to provide some form of accountability. When an association's registration is cancelled, the Opposition wants to know the reasons for that. That requirement should be incorporated in the Bill.

Mr Troy: The member should refer to clause 35.

Mr KIERATH: That is not an unusual thing to ask for.

Mrs EDWARDES: When the Minister misrepresents some of our views and comments, or trivialises them, he leaves me no option but to extend the debate to make sure that those views are disputed on the record. Clause 25 deals with the cancellation of registration of an association as an industry and employment training council. It says that the authority may cancel the registration of an association as a council. That has nothing to do with the Opposition's not wanting an association to be incorporated at the beginning of its registration. The Minister is talking about registration as an IETC. This has nothing to do with being an incorporated association.

Mr KIERATH: While I was sitting down, I had a chance to look at clause 35(2)(c) which the Minister pointed out to me.

Mr Troy: You saw it for the first time.

Mr KIERATH: No, this is where the Minister is wrong. He has misunderstood. The paragraph states -

A report of the cancellation of the registration of a council under section 25;

It does not ask for any reasons. The Opposition's amendment -

Mr Troy: What is a report?

Mr KIERATH: We have seen some of the Government's reports presented in this place and they have been very short on reasons. The Opposition has requested reasons many times for Government actions and has received no answers from it. The Minister is talking about an authority that has the power to do all sorts of things. It has the power to cancel associations and it has the power to give accreditation. The basis of the legislation is that it should be industry driven. However, the Opposition is accepting that some circumstances arise in which the cancellation of an association may be justified. The Minister said it would be a very rare occurrence. Therefore, he cannot use the excuse that it will create a lot of paperwork or cost a lot of time. By the time the Government decided to cancel the registration of that association, surely all those processes would have taken place. Ultimately the Government would have probably given the association some warning and requested that certain events take place or its registration would be cancelled. The decision to cancel must be published to prevent the Government doing it behind an association's back. The Minister missed that part out when discussing this amendment. The Opposition's amendment includes a time clause and with good reason. The member for Kingsley has outlined the reasons for that. The main thrust of my argument on this issue is about accountability for the Government's decisions.

Amendment (words to be deleted) put and a division taken with the following result -

Ayes (22)

Mr Ainsworth
Mr Bradshaw
Mr Clarko
Mr Court
Mrs Edwardes
Mr Grayden

Mr Hassell
Mr House
Mr Kierath
Mr Lewis
Mr MacKinnon
Mr McNee

Mr Mensaros
Mr Nicholls
Mr Omodei
Mr Shave
Mr Strickland
Mr Trenorden

Mr Fred Tubby
Dr Turnbull
Mr Wiese
Mr Blaikie (*Teller*)

Noes (26)

Dr Alexander
Mrs Beggs
Mr Bridge
Mrs Buchanan
Mr Carr
Mr Catania
Mr Cunningham

Dr Edwards
Mr Graham
Mr Grill
Mrs Henderson
Mr Gordon Hill
Mr Kobelke
Mr Leahy

Mr Marlborough
Mr McGinty
Mr Pearce
Mr Read
Mr Ripper
Mr P.J. Smith
Mr Taylor

Mr Thomas
Mr Troy
Dr Watson
Mr Wilson
Mrs Watkins (*Teller*)

Pairs

Mr Minson
Mr Watt
Mr Cowan

Dr Lawrence
Mr D.L. Smith
Dr Gallop

Amendment thus negated.

Clause put and passed.

Clause 26: Authority may act as a council -

Mrs EDWARDES: The Opposition opposes this clause in its entirety. We come back to the basic philosophy of what we believe this piece of legislation should be about. Skills formation and skills development will happen only if the industries make it or wish it to happen. A lot of time and effort will go into those industry bodies working together as a council. I see no reason for the council to take it over, because if the council is not working and the industries do not want it to work, it will not happen. I do not want the Minister to misconstrue my meaning.

Mr Troy: Not for a minute.

Mrs EDWARDES: It will take some time for those industries which previously thought that they had nothing much in common to work together, but they must be forced together to become an industry employment and training council.

What is required for a cancellation is not defined in clause 25. It would need a major event. Clause 26 provides for the authority to take over the council if it is not formed as a council, or if it is cancelled. If an association is not registered as a council, the authority must make the industry associations work together as a council, but the basis is not specified in clause 25. Because there is no specification for a cancellation to occur, and there is no opportunity for debate by those industries, the authority must be accountable for the decision.

In this type of legislation, where we rely on industry bodies to make SESDA work, there is no need for this clause. It may be relevant in other areas. I have included similar clauses in constitutions and incorporations I have drafted, but this system will depend upon those industries working together. If they do not, why give the authority the ability to act as a council? The authority is not the industry association. It should be incumbent on the authority to make sure that the association works.

Mr TROY: I shall read three paragraphs from a Press release issued by the Confederation of WA Industry under the subtitle "The Private Enterprise Organisation". It may be a little difficult to listen to, but it hits this clause right on the head. It reads -

If this Bill does not go through in its substantive form, the Hawke Government will see an opportunity to fill the void and take control of skills training out of WA hands and out of the hands of industry itself.

We are amazed that the Liberal Party should be opposing legislation which is of such importance to the private sector.

And we are puzzled as to where the Liberal Party is getting its information and advice from, given that industry representatives are in favour of the move.

If we did not have this provision, if the council does not come to the point of being registered and there is a burning issue at the national level which is of significant importance to the State, there is no means of having the State view considered as part of the national agenda. This provision allows that. If the member would stop and think he would not deny that, because an industry group cannot reach total agreement to form a council and advance its view.

Mr TRENORDEN: I was amazed to hear about this Press release. I am amazed at the context in which it was used. Who does the Minister think he is? He is standing like God, as usual, making statements for all industries in Western Australia. When he was given the opportunity to do something he sat on his arse and did bugger all. It makes me angry when this clown reads this type of statement from the Press.

Mrs Edwarde: What has happened?

Mr TRENORDEN: If the Minister wants the support of the troops, I suggest he look over his shoulder. I suggest he would see only dust.

Mr Troy: I would see 6 000 members.

Mr TRENORDEN: We have been attempting to argue our case; I can see that we will not succeed. However, the National Party supports the amendment of the Liberal Party. Given the fact that the amendment is likely to be lost, we will consider all matters very carefully if

the legislation gets up. If the leader of an industry group believes that we should take notice of the Federal Government's shooting us, that is deplorable.

Mrs EDWARDES: I was also amazed that the Minister took the time to read several sections of the media statement when it has nothing to do with clause 26.

Mr Shave: The Government is driven by the media.

Mr Troy: It is not.

Mrs EDWARDES: The Minister does not understand the process. If there is a burning issue relating to the treatment of skills development or skills formation as far as Western Australia is concerned, what will the Minister do? The Minister can act now, without the establishment of the authority.

Mr Troy: Not without the national training board.

Mrs EDWARDES: That is in place now.

Mr Troy: We will be placing the chairperson of SESDA on the national training board as the Western Australian representative.

Mrs EDWARDES: Who is that representative now?

Mr Troy: At the moment, it is the departmental head. I cannot control the situation; I am only one voice. Has the member not heard of the manufacturing industry's making determinations about the national needs to the exclusion of a resource-based State? She should listen to anyone in Queensland, or anyone in Western Australia for that matter, on that point. She certainly has not heard from the Chamber of Mines.

Mrs EDWARDES: The Minister does not need clause 26 to enable him to put effectively and eloquently the needs of Western Australia to the national training board or any other body that the Federal Government comes up with. If the Minister cannot act in that way he should be replaced by somebody who can. The Minister does not need clause 26 to take action; in fact, if he has taken the time to read the comments put out by the Confederation of WA Industry, where is the Minister coming from?

Mr Deputy Chairman, I will restrain myself: Where is the Minister coming from in terms of the Confederation of Western Australian Industry and looking after that area? That body has consistently looked after the Minister, not after the so-called business people which it should substantially represent. It has not represented the small business people in areas such as superannuation, or occupational health, safety and welfare.

Mr Trenorden: Small business has been sold down the chute.

Mrs EDWARDES: I agree. The confederation has not represented small business in the industrial relations area either. I suggest that the Minister and the confederation are becoming too close; so much so that no effective lobby remains for small business. That is why people disregard the confederation totally.

Mr KIERATH: I am also disappointed that the Minister should bring this media statement into debate on this clause. Mr Deputy Chairman, as you have allowed that, perhaps you will allow me to make some comments.

Mr Troy: Does the member want a copy of the statement?

Mr KIERATH: No, I have one.

The DEPUTY CHAIRMAN (Mr Donovan): Order! The member for Riverton knows better than that. We have a procedure for requesting certain actions in this place with respect to papers. It is not a matter of allowing statements to be read. We do have procedures.

Point of Order

Mr TROY: If the member intends to quote from papers, I request that the paper be tabled.

The DEPUTY CHAIRMAN: The paper will be laid on the table for the duration of today's sitting.

[The paper was tabled for the information of members.]

Committee Resumed

Mr KIERATH: This clause has nothing to do with scuttling the Bill. The comments of the

Minister about the media statement are rather intriguing. The statement contains a number of gross inaccuracies which cannot be made without a challenge. The Minister, in his opening remarks, said something about our attempting to scuttle the skills legislation. The whole of the debate last year and this year was not designed to scuttle legislation. Last year we pointed out to the Minister that he had not consulted widely with groups. This year we gave the Minister a bouquet and said that at least this time he had undertaken more consultation than last time.

Point of Order

Mr TROY: The member's comments are repetitious. I have heard them on four occasions.

Mr Blaikie: That is not your business.

The DEPUTY CHAIRMAN: Order! The member for Vasse knows very well what is appropriate and what is in order; therefore, he knows that outburst is particularly out of order.

Mr TROY: I seek your clarification, Mr Deputy Chairman. The argument is repetitive; we have heard it on numerous occasions. Under Standing Orders that is not allowed in this Chamber.

Mr Blaikie: Which Standing Order?

The DEPUTY CHAIRMAN: My observation is that debate around the clause is becoming repetitive, as members repeat the remarks of other members. Notwithstanding the implication of Standing Order No 142, the point of order is acknowledged. At the same time, I am confident that the member for Riverton was about to break new ground in debating the clause, or to conclude his remarks.

Committee Resumed

Mr KIERATH: I have not previously spoken on clause 26, and as we are discussing that clause I am entitled to use whatever comments I would like.

Mr DEPUTY CHAIRMAN: Order! The member for Riverton can be sat down, or he can take the advice that is helpfully given from the Chair. A point of order has been raised in relation to repetition under Standing Order No 142. That point of order is upheld. The member has been offered the opportunity to break new ground or conclude his remarks. That ruling stands.

Mr KIERATH: I wish to continue my comments on the Confederation of WA Industry's media statement read by the Minister. The clause provides that the authority may act as a council; that goes to the heart of the SESDA legislation. The authority is able to overcome all layers between the authority and the IETCs. That is the very heart of one of the principles of the legislation; that is, it should be industry driven and not controlled from the top down. I may have repeated that remark but I intend to repeat it all the way through because it is fundamental to every clause of the legislation - the processes of control, direction, and being able to undermine all sorts of mechanisms put in the way to make the authority accountable.

In this situation I do not think any Opposition amendment would scuttle the legislation. Therefore I strongly oppose the comments of the Confederation of Western Australian Industry (Inc). I am intrigued and pleased to notice that a former executive director of the confederation, Mr Basil Atkinson, is in the gallery. The statement has upset me because it contains major inaccuracies. It is inaccurate when it alludes to the Opposition's effort to scuttle the skills legislation. The Opposition has been at great pains to try to improve the legislation and in no way could the actions or amendments of the Opposition be viewed as an attempt to scuttle the legislation. The Opposition represents a whole range of views and will not be bullied or beaten by any party, unlike the Minister who has said that he is beholden to certain parties. In recognition of their contribution the Minister must enshrine those people in parts of the legislation. The Opposition is not prepared to do that. It is prepared to put the interests of the State above various sectional interests. The Opposition has said that this provision could be incorporated in the legislation without imposing restrictions. When that was done the Minister could then include in the legislation the people whom he required. The Opposition has not suggested anything that would limit the Government in any way.

Clause put and passed.

Clause 27: Skills Standards and Accreditation Board -

Mrs EDWARDES: I move -

Page 21, lines 18 to 21 - To delete the lines.

My aim is to substitute a new subclause (2), which would read -

- (2) The Board shall consist of 10 members having recognised expertise in skills formation appointed by the Minister of whom -
 - (a) one person shall be appointed on the nomination of the Authority to be chairperson;
 - (b) 3 persons shall be appointed on the nomination of persons who in the opinion of the Minister represent employers;
 - (c) 3 persons shall be appointed on the nomination of persons who in the opinion of the Minister represent employees; and
 - (d) 3 persons shall be appointed who in the opinion of the Minister represent skills formation providers.

This clause provides for the establishment of the Skills Standards and Accreditation Board. It is one of the three important bodies which will be established under the State Employment and Skills Development Authority Bill. The Skills Standards and Accreditation Board will be the quality control board of the SESDA network and will be responsible for the standard setting and accreditation of skills formation. Given that it will be a highly technical board it is important to know who will constitute that board. Clause 27(2) refers to the 10 people on that board having knowledge of skills formation; it is absolutely imperative for that to occur.

The Opposition agrees that the person who is nominated to that authority should be the chairperson. It agrees that three persons shall represent employers. It also agrees that employees should be represented; however, it disagrees that the employees be nominees of the Trades and Labor Council. The Opposition emphasises that stipulating the peak body for the union movement, the Trades and Labor Council, in the legislation will not provide an opportunity for the best person to be appointed to the job, in that the TLC does not represent all employees. The board will have the greatest impact on employees for the accreditation of skills and it is imperative that the TLC not be specified. The Opposition believes that the board should be opened up to broader interest of people who will represent employees. If the Minister believes that the representatives nominated by the TLC will adequately reflect the wider representation of employees he is within his rights to appoint those nominees from the TLC. Why is that union organisation wanting to control the employee nominations on the Skills Standards and Accreditation Board? The Skills Standards and Accreditation Board will be a skilled body which will be making technical determinations and will be the quality control body for skills formation. This is a sticking point for me; it may be an ideological point but it is also a practical one. Subclause (2) restricts any possible changes at a later date. The amendment will provide flexibility. These amendments will mean that the three persons who represent employees will have much broader representation than the nominations from the Trades and Labor Council will provide.

Amendment put and negatived.

Mr TRENORDEN: I move -

Page 21, lines 22 to 28 - To delete the lines and substitute the following -

- (b) three shall be persons who in the opinion of the Minister represent employers;
- (c) three shall be persons who in the opinion of the Minister represent employees;
- (d) one shall be a person who in the opinion of the Minister represents small business; and
- (e) two shall be persons who in the opinion of the Minister represent skills formation providers.

We need to be certain that the specialised needs of small business have some force within the accreditation board.

Members should understand the workings of the accreditation board. It is important that we have someone on that board who understands the special needs of skills accreditation, particularly those skills which are nonexistent in this State. Skills are nonexistent for agricultural value-adding and will have to be developed. That type of industry will not attract big business, but it will comprise small organisations which will be involved in value-adding and exporting Western Australian produce. The existing technology will assist small organisations and not large corporations. It is very important that the board be aware of those smaller organisations. Some sections of business are concerned about programs which may be attacked by the accreditation board for industrial reasons. I am pleased that the Minister has taken note of what I have said. I guess he will say to me, "That is why you want your appointees on the board."

Mr Troy: It is significantly different from the Bill we debated last year.

Mr TRENORDEN: It is an area of concern to people who are delivering skills programs to a large number of employees, and they do not want the union movement involved. They have come to their own arrangements, which have been successful and they want to continue with them. There could be an endeavour on the part of the TLC to hijack a section of industry which it cannot control by other means. I am sure the TLC would take that course of action if it thought it could get away with it. It is important that there be a balance on the accreditation board to make sure that no-one hijacks anyone's agenda and that small business has the opportunity to tune in to the accreditation board for its specialised needs.

Mr KIERATH: It is intriguing when considering the composition of this board that the Minister said this Bill is predominantly different from last year's Bill. Subclause (2)(b) of the Bill states that three persons shall be appointed on the nomination of organisations which in the opinion of the Minister represent employers. The amendment moved by the Opposition proposes that three persons shall be appointed on the nomination of persons who in the opinion of the Minister represent employers. The difference is between the nomination and appointment of persons. The generic term of "employers" has been used in this clause and I commend the Minister for that; it is very noble of him. It is what we have been trying to achieve all along and I find it rather intriguing that the Minister is prepared to concede to that in this clause but not in other clauses. Flushed with this new found faith I referred to paragraph (c) and noticed that the Minister had changed his mind because that paragraph states that three persons shall be appointed on the nomination of the body known as the Trades and Labor Council. I was disappointed because I thought the Minister would have continued in that vein and would have referred to "employees" in paragraph (c). It appears he cannot take the reference to the TLC out of this legislation. I heard on the grapevine, via the TLC, that the TLC was prepared to agree to the deletion of the reference to it in paragraph (c).

Mr Troy: I am prepared to check that with it.

Mr KIERATH: Before the debate is finished or between now and when the Bill reaches the other place?

Mr Troy: Yes.

Mr KIERATH: The Minister used the generic term and he can still appoint them. He has agreed to use it in the case of employers, but not in the case of employees. In paragraph (d) the Opposition wants to ensure that three persons shall be appointed to represent skills formation providers on that board. It is rather interesting that the Minister should be talking about a skills standards and accreditation board. It is one of the most important functions of the authority, but the clause makes no reference to skills formation providers. Yet the Minister has given reasons why we should prescribe people who have been part of the process. It appears that because they have supported the Government, it gives them some right to be locked into that legislation. SESDA is about providing skills and there is no descriptive nature of skills in the legislation. I must question the Minister's intention: Is it his intention to nominate other people who do not have skills to the board?

Mr Troy: You can't. Read the Bill.

Mr KIERATH: In that case why is the Minister not prepared to accept the amendment?

The DEPUTY CHAIRMAN (Mr Donovan): Order! Before the member resumes his seat I ask him to help the Chair on a small matter. Perhaps he would make a comment correcting

an impression that the Hansard reporter has that there is in fact a stranger in the House and that the Chair failed to act on that. Perhaps he would point out that the person to whom he referred is in the Public Gallery. It may help the historians of the future.

Mr KIERATH: I guess the Hansard reporter cannot see who I am looking at, but I was looking at a person in the Public Gallery.

Amendment put and negatived.

Clause put and a division taken with the following result -

Ayes (26)			
Dr Alexander	Dr Gallop	Mr Marlborough	Mr Thomas
Mrs Beggs	Mr Graham	Mr McGinty	Mr Troy
Mrs Buchanan	Mr Grill	Mr Pearce	Dr Watson
Mr Carr	Mrs Henderson	Mr Read	Mr Wilson
Mr Catania	Mr Gordon Hill	Mr Ripper	Mrs Watkins (<i>Teller</i>)
Mr Cunningham	Mr Kobelke	Mr P.J. Smith	
Dr Edwards	Mr Leahy	Mr Taylor	

Noes (21)			
Mr Ainsworth	Mr Hassell	Mr Mensaros	Dr Turnbull
Mr Bradshaw	Mr House	Mr Omodei	Mr Wiese
Mr Clarko	Mr Kierath	Mr Shave	Mr Blaikie (<i>Teller</i>)
Mr Court	Mr Lewis	Mr Strickland	
Mrs Edwards	Mr MacKinnon	Mr Trenorden	
Mr Grayden	Mr McNee	Mr Fred Tubby	

Pairs	
Dr Lawrence	Mr Minson
Mr D.L. Smith	Mr Watt
Mr Bridge	Mr Cowan

Clause thus passed.

Clause 28: Functions of the Board -

Mrs EDWARDES: I move -

Page 22, lines 12 to 16 - To delete the lines with a view to substituting the following -

- (a) to accredit any submitted skills formation and qualifications gained from such accredited skills formation;
- (b) to determine and monitor the standards of competence required to be accredited for accredited skills formation;

I know that we have discussed the reasons the Opposition wants the phrase to read "accredited skills formation". The functions of the board are highly technical and that will be reflected in the types of assessments it will be making about skills formation, quality control and objective quality assessments. The legislation does not contain a definition of skills formation. Before I came into this House I was absolutely amazed at the legislation that came out of this place and I did not understand how such things could happen; but now I realise that some of the legislation is not properly debated. However, Opposition members have done their best with the SESDA legislation to ensure that it will be practical, and that it will reflect the basis upon which it was brought into this Chamber. It will limit overregulation as it will limit the number of times that amendments will come before the Chamber.

The Minister for Productivity and Labour Relations must recognise that there is no definition of skills formation. In order to tidy up this legislation the definition of accredited skills formation should be identified. Although the Opposition's definition was defeated at an earlier stage, I urge the Minister to ensure that this legislation will not be misinterpreted. It is

imperative that the board know the definition because it must accredit, determine and facilitate the quality control of skills formation. The board must have some idea of what we in this Parliament mean by skills formation.

Mr TROY: I refer the member for Kingsley to clause 4(2) of the Bill which refers to a range of training agencies which undertake vocational training. That clearly recognises the domain of vocational training in those areas of activity. That is a more than adequate definition. As the member has indicated I have not objected to a new and substantive Bill of this nature to incorporate amendments as necessary. I do not believe this definition will cause undue concern as it stands.

Amendment put and negatived.

Mrs EDWARDES: I move -

Page 22, line 20 - To delete the words "where necessary" and substitute the following -

when required

I raised this matter earlier in debate on another clause and I do not wish to reiterate the points I made then. It is important that the words are correct and although it may seem pedantic, "when required" is far stronger than, "where necessary". The Minister should look at this point when he reassesses some of the clauses with the Parliamentary Counsel. He should put to them that "where necessary" is not what the Parliament intended. The phrase "when required" reflects the intention of the Minister.

Mr Troy: I make the same commitment as I made previously.

Mrs EDWARDES: I thank the Minister for his commitment to bring the matter to the attention of Parliamentary Counsel.

Amendment put and negatived.

Mrs EDWARDES: I move -

Page 22, line 28 - To delete paragraph (g)

This paragraph allows the authority "to carry out such other functions as are prescribed". Again, this refers to the catch-all phrases relating to the things that may be done as a function of the board. If we are to talk about the functions of the board as set out in clause 28 and mentioned in paragraphs (a) to (g) perhaps the Minister can say what is meant by the words "to carry out such other functions as are prescribed". Prescribed by whom, when and where? Will the Minister say what is intended by this clause?

I am disappointed that the Minister does not respond. I know that at times there is a time constraint on debates but this is an important question and he has not adequately addressed it either during his second reading speech or at any other time. The Minister can sit dumb as we proceed through the Committee stage but in this case it is important to know that these words refer to something instead of hanging there like a star.

Mr Troy: There is a standard process that any Minister's direction is limited by the terms of the Bill, the objects of the Bill. That is adequate coverage of this matter. I cannot do things outside the general provisions of the Bill and that applies to every piece of legislation.

Mrs EDWARDES: The Minister obviously misunderstood my question. Clause 28(1)(g) states -

to carry out such other functions as are prescribed.

Prescribed by whom and when?

Mr Troy: They are the functions prescribed in the Bill.

Mrs EDWARDES: If they are prescribed in the Bill that paragraph is not needed, which is exactly my point; this paragraph is not necessary and ought to be deleted.

Mr Troy: Within the generality of the Bill.

Mrs EDWARDES: Again Minister, this is loose legislation. This paragraph is totally unnecessary. This is the sort of role that we on the Opposition benches are playing in relation to legislation. We take this piece of legislation seriously, and if these matters are prescribed in the Bill this paragraph is not needed, it is totally unnecessary.

Mr Troy: The member is not running for the Deputy Leader's job again, is she?

Mrs EDWARDES: There is no vacancy, and we already have a Deputy Leader of the Opposition.

Amendment put and negatived.

Mrs EDWARDES: I move -

Page 22, lines 29 and 30 - To delete subclause (2).

Again, we have discussed this matter previously. If there is anything the authority needs to carry out it ought to be prescribed in the functions of the authority under clause 17. There is no need to have this catch-all phrase so that the authority can carry out any function of the board, especially if one looks at the Minister's second reading speech in which he says quite clearly that the board will be required to make objective, quality assessments that do not involve policy or resourcing issues as exist for the authority in the IETC. It will be a highly technical body. Why then is the authority to be allowed to carry out any functions of the board when, in fact, we are talking about a highly technical expert committee? It is totally unnecessary. If the Minister wants the authority to carry out some of these functions he should specify that in the clause dealing with the functions of the authority.

Amendment put and negatived.

Clause put and passed.

Progress

Progress reported and leave given to sit again at a later stage of the sitting, on motion by Mr Troy (Minister for Productivity and Labour Relations)

[Continued on p 2980.]

STATEMENT - BY THE MEMBER FOR COTTESLOE

Resignation

MR HASSELL (Cottesloe) [4.07 pm]: - by leave: I thank honourable members for this opportunity to address the House and the Leader of the House and the Government for facilitating this occasion. My remarks will be brief. They will certainly not match those marathon speeches I made as Leader of the Opposition during our early days in Opposition.

I have in my pocket my letter of resignation from this House which I will hand to you, Mr Speaker, at a later stage of the afternoon and which I understand legally takes effect from midnight tonight.

I am taking this opportunity to record some thanks and appreciation for the last time on the *Hansard* record; also, to reflect briefly on a particular problem; and, finally, to make a suggestion which I hope the Government and the Opposition will consider.

At the outset I acknowledge with thanks the general remarks made by both the Leader of the Opposition and the Premier during debate on the Supply Bill on Tuesday of last week. Naturally, I was pleased by their remarks and appreciated their taking the trouble to make them. I have made some remarks to my parliamentary colleagues in the Liberal Party room so I will not be dealing with those matters this afternoon.

The relationship between a member of Parliament and his electorate is a particular thing. I can say with great satisfaction that my relationship with the Cottesloe electorate has been one which has grown and flowered. I have been honoured to represent the people of the area and to have had their support. The level of that support was reflected particularly at the last State election, as a brief examination of the electoral statistics will reveal. I will not make that examination now, but will leave it to anyone with sufficient interest to do so at their leisure.

I thank my wife, who is in the Gallery this afternoon, and who has always supported what I have done in this place as part of the Government and in Opposition. I do not think she has enjoyed it all as much as I have. My children have never known anything else but a political household. From her youngest age, Alison, my eldest daughter, was around when I was first endorsed and first became a member. My son, Tom, and my daughter, Helen, have lived only in the household of a serving politician. It has been interesting to observe their reactions and feelings as I now leave this task and life.

A remarkable group of people has assisted me in my electorate over the years, including numerous party workers and supporters. They would not thank me for naming them in the House, but they do know they have my sincere appreciation. In my almost 14 years I have had only three long serving electorate secretaries: Janet Kilpatrick, now married and bearing another name; Pam West, also married and bearing another name; and Mary-Rose Paterson. All have been most loyal and conscientious. Mary-Rose went through the most difficult and harrowing period when I returned full-time to the electorate office after ceasing to be Leader of the Opposition, and she had to adjust from the operations of a relatively quiet electorate office which did not often see its member to a full-time, full-scale operation involving functions, newsletters, shadow ministerial responsibilities extensively carried out, and the requirement for numerous volunteer workers to keep the whole operation on the road. It is not an exaggeration to say that her efforts were always magnificent, though I confess they were not always appreciated as much as they should have been. She also is here this afternoon, for which I am grateful.

The band of volunteer workers who have made my operations in recent years possible included two retired gentlemen, Mr Kevin Breen, and Mr Neil van Hazel, who worked in my office literally on a daily basis for hours on end. I sincerely hope that they have received as much satisfaction from that work as the measure of its importance to me and what I was doing. Then there was the Friday team - the group which came in on a regular basis and, under the direction of Mary-Rose Paterson, copied, collated, stapled, enveloped, and despatched over 500 newsletters every week for quite a number of weeks of the year. This was a happy bunch of people who made my office a centre of political activity of a parliamentary and worthwhile kind.

When I came to this place in 1977 I was greatly honoured to be asked as a new member to move the Address-in-Reply on the opening of Parliament. I think I did it from about the seat where the new member for Maylands now sits. Sir Charles Court was the Premier at the time, and as was customary with his activities, everything was carried out with great thoroughness, including the clearest reassurances as to the length and content of my speech. I spoke about the subject of federalism, because it was dear to my heart and was the issue which had in part given rise to the 1975 election and the coming to office of the Fraser Government. My closing remarks relate in a sense, but a broader sense, to the same issue. While I came here with great enthusiasm for Government and what could be achieved in Government, I leave with an added dimension to my thinking, and that is an enthusiasm for Parliament and what it must do in the process of Government, at least to protect the process of Government.

It seems to me that at this very moment there is a grave danger that this Parliament will be substantially reduced to the status of a large municipal authority. Such are the inroads of Federal power and Federal control that while we will have the trappings of power and authority and the forms of Government appropriate to a sovereign State, we will, in fact, be merely fiddling at the edges of a larger administration with a larger purpose; one directed and dominated by Canberra. Consider the headlines of recent days. The Commonwealth seeks to direct this Parliament as to how it will approve and direct the traffic laws of this State. It has sought to direct us to amalgamate two State universities. The Commonwealth is interfering in the payment of teachers in this State, in the curricula in our schools, and in all kinds of subsidiary educational programs. The Commonwealth is increasingly directing State housing policy. The Commonwealth is taking over control of the law relating to corporations and securities. I very much doubt if anyone has realised the full implications involved in this takeover.

The Commonwealth has become involved in environmental law so that our State Minister for the Environment is seeking to satisfy the demands of Canberra in dealing with Shark Bay when there is no-one of consequence in this State who does not agree that special conservation measures are appropriate in Shark Bay. This sovereign Parliament is not left to decide the issues. The Commonwealth is seeking, through treaties, to interfere in the child welfare and child protection laws of this State. The Commonwealth is seeking to impose its policy, right as that policy may be, in relation to our ports and in relation to our transport.

Although the State owns the public hospitals and has regulatory responsibility in the whole area of health, it is Canberra which dominates the health system. Our State industrial relations system is but a pale and largely insignificant reflection of policies determined by

the great power brokers in Canberra. As late as this week there have been indications that Canberra will increase funds for specific purposes rather than for general purposes - again restricting policy options open to the State. The Premier, of course, is presently in Canberra trying to deal with that issue.

These are but some examples. It is virtually impossible to find any area of Government responsibility which is not becoming subject to Canberra's control - the duality of State and Federal Government processes and all the inefficiencies which go with those arrangements. The important point of all this is not who is right or who is wrong, or the question of power or prestige of this Parliament as such. The important point is the quality and effectiveness of our representative governmental system. Over a long period of time, but at an accelerated rate in recent years, the population majorities of Sydney and Melbourne, through the abuse of Commonwealth power, are exerting control over our lives.

There is, of course, a case for national decision making. There is sometimes a case for international decision making. But what is being overlooked today - and I think I can say that the Government is concerned about this - is that there is also an important case and place for State and local decision making. The centralisation of political power involves the centralisation of economic power and a diminution in the power of individuals in this State over their own lives and decisions affecting their own lives. I have no doubt that this process is of concern to members on both sides of the House. I have seen some of the Ministers of the present Government vehemently fighting what Canberra seeks to impose. It is a matter of fact that the Attorney General of Western Australia, Hon Joe Berinson, has fought harder against decentralisation of company laws than the Liberal Premier of New South Wales, Mr Greiner, and that I particularly regret. My regret is not that Mr Berinson has fought hard, but that Mr Greiner has not fought harder.

At the beginning of this year I attended a centenary of federation conference at Parliament House in Melbourne. I went to that conference with misgivings and grave forebodings. I thought I would find myself once more at a conference in the Eastern States, reviled as a red-necked States' righter from Western Australia. I had been through that often enough, and often at Federal Liberal conferences. I was amazed to discover at that conference a renaissance of support for the concept of Federalism and its effective operation; in academic, legal and political circles, people were clearly concerned about the decline of our system, and concerned about the diminution in the effectiveness of our representation through the centralisation of power.

I found the conference very encouraging compared to so many observations I have made in recent years, including the deplorable decisions of the High Court and the single-minded and predatory power-seeking ways of the Commonwealth bureaucracy and its Government. So I leave this Parliament, making a mild suggestion to the Premier and Government - and this requires bipartisan support if it is to work: The Government should take a leadership role in seeking to foster public commitment to federalism in Australia. Specifically, I suggest that the Government, in cooperation with other State Governments, convene a conference to assess the state of our federalism and how it can be improved. I am not suggesting a formal constitutional convention; I am not suggesting a conference confined to political representatives - although I believe that each Parliament should be represented by people from the parties in it. My suggestion is that, say, four or six delegates at most from each of the State and Northern Territory Parliaments, in addition to a number of community people, academic, legal and others who can make a meaningful contribution, should attend such a conference. I emphasise that for the process to work it would need the support of all parties; it would need a commitment that did not involve simply people politically grandstanding at the conference, rather than being a working conference.

The purpose of such a conference would be clear: To assess the condition of our Federal system, identify its weaknesses, and try to agree to goals to re-establish the balance of powers and duties. At the first such conference, the Commonwealth should be excluded. After the conference, or any subsequent gathering of its membership, has formulated its ideas and tried to draw up the lines that ought to be the goal for the re-establishment of federalism, the Commonwealth could perhaps be included in the hope that someone there will begin to see how out of touch they are with the needs and feelings of ordinary Australians.

I emphasise that this issue affects us all; it is in a real sense about our fundamental right to

self determination in non-national issues; it is about our making decisions rather than having them imposed on us by a remote majority. It is important that something be done because we are currently on a slide, the slope of which is becoming steeper by the day. This suggestion may provide a starting point of some value.

I thank the House for its attention, and I leave here wishing well the Parliament and its members.

[Applause.]

MR TAYLOR (Kalgoorlie - Deputy Premier) [4.24 pm]: The Premier is at a conference in Canberra, of all places, but that gives me the opportunity of saying a few words in response to the speech of the member for Cottesloe. I am very pleased to have this opportunity because I regard it as an honour.

Perhaps I should start by relating a story that comes to me with the compliments of the member for Darling Range. The story is perhaps a warning to us all. When the member for Cottesloe announced his resignation from this place earlier this month, it caused a headline story in *The West Australian* that day. As most of us would know, radio journalists in particular tend to read *The West Australian* and then ring people early in the morning for a response to the newspaper articles. However, many people, such as myself, do not read the newspaper first thing and are called on to respond to a story which has not been read. The member for Darling Range found himself in those circumstances. His telephone rang early in the morning; he staggered out of bed - I am told - answered the call, and proceeded to respond to the questions from the radio journalist regarding his reactions to the announcement of the resignation of the member for Cottesloe. The member for Darling Range returned to bed, and his wife asked him, "When did Bill Hassell die?"

My response to that story, I suppose, is that one says things about people leaving Parliament almost as though they were moving on to another place - perhaps upwards, perhaps downwards. That is a warning about what I have to say about the member for Cottesloe and his contribution to this place. His contribution has been quite remarkable.

Bill Hassell came to this place in 1977, as part of a very strong Government; within three years he had established himself and had become a Minister. I am sure he would have liked a longer term than three years as a Minister. In many ways, he deserved a longer term and would have made an even more remarkable contribution. During that time, in a series of difficult Ministries, the member for Cottesloe certainly made an enormous contribution to Western Australia. I am sure that the member for Cottesloe's wife and children, who are sitting in the gallery, can be proud of that contribution.

From a personal point of view, Bill Hassell and I have always got on very well, both in this place - despite the occasional vigorous debate - and certainly outside. I have many pleasant memories. I could refer, firstly, to our trip to Japan where we got on very well.

An Opposition member: You had better explain.

Mr TAYLOR: I mention that as an aside. I also recall in 1983, after the election, my family and I decided to holiday at Rottnest, which coincided with a holiday that the member for Cottesloe and his family had arranged. We travelled over on the ferry together and had a long and frank discussion. That discussion continued, on a number of occasions, when we fished together from the wharf at Rottnest. I also recall that within days of arriving Bill's children and my children were playing together in the playground; within a short time they were at each other, fighting. It seemed strange that the Labor member's and the Liberal member's children were fighting; although it could have seemed appropriate that that should be the case.

I also recall Bill's undoubted skill on the basketball court, although he might not agree that that was the case. They were good moments in politics, and we should always remember those sorts of moments. Politics is not always what we read about or what we see on television. Politics can also be friendship and fun; it can mean a lot in terms of people's contribution to their electorates, as the member for Cottesloe has mentioned, and in terms of the contribution made to the State. In both cases, I have no doubt whatsoever that one could not have asked more of the member for Cottesloe in respect of his contribution to his electorate and to Western Australia as a whole.

Bill Hassell's contribution in both areas has been a very determined one. In this place, perhaps what I have most admired is his ability to work very hard indeed, the depth of his intellect, and the way in which he has been able to put a point across. Many of us in this place have been on the receiving end of the points he made. On most occasions, any fair judge would say that the member for Cottesloe may have come out on top, but since 1983 the numbers have not always shown that to be the case. I have admired those parts of the member for Cottesloe's ability in this Parliament; that is, to be able to take on each and every one of us and, in most cases, more than match us; in many cases, he would beat us in terms of the ability to make a point.

On behalf of the Government of Western Australia, I thank the member for Cottesloe for his contribution, and I thank him for his friendship in Parliament. Many of us expect and hope that friendship will continue for many years.

MR MacKINNON (Jandakot - Leader of the Opposition) [4.30 pm]: I would like to make some comments on the occasion of Bill Hassell's final contribution to this Parliament. My association with Bill Hassell goes back well before our entry to this Parliament when we were in the Young Liberal movement together and progressed into the Liberal Party until we were both elected on the same day in 1977. As indicated by the Deputy Premier, during that time Bill has earned the respect of all members of this Parliament for his stand on, and support for, the basic Liberal principles; these are, free enterprise, individual freedoms issues, freedom of choice, individual responsibilities and the Federal system of Government. It is interesting to look at Bill Hassell's biography in the *Parliamentary Record* and note his special interests of "parliamentary Government and Australian Federalism", and it is interesting that he should speak on those issues today.

Bill Hassell has been fearless and outspoken, whether as a backbencher in the early days - I remember some of his tussles with Sir Charles Court at that time - whether as a Minister, or whether as the Leader of the Opposition or in the other roles he carried out with distinction on behalf of the Liberal Party. It is appropriate that on the day of his retirement a Premiers' Conference should be taking place in Canberra at which is being demonstrated the further erosion of the powers of the States. I referred to the concerns held by the member for Cottesloe and expressed at a divisional conference of the Liberal Party about the Federal system of Government and its erosion. I am sure those views are shared by members on this side of the House, and by many members opposite. I indicate to the member for Cottesloe that when he is no longer in this House we will continue to fight for those principles for which we have fought for so long, often led by Bill Hassell; we will not let him down.

I also pay tribute, as I have in other forums, to Bill's family support and to the electorate that has re-elected him continually. Many people in the electorate at large - many of whom are here today - have supported Bill through his parliamentary career. He can leave Parliament sure in the knowledge that he has nothing to be ashamed of, and that he has earned the respect of all members of Parliament. He will be missed by all. We will especially miss him when we go into Government because, as the Deputy Premier said, Bill Hassell was a fine Minister and would have made an outstanding Minister again in a Liberal-National Party Government. I, and all Western Australians, will miss the contribution that he could have made. We wish Bill and his family well in whatever the future holds for them. We thank him for his contribution to the Parliament, the State, to his electorate and to the Liberal Party.

[Applause.]

MR HOUSE (Stirling) [4.33 pm]: I am pleased and proud, on behalf of the Leader of the National Party and my party, to make a few comments in this debate. I apologise, Bill, for my leader's absence for he had to go to Sydney and he made the arrangements prior to the knowledge that the member for Cottesloe was making his final speech today. We wish Bill Hassell well. His contribution to the Parliament has been a great one. The aspects which stick out in my mind are his great intellect, his ability to see a situation and to work out what was going on before most of us could, and his ability to make a judgment which was usually right.

I fought the 1985 State election campaign when Bill Hassell was the Leader of the Opposition; prior to that time I had not met him, but it was interesting because at that time the Liberal and National Parties had some differences of opinion about many things. One of the things I remember well about that campaign was Bill Hassell's advertising campaign

which was designed to appeal to country people. I am sure that he will remember this and this will bring a smile to his face. I am also sure that the moleskins and stetson were not really Bill Hassell's style. I often wonder whether he kept a copy of those advertisements for his old age to show his children so that they could all have a laugh at them. We were most impressed by the television commercials - we liked them a lot.

Once I was elected in 1986, when Bill was the Leader of the Opposition, we developed a good relationship. All members who came into this House at that time, before and since, representing the National Party have come to respect his opinions. He is a man generous with his advice - particularly legal advice - and he has always given time when we have asked for his opinion; we thank him for that advice, which was always very sound.

It is interesting that he should choose a subject dear to our hearts for his final speech; that is, the right of the States to be responsible for their own activities and the principle that the States' rights should not be usurped by the Commonwealth Parliament. The National Party can relate to those principles very closely. On behalf of all parliamentary and lay members of the National Party, I wish the member for Cottesloe well in his retirement and hope that he has a happy and successful future.

MR THOMPSON (Darling Range) [4.36 pm]: One of the advantages of being in my position is that I am the leader and total membership of my party and I can speak on such occasions. I would like to make a slight correction to the account given by the Deputy Premier of a conversation I had with a person from the ABC. It was 5.45 am when I staggered to the telephone to answer a call from the producer of the "Des Guilloyle Show". She asked me a few questions about Bill Hassell and asked whether I would be available to make some comments on the show. However, she did not reveal why they were seeking my opinion. I said to Margaret, "Hassell is either dead or he has resigned." I could not bring myself to believe that he had resigned, so I decided to get ready to go to a funeral.

It is rather an irony and a pity that Bill Hassell is leaving this Parliament at a time when he is more effective than he has been in all his years as a member of Parliament. Bill Hassell has mellowed in some respects and has become more accepted in the community than was the case in his early years. He would recognise that he suffered by being promoted to some very controversial portfolios in the Court Government and as a result was involved in a number of decisions and administrative matters that resulted in a fair amount of criticism. However, this was not his fault. He did attract some hostility from certain people within the community and he carried that with him for a fair time. It is also true that Bill Hassell suffered a few political accidents during his parliamentary career that coloured the attitude that some people had towards him. However, in the last few years much of that has dissipated and Bill Hassell is a far more accomplished member of Parliament than was previously the case.

In my experience he has always been intelligent, well educated, articulate, hard working and brutally honest. They are five attributes which, if possessed by all of us, would make Parliament a far better place. Bill Hassell did suffer some backlash from the tough jobs he had to do during the term of the Court Government and he did suffer from the fallout of some of the political accidents. However, he is a person who has always made a great contribution. Philosophically he has always known where he has been going and it is a pity that more people in the parliamentary arena did not adhere more directly to their philosophical beliefs instead of taking the pragmatic approach to politics. The pragmatic approach to politics has resulted in the public's perceiving that the policies of the two parties have come closer together to the point where the only decision they need to make is on how the respective leaders appear on television. The approach adopted by Bill Hassell is a sound approach in that he did not apologise for being a supporter of the free enterprise ethic and that he stood for the rights of the individual. Politics would be the better if more members would emulate him.

I wish Bill Hassell and his wife Sue and their family every success in the future and this House will be the poorer because he has decided to resign.

MR HASSELL (Cottesloe) [4.41 pm]: I thank members for the generosity of their remarks and you, Mr Speaker, for your work in all that we have done in recent times.

[Applause.]

STATE EMPLOYMENT AND SKILLS DEVELOPMENT AUTHORITY BILL

Committee

Resumed from an earlier stage of the sitting. The Deputy Chairman of Committees (Mr Ripper) in the Chair; Mr Troy (Minister for Productivity and Labour Relations) in charge of the Bill.

Progress was reported after clause 28 had been agreed to.

Clause 29 put and passed.

Clause 30: Proceedings of the Board -

Mrs EDWARDES: I move -

Page 23, line 27 - To insert after "vote" the following -

but before proceeding to a vote on any question, the members shall make every effort to reach consensus

The Government has agreed to accept this amendment. It is very important that we recognise the fact that the board members be skilled in skills formation, in quality control and in the technical nature of their decisions. The Opposition believes that this amendment is an important addition to the clause.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 31: Accreditation and content of skills formation -

Mrs EDWARDES: The Opposition opposes the clause. We would prefer that it read as follows -

- 31.(1) The Board alone may, by order published in such manner as is approved by the Minister in relation to skills formation do any one or more of the following -
 - (a) determine the minimum requirements for accredited skills formation;
 - (b) accredit submitted skills formation and vary or cancel any accredited skills formation;
 - (c) specify the prerequisite for entry to accredited skills formation;
 - (d) determine the training, procedures for assessment and eligibility for certification to be provided under accredited skills formation; and
 - (e) determine the minimum competency to be provided under accredited skills formation.
- (2) Where the Board varies or cancels any accredited skills formation it shall immediately notify the Minister of the variation or cancellation and the reasons for the variation or cancellation, as the case requires, and the Authority shall -
 - (a) incorporate the variation or cancellation and the reasons for the variation or cancellation in its annual report given under section 35; and
 - (b) cause the variation or cancellation and the reasons for the variation or cancellation to be made available to any person on request.
- (3) The Authority shall incorporate any determination, accreditation or specification under subsection (1) in its annual report given under section 35.

I understand the Government is prepared to accept this amendment which is a tidying up of the drafting in relation to skills formation. The Minister has given an undertaking that he will follow up this matter with the Parliamentary Counsel. Subclause 1(b) of the proposed amendment says that where the board varies or cancels any accredited skills formation it shall immediately notify the Minister of the reasons for the variation or cancellation as the case requires. It is important in reference to proposed amendment subclause (3) that the authority should incorporate in its annual report any determination, accreditation or

specification which applies to any variation or cancellation. That is the reason the Minister should look carefully at my proposed amendment to subclause (2) because it is something which has been missed and I am sure he did not intend to neglect the reporting requirements. I am sure the Minister would want to be seen as being accountable.

It was brought to my attention in a casual conversation, not with a member of the Minister's staff but with a member of the Government, that the board will deal with the accreditation of providers who will be providing a service to overseas students. I was very interested in this matter and I ask the Minister to advise whether SESDA will be used for this type of variant - overseas students really do not have any place in terms of skills formation as far as Western Australia is concerned. I reiterate it was a casual comment, but I would welcome the Minister's response.

Mr TROY: I understand the member's question about overseas students. SESDA will make a determination about a range of courses which will be adequate as a prerequisite for TAFE courses. I anticipate, also, other independent training agencies from which students could go on to tertiary institutions with that appropriate prerequisite condition. Therefore, the only controls this is putting in place are to ensure that that occurs in the area of accreditation. It is not necessary for overseas students as such to do so, but this would maintain a consistency where the particular TAFE or independent college is involved, or with other agencies that come into the training forum. Where that is acceptable to the tertiary bodies as a prerequisite it covers that aspect. That applies to domestic students and any students from overseas who use that form of training. However, its prime focus is not really towards the qualifications or the question of overseas students. My colleague, the Minister for Education, is addressing areas of control in relation to overseas students that would adequately cover the member's concerns.

I indicate that although I am not prepared to accept the member's amendments on the Notice Paper, I am prepared to add part (3) of her amendment as a new part (2) of our amendment. Therefore, I move -

Page 24, after line 20 - To insert the following -

(2) The Authority shall incorporate any determination, accreditation or specification under subsection (1) in its annual report given under section 35.

Amendment put and passed.

Mrs EDWARDES: As I have been unsuccessful with my other amendments will the Minister tell me what clause 31(f) deals with? I cannot lay my hands on the relevant part of the second reading speech, but my understanding was that if the industry training body provided training at its place of work that would not necessarily have to be accredited. Clause 31(f) appears to contradict that statement.

Mr TROY: I can provide the clarification. As I mentioned yesterday, we were leaving quite open the freedom for enterprises to undertake vocational training of a non-accredited form. That does not totally restrict a person coming up through the system and taking a particular course and then seeking accreditation. But if companies, particularly the mining companies - a number of which conduct particular enterprise training areas - want to carry on, there is no intrusion on that.

This clause has another aspect in that it covers the provision in the Industrial Training Act. Paragraph (f) of this clause reflects the existing indenture process under the Industrial Training Act where a contract of training is required to be approved by the Director of Industrial Training. The requirement for employers of apprentices or trainees to be approved and registered as a skills formation agency - that is, clause 32 - may be simplified by allowing the board to delegate its role of approval to an independent group, IETC or a training organisation. Hopefully, that capability will emerge during the process of training.

Mrs EDWARDES: Therefore, if an industry body wishes to provide some form of training and will be dealing with skills formation, the place at which it is providing that skills formation must be approved by a person or body of persons specified by the board. Therefore, if a firm such as Alcoa, which I pick off the top of my head because we will visit it in the near future, carries out any training it will be recognised as part of the skills formation which will be approved under this legislation; that is, Alcoa, the place where that skills formation will be carried out, has to be approved?

Mr TROY: Yes. That is no different from the present arrangement. If that is part of an indentured training for an apprentice carried out on site - and a number of mining companies work this way with the TAFE institutions - this legislation would not limit that existing provision in any way.

Mrs EDWARDES: If the skills formation is not part of the apprenticeship or indenture program unions may have an influence by their presence on the authority and the board in areas where they do not presently have any influence.

Mr TROY: No. Beyond that there is no restriction on an enterprise undertaking training in their establishment on skills formation, but it would not be accredited skills formation. We are not changing either of the two scenarios in terms of training so far as an enterprise that currently exists is concerned.

Mrs EDWARDES: What if they wish to carry out accredited training?

Mr Troy: They would have to be approved.

Mrs EDWARDES: The place at which they carry out the training has to be approved even if it is carried out on their own premises?

Mr Troy: Yes.

Clause, as amended, put and passed.

Clause 32: Skills formation agencies -

Mrs EDWARDES: I move -

Page 24, lines 28 and 29 - To delete the words "a skills" and substitute the following -
an accredited skills

Page 24, line 29 - To insert after the word "particular" the following -
accredited

Page 25, lines 1 to 8 - To delete subclauses (3) and (4) and substitute the following -

- (3) Where the Authority is satisfied that the applicant meets the criteria specified in subsection (1), the Authority may register the body as an accredited skills formation agency and specify the accredited skills formation that the applicant is qualified to provide and shall give to the applicant a notice in writing of the result of its application.
- (4) The Authority may, after giving reasonable notice of its intention to do so, and its reasons for doing so to the relevant accredited skills formation agency vary or cancel the registration under this section.

Page 25, lines 9 and 10 - To delete the words "a skills" and substitute the following -
an accredited skills

Page 25, lines 12 to 14 - To delete subclause (6).

We have sought to have the word "accredited" inserted in the first four amendments to tidy up the provision. The Minister has assured us he will go back to the parliamentary draftsman, and I am sure he will include this clause.

We seek to delete subclause (6). A lot of money will have been spent on research, preparation of material and on getting a skills formation agency to the point of coming to the board. For the authority to impose such conditions as the authority considers proper will mean regulations. Those regulations have not been identified in the second reading speech. We picked this up in the fine print of clause 32(6).

Mr Troy: Who should pay for this?

Mrs EDWARDES: Perhaps the Minister can respond.

Mr Troy: I am asking you; who should pay for the cost of registration?

Mrs EDWARDES: It is the Minister's Bill, and I am asking him to respond and say on what basis he has inserted subclause (6) to impose conditions which the authority considers proper for the registration of a skills formation agency.

Mr TROY: It is only reasonable that when organisations wish to have registration costs, it should not be a burden on the taxpayer. There is no intention of making a profit out of this. We aim just to cover the cost of that operation, and that is a principle which members opposite continually lose sight of.

Some parts of the fourth and fifth Opposition amendments are covered by the Financial Administration and Audit Act. Treasury instruction 903 makes the requirement for a report clear. There is no reason to address this further in the Bill. In regard to the second and third amendments, the skills formation agency has nothing to do with whether a trainer provides accredited training. The proposal here would require a training agency to register the whole organisation rather than be registered for a particular training program. We want to maintain flexibility there. We believe our set of words more appropriately addresses this problem than the amendment.

Amendments put and negatived.

Clause put and passed.

Clause 33 put and passed.

Clause 34: Funds of the Authority -

Mrs EDWARDES: Sometimes one can read a clause again and again and the words mean nothing. After numerous readings of this clause, it struck my funny bone. Paragraph (b) refers to any moneys other than moneys referred to in paragraph (a) lawfully received. I wonder why the words "lawfully received" are included. Perhaps there may be other sorts of money such as those from Rothwells or Petrochemical Industries Co Ltd going into the authority.

Mr TROY: Talk of jumping at shadows! This is simply to cover money which the Australian training guarantee can make available to the State.

Mr Kierath: You told us before you want separate legislation.

Mr TROY: I said two days ago in this House that the Australian training guarantee had provision for vocational training funds to be distributed to the State through a tripartite mechanism. I have put it on the public record that every dollar raised for the Australian training guarantee, and those dollars associated with companies registered outside this State as a result of activities here, should flow back to the State. That is an argument we have put to the Federal Government. This Bill simply gives us the opportunity to distribute those funds properly. This is no mysterious black market money, as the member suggests.

Mrs EDWARDES: I reiterate that it would appear to be unnecessary to have the word "lawfully" in that paragraph. It is superfluous.

Mr Troy: It is your argument against the parliamentary draftsman.

Clause put and passed.

Clauses 35 to 38 put and passed.

Clause 39: Transfer of functions -

Mrs EDWARDES: The Opposition opposes this clause. Under the clause, any transfer of functions to the authority which is presently given under any other law can be dealt with other than by amendment legislation; it can be dealt with by order of the Governor. A wide range of legislation - for instance, the Legal Practitioners Act - deals with training which may be able to be defined as skills formation within the legislation. If it is necessary to transfer that function to the authority it should come back to this Parliament for proper debate, and to ensure that those bodies are adequately consulted.

Mr TROY: I do not see the problem. All this clause does is facilitate a transfer from a range of Acts into this provision. So long as people operate within the powers of this Bill - which presumably will be passed by this Parliament, with whatever amendments - that is the power under which those actions can be pursued. If one wishes to do anything outside that, it will be subject to the full scrutiny of Parliament; so I fail to understand why the member seeks to delete the clause when the parliamentary draftsman has said that this is the smoothest method by which to transfer those other powers. They will not all be proclaimed on one day, because it is linked, for example, to the Western Australian Higher Education Council's

operations and regulations which will arise out of those as well as other Bills. However, it is a normal administration process which is simplified by this wording.

Mrs EDWARDES: I believe the Minister does not fully understand or even know the extent of the transfers of these functions. That will happen from time to time as they arise and they can be transferred just by an order of the Governor. It is very important that those functions are not simply transferred. As I recall, in the normal circumstances these transfers go through as an Act amendment and a list is drawn up of all the amendments to the individual Acts whereby those functions are to be transferred. This has happened time after time. To do it just by order of the Governor means that the parliamentary process will be circumvented and we will not be able to debate whether the industry, the body or the authority which presently carries out those functions is happy with the transfer of those functions to the authority. I am serious about this point because it is imperative that the transfer of those powers and functions comes back to this place.

Clause put and passed.

Clauses 40 to 49 put and passed.

Title put and passed.

Bill reported with amendments.

House adjourned at 5.17 pm

QUESTIONS ON NOTICE

PETROCHEMICAL INDUSTRIES CO LTD - STATE GOVERNMENT INSURANCE
COMMISSION
\$5.075 million Repayment

545. Mr MacKINNON to the Treasurer:

- (1) Has the \$5.075 million lent by the State Government Insurance Commission to Petrochemical Industries Co Ltd and recalled by the liquidator of PICL as a preferential payment actually been physically repaid to the liquidator?
- (2) Was the above money initially advanced to the SGIC by the Treasury?

Dr LAWRENCE replied:

- (1)-(2)
No.

VACCINES - GENERAL PRACTITIONERS
Government Supply

694. Mr NICHOLLS to the Minister for Health:

- (1) (a) Does the Western Australian Government supply vaccine to general practitioners;
(b) if so, which vaccines are provided?
- (2) Has this supply been withdrawn in the previous twelve months?
- (3) Is there any selection criteria for vaccine to general practitioners?
- (4) Has the Government attempted to provide vaccine to chemists rather than general practitioners?

Mr WILSON replied:

- (1) (a) The Western Australian Government supplies vaccine to general practitioners as part of a scheme that is funded by the Commonwealth.
(b) The vaccines provided to general practitioners include live vaccines - measles, mumps, rubella and polio - and non-live vaccines - diphtheria, tetanus and whooping cough. The supply of live vaccines to general practitioners has been in effect for many years but the supply of non-live vaccines commenced only about two years ago.
- (2) The supply of vaccines to general practitioners has not been withdrawn in the past 12 months. However, the limitations of Commonwealth funding for vaccines have resulted in some limitations in the quantity of vaccine supplied direct to general practitioners.
- (3) There are no special selection criteria for vaccines supplied to general practitioners other than those listed above.
- (4) The Government does not provide vaccine to chemists. Supplies of vaccine to chemists come direct from companies such as the Commonwealth Serum Laboratories.

ASSET MANAGEMENT TASKFORCE - EARLSFERRY HOSTEL

902. Mr LEWIS to the Minister for Finance and Economic Development:

- (1) Has the Asset Management Task Force recently disposed of a property previously controlled by Irrabeena, known as Earlsferry?
- (2) Was the property sold by tender, and if so how many tenders were received?
- (3) What was the highest tender?
- (4) Was the property sold at the highest tender price?
- (5) If no to (4), what was the price the property sold for and what are the reasons that it was not sold to the highest tenderer?

(6) To whom was the property sold?

Mr TAYLOR replied:

(1) The Earlsferry property at Bassendean, which was surplus to the Government's requirements, is currently under contract of sale.

(2)-(3)

The property was offered for sale by public tender by the Asset Management Taskforce. Tenders closed on 23 May 1990 and two (2) tenders were initially received by the taskforce. Neither tender was considered acceptable.

(4)-(6)

The property was not sold at the highest tender price as this was considered too low and the property is now under contract of sale at a higher price. Until settlement on this property is concluded, it is not considered appropriate to disclose the purchase price and the name of the purchaser without that person's prior consent.

SCHOOLS - MATHEMATICS SYLLABUS

903. Mr TUBBY to the Minister for Education:

In relation to the introduction of the new upper school mathematics syllabus, could the Minister advise -

- (a) will this syllabus be implemented Statewide in 1991;
- (b) what funding will be allocated for the inservicing of teachers prior to implementation;
- (c) how many days will teachers be freed from classes to attend in-service courses;
- (d) will the provision of funding cover the cost of relief teachers for attendance at in-service courses;
- (e) will schools receive special equipment grants so that the necessary computer software and hardware can be acquired in advance of implementation;
- (f) if special grants are to be forthcoming when can schools expect to receive these grants;
- (g) will schools with inadequate facilities receive special capital grants so that at least one mathematics room can be brought up to the standard of an upper school mathematics laboratory;
- (h) is it anticipated that the necessary capital works programs will be completed prior to the implementation of the new syllabus?

Dr GALLOP replied:

(a) The new upper school syllabus in mathematics is the product of the Secondary Education Authority and will be implemented progressively into year 11, 1991 and into year 12, 1992.

(b) The Ministry of Education has initiated a project to assist schools, both Government and non-Government, to implement the new courses. Funding through the Ministry of Education is planned as follows -

1990	\$300 000
1991	\$300 000
1992	\$150 000

(c) The implementation project is offering six half-day workshops for metropolitan teachers and seven half-day workshops for country teachers this year. This is to be repeated next year. All teachers who are likely to teach the new courses are eligible to attend. Teacher replacements funds for Government school teachers are available on the following basis -

- 3 half-days from central office
- 3 half-days from school development funds in schools.

- (d) The mix of funds from central office and from school professional development funds has been sufficient to provide over 600 teachers with teacher relief to attend workshops.
- (e) The courses have been written to enable modern computational aids to be utilised in the teaching process. This applies in particular to scientific calculators. To a lesser extent, computers can be used as teaching aids. The courses can be conducted without the use of computers. There will be no specific equipment grants for hardware acquisition but the possibility of distributing at least one exemplary software package to schools is being investigated.
- (f) School development grants have already been distributed to schools this year for professional development purposes such as equipping teachers to deal with priority syllabus changes. The Ministry of Education has listed the implementation of the new mathematics courses as a priority for 1991 and 1992.
- (g) There are no plans for capital works to provide upper school mathematics laboratories.
- (h) There are no plans for capital works programs to support the implementation of the new upper school mathematics courses.

HOMESWEST - VEHICLE LEASE

909. Mr BRADSHAW to the Minister for Housing:

- (1) Has Homeswest recently leased vehicles for the department?
- (2) How many cars or vehicles were involved?
- (3) Are these leased vehicles to replace vehicles in current use?
- (4) Are the vehicles being replaced to be sold or have these vehicles been sold?
- (5) How much money has been received from the sale of these vehicles or what is the estimated return from the sale of these vehicles?

Mrs HENDERSON replied:

- (1) Yes - leasing of vehicles commenced as from February 1989.
- (2) 188 vehicles at 31 May 1990.
- (3) With the exception of four trucks and specialised vehicles for use on Aboriginal village projects, Homeswest's total vehicle fleet is leased.
- (4) Replaced vehicles have been disposed of through the Department of Supply.
- (5) Proceeds from sale of the previous fleet - \$1.57 million.

MOTOR VEHICLES - GOVERNMENT

Lease Policy

911. Mr BRADSHAW to the Minister for Finance and Economic Development:

- (1) Does the Government have a policy to lease all or most Government acquired vehicles?
- (2) What is the total amount estimated to be received by Government when the current vehicles owned by the Government are sold?

Mr TAYLOR replied:

- (1) No. Current policy is to purchase Government vehicles using State Tender Board contracts. However, a two-year pilot study on leasing vehicles is being conducted through Homeswest; concluding December 1990.
- (2) There is no intention on the part of the Government to sell all current Government-owned vehicles.

MOTOR VEHICLES - THIRD PARTY INSURANCE

915. Mr MENSAROS to the Minister for Finance and Economic Development:

Considering the fact that the third party property damage and injury cover emanating from motor vehicle accidents is compulsory in the United Kingdom -

- (a) has consideration been given to introducing provisions for all motorists to be covered by third party insurance for property damage;
- (b) if the matter has been considered, what is the Government's policy;
- (c) if the matter has not been considered, will the Minister undertake to do so?

Mr TAYLOR replied:

- (a) Yes.
- (b) The matter is presently being considered by the Government.
- (c) Not applicable.

RETIREMENT VILLAGES - MANAGEMENT REGULATIONS

921. Mr MENSAROS to the Minister for Consumer Affairs:

- (1) Does the Government consider it urgent from the point of view of all involved to arrive at regulations protecting the interests of residents as well as owners and/or management of retirement villages?
- (2) When is it expected that the voluntary code of conduct pertaining to residential retirement villages will be translated into regulations being obligatory to be observed by all types of retirement village organisations?
- (3) Before such regulations are brought down, to what extent do the village management have to adhere to the provisions of the voluntary code of conduct and what, if any, is the consequence of non-adherence?

Mrs HENDERSON replied:

- (1) Yes.
- (2) When legislation relating to retirement villages is also proclaimed. Legislation is presently being drafted and it is planned to introduce it in the next session of Parliament.
- (3) Village management must adhere to the code to the greatest extent possible. Agreement has been reached with the peak organisations, the Retirement Villages Association and the Voluntary Care Association, that any breaches of the voluntary code will be negotiated between investigation officers of the ministry and the particular village managements following receipt of complaints. In an opening letter to the Draft Code the Minister for The Aged and myself indicated that should there be serious breaches of the Draft Code in the period leading up to its formal adoption by Parliament and should the peak organisations fail to persuade their membership to adopt the spirit of the code, the nature of the legislation being introduced to Parliament may have to be reviewed. Apart from this, and depending on the circumstances, civil and criminal action may be available under the Fair Trading Act 1987.

TEACHERS - SECONDARY SCHOOLS

Senior Teachers, Deputy Principals - Work Value Assessment

926. Mr STRICKLAND to the Minister for Education:

- (1) Is the Minister aware that the two applicants presenting their case pursuant to section 66 of the Industrial Relations Act have done so without legal representation because of affordability factors?
- (2) In view of the principle involved, will the Minister consider some funding assistance through the Senior Teachers Association?

- (3) Does the Minister acknowledge that senior teachers and deputy principals of secondary schools continue to express the opinion that their work and function has been undervalued; that they have been effectively downgraded and that these factors are impacting on morale and stress factors in secondary schools?
- (4) What is the assessed work value of -
 - (a) senior teachers of secondary schools;
 - (b) deputy principals of secondary schools;
 as found by the recent evaluation leading to the memorandum of agreement?
- (5) Has the Minister been made aware of concerns amongst teachers on the broad banding of salaries and promotional structure, and if so what concerns in this area have been expressed?
- (6) What is the origin of the evaluating instrument known as "Bipers" and is the Minister aware that it is seen as an imperfect adaptation of a similar instrument used for job evaluation in the public service?
- (7) Can the Minister assure the House that teachers were aware that work evaluation information sought from them was understood to be part of a work evaluation study at the time it was sought?

Dr GALLOP replied:

- (1) No.
- (2) It is not Government policy to approve such funding assistance.
- (3) A wide range of opinions, both for and against, has been expressed about the proposed changes to teachers' salaries and promotional structures by many people, including some senior teachers and deputy principals of secondary schools.
- (4) The evidence to support the placement of particular promotional positions, within the proposed broadbanded salaries structure for teachers, is both detailed and complex, and will be presented in full to the Western Australian Industrial Relations Commission at the appropriate time.
- (5) See (3) above.
- (6) BIPERS is a proprietary work evaluation instrument licensed to the Public Service Commission. The Ministry of Education has refuted the allegation made by some people that the modified form of BIPERS it used was flawed.
- (7) In addition to detailed information provided to the State School Teachers' Union of Western Australia about the nature and content of the survey of teachers' duties and hours of work conducted in 1989, all participants in the structured interviews of 400 teaching personnel were informed in writing that the purpose of the interviews was to -
 - assist in evaluating the complexity and content of each job;
 - improve the definition of the duties of teaching personnel by providing an accurate and reliable basis for the development of appropriate job descriptions; and
 - provide information to assist in the development of a performance management system (including systematic professional development linked to teachers' needs).

COMPANIES (WESTERN AUSTRALIA) CODE - SECTION 541

Court Order Applications

937. Mr GRAYDEN to the Minister representing the Attorney General:

What specific categories of persons may apply to the court for an order pursuant to section 541 of the Companies (Western Australia) Code?

Mr D.L. SMITH replied:

An official manager, liquidator or provisional liquidator of the corporation or any other person authorised by the commission. The commission's practice is to authorise a person (such as a receiver and manager) who is acting in the interests of the company or of its shareholders or creditors.

**SPORT AND RECREATION - COMMUNITY SPORTING AND RECREATION
FACILITIES FUND**
Taskforce Review

941. Mr MacKINNON to the Minister for Sport and Recreation:

- (1) When is it anticipated that the taskforce review into the Community Sporting and Recreational Facility Fund will be completed?
- (2) Will the findings of the review be made public?
- (3) If not, why not?

Mr GORDON HILL replied:

- (1) The taskforce review of the Community Sporting and Recreation Facilities Fund has been completed.
- (2) Copies of the review report have been made public.
- (3) Not applicable.

BURSWOOD PROPERTY TRUST - RIGHTS ISSUE
Ministerial Statement

976. Mr MacKINNON to the Minister for Racing and Gaming:

- (1) Can the Minister confirm that the reason she gave for the rights issue of units in the Burswood Property Trust in her ministerial statement of 30 May 1990, namely that the project would have foundered otherwise, was known to the then Minister when she gave approval for the rights issue to proceed?
- (2) How does the Minister reconcile that statement with the reasons for the rights issue given in the offer document by Burswood Management being, "... changes in the scope of the project ..." which would "... improve operating efficiencies and increase the revenue potential of the resort ... "?

Mrs BEGGS replied:

- (1) Yes.
- (2) I am not responsible for statements made by Burswood Management Pty Ltd.

QUESTIONS WITHOUT NOTICE

PORTS AND HARBOURS - SMALL BOAT HARBOURS
Harbour Management and Fee Calculation Committee

208. Mr McNEE to the Minister for Transport:

- (1) Did the Minister indicate to small boat harbour users that a committee would be established to examine harbour management and fee calculation for the future?
- (2) If so, will the committee include representatives of the fishing industry, land users, charter boat owners and other users of small boat harbours?
- (3) What are the terms of reference for the committee and when will it report?

Mrs BEGGS replied:

- (1) Yes.
- (2) Land users will not be represented on the committee because it is a different issue.

Mr McNee: Who will be represented?

Mrs BEGGS: The charter boat operators, the Department of Transport and the Department of Marine and Harbours will be represented on the committee. Someone from my office and Mr Nick Catania, the member for Balcatta, who has expressed an interest in the matter, will be on the committee also.

Mr Kierath: We have taken an interest in the matter also.

Mrs BEGGS: I am sure the Opposition is taking an interest in the matter, but the committee will meet very soon.

- (3) One of the terms of reference of the committee is to determine whether the capital cost of those small boat harbours should be taken into account in regard to assessing fees and charges for small boat harbours.

Mr McNee: Will there be one committee with all those people you have mentioned on it?

Mrs BEGGS: Yes.

MEMORANDUM OF UNDERSTANDING ON CO-OPERATIVE LABOUR
RELATIONS - WESTERN AUSTRALIAN GOVERNMENT
Confederation of Western Australian Industry - Trades and Labor Council

209. Mr McGINTY to the Minister for Productivity and Labour Relations:

Will the Minister advise the House of the details of an historic agreement signed today between the Western Australian Government, the Confederation of Western Australian Industry and the Trades and Labor Council of WA?

Mr TROY replied:

The member is right in referring to the agreement signed today as historic. This morning I joined with Harold Clough, President of the Confederation of Western Australian Industry, and Clive Brown, Secretary of the Trades and Labor Council of WA in signing a "Memorandum of Understanding on Co-operative Labour Relations". Symbolically, this agreement was signed in the presence of business and union leaders and workers at a North Perth factory. The memorandum is an accord between the parties committing them to continue the process of dialogue which has seen a remarkable and productive improvement in this State's labour relations scene over the past seven years. It also recognises that we must all work together to improve our competitiveness in the national and international marketplace. It seeks to consolidate the efforts already under way to enhance Western Australia's productivity.

Real and substantial improvements are being achieved through our system of consulting unions and employers. A reduction of almost 50 per cent has been achieved in the number of days lost through industrial disputes over the past seven years under this program. The tripartite partners are sitting down together to work through the issues in a range of forums. It is a great tragedy that the Opposition parties cannot see the benefit of a cooperative approach, of working together to build a better Western Australia. However, I suppose when they cannot cooperate within their own party, they cannot be expected to appreciate the benefits that others have found through that process of consultation, dialogue and agreement. This agreement represents, in the words of TLC secretary, Clive Brown, "a signpost for change" from the division and confrontation of the past to a more cooperative labour relations system well into the future.

ELECTIONS - GOVERNMENTAL CHARGES

210. Mr GRAYDEN to the Minister for Parliamentary and Electoral Reform:

In current monetary terms, approximately what governmental charges would be incurred in holding -

- (a) a general election;
- (b) an election for the Legislative Assembly only;
- (c) an election for the Legislative Council only?

Dr GALLOP replied:

I thank the member for South Perth for giving me some notice of this question. It is an important question because I had occasion to inform the House not so long ago that if this State were pushed into an early election this year, that would have meant that in the 11 years from 1976, 10 elections would have been held in this State - approximately one each year. The answer to this question is important in terms of the consequences such elections have on State Budgets. The Electoral Commissioner for Western Australia, Les Smith, has informed me that, based on the cost of \$3.7 million for the State general election on 4 February 1989, the following costs would apply in current monetary terms -

- (a) a general election - \$3.9 million;
- (b) an election for the Legislative Assembly only - \$3.1 million;
- (c) an election for the Legislative Council only - \$2.9 million.

Certainly our practice of ensuring that elections for the Legislative Assembly and the Legislative Council are held at the same time has merit on many grounds, but one is the significant saving for the people of Western Australia.

REGIONAL DEVELOPMENT - DUPLICATION OF RESPONSIBILITIES

211. Mr LEAHY to the Minister for Regional Development:

Will the Minister comment on recent accusations that regional development suffers because of duplication of ministerial and agency responsibilities?

Mrs BUCHANAN replied:

I thank the member for Northern Rivers for providing an opportunity for me to speak on this matter. As Queensland's Treasurer and Minister for Regional Development noted at the recent Northern Australian Development Council conference, regional development in Western Australia is held as a model for the rest of the country.

One of the strengths of our model is that it includes social and cultural as well as economic development of non-metropolitan Western Australia. A network of community consultation ensures that projects respond to community-identified needs so that supposed duplication of activities in fact reflects that, in some cases, regions demonstrate the same needs. Regional development is coordinated at a ministerial level by the Cabinet subcommittee on regional development and at an agency level by the Regional Development Council. In this way we can constantly monitor need and resource delivery to the regions.

I note that, despite constant harping on the issue, the Opposition parties have between them eight spokespersons on regional development, most of whom represent the areas in their own electorates, which I think clearly demonstrates the gulf between their rhetoric and reality.

SWIMMING POOL - DEFINITION *Local Government Act, Building Code of Australia*

212. Mr WIESE to the Minister for Local Government:

- (1) Is the Minister aware that the definition of "swimming pool" in the Local Government Act differs significantly from the definition under the Building Code of Australia?
- (2) Is the Minister aware that the Minister representing him in another place stated in answer to a parliamentary question that the definition of "swimming

pool" under the Building Code of Australia is the definition that is used in determining what constitutes a swimming pool to which swimming pool regulations apply?

- (3) Will the definition of "swimming pool" in the Local Government Act be used to determine when swimming pool regulations made under the Local Government Act will apply?
- (4) Is the Minister aware that the Building Code of Australia defines as a swimming pool any excavation or structure containing water and used for swimming and that that definition includes some farm dams?
- (5) Can the Minister advise whether his colleague in the other place was correct, now that he is aware of the problems this will cause?

Mr GORDON HILL replied:

I thank the member for notice of his rather lengthy and detailed question. One is tempted to respond by saying that a swimming pool is not a swimming pool when it has no water in it. However, I will resist the temptation to make puns and address the questions.

(1) Yes.

(2)-(3)

I inform the member, so that he can convey this to his colleagues in another place, that section 433A of the Local Government Act gives authority to the Building Code of Australia, so clearly one does not override the other. The Local Government Act gives effect to the Building Code of Australia.

In relation to the questions answered by my colleague on my behalf in the other place, reference was made to a building regulations order of July 1988. That reference should have been to 28 July 1989.

- (4) The Building Code of Australia defines a swimming pool as any excavation or structure containing water used for swimming, wading, paddling or the like, including a bath, wading pool or spa.

That is the response that was given to the member in another place, but it does not deal with the particular issue about which the member is concerned; that is, whether the regulations will affect swimming pools on farms. The regulations in the Local Government Act also refer to the adopted code, which is the Building Code of Australia. The Local Government Act refers, in section 433A, to all or any part of the adopted code, or the adopted code as amended by the regulations. It refers also to various other sections of the Building Code, but it does not necessarily apply that all of the Building Code will be adopted.

- (5) I was previously mindful of this problem, and the answer to the question asked in the other place was framed deliberately to indicate that each municipal district has defined areas for the application of these regulations, so it does not necessarily apply to the farming districts. I am not aware of any local authority or municipal district in Western Australia which includes farm dams within the definition of swimming pools, so the definition would not include farm dams in such circumstances.

CRIMINAL CODE AMENDMENT (INCITEMENT TO RACIAL HATRED) BILL - STATES' REACTION

213. Mr CATANIA to the Minister assisting the Minister for Multicultural and Ethnic Affairs:

Will the Minister inform the House of the reaction of other States to the Government's Criminal Code Amendment (Incitement to Racial Hatred) Bill?

Mr GORDON HILL replied:

At the recent meeting of Ministers of Immigration and Ethnic Affairs held in Hobart on Friday, 22 June 1990, the Western Australian incitement to racial hatred legislation was extensively discussed. All States expressed strong and positive interest in our proposals. As a consequence of the introduction of our Bill, the Victorian Government has asked its parliamentary working party on racial hatred to be briefed on the Western Australian legislation as a model for it to emulate.

Members will be interested to know that New South Wales, through its representative, Hon James Samios, a prominent Liberal Party Legislative Councillor who was instrumental in developing the New South Wales racial vilification legislation, indicated that he believed it was imperative that, to prevent serious racial hatred along the lines of that which has been experienced in Western Australia, heavy criminal sanctions similar to those encompassed within the Western Australian legislation should be imposed. Mr Samios went on to say that his view was based upon his official visits to France, the United Kingdom and Germany, where the prevailing view by Governments is that criminal penalties are essential in eradicating racially divisive behaviour.

WASTE WATER DISPOSAL - OCEAN REEF-MARMION MARINE PARK

Pipeline Construction Proposal

214. Mr LEWIS to the Minister for the Environment:

- (1) Is the Minister aware of the proposal by the Water Authority of Western Australia to build a 1.4 metre diameter waste water outfall pipe which will discharge 1.8 kilometres out to sea from Ocean Reef into the Marmion Marine Park?
- (2) Is he also aware that the Environmental Protection Authority has stated that it will be impossible for the authority to ascertain with any certainty the environmental acceptability of the proposed increase in nutrient loadings on the marine environment?
- (3) If yes to (1) and (2), what is the rationale of the Government in granting approval for the pipeline and the discharge of waste water, yet ordering studies on its environmental consequences, which are to be concluded after the project is completed and operational?

Mr PEARCE replied:

(1)-(3)

There is no secret in the points made in the member's question. The content of the Environmental Protection Authority report on the Water Authority's proposal relates to 10 weeks ago. The proposal was referred to as the Beenup duplication because there is already a waste water pipeline into the sea in that area. Secondary treated sewage is processed and discharged into the water in that area. The original outfall was constructed prior to the gazettement of the marine national park in that area. When the marine national park was agreed, it was understood that the Water Authority proposed to double the size of the outfall in that area, and the EPA, in assessing the proposal, gave it the go-ahead, with some of the conditions mentioned by the member. The EPA did not attempt to quantify the amount of the nutrient load going into the ocean at that point, but it concluded that whatever the level was, it was within the capacity of the ocean to assimilate it, otherwise it would not have given the go-ahead. It is a different proposition to discharge into the ocean in that area rather than into Cockburn Sound, where the system is much more closed. There has been a little controversy about this proposal. Sewage treatment in Western Australia is of a very high standard. We are in a very different position from Sydney, for example.

Mr House: That is not the position in Albany.

Mr Lewis: It was not in a very good condition flowing through your electorate the other day.

Mr PEARCE: The main problem with the sewage in Albany is that there is not very much of it, and the greatest flow of nutrients into the Albany harbours comes not from the outfall but from the small sewerage system there.

Mr House: You are not seriously telling the House that you are not concerned about raw sewage flowing along Middleton beach! It happened three or four times in the last summer. There does not need to be much of it.

Several members interjected.

Mr PEARCE: I have fallen into the trap of succumbing to the wiles and charms of the deputy leader of the National Party, and becoming distracted from discussing the metropolitan treatment. Firstly, there are two things to remember with regard to Albany. I do not spend my time on Middleton beach watching what flows by; that may be how the member spends his time. There are problems with sewage treatment in Albany. The first problem relates to the very large number of septic tanks in Albany where the nutrient flow runs mainly into Princess Royal Harbour, and some into Oyster Harbour. Both those problems are addressed in the Albany harbours report which I released about three months ago. That report is in the process of being dealt with now. The Point King outfall is again too close to the shore, and that is also addressed in that report. That matter has been taken up with the Water Authority, and those problems are in the process of being addressed.

The metropolitan matter has been attended to already, because putting secondary treated water into our oceans is not posing an environmental threat.

Mr Lewis: It is a marine park.

Mr PEARCE: I know it is a marine park; I understand that. I understand the discharge was going on in that area before it was a marine park. That matter was understood and comprehended.

Several members interjected.

Mr PEARCE: Let me explain this to the Leader of the Opposition and to the member.

Several members interjected.

The SPEAKER: Order! Other members have questions.

Mr PEARCE: The EPA does not allow the discharge of waste of any kind into the ocean, no matter what part of the ocean, marine park or otherwise, if it is environmentally damaging.

Mr Lewis: It does not know.

Mr PEARCE: That is not what the report says. The report says that it is not able to quantify, on the advice given by the Water Authority, the precise amount of nutrient going into the ocean. The EPA is able to make an assessment, based on the experience of the existing pipe, that it will not cause unacceptable environmental damage. The reason it will not is the level of treatment given to that sewage. A number of people have been talking about that outfall as if it were like the problem in Sydney, where raw sewage is discharged into the ocean just off the entrance to Sydney Harbour, not very far offshore. That sewage does float around the beaches in a way which would not only be noticed on Middleton beach but also would absolutely inundate it. We do not have that situation in Western Australia and the Government does not propose to allow it to occur. The Water Authority's proposal to discharge the increased waste of our growing population at a separately treated level into the ocean will not cause an environmental problem, and neither the Government nor the EPA would have given it the go-ahead if it had.

RAILWAYS - ELECTRIFIED SERVICE

Bayswater, Ashfield, Bassendean, Success Hill Stations, Midland Line

215. Mr DONOVAN to the Minister for Transport:

Further to the Minister's answer to question 197 last night about the Armadale railway line, can she advise when the first electric train will pass through the Bayswater, Ashfield, Bassendean and Success Hill stations on the Midland railway line?

Mrs BEGGS replied:

Electrification of the Midland line is now virtually complete, with all masts and wiring erected and new signalling installed between Perth and Woodbridge Junction. Automatic ticket vending machines are in operation on all stations and later this year the passenger information modules giving updated information on train running will be commissioned. The final section of new signalling between Woodbridge Junction and the Midland station will be commissioned in April next year, when the control of all signalling on the Midland line will be transferred to the control room at Westrail Centre.

Progress has been very good and there has been considerable cooperation from local authorities. One problem, the siting of a transformer at Guildford, was successfully resolved. Electric trains will be introduced on the Midland line, running through to Fremantle, in April next year when sufficient numbers of trains will be available to provide an off-peak service. Trip times between Perth and Midland will be reduced to about 23 minutes for stopping trains and about 20 minutes for peak period trains.

VACCINES - SUPPLY SHORTAGE

216. Mr HOUSE to the Minister for Health:

- (1) Given the importance of access, by children in particular, to vaccines for tetanus, whooping cough and diphtheria, what steps has the Government taken to overcome the shortage of supplies of these vaccines?
- (2) Is the Minister aware that in some country centres people are paying a substantial increase in cost for these vaccines when they are available?

Mr WILSON replied:

(1)-(2)

This is a matter of some concern to us. It is one of those areas that arises when the Commonwealth Government decides to hand over a service to the States and hands it over inadequately funded. That is what happened in this case.

Until about three years ago the supply of vaccines to general practitioners in this State was limited to so-called live vaccines - namely polio, rubella, measles and so on - but in 1988 it was agreed that the Commonwealth program would fund supplies of what are called non-live or inactivated vaccines to general practitioners; that is, the group mentioned by the member for immunisation against tetanus, whooping cough and diphtheria. When that occurred we put a very strong case to the Commonwealth that its funding level would prove to be inadequate. Unfortunately, this year that has happened. The Commonwealth provided \$751 000 in 1989-90 but by the end of May that had been overspent to the tune of \$250 000, which the State Government had to provide, and for the remainder of the financial year we have had to restrict supplies to general practitioners although we have not cut them altogether.

Normal supplies will be resumed as of next week - the beginning of July - and we have taken certain measures to try to ensure that this does not occur again. I have written to the Federal Minister for Health seeking his intervention with respect to the very aggressive pricing policies of the Commonwealth Serum Laboratories, the monopoly supplier of these vaccines,

whose prices have risen this year by up to 68 per cent. Therefore we have one level of the Commonwealth apparently benefiting by profiteering at the expense of the States.

Dr Turnbull: That is what happens when you get a user pays policy.

Mr WILSON: It may well be, and some doctors are the proof of that, as the member for Collie would know.

That approach has been made to the Federal Government and we have also sought an increase in the grant from the Federal Government to ensure that next year the grant will cover the full cost of supplying these vaccines.

METROPOLITAN REGION PLANNING SCHEME - FREMANTLE EASTERN BYPASS PROPOSAL

Deletion

217. Mr SHAVE to the Minister for Transport:

- (1) Is the Minister aware of a directive from the Minister for Planning to delete the proposed Fremantle eastern bypass from the metropolitan region planning scheme?
- (2) Does the Minister for Transport support the deletion of the Fremantle eastern bypass from the MRS?
- (3) Will the Minister advise whether full and proper consultation has taken place with all councils within the region regarding the future of the eastern bypass, and what part did the Minister for Transport and/or her advisors play in the consultative process?

Mrs BEGGS replied:

(1)-(3)

I am aware of the directive given by the Minister for Planning to delete those two roads from the metropolitan region scheme. The matter of whether I support it will be determined in the final analysis by a study which I hope to establish in conjunction with the local -

Mr Shave: So, you have not made a decision as to whether you support it?

Mrs BEGGS: I want to make sure that the traffic problems in Fremantle could be managed before making a decision.

Mr Lewis: It is not your decision to make.

Mr MacKinnon: What does the member for Fremantle think?

The SPEAKER: Order!

Mrs BEGGS: If members opposite would listen, I will explain; they ask a question and do not listen to the answer.

Mr MacKinnon: You do not give an answer.

Mrs BEGGS: I am giving an answer now.

There is no doubt that those two roads have caused a great deal of controversy in the Fremantle area, and there is no doubt that the majority of people do not consider that the provision of those roads is in the best interests of good traffic management in the Fremantle area. However, that does not mean that we should not look at other matters that have to be considered in conjunction with the Minister for Planning's decision. This involves access to the Port of Fremantle.

Regarding the consultation with the mayors of the local councils affected by this move, they have requested through Hon John Halden, Hon Garry Kelly - members in the other place - and the member for Fremantle to meet me as soon as possible to express their concerns. I have agreed to that meeting and will hold it shortly.

Mr Shave: Have you taken any part in the consultative process with councillors up until this stage?

Mrs BEGGS: I have not.

Mr Shave: What about your officers?

Mrs BEGGS: No.

Mr Shave: So the road has been deleted and these people have not been consulted?

Mrs BEGGS: They have not been deleted.

Mr Shave: I understand that the Minister for Planning has directed the deletion.

Mrs BEGGS: I represent the Minister for Planning in this House, but I cannot answer for her off the cuff. Members are aware that she has given the direction as this was no secret; it was in the papers.

Mr MacKinnon: Can you override the decision?

Mrs BEGGS: No, I cannot. The study I want to undertake in conjunction with the authorities will, no matter what happens in the future, ensure that traffic management in Fremantle is improved considerably.

Mr Lewis: It is planning on the run.

Mrs BEGGS: No it is not. As I said, those authorities have been requested to meet me to discuss this issue, and a whole range of issues affecting the local authorities, and I will be happy to meet these bodies as I meet local authorities on a regular basis.
