Legislative Council

Thursday, 3 May 1984

The PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.15 p.m., and read prayers.

BUILDERS' REGISTRATION AMENDMENT BILL 1984 : AS TO REPORT

Ruling : Statement by President

THE PRESIDENT (Hon. Clive Griffiths): Last night I ruled that consideration of the Committee's report on the Builders' Registration Amendment Bill would need to be set down as an Order of the Day for the next sitting because I considered that the Bill had been opposed in the Committee stage.

Having considered the matter again, I erred in giving that ruling. The Standing Order I quoted, that is, No. 272, was not in point and deals with the third reading of a Bill, not the Committee's report. Therefore while the Bill could not have been read a third time last night the report could have been adopted.

Accordingly, I apologise to the House for my error.

STANDING ORDERS COMMITTEE

Report

HON. D. J. WORDSWORTH (South) [2.25 p.m.]: I am directed to report that the Standing Orders Committee has considered the question of debating an adjournment motion under Standing Order No. 62.

As a result of that consideration, the Committee recommends that the Standing Order be amended by adding a subclause (2) to read as follows—

> (2) A member who speaks on a motion to adjourn the Council under this rule shall not be entitled to speak for more than 10 minutes.

I move—

> That this report do lie upon the Table and be printed and that consideration in a Committee of the whole House of this report be made an Order of the Day for the next sitting.

Question put and passed.

The report was tabled (see paper No. 781.)

ACTS AMENDMENT (BINGO) BILL 1984

Second Reading

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.27 p.m.]: I move—

> That the Bill be now read a second time.

In 1972 the Lotteries Commission was given limited power to approve the playing of bingo. Since 1982 the commission has been able to permit the playing of bingo on premises for which a club licence has been granted by the Licensing Court.

In its present form the Lotteries (Control) Act contains a proviso which prohibits the issue of a permit for the playing of bingo on licensed premises other than a licensed club. Bingo is also prohibited on premises when liquor may be sold under permit issued by the Licensing Court.

The Bill now before the House will remove the prohibitions on the playing of bingo on premises generally, including the following licensed premises: hotels, taverns, limited hotels, canteens, and winehouses.

Some licensed premises such as restaurants and stores are considered unsuitable for bingo and have been omitted from those premises in which bingo can be played. For example, licensed restaurants are primarily concerned with the service of food and most store licensees could not, or would not, wish to utilise their premises as bingo venues.

Small clubs which can now conduct bingo on their club premises will be able to play bingo during hours when liquor may be sold for consumption on those premises. Hotel, tavern, and other licensees will have the opportunity to extend the use of their premises to clubs wishing to conduct bingo.

The Bill will also amend the Liquor Act to provide that where a permit has been granted by the Lotteries Commission an offence is not committed by a licensee when permitting bingo to be played on his licensed premises.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. G. E. Masters.

CASINO CONTROL BILL 1984

Second Reading

HON. D. K. DANS (South Metropolitan—Leader of the House) [2.29 p.m.]: I move—

> That the Bill be now read a second time.

The purpose of this Bill is to give legislative effect to the Government's decision made early in April 1984 that a casino should be established in the metropolitan area of Perth.

The decision of the Government was made having due regard to the report of the Government casino advisory committee which was established in March 1983. The committee submitted its report to a Cabinet subcommittee in November 1983. The report has since been made public.

Although the advisory committee was divided in its attitude towards the general question of establishing casinos in this State, the Government is firmly of the view that the arguments put forward by the dissenting members of that committee were not strong enough to dissuade the Government from the decision it made.

Quite apart from the revenue to be derived from the casino operations, the type of complex envisaged should become a tourist attraction of world-class standard. In addition, it will provide a much needed employment stimulus both directly and indirectly. The ancillary benefits to flow, which could include convention facilities, golf courses, tennis courts, parks, and gardens will all be available to the local community.

The Burswood Island area was chosen by the Government as the site for a casino for a number of reasons. The land is owned by the Government; it therefore places the Government in a sound bargaining position when dealing with potential developers to generate public facilities associated with a world-class hotel casino complex.

Although there will be a number of constraints encountered in the development of a casino complex on Burswood Island, the fact remains that it is a prime river site which is sadly underutilised and in need of development. The decision to select Burswood Island also took into account the advisory committee's recommendation which, when dealing with this aspect stated—

> The most appropriate site is one which is at present under-utilised, in need of development and is isolated from adjacent residential areas but close enough for the local community to benefit from the ancillary development. The site should also be attractive in outlook, i.e., river, ocean or hills views and/or setting.

When announcing the decision to select Burswood Island as the site the Government was very careful to qualify such announcement by stating that any proposal would be subject to satisfactory transport, environmental, and planning requirements being met. This will require extensive negotiations with the Perth City Council and the Metropolitan Region Planning Authority in particular. Any final decision to locate the casino complex in a defined area within Burswood Island may also require parliamentary sanction.

The Bill now before the House is to enable the Government, through the responsible Minister, to enter into negotiations with prospective developers of a casino complex.

When the Government casino advisory committee invited expressions of interest in June 1983, it received 19 proposals to build and/or operate a casino in the metropolitan area of Perth. A further 13 submissions were received in respect of country areas. Those persons and organisations expressing an interest to build a casino in Western Australia have since been invited to submit a proposal with Burswood Island as the site. These proposals are to be with the Minister by 31 May 1984.

For this reason it is essential to have this enabling Bill passed by the House in this session, so that a minimum of time is lost in entering into negotiations with developers.

Parliament will be afforded the right to deliberate on the terms of any agreement reached between the Minister and the developer. Part III of the Bill provides that a casino agreement is not enforceable by either party thereto unless and until it has been ratified by an Act, and no action or other proceedings may be brought in relation to a casino agreement until it has been so ratified.

It is important at the outset, in relation to the provisions of this Bill, to point out that although the Government casino advisory committee was divided on the general issue of casinos in this State, it was unanimous in relation to the legislative controls which should exist over the operation of casinos.

The consensus view of the advisory committee, with which the Government agrees, stems mainly from the trouble-free operations of the four casinos now in existence in Tasmania and the Northern Territory. The Queensland Government has passed similar legislation which provides for the establishment of two casinos in that State. South Australia has also passed legislation for the operation of a casino in Adelaide.

The Bill before the House is modelled on the Tasmanian, Northern Territory, and Queensland legislation and is divided into five parts.

Part I includes the definition of terms used throughout the Bill and provides that the Act shall come into operation on a date to be proclaimed. As mentioned earlier, it is intended to proclaim the Act at an early date to enable the Minister to enter into negotiations with prospective developers.

Part II provides the machinery for the administration of the Act by a Casino Control Committee, composed of four members. It is intended that the Chairman and General Manager of the Totalisator Agency Board will be two of the members with the other two being appointed by the Minister from the existing members of the TAB.

Provision is made for members to have deputies, who will be senior officers of the TAB. This is

essential for continuity of expertise in casino operations and control.

The Casino Control Committee will operate a separate banking account from the TAB, into which will be paid casino tax and licensing fees. After payment of all expenditure in relation to the administration of the Act, the committee will be required to pay the surplus into the Consolidated Revenue Fund.

The committee is empowered to employ a chief casino officer and such casino inspectors and other officers as is necessary. The appointment of inspectors will enable the committee to exert the same stringent controls over casino operations as currently exist in Tasmania and the Northern Territory. The committee is required to prepare annual estimates of revenue and expenditure and accounting methods as the Treasurer may require.

The committee is subject to the scrutiny of the Auditor General and is required to submit an annual report of its operations and proceedings to the Minister to be laid before each House of Parliament.

Part III of the Bill enables the Minister to enter into an agreement with a public company to construct and establish casino premises.

As mentioned earlier, any such agreement reached between the Minister and a developer has no effect until it has been ratified by an Act which will be brought before this House.

Part IV of the Bill details the procedure to be adopted by the Committee when dealing with a company wishing to obtain a casino gaming licence.

It should be noted that the committee has no power to grant a licence without the approval of the Minister who has the authority to impose such conditions as thought fit and as specified in the casino gaming licence.

Part V deals with the control of casinos and the playing of authorised games. The committee has authority to declare any game to be an authorised game subject to the publication of such information in the *Government Gazette* and the approval of the rules applying thereto. The Minister may give directions to a casino licensee in respect of the conduct of casino gaming operations, the manner of keeping accounts, and the production of information relating to gaming operations of the casino licensee.

A liquor licence in respect of the casino shall not be held by a person who is not the casino licensee or his employee. This provision is essential as part of the viability of casino operations and will require an amendment to the Liquor Act at a later stage.

This part of the Bill also provides for certain persons to be refused the right of entry to a casino, including persons under the age of 18 years. It also provides power for the police and casino inspectors to enter any part of a casino at any time.

Part VI is a general part of the Bill dealing with the power of the Minister relating to the production of books and information particularly relating to company shareholdings. This authority is vital when considering applications for the grant of a casino gaming licence. This part also provides for general penalties for offences against the Act, the prosecution of offenders, and the power to make regulations.

Schedule 1 of the Bill details the constitution and proceedings of meetings of the Casino Control Committee. Schedule 2 of the Bill lists specific matters in respect of which the Governor may make regulations.

It is emphasised that this Bill should be regarded as enabling legislation to provide machinery for the Government, through the responsible Minister, to enter into negotiations with prospective developers. The provisions, in parts II to VI of the Bill were included to give Parliament an indication of the types of powers and controls which it is intended to invoke when a further Bill is presented to the House to ratify any agreement reached between the Minister and a developer.

If the Casino Control Bill 1984 is passed, Parliament will be required to deliberate on subsequent Bills which will include in detail the following aspects of casino operations—

Company control;
control of shareholdings including foreign shareholdings;
procedures for renewal, transfer, suspension, termination or surrender of a casino licence;
licensing of casino employees;
casino tax and licence fees;
offences in relation to casino operations; and
casino liquor licensing provisions in the Liquor Act.

The Government has given long and careful consideration to the matter of casino gaming in this State. It is convinced from all the evidence available throughout Australia that problems attributable to casino operations are in the main unsubstantiated by facts.

A casino tourist resort complex will add a much needed social amenity to Perth. It will stimulate employment, both directly and indirectly, and will further enhance the economy of the State through increased tourism.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. John Williams.

PAY-ROLL TAX ASSESSMENT AMENDMENT BILL 1984

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.40 p.m.]: I move—

That the Bill be now read a second time.

This Bill reinstates the imposition of payroll tax on commissions paid to insurance agents, improves administrative procedures, widens exemption provisions, rectifies anomalies and inequities, and clarifies the intention of the law.

In summary, the provisions of the Bill are directed to—

countervail an adverse Privy Council decision that payments of commission to insurance agents were not taxable wages;

widen provisions in respect of charitable bodies or organisations which the Minister in his discretion may exempt;

restrict the special annual adjustment to instances where the "prescribed amount" only is changed by amendment to the Act;

enable members of a group seeking exclusion from the grouping provisions to apply to the Commissioner of State Taxation for exclusion;

rectify a technical anomaly by reconciling a conflict in certain areas that deal with the liability of members of a group to pay tax incurred by the group as a whole;

allow the imposition of an interest charge in cases where a taxpayer is granted an extended period in which to pay his tax or is permitted to pay arrears of tax by instalments;

facilitate the collection of outstanding payroll tax in cases where an objection is lodged or a case is stated to the Supreme Court; and

remove ambiguity that presently exists in respect of the method of calculation of the "prescribed amount" during a period when a change is effected thereto.

The definition of "wages" in the Act was intended to ensure that commissions paid to insurance agents were subject to payroll tax.

However, as the result of a Privy Council decision in the General Accident Fire and Life Assurance Corporation Ltd. and Sentry Life Assurance Ltd. *v.* the Commissioner of Payroll Tax (NSW), this intention was defeated.

Clause 3 of the Bill ensures that commissions paid to insurance agents will again become subject to the tax.

It is proposed by clause 4 to widen the exemption provisions in respect of any charitable body or organisation, the objects of which the Minister in his discretion prescribes to be of a nature worthy of exemption.

The intention of the existing provisions dealing with special annual adjustments is to provide for an adjustment of payroll tax during transitional periods. This is to ensure that no taxpayer is disadvantaged by the change in the prescribed amount.

Because of a technicality, it has become evident that these provisions can be construed to cover situations that were originally not envisaged or intended. For example, the existing provisions allow an employer to recover any additional tax required to be paid as a result of an amendment to the Act. This is clearly beyond the intention of the law.

Clause 5 restricts the adjustment of tax afforded to instances where the "prescribed amount" only is changed by amendment to the Act.

Clause 6 improves administrative procedures in respect of the granting of exclusion of members of a group from the grouping provisions.

Clauses 7 to 9 propose to rectify a technical anomaly involving the liability of all members of a group being jointly and severally liable for tax incurred by the group as a whole.

Clause 9 corrects an inequity in cases where a taxpayer is afforded an extended period of time in which to pay his tax, or is permitted to pay arrears of tax by instalments.

Under the present legislation, taxpayers who receive the commissioner's approval for deferment in payment of tax or payment by instalments are receiving extended credit without penalty. This creates inequities between those taxpayers who pay their tax within the statutory time and those who do not. It is proposed to impose an interest charge of up to 20 per cent, subject to the commissioner's power to remit interest where the circumstances are warranted.

Clause 10 proposes to facilitate the collection of outstanding payroll tax in cases where an objection is lodged or a case is stated to the Supreme Court. The law presently provides that

there should be no delay in payment of tax where an appeal is lodged. Objections and cases are to be treated similarly.

Clause 11 removes an ambiguity that presently exists in schedule 1.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Medcalf (Leader of the Opposition).

MUSEUM AMENDMENT BILL 1984

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.45 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to amend two sections of the Museum Act 1969-1973: Firstly, section 23 to allow for the appointment by the museum's trustees of honorary associates; and, secondly, section 37 to allow for the recognition of non-municipal museums and to ensure that such recognition is granted only to those museums, municipal or non-municipal, which hold collections which, in the opinion of the trustees, are important.

The rationale behind these two amendments is as follows: Under section 23 the trustees may appoint a person to the office of honorary associate to the museum, to hold office during the trustees' pleasure.

Appointment as an honorary associate recognises assistance given by a person closely associated with the museum's work, and permits full use of its collections and facilities.

The trustees of the Western Australian Museum believe that it would be appropriate to appoint honorary associates for a specified period—for example, for four years as in the case of trustees—when making appointments. The Crown Law Department, however, has advised that this is not possible under the existing provisions of the Act. Although an appointment can be terminated by the trustees, it would be difficult to do so without a specified reason, or without causing offence to the person concerned. For this reason the trustees believe that appointments should be for a defined period, but with the possibility of renewal as in section 11 of the Museum Act which relates to the appointment of trustees.

Provision was made in the Museum Act of 1969 to allow the Western Australian Museum to assist in the establishment and maintenance of small museums throughout the State, to help them to preserve, record, and display items which have local and sometimes even national value and interest.

The Western Australian Museum assists in this way because it believes it is important that collections of historical and other material be preserved, where possible, in local areas, to give the local community today and in the future the opportunity to learn at first hand of its heritage, to understand its roots, and to be itself involved in its preservation; and some items are of national or State-wide importance and the interests of the wider community can be met by safeguarding such items in their present location. It is not desirable, even if it were practicable, to concentrate all such items in one large centre.

Under the current provisions of section 37 of the Museum Act 1969-1973, the trustees may only recognise, and therefore give assistance to, museums which are established under the provisions of the Local Government Act; that is to say, municipal museums.

Since 1969, 16 municipal museums throughout the State have been recognised by the trustees. However, there are a number of other local museums, such as those associated with historical societies or the National Trust, which are not established under the Local Government Act, but which the trustees believe should be eligible for recognition under the Museum Act.

In broadening the scope for recognition the trustees recognise that the criteria should be more closely defined. In particular, a local museum that is not under the control of the local authority should be community-based, non-profit making, established with a guarantee of continuity, and/or associated with an established permanent body; for example, the Royal Western Australian Historical Society or the National Trust. In addition, its collection must be, in the opinion of the trustees, important and significant.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. Margaret McAleer.

FINANCIAL INSTITUTIONS DUTY AMENDMENT BILL 1984

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.51 p.m.]: I move—

That the Bill be now read a second time.

This Bill introduces amendments which will give effect to the recent commitment by the Government to exempt completely from financial institutions duty all accounts operated by charities and local government authorities.

Under the current provisions, at the end of each financial year charitable institutions are entitled to a refund of the duty paid in excess of $20. In certain cases refunds are available on a quarterly basis. Local government authorities are able to operate exempt accounts but are not permitted to pay into those exempt accounts receipts derived from certain business undertakings.

The system of providing refunds to charitable institutions was designed both to relieve charities of their FID obligations and to overcome the administrative difficulties which had been experienced in New South Wales and Victoria.

However, in the short time the duty has been in operation it has become apparent that the system of providing refunds is causing considerable concern among certain charities, particularly churches which have a number of parishes, each operating separate accounts.

After two months' experience of the operations of FID, charities have been able to show the Government that their administrative workload is very onerous, especially for large organisations with a number of autonomous branches. This workload reduces the capacity of charitable institutions to carry out their valuable work in the community, and this was never the intention of the Government.

The Bill proposes amendments which will enable charitable institutions, as defined, to apply to the Commissioner of State Taxation to obtain a certificate of exemption from the duty. The certificate will apply to all accounts in the name of the charitable institution. The certificate, upon production at any registered financial institution, will allow the charity to conduct an exempt account in its name with that institution.

By relating exemption certificates to account names, rather than account numbers, the administrative burden on the State Taxation Department should be significantly reduced, compared to the situation in Victoria where an individual certificate has to be issued for every account.

In deciding on the provision of exempt accounts, rather than exempt receipts, as has been done in New South Wales, the Government was mindful of the views of the Australian Bankers Association. The association had requested that any exemption to charities should be administered by way of exempt accounts because the exempting of receipts placed too great a responsibility on the banks and other financial institutions in determining which institutions were eligible for an exemption.

The introduction of the new exempt accounts system for charities will take some time. However, all charities will be entitled to a full refund of duty paid from 1 January 1984 to the time their exempt account status is established with financial institutions. To facilitate a smooth transition from the system of refunds to exempt accounts, it is anticipated that in conjunction with the issuing of a certificate of exemption to the charity concerned, the Commissioner of State Taxation will forward the necessary forms for the application for refund. These must be completed and returned to the State Taxation Department prior to 31 December 1984.

I should make it clear to members that for large charitable bodies, such as churches which have a number of parishes, each operating accounts autonomously, an application for an exemption certificate will need to be made by each parish.

As indicated earlier, this Bill also provides a total exemption of all accounts operated by local government authorities. Under the current provisions, local government authorities are eligible to apply for exempt accounts but are not permitted to pay into those accounts receipts derived from certain business undertakings. Experience with the operation of the duty has shown that the requirements for local government authorities to pay duty on some of their business undertakings is administratively burdensome for both the authorities concerned and the State Taxation Department. Moreover, the department's administrative costs are disproportionately large when compared to the revenue raised from this source.

Under the arrangements contained in this Bill, local government authorities will be completely exempt from duty once they give notice in writing to any bank, building society or credit union where their accounts are held. On receipt of this notice, the financial institution will designate that account as an exempt local government account.

The operative date for the changes in treatment of both charities and local government authorities is 1 June 1984, although, for administrative reasons, the issuing of exempt certificates to charities will extend for some months after that date.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. I. G. Medcalf (Leader of the Opposition).

INTERPRETATION BILL 1984

Third Reading

Bill read a third time, on motion by the Hon. J. M. Berinson (Attorney General), and transmitted to the Assembly.

REPRINTS BILL 1984

In Committee

Resumed from 2 May. The Chairman of Committes (the Hon. D. J. Wordsworth) in the Chair; the Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clause 9: Repeals and Savings—

The CHAIRMAN: Progress was reported after the clause had been partly considered.

Hon. J. M. BERINSON: Yesterday the Leader of the Opposition asked whether clause 9 (1)(b) would produce a new situation in regard to the citing of Acts. That is in fact the case, and, as members would be aware, I undertook to refresh my memory on the position when the point was raised. This matter should be considered together with the provisions of section 26(4) of the Interpretation Bill which passed through this Chamber yesterday. Clause 26(4) of the Interpretation Bill will come into operation on 1 July 1984. It has the effect that the so-called closing date reference—that is the second date—will no longer be required for any Statute or reprint. The Reprints Bill will come into operation on a date to be fixed by proclamation, and it will not be before 1 July 1984. The effect of that will be that in the future, instead of citing Acts both by the first date of an enactment and the date of most recent amendment, the first date only will be referred to.

The reason for that may be explained most clearly if I were to quote a comment by Parliamentary Counsel to the Law Society of Western Australia, which comment also dealt with the point. Parliamentary Counsel said—

> ... it is correct that we are not happy with various difficulties arising from the practice of citing statutes by reference to the date of enactment and the date of the last amendment and would like to move away from the practice. Just to take one example of a confusing difficulty, in 1982 there were 6 Acts that amended the Stamp Act. All 6 of the amending Acts contained the same provision that—"The principal Act as amended by this Act may be cited as the Stamp Act 1921-1982". However, present practice cannot be abandoned without amendment of the Amendments Incorporation Act 1938-1966 ...

Clause 6(2) of the Bill provides that the reprint must contain a date as to the point from which the reprint is effective. This will provide the sort of assistance that the second date under the current system was designed for. The repeal of the Amendments Incorporation Act is necessary in order to give effect to the same and to the combined effect of the Interpretation Act and the Reprints Act.

Clause put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. J. M. Berinson (Attorney General), and transmitted to the Assembly.

SUPREME COURT AMENDMENT BILL 1984

Report

Report of Committee adopted.

BUILDERS' REGISTRATION AMENDMENT BILL 1984

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by the Hon. Peter Dowding (Minister for Consumer Affairs), and transmitted to the Assembly.

COUNTRY TOWNS SEWERAGE AMENDMENT BILL 1984

Second Reading

Debate resumed from 18 April.

HON. W. N. STRETCH (Lower Central) [3.05 p.m.]: This is a very important Bill and one that I thought would be fairly straightforward, but it turns out there is increasing cause for concern. Sewerage is one of the public services we all take for granted in modern life, yet it is an extremely expensive service and never more so than when providing it to the public in country towns. Members will be aware that any shire faced with a sewerage disposal problem as a result of growth and general development over the years is usually faced with costs well beyond its internal financing capabilities.

About 1967 a scheme was devised by officers of the Public Works Department that enabled shire

councils to use their loan raising capabilities to finance such schemes. This was generally hailed as being of great advantage, and it allowed works to go ahead that otherwise would have had to be delayed, in many cases for a considerable number of years.

It was normally the case that local shires consulted the Public Works Department, came to some sort of agreement to accept the terms set out at the time, and put the terms to the ratepayers; in most cases they were accepted and the schemes got off the ground, and country towns received a very desirable facility.

Generally speaking, local authorities were helped under two schemes. In the first, the shire raised the finance and the Public Works Department built the entire installation and took over responsibility for repaying the capital expenditure on the loans. That seemed to suit the shires very well. The second was a subsidised scheme whereby the shires actually built the systems themselves and operated them in consultation with the Public Health Department. The shires virtually financed and ran the whole scheme.

The Government undertook to subsidise those shires for the reason that the facilities could not otherwise be provided to country towns. It helped them through an 85 per cent subsidy on the annual capital costs or the loss incurred by the authority, whichever was less. That also was accepted as being of great assistance to local authorities, and many of those schemes went ahead.

At the time however, many local shire councillors expressed concern at what would happen in future if any Government changed the terms of the loans. The departmental officers and the then Minister, and most people involved with the schemes, said it could never happen. It turned out that the doubting Thomases were correct. It appears we now have a Government which is prepared to change the whole of the ground rules under which a lot of these schemes were set up.

The Bill enables the Public Works Department to insist that the maximum rating be charged until such time as the early losses incurred by those schemes are repaid. That was not in the original agreements and it has left a lot of shires in a fair state of confusion. I telephoned quite a few of them and they seem to be divided into two groups: Those with subsidised schemes said that it did not affect them, but that it would be hard on those with the loan scheme, and those on the loan scheme said exactly the reverse; that is, it did not affect them, but it would be hard on those with subsidised schemes. That is my main criticism of the Bill. In clause 4 which seeks to amend section 67 of the Act the financial provisions are changed, but it does not specify which Acts, and therefore shires, will be affected.

In consultation with certain people it has been said that any system of financing applying to one scheme inevitably flows through to the other schemes, and the process usually takes a fortnight. It can be seen that there is confusion between the shires and the Ministers in another place. They all seem to have different interpretations of where this Bill is aimed. I do not think we can afford to have unguarded missiles like this flying around the community when so much financing is involved in the schemes. It is particularly badly timed from the point of view of country areas because of the extreme financial hardship being experienced in country areas and towns. In this connection I refer the Government to the report on hardship in the rural sector.

In many shires the schemes set up are operating most effectively, but I draw attention to the cost of running these schemes where there is enormous disparity. Before going into the causes of that disparity I would like to summarise the arrangements under which the subsidy schemes were set up. The objective of the schemes was to enable better living standards to be provided in country towns, and it was agreed that the shires would be the sewerage authorities. It was stated that the shires would levy rates on rateable property calculated at 20c in the dollar.

Hon. D. K. Dans: What year were they told that?

Hon. W. N. STRETCH: The original scheme was drawn up in 1967 by the PWD and in 1981 the rate was raised to 20c in the dollar.

Hon. G. C. MacKinnon: It might be an idea to ask the Minister that question.

Hon. D. K. Dans: I am asking the member what he said.

Hon. W. N. STRETCH: It was clearly pointed out that once the loans were repaid the local authorities would be able to set the rates to cover operating costs. In other words, the ratepayers were left with the reasonable expectation that they would eventually have a drop in sewerage rates. In the case of the Shire of Dumbleyung, that has actually happened; the loan will be repaid in the next year or two and a lower rate could well be levied. In these days not too many people can look forward to lower charges with regard to services supplied by Government instrumentalities.

The Country Shire Councils Association contacted me to give details of its impressions of the legislation. One of its comments was that nobody for a minute suspected that the Government

would renege on its undertakings and responsibilities to local authorities and their ratepayers. Nonetheless it was not always easy to persuade local authorities to take part in the scheme.

The shires of Williams and Dalwallinu were forced to conduct loan polls before this scheme was accepted. I understand that Esperance had a loan poll which was defeated. That shire then went to the first option with the shire raising the money on behalf of the PWD which ran the scheme from that date onwards.

This is a bad Bill because clause 4 is too vague. The remainder of the Bill is quite straightforward and I do not think any members of the Opposition would have trouble supporting it. However, clause 4 is of concern because we do not think it will have a financial benefit for the Government. Whatever colour the Government may be, we all support the concept of lowering costs where possible.

I now refer to the operating costs for some of the shires running their own subsidised schemes. Dalwallinu has operating costs of $11 000 a year; Mt. Barker under a PWD scheme operates at a cost of $27 000 a year; Wundowie with a subsidised scheme operates at $15 000 a year; and Kojonup under the PWD costs $22 000 a year. These comparative figures have been grouped according to the type of operation involved. I believe the figures are fair and where possible they have been loaded against the local authority and in favour of the PWD. I refer now to the 1981-82 operating figures for Brookton and Pingelly which are almost neighbouring towns. Brookton has a septic effluent disposal system with one pumping station and the system costs $5 000 a year. Pingelly costs more than double that figure—$12 198 a year. It should be noted that Pingelly is all gravity feed with no pumping required, yet the cost is almost two and a half times as much.

We believe that the department and the Minister should look further at the possibility of these schemes being returned to the subsidised system because on analysis they appear to be considerably cheaper to run.

Last evening I asked the Leader of the House if he was able to obtain a copy of an internal report issued by the department, and titled "The Public Works Department of Western Australia report on country towns' waste water schemes owned and operated by local authorities with an annual subsidy from the Government of Western Australia". It appears that the Minister has not been able to obtain a copy either. I understand it includes detailed analyses of the running costs of the two schemes and indicates that subsidised schemes cost about half as much to operate as loan guarantee schemes. It would be extremely useful if the Leader of the House could ask his Minister in another place to arrange for a copy to be circulated outside the PWD. We believe that there is a message that all Governments should be looking at when attempting to cut costs in administration of these highly expensive but very necessary schemes. It would be of value to table that report for the information of interested members. I hope that at some stage the second reading debate can be adjourned so that later speakers will have the benefit of the information contained in the report. I learned of the existence of that report only yesterday afternoon, so I am not able to quote it chapter and verse, to my sorrow.

Hon. D. K. Dans: And I cannot get a copy of it.

Hon. W. N. STRETCH: The Leader of the House has not followed the right trucks.

Hon. D. K. Dans: I must be asking all the honest people.

Several members interjected.

Hon. W. N. STRETCH: This report has much to offer the House. We should not proceed with the Bill until we can analyse all the possibilities. I do not need to remind the House of the problems facing country economies relating both to the farmers and the country towns. Many of them are suffering serious financial viability problems. It would not be too much of an exaggeration to say that many people are down on the canvas, and too many increases in charges will keep them on the canvas for the count of 10.

There is no doubt that this Bill will lead to a fairly severe increase in sewerage charges for country towns in the near future. We do not believe this Bill is an efficient way to reduce a substantial deficit. We accept that country sewerage schemes will cost Consolidated Revenue considerable amounts of money, probably forever.

In 1982-83, the costs broken up between the two types of schemes indicate that the shire schemes that were loan guaranteed suffered a total loss of $3.9 million. The loss on the subsidised sewerage schemes was $711 000. Certainly more towns had guaranteed schemes; and the loan guaranteed schemes included most of the bigger towns in which there are sufficient installations to allow the utilities to run at a profit. So the statistics are misleading, in some ways, for the loan schemes; but they point out the remarkable savings made by the shires running the schemes themselves. There are many reasons for this.

I rang the Shire of Dowerin, which said that its scheme involves one man on approximately two half days a week, attending to the plant and servicing it as required. It has a thorough inspec-

tion system and the sewerage lines are kept to a very high standard. The cost of running that system is infinitesimal compared with the surrounding shires in which the Public Works Department runs the schemes in toto.

Hon. G. C. MacKinnon: Those savings are savings to the local ratepayers.

Hon. W. N. STRETCH: That is correct.

Hon. G. C. MacKinnon: That point needs accentuating.

Hon. W. N. STRETCH: Certainly they are saving money, and we hope that will continue.

When the schemes finally become profitable and the ratepayers are expecting a drop in sewerage rates, the Government is moving, by this Bill, to put in a retrospective provision dating back to the days when the agreement was negotiated between the shire and the PWD. The shires are being told, "You cannot drop your rate until all the losses made in the earlier years of the scheme have been recouped". That is the point I was making earlier. To all intents and purposes, that will probably double the length of time that the ratepayers will pay the maximum rate in the dollar. That is why the Country Shire Councils Association is concerned because its members are facing increasing costs, and unfortunately they do not have the resources to pass the costs on, in most cases.

Many statistics support this. I urge the Leader of the House, if that report can be dug out from wherever it happens to have been shelved, to give it consideration. It would be of great benefit to members of this House and also to the Government. I am not sure if Mr Tonkin has seen the report; it is certainly in the department, but it has not been circulated widely.

Hon. D. K. Dans: If it is a departmental file, I may find it very difficult to get. I remember once, when Mr MacKinnon was the Minister, try as he might he could not get a particular report for me.

Hon. G. C. MacKinnon: It quite escapes my memory.

Hon. W. N. STRETCH: It is important that this report be dug out of the archives. The Minister should have it before him. I believe, on fairly strong evidence, that it was completed in November 1983. People who have seen a copy of it have told me that much can be learned in all quarters from that report.

It is not my intention to tell the Government what it should do with this Bill. That would be impertinent, and probably out of order. However, I suggest that we be given the chance to look at the report because we must look for a fair and better scheme, if such a thing exists. That is certainly in the interests of all ratepayers, and ratepayers do not support only members on our side of the House. Other members represent the people in country towns.

As I have said, confusion seems to reign in all quarters. We cannot say which schemes are under threat by this Bill.

Hon. D. K. Dans: I do not think any of them are under threat.

Hon. W. N. STRETCH: If the Leader of the House does not think retrospectivity for 25 years is not a threat, I must disagree with him. Ratepayers, in areas which can ill-afford it, will be left paying the maximum charge, when they were led to believe they would experience alleviation much sooner. In fact, many ratepayers voted to support the shire in a loan poll on that basis; so it is a threat to their welfare.

Hon. D. K. Dans: I have asked the Whip, if you have no more speakers, to adjourn the debate so I can obtain that information for you, if possible.

Hon. W. N. STRETCH: I thank the Leader of the House.

The remainder of the Bill is straightforward. The imposition of on-the-spot fines for breaches is a reasonable step. It will help many people to avoid the court costs which accompany fines in many cases.

The aspect which worries us a little is the power to withdraw on-the-spot-fines. In the past, that has been found to be a fairly doubtful sort of proposition. If the infringement is not regarded as bad enough in the first place, the infringement notice should not be issued. Once it has been issued, we tend to believe that it is rather risky just to withdraw it. Therefore, we have reservations about that matter.

Finally, I am glad the Leader of the House has agreed to give us the time I have asked for. I hope this very fine report paper with the awful title will hit the Table of the House so that we can be fully informed of its contents. Hopefully we will have a better Bill at the end as a result of it.

HON. G. C. MacKINNON (South-West) [3.31 p.m.]: We have reason to be extremely grateful to the Hon. W. N. Stretch for bringing this matter to our attention.

It is popularly believed that a sort of heartless and unsympathetic Public Works Department forces sewerage and waste water treatment systems on unreceptive country towns, but that is a long way from the truth. The initiating department is the Public Health Department, because much of the soil of Western Australia is simply not receptive to waste water in the long term. This applies particularly nowadays when we have a

component of very efficient wetting agents and detergents added to waste water treatment enabling it to travel through the soil much more efficiently than previously. The soil at Wagin, for example, will not absorb waste water at all; a sewerage system is needed. Frequently it starts by taking the waste water from the septic tanks because of the difficulty of establishing leach drains. All members are no doubt fully aware of this very serious problem. The disposal of human waste is universally accepted as being probably the greatest public health problem facing Australia today.

Those of us who come from country areas that are not so much desert areas but productive country areas—members such as Mr Brown, Mr Wordsworth, Mr Ferry, Mr Bell and Mr Pratt—

Hon. H. W. Gayfer: Don't I get a mention?

Hon. G. C. MacKINNON: I was working around to Mr Gayfer, and I suppose now I should go through the whole lot and mention also Miss McAleer and Mr McNeil. We should all ask ourselves why we are seeing this attack on local authorities in country areas. We have seen a similar attack in Bills to amend the Local Government Act. I hope no-one jumps up and starts taking points of order, because I do not intend discussing those Bills but merely the principle contained in them, which seems to be to attack the established role of local authorities.

The Bill to establish the South West Development Corporation is another attack on the authority of local government. As Mr Stretch pointed out, we are witnessing yet another attack on the efficacy of subsidised sewerage schemes for local government.

I do not know from where in the Government this attack is coming; it is certainly not coming from the people who are doing the work, the people in the Public Works Department.

I, too, have read the report that Mr Dans has been unable to secure.

Hon. D. K. Dans: Have you got the report?

Hon. G. C. MacKINNON: No, but I have read it. Were I to have a copy I would give it to Mr Dans. He knows that when I was a Minister I always made reports available because I knew they became public property very quickly and it was a waste of time trying to keep them secret. The previous Opposition, the ALP, had white-anted so many departments that it reached a stage where half of us could roll over in bed and the ALP would receive notification of it. The reports obtained by the ALP through all sorts of devious methods were legion.

Undoubtedly this Bill has not been prepared on the advice of anyone from within the PWD. It is probably the result of the Government's wanting to squeeze a few more dollars from local authorities.

But why this concerted attack on country local authorities and their authority and efficiency? Again, I indicate my great appreciation for the research done by Mr Stretch in bringing to our attention this shortcoming in the Bill.

The Bill does provide one good change in that the word "sewerage" is correctly to be changed to "sewage". This must have involved at least a day's work by one of the Government's highly paid advisers, probably a fellow not only with a degree in English Literature but also knowledgeable in the field of journalism.

I compliment the Government on this great step forward and I thoroughly agree with Mr Stretch's analysis of the measure. The intrinsic content of the Bill, its financial ramifications, leave those of us who have sympathy for country local authorities with very little room for any gratitude to the present Government. I will be interested to hear what the Minister has to say in justification of this measure. In the meantime he might be able to obtain a copy of the report from someone in the Public Works Department and so bring himself up to date with the Opposition.

HON. D. J. WORDSWORTH (South) [3.37 p.m.]: There has always been a great need for a country sewerage scheme and it has been of great benefit to country towns. I do not know why, but most of them seem to have been surveyed in heavy clay pans, particularly in the wheatbelt. A feature of country towns prior to the installation of the scheme had been a truck parked in the local hotel yard into which was pumped the sewage which was then taken and dumped at the local tip.

Most country homes have difficulty in keeping leach drains in action. I suppose that when towns were surveyed there was a shortage of water and the only water available was that taken from the roof and used in the household or the garden. The night soil would be collected every evening.

While it is good that country people have had a subsidised scheme which has involved a maximum rate of 20 cents in the dollar, difficulties have been experienced in the past when a revaluation has been carried out in a shire. I have in mind the town of Jerramungup.

A scheme was proposed to the shire and it had to go out and sell it to the local citizens, who were told what the cost would be. The people of the town agreed to it. However, within a couple of years the town was subjected to a revaluation.

While shire rates are reduced when values go up, when one is on a maximum sewerage rate, it does not respond in the same manner as shire rates. Suddenly we found that the sewerage rates in Jerramungup were doubled. This meant that the Government got out of its obligations. The householders originally faced with a bill of perhaps $100 were then faced with one of perhaps $200. People become aware of the problems involved when it hits their pockets. I recall what happened to me with my own house in Esperance.

We had an ordinary septic tank, as everyone else did in the town, but the port authority bought some land behind us which it decided to use as a dump for minerals. After a few years it was realised there was no hope of using the land for that purpose so the land was to be sold. It could not be sold unless it was subdivided, and the council put a sewerage obligation on all the subdivisions. The sewerage passes our back door at a depth of 28 feet. It costs me $700 a year because it passes my gate. These are the sorts of costs house-holders incur when sewerage is deemed necessary in Esperance.

The water level in the area where the Esperance shopping centre is situated is some four to five feet, so the hotels in that area were having difficulties with drainage. The Pier Hotel ran a pipeline out along the local jetty into the sea, not far from one of the popular beaches. The people of Esperance saw a need for sewerage in that area and it was put in and extended to other areas in Esperance. Now a subdivision cannot be made without a sewerage requirement, regardless of whether the blocks are situated on a sand heap 100 feet deep.

I am concerned for my electors. I have seen other towns hit severely under this subsidy scheme. If retrospectivity is to be incorporated in this Bill, the people will be responsible for paying back debts. If that is the case, costs will continue to be high. Therefore, I have difficulty in supporting this part of the Bill.

Debate adjourned, on motion by the Hon. Fred McKenzie.

Sitting suspended from 3.44 to 4.00 p.m.

QUESTIONS

Questions were taken at this stage.

PUBLIC MEETINGS AND PROCESSIONS BILL 1984

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. J. M. Berinson (Attorney General), read a first time.

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [4.20 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Police Act by repealing section 54B of that Act and replacing that repealed section with legislation to regulate the use of streets and thoroughfares for meetings and processions.

Many people consider section 54B of the Police Act to be unreasonable and this Bill honours an election commitment made by the Government to repeal that piece of legislation and replace it with more appropriate law.

The Public Meetings and Processions Bill 1984 departs from the scheme of section 54B of the Police Act in that it applies only to streets, thoroughfares, and like places, not to public places such as parks where the likelihood of disruption to passersby is minimal.

It contains a provision which enables persons intending to hold meetings within the Act to apply to the Commissioner of Police for a permit. In recognition of a basic right of orderly assembly, such application is not mandatory but is positively encouraged by conferring a benefit of immunity from conviction for offences relating to obstruction of the movement of traffic or pedestrians upon persons participating in an authorised assembly.

The Bill includes a right of appeal to a magistrate against a rejection of an application for a permit, against any limitation or conditions, or if it is considered that the application has not been dealt with expeditiously.

The Bill provides that applications for permits can be lodged at any police station at least four days prior to the proposed meeting, or some lesser time by arrangement, and that a permit can be issued, or refused, by the Commissioner of Police or an officer of police authorised for that purpose.

The Bill provides also that in the event of an applicant for a permit providing less than four days' notice to the Commissioner of Police, the right to appeal is lost.

As well as providing the immunity referred to previously, a meeting conducted substantially within the terms of a permit issued by the Commissioner of Police or order made by a magistrate, will be protected from interference by disorderly behaviour by constituting such behaviour an offence punishable by a fine of up to $200.

A similar penalty applies to any person who, at an authorised meeting, interferes with the passage

of certain emergency vehicles. It provides also for an offence punishable by a fine of up to $200 for a participant in an authorised meeting impeding or disrupting the use of a street beyond the extent authorised.

The police retain their power under section 54A of the Police Act to disband any public meetings, whether authorised or not, which become disorderly, by calling upon the assembled persons to disband and go about their lawful business.

It is the intention of the Bill to recognise a basic right for citizens to assemble lawfully without the necessity of obtaining permission, but to provide a means whereby positive benefits are conferred upon persons participating in meetings which are responsibly organised by being conducted in co-operation with the police by prior notification to the Commissioner of Police and submission to terms and conditions imposed by the commissioner or a magistrate.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. John Williams.

VALUATION OF LAND AMENDMENT BILL 1984

Returned

Bill returned from the Assembly without amendment.

MAIN ROADS AMENDMENT BILL 1984

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. Peter Dowding (Minister for Planning), read a first time.

Second Reading

HON. PETER DOWDING (North—Minister for Planning) [4.25 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of this Bill is to clarify the manner in which officers of the Main Roads Department may be appointed.

The Bill seeks to provide for appointments to be made by the Minister on the recommendation of the Commissioner of Main Roads and also to validate previous appointments made by the Governor-in-Executive-Council and the commissioner. Furthermore, the Bill makes provision to allow the Minister to delegate his power of appointment to the Commissioner of Main Roads where he considers it appropriate.

By way of background, section 9 of the Main Roads Act provides that the Commissioner of Main Roads is a body corporate. For the purposes of carrying out the provisions of the Act the commissioner obviously needs funds and staff resources.

Provision for raising funds by way of loans is contained in section 9A of the Main Roads Act and revenue by way of vehicle licence fees and fuel franchise levy is provided under the Road Traffic Act and the Transport Act respectively.

The other major source of funds is by way of grants from the Commonwealth Government under the Roads Grants Act and the Australian Bicentennial Road Development Trust Fund Act.

It will be seen, therefore, that the control of moneys for the purpose of roads is determined by the Government of the day. In arriving at decisions relating to finance the Minister and the Government obviously have the recommendation and advice of the commissioner.

In relation to the other important element of any organisation—the engagement of staff—the existing provisions of section 10 of the Main Roads Act provide that the commissioner, with the approval of the Minister, may make use of the services of any officers and employees of the Public Service, and the Governor may appoint any person to be an officer or employee of the commissioner for the purposes of the Act.

In addition, there are other provisions relating to casual employees, cadets, and students who can be engaged by the commissioner.

The practice which has existed for many years—in fact it is not known for certain when it first developed and may even go back to the very first appointments—is for the approval of the Governor-in-Executive-Council to be sought after an officer has taken up duty. This meant, of course, that retrospective approval was being sought.

This situation, which has been the practice over many years, has applied to other appointments in Government agencies. Crown Law advice is that it is quite clear that the Executive Council has no authority to approve anything retrospectively. This legal advice was, I understand, also given to the previous Government. Action to remedy the situation was initiated, resulting in this Bill.

As the validity of previous appointments made by the Executive Council is, because of this opinion, believed to be in some doubt, the Bill seeks to validate those earlier appointments.

Provision is also made in the Bill to clarify appointments that have been made by the commissioner, because the affairs of the department had to go on, from the time since the submission of retrospective approvals by Executive Council has ceased as a result of that opinion.

The Government believes it is highly desirable that the status of the employees so affected should not be left in any doubt.

The Bill also proposes to change the arrangement whereby approval is given by the Governor-in-Executive-Council to that of approval by the Minister on the recommendation of the commissioner. It is considered this will speed up the administrative process. This also conforms to the general tenor of the Act in relation to funding. Furthermore, it is in accord with the Government's policy of Ministers having sufficient authority over Government instrumentalities for the purpose of defining guidelines. However, it is not intended that the Minister would be involved in detail in this area.

Therefore, the Bill authorises the Minister to delegate his powers of appointment to the commissioner on such terms and conditions as he thinks fit while retaining the power to appoint if necessary. These sensible procedures will enable the Government, through the Minister, to control general policy and leave the detailed appointment of individuals to the Commissioner of Main Roads.

This confirms and is complementary to the provision of section 11 of the Act which provides that every engineer and other officer shall in the exercise and charge of their respective powers and duties under the Act and in all things be subject to the direction and control of the commissioner.

The Government is not intending interference in day-to-day operations of such an important body. The commissioner will maintain his existing role of giving independent advice to the Government on road matters and of controlling day-to-day matters.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. D. J. Wordsworth.

VETERINARY SURGEONS AMENDMENT BILL 1984

Second Reading

Debate resumed from 1 May.

HON. C. J. BELL (Lower West) [4.30 p.m.]: The Opposition is not opposed to this Bill; in fact it supports its thrust. Our understanding of the intention of this Bill is that it will allow normal commercial arrangements for veterinary surgeons' businesses while maintaining the personal responsibility of veterinary surgeons.

One aspect of the Bill requires more clarification; I refer to the responsibility and functions of the inspectors to be appointed by the Veterinary Surgeons Board. The inspectors so appointed will administer the Act and will not be used to police the use of ethical lines by primary producers. It will not be an attempt to contain supply of ethical lines to primary producers and to control veterinary practices in the field by various regulations. With that assurance and that understanding of its intent, we support the Bill.

Of the other two provisions which lie in the Bill, one relates to the publishing of a list of veterinary surgeons, and this information will be an advantage to the public; and the other very simple provision, which appears to have been an oversight in the original Bill, deals with the matter of appeal provisions for veterinary nurses. It appears to be a matter of natural justice that that provision should be in the Bill.

With those few comments, the Opposition indicates its support for the Bill.

HON. D. K. DANS: (South Metropolitan —Leader of the House) [4.32 p.m.]: I thank the Opposition and the Hon. C. J. Bell for their support of this Bill. I readily give the assurances he seeks. The Bill says what it means and means what it says. It deals with veterinarians, veterinary surgeons and nurses only, and will not interfere with those practices carried on down at the farm.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. D. K. Dans (Leader of the House), and passed.

ACTS AMENDMENT (WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY) BILL 1984

Second Reading

Debate resumed from 1 May.

HON. W. G. ATKINSON (Central) [4.35 p.m.]: In this Bill we see an example of legislation being introduced into Parliament without the process of the now well worn word "consensus", something that is being continually championed by the Government, being practical.

In the last sentence of the Minister's second reading speech he said that industry members of the Western Australian Meat Industry Authority agreed to these amendments. I am not so sure. I will enlarge on this as I develop my speech.

I draw the attention of the House to the fact that the Government is currently conducting an inquiry which is examining all aspects of Govern-

ment involvement in the meat industry, and this inquiry was first advertised in *The West Australian* of 21 December 1983. The terms of reference of this inquiry as stated in that advertisement were as follows—

> The purpose of the Inquiry is to examine and report on State Government involvement in the meat industry, given the Government's commitment to meat marketing and processing. The Inquiry will consider the benefits and costs of such involvement and assess how well producers are served by private sector marketing. Recommendations must include changes required immediately and those required in the next ten years.

It goes on to say—

> The Inquiry is to include . . .

It is a rather lengthy set of guidelines, but I want to draw the attention of this House to the heading "Meat Industry Authority" and to the following term of reference—

> Is there a need for a statutory licensing system controlling the establishment and throughput of abattoirs?

Those are fairly wide terms of reference as will be seen when the report is released in the near future. I believe the report is due to be released in July of this year and the important findings that will come from the committee's report should also be considered when dealing with this Bill, especially in the field of abattoirs.

Accordingly, I strongly urge the Government to delay the passage of this Bill until the findings of that committee are available. Only then should we consider the matter, especially as none of the provisions in the Bill appears to have any great urgency. This would allow the consultation process to proceed with all aspects of the industry, and hopefully a better legislative result will be achieved.

The committee has been in the formulative stage since August of last year and was announced in a media release by the Minister for Agriculture (Mr Evans), which outlined some of the reasons for forming the committee of inquiry, stating that the meat industry was faced with a critical situation caused by a major downturn in stock numbers.

To illustrate that major downturn I will quote from the Minister's own Press release dated 16 August 1983 as follows—

> The total cattle turn-off had declined from 786 000 in 1978/79 to 696 000 in 1982/83. In the year to March 31, 1984, it was expected to fall by another 25 per cent to 520 000 and to continue at this lower level for several years.
>
> Sheep and lamb slaughterings had also fallen recently but were expected to rise from 3.9 m head in 1982/83 to 4.4 m by 1986/87 as a result of an increase in the proportion of breeding ewes in the flock.

It can be seen that as abattoir capacity expanded to meet the need caused by increasing numbers before this downturn occurred, the State was left with a major excess of capacity in the processing industry.

At the same time as the original build-up in numbers occurred, areas of the State were entering what has now turned out to be a long run of very dry seasons, and in some cases large areas of the State have been declared drought affected. Unfortunately that increased the turnover of stock and reduced numbers.

In 1976, the Meat Industry Authority was born at a time of shortage of abattoir and cold storage space. The present scenario is vastly different, with excess capacity in all sections of the industry. Market conditions fluctuated wildly in the intervening years with boom and bust in both the beef and lamb industries. The live sheep trade began to expand and rural members of this House will well remember all the industrial unrest that commenced. The AMIEU blamed the downturn in the meat industry for the increase in the export of live sheep. The industrial unrest is still simmering in this State, and it affects all sections of the meat trade, including the home market and what remains to producers of overseas markets. I remind members of the recent disaster that befell the beef export market to Japan. On his recent trip there the Prime Minister announced with some fanfare that after discussions with the Japanese Prime Minister agreement had been reached to maintain the percentage of Australian beef entering that market. Obviously everything looked rosy, but subsequent events showed the Prime Minister was too quick to claim credit.

Hon. D. K. Dans: You forget the lobbying power of our friendly American allies.

Hon. W. G. ATKINSON: I admit we are miles behind.

Hon. D. K. Dans: They buy a lot more from Japan than we do.

Hon. W. G. ATKINSON: The Japanese announced that the beef quota would be increased but as the Minister correctly said, the extra quota went to the Americans. As a result the Australian producers and processing industry are poorer. The Japanese market is not an important one for the Western Australian producer but it has an effect

on the percentage of beef forced back onto the home market from other world markets. I trust the Prime Minister and his Government will continue negotiations with the Japanese to regain our percentage of a very important market.

By now most members of this House will be aware of the serious position of many primary producers and of the importance of maintaining existing market levels and prices. The shortage of stock has led a number of Western Australian abattoirs either to close completely or on a seasonal basis. This has led to fairly intense competition to obtain livestock in order to maintain throughput at an economic level. This seasonal operation has severely affected not only the owners of abattoirs, but also the livelihood of abattoir workers, with consequent industrial disputes. That is unfortunate because it puts further pressure on the already poor position of the meat industry resulting from shrinking world markets and falling consumption per head at home.

The conditions in which the Meat Industry Authority was formalised have changed from one of surplus supply of stock and a shortage of abattoir capacity to a surplus of industrial capacity, so much so that the need for the authority must be questioned, bearing in mind that today's conditions are a complete reversal of the situation which applied at its formation. The authority currently controls works of different types for the export market and local consumption, and different forms of inspection apply to meat for overseas and local trade. This creates a number of difficulties because local inspections have been carried out by the Department of Public Health and export inspections by the Department of Primary Industry. It seems they cannot always agree on the methods adopted.

The Public Health Department's duties in abattoirs in country areas or those operating part-time are delegated to country local authorities which, in the main, provide an excellent service although charges and inspection methods vary from shire to shire. The industry would be better served if the Public Health Department were responsible for inspection at the retail level, rather than at the point of slaughter, and the Department of Primary Industry controlled the point of slaughter.

The Bill seeks to provide authority to vary the capacity of individual abattoirs. On initial reading this does not seem to raise any real problems, but it may prove a headache for small abattoirs in Western Australia, particularly those which were brought into operation at the time of the downturn in numbers of livestock. They are now living in hope that the industry will improve so that they can increase throughput to their allocated capacity. I see a danger in this capacity being varied at short notice, particularly if it is intended to divert large numbers to the Government works which would disadvantage those works the capacity of which is changed.

In his second reading speech the Minister said—

> Subsequently, a very successful campaign has been conducted promoting "Tender Gold" beef.

I seriously question this statement and I find it hard to believe. It indicates a lack of consultation with the industry, as the opinion of the Meat and Allied Trades Federation reveals. I quote from a letter from the Federation as follows—

> The original "Tender Gold Beef" promotion was not a success, as he claims, IT WAS A DISMAL FAILURE.
>
> The qualifying parameters were too wide. Inferior type cattle, within the guidelines caused substantial consumer/retailer backlash.
>
> Mr B. Gabbedy, Agriculture Department, defensively, publicly, accused processors of blatant abuse of the system, but was then obliged to apologise and admit that the fault lay with the loose guidelines.

Major retailers have not supported the concept and although the federation supported the scheme it certainly has not enjoyed the success claimed by the Minister in his speech.

The Bill also contains an expansion of the definition of "primal cuts". Again, I am using the federation's information on this, because I believe it is closely associated with the trade and probably has the best knowledge of it. The federation's letter states—

> We are not aware of any section of industry or any individual who has indicated a wish to brand primal cuts.
>
> The logic of this proposal escapes us, as in fact due again to M.A.F.T.A's insistence that in view of the inherent theme of tenderness, the gold brand was only to be applied to the hind-quarter of which all primal cuts are of an external nature and capable of being branded in the first instance.
>
> The fact that the Ministers Notes refer to the definition of "The whole, halved or quartered animal", in the instant context indicates that he has not been kept advised of changed circumstances.
>
> The only other implication is that it is proposed to brand primal cuts from eligible but unbranded export beef after "break up" in the boning room.

The letter continues—

> It is of even greater concern, in view of the established and substantial instances of substitution in the Eastern States, that there should be the potential for substitution by groups outside the jurisdiction of the proposed State legislation that would again place our members in jeopardy.

I refer to the regulation of the sale of branded meat; the "Tender Gold" process has been developed by CSIRO and some comments from the letter are relevant to the debate. I quote as follows—

> In February this year at the C.S.I.R.O. Canon Hill Research Centre, the Officer in charge of CONTINUING electrical stimulation research, confirmed that there was a 10% low voltage and 8% high voltage failure rate and doubted that this tolerance factor may ever be reduced, due to various intangible matters.

It is, therefore, evident that there is no positive way to determine whether, in fact, any carcase or part of that carcase has been electrically stimulated. Obviously capability is built in for substitution and although I trust it would not occur, it is possible.

In many ways we should move towards the compulsory branding aspect of the Bill. However, I feel the Minister should seriously consider deferring this Bill until the report of the committee is forthcoming and time has been allowed to enable industry to be consulted in this matter.

I refer to the provision of abattoir licences. Again the comments of the Meat and Allied Trades Federation on the potential to cause economic trouble to the smaller abattoirs are quoted as follows—

> Any regulation of this area has the inherent potential for unfair discriminatory practises, with substantial detriment to those disfavoured, and the distinct possibility of flow on to the producer.

We have already seen the distinct possibility of the flow-on of costs to the producer in another way. Earlier this year the Government directed the WA Lamb Marketing Board that it should send a certain percentage of its kill to the Robb Jetty works after the board had made an economic judgment to use the Linley Valley works. In fact, after the Government had moved in that direction, it allocated $10 000 compensation to the board for its having to use those works. It is worth repeating the question I put on Tuesday, 3 April 1984, as follows—

> ... could the Minister give details of the likely increase or decrease in returns to producers if—
>
> (a) the board were allowed to move all or part of its kill from Robb Jetty to Linley Valley;
>
> (b) the board, as directed by the Minister, continues to use Robb Jetty for a significant part of its kill; and
>
> (c) the board accepts the $10 000 offer of compensation for continuing to use Robb Jetty?

I will not read the whole of the answer but the answer to (b) was that, "The WALMB estimated that it would incur identifiable costs of $24 000 between 19 March and 30 June 1984. These additional costs are due mainly to the drafting of lambs by the board's field staff in order to ensure that the right types of lambs are directed to the appropriate abattoir". The answer to (c) was "$14 000".

Of course, the producers' returns will be reduced by that amount, and they are only the identifiable costs. Other costs in which the board could make savings cannot be identified. There is a distinct possibility of flow-on of costs to the producer occurring.

I return to the letter from the Meat and Allied Trades Federation, which summarises some of the points I previously made. It states—

> As representative of the interests of private abattoirs, and the wholesale and retail meat industry respectively, Members have never put the proposed provisions to, or have been authorised by their appropriate Executive Committee to agree to any such proposed amendments to the Act.

It can be seen from this opinion from the industry that there has been very little, if any, consultation on this matter.

Hon. J. M. Brown: What do you call the industry?

Hon. W. G. ATKINSON: The processing industry. Certainly I have been quoting the effects on producers because if the processing industry is interfered with, the costs come back to the producers because those people bear the brunt of the rises.

Once again I urge the Government to delay this Bill for sufficient time to take note of the committee's findings. I applaud the Government for putting the committee of inquiry into action but I hope it will delay passage of the Bill in order to take those findings into account, particularly in

relation to the export works at Robb Jetty and the very existence of the Meat Industry Authority.

HON. D. J. WORDSWORTH (South) [4.58 p.m.]: I commend Mr Atkinson on his contribution to the debate; he has covered the subject very well and asked the Government a number of questions which should be answered.

I believe the Government should do as he requested and delay this Bill until such time as the report has been fully investigated. He raised a number of matters into which I shall not go other than perhaps drawing attention to them.

Mr Atkinson referred to the Marketing of Lamb Act and the manner in which the Government forces the board to market lamb. The marketing was done in such a way that it benefited certain unions. I think it was a shocking provision. I have never been a great supporter of the Lamb Marketing Board and I hope the lamb industry is aware of the situation in which it has allowed itself to become involved. I hope that the beef industry does not do the same thing, but I am beginning to wonder if it is not doing it when I look at some of the provisions of this Bill.

The Hon. Gordon Atkinson has already mentioned the promotion of the "Tender Gold" beef brand as not being successful. Of course, that is based on carcase characteristics and pre- and post-slaughter treatment. The pre- and post-slaughter treatment refers to how the animal has been hung after slaughter, and whether it has been treated with electricity. However, one of the major aspects is whether the animal has been grain fattened.

The PRESIDENT: Order! I draw the attention of honourable members to the fact that I earlier said there was far too much audible conversation. I have already received a complaint from the Hon. Graham MacKinnon that he finds it difficult to hear. I ask honourable members to cease their conversations.

Hon. D. J. WORDSWORTH: Because of the large amount of grain fattened beef now reaching the market, particularly during the first half of the calendar year, the definition referred to should take greater precedence.

In the Minister's second reading speech, the following appears—

> This amendment provides for the branding of imported carcases to be handled in the same manner as the branding of locally produced carcases of the same species.

I ask the Minister to tell me whether Western Australian carcases will have noted on them that they are Western Australian, and that imported carcases will indicate that they have been imported. I also ask whether there is a requirement interstate to brand carcases in the same manner as ours, with age, sex, etc., and whether the imported beef will be branded as locally grown.

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.03 p.m.]: I am an accommodating person, but I am afraid I cannot agree to the deferment of this Bill, because it is an industry Bill. Despite what some speakers said when they were addressing themselves to the Bill, they have been led astray by dissident groups. I used to fall for that trap when I was a member of the Opposition, and I have fallen for it more often since I have been the Minister.

Hon. A. A. Lewis: The Hon. Peter Dowding does it all the time.

Hon. D. K. DANS: When a Minister discusses legislation with the executive of the Trades and Labor Council, the Confederation of Western Australian Industry (Inc.), the Perth Chamber of Commerce (Inc.), or any other group, he talks to them and comes to agreement with them, and they say, "Well, this is what we want you to do". They all shake hands and walk away; but then they go back and talk to a larger committee or the mass membership, and they come up with a completely different answer. After a while, one learns to live with that sort of thing.

I will make a few general observations—

Hon. G. C. MacKinnon: How long do you have to live before you learn to live with that sort of thing?

Hon. D. K. DANS: Mr MacKinnon knows I have lived with that sort of thing for many years.

In the first instance, I could possibly go along with the Hon. Gordon Atkinson in saying that the "Tender Gold" stamp on beef was not a success, but I am sure that if the provisions of this Bill are instituted so that smaller cuts are available with the stamp on them, and the proper promotional methods are used, it could be a great success.

Let me give an example of how primary industries can be trapped, as I see it as a city dweller. I will take licence just for a while and stray from the Bill. Let us take the attack on the dairy industry of margarine *v.* butter. In my opinion—and I have said so in this House—that was the greatest advertising campaign this country has ever seen. It was backed up by many unqualified "medicos" who spread the thought in the community that somehow or other margarine was better for one, and that if one happened to use margarine it was not as fattening.

Hon. G. E. Masters: They never convinced me.

Hon. D. K. DANS: The fact is that that is not true. If the primary producers had been properly organised in terms of marketing and advertising, and if they had been properly led, they would have been able to fight back.

Someone just said that margarine is easier to spread. That happened as a spin-off after the campaign had got under way and our dairy industry had been just about destroyed. Along came the thought, "Well, it is easier to spread".

The point is that margarine can be coloured in any colour one likes. It can be pink, black, blue or whatever. That was a very good example of our primary producers being excellent farmers and excellent producers, but very bad in the marketplace in promoting their own products. I say this advisedly.

If members think for a few moments, they will realise that is exactly what is happening to the beef and red meat industry in Australia. There is hardly an occasion that one does not pick up the paper and read how bad red meat is for one. People go out and their hosts say, "Well, we're having chicken tonight", "We're having fish", or "We're having anything but meat".

Hon. I. G. Medcalf: And no salt on it, either.

Hon. D. K. DANS: This aspect is growing all the time. We look at the consumption of beef throughout Australia and we find that last year it dropped alarmingly.

I do not mind chewing on a bit of beef as long as it has flavour. I do not mind a bit of fat on meat, because I do not think it will kill me stone dead if it should touch my lips; but most people have been brainwashed into thinking that an apple with a bit of a sun blemish on it is no good; that an orange that does not look quite round is no good; that meat with a little bit of fat on it is no good; that meat one has to chew is bad.

I have just been in the United States, and that was not the first time I was there. Even during the war, when I was serving with the American Seventh Fleet, I did not like the American food. When I came home from the United States this time, I was nearly starving because I liked the food there even less. In pursuance of the perfect piece of meat, the meat that one does not have to chew, and the chicken with four legs, the Americans have completely taken all the taste out of food. I am not trying to be smart. One can eat a bit of beef and it tastes like turkey; one can eat turkey and it tastes like pork, or anything else. It just has no taste.

This Bill is trying to do something in the interim period before the committee reports. That is all it is trying to do. The report into the Government involvement in the meat industry will deal with aspects of this Bill. The terms of reference cover the Meat Industry Authority; but at present the authority has no legislation to put its meat classifications into effect. It must regularise the position. In other words, it will have another go at branding the beef.

The Government should be congratulated for trying to resurrect the industry. I can well understand the needs of the Meat and Allied Trades Federation. We are dealing with the people who grow the meat, in the main, and how we want to get more people to eat more meat.

After all, if we think about it for a moment, and without wanting to be blood-thirsty, the meat-eating nations of the world have normally been the most successful in colonisation and in every other way. It has always been said that it is much easier to get a fish-eating nation to start eating red meat than it is to get a meat-eating nation to start eating fish.

I do not believe the bunkum that has been spread about red meat. The purpose of this Bill is to give it a little wind-up. What I am really saying is that it will be next year before the committee reports. Even if the report were received next month—it may be—it would be about 12 months before any legislative changes could be put into effect. The report must be received, studied, and legislation prepared. Twelve months is too long to wait, because the producers want meat classification. I hope that when the meat is classified and branded, it will do something for the industry.

I would like to go further, but I am only a city-slicker. We should be getting people to say we have the best meat in the world. We might have to chew it a bit, but that does not hurt our teeth.

I remember attending a dinner with a previous Premier (Sir Charles Court). The chairman of the night was sitting between us and he said to Sir Charles, "You don't eat that, do you?" Sir Charles then made what I thought to be a real quotable quote, because he said, "I eat everything. I am always hopeful that something may be good for me". That is just about the long and short of it.

The meat industry wanted the provision relating to the control of abattoirs and the ability to increase or decrease the amount of throughput that an abattoir is licensed to kill. The industry asked for that.

I have some notes from the Minister in another place. I know it has been said that the Meat Industry Authority did not know the measure was introduced, but that is not correct. For more than a year the MIA has sought the power to regulate the kill at abattoirs. This is why during the first

part of this speech I paid some attention to how at times we might reach agreement with some people and believe that we have reached agreement with all the people. I am sure that Mr Masters, Mr Medcalf, and any other member who has had to deal with groups before, knows what I am talking about. Many an agreement is made in an office, so we believe, but when the people meet with the rest of their group we find that in fact no agreement has been reached. We find the same situation with P & C associations.

It is possible that one member of the Meat Industry Authority who had attended only one meeting did not know of this policy. It is true that the MIA did not get a copy of the Bill, but this has been its long-term policy. It is still pressing the Government to have this adopted.

I think we should all support the Bill. After all, it will be 12 months before work on the report is completed. When the report is completed, it will come to the Government and members of both Houses will then have a clear picture of what is required. If we then find deficiencies with this Bill, those deficiencies could be remedied at that time. It would be a folly to allow this to lie over until the report is received and transformed into some kind of legislation to be brought to the Parliament.

It is true the Prime Minister reached an agreement with the Japanese Prime Minister. It is evidently true the Japanese Prime Minister and our Prime Minister did not know the power of the bureaucracy in Japan. It is well for us to remember that where national interests are concerned, the national interests will be served.

A great deal of the United States' economic problems have been blamed on the Japanese by the men and women in the street. The Americans believe there is a need for some cross-trading, and we cannot blame them for thinking that, because it is in their interests that this should occur. America is able to bring considerable pressure to bear in respect of what it will buy from and what it will sell to the Japanese.

My own thoughts are that while trade commissioners and others may do a very good job in endeavouring to promote our products overseas, it is about time, particularly with our primary industries, that we engaged the best possible marketing experts we can lay our hands on. While this is not a subject in which I have a great interest generally, I do take a close interest in what happens in my own electorate, and I know that what happens in primary industries in Western Australia is of great importance to the people who live in my electorate. I have seen the demise of the Anchorage abattoir there. I have seen a fall in throughput at the port for the first time in the history of the Fremantle Port Authority. I understand that the Fremantle Port Authority lost over $1 million last year, despite its being one of the most modern ports in Australia and perhaps the world. This is the result of the products of the mine, the forest, and the farm not coming through in the amounts we would like.

If members want a good economic indicator, they need not read all the learned economic books by the professionals; all they need do is look at our ports. Our ports are like windows into the world. When we look around and see empty berths and we read the shipping reports—I get the commercial shipping information all the time—we realise how badly off we are.

I was very interested to read a statement by John Kerin the other day. He is a person who has the interests of primary producers at heart. He said that many primary producers would have to leave their farms.

I am aware that primary producers are at the end of the food chain. They cannot pass on their costs. But if a Bill like this comes forward endeavouring not to restrict but to assist the sale of meat on the home market, we should support it. What is happening to the consumption of red meat in this country is disastrous.

I have a friend who is a wholesale butcher, and I agree with him that red meat at $6 or $7 a kilo is still a better and cheaper buy than two chickens, because we get plenty of protein, no bones, and it tastes very nice. We might get a bit of fat, but overall it is very satisfying. In my experience, if we get up from the table after eating a lump of beef, we do not feel hungry. I am not trying to be funny when I say this.

We should give this Bill a second reading. If in 12 months' time the report of the committee indicates that we have done something disastrous, that will be the time to bring in an amending Bill. Members know as well as I do that the Minister for Agriculture (Mr Dave Evans) is a very dedicated man with a background in this area. He would not introduce anything into the Parliament if he had not consulted with industry and if he did not think it was in the best interests of the people who produce the meat. They are the people we are talking about.

I can understand that some of the people in the retail trade might not want to have a gold stamp on a small piece of beef. I know that when that scheme was in use previously I heard it said jokingly at the football that people around Mr Lewis' area were whacking gold stamps on meat willy-nilly. That is the sort of action that kills the trade. We should give it another go; if it does not work we should see our marketing people to ensure that

next year we have stopped the 10 per cent or 12 per cent drop in consumption of red meat and have in fact upped the consumption beyond that.

Hon. V. J. Ferry: That is your beef.

Hon. D. K. DANS: It is my beef. We must consider the fact that Colonel Sanders' chicken is advertised on the radio and the television about three times a day.

I can recall when I was involved in the potato inquiry many years ago I pointed out that if anyone wished to hear a good success story about a primary product in Australia it was the Australian rice industry. Years ago hardly anyone ate a grain of rice, but after the women's magazines had all sorts of inserts with recipes, etc., tonne after tonne of rice was sold. Unfortunately that is not done with many of our other primary products.

We have some of the best produce in the world, and this legislation is a small step. We need a lot of pushing if we are to market things—and today is the day of the market expert—and get results.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (the Hon. John Williams) in the Chair; the Hon. D. K. Dans (Leader of the House) in charge of the Bill.

Clause 1: Short title—

Hon. W. G. ATKINSON: I was pleased to hear the comments of the Minister. I am beginning to wonder whether he is wearing the wrong ministerial cap; perhaps he should be wearing the cap of agriculture—it might fit him a bit better than the cap he is wearing at present.

I departed from some aspects of the Bill in order to give members a general run through on the aspects of the meat industry. However, I am disappointed that these proposed changes are seen to be urgent. I agree the branding provisions should be given another try; possibly this time if they are to succeed the major retailers need to be onside. If that occurs I think it could be successful.

However, there are a number of aspects which cause me some lingering doubts, particularly the authority of the Western Australian Meat Authority to vary an abattoir licence at short notice. That could affect the viability of the smaller abattoirs considerably and lead to further closures.

Another aspect the Minister may be able to clear up for me relates to the branding of meat coming from interstate. I would like to know whether importers will be licensed to use the gold brand, or whether that is reserved for Western Australian meat.

Another aspect I question is the branding of lamb which is coming to this State. Most members would be aware that the amount of lamb coming to this State from the Eastern States has risen considerably. It may be of interest to members to note that in the financial year 1983-84—that is, up to 9 April 1984—the number of carcases was 208 000. This would mean a loss of throughput to our own abattoirs and a depreciation in prices for producers. I realise that that is of benefit to the consumers, because currently they are enjoying a reasonably priced product.

I would like the Minister to give an assurance in respect of the branding and the abattoir licences. I hope the abattoir licences will not be varied willy-nilly without due regard to the consideration of economic viability.

Hon. D. K. DANS: For a number of reasons I do not think the gold brand could be confined to Western Australia. I do not think the importation of meat or any other commodity into Western Australia could be stopped because of section 92 of the Constitution. However, there is nothing to stop us putting a brand on beef or lamb, say with a Western Australian imprint. It would be desirable—we could have "Gold beef Western Australia "and "Gold lamb Western Australia". We would not have to put the logo on it, but I am sure that could be done. I cannot give an assurance, as the Hon. Gordon Atkinson would know, but I can recommend it.

With regard to the question of closing down abattoirs willy-nilly, I am sure that that would not be done. If that were to be attempted in Cabinet I would be the first person to voice my opinion and I would bring the matter to this place and report to the members of this Chamber my abhorrence of such a scheme.

I do not think it would happen because with this Bill we are trying to do the best for the community. The people on the authority are those who operate abattoirs. It would be foolhardy to chop and change with no reason at all. I can give an assurance that no cavalier attitude would be taken on this question.

Clause put and passed.

Clauses 2 to 8 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. D. K. Dans (Leader of the House), and passed.

COUNTRY AREAS WATER SUPPLY AMENDMENT BILL 1984

Second Reading

Debate resumed from 1 May.

HON. W. N. STRETCH (Lower Central) [5.30 p.m.]: This Bill was foreshadowed to some extent and set in motion by the previous Government. Therefore members will not be surprised to know that the Opposition agrees with most of the Bill. The first section clarifies the position of people holding land under the War Service Land Settlement Scheme Act. Some of them have been in an invidious position when presenting claims for compensation. This provision allows the Government to pay compensation for resumed land in water catchment areas, and mainly involves the south-west of the State.

A further sensible move is that the definition of the land in question is amended from "situate within the area to which this part of the Act applies" to "controlled land". Acquired land takes on a slightly different flavour because until this Bill was envisaged, land exchanged as compensation had to be within the same area as the original land. The clause allows the department to exchange land it has acquired in areas outside the controlled catchment areas. At first this provision was regarded by several country organisations as a dangerous step giving the department unfettered power to acquire land. However, on closer inspection members will note the provision, "if the claimant agrees". Therefore, the Opposition is reasonably happy because the landholder being offered the land would have to agree to accept the exchange being offered by the department.

On page 6 provision is made for the department to make advance payments of compensation due. To clarify the need for that I quote from an article in the *Daily News* of Tuesday, 13 September 1983 headed, "Farmer hits back". The article stated as follows—

> A Mt Barker farmer said today he had received huge interest payments from the State Government because of bureaucratic red tape.

It continues—

> Interest built up at $100 a day during this time.
>
> The Government has claimed farmers may have been deliberately delaying settlement of claims to increase their payout.
>
> Interest at various rates up to 19 per cent applies to each claim from the moment it is lodged.

It can be seen that there is a need for provision in the Bill to speed up settlement wherever possible, otherwise there is a possibility that this legislation would enable claims to roll on with the Government facing an ever-increasing bill for interest on these compensations. It is a sensible provision and has given the department the ability to offer any claimant an advance payment on the money owing to the claimant. The claimant has the right to accept or refuse it without prejudicing his right to further compensation. However if he refuses it, the interest ceases thereon and the department has fulfilled its obligation to pay further interest on the amount so offered.

We are concerned at the 30-day time limit during which the claimant can accept or refuse that offer. We feel this period is too short. It may look satisfactory but when considering the legal implications involved in accepting or refusing such an offer, a 60-day or 90-day limit would be more reasonable. I ask the Leader to consider that point for further discussion in the Committee stage.

Section 12EC of the Act is amended so that either party, the Government or the claimant, may initiate settlement. That is a sensible move to hasten settlement, thereby saving the Government further expenditure on claims. Provision is also made in that amending clause for each party to bear its own cost. We have one reservation on this amendment. At present if a claimant has been offered a valuation which he refuses to accept, he may request a further valuation to be carried out at the department's expense. That is reasonable because it gives landowners protection against ridiculous valuations and in the early stages there were some ridiculously low valuations. It is reasonable and fair that the costs should be incurred by the department because that makes the department more careful in carrying out such valuations and gives the farmers some protection. Members do not need reminding of how unpopular this legislation was—the previous Government introduced it and we are well aware of the unpopularity of that legislation. I would like an assurance that the provision that each party will bear its own costs does not refer to valuation costs if the claimant requests a further valuation. That provision may be within the Bill but I have not been able to locate it.

The remainder of the Bill covering fire brigade regulations and collection and withdrawal of infringement notices is acceptable to the Opposition. The general thrust of the Bill is acceptable.

We recognise the problems faced by the Government in carrying the escalating cost. We shall be liable for more compensation as time goes on. We salute the steps which have been taken.

The problem of salinity in the south-west will not go away; we shall be faced with more and more claims for fresh water in the future. The actual limitations on our water systems are such that we must look forward to even more such claims as these. Therefore, we should be very careful that the provisions we include in the legislation will cope with future demands as well as remedy the problems which have arisen since the scheme first came into operation in 1978.

We support the Bill and we shall debate further aspects of it in the Committee stage.

HON. A. A. LEWIS (Lower Central) [5.39 p.m.]: I support many of the provisions of the Bill although I am extremely worried about certain aspects.

I supported what the previous Government did and I do not think that anyone with concern for the future of Western Australian water supplies could do otherwise. We are now in the situation where some farmers with whom agreement was made in December 1982, and who borrowed money in January 1983, cannot get the Government to move fast enough to take over these properties and make the exchanges.

It is very unfair to put the onus on the farmer without putting it on the Government. I have yet to draft an amendment to the effect that if Government does not complete the contract within three or four months, the interest is doubled, or something horrific like that. The Government department must spring off its tail and get the business moving. One man applied to borrow money in January 1983. To this day the agreement is not ready. The departmental surveying took only 11 months, although the Department of Lands and Surveys has 587 surveyors! Then one has to get title to the land.We as parliamentarians and as a Government made the decision that we wanted this land. If we cannot do something better than this in 11 or 12 months, it is time things were improved. It has taken three months to draw up a simple transfer. That is unfair, and I think the Minister should look at arranging some amendments to put an onus on the Government to look after the people it is dealing with.

I will give credit to the Hon. Graham MacKinnon. When he was Minister for Works he really clawed and scratched to get various departments to look after the people who were having land taken from them where the normal expectation was that they would have been able to clear that land and farm it. He understood that.

Unfortunately the Premier made some ridiculous statements about payment for land, interest payments, and so on. One of these media geniuses he employs as an adviser probably fed it to him. He has been proved completely wrong; not 10 per cent or 50 per cent, but about 300 per cent wrong. Instead of $180 million the figure is about $60 million. But is there any retraction from Mr Brian "hit-and-run" Burke? No, he has had his publicity and now he has retired from the action, as he does with everything else. He insulted every farmer who had been trying to deal with the Public Works Department. He had got all their backs up. That did not worry him because none of them would have voted for him. He disregards those who do not vote for him. He disregards the truth.

There is a serious problem here. The Government must impose some conditions not only on the farmer but also on itself to fulfil the contract within a certain period.

A couple of other things worry me. The Hon. W. N. Stretch dealt with costs. The Government gave a firm undertaking that another valuation would be paid for by it. Instead of using the Valuer General, a private valuation would be paid for by the Government. I do not believe Governments can walk away from that promise, and as the Hon. Bill Stretch said, it should be only legal costs.

Finally, a rumour is going round the south-west that many of these areas which are being taken over by the Public Works Department will be cleared and planted with pines. This Government should say here and now that no land resumed under the Country Areas Water Supply Act will be planted with pines before any clearing of that land is started.

Those are the important points I want to make. I agree with the general thrust of the Bill, but the practicalities of it are different. Governments must face up to the situation. It is not just this Government by itself, it was the previous Government as well. Governments are as slack as hell. No-one has sprung off his tail and really thought of those farmers who have been told, "We will take your land, but we will take our time giving you the money".

They have had some advantages, but they do not know what they will get in the final instance. It is only because some Ministers will not grasp the nettle and say, "Let us get cracking, we will take the Hon. Fred McKenzie's house and farm, we will get a valuation on it tomorrow. If the Hon. Fred McKenzie disagrees he can get a valuer and we will pay the valuer and we will get it done the day after". Then the Crown Law Department will be able to make an agreement and get the thing moving.

We on both sides of the House have put up with this laxity and slowness to the detriment of people who are trying to make a living and trying to stop

farmers moving from one farm to another. I am sure you, Sir, will agree, because you have in the past talked about resumptions and other things. This is nowhere near the same situations you had; these only involve $400 000 or $500 000, where the whole livelihood of the man is involved, as well as his home. I am sure you, Sir, can understand what I am talking about.

In the main I support the Bill, but these things must be smartened up, and we will deal with it in Committee.

Debate adjourned, on motion by the Hon. V. J. Ferry.

ADJOURNMENT OF THE HOUSE

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.48 p.m.]: I move—

That the House do now adjourn.

Traffic Accidents: Canning Highway

HON. P. G. PENDAL (South Central Metropolitan) [5.49 p.m.]: I want to take a couple of minutes of the time of the House tonight to refer to a question which I placed on the Notice Paper today. Ordinarily members, including myself, would have the patience to wait until the answer was delivered to the House next Tuesday. In this particular matter, though, I am not sure that it can wait till Tuesday.

I refer to a matter that affects the people in my electorate who live around the section of Canning Highway between South Terrace and Thelma Street where a rather horrific situation is developing in respect of safety on the highway.

The matter was brought to the attention of residents in a very sad way on Tuesday morning of this week when, a little after 8 o'clock, a 16-year-old girl was critically injured while she was trying to cross Canning Highway. That was not an isolated incident. Only a fortnight prior to that a boy of approximately 10 years of age was struck by a motor car when he was trying to cross the highway at a point a little further north of where the girl was injured.

In that period as well, as I understand it, two minor accidents involving pedestrians have occurred. As well, a little over one year ago I understand a girl was seriously injured and spent many weeks in hospital as a result of being struck by a car in that area.

We have had a litany of tragic circumstances on this part of Canning Highway. There is no apparent reason for it and, for that reason alone, people are puzzled. As you, Sir, would appreciate, normally the authorities or residents are able to point to some obvious impediment as the reason that accidents are occurring. However, this is a straight stretch of highway without bends, without any visual impediment, and without any other barriers that might cause those accidents.

One of the disturbing features brought to my attention is that at a street called Comer, which is between the two points to which I have referred, a crosswalk was removed by the authorities 12 or 18 months ago. That is in the vicinity of the Como Post Office where this accident occurred on Tuesday of this week.

In the meantime, and I appreciate the Minister will deliver the answers to the House on Tuesday of next week, I ask, on behalf of the residents who have approached me, that the Government take some sort of immediate action before Tuesday.

On many occasions members of Parliament stand up in the House and warn that something might happen if traffic hazzards are not eliminated. The situation to which I refer is not like that. It is not a case of something that might happen in the next four or five days or the next week or two. It is a case of things having happened consistently over a 12 or 18-month period, possibly linked with the withdrawal of the crosswalk. If, however, the withdrawal of the crosswalk had nothing to do with the spate of accidents, and if there is no other obvious reason for an otherwise perfectly engineered stretch of highway producing so many serious accidents to schoolchildren, I put the proposition to the Government that it consider introducing into the metropolitan area, particularly on highways and important secondary roads, some system of schoolchildren's safety zone for a kilometre at a time where people, by law, are obliged to drive at a maximum speed as low as 40 kilometres an hour.

Many people might feel that would impede traffic, it would make them late for work, and would cause all sorts of other inconvenience; but I put it to the House without in any way overdramatising the position, that it has literally become a matter of life and death and that was illustrated in no sadder way than on Tuesday morning when that young girl was critically injured. She lies in Royal Perth Hospital at the

moment and her capacity to survive is very much at stake.

This matter is of great urgency and I ask the Leader of the House to convey that information to his colleague, the Minister for Police and Emergency Services, to see whether some urgent inquiries can be made before Tuesday in order possibly to prevent another serious accident between now and then.

Question put and passed.

House adjourned at 5.55 p.m.

QUESTIONS ON NOTICE

STATE FINANCE

Financial Institutions Duty: Tourism Commission

980. Hon. P. G. PENDAL, to the Minister for Budget Management:

(1) Has the status of the Tourism Commission for the purpose of paying the financial institutions duty been decided?

(2) If the commission is to be exempted from FID why should it, as a trading concern competing with the private sector, be given a competitive and financial advantage over private tourist operators?

Hon. J. M. BERINSON replied:

(1) Accounts of the Western Australian Tourism Commission have been exempted from financial institutions duty.

(2) As has been explained by the Premier in another place, the character or personality of the body exempted must be taken into account in determining the merit of any exemption granted.

As the member would be aware, charities are exempt from FID and may also compete with the private sector in some enterprises.

ROADS

Safety: Law Reform Commission Report

985. Hon. I. G. MEDCALF, to the Attorney General:

(1) Has the Government taken any action to implement the recommendation of the Law Reform Commission that highway authorities be required to take reasonable care to safeguard persons using the highways against dangers which make them unsafe for normal use so that those persons suffering injury or loss can recover damages?

(2) If so, what action has been taken?

(3) If not, when is it likely that some action may be taken?

Hon. J. M. BERINSON replied:

(1) to (3) The Law Reform Commission's report on liability of highway authorities for non feasance (project No. 62) is under active consideration.

COURTS

Oath

986. Hon. P. G. PENDAL, to the Attorney General:

(1) Has the Attorney General seen Justice Michael Kirby's comments in *The West Australian* of 17 April advocating the replacement of the religious oath sworn by court witnesses by a secular promise to tell the truth?

(2) Does the Attorney General intend moving in this way so far as WA courts are concerned?

(3) Has the Attorney General received any reports that members of the WA judiciary—

(a) Look to see whether Jewish witnesses touch the Old or the New Testament of the Bible; or

(b) put greater store on witnesses who insist on an affirmation?

Hon. J. M. BERINSON replied:

(1) Yes.

(2) and (3) No.

HOUSING

Aborigines: Bunbury

987. Hon. N. F. MOORE, to the Minister for Planning representing the Minister for Housing:

In answer to my question 948 of Wednesday, 18 April 1984, I was advised that the Bunbury Aboriginal Housing Committee was equally divided on the question of the tenancy of 40 Westwood Street, Bunbury.

However, the minutes of the meeting of this committee, held on 25 October 1983 and 23 December 1983 record a majority vote on both occasions in favour of Mrs Bellotti as the tenant.

Further the minutes of the meeting of the committee held on 14 February 1984 express support for Mrs Bellotti.

In view of this information—

(a) will the Minister reconsider his previous decision to evict Mrs Bellotti; and

(b) as the voting was not equally divided why did the Aboriginal Housing Board arbitrate on this matter?

Hon. PETER DOWDING replied:

(a) and (b) The Aboriginal Housing Board through its chairman has confirmed the facts which led the State Housing Commission to take a firm stand regarding 40 Westwood Street, Bunbury. The Aboriginal Housing Board as it was established and constituted by the previous Government supervises the activities of local committees. In the light of those facts the Minister is not prepared to reconsider his decision.

MINISTER OF THE CROWN: PREMIER

Staff: Agricultural Adviser

988. Hon. W. G. ATKINSON, to the Leader of the House representing the Premier:

(1) Has the Premier appointed a person to act as an agricultural adviser to himself?

(2) If "Yes"—

(a) who has been appointed to this position;

(b) under what conditions is that person employed; and

(c) what is the salary or agreed remuneration for his services?

Hon. D. K. DANS replied:

(1) A person has been seconded to the policy secretariat of the Department of the Premier and Cabinet to provide advice, with particular emphasis on rural issues.

(2) (a) to (c) See answers to questions 2945 and 3013.

PORT

Fremantle: Container Berth

989. Hon. TOM KNIGHT, to the Minister for Planning representing the Minister for Transport:

Following the Minister's answer to question 968 of Tuesday, 1 May 1984 with reference to a container berth south of Fremantle stating that it is forward planning to establish a berth in the future, does the Government consider the project to be viable in view of the costs involved and the apparent downturn in world-wide container trade?

Hon. PETER DOWDING replied:

The proposal is purely an element of long-term planning for the Port of Fremantle and present indications are that it would not be introduced before the year 2000.

MINING: DIAMONDS

Ashton Joint Venture: Overburden

990. Hon. G. E. MASTERS, to the Minister for Planning representing the Minister for Minerals and Energy:

(1) Would the Government confirm that Grace Bros. of Melbourne has won a major two and a half year contract with Ashton Joint Venture to clear overburden at the mine site in the Kimberley?

(2) Is the contract worth between $40 million and $60 million?

(3) What consideration did WA companies receive in this major contract?

(4) Is the State Government aware of the tremendous importance attached to the contract by local industry?

Hon. PETER DOWDING replied:

(1) The overburden contract was awarded to Roache Brothers Pty. Ltd., a company incorporated in Victoria.

(2) No—substantially less.

(3) Five companies tendered, most having a presence in Western Australia. Roache Brothers Pty. Ltd.'s tender was significantly cheaper than the other tenders.

Of the tenderers referred to, two have received other earthmoving contracts on the project.

Roache Brothers has established an office in Western Australia as a result of winning the contract.

Approximately 80 per cent of the contract expenditure will be spent in Western Australia on goods and services.

(4) The State is aware of the importance of the project to Western Australia including our local industry. Of the $475 million investment involved a significant proportion will be spent in Western Australia.

EDUCATION

Primary School: Attadale

991. Hon. P. G. PENDAL, to the Minister for Planning representing the Minister for Education:

(1) Is he aware of the concern expressed by parents of children attending the Attadale Primary School about class sizes at that school?

(2) If so, what action is he proposing to take to improve the situation?

(3) If no action is proposed, why not?

Hon. PETER DOWDING replied:

(1) to (3) Attadale Primary School has a principal and 13 teachers for its 342 students. This is in accordance with the staffing formula which applies to every school in the State and which was applied by the previous Liberal Government.

The school has chosen to use two of its teachers in special programmes (library, gifted, language and mathematics support) and to form 11 classes with the remaining teachers.

This has led to class sizes ranging from 26 to 36. I will ask the principal to discuss this form of school organisation with the parents.

EDUCATION

School Cleaning: Working Party

992. Hon. G. E. MASTERS, to the Minister for Planning representing the Minister for Education:

(1) Was a working party set up by the Government last year (1983) to investigate school cleaning methods and costs?.

(2) What was the composition of that working party?

(3) Has the working party made a report to the Government?

(4) If the answer to (3) is "Yes", will the Minister table the report?

(5) If not, why not?

Hon. PETER DOWDING replied:

(1) Yes.

(2) Mr Bill Thomas, Ministerial Adviser (chairman); Mr Ian Taylor, MLA, member for Kalgoorlie, Mrs Helen O'Brien, Treasury officer.

(3) Yes.

(4) and (5) No. The report contains commercial information which was provided on the basis that its confidentiality would be respected. This follows the practice of protecting commercial information followed by previous Governments.

HOUSING

Aborigines: Bunbury

993. Hon. N. F. MOORE, to the Minister for Planning representing the Minister for Housing:

Further to his answer to my question 948 of Wednesday, 18 April 1984, will the Minister advise whether the decision to allocate the house at 40 Westwood Street, Bunbury, to Mr Hill was made by the Bunbury Aboriginal Housing Committee or the Aboriginal Housing Board?

Hon. PETER DOWDING replied:

The decision to allocate the house at 40 Westwood Street, Bunbury to Mr Hill was made by the State Housing Commission on the advice and recommendation of the Aboriginal Housing Board.

FUEL AND ENERGY: STATE ENERGY COMMISSION

Act: Amendment

994. Hon. W. G. ATKINSON, to the Minister for Planning representing the Minister for Minerals and Energy:

(1) Is the Government considering amending section 54 of the State Energy Commission Act following recent advice by senior counsel in connection with the section?

(2) If so, can the Minister advise this House that any amendment would preserve the responsibility for clearing of native vegetation and legal liability for damages arising from fires caused by power lines to the SEC?

Hon. PETER DOWDING replied:

(1) The matter is still under consideration following receipt of senior counsel's advice and a final decision has yet to be made.

(2) It is not a question of "preserving" the situation as stated by the member. The

current position as assessed by senior counsel is quite clearly that the liability does not lie with the SEC but rather with the occupier of the land.

HOUSING

Aborigines: Bunbury

995. Hon. N. F. MOORE, to the Minister for Planning representing the Minister for Housing:

Further to his answer to my question 948 of Wednesday, 18 April 1984, will the Minister provide details of any favouritism displayed by the Bunbury Aboriginal Housing Committee towards family members which necessitates the disbanding of the committee?

Hon. PETER DOWDING replied:

The district Aboriginal management housing committees of the Aboriginal Housing Board were established by that board to advise it in matters regarding applications, allocations, and other matters regarding tenancies.

The records of those committees indicate that personal, intimate and private information concerning applicants is considered. I do not propose to break the confidence of such discussions. However, because of the close family ties of Aboriginal people it does happen that family members on committees have at times been involved in making decisions in favour and otherwise regarding family members applying for assistance in housing.

This practice has been strongly discouraged by the State Housing Commission and the Aboriginal Housing Board with varying effect over the years.

I do not believe this House is the proper place to air such family incidents. However, I will give an answer by letter to the member.

QUESTIONS WITHOUT NOTICE

STATE FINANCE

Financial Institutions Duty: Tourism Commission

232. Hon. P. G. PENDAL, to the Minister for Budget Management:

I refer the Minister to question 980, the answer to which he has just delivered. I asked him whether the status of the Tourism Commission for the purpose of paying FID had been decided.

My further question is by whose authority, or on what grounds can the Tourism Commission be exempted from paying FID, bearing in mind that no alterations have been made to the Act since it was proclaimed, and also bearing in mind that the Tourism Commission is not a department which has automatic exemption?

Hon. J. M. BERINSON replied:

The decision on this matter is at the discretion of the Commissioner of Taxation. I have no further information other than that. It was as a result of the exercise of the Commissioner of Taxation's discretion that an exemption was granted.

ABORIGINES

Aboriginal Language Steering Committee

233. Hon N. F. MOORE, to the Minister for Employment and Training:

I refer the Minister to the schedule of projects recommended by the consultative committee of the community employment programme at its meeting on 13 April 1984. Project WCE 326—Kimberley Aboriginal language centre steering committee—has an amount of $217 883 allocated to a Kimberley language support programme (pilot study). Would the Minister supply me with details of the project?

Hon. PETER DOWDING replied:

Yes, the information about the nature of the projects funded under the community employment programme is public information and I would be happy to supply the information to the member. He has the choice of either reminding me by letter, putting the question on notice, or hoping that I will remember to write to him on this matter.

STATE FINANCE

Financial Institutions Duty: Statutory Authorities

234. Hon. P. G. PENDAL, to the Minister for Budget Management:

Supplementary to the question I have just addressed to him regarding the decision of the Government to exempt from FID tax the Tourism Commission, does the Minister have any knowledge of how may other statutory Government bodies have been exempted from payment of FID by the commissioner?

If so, what are those non-departmental bodies which have been exempted since the Act was proclaimed?

Hon. J. M. BERINSON replied:

I must correct an impression which might have been given by that part of the question which indicated that a decision had been made by the Government to exempt the Western Australian Tourism Commission. I tried to make it clear in my earlier answer that the Government did not exempt the commission but that exemption was granted by the Commissioner of Taxation in the exercise of his own discretion. I have no other information on that point.

Could I indicate some difficulties which would arise in attempting to answer it in any event? Although the question on notice yesterday was addressed to me as the Minister for Budget Management and therefore the Minister responsible for the State Taxation Department, the secrecy provisions of the Act itself preclude the commissioner from providing the sort of information requested. Rather than give an answer of that kind, I went to the Tourism Commission, or I had it approached, and I obtained the information in that way.

Hon. P. G. Pendal: You say people can be exempted and we would never know they are being exempted.

Hon. J. M. BERINSON: In keeping with the general application of the taxation laws, the Commissioner of Taxation is required to maintain taxation matters as confidential in many respects, and this is one of them.

Hon. P. G. Pendal: Extraordinary!

ABORIGINES

Aboriginal Language Steering Committee

235. Hon. N. F. MOORE, to the Minister for Employment and Training:

I refer to my previous question. Could the Minister advise me of the location and function of the Kimberley Aboriginal language centre steering committee?

Hon. PETER DOWDING replied:

If the member had given me some notice of the question I could have provided him with a lot more information.

Several members interjected.

The PRESIDENT: Order!

Hon. PETER DOWDING: The process of these applications is that they go through a joint secretariat, which is a Commonwealth-State office. They go through a consultative committee, and they come to me for final approval. It is not my view that I should go through the details of the applications approved by the consultative committee, because we rely very heavily on the input from that committee. I do not get all the details of all of them. However I believe that Fitzroy Crossing, Derby and Broome, got together to progress a long sought-after proposal that the opportunity should exist for some of the Aboriginal languages to be developed in a written form, and action taken to progress education of those languages both at an adult level and at a school pupil level.

It is my understanding that the birth of that committee resulted from the efforts of people in those three areas, and that there has been liaison between people in those three areas to put forward an application. As to precisely where the formal committee meets, I cannot assist the honourable member.

ROADS

Safety: Law Reform Commission Report

236. Hon. I. G. MEDCALF, to the Attorney General:

With further reference to the answer to question 985, when the Attorney said that the Law Reform Commission's report on liability is under active consideration, which Minister has this matter under active consideration, and when did he start actively considering it?

Hon. J. M. BERINSON replied:

I have this matter under active consideration as part of a comprehensive effort to reduce the serious backlog of Law Reform Commission reports. Naturally I am consulting, in the course of that process, with the Minister for Local Government, and he in turn is consulting with the relevant authorities. That is the stage at which this proposal stands at the moment.

STATE FINANCE

Financial Institutions Duty: Statutory Authorities

237. Hon. P. G. PENDAL, to the Minister for Budget Management:

On the question of FID exemptions, I ask the Minister for clarification on various points. If he is saying that the commissioner has power to exempt but not to disclose the reasons for such exemption, which I can understand might be the case, is he also saying that the commissioner does not have the power to disclose which bodies are involved and therefore in turn the Minister is unable to inform the Parliament of which statutory Government bodies have been exempted from payment of FID?

Hon. J. M. BERINSON replied:

I am saying that my understanding is that the commissioner is subject to confidentiality requirements which would preclude this information from being made generally available.

TAXATION

Payroll: Builders' Registration Board

238. Hon. A. A. LEWIS, to the Minister for Budget Management:

Has the Minister been approached by the Builders' Registration Board for any excess funds to pay payroll tax which has not been paid already? I am not blaming the Builders' Registration Board, but has he been approached by the board, or is there any contra-situation with regard to the board?

Hon. J. M. BERINSON replied:

I am approached by so many that I am reluctant to say that I have not been approached by anyone for financial assistance. My best recollection is that I have received no such approach from the Builders' Registration Board.

TAXATION

Payroll: Builders' Registration Board

239. Hon. A. A. LEWIS, to the Minister for Consumer Affairs:

(1) Does the Minister know whether the Builders' Registration Board has approached the Minister for Budget Management for some alleviation of its problem with regard to payroll tax?

(2) If not, how does he, as the Minister in charge of the Builders' Registration Board, intend to recoup the $40 000 allegedly owing on payroll tax?

Hon. PETER DOWDING replied:

(1) No.

(2) This is a matter which I expect to be discussed at the next meeting of the board.

TAXATION

Payroll: Builders' Registration Board

240. Hon. A. A. LEWIS, to the Minister for Consumer Affairs:

Does the Minister intend to pass this further impost onto the builders of this State? Does he expect the Builders' Registration Board to meet its payroll tax commitment by putting an impost onto builders and thus onto people who are building homes?

Hon. PETER DOWDING replied:

The Builders' Registration Board, as the member knows, is a self-funding organisation. I cannot go further at this stage other than to say it will be discussed at the next meeting of the board.