

# Legislative Assembly

Tuesday, 25 October 1983

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

## TRANSPORT: ROAD

### *Deregulation: Petition*

MR OLD (Katanning-Roe) [2.17 p.m.]: I have a petition signed by six electors which is couched in terms similar to those of the petition I presented last week regarding the freeing up of transport in the Pingrup transport area.

The petition bears six signatures and conforms to the Standing Orders of the House and I have certified accordingly.

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

(See petition No. 46.)

## STAMP AMENDMENT BILL

### *Standing Orders Suspension*

MR TONKIN (Morley-Swan—Leader of the House) [2.20 p.m.]: I move—

That so much of the Standing Orders be suspended as is necessary to enable the remaining stages of the Stamp Amendment Bill to be dealt with in one day and to enable messages from the Legislative Council concerning this Bill to be taken into consideration on the day they are received.

I understand that the Opposition has been given notice of the Government's intention to move this motion.

The urgency involved is that the legislation must be through Parliament by 1 November.

MR HASSELL (Cottesloe—Deputy Leader of the Opposition) [2.21 p.m.]: The Opposition was given some short notice of the Government's intention in that one of the Government's officers brought notice of the motion to the Opposition's office shortly after 1.00 p.m. The Opposition appreciates that notice and understands the need of the Government to complete the passage of this Bill, which is one of its Budget Bills.

Therefore, the Opposition is prepared to co-operate fully with the Government to deal with the Bill as requested, but, as the Leader of the House has acknowledged, the shadow Minister responsible for handling the Bill needs a short while to complete his notes. By arrangement, a short de-

bate will take place on another Bill before this Bill is proceeded with.

Question put.

The SPEAKER: I remind members that to be successful, this motion requires the concurrence of an absolute majority of the members of the House. I have counted the House; and, there being no dissentient voice, I declare the question carried.

Question thus passed.

## SMALL BUSINESS DEVELOPMENT CORPORATION BILL

### *Introduction and First Reading*

Bill introduced, on motion by Mr Bryce (Minister for Economic Development and Technology), and read a first time.

## APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

### *Second Reading: Budget Debate*

Debate resumed from 20 October.

MR MENSAROS (Floreat) [2.26 p.m.]: It is typical of our times that one of the most significant aspects of this Budget, with perhaps the longest lasting effect, has not even been mentioned. With the exception of the Leader of the Opposition, no-one has mentioned it. It has not been mentioned by the Treasurer in his second reading speech, or by any of the commentators in the Press or the electronic media. At least some of us have wondered why the reputation of members of Parliament—the so-called politicians—has reached an all-time low. We wonder why we are considered criminals, or at least potential criminals. That accusation is implied by the Treasurer's announcement of his intention to introduce measures for the declaration of our assets so that there shall be a means by which to dispose more easily of suspected criminal activities of graft or bribery by members of Parliament. When the most significant aspect of this Budget—one which shows how untrustworthy at least a large number of members of Parliament are considered to be—is not even mentioned, it is no wonder that members are taken for granted.

I am referring, of course, to the gross, unashamed, impertinent disregard for most important promises made by the Labor Party when it was the Opposition before the election—promises which contributed heavily to the election of the present Government, which thus established its position as the Government based entirely on false pretences. I am referring to the unprecedented increase in State taxes in the face of the pious but

very firm promises before the election that we would have no increase in taxes and charges.

The total revenue to support the expenditure of the Consolidated Revenue Fund rose, in round figures, from \$2 325 million to \$2 659 million, which is an increase of 14.4 per cent. Yet, the State tax revenue, which is about one-fifth of the total revenue, has increased from \$475 million to \$573 million, an increase of 20.6 per cent. That is a 20.6 per cent increase in tax revenue compared with a 14.4 per cent increase in total revenue.

Departmental revenue increased by an even more horrendous figure—37.4 per cent. Admittedly, it could be argued here that a considerable proportion of the departmental receipts is directed towards recovering the cost of the provision of services. I would never argue against a reasonable charge to cover the cost of chosen services; that is, services provided by the Government which are not necessary, but which are chosen to be participated in by the population.

It could be argued also that another portion of the departmental receipts comes from Treasury accounts, some of which could not be called "taxation". Yet a considerable proportion of the total departmental receipts of \$386.5 million still represent fees and charges not directly related to the provision of services and, therefore, in reality they are taxes.

The Government cannot claim these vicious increases in taxes came about only on account of inflation which resulted in automatically higher values. That is only one part of the story. I shall return to that issue when I deal with land tax separately.

However, in the face of its promises, the Government blatantly increased taxes by as much as 100 per cent and, indeed, created brand new taxes. This is a very sad state of affairs and although at present we are talking only about the Labor Party, these broken promises will be seen in a general context and they imply that this is the order of the day by parliamentarians generally.

You, Sir, have visited the United Kingdom and you have experienced the position there. Can you imagine that broken promises such as those which have occurred here would go unnoticed there? In the United Kingdom, such a situation would receive banner headlines in the newspapers and other media. If, prior to an election, the Leader of the Opposition were to promise that at least at the beginning of his term in office no increases in taxes would occur and then, within a few months, the Exchequer introduced a Budget which contained tremendous, unprecedented tax increases

and new taxes, can you, Sir, imagine that would go unnoticed?

It is a sad state of affairs that the Government's most important promises in relation to matters which affect people most directly—promises on which it was elected—have been broken, that this has gone unnoticed, and that the Government has not been punished for it. I do not think there is any excuse for this gross breach of trust.

If the Government did not have the habit which it now has of ignoring all opposing arguments simply because it has the numbers, the Government could, if it wished, argue that it wanted to balance the Budget. Indeed, that was also a promise it made. The Government might say the Commonwealth's contribution increased by only 12 per cent as opposed to a total revenue increase, as I have mentioned, of 14.4 per cent. Indeed, the Commonwealth's contribution dropped slightly in comparison with last year's Budget from 49 per cent of the total revenue to 48 per cent.

The Government could argue also that royalties fell short of the estimates. It could then say that, bearing in mind those aspects, it had to obtain the necessary revenue. However, in my humble opinion—the Treasurer might claim I am talking on a matter of principle and I might well be—this is the wrong argument, the wrong practice, and the wrong philosophy. It is wrong because it should not be taken for granted that a certain amount of Government expenditure is required.

The Government can and, indeed, should balance the Budget by reducing expenditure and not by increasing revenue.

Mr Brian Burke: That is very easy to say, but when seven per cent of the expenditure is people's wages, you did not make much of a fist of reducing expenditure, either.

Mr MENSAROS: I recognise it is easier to say it when one is in Opposition than to do it when one is in Government. However, according at least to my political philosophy, this is what has to be done and I am quite sure that once it was properly understood, it would be the wish of the majority of the people. The people ought to be shown the advantages of really small government where only the most necessary services are rendered on compulsory payment of taxes by all. Really small government where the rest of the services are paid for by the users themselves—

Mr Brian Burke: Give us some examples. You had nine years in Government. Give us some examples of where you would reduce or exclude functions.

Mr MENSAROS: I am approaching this problem and genuinely responding to the Treasurer not from the point of view of comparing what we did with what the Government is doing, but from the point of view of what should be done. If we, when in Government, did something wrong—I would be the last to claim we never did anything wrong—we should not perpetuate that and succeeding Governments should not do the wrong thing also because previous Governments did.

I am saying that the philosophy should prevail that the Government renders only basic services and that it says to taxpayers, "You should be the ones who decide what you should do with most of your income, whether your income is small or large. You should be the ones who decide what to do with it".

One of the main differences between the two sides of the House which often remains unsaid, but is always exercised, relates to the philosophy of the redistribution of wealth. I think that is the wrong policy. It is wrong because ultimately it is against human nature and it brings everyone down to the one level so one can only level down. It takes away incentive and slowly erodes quality. That philosophy is old-fashioned and outdated and it represents an inflexible attitude. If I may say so, it is like sitting on Marx's beard without even knowing it.

As I said, this policy of the redistribution of wealth is wrong and I say that advisedly. One need look only at what the Government has done or has said it will do during the short time it has been in office to see the trend towards a redistribution of wealth. Examples of that are the recent decision to reduce the salaries of senior public servants—taking away money from those who deserve to receive more so that perhaps the less deserving will be happy—the conveyancing taxes in the Budget on transfers and mortgages of properties—we should be making it as progressive as we possibly can—and the decision not to have minimum payroll tax deductions, which decision punishes employers who employ a greater number of people.

The land tax as it was during the last nine years and prior to that, and as it is in this Budget, means that the more assets one has, the higher value one owns, and the more one pays—not proportionately, but in a progressive way.

All these are discriminatory actions against those who want to do better. Why do I say that this looks to me like sitting on Marx's beard without knowing it? It is because the very same action and discrimination, if it is affecting the Treasurer himself or his interests, becomes suddenly

wrong—while I am doing it, it is possibly acceptable, but as soon as it is done against me, it is condemned. Was the Treasurer caught like this, because I suggest the Treasurer considers Western Australia as his own, and I do not blame him because, after all, he is the Premier of the State? I would like members to listen to what he says when the wealth of Western Australia is being discriminated against, just because the State is wealthy; listen to how he likes the wealth of Western Australia to be redistributed. I quote from page 3059 of *Hansard*, from the Treasurer's Budget speech—

In the context of recent developments in our federal system the real threat to our State's growth profile is the diminishing political and economic power of the less populous States and greater demands for the equalisation of benefits through fiscal transfers to the larger States.

The latest report by the Commonwealth Grants Commission on State tax sharing relativities recommended equalisation factors that would result in a transfer of around \$135 million from Western Australia to the other States in 1982-83.

Further on—

Under existing arrangements, the next phase of full equalisation could only result from a form of fiscal federalism which is based on the economic and financial exploitation of those States in which the development of natural resources is their primary source of growth and advancement in living standards.

I congratulate the Treasurer for having said that, because this is the proper way to react to any attempt at redistribution of wealth. This is the proper way to react to endeavours by higher powers to take away the results of our toil and endeavour, to take away everything we have acquired through industrious effort.

But the Premier does the same with his own taxpayers; that is the philosophy to which he subscribes. I wonder which philosophy is the right one—when he talks about Western Australia cumulatively, or when he talks about redistributing wealth when it comes to the individual and when, if someone deserves a higher salary, he says it should be taken from him.

I would like to spend a few minutes discussing one of the most iniquitous taxes we have, and I refer to the land tax. It represents only 1.6 per cent of the total Budget revenue. Of total State taxes, it represents only a comparatively small amount, being 7.4 per cent.

It is difficult to say whether it is a land tax, an asset tax, a capital gains tax, or a share of some property income. It is definitely not what the connotation of its name indicates—it is not a land tax. Its present name does not cover what it is at all.

The tax is not assessed and levied on land; it is taxed and levied on the person or the legal entity owning the land. As we know, if a person or legal entity as an owner has more properties, the rate of land tax automatically progresses, and the higher the aggregate value the more the rate of tax, quite apart from the quantity of tax directly related to the properties.

It is interesting to note that with other rates—albeit those which particularly cover services, especially those coming near to taxes because they are levied on property values—that is not the case. Whether I own one property or five, I pay for the same properties the same amount of local government rates, the same amount of sewerage rates, and the same amount of drainage rates. If I happen to be a business, I pay the same amount of water rates. Even if I am a domestic occupier I have to pay a fixed amount for a water rate which does not increase with the number of properties. I do not pay more because I have other properties. Yet when we come to land tax, the same land can pay a range of different rates, depending on who owns the same land.

In most overseas countries that I know of where there is a direct tax on land or property, that tax is a fixed percentage of the value of the land, irrespective of the landowner. If we have to express the view—and that is what we do whether or not we stop to think about it—that owning an additional property to our own abode is wrong, if we say that owning another property is antisocial and must therefore be punished, at least let us punish equally and have the same rates on the value and not different rates according to how much aggregate value the owner has in his properties.

The very same owner with the very same properties, unchanged for years, pays more and more every year because his properties are being constantly revalued; almost automatically he steps into a higher category and into this progressive scale of taxes every year. This happens even if his income from the property, and even if his net income in which he is most interested—because he wants a return on his investment—increases by just a very little, and over the last four to six years his income from the property has increased by a very small proportion.

For rental property, in spite of capital value appreciation—most of which is due to inflation—the rentals increased slowly whereas the servicing of mortgages went up fairly rapidly because of high interest rates, and the cost of repairs and rates and charges also went up, so that the net income may have even decreased. With most domestic properties, this occurred over the last four to six years. That happened in dollar terms without even considering it in real terms, which would be the proper comparison. Yet the aggregate of land tax revenue increased from one Budget to the next by 21.3 per cent. Anyone who has the slightest knowledge of real estate knows that land values during that period decreased rather than increased. This spectacular increase in the land tax was partly due to the remnants of the previous revaluation being phased in during three years, and partly due to the increased land valuations which pushed owners into paying more under the progressive rate scales.

The number of complaints I receive about land tax is mounting. Presumably everybody with more than one property is regarded by the Government, as being “wealthy”, and should be subjected to a redistribution of his wealth. The Government does not care very much about such people. If the Government cannot do away with land tax, I urge it to consider seriously a return to the concept of taxing land at a single percentage rate, and not taxing the owner progressively according to the aggregate value of his properties.

Maybe the lady members of the House will criticise me for using the masculine gender, but as they will learn the male gender includes the female gender according to the Interpretation Act.

I will spend a few moments referring to comparisons of water charges with costs, and I will refer specifically to country water undertakings. The operative budget of the Metropolitan Water Authority is not a subject of this appropriation, but I will compare the operative expenses of water undertakings, including water, sewerage, drainage, and irrigation in the country. Whether I do this comparison by using merely the operating expenses, by adding the servicing costs for capital debts, or by trying to calculate the servicing costs for the subject year of the loans which burden the water undertakings, the increase in expenditure between last year's Budget and this year's for the total water undertakings in this State is only about 13 per cent.

If I made the calculation to bring in the servicing costs of the capital borrowed, the increase is only about 11.5 per cent. These calculations are not exact because the figures are not available in this Budget. I can calculate only the

capital expenses and use a rough estimate of the interest rates that would have to be paid. Whether the increase is 11.5 per cent, or even 13 per cent, obviously it is much less than the general increase in charges. Nobody can deny that.

Statements have been made, and arguments have passed between the Opposition and the Government, about the increase in charges announced earlier this year. Without my going into the details of those arguments, I think members accept the fact that the charges increased overall by more than 15 per cent. I take it that the discrepancy between the costs and the charges is a deliberate policy of the Government. In principle, that policy might be all right, but the Government should point out to people that its subsidy to country water undertakings will be reduced, although not in direct money terms but in comparative terms.

The Treasury might have said to country water undertakings that the Government subsidy of \$30 million or \$40 million will remain at that level, and that country water authorities should try to mould their charges around those figures, irrespective of the fact that the subsidy will be less and less a proportion of the total Budget allocation. To take an easy figure for an example, let us say that \$100 million is the amount needed by country water undertakings, and that the Government will subsidise that amount to the tune of \$50 million. In the following year, the costs would most likely increase by 10 per cent and the total amount required would be \$110 million, but the Government would pay only \$50 million, and not \$55 million, which would represent 50 per cent of the amount required. In that case, the charges will have to go up by double the percentage of the cost increase.

This situation is borne out by consideration of the land drainage allocation in the Budget. We can establish that the increase from last year to this year is \$597 000—an increase from \$7.28 million to \$7.877 million—which represents an 8.2 per cent increase. Yet the Government decided in Cabinet that the increase in charges as an aggregate should be 18 per cent. That decision was printed in the report of the Public Works Department, an excellent report regarding land drainage. The PWD had no option but to calculate for an increase of 18 per cent in charges in place of the cost increase of 8.2 per cent. The increase represented more than double the cost increase.

It would be almost unnatural of me as the former Minister not to mention the Metropolitan Water Authority's efficiency as it is expressed in the Budget. I remind members—not unkindly, but

factually—that this Premier, when he was the Leader of the Opposition, did not miss one single occasion to use the most impolite words about the Metropolitan Water Authority—or as it was known earlier, the Metropolitan Water Board—and the then Leader of the Opposition accused the people of the authority of doing certain things and threatened that, when in Government, his party would conduct an investigation into the authority, or shake it up from top to bottom. I took those remarks directed at me with a certain amount of philosophy, but many were directed at the authority. However, this investigation did not take place when this Government came into office. Suddenly the Minister in charge of the MWA realised that it is an efficient body.

I refer now to one set of figures in the Loan Fund Budget. The Premier in his second reading speech mentioned that both Budgets should be taken together. I refer specifically to self-financing. Many members are, or may be against this policy of self-financing. Most public utilities in Australia, such as Telecom, and public utilities elsewhere are following the trend towards more self-financing and less capital borrowings for their necessary capital works programmes. The particularly high interest rates charged and the long-term necessity to pay these interest rates makes self-financing a very reasonable proposition. The figures in comparison with the largest State utility which is, of course, the SEC, show the MWA has self-financed its capital expenditure to the tune of 48.7 per cent. In other words, nearly half of the capital needed is supplied by self-financing and no interest is to be paid out on it. Against this, the SEC indulged in self-financing to the tune of only 26 per cent, little more than half the figure applying to the MWA. This is a very notable state of affairs, even though it could be claimed that at its introduction it cost a little more because the money for the capital outlay had to be found. On the basis of today's interest rates, if the money is borrowed for only eight or 10 years, self-financing becomes infinitely cheaper because during this period there has been in operation a cumulative rate of servicing the capital by interest payments which, of course, get larger and larger every year as new capital has to be serviced. Public utilities do not discharge their borrowings as a rule; they simply convert them to other debts.

To change the subject, I am very happy that the Treasurer is in the Chamber. I would appreciate his making a mental note of my comments and I hope that he will look into the matter and give me the courtesy of at least letting us know

his opinion on it. I refer now to the Superannuation and Family Benefits Act. One of my constituents approached me and told me he has been put on the invalid pension. He was found to be medically incapacitated for work. Apart from his incapacity, he leads a normal life with his family. He was horrified to learn that section 78(4) of the Superannuation and Family Benefits Act provides that if he wants to go even to another State in Australia, he must have a certificate from a medical practitioner certifying that he needs to go to another State; in other words, if somebody enjoys the pension on account of his being an invalid or being incapacitated he virtually cannot go to another State for pleasure or for any other reason unless he has a medical certificate for the need to do so. I cannot imagine what the need might be. He is subject to a medical practitioner's view as to whether a need exists. Section 78(4) reads as follows—

Breakdown  
pensioner  
leaving the  
State.

Before any such pensioner shall leave this State he shall submit to the Board a certificate from a duly qualified medical practitioner indicating the need of the pensioner to leave the State; and in any such case the continuance of the payment of pension to the pensioner shall be subject to the approval of the Board to the pensioner leaving this State being first obtained.

On reflection, the Premier would, I think, agree with me; so would I, if I were in Government. Sections such as the one I just quoted seem to come to our attention only if somebody brings them to our attention. This is, to say the least, an antiquated or outdated section and it should be looked at because it infringes on human liberties and individual freedoms without any proper explanation.

Without any pretences—I am glad the Minister for Planning is present in the Chamber—I remind the House that 2 000 years ago Cato said at the end of his speeches, "*Ceterum censeo Carthaginem esse delendam*". I do not think he would mind our borrowing his words.

Mr Parker: I have to admit I cannot quite translate that.

Mr MENSAROS: It is not the translation, just the simile on which I finish my speech: I hope justice will be done to the residents of Rochdale Road.

MR MacKINNON (Murdoch) [3.07 p.m.]: I want to make a brief contribution to this Budget debate. The Budget could be described in two words—lost opportunities. In this Budget the Government had a perfect opportunity to do two

things, which it failed to do. Firstly, it has failed to meet its election commitments. I will later point out what I believe those election commitments are. Secondly, it has failed to provide a lead, not only to Western Australia, but also to Australia in its desire to participate in the so-called economic recovery that is cautiously under way in other countries.

Concentrating firstly on the areas of lost opportunities, I add to the comments made last week in relation to the Argyle Diamond Mine Joint Venture. Prior to presenting its first Budget to the State, the Government had a perfect opportunity to provide a lead for the rest of Australia. It was in a position where it would have been able to sit down with the joint venturers concerned and, rather than pursue its political ideology, give some lasting, long-term permanent benefits to this State. It chose not to do so. It has chosen not even to give to the people of Western Australia or us in the Parliament any explanation as to what alternatives, if any, the Government did consider. As I indicated last week, in many areas, this Government could have been seen to be giving a lead throughout Australia in its consideration of this issue.

The area I believe should have been given the highest priority in that consideration is self-funding to go towards researching the alternative uses for the large gas reserves in Western Australia. A large part of the \$50 million could have gone a long way towards providing a lead for the whole of Australia, bearing in mind the large gas reserves in Victoria, which at this stage are not being used. That opportunity was lost to us because of the Government's pursuit of its ideology.

Mr Bryce: You cannot be sure that that exercise will not be carried out.

Mr MacKINNON: What exercise?

Mr Bryce: The funding of the exercise to identify those alternatives.

Mr MacKINNON: I ask the Deputy Premier to point out to me in the current estimates where an amount has been provided to do that.

Mr Bryce: It could come from one of three areas. Have you no imagination?

Mr MacKINNON: Will it be provided?

Mr Bryce: It is being considered.

Mr MacKINNON: It may be under consideration, but it has not been provided. The Deputy Premier has given us an indication that the Government is considering the matter. He knows as well as I that there is a vast difference between the Government's giving a matter consideration and making a commitment to it.

Mr Bryce: There is heaps of money.

Mr MacKINNON: The Government had the perfect opportunity to provide a lead, but it did not. All the Deputy Premier can say is, "It is being given consideration".

Mr Bryce: How much money have you in mind?

Mr MacKINNON: I do not know what the specific amount would be, but it would be considerable. I am aware that BHP, for example, has spent many millions of dollars in this area in pursuit of alternative use of the gas resources that they and others have. It will not be an inconsiderable amount; it will be millions.

The second opportunity lost by the Government—and I am sure my colleague, the member for Nedlands, will expand on this matter later—was with the financial institutions duty tax. Whatever the Treasurer may claim about this issue, the undeniable fact is that it is a new tax which he has introduced. The Treasurer had the opportunity to emulate the Queenslanders. He could have taken a leaf out of their book and provided a lead to the Australian financial institutions by taking an innovative approach to this tax.

The only lead the Treasurer took was to be Australia's leader in the imposition of the largest tax. The rate is three per cent elsewhere, but five per cent in this State. That will pull in \$38.8 million for the Government in a full year. By the end of its term, I predict that figure may double, but if not, it will go close.

Mr Brian Burke: Certainly not five per cent.

Mr MacKINNON: It is five per cent, as it has been introduced.

Mr Brian Burke: No, it is not.

Mr MacKINNON: Maybe the Treasurer can explain that to me in his speech.

Mr Brian Burke: It is 0.05 per cent.

Mr MacKINNON: The Treasurer cannot deny that he had the opportunity to provide the lead to Australia and take the first steps towards making Western Australia the real economic base for the financial markets of this country and South-East Asia. He could have started to build up our role in the South-East Asian area as far as a financial centre is concerned.

However, penalties have been imposed on financial institutions and small businesses. They have been hurt by the imposition of this tax, as have people who are involved in real estate and business agency transactions.

The third opportunity forgone by the Treasurer was his failure to show some understanding of the problems of Western Australia and its future. He should have given some thought to the direction in which the State is heading.

This year's publication of *The Western Australian Economy 1982-83* lists some of the concerns expressed by Treasury officers about the direction in which this State is headed. Where in his speech did the Treasurer make any comment about that? He made not one comment about the general direction of the country. Page 3 of the publication contains a comment from Treasury which expresses concern that we in Western Australia have an inflation rate that will outstrip the OECD countries.

Perhaps no comment was made about that subject by this Government because it is prepared to lead Australia to ensure that the inflation rate, as it relates especially to taxation and Government charges, will outstrip that of the rest of the nation.

We heard no comment from the Treasurer about page 5 of the report. I will quote part of page 5, as follows—

The profit share of Australian gross non-farm product at factor cost continued to decline in 1982-83 from 13.7% in 1981-82 to 12.5%, the lowest profit share recorded in over twenty years. The effects of this low level of private sector profitability on investment and employment expansion are of concern.

They are not my words; they are the words of the Treasury of this State. What did he have to say about that? That matter should be of concern to all of us, if we are to have economic recovery in this State. We have heard no comment whatsoever. If the Treasurer doubts that his Treasury officers are on the right track, I refer him to some comments made at a decision-makers' forum this year by three eminent gentlemen whose views, I am sure, are respected by the Treasurer and members. Once again, the Treasurer has lost an opportunity to take up the challenges that were presented by the speakers at the decision-makers' forum held earlier this year during WA Week—not held under the guise of the ALP. The first comment was made by Professor Alex Kerr, a well-respected academic and businessman in Western Australia. In talking about the need for the Government to remove barriers inhibiting the private sector, he said—

With employment in all arms of government, from national and state governments to local and semi-governmental authorities,

taking up almost one third of the employed Australian workforce, it can be claimed that Australia is over-governed. In these circumstances governments have to ensure that their activities impinge upon the efficiency of the private sector only to the extent that is necessary to achieve social objectives.

I am sure members will reflect upon those last words, "to the extent that is necessary to achieve social objectives" and compare them with the performance in this House on matters such as the Argyle joint venture and the increase in the size of the Public Service—about which I will say more shortly.

The Government's friend, I would say now, Mr Alan Bond, Chairman of Bond Corporation Pty. Ltd., said at this forum—

Mr Hassell: They would be pretty friendly now.

Mr MacKINNON: Government members should be listening to the comments Mr Bond made when talking about the Argyle Diamond Mine Joint Venture. He said—

We've got to make Australia's cake larger and not try to get a slice of it before it's baked.

We can assess easily the Government's attitude to that comment when we consider the Budget—lost opportunities once again. Indeed, to make the cake larger, the acquisition of five per cent of the Argyle Diamond Mine Joint Venture will not do one thing. Not one crumb will be produced by that decision.

Mr Jim Horwood, Chairman of Directors of Chamberlain John Deere Pty. Ltd., said—

In other words, what I am saying is that governments and policy makers should perhaps look through the other end of the telescope and instead of regulating tax policies, government charges etc. towards running their own business of government, it would be more productive nationally if these regimes were arranged to place Australian industry on a more equitable footing vis-a-vis other advanced countries.

Mr Horwood was saying that Governments in Australia, when setting their charges and levels of taxation, should bear in mind that we have the opportunity to compete in international markets. This Government has not considered that comment and has certainly lost any opportunity we had to give Western Australian companies the opportunity to compete; especially when we consider this Budget.

The Premier did not make comment on any of these issues. In his major speech of the year about

the economy, he did not say anything about the general direction that the State should be taking. In a Press statement, the Government said that the major activity designed to generate economic activity in Western Australia was participation in the Argyle Diamond Mine Joint Venture. As I indicated last week, what a lot of poppycock! That particular participation will do nothing to give economic direction to this State and, as I have just indicated, nothing will be done, as a result, towards making that economic cake larger. What we have seen is not a direction to increase the size of the cake, but just exactly what was indicated by Alan Bond. We have seen the desire by this Government to consume more of the cake both in its participation in the Argyle Diamond Mine Joint Venture and the extension of the franchise of the SGIO—it is a desire to consume more of the cake that will not produce one more dollar's-worth of revenue.

The size of the Public Service was ably referred to by the Leader of the Opposition last week as another area where this State's economy stands condemned. I give members an indication of the hypocrisy of this Government on this issue and how it is really not addressing itself to the real issue facing this country; that is, the creation of wealth. All it is doing is consuming.

I refer to an article in the *Daily News* on 22 June under the heading, "Fats cats' pay axed by Burke". It reads as follows—

Government employment will be reduced by about 1000. The Government will replace only half the number of people who retire or resign, saving \$15 million.

Words fail me. I, as did the Leader of the Opposition, bothered to take the time to go through this year's Estimates comparing them with the 1982-83 establishment figures.

Mr O'Connor: You should have heard the member for Rockingham's comments on this.

Mr MacKINNON: Whether or not the member for Rockingham agrees with them, the figures result in 1300 to 1400 more public servants being employed this year as opposed to the number employed last year. That is not the worst of it. I also went to the Estimates, and many of the votes have provision for new appointments. I totalled the figures in all these votes and the result was \$7.258 million. In order to obtain an indication of how many people that would employ I asked the Minister for Mines last week in question 1268 how many people would be employed under the heading "Provision for new employment" in his department this year. The amount provided in this instance was \$100 000.

The figure given to me was seven and that is roughly a salary of \$14 500 per new employee. It would be my estimate, knowing the nature of the Department of Mines, that that figure would probably be greater in that department than the average of other departments. Let us assume, for the sake of the argument, that all these provisions for new appointments will be levelled out.

Mr O'Connor: What is the figure?

Mr MacKINNON: It is \$14 500. As a result, by the end of the full year, there will be another 508 more Government employees on the payroll. The Leader of the Opposition indicates that the figure will be 1 337, and on top of that there will be approximately another 500. In other words there will be 1 800 more public servants which is almost double the number by which the Treasurer indicated he would reduce the Public Service. Instead of there being a reduction in the number of public servants by 1 000, there will be an increase this year in the order of 1 800. As the Leader of the Opposition has indicated, that does not include contract employees, Government advisers, and the like.

The Treasurer says so often that he is a man who will cut back Government spending, trim the Public Service, and increase employment. However, the facts and figures he has presented to the Parliament in his Budget, from which we have extracted the information, defy his statement. He is wrong in what he has said.

When one looks at those facts—the Argyle Diamond Mine Joint Venture, the SGIO extension of franchise, the increase in the size of the Public Service by approximately 1 800, and the taxation increases, in recent times 20 per cent—one sees they cannot be reconciled with the Treasurer's comment that the Budget will encourage a higher level of economic activity and stimulate employment. The only employment stimulated will be that in the public sector.

The fourth area in which the Government has again lost its golden opportunity is that of payroll tax. If the Government is to be sincere in relation to payroll tax, as it indicated it was prior to the election, we should have seen some activity in this area in the Budget. I was hoping we would have seen some activity of reality and sincerity on the payroll tax front when we saw the increase in the tobacco tax that will bring in approximately \$30 million more to the Government in a full year. Only a small proportion of it—\$2 million—will go towards health education, and I thought that perhaps the Government would be dinkum and put the remaining \$28 million towards payroll tax reduction. It was a real opportunity to provide

leadership to Australians and to show business that it was dinkum. I also thought that the Government would reduce payroll tax as a result of the institutions' duty tax. Payroll tax could have been reduced by one per cent which would have represented \$40 million to \$50 million. I thought that we would see a real attack—real leadership—but what did we see? We heard the Treasurer say that payroll tax is an iniquitous tax at the moment. He also said, and I quote—

The basic annual payroll tax exemption level is to be lifted by a substantial 28 per cent to \$160 000.

Everyone sat up and cheered until they read the fine print in the last sentence of that section of the Budget papers which stated that, "The net cost to revenue of payroll tax is estimated to be \$1.1 million this financial year and \$2.7 million in a full year".

I remind members of a couple of points. In the Treasurer's own department, the Budget papers show an amount of \$1.950 million under the provision for new appointments. That is more than the total payroll tax exemption given to business this year. I also remind members of this fact and I refer to a quote from a Victorian newspaper, *The Sun News Pictorial* dated Thursday, 22 September. The Victorian ALP Government has apparently bitten the bullet on payroll tax and is providing something of a real lead in Australia. I indicate what it is doing from this quotation—

THE payroll-tax exemption level will be increased by almost 43 per cent, freeing about 3250 employers from paying the tax.

The Treasurer, Mr Jolly, said the move would also ease the payroll-tax burden for 11,580 employers—or 63 per cent of those now paying it.

The new exemption level of \$200,000 up from \$140,000 will apply from next January 1.

Let us compare that exemption level of \$200 000 with the \$160 000 applying in this State. Let us compare the 43 per cent increase with the 28 per cent increase in this State. Let us compare the real cost—\$2.7 million in a full year—with the provision this year of almost \$2 million for new staff for the Premier. The Premier may not like it, but the business community is seeing his Government for what it is—a Government of broken promises. This Government promised to do something in relation to payroll tax and it has not delivered. The Government should have bitten the bullet and taken the opportunity to reduce payroll tax, if not by a full percentage point, certainly by half a percentage point, and should have been the

first State in Australia to do that. That would be a real incentive for business to come here, and a real stimulus to the community. Once again the Premier and the Government have lost what I believe to be a golden opportunity.

I do not want to be totally critical in the remarks I make today, and I indicate that I support some areas in the Budget. I am pleased to see the activities of the Government in the housing sector although I would like more emphasis to be placed on the private sector than on the public sector. It is evident from studying the Budget papers that most of the impetus in the housing sector is coming from the Federal Government and not the State Government. However, it is pleasing to see the emphasis placed on that sector.

I support the Government's action in relation to the technology park. I do not particularly support the style of its approach in that area, but I am sure that in the long term the technology park will be successful, given the quality of the people involved in it.

I am pleased the Government has given increased support to the Department of Tourism especially in relation to promotion, but I will speak more about that in the Committee stage. In particular, I will query the Premier in relation to his quoted comments that \$600 000 was wasted in the department last year. No justification has been given in the Budget papers or anywhere else for that statement. I am particularly pleased about the increased support for promotion in the light of the great victory in the America's Cup.

I turn now to a couple of areas on which I want to make a brief comment. Perhaps the Premier, when he responds, can give me an indication as to why the Budget this year was so late in coming to the Parliament. I did some research and it indicated as follows: In Victoria, the Budget was introduced on 21 September; in New South Wales, on 27 September; in South Australia, on 1 September; and, in Tasmania, on 14 September. Last year, the Budget was presented in this Parliament on 30 September; this year it was presented on 13 October.

What was so different about the situation in Western Australia when compared with the other States? The word was that it was the Mundaring by-election, on 8 October; hence the Budget was not introduced until 13 October. It was a totally political act and the people of this State can see it for what it is. I urge the Premier in future to introduce the Budget at the earliest opportunity to ensure the people of this State can judge him and his Government on their merits. He obviously does not wish to take that opportunity at present.

When the next election comes around he will have no alternative but to allow himself to be judged on his merits.

The second point I raise relates to an answer I received from the Premier on 18 October to question 1550. I asked several questions that day to try to gain information about particular expenditures included in the Estimates. The Premier had this to say in his answer—

In accordance with established procedure, questions on specific items in the Estimates should be directed to the responsible Minister when the Estimates are being dealt with in Committee.

Some of those questions related to the Premier's own department, in particular the Auditor General and the Housing Industry Association grant. The answer to those other questions was that I should refer to the answer to question 1550. I have looked at all the questions asked in this Parliament since that date, and I have asked some myself, and I have seen answers to questions in this House and in another place. All those Ministers have answered questions exactly the same in nature as the question I asked the Premier. Yet he either does not have the time or the courtesy to provide me with answers to questions I have directed to him.

It does not make for very good discussion or debate in the Parliament when during the Committee stage of this Bill we will have to pursue matters with each individual Minister or the Premier who, I foreshadow will say, "I am sorry, I do not know the answer; I will have to give it at a later date". Surely the time of the House could be saved and we could be spared tedious repetition and needless delay if the Premier provided the answers to my questions now. It would be better if he did that rather than be—I would not say "smart"—and say that it is established procedure. I cannot recall answering a question in that way, and I do not recall other members on this side answering questions in such a manner when we were in Government. The Premier should reconsider that answer and provide the information in the interests of speeding up the passage of the Budget through the Parliament.

In conclusion, I want to raise three points relating to my electorate. I am extremely disappointed that not one cent has been allocated in the Budget this year for works at Lynwood Senior High School. There is an allocation of \$17 000 for works started last year to be completed this year.

I invited the Minister for Education to my electorate earlier this year and he visited the school and saw some of the school's needs. The school's

final stage will not be built and as a consequence it does not have all the facilities with which other schools of similar size are provided. I am not proposing that the final stage be built, but I am suggesting that some small expenditure of funds, particularly in relation to the manual arts area and the undercroft area, be made to provide an additional classroom. This would bring about a real improvement to the school at minimal cost. I urge the Minister for Education to reconsider the approaches we have made to him. Obviously parents at the school and I will be pursuing those objectives through the minor works programme, but the Minister will be aware that that programme has a limited capacity to handle those requests. For that reason, I urge him to reconsider the situation and the information put before him by parents, the principal, and me when he visited Lynwood Senior High School.

My second point concerns the Rossmoyne Senior High School gymnasium. I raised this issue recently in a grievance debate, and at that time the Minister indicated the matter was under control, plans were being finalised, work was proceeding, and there should be no problems. Unfortunately, I have not received one skerrick of information about the gymnasium from the Government since that debate. I do not think parents have received any information, or if they have, they have not transmitted it to me. Not one cent has been allocated in the Budget for that vital project. I remind members that it is the largest school of its type in the State without such a facility. This school will have enrolments in excess of 1 300 pupils for many years to come. I again urge the Minister to have a good look at the Budget and the capital works programme to see whether priorities can be rearranged to give priority to a school that in my view is much in need of consideration.

I direct my final comments to the Minister for Housing. I also raised in this Parliament recently in the Address-in-Reply debate my concern at the Minister's activity—or should I say lack of activity—in relation to the State Housing Commission land-holdings in Willetton. At the time, I expressed my concern at the Government's land-holdings and the Government's proposed plans for the land in Willetton. I expressed concern on behalf of 725 people who sent a petition which was presented to the Minister at a meeting when he agreed to see me and representatives from the area.

Following that occasion, I wrote to the Minister requesting an answer to the question put to him as far back as July. What have I got? Absolutely nothing! The Minister has not had the courtesy to

respond to questions asked in Parliament, or to my letter. Yet from my reading of the weekend media, the Minister appears to have had the opportunity and time to make a great Press statement about a new scheme which, on the face of it, looks good. I congratulate the Minister on that scheme which involves private builders, because clients of the State Housing Commission will be able to select private builders to construct homes on selected blocks. I think it is a good initiative. However, I am concerned that the Minister seems interested in his own publicity, but is not interested in the future of the people of Willetton. I was not advised of the new initiative or given answers on the old initiative. I ask the Treasurer to request his Minister to provide me with those answers which I can then pass on to my constituents. I remind the Treasurer that the constituents are also those of his colleagues in another House. Perhaps they will take the matter up with the Treasurer when they get off their tails and do their job in the electorate, which somehow I doubt will ever happen. In fact, I hope it does not.

In conclusion, I indicate that the Treasurer has reneged on his major election commitments—provision of more jobs to keep the economy going, assistance to small businesses, and leadership to the people of Western Australia. The Treasurer and his Government are preoccupied with electoral reform.

Its actions can be seen daily with the expansion of the Government, increased involvement of the Government, and increased revenue highlighted by increases in duty tax and tobacco tax.

I renew the commitment previously given by the Leader of the Opposition. When the Opposition is re-elected to Government, it is committed to smaller Government. The Opposition does not accept expansion of the role of the Government such as in the SGIO and the Argyle Joint Venture, and it does not support expansion of Government where we have seen 1 800 additional public servants on the payroll this year. The alternatives to this kind of Government will be clearly presented to the people of Western Australia before the next election and, on re-election, the Liberal Party will assiduously pursue that objective of smaller Government and lessening of the role of the Government in the lives of the people of Western Australia.

Debate adjourned, on motion by Mr Clarko.

## STAMP AMENDMENT BILL

### *Second Reading*

Debate resumed from 13 October.

**MR O'CONNOR** (Mr. Lawley—Leader of the Opposition) [3.45 p.m.]: This Bill substantially in-

creases in the State many rates, including stamp duty and duty on life policies. It is a Bill which imposes a great deal of additional taxation on the overtaxed population of Western Australia. It is part of a package of massive tax increases being imposed. I believe these taxes are being imposed in order to fund extravagant Government expenditure. It is a great pity that people are affected to this degree. It is an incredible impudence for the Government to try to justify rate increases on the basis of increases which apply in the Eastern States. The fact that certain rates and taxes apply in the Eastern States is no justification for similar taxes to be charged in Western Australia. In fact, taxes may be imposed in the Eastern States which are not imposed in Western Australia and vice versa. If the Government seeks to justify such charges on this basis, why is financial institutions duty imposed in Western Australia at a greater rate than it is imposed elsewhere in Australia? Using the Treasurer's justification for his increasing other taxes, surely some justification exists for his reducing the FID to the level which applies in other States of Australia.

The Bill contains provision for stamp duty of \$28.8 million in 1983-84 which is up 23.4 per cent, a very substantial increase for the year. In looking at that amount, one would be surprised that the Government has imposed taxes to that extent on the community. It should also be noted that the amount of \$28.8 million covers the period from 1 November onwards which does not cover a full year. Over a full year, taxation imposed in this area will be \$45 million or an increase to the public of 36 per cent, which is the highest increase ever in Western Australia. One wonders just how far this Government will go.

Five measures are contained in the Bill which fall into the following categories: On properties valued at \$80 000 or less, the rate of duty was \$1.50 per \$100 of value and this has been increased to \$1.75, an increase of 16.7 per cent; on properties up to \$100 000, the rate has been increased from \$2 to \$2.50 per \$100, an increase of 25 per cent; on properties valued from \$100 000 to \$250 000, the rate has increased from \$2.50 to \$3.25, an increase of 30 per cent; on properties valued at from \$250 000 to \$500 000, the rate has increased from \$3.50 to \$4, an increase of 14.2 per cent; and on properties valued in excess of \$500 000, the rate has increased from \$4 to \$4.25.

The duty itself is progressive, but the taxpayers will lose in two ways—not only by the increase in the duty, which is substantial, but also by increased values. The information I have given refers only to the increase in duty imposed, but a

further imposition will be made on the taxpayers by way of increased values over a period of time. It will affect not only householders through mortgages, but also small businesses and some businesses which are not so small. The people of this State have been hit everywhere—left, right, and centre. I have been in Parliament for 25 years and the taxes imposed show the highest increase ever; the increase is an all-time record for this State. This is happening at a time when the economy is low and the taxpayers have been affected adversely in every area.

The tax imposed on the transfer of \$250 000 is \$5 350, and it will go up to \$6 775, an increase of 26.6 per cent plus inflation. That business would be looking at an increase in the order of 30 to 35 per cent. These figures are substantial. The Government is imposing that, but it will allow rebates on the purchase of homes as residences and on small businesses up to a value of \$50 000. If the Government were sincere in this area, not only would it have exempted those people, but also it would have indexed the exemption. In due course, when a home worth \$50 000 is the cheapest available in the State, it will be the only home exempted from these charges.

The Government should have indexed this exemption to provide for the lower income bracket taxpayer and the small business owner to be left out of this tax as the Consumer Price Index increased. There are added disadvantages in relation to home ownership. There will be less incentive for people to purchase their own homes. They will have less capacity to do that. There will be less incentive for people to purchase small businesses.

The increases in the stamp duty on motor vehicle transfers are extremely substantial. The fees have risen from \$1.50 to \$3 per \$100, or an increase of 100 per cent. Again we have the motorist being hit in the mouth. We saw him hit in the mouth by the fuel tax imposed by the Commonwealth Government and the further taxation imposed by the State Government on fuel; and now we have a 100 per cent increase on the transfer of a motor vehicle. This will not encourage people to purchase motor vehicles. It will encourage them to retain their vehicles for a longer time, perhaps affecting safety.

The maximum duty of \$900 has been removed, so when we talk about an average person with a family car worth \$10 000—I presume that is a reasonable figure to pay for a car today—he will be charged \$300 on the purchase of that vehicle, which is \$150 more than he would pay at the present time. That is no incentive for people to

purchase new cars. They will retain them, and the standard of vehicles being driven will be lowered.

In relation to trucks, let us take the case of an owner-driver who purchases a rig costing \$120 000. Instead of paying \$900 as the transfer fee on the purchase of the vehicle, he will now have to pay \$3 600—an increase of 300 per cent. I point this out because the owner-drivers and the home purchasers are having difficulty surviving today. This additional cost on the purchase of a family car or a vehicle for a small business will have an effect on everyone's way of life.

This will have the effect of increasing transport costs throughout the State. I have no doubt that in some cases these increases will be passed on to the people in Karratha and other parts of the State who purchase various commodities.

When we consider the fuel tax, the sales tax on motor vehicles owned by transport companies, and so on, with the addition of the withholding tax which could take up to \$2 billion from the liquidity of the community, this will have a substantial effect on transport operators.

I do not know where we are headed. This year taxation has been substantial. The increases imposed by this Government are the highest in Western Australia for all time.

These things are happening when the economy is tight and when the Government should be showing restraint. We should have no increases in fees, and the Government should be keeping the number of civil servants down. We should have no increase in taxes or charges while the wages freeze is on. The dishonesty of this Government is shown in the imposition of these charges.

Let us consider the increases in the stamp duty on instruments of security. In relation to mortgages, for instance, the stamp duty has increased from 15c to 25c per \$100, a massive increase of 66 2/3 per cent on mortgages. If this legislation is passed, a person buying a house will have to pay an additional 66 2/3 per cent stamp duty over and above what he paid previously. That will not encourage home ownership. It will not encourage people to purchase their own homes and to look after them.

Whether these charges are imposed on the purchase of a car, a small business, or a truck, they are to the disadvantage of the people. I mentioned the fuel costs, the sales tax, the withholding tax, and the stamp duty on mortgages. In addition, we will have the financial institutions duty which will apply to everyone. If a dole cheque is paid into the bank, the person on the dole must pay the FID. A truck driver faced with the other charges I have mentioned will have to make a further payment in

this area. This is an extra nail in the coffin of the person trying to do something for himself, and the small businessman.

The further one looks the darker the tunnel becomes. Let us consider redundancy claims being raised by the Australian Council of Trade Unions and supported by the Federal Government and the State Government which sent a representative to support the claim. Let us consider the impact that will have on individuals and small businesses.

Mr Bryce: How long were you the Minister for Labour and Industry?

Mr O'CONNOR: Three years.

Mr Bryce: You know the words "ambit claim"?

Mr O'CONNOR: Yes.

Mr Bryce: Then you know how business was—

Mr O'CONNOR: I know how business was involved. The Government sent a representative to the court to consent to something of that nature put forward by the ACTU. That was supported by the Federal Government and the State Government, so it has much more chance of survival.

Mr Brian Burke: We never supported the detail of the claim.

Mr O'CONNOR: The Government supported the claim.

Mr Brian Burke: In principle.

Mr O'CONNOR: What is the principle of that claim?

Mr Brian Burke: The principle of that claim is that an employer employs an individual and puts him off for some reason. He could have run out of money; the employee could be unsatisfactory.

Mr O'CONNOR: He pays three months' pay to start with.

Mr Brian Burke: Hang on. That is the detail of the claim.

Mr O'CONNOR: Correct.

Mr Brian Burke: The principle that is being established is that if there is an application on the part of the employer in the three months—

Mr O'CONNOR: I will not be deterred by the comments from the Treasurer. This claim was placed before the court and it was supported by the Federal Government and the State Government. If that is approved on top of these charges, the businesses in this State will have no chance of survival.

Let us consider what Senator Button, a Federal member, said when he criticised the Federal Government. I presume what he said was correct. I wonder why the State Government in Western

Australia will not support Senator Button in opposing redundancy payments. I hope that the State Government will indicate its opposition because this matter is of concern to many businesses in this State. Let us consider life assurance. The reason the Government gave for applying stamp duty to life assurance policies is that it is done in other States. That is no justification.

Mr Davies: That used to be your Government's entire justification, that it was done in another State and we would be penalised if we did not put it in.

Mr O'CONNOR: Does the Minister support it because it is in another State?

Mr Davies: I have never used that as an argument.

Mr O'CONNOR: The Treasurer used that as one of the arguments in his speech.

Mr Brian Burke: You know as well as I do that under the tax-sharing formula we have an obligation, and if we do not conform in taxes to a certain point we will be penalised by the Grants Commission.

Mr O'CONNOR: In those circumstances, why did not the Government leave the financial institutions duty at the same level as the other States?

Mr Brian Burke: It did apply in the other States.

Mr O'CONNOR: It did not. Five per cent is not charged in any other State of Australia.

Mr Brian Burke: It is not five per cent.

Mr O'CONNOR: I mean 5c.

Mr Brian Burke: You said five per cent. They have 4c in—

Mr O'CONNOR: Why is it set at 5c?

When we are talking about equalisation with the other States, I agree, because our taxes must be at the same level as those of other States. If that is not the case, we are penalised by the Grants Commission. Indeed, we are penalised by the commission even if that is the case.

Mr Brian Burke: In regard to the financial institutions duty, there are two arguments: the principle of imposing the duty and the rate at which it shall be levied. We might be subject to criticism about the rate, but that is a matter of opinion.

Mr O'CONNOR: I just make the point that if certain other taxes are justified on the basis that they are imposed in other States, the same situation should apply in relation to the FID.

Like the Hawke Government's assets test on pensioners, this legislation is a disincentive to self-

reliance. We would like the provision in relation to insurance not to be implemented, because people should provide, at their own cost, for their futures.

The Treasurer will be pleased to hear that we support wholeheartedly the exemptions for charitable institutions. That provision is commendable and we support it.

Mr Davies: We knew you were men of reason!

Mr O'CONNOR: Perhaps the provision should be extended to include non-profit organisations and non-profit schools. I do not know the total implications of such an extension. However, we agree with the provision and the Treasurer might be able to look at extending it to cover non-profit organisations and non-profit schools by amending the legislation in another place. I do not know the cost of such an extension. I think it would be minimal, but, as I am not certain of the cost, I ask the Treasurer to look at this matter in another place.

The day on which these taxes are imposed—the heaviest taxes on record—will be a sad one for Western Australia and its people. The Government cannot justify this imposition on the basis that the taxes apply in other States. Some of the taxes are unnecessary and, had the Government not embarked on an extravagant course, it would not have been necessary to impose the taxes.

We do not intend to try to throw out this Bill. We shall indicate our views on legislation of this nature and present the views of the people of this State who will be affected harshly by the taxes sought to be imposed. However, in view of the fact that the Government criticised us for not seeking to divide on the second reading of the Tobacco (Promotion and Sale) Bill, we shall probably seek to divide on the second reading of this Bill whereas under normal circumstances we would not have done so.

MR COURT (Nedlands) [4.03 p.m.]: I shall concentrate my remarks on the increases in stamp duty payable on motor vehicle licences and transfers proposed in the Bill. As outlined in the legislation, the current stamp duty payable is \$1.50 per \$100. The Bill seeks to increase that figure to \$3 per \$100. That is a massive increase—an increase of 100 per cent. The maximum amount of duty payable of \$900 will be deleted in relation to certain trucks and buses and, as a result, in some cases the duty payable will be increased by 300 to 400 per cent.

The Premier indicated the changes advocated in the Bill would bring us into line with other States. However, as the Leader of the Opposition said, we hear that argument far too often. Just be-

cause a duty is imposed in other States does not mean it has to apply here. I certainly hope the Government does not introduce some of the horrendous charges which have been imposed in many areas in New South Wales, because the Government there is trying to balance a difficult Budget and I do not see why we should follow suit.

Owners of private vehicles will be hit by the proposed increases in stamp duties as they relate to both new and used vehicles. However, the main aspect of the Bill which concerns me relates to commercial vehicles, because it is in this area that the increases are the most savage. People operate these commercial vehicles for their livelihoods. Commercial vehicle operators such as couriers are very popular in the metropolitan area. Farmers and heavy duty carriers purchase trucks which now cost approximately \$100 000 to \$140 000 and these vehicles represent very large investments.

Commercial operators and commercial vehicle sellers are up in arms about these proposed massive increases in stamp duties.

I shall give members some examples of the levels of increases which will occur once these provisions are implemented. Stamp duty on a \$10 000 vehicle will increase from \$150 to \$300; on a \$100 000 vehicle—not an unusual price to pay for a semitrailer rig—the duty will increase from the maximum of \$900 to \$3 000. Members can see the percentage increase is significant. The duty on a truck or bus costing \$30 000 will increase from \$450 to \$900. As a result of these large increases in stamp duties, the sale of new and used vehicles will be inhibited particularly in the commercial category.

I have contacted a number of dealers who operate in the field of both new and used commercial vehicles and they have said that, without doubt, the proposed duties will have a significant detrimental impact on their businesses.

In case the Treasurer is not aware of it already, I indicate the truck retailing industry is experiencing one of its most difficult selling periods for many years. The Treasurer would be aware of the problems being experienced by Chamberlain John Deere Pty. Ltd. in the tractor field, and I am sure he is aware also that companies like International Harvester Australia Ltd., which operate in this tractor area, have been having a rather tough time. The people selling these vehicles have said the proposed increases in duties will have a very detrimental effect on their sales.

The end result will be an increase in the cost of transporting goods in this State. Tourism will be affected also. Many new buses are operating or it

is proposed they will operate in this field because of the expansion of tourism which will occur in the future, and the costs of those operators will be increased as a result of these duties.

Most of these commercial vehicles are bought with borrowed finance and it is now commonplace for the stamp duty component to be written into the finance agreement. Therefore, the cost of a vehicle worth \$100 000 will be increased by \$3 000 prior to the finance agreement being worked out. The effect of that will be a substantial increase in the purchase and running costs of those vehicles.

The transport industry in this State is very cost efficient. A boom has occurred in long haulage trucking and the industry has become very efficient. I am sure the Treasurer is aware of this, because when he drives around the countryside in his flash limousine he probably passes many trucks. He should be aware also that the people driving those trucks are often owner-operators and, in many cases, they operate on the borderline of profit and loss. The provisions proposed in the Bill will certainly push some of those operators over the border into a loss situation.

These trucks are expensive. Frequently the owner-operators make very little profit. They are trying to compete in a very competitive market and in nearly all cases these people must meet large financial commitments on their rigs.

I have mentioned the position of owner-operators of large trucks, but the same situation will apply to the small carriers we see operating around the metropolitan area.

The Treasurer may rush these massive increases through Parliament in the next week or so, but I can assure him there will be quite a large backlash, not only from the people selling these vehicles, but also from the people operating them. By taking away the provision of the \$900 maximum duty payable, the Treasurer has turned this into quite a growth tax, and as the trucks and buses improve in quality and become more expensive, the Government will rake in more money.

This tax is certainly a disincentive to people to upgrade their equipment and to try to advance their businesses. This will prove to be a very unpopular measure.

So much for not increasing taxes; so much for taking account of small business. Truck owner-operators must represent one of the largest sectors of the small business community, and here they are faced with, not a 10 or 20 per cent increase, but with a minimum 100 per cent increase and, in some cases, a 300 or 400 per cent increase.

On a further point, I do not support this idea of placing a stamp duty on life assurance policies. People should be encouraged to take out these policies and to prepare themselves for the future, so I am certainly opposed to this new stamp duty also. The fact that we are the only State without such a tax is no reason for one to be introduced.

The Government will receive a major backlash from the commercial operators in both the truck and the bus areas of business because of this quite horrendous increase in stamp duty. I oppose the Bill.

**MR TRETHOWAN** (East Melville) [4.12 p.m.]: This piece of legislation seeks firstly to increase a tax on prudence and secondly to institute a new tax on prudence in the community. It concerns me greatly that particularly the ordinary person seeking to own his own home will be hit at least two ways by the increases in stamp duty proposed in this Bill. He will be hit firstly when he seeks to purchase his own home, because a substantially increased stamp duty will be assessed on the purchase of that home.

If we take a rather average home which today might cost about \$60 000—as mentioned by the Treasurer in his speech—this tax will add an additional \$150 to the cost of purchasing that home. I find this very concerning in a climate where I understood it was generally agreed that incentive should be provided for people to go out to seek to own their own homes, because as well as people purchasing existing homes, there will be people who seek to build new homes, and this will lead to the creation of extra jobs.

**Mr Wilson:** That has happened; check the figures and you will see.

**Mr TRETHOWAN:** I am glad to hear that, but I would hate to think the Treasurer was creating a brake on that activity. I find it very concerning that this additional tax will be levied on people seeking to purchase a home or property.

It concerns me also that someone seeking to purchase a property will be hit in a second way. Most people buying their own home take out a mortgage of one sort or another. If a person is purchasing a home for \$60 000, it is not improbable that he will seek a mortgage of around \$30 000. These people will now be asked to pay a substantially increased stamp duty on taking out that mortgage, and this is another disincentive to people owning their own homes.

Let us look at the third way in which this State Government is seeking to inhibit those people in their prudent desire to own their own homes and to protect themselves. The Government is seeking to impose a stamp duty on life assurance policies.

I am sure the Treasurer knows that many people, particularly people in the small business area, take out life assurance policies so they know that, should anything happen to them, their families will at least have the cash to pay off the mortgage on their homes, so they will have homes that are clear of debt in which to live. This Government is seeking to tax that prudence by instituting a new tax on life assurance policies, policies which can provide the security for many families particularly should something unfortunate happen to the breadwinner.

I am concerned that this is merely one example of the increased desire for taxation by this State Government and that this increased desire for taxation will be continually manifest in every area in which revenue can be raised. The fact that the Bill seeks to increase stamp duty on the purchase of property by placing an increased duty on mortgages and other instruments of security, and a new stamp duty on life assurance policies, represents an increased disincentive to the expansion of home ownership in our community and to the additional employment that could derive from additional funds going into the housing industry.

I find this very concerning and I hope it will not produce a downturn of, and an inhibition on, those people seeking to own their own homes. However, I think the extra duty is something people will have to consider seriously in their decisions to buy their own homes. I oppose the Bill.

**MR COWAN** (Merredin) [4.18 p.m.]: Since 1974 this Act has been amended not less than 16 times, so it should be very difficult for anyone on this side to mount a campaign against the measures contained in this Bill, because it has all been done before. Nevertheless, if we examine the income to be derived from stamp duty to the State of Western Australia, it is noticeable that this year it will increase by something like 25 per cent.

Mention has been made of the two principal areas of stamp duty which are affected. Motor vehicle licence transfer fees are to go up by 100 per cent, and the duty on mortgages is to go up by something like 60 per cent. There can be no doubt that those sorts of imposts are far too large.

It is time Governments of the day, particularly those Governments which make promises not to increase taxes or introduce new ones, examined their Budgets with a view to cutting costs rather than increasing taxes by this magnitude.

**Mr Gordon Hill:** It is easy enough for you to say that, from the point of view of a party that will never be in government.

**Mr COWAN:** I am talking about this Parliament. It would be irresponsible of any member of

Parliament not to question the increase that the member's Government has imposed by way of stamp duty. If the member has not questioned this increase, he has been derelict in his duty to the people who elected him to represent the constituency of Helena. A 25 per cent overall increase in stamp duty is not something I could justify easily to my constituents, and I hardly think members opposite will be able to justify it to their constituents.

Mr Brian Burke: You don't have to justify it to anybody. You didn't do it.

Mr COWAN: Of course I do not; I did not do it—I would not be party to such an increase. Certainly I would not be party to any Government prepared to bring in these types of increases.

Mr Brian Burke: You sat with a Government that increased stamp duty time and time again.

Mr COWAN: That was for 4½ years. If the Treasurer considers the 16 times that this legislation has been amended, he will realise that in those 4½ years stamp duties did not increase by 25 per cent per annum.

Mr O'Connor: That's dead right.

Mr COWAN: But the people opposite made a promise that they would not increase charges, and they now will have to try to live with their actions. Given the events that have occurred in two Eastern States recently, the tide may just be starting to turn. Members opposite no longer will be able to live on the euphoria created at election eve, but will have to come back to the hard, practical reality that they must try to manage the economy of this State. If they carry out that management by introducing 25 per cent increases in stamp duty every year, they are destined not to remain on the Government benches for very long.

We oppose the measures contained in this legislation.

MR BRIAN BURKE (Balga—Treasurer) [4.22 p.m.]: I was rather surprised to hear the Leader of the Opposition say that the Opposition does not intend to oppose this Bill—I think the words he used were, "try to chuck out this measure"—and at the same time say the Opposition intends to divide on the question that the Bill be read a second time.

Mr O'Connor: I gave you the reason, which was that the accusation that because we didn't divide on the tobacco advertising Bill we had supported it. I suppose because of that criticism that came from your side of the House, we have taken this stand.

Mr Clarko: Can I add to that by saying that your Minister for Health has twice said over the

last three days that only one person in this place called "No" on the tobacco Bill, a statement which is false.

Mr BRIAN BURKE: The truth is that the Opposition supports this Bill. I was in Opposition during nine Budgets, and we supported every Budget Bill. We did not divide on any of those occasions because Oppositions generally support Budget Bills.

Mr O'Connor: But you didn't have a Government which criticised you for not dividing on another Bill.

Mr BRIAN BURKE: It is really a man and a mountain situation if the Opposition has decided to divide on a Budget Bill as a result of someone's criticism of its not dividing on another measure. It is a serious step for an Opposition to divide on a Budget Bill.

Mr Clarko: That is only if it is defeated.

Mr BRIAN BURKE: It is a serious step whether or not it is defeated. I simply make the point that it is not wise to undermine tradition in that manner. There was a mixture of criticism which related to Federal and State initiatives. The Leader of the Opposition mentioned the withholding tax, which has little to do with the State Government.

Mr O'Connor: I just indicated that with one on top of the other the impact on individuals in this State is great.

Mr BRIAN BURKE: The mixture of criticism relating to Federal and State initiatives gave rise to many of the comments made by the Leader of the Opposition. He referred to the Federal Government's withholding tax and increase in the excise on petrol. He referred also to an increased fuel tax imposed by the State Government, and I am not aware of such a tax being imposed. I do not know to which increase he was referring.

Mr O'Connor: I was referring to the increase you put on previously.

Mr BRIAN BURKE: I am not aware of any increase we have put on.

Mr O'Connor: You haven't increased it?

Mr BRIAN BURKE: I will stand corrected, but I understand we have not.

Mr O'Connor: You did.

Mr BRIAN BURKE: There was a Federal PPPA decision.

Mr O'Connor: You have increased that tax since you have been in.

Mr BRIAN BURKE: I understand the increase resulted from the Federal petroleum authority decision, but it was not an increase in petrol tax. I

will stand corrected, but I am not aware of any tax imposed by this Government. It was soon after we were elected to Government that the PPPA decision came down.

The Leader of the Opposition went through chapter and verse the increases he said were represented in this legislation. He said many things with which I cannot disagree. I could disagree, were I of a mind to, by saying that it gives me great pleasure to increase taxes or to affect initiative in certain areas. Obviously the Government does not relish such propositions. All I can say is that given a choice of options about the ways in which we might increase revenue, the Government decided to take the courses outlined in the Budget because we thought they would have the least painful effects on the public generally. We cannot increase taxes and please anyone. The only good tax is a tax that someone else pays.

I do not know how we can overcome the problem of attempting to pay tribute to the fundamental undertaking to bring down a balanced Budget if we do not seek that balance through raising the appropriate levels of revenue. It just cannot be done.

We considered a wide range of taxes. On balance it seemed to us to be best that we impose in this case the stamp duties about which we now speak. All of the arguments advanced by the Leader of the Opposition, the member for Nedlands, and the member for East Melville, could well have been advanced in respect of any tax any Government wanted to impose. Taxes by definition are a disincentive. Everybody can say that taxes in this country are too high. The argument is not advanced too far by saying those sorts of things. What one has to do is to look to the basis on which people perceive taxes to be necessary or unnecessary.

It is hard to reconcile the Opposition's attitude towards taxation increases as it expresses that attitude at the same time as it criticises the Government for its not putting on extra teachers or its limiting to \$6 million the distribution of Instant Lottery funds to sports and culture, or criticises the Government in other areas for what the Opposition says is the Government's failure to honour election undertakings. There is a fundamental dishonesty in saying that the Government is guilty of failing to honour undertakings in those areas while sometimes by implication and at other times by outright demand saying that the Government should increase its expenses in those areas. The Opposition is saying simultaneously that we should not increase taxes because that would be a disincentive to the community and we are already taxed to highly, and that we should not look at

cutting back on expenses. The Opposition cannot have it both ways.

Mr Clarko: You are contradicting your arguments put from 1973 to 1982. This is what you said consistently from 1973 to 1982. You opposed taxes going up and never looked for any cut in expenditure.

Mr BRIAN BURKE: I can say two things about that comment: Firstly, we were right or wrong in that period to which the member refers. Let us say I agree with the member and accept we were wrong in the argument we used then.

Mr Clarko: You particularly.

Mr BRIAN BURKE: I do not care whether it was me particularly or my mother particularly.

Mr Clarko: I don't want to bring your mother into it. She is a lovely person.

Mr BRIAN BURKE: I would not disagree with the member on that score; my mother is a lovely person. However, I concede the member's argument for the sake of this argument. I concede that the member for Karrinyup is a sage who is absolutely right about the period from 1973 to 1982. If he is right about that period, he is wrong about this period.

Mr Clarko: It shows that, depending on where you stand, you will change your mind.

Mr BRIAN BURKE: Let us concede that as well. The member's argument still means that either I was wrong then and he was right, or I am right now and he is wrong. The member cannot have it both ways.

Mr Clarko: I am trying to prove you have done a 180 degree turn, or even a 360 degree turn.

Mr BRIAN BURKE: In which case—

Mr Clarko: All 360 degrees.

Mr BRIAN BURKE: —we have been accompanied in tandem with the present Opposition. That is the point I am trying to make.

Mr Clarko: The issues are not equal.

Mr BRIAN BURKE: The member is using the arguments we used then. The member says our arguments were wrong then—

Mr Rushton: If we did that, we would look very foolish.

Mr BRIAN BURKE: If the member had done that, his party might have won an election!

Mr Clarko: We had no FID tax and yours is the highest in Australia.

Mr BRIAN BURKE: I would say we were right in that period; the circumstances were different because of the extravagance of the member's Government—

Mr O'Connor: Fair go! You brought in the highest taxes ever and are more extravagant than any Government ever.

Mr BRIAN BURKE: —and because of the way in which the member's Government did not attend to the financial management of this State. They are the arguments I would use to oppose the argument put forward. I can assure the member that we are not going very far very quickly.

Mr Court: A lot of truck owners want to know why the increases have occurred.

Mr BRIAN BURKE: There is the voice of practical application. I am sure there are a lot of truck owners who are wondering about that. At different times in politics it is convenient to use different arguments. The Opposition is as guilty of that convenience as is the Government.

Turning now to the particular taxes: The removal of the limit of \$900 was referred to by the member for Nedlands and it means that there will be quite severe increases for the people who pay \$120 000 for a truck or for some other rig which is subject to this increased duty; but, firstly, we could see no justification morally for retaining the limit and, secondly, as far as we were concerned, when talking about expenditures of that magnitude, the ability to pay the extra impost is probably present to a greater degree than it is in the case of someone buying a family car and expending perhaps \$9 000 to \$10 000. Certainly, the increased duty as a percentage of that total cost of the vehicle is only a very small one. Having said this, I do not know whether the member for Nedlands expects me to argue against him that we should increase taxes willy-nilly or to a great degree; I do not know how he expects me to argue that point when it is not my belief. We are not satisfied or happy about imposing increases in taxes.

Mr Court: The percentage increase is exactly the same whether a truck costs \$10 000 or \$120 000. It is \$3 per \$100.

Mr BRIAN BURKE: Yes, that is right. Perhaps I can explain it by talking in absolute dollar terms. The amount of money is less, when considering a purchase of that size and having to find the extra amount of money in absolute terms. It is not as great an amount of money; that is the point I am trying to make and I think that is true.

It is of no consolation to us that we have increased stamp duty in this way. It was necessary because we believed, in the quest for prudent financial management, the increases should be imposed.

I would be interested to ask any of the members who have spoken two questions: Firstly, in what

areas of expenditure would they have reduced the Budget to accommodate the increase imposed as a result of this legislation?

Mr Cowan: Ministerial advisers!

Mr Court: Toilets!

Mr BRIAN BURKE: Let us chop out all ministerial advisers. The sum of \$1 million off for ministerial advisers.

Mr O'Connor: More like \$2 million.

Mr BRIAN BURKE: I understand it is about \$750 000.

Mr Clarko: How about additional Government servants.

Mr O'Connor: \$1 million.

Mr BRIAN BURKE: That is a matter of contention, and I hope to demonstrate that the Leader of the Opposition is not correct there.

Mr Clarko: To offset that you made a cut in education.

Mr O'Connor: You disagree with my adding up of the Budget?

Mr BRIAN BURKE: I disagree with the Leader of the Opposition's conclusion. His shadow Minister for Education said it would be balanced with a cut in education. I do not know whether he means the Leader of the Opposition is not aware of those cuts.

Mr Clarko: We are happy to concede that in your little bit of arithmetic.

Mr BRIAN BURKE: I do not know how much the member would assign to that. If he means millions of dollars then we would not agree, but for the purpose of argument, let us say \$3 million; so, we have chopped off \$4.5 million.

Mr O'Connor: The Fremantle-Perth railway line, throw that in.

Mr BRIAN BURKE: Throw that in if the member likes; another \$1 million.

Mr Clarko: Several million.

Mr O'Connor: Look at the incentives too.

Mr BRIAN BURKE: We will look at the incentives in a moment. With some drastic pruning at the behest of the Opposition we have an amount of, say, \$5 million.

Mr Clarko: The Fremantle-Perth railway would be half that anyway.

Mr O'Connor: There would be an extra 138 people there to start with, additional people for the rail and bus service.

Mr BRIAN BURKE: What is emerging is a substantial point put by the Leader of the Oppo-

sition. He is suggesting we should sack some people.

Mr O'Connor: My suggestion is you should keep your promise of holding the numbers down.

Mr BRIAN BURKE: If we hold them down to where they are today, all right—

Mr O'Connor: No.

Mr BRIAN BURKE: If we hold them down to where they were on 1 July—

Mr O'Connor: You promised to sack a number of people or not to replace them—your 50 per cent rule has been tossed out the window.

Mr BRIAN BURKE: No it has not. We can demonstrate how that has worked. I am still trying to get down to what the Leader of the Opposition is saying. He is either saying that we maintain the level as it is now, or that we should go back six months—

Mr O'Connor: No. What I am saying, as I said in my Budget speech, is that an additional 1 337 people were put on according to your figures, compared with the last Budget. There would have been a substantial saving if this had not applied.

Mr BRIAN BURKE: I do not believe that is true. Even if we leave that aside, what is the Leader of the Opposition saying about the 1 300 people?

Mr O'Connor: You opted out of your promise of some months back to not increase the number by that 1 337.

Mr BRIAN BURKE: I will give an explanation when I reply to the Leader of the Opposition's Budget Speech. I think I will be able to demonstrate that perhaps he has not compiled his figures to reflect the true position. I really thought we were reaching the stage where the Leader of the Opposition has to agree that we have two choices, either to raise the revenue or to sack people.

Mr Clarko: That is not true.

Mr O'Connor: No. You don't need big Government, you don't need to increase. What I am saying is that Government is big enough and you made a promise not to increase, but to reduce it by 1 000. The reverse is applying and had you abided by your promise many millions of dollars would have been saved.

Mr BRIAN BURKE: I do not agree with the Leader of the Opposition's calculations. The point I make is that in a Budget where 70 per cent of the expenditure goes to the payment of wages it is not very realistic to talk about anything except either sacking people, or in somehow or other by the process of attrition reducing the work force.

Mr O'Connor: Or not increasing Government is the other one.

Mr Court: It is not only labour; there are other ways to bring in efficiencies to keep the Budget down. You will have to find them otherwise you will have to keep increasing stamp duty.

Mr BRIAN BURKE: As I indicated to the member for Nedlands, where the wage component of the expenditure is about 70 per cent, we are severely limited in the scope for efficiency measures that could be undertaken. In the fullness of time we will be able to demonstrate to the Opposition that there is not much sense in comparing employment figures as at 30 June in a year in which we have been in government for five months with the figures for 30 June of the preceding year and attributing whatever changes occurred over a 12-month period to that Government which was in office for six months. That's the first thing.

Mr Rushton: In the railways section you had a run off which came from our decisions. You got a lot of benefit there.

Mr BRIAN BURKE: There may have been. The point the member made really underlines the truth of what I say. The member is saying that for the period his party was in Government in this financial year we would have benefited by the run down in employment. What the member is saying—

Mr Rushton: The actual figures—

Mr BRIAN BURKE: —one cannot talk sensibly about the figure that is the level of employment. That is one broad point I make to show we must be very careful about the way in which we can calculate the changes in employment over a full year. It may well be on closer examination, if we extract the figures at, say, 30 March and compare them with those of 30 June, we would then get an accurate reflection of the numbers employed when we were in Government, and that may prove not to be 1 300 more.

I am making that point.

Mr Rushton: Next year will be the real test. By then you will have had a year's operations, and you will have to face reality.

Mr BRIAN BURKE: The point I was trying to make is that any Opposition, which pretends to a criticism which does not detail expenditure reduction or alternative sources of revenue that are deemed to be preferable, does not have much credibility attached to it.

Mr Clarko: You could have used the Ashton money.

The SPEAKER: Order!

Mr BRIAN BURKE: Yes, that is one alternative which was not raised in the debate. Each of the contributions made by members of the Opposition was lacking in any alternative revenue-raising possibility. I did not hear any of them—the Leader of the Opposition, the member for Nedlands, or the member for East Melville—propose anything that smacked of an alternative suggestion.

Mr Court: Next time we debate something do you want us to tell you where the money would come from and where you can make efficiencies?

Mr BRIAN BURKE: I would like members to indicate—

Mr Court: The Speaker will tell us to get back to the subject.

Mr O'Connor: I did that in the Budget debate.

The SPEAKER: Order! For the last 15 minutes there has been a continual procession of interjections. It is a trying afternoon and *Hansard* are not here to take interjections, but to listen to the Treasurer and to take down what he says. I ask members to co-operate.

Mr BRIAN BURKE: Thank you, Mr Speaker.

I am not saying that the Government relies on the Opposition to give us in detail the alternatives to which I refer, certainly not in the detail implied by the member for Nedlands.

Credibility comes with some positive alternative, and there does not appear to me to be a positive alternative evident in anything said by any of the three members who contributed from the Opposition benches. No positive alternative was advanced in the sense of State revenue-raising sources by the Opposition, and certainly no detailed advice was given as to reductions in expenditure except in that period a moment ago when I asked what members would do. When the suggestions came forward, lo and behold the money to be saved was far less than the amount that will be raised by the imposition of this stamp duty.

I suppose we come back to the alternative problem Governments face—it is politically unpalatable to increase taxes. It is an opportunity provided to the Opposition to pillory the Government and to say that, were it in Government, it would not have increased taxes and would not have burdened the public so. To use the argument the Opposition gave against comparative tax justice, if there is such a thing—as the Leader of the Opposition did on this occasion when he said the argument that taxes are not as high in other States, is not one to which we should be directing ourselves—neglects all the times I heard Sir Charles Court say, “This tax is being increased and it is

interesting to note it is not being increased to a level beyond that which applies in other States”.

The Leader of the Opposition, while saying that it was not an argument in support of tax increases to say it was in line with other States, conceded that one of the compelling arguments about maximisation of our taxing ability is the tax-sharing formula devised by the Grants Commission and imposed on the States at Premiers' Conferences. We simply do ourselves in the eye if we do not raise those taxes we are considered capable of raising by Grants Commission formulas and by its assessment of our taxing capacity. On that basis, there is a compelling argument that there is sense in trying to adjust tax burdens in line with those of other States.

It does not give the Government a great deal of satisfaction to have to increase stamp duty in the way proposed in this measure. It is not a preferred course of action in the absence of alternatives that were more desirable, but as far as we are concerned it is the most prudent method of imposing the tax burden that is necessary in order to manage the financial affairs of the State. I do not disagree that it is a disincentive or that in some areas we are taxed too heavily. But the Government has chosen as wisely as possible in the imposition of this tax. If the public or the Opposition expects the Government should do only those things that render it perpetually popular, I say that is not going to be the course of action chosen by this Government. We believe we have a job to do; part of it is the financial management of the State in a prudent and responsible fashion. This Bill is part of that prudent and responsible management.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (Mr Barnett) in the Chair; Mr Brian Burke (Treasurer) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Commencement—

Mr BRIAN BURKE: I move an amendment—

Page 2—Delete clause 2 and substitute the following—

2. (1) Subject to subsection (2) of this section, this Act shall come into operation on 1 November 1983.

(2) Section 6 of this Act, insofar as paragraph (d) is concerned, shall come into operation on a day to be fixed by proclamation.

Following the introduction of this Bill into the Parliament, two matters arose which necessitated minor amendments. Both of those matters relate to stamp duty to be imposed on life insurance policies as contained in clause 6(d). The first matter arose from the representations of different life offices of the life finance industry which indicated the time provided for the industry to properly comply with the new imposition of a stamp duty on life insurance policies was not sufficient to allow the industry to manage, let alone manage efficiently.

This amendment seeks to change the original date of compliance—that is, 1 November—and in so doing provide consultation with the industry so that the problems it presently predicts in handling the extra imposition can be discussed and resolved. As far as that is concerned, the Bill will become operative from a date to be proclaimed. I can give the Committee some assurance that the date will be as soon as possible after the problems have been resolved.

**Mr O'CONNOR:** We support the views expressed by the Treasurer. It makes a great deal of sense to try to co-operate with the industry in this way. A great number of difficulties about the implementation of this measure have been brought to my notice, but we will support the amendment. When the FID tax is introduced, many problems will arise and I believe the Treasurer should give this matter his urgent consideration.

**Mr Brian Burke:** Do you understand that this will not be operative until January, and that we have arranged for consultation with the industry? It is a very complex Bill.

**Mr O'CONNOR:** I just intended to say that the problems with this measure are minimal compared with the problems that the Government will encounter with the FID tax.

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 3 to 5 put and passed.

Clause 6: Second Schedule amended—

**Mr COURT:** I want to refer to paragraph (c) where it is proposed to abolish the \$900 maximum amount, but again the duty will increase from \$1.50 to \$3. I am sure the Treasurer will agree that this will affect many people who earn their livelihood in trucking or bussing businesses. It will affect also private people who buy motor cars, and, in particular, it will affect people making a livelihood in the transport industry. I do not agree with the argument that a person purchasing a \$100 000 truck has a much greater capacity to pay the extra stamp duty than does a person pur-

chasing a \$10 000 truck. This is a large increase in the percentage. In the case of a person purchasing a \$10 000 truck, it is a 100 per cent increase and, in the case of a person purchasing a \$100 000 truck, I think the increase is between 200 and 300 per cent.

**Mr O'Connor:** In the case of a \$120 000 truck, it is a 300 per cent increase.

**Mr COURT:** So it will really knock the people who own their own trucks—the increased cost will be added to their repayments and it will make it very difficult. I am sure the Treasurer realises that most of the trucks which we see around the city are owner-operated, even though they might have the name of a company on the side. The owner-drivers usually work very hard to upgrade their trucks—they seek to purchase better rigs so that they can obtain better contracts.

This industry is really the epitome of small business—the people in it are trying to purchase better trucks or buses to further their own little businesses. I am certainly not going to provide an alternative method to raise the extra income, but I want to point out that the percentage increase and the actual amount involved are quite substantial and will affect these people.

**Mr BRIAN BURKE:** The member for Nedlands advanced the argument once again that he advanced during the second reading debate. I do not know how I can answer it differently. I do not think the increase in stamp duty to be imposed by the deletion of the maximum \$900 limit is something that goes to increased profitability or increased ease of operation of owner-drivers or other truck purchasers. It is not as though we believe this is something that will be of greater assistance than other types of taxation to those people. Having said that, and noting that the member for Nedlands was not interested in pointing to any alternatives, I can only say that on the best judgment of the Government, the imposition of the added tax liability in this case was the prudent and responsible course to take. It gets down to a “you did—you didn’t—you did—you didn’t” argument and we could have that all day. I would prefer not to indulge in that today.

I move an amendment—

Page 6, after line 11—Delete the passage “Insured.” and substitute the passage “The person issuing the policy and see section 94”.

This amendment is to allow us to correct an inconsistency that occurred in the drafting of the Bill. At the present moment the person liable to pay the duty is the insurer, and this is inconsistent with section 94 of the Act, which places the lia-

bility to pay the duty on the insurance company. There is no prohibition on the insurance company to recover the costs from its customers.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 7 put and passed.

Title put and passed.

### *Report*

Bill reported, with amendments, and the report adopted.

### *Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Brian Burke (Treasurer), and transmitted to the Council.

## **TOTALISATOR AGENCY BOARD BETTING TAX AMENDMENT BILL**

### *Second Reading*

Debate resumed from 13 October.

**MR O'CONNOR** (Mt. Lawley—Leader of the Opposition) [4.59 p.m.]: This is one of the Budget Bills introduced by the Treasurer and I indicated that we will not be opposing it although it is a further imposition on the taxpayers of this State. This Bill is to increase from six per cent to seven per cent the turnover tax on the Totalisator Agency Board. It will bring in approximately \$1.7 million this financial year and about \$2.9 million in a full year. I ask the Minister handling the Bill: Is this likely to have any effect on country racing?

When the Bill was introduced, it was explained that the distribution for racing in the future would be above what it was for the previous year. It was not indicated whether there would be any allowance for escalation; there could be a cutback in that regard. If we take inflation to be 11 per cent per year, it could mean a cutback of 10 per cent to a particular racing club. If that is so, I wonder what effect it is likely to have on country clubs and whether there is likely to be any cutback in the State of Western Australia.

When one realises pensioners will be taxed, people on the dole will be taxed, and cigarette and transport taxes increased, I suppose the punters are the last to be hit, and the Bill seeks to do that.

I reiterate that, had the Government exercised restraint in some areas, these taxes would not need to be applied. However, they are necessary because of the extreme extravagance of this Government. As I mentioned in my Budget

speech, there are ways in which the Government could have reduced its take by \$110 million. I am not saying this is one of the taxes which could have been dropped, but the financial institutions duty and other taxes which affect individuals very severely either should not have been introduced or should not have been increased.

I register my disapproval of the massive increases in taxation contained in the Budget and the fact that this is just one more tax which will hit another section of the public—the poor individual who usually loses his money anyway, because he is a punter.

**MR PARKER** (Fremantle—Minister for Employment and Administrative Services) [5.02 p.m.]: The one per cent increase in the Government's take from Totalisator Agency Board revenue will not result in any reduction in the amount going to any sort of racing, including country racing or its administrative bodies, country clubs.

The Leader of the Opposition would be aware there has been considerable debate within the racing and trotting communities, particularly within the racing community, on the question of the appropriate amounts which should go to country racing as opposed to metropolitan racing. Further discussions are continuing with the trotting industry, the WA Turf Club, and the TAB on those issues, but they are not affected by this Bill. In fact the racing industry is being protected by this Bill, because at the same time as it is being introduced to increase the amount taken from the turnover of the TAB, other amendments by way of regulation are taking place to the proportion of the amount paid on novelty betting which is taken by the TAB. There is to be no change to ordinary betting on ordinary racing; that is, straight out place and each way betting. However, there will be a slight increase in the amount to be taken from multiple betting such as trifectas.

**Mr O'Connor**: You are not contemplating varying the taxation on bookies, are you?

**Mr PARKER**: No, there will be no increase whatsoever in that area.

At the request of the bookmakers some investigations are being made to rationalise their operations and to examine the problems they experience. However, there will not be any increase in this area and in fact, if anything, the reverse situation will apply. Those discussions are taking place in the context of representations made to us by the three major groups involved in the matter as to their positions in relation to the way in

which they operate and the activities of the various clubs concerned.

The end result of that will be, as the Premier indicated in his second reading speech, an increase of approximately \$500 000 in the amount available to the industry. The matter has been discussed fully with all sections of the industry and the TAB. They are delighted with the provisions and the fact that we have been able to achieve this without impacting on the industry, and although we will be coming to the House soon with some agreements which have been reached with the industry which will be of benefit to country racing, there is nothing in this legislation which will impact adversely on country racing.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

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

#### *Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Parker (Minister for Employment and Administrative Services), and transmitted to the Council.

### **LIQUOR LICENSING (MORATORIUM) BILL**

#### *In Committee*

Resumed from 19 October. The Chairman of Committees (Mr Barnett) in the Chair; Mr Parker (Minister for Employment and Administrative Services) in charge of the Bill.

Progress was reported after clause 2 had been agreed to.

Clause 3: Application—

Mr PARKER: I move an amendment—

Page 2, line 26—Insert after the word “application” the passage “(not being a notice relating to the renewal of any licence or permit)”.

During debate on the second reading of this Bill the Deputy Leader of the Opposition raised with me a question as to whether renewal of licences would be permitted during the moratorium period. During the debate my department had discussions with Parliamentary Counsel and I was given some advice which I passed on to the House. Since that time further discussions have taken place with Parliamentary Counsel which have confirmed the opinion of Parliamentary

Counsel that the Bill, if passed, permits the renewal of existing licences during the moratorium.

Clause 3 (2) sets out the terms of the bar to applications being lodged with the Licensing Court and refers to “a notice of application lodged on or after 10 April 1983 for—(a) a licence;”.

When referring to the renewal of a licence by a licensee, section 76(1) of the Liquor Act says—

a licensee may, by application in writing in the prescribed form, apply for a renewal of his licence.

Section 51(1) says—

... every person applying for the grant of a licence or a provisional certificate for a licence shall give notice of his application in the prescribed form.

The form prescribed by the Liquor Act rules that an application for a licence is not the same as that prescribed for a renewal application and, therefore, clause 3(2) cannot be construed as preventing the court from hearing and granting applications to renew existing licences.

I had further discussions in that regard and obtained legal advice as to the matter raised by the Deputy Leader of the Opposition. It was decided that it was important to place the matter beyond doubt so that everyone knew where they stood. It has not been unknown for Parliamentary Counsel to be wrong in the past. Therefore, I decided to move the amendment sought by the Deputy Leader of the Opposition in order to place this matter entirely beyond doubt.

Mr HASSELL: Naturally, I support the amendment moved by the Minister because it is in response to a point I raised.

Mr Brian Burke: Co-operative Government.

Mr HASSELL: I was about to say that I must confess to the Minister the point was not one I brought forward personally. It was brought to my attention, I brought it to the attention of the Chamber, and the Minister responded appropriately.

Amendment put and passed.

Mr PARKER: I have another proposed amendment to move.

#### *Point of Order*

Mr HASSELL: Mr Chairman, I raise the question of the way in which you intend to deal with the debate. I want to say something about subclause (3) on page three, which I think comes before the Minister's proposed amendment. I do not know in which order we should move.

The CHAIRMAN: Strictly speaking it is possible for the Deputy Leader of the Opposition to speak to that subclause after the Minister has moved his proposed amendment. However, on a previous occasion when this matter was raised with me I ruled it would be more appropriate for members to deal with subclauses prior to proposed amendments being moved. If the Deputy Leader of the Opposition wishes to speak on this matter now, he can do so.

### *Committee Resumed*

Mr HASSELL: I do not want to prolong the debate unnecessarily. I understand the Minister has commitments and would like to leave the Chamber knowing some of his legislation has been cleared up.

Notwithstanding the comments the Minister made in response to the second reading debate, it is inappropriate in a moratorium, which according to the Government's intentions is capable of being extended indefinitely, that exemptions should be able to be granted by the Minister. It would have been much more appropriate if there were built into the Bill a mechanism to permit exemptions to be determined by the court rather than by the Minister.

It is always argued by departments, as I well know from my experience going back to long before I was a member of this place, that it is convenient that Ministers exercise discretions and it is inconvenient to have discretions exercised in other ways. In some cases it is undoubtedly both convenient and desirable that the Minister who has the responsibility to make Government policy decisions should exercise a discretion and it should not be exercised by a judicial or quasi-judicial process. However, we are dealing here with an act which deliberately sets out to remove the granting of licences from the arena of the political process to the arena of a quasi-judicial process. On top of that there will be a prohibition on the granting of licenses during a moratorium period which can be extended indefinitely subject only to disallowance by this Parliament. Once having been extended and the disallowance period having elapsed, the moratorium cannot be brought to an end except by Executive action. In those circumstances, exemptions should be determined by the court and not by the Minister. While the Government does not accept that view, I want it placed clearly on the record.

Mr PARKER: All I can do in response is to reiterate briefly the comments I made last week in reply to the second reading debate. It was felt, not only by the department, but also generally by the people consulted on this matter, that an important

role is to be played during the period of the moratorium. Again I undertake to the Chamber that this legislation will exist for only an interim period—until the report of the Honorary Royal Commission is forthcoming. If there is to be any long-term creation of a moratorium in the liquor industry, such as that which essentially exists in NSW and Queensland, it is envisaged that any discretionary power existing during that time would be in the hands of someone other than the Minister.

No doubt either Chamber of the Parliament can disallow any extension, and there will be plenty of opportunity to disallow any extension the Government sees fit to grant. While the cautionary words of the Deputy Leader of the Opposition are worthwhile noting, I do not think they are relevant to this Bill.

I now move an amendment—

Page 4—Delete paragraph (b) and substitute the following—

(b) each of the following kinds of permit—

- (i) Late Delivery;
  - (ii) Lodgers;
  - (iii) Unlicensed Club,
- is a permit of a prescribed kind.

This amendment would have the effect of removing the entertainment permit from the list of prescribed licences. I explained the reasons for this in reply to the second reading debate. It is felt that an entertainment permit is simply an extension of the natural and normal activities of a person otherwise licensed. An entertainment permit cannot be held by a person unless he is licensed, and it is felt the entertainment permit provision ought to be deleted.

Representations were received on this matter, and I received advice from the chairman of the court, all of which were to the same effect. I understand from the comments which the Deputy Leader of the Opposition made last week that the Opposition agrees with this amendment.

Mr HASSELL: The Opposition supports the amendment.

Amendment put and passed.

Clause, as amended, put and passed.

Clause 4 put and passed.

Clause 5: Duration of this Act, etc.—

Mr HASSELL: Again I will state our position briefly. We oppose this clause, and propose that a new clause be inserted which would read, "This Act shall have effect until 30 June 1984".

I explained my reason for our position during the second reading debate. The machinery provided for extensions of the moratorium is cumbersome and would not be effective in practice. If the Government intends to reject my proposed amendment, as I am sure it does, it will find that, when the Honorary Royal Commission reports, the proposals of that commission will require special legislation. The proposed amendment would simply apply a fixed period for the moratorium, a period which would allow plenty of time for the commission to report, for the Government to consider the report, and for the Government to act by bringing legislation to the Parliament. That is what this moratorium Bill is really about; it should not be about indefinite extensions and variations to the moratorium.

Of course it can be said that those extensions and variations can be disallowed by motion of the Parliament. However, that really is not the issue. The Honorary Royal Commission will eventually make a report. We should insist that the action which will be needed on that report occurs and we should do so by keeping the moratorium alive for a reasonable period, a little longer than the Government's initial plan or as provided in the Bill. We must ensure that there is a proper and prompt response to what the Government wants to do by way of the moratorium and to remove this complicated machinery which, frankly, is rather questionable; however, I will not go into the technicalities now. It is undesirable both in a policy sense and from a legal point of view, and we would be better off having a fixed term for the referendum on the clear understanding that the Parliament will need to act further in response to the report of the Honorary Royal Commission before that period expires.

Therefore, I will vote against clause 5 with a view to substituting another clause.

Mr PARKER: I wish to support this clause and to urge the Committee to support it as it stands. I have given more than adequate undertakings to the House as to the Government's intentions in relation to clause 5 and I do not propose to repeat them simply because the Deputy Leader of the Opposition has once again raised the same issue.

The Deputy Leader of the Opposition's foreshadowed amendment is unacceptable, apart from anything else, for this reason: I cannot remember whether I mentioned it to the Chamber during the second reading debate or not, but I have been approached by the Chairman of the Honorary Royal Commission (Judge Syme) who advised me that various matters have arisen. He asked whether the Government and I would agree to extending the reporting term of the Honorary Royal Com-

mission to, I think, the end of March of next year as opposed to the end of November of this year, the original time indicated to the commission as the date by which we wanted the report.

The chairman raised quite weighty and serious matters with me and these will need to be considered by the Honorary Royal Commission. As we want a report which is of value, I have indicated already to him that I support the extension of that time. The report of the Honorary Royal Commission will not be before the Government much sooner than 30 or 31 March 1984. The Deputy Leader of the Opposition will know that, in the way these things operate, it will be some time before the report can be properly considered by the Government. It has to be considered at departmental and inter-departmental levels and with the various agencies administering the Liquor Act, including the Police Force. We will release the report of the honorary Royal Commission for public information and, no doubt, various sectors of industry will want to comment on the recommendations of the report prior to the Government's making a determination as to what legislation it will introduce into this House in order to enact the recommendations contained in the report.

I know the Deputy Leader of the Opposition can say that if that is the case we can always come back next April or May with an amendment to the legislation to extend the term; however, I suggest it is far better that the scheme which has been worked out and which is contained in this Bill should prevail; namely, that it is quite well recognised that the Government intends the Bill to operate until such time as the Government and the Parliament can consider the report of the Honorary Royal Commission, and any extensions will be only for that purpose. The industry can be assured that the moratorium will extend until such time as the report is considered and any amendments arising from that report are enacted. The problem with the Deputy Leader of the Opposition's proposition is that no such assurance is available to the industry because there is no guarantee that any amendments which might be necessary to the term of the moratorium would be passed by this Chamber. Equally, of course, it could be said that Orders-in-Council can be disallowed, and by the same token I suggest it would be impossible for any Order-in-Council which simply rejected the need to enact legislation arising out of the Honorary Royal Commission's report to proceed.

I suggest it is inappropriate for the amendment to proceed and I oppose it. I support the clause as printed.

Mr HASSELL: I do not know whether the Minister explained it before—if he did, I missed it—but I was not aware of the request for the extension of time for the Honorary Royal Commission to report.

Mr Parker: I could be wrong, but I think I mentioned it during the second reading debate.

Mr HASSELL: The Minister may have done so and I may have missed it. In the light of the information he has provided, it is reasonable for me to let the matter pass.

Clause put and passed.

Title put and passed.

Bill reported with amendments.

### QUESTIONS

Questions were taken at this stage.

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

### DAYLIGHT SAVING BILL

*Returned*

Bill returned from the Council without amendment.

### LIQUOR AMENDMENT BILL

*Second Reading*

Debate resumed from 25 August.

MR HASSELL (Cottesloe—Deputy Leader of the Opposition) [7.16 p.m.]: The Opposition supports the Bill.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Parker (Minister for Employment and Administrative Services), and transmitted to the Council.

### ACTS AMENDMENT (TRADE PROMOTION LOTTERIES) BILL

*Second Reading*

Debate resumed from 25 August.

MR HASSELL (Cottesloe—Deputy Leader of the Opposition) [7.19 p.m.]: The Bill is intended

to exempt from the restrictions of the criminal law in the form of the Criminal Code, the Police Act, and the Lotteries (Control) Act a very widespread commercial practice. Despite the restrictions which exist in the law and which have existed for a long time, commercial activity has included various forms of trade promotion lotteries which have been used by the commercial community to promote goods and services, shopping centres, and other places to which traders want to attract people.

The Bill seeks to regularise the situation and in doing so seeks to define a trade promotion lottery as one in which the participant takes part without cost to him or by reason of the purchase of goods or the use of services, the cost of which is no more than the cost would be without the opportunity to take part in the lottery.

The Opposition can see no difficulty with this legislation which will make a contribution in the longer term to sorting out the bewildering array of laws related to lotteries and gambling; and to that extent this legislation is desirable.

The simple fact is that trade promotion lotteries have not been the subject of prosecution on many occasions, and when they have been the subject of prosecution, it has been apparent that those prosecutions have been taken without much enthusiasm and without any basis of community support.

As I said, the Opposition can see no wrong in the Bill as it is presented. There may be difficulties with the interpretation of the trade promotion lottery, but I do not think those difficulties will arise in practice. So far as we are concerned, we support the Bill.

MR PARKER (Fremantle—Minister for Employment and Administrative Services) [7.23 p.m.]: I thank the Opposition for its general support of the Bill, and commend it to the House.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

*Third Reading*

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Parker (Minister for Employment and Administrative Services), and transmitted to the Council.

## REFERENDUMS BILL

### *Second Reading*

Debate resumed from 20 September.

**MR HASSELL** (Cottesloe—Deputy Leader of the Opposition) [7.26 p.m.]: Perhaps the Government Whip would be good enough to get the responsible Minister to come into the Chamber.

The Opposition will support the second reading of this Bill, but it has some quite serious reservations about a number of the provisions in the Bill. Looking back into the history of the matter, it can be seen that the need for the Bill arises directly from the changes made in 1978 by a former Government and Parliament to the constitutional law of the State. Those changes entrenched in this State's constitutional law a requirement that before changes could be made they should receive the support of the Parliament and a majority of electors at a referendum. However, neither the Government presented nor the Parliament provided the legislative machinery for referendums. The Minister suggested that this failure to enact provisions was a slip, but that is not accurate.

The introduction of the legislation was foreshadowed, but the legislation was not prepared. There is need for referendums to be conducted in relation to constitutional changes to which I have referred concerning entrenched provisions in the Constitution of the State. There is need also for referendums on particular issues which, for some reasons or other, are referred to the electors of the State for determination.

We have now before the Parliament a Bill in that category. I refer, of course, to the Daylight Saving Bill, which requires that, after a trial period, the issue of whether we should in future years have daylight saving be referred to the electors of the State at a referendum.

This Bill provides the machinery for the conduct of such a referendum and similarly for the conduct of referendums required in pursuance of legislative direction in other areas. Indeed, one of the very reasons we are dealing with this Referendums Bill tonight is that it is considered by the Government to be desirable that, and I think wisely, before the Daylight Saving Bill has completed its progress to the stage of becoming law, the machinery for the referendum to be conducted should be in place.

The Daylight Saving Bill refers to the Referendums Act, but at this stage there is no Referendums Act. As I said, it would be desirable for there to be a Referendums Act before the Governor gives his assent to the Daylight Saving Bill. Whether in the absence of the Referendums

Act coming into operation there would be a legal difficulty, I am not certain and there is no need to comment; however, I do agree that the Government is wise in bringing forward the Bill, having it dealt with, and its passage completed to the stage of assent—if it is possible to do so—before the Daylight Saving Bill receives assent and then becomes law.

The Opposition will support the second reading of the Referendums Bill. The Opposition supports the need for an enactment to provide the machinery for the conduct of referendums whether related to the Constitution or Acts of Parliament such as the Daylight Saving Bill. However, that support should not be interpreted either as support for all the provisions in the Referendums Bill 1983 or as support for the general proposition that increasing numbers of questions should be referred to referendums rather than their being determined by the Parliament. I want to dwell on that point for a moment.

Basically, it is my view and I believe the view of the majority of members of the Parliament itself, that it is the responsibility of elected representatives to act to make the laws of the State. Our role is as representatives; not as agents for our electors. It is our responsibility to make decisions on the laws proposed by the Government of the day or by the private members of Parliament.

It is our responsibility to make those decisions towards meeting what we perceive to be the best interests of the wider community. It is our responsibility to account for those decisions when an election is held.

It is of course the record of the Government which is under scrutiny by the electorate. I do not believe that a multiplicity of questions should be referred to referendums. Decisions need to be made by Governments and by Parliaments, and members of those Parliaments have the primary responsibility to make those decisions. There is no more damaging course of action in the community than the lack of decision on important issues. One must be concerned increasingly at the tendency of avoidance of decisions in many areas of Government.

While it is entirely proper and necessary that issues should be properly and fully examined before they are decided by Government and Parliament, and while it is entirely proper and necessary that on some occasions there should be public inquiries, private inquiries, or the rendering of advice in one form or another—be it from the Government's own advisory machinery, the Public Service, or outside—it is not proper, desirable, or for the benefit of the community, that difficult

decisions should forever be put aside by an endless succession of inquiries, re-examinations, referrals, and avoidance of decisions.

A prime example of the undesirability of the frequent deferral of important decisions can be seen in my electorate in relation to Servetus Street. I hasten to assure you, Mr Speaker, that I do not intend to stray into an examination of that issue now, but I do use it as an example of the fact that decisions need to be made by Governments and Parliaments, and should not be ducked by an endless succession of inquiries held at the end of a long day, when the going gets tough for a Government.

We support the referendum machinery, but we have reservations about this Bill. I want to outline those reservations briefly and as a background to the particular points which I will raise in the Committee stages of debate.

Firstly, I would like the Minister to give a considered answer to the issue of whether this legislation, if allowed or adopted, will permit the putting to electors of multiple questions and the giving of multiple choices of answers on an issue.

Mr Tonkin: Do you say, "Does it allow for that?" Yes, it provides for it.

Mr HASSELL: It provides for it. I think that is a matter of some concern.

Mr Tonkin: Because it provides for it?

Mr HASSELL: Yes. I believe that if we are to put to electors the often complex issues that have to be faced, we ought to be required to put clearly and concisely the issues upon which a decision is wanted so that the electorate can give a precise answer which will determine the issue.

It seems to me that there is a danger in the possibility that a series of questions may be asked which lead to conflict as to the outcome of the referendum.

If in relation to daylight saving we ask the electors a simple question such as, "Do you approve of daylight saving?" the answer is clearly "Yes" or "No" and the result is indisputable. However, if we ask electors "Do you approve of daylight saving between October and March?", "Do you approve of daylight saving between November and February?", "Do you approve of putting the clocks forward half an hour, two hours, or one hour?", or "Do you approve of daylight saving?", clearly the result of that referendum would be a monumental public argument as to what the public approved.

Mr Tonkin: I think that is undesirable, but the only reason for the provision is to allow flexibility.

We cannot guess what a Parliament 50 years hence may wish to ask.

Mr HASSELL: I understand the point the Minister is making, but I think the point I am making outweighs what the Minister says. We should set the standard in the Referendums Bill because it will undoubtedly be one of the constitutional documents of the State. It is not an ordinary Bill in the sense that we may pass a Bill to amend the Liquor Act or a trade protection lotteries Bill; it is a Bill which will become, with the Constitution Act, the Constitution Acts Amendments Act, the Electoral Act, and the Electoral Districts Act, a significant part of the constitutional structure of the State.

It is vitally important that this Bill should set the standard and set the future requirements fairly, squarely, and properly for the conduct of referendums. I am therefore concerned to hear the Minister confirm that the Bill contains a provision for the putting of multiple questions to electors. The Bill should require the putting of a clear-cut alternative and if a clear-cut alternative cannot be put, there should not be a referendum because that goes to the very heart of the points which I was making before about the responsibility of parliamentarians to assess issues and to make decisions on behalf of their electors and the people of the State.

It goes to the point that it will not lead to good government for complex issues to be avoided by the elected representatives who have the responsibility to make decisions. It goes to the point that many issues are too complex to be dealt with by referendums and should not be dealt with in that way within our parliamentary system.

Because I know my remarks are capable of misrepresentation, I hasten to say I am not suggesting for one moment that the people are not capable of deciding what they want or what it is that concerns them. What I am saying is that our system of parliamentary democracy is a system of responsible government in which the elected Government has the responsibility to govern.

Although we have had tremendous differences with the Government of the day since the last election, I am on record already in this House as saying clearly that the elected Government has the responsibility as well as the right to govern.

If the Bill allows for multiple questions, it allows for the avoidance of responsibility and the confusion of issues which ought to be decided by the Government with the approval of Parliament.

My second point relates to the nature of questions which can be put to electors at a referendum, under this Bill.

I am not satisfied that the Bill provides adequately that questions are to be put in a neutral way. The Bill contains a specific provision that any question put to electors at a referendum should be completely neutral and should not be in any sense loaded.

Mr Cowan: That is what you did in 1977 with the meat market referendum.

Mr HASSELL: We all know that loaded questions lead to—

Mr Cowan: Total confusion as it did in 1977.

Mr HASSELL: Not total confusion—they lead to results which are not a correct reflection of what people want. I do not know any detail of the history of the matter to which the member for Merredin refers.

I come back to the point I made before. The Referendums Bill 1983 is not a passing Bill or a passing law which comes along to service the State for a short period or for a period of years on a particular issue. This Bill will become one of the constitutional enactments of Western Australia. It is critical that the Bill should, as part of the Constitution of the State, reflect a genuine consensus of the view of the Parliament as to the way in which referendums should be conducted.

If the member for Merredin is right in his assertion about some referendum in the past about which I know nothing, I am sure he will support me strongly in suggesting that the Referendums Bill should contain a specific provision not only prohibiting the putting to the electors of any question that is loaded or anything but objective, but also requiring that the question to be put is clear and neutral in its terms.

Mr Tonkin: How can you write into legislation a provision that an objective question must be put?

Mr HASSELL: The issue raised by the Leader of the House as Minister responsible for the Bill is a fair one. It can be overcome by, for example, giving to someone other than the Government or the Opposition an obligation to vet questions and change them if necessary in accordance with intentions expressed in the Act. That person could be the Chief Electoral Officer. Let us not forget that the Government itself has proposed to establish the Chief Electoral Officer as an independent commission of Government.

For my part, I hope it will do so. I understand that the Government intends to proceed in that way, so it may be appropriate to give to the Chief Electoral Officer or the electoral commissioner an independent role to determine whether a question

to be put is fair, objective, neutral, and not loaded.

Mr Blaikie: I wonder whether that will be the Government's policy.

Mr HASSELL: That is one solution. Another solution would be to require that the question or questions to be put at a referendum be settled by the Leader of the Government and the Leader of the Opposition with some deadlock-breaking mechanism in the event of a dispute between them that cannot otherwise be resolved.

Mr Tonkin: You believe in that do you?

Mr HASSELL: The difficulty of solving that problem should not deter the Government or the Opposition, or the National Party for that matter, from being determined that this important constitutional document will be framed so as to be capable of serving the State properly and fairly, and as it should serve the State in the future.

The issue of loaded titles is related to that of loaded questions. Provision exists in the Bill for electors to be asked to approve or disapprove of a Bill according to its title. Yet the Government has made the point very clearly and effectively in this very session of the Parliament that the drafting of a title to a Bill can become very significant if that Bill is to be referred to a referendum. We have seen this session a number of highly inflammatory and one-sided titles—titles which, far from describing the Bill in an objective sense, rather set out to put the case the Government believes is right.

It started on the opening day of the session when, as part of the privileges legislation, the Government put forward Bills with long-winded titles describing in inflammatory terms what the Government saw as desirable legislation to change the parliamentary and electoral systems of the State. At that stage, the Government was not even prepared to concede that the legislation of the Parliament should be objectively presented and considered on its merits. It took the view that it needed to start the ball game by stirring the pot from the first day with a wordy title containing many assertions which would be stoutly disputed by the Opposition and some other independent-minded members of the Parliament.

In my view, an important constitutional law such as that proposed by the Referendums Bill should contain specific provisions to ensure not only that there are not loaded questions, but also that the Bills put to referendum do not have loaded titles.

I come to the issue of the presentation of the cases for and against the legislation. I am sure every member of this House would be familiar

with the procedure which applies in the national Parliament in relation to constitutional alterations which require the approval of the electors of the Commonwealth at referendums. In those situations, cases for and against the Bill are prepared and those arguments are printed in a document and distributed by post to every registered elector. Those arguments for and against the legislation are required to be distributed to electors and an established procedure exists under the Referendum (Constitutional Alteration) Act 1906 of the Commonwealth for the preparation and presentation of those cases. I am sorry to say that the Commonwealth provisions have not been followed in the preparation of the Referendums Bill 1983.

In my view, serious deficiencies exist in the legislation relative to the preparation and presentation of the cases for and against. Both now and in the Committee stage of the debate, I will seek to answer the question of what are the deficiencies.

Firstly, there is left to the Minister a discretion to determine whether a case should be prepared for or against a Bill. In my view, and that of the Opposition, that discretion should not be vested in the Minister in this matter. The issue of the preparation of a case or as it is described in the Bill, an argument, should be very clearly and concisely defined by the Bill itself—by the proposed law.

Secondly, the deficiency is that these matters are put in the hands of the Minister. The Commonwealth Act puts them in the hands of the Chief Electoral Officer, and they are thereby taken out of the political arena and out of the area of potential criticism by one side or the other as to the fairness of the preparation and presentation of the cases.

Thirdly, a provision permits the Minister to seek the presentation of an argument or a case for or against an issue other than a Bill from a body corporate or unincorporate. I assume that provision is intended to allow the Minister to seek a case from a political party outside the parliamentary system, but it is by no means clear in the Bill and I believe that aspect is quite unsatisfactory.

I come back to the principal point which is that the Referendums Bill is to become an important part of the constitutional machinery of the State, and it will stand with those other pieces of legislation I have mentioned which together constitute the Constitution of the State.

Unlike the Commonwealth, we do not have a single Act which contains the Constitution of Western Australia. The Constitution of the State

is found in at least four pieces of legislation and this present Bill will make the fifth piece.

It is important that this legislation should contain a thoroughgoing, detailed system setting forth the machinery by which referendums will be conducted. That machinery not only should provide the method by which referendums may fairly be conducted, but also should provide the machinery by which referendums can be conducted fairly. I do not believe it can be said that the system will necessarily be fair if it is up to the Minister to decide whether there will be arguments presented for and against a Bill; if it is left to the Government to decide by prescribed regulations or requirements the form of arguments; or if it is left to the Minister to decide who may be invited to present arguments. Those things should be clearly and precisely prescribed in the legislation and should not be left to the varying standards of Ministers and Governments in what will, on occasions, be heated and conflicting circumstances.

I sincerely hope the Minister will recognise that in putting forward these points, I am supporting his legislation with reservations which are entirely appropriate and which he should carefully consider before rejecting them simply because he has a nicely drafted Bill presented to him by his advisers, whether legal, political, or other. I believe that fundamental constitution procedures of this kind should be the subject of some degree of consensus in this place and in this Parliament as a whole.

Mr Tonkin: Which you sought when in Government!

Mr HASSELL: If this legislation is to serve the State as it should, it needs to be amended, and if the Minister follows the comments repeatedly made by the Premier, he will be prepared to look fairly and squarely at the points I have made to him and consider whether it would not be reasonable to make some changes. I refer in particular to the suggestion that some of the obligations relating to the presentation of arguments should not be left in the hands of the Minister, but should be put in the hands of the Chief Electoral Officer, as occurs under the Commonwealth legislation. It would do nothing but improve the Minister's legislation and it would be evidence of his good intent in presenting it, which I am sure he has, if he were to require those functions to be carried out by the Chief Electoral Officer, which office may in due course become the office of the electoral commissioner.

The Opposition recognises the need for a Referendums Bill. We think it is a significant

constitutional document, and we believe that basically the Bill put forward by the Government is in order. However, some significant changes should be made and those which I have detailed are the major ones I ask the Minister to deal with on a fair and objective basis.

**MR JAMIESON (Welshpool)** [8.05 p.m.]: I have listened intently to the Deputy Leader of the Opposition and to his views on this Bill, which views I have found very hard to follow. At first, I thought he was saying he did not believe referendums should be held too often or not at all perhaps, but the member concluded his remarks by saying that this piece of legislation was necessary for the State to carry out constitutional and other matters. That statement was probably more correct than some of his earlier comments. If there has been any failure, it has been on the part of the previous Government which introduced a provision in an Act of Parliament that required a referendum to be held under certain circumstances, but which did nothing about putting forward a Referendums Bill so that such matters could be dealt with by referendum.

Since the time of responsible government in this State, few items have been put to referendum. The exception to that was at the turn of the century when several referendums were held on the question of the establishment of the Commonwealth of Australia. Of course, it must be remembered those referendums were held under State legislation on each occasion because no Federal power existed until the Commonwealth had been established. A further exception was the liquor poll known as the local option poll which was held every five years relating to the provisions of the Liquor Act. No other referendums have been held since the daylight saving referendum. The local option poll went on for years and became a drain on the Treasury which was responsible for conducting the referendums. Specific legislation contained in the Liquor Act made provisions for how it should be held. Of course, the McLarty Government saw fit to get rid of it after constantly finding, as had the previous Governments, that the result was almost always 70:30. There was obviously no point in maintaining such a local option when no progress was being made by those who would have had dry areas if given the choice.

The history of referendums has not been great and I am not keen on them to any large extent except in the case of the Commonwealth which has no alternative as it is tied in with the Constitution which requires amendments by referendums. I suppose that was a condition of the establishment of the Commonwealth; it was written into the Constitution and therefore had some justification.

Under present circumstances, it is rarely necessary to indulge in this form of excessive spending to obtain a determination on an Act.

**Mr Hassell:** It seems to me you are agreeing with my amendments.

**Mr JAMIESON:** I am to some degree, but I am contesting the Deputy Leader of the Opposition's argument as not being clear. Firstly, the member does not like it, and secondly, he said it was an essential part of the Constitution in this State and should be enacted.

**Mr Hassell:** I said I did not like it for a multiplicity of issues.

**Mr JAMIESON:** The Opposition has forced upon us the responsibility of having referendums as part of the constitutional responsibilities.

**Mr Hassell:** You have not proposed to repeal them.

**Mr JAMIESON:** Of course we have not acted to repeal the provision because to do so it is necessary to go to a referendum because the Act contains it. Of course, legislation is necessary on how to conduct referendums.

**Mr Cowan:** Surely the alteration of the Constitution to remove the referendum requirements does not in itself require a referendum.

**Mr JAMIESON:** If the legislation is to be altered in any way or the numbers are to be lowered, it must be done by a referendum.

**Mr Cowan:** I thought it was related only to the position of Governor or to any reduction of the numbers in the Legislative Council.

**The SPEAKER:** Order! Will the member please address the Chair. He cannot be heard at this end of the Chamber.

**Mr JAMIESON:** After putting in these additional aids, we seem to be worse off than when we started. The speakers seem to have absorbed the sound and members cannot use their ears any longer.

For the members' benefit, I repeat that to do anything in an amendment to the provisions as set out in the Acts Amendment (Constitution and Electoral) Bill, it is necessary to hold a referendum, and to remove that provision, a referendum must be held. The point being made by the Deputy Leader of the Opposition is hardly valid because the Government is in a tied position. Legislation is necessary in order to conduct the proposed referendum. We have heard the member indicate his concern about the matters put to the people in the form of multiple situations or questions that might be asked. This seems to be a pretty poor argument because the Bill clearly indicates that in the case of a referendum, other

than a referendum as to a Bill, each elector shall mark his vote on the paper in the manner prescribed in the Act by which the referendum is authorised. This means that before one can go ahead with such a referendum, it must be discussed in this House and have set out the pro forma of the Act to be put to referendum. I do not see any great concern in that area.

A further point raised by the member refers to the fact that the Bill should be properly named. If the referendum was applied in connection with a Bill dealt with by the House at an earlier stage of the session, it would be clearly named. The clause is the only part that needs to go to referendum; for example, the Bill to reduce the number of members in the Legislative Council from 34 to 22. The rest of the Bill means nothing as far as the electors are concerned because it has been dealt with by the Legislative Assembly in accordance with the Constitution. Therefore, there is no further requirement. I am not sure what the Deputy Leader of the Opposition was trying to say.

Mr Hassell: That the whole title should be read out.

Mr JAMIESON: It is not necessary to put the whole title of the Bill. The matter to be referred to is the clause of the Bill that needs to be decided by referendum. There is no import to include any other part of it; for example, to include other electoral, salaries, and allowances provisions which are not subject to referendum is unnecessary.

Mr Hassell: I think you might find you are wrong. Under clause 15 there is specific requirement that in a referendum as to a Bill shall be the question—

*"Do you approve of the Bill entitled (the title of the Bill)?"*

Mr JAMIESON: If one wants to add all that small print, it can be done. The only part that must be included is the subject for determination by the electorate. That must be made clear, otherwise the population will be confused.

I have my reservations about matters going to referendums. I was in Switzerland, the home of the referendum, on a day they were conducting four referendums. It was rather interesting to note that the issues involved were similar to those with which we might deal here in our legislative programme. However, as a result of the Constitution in Switzerland, these matters must be approved by referendums.

The referendums were about the following issues: Firstly, abortion reform, a subject about which we have heard much in this place and one which perhaps should go to referendum; secondly,

that one Sunday a month motor cars would not be used, which was a move to conserve fuel in those days; thirdly, that the subsidy on bread which the Government had paid for about 50 years should be abolished; and, fourthly, that the tertiary education allowance should be increased.

I thought I knew people rather well, but I could not have picked the one issue out of the four which would be passed. Three issues were rejected and the one which was passed related to the abolition of the subsidy on bread.

I am not too keen on referendums being held, but when they are forced upon us, as has been the case, we must have a medium by which we can conduct them. Provisions similar to those in the Electoral Act should apply when referendums are conducted, otherwise on each occasion a referendum is held, it will be necessary to introduce a Bill setting out the specific matter to be put before the people and the way in which the Electoral Department shall conduct the referendum. That would be very sloppy and unnecessary and I am sure that is the aspect to which the Deputy Leader of the Opposition referred when he suggested it was an essential part of our constitutional framework to provide proper guidance by means of a Bill.

It is a matter of argument as to whether the provisions in the Bill represent the ultimate. When one introduces legislation such as this, it is not always possible to cover every point initially. The Deputy Leader of the Opposition was concerned as to who would put the cases for and against the issue and which organisations might be asked to supply the information. Of course, matters which in the minds of members of the public are contentious, receive a great deal of publicity. For example, if the Tobacco (Promotion and Sale) Bill were to go to a referendum, we would have seen pages and pages of advertising about it from those who represented both sides of the argument. That publicity would have been circulated in addition to the official transcript which the Government might be forced to issue if it were in accordance with the provisions of the legislation to do so. However, the Deputy Leader of the Opposition is tying himself to too great an extent to the consideration of one small facet of the matter.

When a referendum is held federally, an official booklet is prepared containing the cases for and against the issue. However, I doubt that many people read that booklet. Indeed, I doubt it is worth the paper on which it is printed, because most people either tear it up or throw it away. The booklet is too complex, because it contains a written case sometimes extending to 30 or 40 pages. A multiplicity of questions is usually re-

quired to be answered and people are not prepared to become involved in that.

What is more effective is the publicity provided in the daily media during the days leading up to the referendum. That publicity affects, influences, or guides the people in their consideration of their decisions on the issue.

I suggest that attitude is very negative, because if people were confined entirely in their consideration of the issue to the official case provided, the Deputy Leader of the Opposition might have something about which to growl because the case might not be put fairly.

However, when the matter is fully publicised and people present their views both for and against the issue, those views would be taken into account by people during the course of the campaign.

If this legislation is placed on the Statute book, it will be used when we have a referendum on daylight saving. Bearing in mind the way in which the Bill in relation to that matter was passed through this place, it does not appear elected people will take great issue with the matter, with the exception perhaps of our two friends on the backbenches who will put forward their points of view, as no doubt will some other members from both sides of the House. In our Caucus room, some people have indicated that they are not terribly happy about the matter, whereas others are quite happy about it. People will go their own merry ways and the public will make their determinations as a result of the activity generated on the issue by the member for Merredin, me, and any other people who care to express their points of view. Out of that will come a public determination.

We do not conduct a great number of referendums here. If anyone visits America during the course of its elections, he will find local government and State Government issues dealt with by way of referendums. I do not know whether that is the case federally, because the position is different there in relation to the Constitution being altered. Indeed, it is a position we might follow, although America has a great many more States than does Australia and its Constitution probably suits them much better than it would suit us.

Mr Blaikie: Don't you see any danger at all in that Governments may inflict their wills on people through this sort of legislation?

Mr JAMIESON: I do not, because had this been a fear, I am sure the member for Vasse would have been up on his feet complaining about it in 1978 when he was part of the majority which

forced the issue into the Constitution Acts Amendment Act.

I am sure he would not have changed his mind on a point such as that; therefore, I do not think that danger exists.

I do not like referendums. However, I do not think the problem referred to by the member for Vasse exists, because while there is a point of view in the community which is counter to somebody else's point of view, it will be put forward very clearly and succinctly by the people who are sponsoring it in the run-up to the referendum. Therefore, I do not see any fear of that.

Mr Blaikie: Well, I do.

Mr JAMIESON: I suggest we try out the provisions of the Bill when we conduct the daylight saving referendum. If any great problems occur in relation to it, at the next session of Parliament it will be up to the member, the Government, or anyone else to approach the legislative Chambers to amend the Act to ensure that the problem which has occurred does not happen again. In the meantime, this Bill provides the necessary machinery to enable referendums to be conducted. That is what we need and if we can put the legislation on the Statute book, it is desirable that we do so. I think the Deputy Leader of the Opposition indicated he felt these provisions were necessary also.

The SPEAKER: Order! There is too much conversation going on around the Chamber.

Mr JAMIESON: I think some members are trying to out-shout me, Mr Speaker. For your benefit I was speaking rather loudly, but, of course, the member for Scarborough has a voice which could do with a pair of rubber heels on it.

This legislation is necessary not because I desire to force referendums onto people—we should accept our responsibilities as Governments of the day—but because Sir Charles Court saw great danger in the Governor being beheaded or the Legislative Council disappearing, because we had an amendment to the Constitution Act before this House a couple of years previously, which amendment sought to create a unicameral Parliament.

As a result, Sir Charles Court thought it was necessary to insert the provision for referendums to be held.

Mr McIver: Does the National Party go along with that?

Mr JAMIESON: Even the National Party in Queensland does not seem to have restricted any of its legislation to the effect that certain issues must be decided by referendum. I could not see Joh going along with that!

Mr Stephens: The National Party of Australia is on the march!

Mr JAMIESON: If the member includes Joh in his group, with his trust fund arrangements, no doubt he will not get into any trouble and maybe he will be able to help out other members in country areas also.

It is desirable that the legislation be given a trial. At this stage, it is not necessary to amend it to any extent. After the daylight saving referendum is held, we can deal with any faults which appear.

Mr Hassell: There will not be any problem with the daylight saving referendum questions; there might be with the arguments.

Mr JAMIESON: That may or may not be the case. However, if problems manifest themselves, it is up to the legislative Chambers to deal with them.

Mr Hassell: You should not treat a constitutional Bill in that way; it is too important.

Mr JAMIESON: Of course it is important. It is important also to allow the elected representatives of the people to make determinations on behalf of the people without their having to refer matters to referendums. We had that argument out with members opposite in 1978 and we lost; so now we have to do something about regularising the condition members opposite and their supporters at the time forced upon us. It is because of that that the Bill is necessary and I support it.

MR COWAN (Merredin) [8.26 p.m.]: In the main, the National Party supports the Bill before the House. However, we share some of the concerns that were expressed by the Deputy Leader of the Opposition in relation to the multiplicity of questions that can be asked, and the reason we are concerned is past experience.

The Deputy Leader of the Opposition was in this House when the meat marketing referendum was put to meat producers. The number of questions asked in that case were designed to confuse the people who were asked to vote, and that is precisely what it did. Therefore, we have some concern about that issue in relation to this Bill.

I do not think it is possible ever to legislate to prevent a person or a Government from carrying out its will. Therefore, in order to get this legislation onto the Statute book, that is a risk we have to take.

The member for Welshpool raised a very interesting point. I would be very interested to hear the Minister in reply make some comment about whether the daylight saving referendum, when it takes place next year—I would hope it

would be next year—will be conducted under the auspices of this Bill, because if it is, we shall have to set about preparing a “No” case even though the vote was something like 42:3. If it is accepted we were the majority of people opposed to it, we would be expected to prepare a “No” case.

Mr Hassell: Just because we supported the Daylight Saving Bill does not mean all our people would support daylight saving.

Mr COWAN: That is correct, but one would assume, if one looks at the wording of the Bill, one would have to look at the votes and proceedings to see who was in the majority in their opposition to the Bill. Members supporting the Deputy Leader of the Opposition did not indicate their opposition to the Bill, because a division was called for, and I would assume that the people conducting this issue would look at the results of the division and, if that is the case, we have landed ourselves with a job—one to which we look forward!

Mr Hassell: I think you might have misread the Bill.

Mr COWAN: Maybe I have. I shall wait and see what the Minister in reply has to say about this issue. We share some of the concern of the Deputy Leader of the Opposition about the multiplicity of questions which might be asked. We also have some concern for the fact that the Minister will control which arguments are put forward to accompany the referendum.

We believe, as does the Deputy Leader of the Opposition, it may have been better for the Chief Electoral Officer to be put in control of the matter. However, in spite of those two reservations, we support the measure before the House.

MR TONKIN (Morley-Swan—Minister for Parliamentary and Electoral Reform) [8.30 p.m.]: I thank the Deputy Leader of the Opposition, the member for Welshpool, and the member for Merredin for their contributions to this debate.

The member for Welshpool has shown over a long period in this Parliament his great interest in and concern for electoral matters. No-one else in this Parliament has shown over that long period more dedication to improving electoral and related laws in this State than has the member for Welshpool.

Mr Hassell: He has shown a bit of wisdom on occasions.

Mr TONKIN: There is the saying about Greeks bearing gifts. I do not detect any Greek in the name “Hassell”, but I could be wrong. We have had the joust from the Deputy Leader of the Opposition that anything to do with the Consti-

tution or the electoral system of this State should be decided by a consensus of the parties of the Parliament. Whenever did conservative parties of this State seek consensus with the Labor Party when it has been in Opposition? Whenever Sir Charles Court rose in this place from the seat next to me did he ever say he wanted the Opposition to come forward with its ideas, and the Opposition and the Government would go arm in arm to change the Constitution of this State? Sir Charles Court, as a conservative Premier in this State, had the numbers in both Houses and rammed through any piece of legislation he wanted to have passed. He needed to have only a thought about something and it became a Statute. To talk about consensus is a rather sick joke when it comes from the other side and bearing in mind the track record of the conservatives on constitutional matters.

The present Government is not of that persuasion or of that attitude. We have already shown our attitude by agreeing to more amendments to Bills in our short term of office than the conservatives accepted in nine years in office.

I refer now to one or two of the reservations raised by members opposite, who I think misread the Bill. The member for Merredin will find he will not have the chance to put forward as a right the "No" case on daylight saving because he voted against the Bill. That is so only when a Bill is put to a referendum. He was referring to Bills that do not become Statutes until approved by a referendum. Daylight saving will not be in that category. The people will be asked to put their views in relation to an Act, not a Bill. In that case, the member for Merredin like everyone else will be able to suggest arguments to put, and the Minister may, but not necessarily, put those arguments to the people. He may, but not shall, otherwise we would have the ridiculous situation of the State's being able to be made bankrupt in one fell swoop by, say, 99 000 cases being put. That is the reason for the discretion being retained by the Minister.

Mr Blaikie: This Bill will give you the opportunity to have a referendum on the tobacco advertising Bill if you so desire.

Mr Jamieson: That is only if you put an Act through for it.

Mr TONKIN: If we had such a referendum, it would not have any force in law. There would be no point in having such a referendum unless we wanted to prove to the Opposition that we are more popular than they are.

Mr Hassell: Do you think you could have a referendum on questions like that?

Mr TONKIN: Yes, I think we could. However, the Government would be taken to task severely if it spent \$1 million on a popularity type of referendum.

Mr Hassell: You have been considering it, have you?

Mr TONKIN: We have not been considering it, but in terms of the legislation, it is possible to have such a referendum.

Mr Blaikie: The Government might want to prove a point by way of a referendum.

Mr TONKIN: It would be unlikely to do so because it would be taken to task for spending \$1 million on such a referendum. If a Government held referendums merely to find out what the people thought instead of using some polling method, it would be in trouble.

The Deputy Leader of the Opposition said the Bill does not provide for the Commonwealth style of "Yes" and "No" cases. That was the deliberate intention, but it does not prevent us from using that Commonwealth style. Many members on reflection will remember that putting the for and against cases of the Commonwealth are expensive operations. A booklet goes to every household with a "Yes" and "No" case in it. I wonder how many of the booklets are read.

We heard the Deputy Leader of the Opposition hark back to 1906. Conservatives always look back fondly to the past, but in 1906 there was no television and little radio.

Mr Hassell: Have you read the Prime Minister's Curtin lecture, which was read here a few months ago?

Mr TONKIN: No.

Mr Hassell: It has large chunks looking back into the glorious past of the Labor Party under John Curtin.

Mr TONKIN: That is so. It all depends on what one does with the past. I must confess to having a history degree and having taught the subject for many years. One could say I look into the past, but there is a big difference between one's looking into the past to understand the present, and one's looking into the past with reverence or a nostalgic desire to return to that past.

The Commonwealth style of conducting referendums is available to the State to use, but that style may not be the best. The best might be to present the for and against cases over television. The provision must be flexible, and this Bill provides the machinery for that flexibility. It is not intended that value judgments be made by way of this Bill. If the Government is to play fast and loose by providing tricky questions, as the

Deputy Leader of the Opposition said it would do, no doubt there would be political consequences for it.

The member for Merredin said we cannot legislate to prevent Governments, or anyone else for that matter, from doing those kinds of things. It has been quite deliberate that the legislation is flexible and we are not tied to the Commonwealth style.

The question of the Minister's having the discretion to put arguments was raised. I accept the comments made by the Deputy Leader of the Opposition that it might be better to have this matter in the hands of an electoral commission. When we have an electoral commission, I will be happy to look at the suggestion made by the Deputy Leader of the Opposition. It might well be the better course, but one argument for giving this discretion to the Government is that the Government must pay. We would not want an irresponsible House of Parliament to spend the Government's money by putting extravagant cases.

Mr Hassell: You could limit the length of the case. The Commonwealth does. The Commonwealth prescribes a maximum number of words.

Mr TONKIN: The points made by the Deputy Leader of the Opposition are quite good. When an electoral commission is constituted, it may be appropriate for that body to have that power.

Members will realise that a great deal of difficulty has been encountered in drafting this Bill. It provides for Bills in some cases and Acts in others. In regard to Bills, it is clear who will be able to put the "Yes" and "No" cases, and they are the people who voted for or against the Bill in the Parliament. But the situation is different in regard to the for and against cases in respect of daylight saving or in connection with some other matter which is not the subject of a Bill.

Mr Blaikie: Electoral reform.

Mr TONKIN: That may be in a Bill, but if the question relates to an Act, the position is not clear cut, and that is why discretion must rest with the Minister. The provisions may not be perfect, and it may well be that, when we have an electoral commission, we will look at the matter again. I thank the Deputy Leader of the Opposition for his suggestion because I think it contains some merit, but its further consideration will need to wait for the establishment of the commission. I would not think the Chief Electoral Officer, a servant of the Government, would be the most fitting person. We could argue that putting the matter in his hands at present would not be much different from putting it in the hands of the Minister.

I thank members for their support of the Bill.

Question put and passed.

Bill read a second time.

### *In Committee*

The Chairman of Committees (Mr Barnett) in the Chair; Mr Tonkin (Minister for Parliamentary and Electoral Reform) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Issue of writ—

Mr HASSELL: This clause provides for the issue of writs for the holding of a referendum, and covers the situation where an Order-in-Council is made under the Constitution Act fixing the day for the taking of votes by referendum in relation to a Bill. That provision is covered in section 73(3) of the Constitution Act, where the requirement is that the Governor by Order-in-Council fixes the day for the holding of a referendum in relation to an issue which is required under that section to be dealt with by referendum. So, that is clear enough.

Clause 4(1)(b) refers to a referendum which is "otherwise authorized or required by any Act". To me it is clear this proposed law applies to the holding of a referendum required under the Constitution or by an Act of Parliament. However, the Bill should specify clearly that no referendum should be held other than one which is required in the specified ways. In other words, it should not be within the power or competence of the Government of the day to tack onto a referendum required by law a further referendum or question related to any other issue.

We should bear in mind that this Bill relates to the constitutional process of the State and it should not be violated. It is entirely possible that a referendum held on the Daylight Saving Bill might have tacked on to it some other question related to another issue by an executive decision, and the Government could say that that issue could be raised without additional access to get an expression of opinion. It would not have the force of law, but it might have the effect of allowing the Government to manipulate a situation and to get an expression of opinion on a particular issue which is not authorised by Parliament.

Therefore, I move an amendment—

Page 5—Add after subclause (4) the following new subclause to stand as subclause (5)—

(5) No referendum shall be held or taken otherwise than as—

(i) authorised and required by law; and

- (ii) in accordance with the provisions of this Act.

That amendment strengthens the Bill in a reasonable way and does not inhibit its intention. In the light of the assurance of the Premier, so often repeated, that the Government is prepared to accept any reasonable amendments to its legislation which do not affect the substance of it, I am sure my amendment will be accepted. It seeks to provide that an executive referendum cannot be tacked onto a referendum which is authorised or required by Parliament or under the Constitution.

Mr TONKIN: We are used to the Opposition trying to hamstring the Government in every possible way—

Mr Hassell: Fair go, we are supporting your Bill.

Mr TONKIN: —and harbouring evil thoughts about our intentions; but, for the life of me, I cannot see why it would be undesirable for a Government, if there was no extra expense, and if the electors had already turned out on that day, to tack on an extra question. Let us take an hypothetical example; suppose in five years' time a referendum was held relating to the Constitution of the State. It was set down for a certain day. It had been decided, that, for example, daylight saving had been pretty disastrous and perhaps lost at the referendum held sometime in 1984. It is now 1989 and a lot of pressure, debate, and argument are within the community with some parliamentarians in favour of some actions and some not; what would be wrong with the Government asking the additional question: "Are you in favour of daylight saving?"

Mr Hassell: You should have an Act first; that is what would be wrong with it.

Mr TONKIN: I do not see that.

Mr Hassell: You want to take away the role of Parliament and give it to the Government. You used to say that was wrong when you were the Opposition.

Mr TONKIN: That is quite wrong. The Government is not legislating. It is not able to instruct that clocks be put forward. All the Government is doing in that hypothetical situation is asking the people for their opinion. As soon as this Government talks about asking the people for their opinion, it seems the Opposition runs scared. If members of Parliament are scared of the people's opinion, the people have a right to know why. We should ask ourselves why. I cannot see why such a question should not be asked. If it is a question that is in bad taste or is ludicrous, does not the Government have to bear the consequences of such an action? Of course it does.

Mr Rushton: You do not have to carry out whatever the opinion is, do you?

Mr TONKIN: No, of course we do not have to.

Mr Rushton: So you will use it in your own way on that basis; those who disagree with you, you will not take any notice of, and the ones that want the legislation enacted, you will go along with it because you have some support.

Mr TONKIN: That is what we are doing all the time. We get letters and phone calls; some people disagree with us and some agree with us and we take one course of action and not the other. I cannot see anything at all very sinister in this. I repeat that this is not a policy document; this is a machinery matter and we want to make it as flexible as we possibly can.

Amendment put and a division taken with the following result—

#### Ayes 17

Mr Blaikie	Mr Mensaros
Mr Bradshaw	Mr Old
Mr Cowan	Mr Rushton
Mr Coyne	Mr Spriggs
Mr Grayden	Mr Stephens
Mr Hassell	Mr Thompson
Mr Peter Jones	Mr Trethowan
Mr MacKinnon	Mr Williams
Mr McNece	

(Teller)

#### Noes 26

Mr Baileman	Mr Hodge
Mrs Beggs	Mr Jamieson
Mr Bertram	Mr Tom Jones
Mr Bryce	Mr McIver
Mrs Buchanan	Mr Parker
Mr Brian Burke	Mr Read
Mr Terry Burke	Mr D. L. Smith
Mr Burkett	Mr P. J. Smith
Mr Carr	Mr A. D. Taylor
Mr Davies	Mr I. F. Taylor
Mr Evans	Mr Tonkin
Mr Grill	Mr Wilson
Mrs Henderson	Mr Gordon Hill

(Teller)

#### Pairs

Ayes	Noes
Mr Watt	Mr Bridge
Mr O'Connor	Mrs Watkins
Mr Laurance	Mr Troy
Mr Tubby	Mr Pearce

Amendment thus negatived.

Clause put and passed.

Clauses 5 to 7 put and passed.

Clause 8: Additional action in case of referendum as to a Bill—

Mr HASSELL: I pointed out to the Minister privately some time ago that there seems to be a drafting error in clause 8 in that there appears subclause (1) but no subclause (2). It seems to me that either the (1) should not appear or that there should be a subclause (2). If it is simply a case of the (1) not appearing, it does not matter, but if

there should appear a subclause (2)—I thought there might be a need for a subclause (2) to relate to referendums as to questions other than a Bill—it would be important to insert it. Perhaps the Minister will respond at this stage.

Mr TONKIN: I thank the Deputy Leader of the Opposition for bringing this error to my attention. I discussed the problem with the draftsman. Apparently the designation "(1)" stayed in from an earlier draft which was lost months ago. The error is just a typographical one. The draftsman thought the Clerks of this House would be able to fix that up. I thank the Deputy Leader of the Opposition for his comments.

Clause put and passed.

Clause 9: Arguments in relation to referendum question—

Mr HASSELL: This is a significant clause and I have already raised the issue that it is deficient in many respects. It deals with the preparation, approval, and distribution of arguments in relation to referendum questions. It permits there to be forwarded to the Minister in the case of a referendum, in relation to a Bill, an argument in favour of a Bill being one that has been approved by the majority of the members of both Houses who have concurred with the Bill and an argument against a Bill which is one approved by a majority of members from both Houses who voted against the Bill. The argument has to be forwarded to the Minister and we have taken objection to that. We believe it should be forwarded to the Chief Electoral Officer. The Bill states that the Minister can cause the argument to be printed and distributed to electors or otherwise to cause the argument to be brought to the notice of electors. We believe that the Chief Electoral Officer should be required to cause the argument to be printed and distributed to the electors. The very point the Minister made by way of interjection underlines our concern. He said it may be better to bring matters of this kind to the attention of electors by way of television. I know that the ALP is a city-based party—

Mr Brian Burke: We have a lot of country seats these days.

Mr HASSELL: —and its interests are centred in the city.

Several members interjected.

Mr HASSELL: The reality is that there are still significant areas of Western Australia which are not served by television.

Mr Tonkin: We did not say television; we are leaving our options open.

Mr HASSELL: What we are saying is that in a constitutional Bill certain requirements should be laid down and that is what this Bill does not do.

Secondly, in subclause (3) there is an entitlement on the part of the Minister, entirely at his discretion, to invite a body corporate or an unincorporated body to forward to him an argument in favour of or against an issue which has to be put to a referendum when it is an issue within a Bill.

I missed some of the Minister's reply to the second reading debate and I did not hear him comment on this point, but it appears that subclause (3) has been left wide open to all sorts of abuse. Theoretically, the Minister could invite two different groups of his political allies to provide arguments. He could invite the ALP to provide an argument in favour of an issue which he supported and was going to a referendum and he could also invite the Transport Workers' Union to provide an argument against the issue which could be a weak argument when, in fact, it was in favour of the issue. This clause is completely open to abuse.

I believe this clause should be completely revamped. We support the proposition that there should be a referendum procedure, but it is a constitutional document and there should be an established and acceptable procedure for the conduct of referenda. It is not sufficient for the Minister to say, "Well, the Minister of the day will do it in the right way". That may be acceptable in the case of some legislation which is not constitutional and which perhaps relates to lesser issues than the very system of government. However, it is not acceptable in this case.

I propose a number of amendments to this clause, but before I move them I want to make it clear that I do not regard these amendments as adequate to deal with the problems we see with the clause even if they were accepted by the Minister. The amendments are proposed to make improvements and they will not solve the problems which are real and which should be faced.

I point out that under the Commonwealth Act the arguments and processes are dealt with by the Chief Electoral Officer. In 1912, section 6A was included in the Referendum (Constitution Alteration) Act 1906. It reads as follows—

6A. (1) If within four weeks after the passage of the proposed law through both Houses there is forwarded to the Chief Electoral Officer—

(a) an argument in favour of the proposed law, consisting of not more than two thousand words, and authorized by a

majority of those members of both Houses of the Parliament who voted for the proposed law and desire to forward such an argument; or

- (b) an argument against the proposed law, consisting of not more than two thousand words, and authorized by a majority of those members of both Houses of the Parliament who voted against the proposed law and desire to forward such an argument,

Since 1912 the Commonwealth Chief Electoral Officer, who is not an electoral commissioner, has had the obligation to carry out the requirements concerning a referendum. If the Government were dinkum in its commitment to being reasonable about amendments, it would accept an amendment to substitute the words "Chief Electoral Officer" for the word "Minister" in this clause. There is not a single reason that the Chief Electoral Officer should not carry out this action instead of the Minister. There are a number of reasons that these functions should not be left in the hands of the Minister—reasons of equity, fairness, and the appearance of justice. They are reasons that will ensure the referendum process is aboveboard.

I propose to move a number of amendments and I am not sure of the number of times I am permitted to speak. Therefore, I seek your guidance, Mr Chairman.

The CHAIRMAN: You may move each amendment individually and in proper order and on each amendment you may speak three times.

Mr HASSELL: Thank you, Mr Chairman. I do not want to prolong the debate unnecessarily, but this clause represents the central part of our concern about the Bill. This is genuine concern and if the Government were genuine, it would consider the amendments properly.

I will move the amendments directed to two objections, the first being the responsibility for presentation of arguments being imposed on the Chief Electoral Officer rather than on the Minister, and secondly, an obligation being imposed on the Chief Electoral Officer, or the Minister if we do not accept the first amendment, to distribute the arguments for and against so he does not have the discretion as to whether he will distribute them.

Mr Tonkin: What if he gets 10 000 cases?

Mr HASSELL: He cannot get 10 000 cases; he can get only two.

Mr Tonkin: Are you speaking about a Bill?

Mr HASSELL: Yes, about a Bill initially, but the third amendment I propose to subclause (3)

will require the Chief Electoral Officer or the Minister to seek an argument on an issue within a Bill from the Leader of the Government and the Leader of the Opposition.

Mr Tonkin: What if they agree?

Mr HASSELL: That would be a very rare circumstance.

Mr Tonkin: I do not know. You said that you were not necessarily against daylight saving.

Mr HASSELL: That is right, but could I make the point that if my amendment is deficient it simply underlines the point that I have made; that is, that this clause needs to be reconsidered. There is an issue between what the Minister said is right and what I am saying is right. He might get 10 000 cases if he were well informed to get 10 000 organisations to give a case, but at present he gets only as many cases as he requests. He should be allowed to ask only one organisation in favour and one organisation against and they should be reputable bodies. The Minister should recognise this and his advisers would undoubtedly recognise this.

The clause needs to be amended and there should be a provision whereby the Minister or Chief Electoral Officer should invite expressions or contrary information from groups of members of Parliament. In response to my suggestion that the Minister should be required to ask the Leader of the Government and the Leader of the Opposition for cases, the Minister said, "What if they both agree?" There have been cases in the Commonwealth where they both did agree.

Mr Tonkin: In the 1967 referendum.

Mr HASSELL: That might have been one case, but there is a more recent one where they both agreed and there was no case to be put. It may have resulted in one case being put—I cannot remember the exact details.

Mr Tonkin: There may be considerable opinions in the country.

Mr HASSELL: I am not unwilling to see the problem solved, but I am unwilling to leave it open for the Minister to ask anyone he likes to give an opinion or make a case. That is ridiculous and should be altered. I move an amendment—

Page 7, line 27—Delete the word "Minister" and substitute the words "Chief Electoral Officer".

I advise members that I will move to replace the obligations of the Minister in each case with the obligations to be imposed on the Chief Electoral Officer.

Mr Tonkin: You say that that is the case in the Commonwealth Act?

Mr HASSELL: That is the case, and I refer members to the Referendum (Constitution Alteration) Act 1906, and to section 6A which reads as follows—

6A. (1) If within four weeks after the passage of the proposed law through both Houses there is forwarded to the Chief Electoral Officer—

- (a) an argument in favour of the proposed law, consisting of not more than two thousand words, and authorized by a majority of those members of both Houses of the Parliament who voted for the proposed law and desire to forward such an argument; or
- (b) an argument against the proposed law, consisting of not more than two thousand words, and authorized by a majority of those members of both Houses of the Parliament who voted against the proposed law and desire to forward such an argument,

the Chief Electoral Officer shall, within two months after the expiry of those four weeks, and not later than two weeks after the issue of the writ, cause to be printed and posted to each elector, as nearly as practicable, a pamphlet containing the arguments together with a statement showing the textual alterations and additions proposed to be made to the Constitution.

That, of course, is peculiar to the Commonwealth constitutional requirements.

Mr TONKIN: As I said during the second reading debate, I thought there was some argument in favour of making this the Chief Electoral Officer and I said that this would be so once an electoral commission was formed in the State. However, at the present time, we do not have an electoral commission although it is the Government's intention to legislate to provide for that. The Deputy Leader of the Opposition has asked me several times whether that is our intention in line with our election policy. I state quite clearly that it is our intention at present to legislate in that direction. So that would come more appropriately under the Chief Electoral Officer if he were in fact the chief executive of an Electoral Commission. However, it is an imperfect world and we do not yet have an electoral commission.

Mr Hassell: Do you think it will be a perfect world when we have?

Mr TONKIN: If it is true it is best given to the Chief Electoral Officer when he is part of a commission, I think it would also be true that it

would be best given to him now that he is a civil servant. In line with this Government's policy of accepting reasonable amendments, I indicate that I accept the amendment moved by the Deputy Leader of the Opposition.

Mr HASSELL: I sincerely thank the Minister for accepting the amendment. As I said during the second reading debate, I have put forward all my comments on this Bill completely genuinely. I have not sought to read anything sinister, improper or peculiar into what the Government is doing. I have viewed this Bill as an important one to be part of the Constitution of this State; it is one we support as legislation which is required and which should be as nearly perfect as possible.

I presume in accepting the amendment the Minister will accept the subsequent amendments which seek to do the same thing, because it will be a nonsensical clause if he does not. There are several references to "Minister".

Amendment put and passed.

Mr HASSELL: I move an amendment—

Page 8, line 1—Delete the word "Minister" and substitute the words "Chief Electoral Officer".

Mr TONKIN: All these amendments are not, in the strict sense of the word, truly consequential, but of course they are closely related. As the Deputy Leader says, if one is accepted they all should be. That comment applies only to substituting the words "Chief Electoral Officer" for the word "Minister". It does not necessarily mean that other amendments will be accepted. The Government accepts the amendments to change the word "Minister" to "Chief Electoral Officer".

Amendment put and passed.

Mr HASSELL: I move an amendment—

Page 8, line 1—Delete the word "may" with a view to substituting the word "shall".

This will require a consequential amendment to delete the section which says, "or otherwise cause the argument to be brought to the notice of electors", although that would not necessarily follow.

What we are seeking to do is to impose an obligation on the Chief Electoral Officer to distribute the arguments. Again I refer to the Commonwealth Act, which provides that the Chief Electoral Officer shall cause to be printed and posted to each elector a pamphlet containing the arguments.

Mr Tonkin: That is not necessarily the best way.

Mr HASSELL: I understand that point and I accept it, so I would be happy to leave in the

words, "or otherwise cause the argument to be brought to the notice of electors". But what I think is wrong is to leave the word "may", because it leaves it entirely to the discretion of the Chief Electoral Officer whether he does anything about the arguments.

I must say in all honesty that the whole of clause 9 needs to be reconstructed and redrafted. Grateful as I am to the Minister for accepting the amendments I have moved relating to the substitution of the words "Chief Electoral Officer" for "Minister", there are still, in my view, significant practical problems related to this clause as it stands. One of those problems relates to the distribution of the arguments. Another problem is the obligation for the arguments to be distributed or made public. It may be that the Minister would want to include a provision to the effect that the Chief Electoral Officer shall cause the argument to be adequately publicised throughout the State, either by way of radio, television, the Press, or by distributing a pamphlet to electors, because in some cases none of those things is available.

I still say there should be an obligation for the arguments to be distributed. It is not enough to leave it to the discretion of the Minister or the Chief Electoral Officer whether he should make a distribution of the arguments. If we have a referendum procedure in which we require that arguments for and against be prepared, we should provide a requirement that those arguments be distributed.

I move my amendment in the knowledge that there may be a deficiency in the drafting after the amendment is made, but it is no more of a deficiency than already exists. It will improve the position to some extent.

Mr BLAIKIE: I support the amendment.

It has already been held this evening that there must be a positive direction of application, which is clear and concise.

As the Bill stands, it is a matter of interpretation whether the Chief Electoral Officer may or may not cause the argument to be distributed. That is what the Bill says now. The amendment provides for a very concise direction that the argument shall be printed and distributed.

The other factor is that it is important within this referendum that the arguments be precise. The arguments are, in fact, distributed to all people in the State, irrespective of where they may be. I know the Minister said earlier that television would be a suitable medium.

In a referendum, it is important for every person in the State to be contacted, and there is an

obligation on this Parliament to ensure that that takes place.

Mr TONKIN: There are arguments in favour of the amendment but we must remember that most of the time when people turn out to the polls they are going to elections.

Mr Blaikie: But not necessarily.

Mr TONKIN: The political parties are there, but there is no requirement for the State to argue whether the Government is right or whether the Opposition is right. If we substitute the word "shall" we will be causing considerable cost to the State.

Mr HASSELL: No. If the rest of the clause is left as it is, all it will say is that the Chief Electoral Officer shall cause an argument to be printed. One copy can be printed and distributed to electors, or otherwise the argument must be brought to the notice of electors. We have not proposed an amendment that he must send it to every elector. That is the desirable amendment, but we have not proposed that, and we will not.

Mr TONKIN: The point is that this will still cause considerable expense. One could not say that the Chief Electoral Officer was discharging his duties properly if he did not make an effort to ensure that most people became familiar with the arguments. That would mean making sure the people in the outermost part of the State were informed, whether by newspaper, radio, or whatever—as the Deputy Leader of the Opposition pointed out, not everybody in Western Australia can watch television.

There is no obligation on the part of the State to tell people who is right when they go to vote at an election for the Parliament. There should not be an obligation on the part of the State to provide the pro and con arguments in a referendum.

After all, when the present Opposition changed the Constitution, they did not consult with a single person. They did not bring to the attention of the people of the State what they were doing. They just changed the Constitution in 1978 without consulting anyone. Now they are in Opposition, suddenly they find the virtues of open government and of informing the people.

Members opposite have a very bad track record as far as open government is concerned. They made no attempt to consult the people or to keep them informed. This new-found virtue of informing the people is all very well; I am happy that it is a possibility and in most referenda it would be desirable and to the benefit of the State. However, saying that we are having a referendum and the State must spend hundreds of thousands of dollars of the taxpayers' money is wrong when

the present Opposition did not spend one cent of the taxpayers' dollar on referenda before making changes to the Constitution.

The Opposition would gain much more respect if it showed the same amount of concern when in Government for openness and for informing the people as it is now showing after it has lost power.

Mr HASSELL: I am sorry that the Minister's former approach of reasonableness has passed. What he has been talking about in the last few minutes has been irrelevant to the issue. This has nothing to do with open government and whether the Opposition or the Government believe in it.

I remind the Minister that his party committed itself strongly before the election to open government; but now we find that we cannot obtain answers because the Government clearly does not want to relay the information.

The CHAIRMAN: I have allowed some leeway because of the difficulty that would face the Committee if I determined that members must speak only on the deletion of the word "may". However, we would make more progress if all of the speakers aligned their comments far more closely to the subject in hand.

Mr HASSELL: Of course I will rush back to the direct matter before the Chair.

The CHAIRMAN: I am pleased about that.

Mr HASSELL: If the Minister wants an argument on open government, we have plenty of evidence on which to argue.

The point is that the Government has conceded that arguments for and against the referendum should be prepared. It has provided the machinery for these arguments to be collated and prepared. In its legislation, the Government has conceded that in some way the arguments should be distributed. The argument between us simply is whether there should be an obligation for those arguments to be distributed, or whether it should be left entirely to the discretion of the Government of the day.

That is a genuine inadequacy in the Bill. It has nothing to do with arguments on open government; it is a question of whether the Chief Electoral Officer should have an obligation to distribute the arguments that the law will require to be prepared.

I hope the Minister will reconsider this. I have no doubt that the Minister will not agree to any change here, because he has made his position clear; but perhaps he could suggest an amendment in another place. I hope he reconsiders the clause before the Bill finishes its passage through the Parliament.

If the Minister wanted to report progress to consider the matter, that would be quite sensible. We could put the clause aside and deal with the rest of the Bill. I would be happy if he wanted to do that.

This clause has problems which need to be considered.

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

#### Ayes 17

Mr Blaikie	Mr Mensaros
Mr Bradshaw	Mr Old
Mr Court	Mr Rushton
Mr Coyne	Mr Spriggs
Mr Grayden	Mr Thompson
Mr Hassell	Mr Trethowan
Mr Peter Jones	Mr Tubby
Mr MacKinnon	Mr Williams
Mr McNee	

(Teller)

#### Noes 26

Mr Bateman	Mr Hodge
Mrs Beggs	Mr Jamieson
Mr Bertram	Mr Tom Jones
Mr Bryce	Mr McIver
Mrs Buchanan	Mr Pearce
Mr Brian Burke	Mr Read
Mr Terry Burke	Mr D. L. Smith
Mr Burkett	Mr P. J. Smith
Mr Carr	Mr A. D. Taylor
Mr Davies	Mr I. F. Taylor
Mr Evans	Mr Tonkin
Mr Grill	Mr Wilson
Mrs Henderson	Mr Gordon Hill

(Teller)

#### Pairs

Ayes	Noes
Mr Watt	Mr Bridge
Mr O'Connor	Mrs Watkins
Mr Laurance	Mr Troy
Mr Clarko	Mr Parker

Amendment thus negated.

Mr HASSELL: I move an amendment—

Page 8, lines 6 and 10—Delete the word "Minister" and substitute the words "Chief Electoral Officer" in each case.

Amendment put and passed.

Mr HASSELL: I move an amendment—

Page 8, line 10—Delete the word "may" with a view to substituting the word "shall".

This is exactly the same issue as in relation to line 1. In our view, the Chief Electoral Officer should have an obligation to seek different arguments and to distribute them. We would need to make a similar amendment to line 21.

The whole of clause 9 should be redrafted and upgraded substantially. It should follow the model of the Commonwealth Act more precisely. It is a deficient clause, and subclause (3) is particularly deficient.

I will seek to amend a later part of the clause to require that the Chief Electoral Officer obtain arguments from the Premier and the Leader of the Opposition. I acknowledge that this is exactly the kind of problem the Minister envisaged, but a need exists for the issue to be considered further. I do not think it could be done unless the Minister were prepared to put the clause aside or to seek leave to adjourn the debate.

The CHAIRMAN: The question is that in page 10 we should delete the word "may".

Mr Hassell: Divide.

The CHAIRMAN: I cannot call a division as there was only one vote in favour of dividing, and Standing Orders do not provide for me to call a division in the circumstances.

#### *Point of Order*

Mr BLAIE: I also called for a division.

The CHAIRMAN: I rule that only one person on my left voted in favour of the amendment.

#### *Committee Resumed*

Amendment thus negatived.

Mr HASSELL: Mr Chairman, we accept your ruling, but with reluctance, because it really is quite unfair.

The CHAIRMAN: Order! I hope that is not a reflection on my ruling.

Mr HASSELL: No, it is not; it is a statement of opinion on the effect of your ruling, which in our opinion is unfair. However, we have accepted your ruling rather than dissent from it and delay the Chamber further. Nevertheless, we are sorry you made that ruling, but that does not reflect on it.

I move an amendment—

Page 8, line 13—Delete the passage "a body, corporate or unincorporate," with a view to substituting the words "the Premier and the Leader of the Opposition".

The purpose of this amendment is to substitute for what appears to be a very serious deficiency in the subclause an alternative arrangement which itself may be deficient but not nearly so as the deficiency already there.

The situation is that, with a referendum other than a referendum on a Bill, the Chief Electoral Officer is given a discretion to seek arguments in favour of and against the proposition. The Chief Electoral Officer is now authorised to invite a body corporate or unincorporate to put to him an argument. No definition is given of what a body corporate or unincorporate is—it could be any

group, any kind of institution. Interestingly enough, it does not cover individuals or a group of members of Parliament. We may have had in this House an absolute ding dong battle across the floor or across party lines if the debate dealt with, for example, an amendment to the Liquor Act, and the issue was to be put to a referendum. However, the Chief Electoral Officer would not be able to invite a member of Parliament to put an argument.

Mr Tonkin: Why not?

Mr HASSELL: Because members of Parliament do not constitute a body corporate or unincorporate.

Mr Tonkin: They are a body unincorporate.

Mr HASSELL: They are not.

Mr Tonkin: Why not?

Mr HASSELL: I do not want to be silly about this, but very simply they are not a body unincorporate, because a body in that sense refers to some people who are associated in a particular way, such as a club which is not incorporated.

Mr Tonkin: They are associated in a particular way.

Mr HASSELL: It means an association of some sort; it does not mean a member of Parliament or a group of members of Parliament.

The other aspect is that it allows the Chief Electoral Officer to invite just anyone to put forward an argument. Really, this is quite unsatisfactory. There is no requirement in subclause (3) that the Chief Electoral Officer is required to seek differing points of view. He is entitled to ask whom he likes. The clause, and this subclause particularly, are deficient. It really is not satisfactory to allow a discretion to the Minister or to the Chief Electoral Officer to invite just anyone to put up an argument.

In an attempt to improve what I see as a completely deficient situation, I have moved to delete those words so that instead of having a discretion to invite a body corporate or unincorporate, the Chief Electoral Officer will have a discretion to invite the Premier and the Leader of the Opposition. In nearly all cases they would be able to put forward and would be likely to put forward a coherent point of view on a particular proposition, and an opposing point of view. As the Minister said, there are some occasions on which they would agree, and that is a difficulty experienced in the Federal system. But it is better that this should be the deficiency than that we could have all sorts of—

Mr Tonkin: Hobos?

Mr HASSELL: The Minister need not be funny about it. The point is, if it is not for members of Parliament, who are dealing with the law and who have the responsibility to make the law, to put forward the argument, it ought to be the political parties, yet that is not provided either.

Mr Tonkin: But it can be.

Mr HASSELL: This clause is deficient and it would be appropriate if it were improved in this way, although it needs to be improved a lot more.

Mr TONKIN: The Deputy Leader of the Opposition wanted to put in the Chief Electoral Officer because he thought the Minister might not be the most unbiased person, and I accept that it is unlikely the Minister would be unbiased in many of these matters. However, having got his way—and I can see it is an improvement—he now says we cannot trust the Chief Electoral Officer either.

Mr Hassell: That is not so at all.

Mr TONKIN: The Deputy Leader of the Opposition was saying the Chief Electoral Officer could ask just anyone. As the Bill stands he can ask the Premier and the Leader of the Opposition if he wishes.

Mr Hassell: No, he cannot.

Mr TONKIN: He can ask a body unincorporate, which could be the Liberal Party and the Australian Labor Party or a group of members of the Opposition and a group of members of the Government.

Mr Hassell: I hope you will seek advice, because I think that is wrong.

Mr TONKIN: I will seek advice, but that is the intention. This does not exclude him from asking the Government and the Opposition. What the Deputy Leader of the Opposition is wanting to do is to put in that the Chief Electoral Officer can ask only the Government and the Opposition, but they can in fact be very closely agreed on the subject.

Supposing, as has happened at the Federal level, the Government and the Opposition want to change something or other, this amendment would prevent the opposing side—it might not be a member of Parliament at all; it may be a very active lobby group in the community—the opportunity to put its argument. This has been quite deliberately left wide so that anyone with a concern about this subject can be invited to put an argument.

The Chief Electoral Officer would not ask just anyone; he would have regard for expressions of opinion on the debate that had been raging about the issue over the previous months and invite

those people with differing viewpoints. We cannot have a situation where he can invite someone only from the Government or from the Opposition, because they could be on the same side. By keeping the present wording we will allow the Chief Electoral Officer to ask for differing points of view—after all, we did accept the Deputy Leader of the Opposition's amendment, although he now seems to think it is not good enough and is worried that the Chief Electoral Officer will not do the right thing. I am sure the Chief Electoral Officer would ask the people he considered to be the main protagonists in the debate, and they may not be the Premier or the Leader of the Opposition. I ask the Committee to reject the amendment.

Amendment put and a division taken with the following result—

Ayes 17

Mr Blaikie	Mr Mensaros
Mr Bradshaw	Mr Old
Mr Court	Mr Rushton
Mr Coyne	Mr Spriggs
Mr Grayden	Mr Thompson
Mr Hassell	Mr Trethowan
Mr Peter Jones	Mr Tubby
Mr MacKinnon	Mr Williams
Mr McNee	

(Teller)

Noes 26

Mr Bateman	Mr Hodge
Mrs Beggs	Mr Jamieson
Mr Bertram	Mr Tom Jones
Mr Bryce	Mr McIver
Mrs Buchanan	Mr Pearce
Mr Brian Burke	Mr Read
Mr Terry Burke	Mr D. L. Smith
Mr Burkett	Mr P. J. Smith
Mr Carr	Mr A. D. Taylor
Mr Davies	Mr I. F. Taylor
Mr Evans	Mr Tonkin
Mr Grill	Mr Wilson
Mrs Henderson	Mr Gordon Hill

(Teller)

Pairs

Ayes	Noes
Mr Watt	Mr Bridge
Mr O'Connor	Mrs Watkins
Mr Laurance	Mr Troy
Mr Clarko	Mr Parker

Amendment thus negated.

Mr HASSELL: I move an amendment—

Page 8 lines 18 and 21—Delete the word "Minister" and substitute the words "Chief Electoral Officer" in each case.

Mr TONKIN: Once again in line with this Government's co-operative attitude to the legislation, we accept this amendment.

Amendment put and passed.

Mr HASSELL: I move an amendment—

Page 8, line 21—Delete the word "may" with a view to substituting the word "shall".

We have already had this argument and I do not want to repeat it unnecessarily, but it is our firm view that the Chief Electoral Officer should be obliged to seek differing arguments on a referendum proposal and should be obliged to print and distribute those arguments.

Amendment put and negatived.

Mr HASSELL: I move an amendment—

Page 8, line 27—Delete the word “Minister” and substitute the words “Chief Electoral Officer”.

This amendment is consistent with amendments moved in relation to other clauses which have been accepted by the Minister.

Amendment put and passed.

Mr HASSELL: In conclusion I note the acceptance by the Minister of one of our amendments but I do sincerely believe that this clause is significantly deficient as a whole and ought to be reconsidered as a whole, and redrafted.

Clause, as amended, put and passed.

Clauses 10 to 14 put and passed.

Clause 15: Question to be submitted to electors—

Mr HASSELL: There was some debate about this in the second reading stage and the point that I made in the debate was that there ought to be included in the Bill a general obligation that questions put should be objective and not contentious in their expression. The issues will often be contentious but the questions of themselves should not be contentious. The question should be stated objectively and neutrally. I refer as an example to some of the recent electoral and constitutional legislation put forward by the Government.

The member for Welshpool attempted to argue that only non-contentious material would be included in a question, but that is not the case. Clause 15 (2) allows a number of technical references to be omitted. The referendum should be on the question whether the electors approve of the Bill in title, and the title of the Bill is to be quoted. That is a requirement of the Act. Portion of the title of the Acts Amendment (Constitution and Electoral) Bill 1983 reads

... and to reduce the number of Members of The Legislative Council from 34 to 22 and to ensure that at elections for the Legislative Council each elector has the right to cast a vote equal in value to each other vote cast and to provide for incidental and other matters by amending the Constitution Act ...

Other Bills with more contentious titles have been put forward. The real issue is the requirement that ought to be included in a Bill of this nature

that the questions asked should be determined objectively and by someone independent of the Government and all such provisions will not thwart or stop the question being put to the electors fairly and squarely. They would not in any way inhibit the reasons for issues at referendum and would not in any way prevent questions being put to referendum. They would simply ensure and guarantee, in a constitutional document, that the process would seem to be fair and was neutral and that the decisions were made genuinely by the electors, and not on the basis of bias or loaded questions.

I have not proposed any amendment to clause 15 but I do believe a number of amendments along these lines are required to the Bill. Some general provisions ought to be inserted relating to the manner in which referendums are conducted, the presentation of the questions, and the way in which they are set out on the ballot paper.

Again I refer to the Commonwealth Act, which has stood the test of time and which has never been the subject of controversy. In the Commonwealth Act is a schedule of ballot papers which are precise in their words and that is how it should be in this legislation.

These are important issues and the Bill could be improved in its drafting to cover them. Clause 15 is one of the opportunities where that should occur and there are others as well. I ask the Minister if he will undertake to reconsider clause 9 in particular and the other questions that have been raised.

Mr TONKIN: I am happy to consider these matters but I wonder why, when the member's party had a majority in both Chambers it did not introduce a Bill to require that all members of Parliament be honest upright citizens. Perhaps that was not done because the member's party realised that there is no way one can legislate to provide that that is so. I do not know how one would legislate in an area like politics to provide that a question asked is objective. I happen to think that the Bill the member read out is an example of a lack of objectivity. I can understand that the member would not see that, but I cannot agree that this clause is not objective.

Mr Hassell: That is the very point.

Mr TONKIN: Yes, it is.

Mr Hassell: The ballot could be described in a way in which we both would agree, but I consider this is not the worst example.

Mr TONKIN: The member has not answered me how we could devise a system that would have an objective title—

Mr Hassell: During this session the Government has quite deliberately put up some Bills with long and contentious titles and I am saying that that is inadequate as a basis on which to go to referendums. It shows the way in which there could be a significant abuse of the system.

Mr TONKIN: The people are required to accept or reject a Bill. In the ultimate they will not vote on the title, they will vote on "Do you like this", "No, I do not," or "Yes, I do", etc. As Shakespeare said, "A rose by any other name would smell as sweet". Once one is used to calling a rose a rose, it has all kinds of connotations; the perfume, the sight, and thorns. That word does not have the same connotations to a Frenchman or a German. There is no way to legislate to provide objectivity in the question asked, or in the title of a Bill.

Mr Hassell: I gave two possible ways in the second reading stage and all I ask is that this be considered.

Mr TONKIN: I am happy to consider all the points put forward and to discuss them, but I think there is no way in which we can do it. I cannot see that there is a possibility of devising an objective means of framing the questions or titling the Bill.

While we do not have that system it is really empty rhetoric to talk about providing an Act which will ensure that it comes about. If a Government does entitle a Bill so as to make it clearly misleading, the people will take out their wrath on the Government or on the people who are putting forward the referendum. It would be foolish for a Government to try to use a title which was not clear.

On the other hand, if one has to have an objective title, one could have on the Legislative Council reform Bill a title which said "Acts Amendment to amend..." and then list all the Acts. What will that mean? It is objective and it will amend the Acts, but what does it mean to the average elector when he goes along to vote? The title we have for the Bill says "reduce the number of Legislative Councillors by 12" and it is something everyone understands. It goes on to say "Every elector shall cast a vote equal in value to every other elector". That is true and not lacking in objectivity, and people can understand it.

Mr Hassell: It is not actually true, as I demonstrated in the second reading debate, because of the quota system.

Mr TONKIN: All right, it is not perfect. The Deputy Leader of the Opposition is a nitpicker. It is not perfect, but it is a lot closer to perfection

than the present disgraceful situation in which some votes are worth 12 times the value of others. The Deputy Leader of the Opposition can sit there all night and say it is not mathematically perfect. The only way to bring that about would be for every voter in Western Australia to come and legislate in this House. Then he would have mathematical perfection.

Mr BRIAN BURKE: But he would not have the room.

Mr Tonkin: We will never get mathematical perfection while a small number of people represent a larger number. We have never claimed otherwise. The Deputy Leader of the Opposition's twisted mind is such that when he sees something fairer and closer to democracy, he cavils and says in that sneering way, "It is not perfect".

Mr Clarko: Like your argument about the tobacco Bill.

Mr HASSELL: I do not want to re-run the argument on the Acts Amendment (Constitutional and Electoral) Bill in this debate. I am sorry the Minister has gone off the deep end because I put up some arguments against his provisions. I have tried consistently throughout the debate to put to him in an objective way what I see as serious deficiencies in this Bill. He has accepted one amendment and rejected all others. I believe the Minister needs to reconsider significant portions of the Bill.

I put on record for the sake of giving it to him again that two ways can be used as machinery provisions for settling questions to be asked at a referendum. Neither may be perfect, but they are at least practical suggestions. One is that the question to be asked would be settled by agreement between the Premier and the Opposition. The other is that the question could be settled by the Chief Electoral Officer under some general directive of the Act as to his obligations. No doubt other suggestions could be made.

I come back to the main issue: This Bill provides for referenda; it is a constitutional Bill and an important one. It will be expected to operate as an Act for a long period. It has deficiencies which ought to be looked at. The Minister should be prepared to review them objectively and perhaps bring back some amendments. One amendment undoubtedly required relates to the procedure established under the Act for determining questions to be put to electors.

Clause put and passed.

Clauses 16 to 51 put and passed.

Title put and passed.

Bill reported with amendments.

**ELECTORAL AMENDMENT BILL (NO. 2)***Second Reading*

Debate resumed from 20 September.

**MR HASSELL** (Cottesloe—Deputy Leader of the Opposition) [10.22 p.m.]: This Bill is consequential on the Referendums Bill with which we have just dealt. I have not been able to perceive any deficiencies in this Bill that require further consideration by the House. I indicate that at this stage I do not want to raise any issues related to

the Bill, although I enter the *caveat* that it is a technical Bill and rather complex, and it could be I have missed something. I do not want to go on record as giving it unqualified support, but I do not see any difficulties with it.

Question put and passed.

Bill read a second time.

*House adjourned at 10.24 p.m.*

# QUESTIONS ON NOTICE

1577. *This question was further postponed.*

## TRAFFIC: ACCIDENTS

### Number

1635. Mr STEPHENS, to the Minister for Police and Emergency Services:

- (1) In Western Australia in the 12 months to 30 June 1983, how many accidents were reported to the police?
- (2) How many of these accidents involved fatalities?
- (3) In how many of these accidents was alcohol a factor?
- (4) How many drivers were charged with either driving under the influence or driving with a blood alcohol level in excess of 0.08 per cent?
- (5) How many of those drivers charged were convicted?
- (6) How much revenue was raised from fines for driving under the influence and driving with a blood alcohol level in excess of 0.08 per cent?
- (7) How many drivers were stopped by traffic patrolmen?
- (8) How many people were licensed to drive?

Mr CARR replied:

- (1) 31 670 accidents were reported to the police.
- (2) 209.
- (3) 80.
- (4) For the 12 months period to 30 June 1983, 5 333 drivers were charged with driving under the influence of alcohol, and 5 038 charged with driving with a blood alcohol level of or in excess of 0.08 per cent.
- (5) This information is not available without considerable research.
- (6) Not known; this information is available from Crown Law Department.
- (7) Information not kept.
- (8) 780 618 persons were licensed to drive motor vehicles in Western Australia as at 30 June 1983.

1638. *This question was further postponed.*

## HEALTH AND HOSPITALS

### Expenditure: Percentage of Budget

1659. Mr GRAYDEN, to the Treasurer:

- (1) What was the gross expenditure on hospitals and related medical and health services in the year ended 30 June 1983?
- (2) After allowing for hospitals revenue what percentage of the Budget did the above expenditure represent?
- (3) What was the total amount of hospitals revenue for the year in question?

Mr BRIAN BURKE replied:

- (1) On a comparable basis to the aggregation used in the reply to question 1655, the total in 1982-83 was \$656.4 million.
- (2) 21.5% on a net expenditure basis after deducting fees income from gross expenditure or 26.3% on a gross expenditure basis.
- (3) \$154.2 million.

## HOSPITAL

### Armadale-Kelmscott Memorial: Budget Allocation

1664. Mr RUSHTON, to the Minister for Health:

- (1) Referring to question 1648 of 18 October 1983, when is the psychogeriatric extended care unit building at Armadale-Kelmscott Memorial Hospital to be—
  - (a) commenced;
  - (b) completed;
  - (c) commissioned?
- (2) What is the estimated cost of the unit?
- (3) How much has been budgeted to be spent on the unit this year?

Mr HODGE replied:

- (1) (a) Within three weeks;
- (b) June 1984;
- (c) August 1984.
- (2) \$2.611 million.
- (3) \$2.508 million.

## TRANSPORT: WOOL

*Deregulation: Current Regulations*

1671. Mr PETER JONES, to the Minister for Transport:

- (1) What are the current transport regulations applicable to the carriage of wool?
- (2) When is it proposed to further deregulate the carriage of wool?

Mr GRILL replied:

- (1) Primary producers may carry their own wool in their own vehicles from their farm to any other place without restriction. In defined road transport areas the movement of wool is permitted by carriers under licence from the Transport Commission.

Generally, in all other areas serviced by rail, the rail mode must be used, except in the case of primary producers as mentioned above.

In situations where Westrail is unable to supply a wagon within four working days of a confirmed order, the farmer may engage a carrier to transport his wool, under licence from the Transport Commission.

- (2) There are no plans at present to further deregulate wool transport. Any additional deregulation will be considered by the Government when it is considered appropriate to do so.

## FUEL AND ENERGY: NUCLEAR

*Waste: Synthetic Rock*

1673. Mr MacKINNON, to the Premier:

Does he believe that the Australian invented process which uses a synthetic rock (Synrock) is a safe storage method for nuclear waste?

Mr BRIAN BURKE replied:

It is my understanding that the Australian Synrock process has been proposed only for the storage of waste arising from the reprocessing of spent nuclear fuel. The process is as yet unproven but if it lives up to expectations it will be safe.

## HEALTH: TOBACCO

*Advertising: Advertisement*

1674. Mr MacKINNON, to the Premier:

- (1) Is he aware that there are advertisements being placed in the press, by his Government, entitled "The Unsung Heroes of Sports" listing many companies which support sport by sponsorship in Western Australia?
- (2) Is he aware that at least one company, Toms Tyres, has not given approval for its name to be used in these advertisements?
- (3) Will he, therefore, immediately withdraw this advertisement, and the advertisement which includes a photograph of school children, until such time as—
  - (a) all companies listed in the advertisement have approved of their name being so used; and
  - (b) all parents of children used in the press and television advertisements have given approval to their children being so used?
- (4) If not, why not?

Mr BRIAN BURKE replied:

- (1) Yes.
- (2) Yes, but the member may be interested to know that many other companies contacted the Public Health Department after the first publication of the advertisement because they were keen to ensure that their contribution to sport was acknowledged in the advertisement.
- (3) (a) and (b) This programme of advertisements has been completed.
- (4) Not applicable.

1694. *This question was postponed.*

## LAND: ABORIGINES

*Rights: Inquiry*

1695. Mr HASSELL, to the Minister for Youth and Community Services with special responsibility for Aboriginal Affairs:

- (1) What remuneration has been paid or has accrued to the Aboriginal land rights Commissioner, Mr Paul Seaman, QC?
- (2) What daily or other rate will be paid to him?
- (3) What is the total budgeted amount for fees and payments to Mr Seaman?

Mr WILSON replied:

- (1) to (3) The member may recall my answer to his previous question on the matter in question 621 of Tuesday, 16 August 1983. I refer the member to the information contained therein.

1696. *This question was postponed.*

#### INDUSTRIAL RELATIONS: DISPUTES

##### *Police Intervention: Trades and Labor Council Demands*

1697. Mr HASSELL, to the Minister for Police and Emergency Services:

- (1) Has he been advised of the demands of the Trades and Labor Council for the implementation of directions to the police for the handling of industrial disputes?
- (2) Does he accept or reject those demands?

Mr CARR replied:

- (1) I am aware that the Trades and Labor Council has passed a resolution on this subject, but I have not received any formal submission.
- (2) If I receive a submission from the Trades and Labor Council I will examine it.

#### HEALTH

##### *Phenylpropanolamine*

1698. Mr GRAYDEN, to the Minister for Health:

- (1) Is the drug, phenylpropanolamine, which has been reported as having caused severe hypertension and associated cerebral haemorrhage in women, still currently available without prescription in preparations for the relief of coughs and colds and also in appetite suppressants?
- (2) Has any action been taken either at State or Commonwealth level to reduce the content of this drug in preparations commonly used as decongestants and appetite suppressants, and for the relief of colds?

Mr HODGE replied:

- (1) Yes, but only in tablets or capsules containing not more than 30 mg of phenylpropanolamine per tablet or capsule when not in sustained release form, and not more than 50 mg in each tablet or capsule when in sustained release form.

- (2) Supply of phenylpropanolamine in larger doses than mentioned in (1) is by prescription only.

#### HOSPITAL: ROYAL PERTH

##### *Medicare: Increased Demand*

1699. Mr GRAYDEN, to the Minister for Health:

- (1) With the expected increase in pressure on Royal Perth Hospital as a result of the introduction of Medicare, and bearing in mind that the hospital is currently operating at the upper levels of capacity, is it intended that increasingly, patients arriving at Royal Perth Hospital will be diverted to peripheral and other public hospitals?
- (2) If so, is the system making the necessary plans to adequately cope with the massive dislocation which this will involve?

Mr HODGE replied:

- (1) There is no evidence that Medicare will cause massive dislocation in the public hospital system in general or Royal Perth Hospital in particular. The situation will be constantly monitored following the introduction of Medicare and where necessary appropriate action will be taken.
- (2) Not applicable.

#### HOSPITAL: ROYAL PERTH

##### *Inpatients: Ratio to Staff*

1700. Mr GRAYDEN, to the Minister for Health:

- (1) What has been the percentage increase of the ratio of inpatients to staff at Royal Perth Hospital in each of the years since the policy of no growth was introduced in 1978?
- (2) Apart from this numerical increase what other factors have added to the increasing pressures being experienced at Royal Perth Hospital during the year in question?

Mr HODGE replied:

- (1) 1979-80—3.68%  
1980-81—2.84%  
1981-82—0.98%  
1982-83—0.78%.
- (2) There has not been a numerical increase, but increasing complexity of patient care, rapid turnover of patients,

short length of stay and higher bed occupancy are universal trends which place demands on the staff of all hospitals. Despite these pressures, Royal Perth Hospital continues to provide a high standard of medical service.

### HOSPITALS

#### *Medicare: Increased Demand*

1701. Mr GRAYDEN, to the Minister for Health:

- (1) Have discussions between the Government and officials of the Government hospitals on the probable impact of Medicare on the respective Government hospitals been completed yet?
- (2) If so, what impact do the officials expect?
- (3) If not, when is it expected that the discussions will be finalised?

Mr HODGE replied:

- (1) No.
- (2) Not applicable.
- (3) Before 1 February 1984.

### HEALTH

#### *Radiation: "Key Biscayne"*

1702. Mr GRAYDEN, to the Minister for Health:

- (1) Have there been any further developments in the recovery of the two radioactive isotopes trapped under the sunken oil rig *Key Biscayne*?
- (2) What is the current position in respect of the isotopes?

Mr HODGE replied:

- (1) No.
- (2) They are in shielded containers which were attached to part of the rig. They are believed to be in an inaccessible part of the wreckage and will not readily be recovered unless the rig is salvaged. While it is desirable that they be recovered, they are not considered to provide a risk to aquatic or human life.

### HEALTH: TOBACCO

#### *"Smoke-free Day"*

1703. Mr GRAYDEN, to the Minister for Health:

- (1) Have discussions which were being held with the National Heart Foundation of Australia about co-ordination of the State smoke-free day with the national smoke-free day, been completed?
- (2) Has a firm decision been made to hold a joint State and national smoke-free day?
- (3) If so, when is it proposed to hold the smoke-free day?

Mr HODGE replied:

- (1) Yes.
- (2) Whether a national smoke-free day is held in 1984 is still to be decided by the national Board of the National Heart Foundation.
- (3) If a national smoke-free day is held, it is likely to be in May 1984.

### HOSPITAL: ROYAL PERTH

#### *North Block: Timetable*

1704. Mr GRAYDEN, to the Minister for Health:

- (1) Has the Government a firm, or even a tentative timetable in respect of the completion of the Royal Perth Hospital north block?
- (2) If so, what is the timetable involved?
- (3) If not, what are the Government's intentions in respect of the north block?

Mr HODGE replied:

- (1) Funds have been allocated for construction work to recommence on north block during the current financial year. Consultants are now being engaged to finalise electrical and mechanical documentation which will enable completion of the total site plan and construction timetable.
- (2) and (3) See answer to (1).

### CONSUMER AFFAIRS

#### *Children: Tattoos*

1705. Mr GRAYDEN, to the Minister for Health:

- (1) Are reports still being received of young people who have been illegally tattooed?

- (2) In view of the fact that this practice frequently causes the young people concerned considerable distress as they grow older, and as plastic surgery to remove the tattoos can leave unsightly scars, what action has been taken to make the public more aware of the law in respect of this matter?

Mr HODGE replied:

- (1) and (2) This question should be referred to the Minister for Youth and Community Services.

## HEALTH

### *Diabetes*

1706. Mr GRAYDEN, to the Minister for Health:

- (1) Approximately what percentage of—  
 (a) Aborigines;  
 (b) Australians of European descent, suffer from diabetes?
- (2) What is the apparent reason for the disparity in the incidence of diabetes between the two groups?
- (3) What is the nature of the work currently being done on the effects of Western lifestyles and eating habits compared with tribal and traditional lifestyles?

Mr HODGE replied:

- (1) (a) Approximately 17%;  
 (b) approximately 2 to 3%.
- (2) The reasons are unknown, but appear to be associated with changes in lifestyle especially in nutrition.
- (3) Research is currently being undertaken in the Kimberley. Health education is a major contributor by influencing the contents of community stores with training and education of community leaders and store managers.

## HEALTH

### *Influenza*

1707. Mr GRAYDEN, to the Minister for Health:

- (1) Did early fears that the new Philippines influenza which reached epidemic proportions in New South Wales earlier this year would spread to Western Australia, materialise?

- (2) Was the effect of the virus as severe as was predicted?

- (3) Has this particular strain of influenza virus now run its course, or is it likely to remain a threat in Western Australia for an additional period?

- (4) If so, what additional period is likely?

Mr HODGE replied:

- (1) Yes.
- (2) The virus produces an influenza-type illness without specific features and there is no way of measuring its effect on the community.
- (3) and (4) It has probably run its course this year and may well reappear next winter.

1708. *This question was postponed.*

## FRUIT AND VEGETABLES

### *Potatoes: Price*

1709. Mr O'CONNOR, to the Minister for Agriculture:

- (1) Adverting to question 1630 of 1983, in view of the fact that the price of potatoes has risen some 50 per cent since 1 September 1983, has the Government referred this increase to the Prices Commissioner?
- (2) If not, why not?
- (3) Was this price increase due in part to the fact that potato stocks were exported from Western Australia, leaving a shortage which was then compounded by weather conditions?

Mr EVANS replied:

- (1) No.
- (2) Potatoes are not a declared item under the Prevention of Excessive Prices Act.
- (3) The board had practically completed its export programme by the first week in July. Stocktaking then indicated that adequate supplies would be available until the commencement of harvest of the new season's crop. However, very wet conditions caused loss of old season's potatoes stored in the ground, and the weather also delayed the maturity of the new season's crop.

## MINISTERS OF THE CROWN

*Staff: Mr Ron Smith*

1710. Mr O'CONNOR, to the Premier:

- (1) Adverting to question 1564 of 1983 in relation to Mr Ron Smith's role as consultant to him, is his advisory role limited to advice on land dealings?
- (2) What remuneration does the Government expect to pay him in the current financial year?
- (3) What are the contractual arrangements in regard to this consultancy?

Mr BRIAN BURKE replied:

- (1) The full range of Mr Smith's experience in, and knowledge of, the housing and land development industry is available to the Government and utilised, as necessary.
- (2) and (3) The contractual arrangements negotiated with Mr Smith are similar to, and have been based on, arrangements negotiated by the previous Government with Mr C. H. Campbell, and accordingly, it is anticipated that payments will be similar.

1711. *This question was postponed.*

## AGRICULTURE

*Department: Quarantine Services*

1712. Mr OLD, to the Minister for Agriculture: What amount in the Department of Agriculture revenue budget represents Federal and other recoupments for quarantine services?

Mr EVANS replied:

\$1 331 000.

## MEAT

*Industry: Inquiry*

1713. Mr OLD, to the Minister for Agriculture:

- (1) Has the Government yet appointed the three or four members who will form the committee to inquire into Government involvement in the meat industry?
- (2) If not, when are these appointments likely to be made?
- (3) Will a term of reference be included which will give the committee scope to inquire into the desirability or necessity of Government involvement in the slaughter industry?

Mr EVANS replied:

- (1) No.
- (2) November-December 1983.
- (3) Draft terms of reference have been forwarded to industry groups for comment. Final terms of reference will be prepared when these comments have been received.

## WATER RESOURCES

*Storage Tanks*

1714. Mr OLD, to the Minister for Water Resources:

- (1) What is the current storage in—
  - (a) Purnta Rock tank;
  - (b) Holt Rock tank;
  - (c) Dempster Rock tank?
- (2) What plans have been made to supplement these supplies in the event of shortages in—
  - (a) stock water;
  - (b) domestic supplies?

Mr TONKIN replied:

- (1) Storages at the last reading (end of September 1983) were—
  - (a) Purnta Rock tank—1 872 cubic metres;
  - (b) Holt Rock tank—1 475 cubic metres;
  - (c) Dempster Rock tank—1 500 cubic metres.
- (2) (a) Should an area be declared drought affected or water deficient following representation from the shire concerned, then the farm water supply advisory committee will arrange the carting of water for stock to storages in the area so that no farmer has to cart more than 40 kilometres;
- (b) the Government considers it the responsibility of farmers to provide sufficient on-farm supplies for their own domestic requirements and will not cart water for this purpose.

1715. *This question was postponed.*

## RESOURCES DEVELOPMENT: REVENUE

### *Levy and Collection: Study*

1716. Mr MacKINNON, to the Minister representing the Minister for Mines:

- (1) Referring to question 679 of 17 August 1983 and question 1466 of 12 October 1983, is the yet to be appointed director of the mineral revenues study group to be the only permanent member of the study group?
- (2) Was the Minister correct when in question 1466 he indicated that the other members of the study group would be representatives from the same departments who will make up the mineral revenues advisory committee?
- (3) If so, does this study group membership fall in line with undertakings the Minister gave to industry representatives on the morning the inquiry was announced (viz: that the group and chairman would be comprised of people with an understanding of mining taxation and mining in general)?

Mr BRYCE replied:

- (1) No.
- (2) The study director, a research officer, and a secretary will be permanent members of the study group. Officers of the departments of mines, resources development and Treasury will be seconded to the study group as appropriate.
- (3) Yes.

## MINING: ACT

### *Inquiry: Submissions*

1717. Mr MacKINNON, to the Minister representing the Minister for Mines—

The Government committee formed to inquire into certain aspects of the Mining Act 1978-1982 has, as one of its terms of reference, "Any other matters referred by the Minister for Mines"—

- (1) As a result of this term and the advertisements inviting submissions to the inquiry, how many submissions have asked for other matters to be referred to the inquiry?
- (2) Who has made these requests?
- (3) Do any of the requests ask for a complete review of all sections of the Act?

(4) Will the Minister refer any of these requests to the committee?

(5) If so, will the Minister announce which areas have been so referred so that other interested parties can comment thereon?

Mr BRYCE replied:

- (1) to (5) All submissions lodged have been passed to the committee of inquiry for consideration. It is my intention to examine any submissions outside the specific terms of reference which may have been received.

1718 and 1719. *Those questions were postponed.*

## ELECTORAL

### *One-vote-one-value: Legislation*

1720. Mr MacKINNON, to the Minister for Parliamentary and Electoral Reform:

- (1) Is the Government currently in the process of drafting legislation to introduce an electoral redistribution Bill for the Legislative Assembly designed to ensure, in the Government's terms, one-vote-one-value?
- (2) If so, when is it expected that this legislation will be introduced into the Parliament?

Mr TONKIN replied:

- (1) In the campaign leading up to the 1983 State election the Australian Labor Party promised parliamentary and electoral reform. Priority was given at that time to the promises of referenda on the electoral system for the Legislative Council and for the resolution of disagreements between the two Houses of Parliament. With the single enrolment card and the co-operative roll maintenance arrangement with the Commonwealth Government coming into operation on 1 November and the Legislative Council electoral reform Bill before this House, the member can see that the Government is proceeding to fulfil the election commitments made in electoral reform. Drafting of the Bill for the redistribution of the Legislative Assembly has begun. The number of 57 districts will be retained with each to have an equal enrolment within plus or minus 10% of the quota. As nearly as practicable, this ensures equality of opportunity among all electors to influence

the outcome of elections and is a principle endorsed by the Liberal Party of Australia.

- (2) At this stage it is difficult for the Government to stipulate the date on which the Bill for the redistribution of the Assembly will be introduced into the Parliament.

### RAILWAYS

#### *Bokal-Bowelling and Bowelling-Bunbury: Re-opening*

1721. Mr RUSHTON, to the Minister for Transport:

- (1) Who are the members of the advisory committee to work with the south-west development authority?
- (2) Will he table the Westrail and the Transport Commission reports upon the economic factors and advisability of re-opening the railway between Bowelling and Bokal?
- (3) Is the reopened service to be on a seasonal basis?
- (4) What is the comparable freight rate of using rail or road transport per tonne between Bunbury and Bowelling for—
  - (a) grain;
  - (b) superphosphate?
- (5) What products are road contractors restricted from transporting between Bunbury and Bowelling?
- (6) Will he table a map showing the area adjacent to the railway within which the transport users are required to use rail?
- (7) What is the estimated total yearly cost to Westrail of the Government's decision to reopen the line for freight as against the option of permanent closure of the Bowelling to Bokal rail section?

Mr GRILL replied:

- (1) Mr Peter Beeson—chairman  
Mr K. J. Strapp—deputy chairman  
Mr David Reid—Bridgetown  
Mr Mayne Coverley—Collie  
Mr James Bovell—Donnybrook  
Mr Paul Omodei—Pemberton  
Mr John Guilfoyle—Mandurah  
Mr Bryan Sykes—Bunbury  
Mr Iver Robertson—Bunbury  
Mr Douglas Wenn—Bunbury  
Ms Patricia Rutherford—Australind  
Dr Hilda Turnbull—Collie

Mr William Brown—Bunbury  
Mr Ross Scott—Dunsborough  
Mr Rolf Stene—Collie-Bunbury.

- (2) As the member should know from experience, in situations calling for the possible closure of a railway line the Transport Act only calls for a report from the Commissioner of Transport. A copy of the commissioner's report is tabled.
- (3) Yes.
- (4) (a) and (b) Comparative freight rates for movement between Bunbury-Bowelling were not evaluated because Bowelling has remained and would have continued to remain rail-served irrespective of the future of the line between Bowelling and Bokal.

The Transport Commission report did compare road and rail rates for grain and fertilizer transport between Bunbury and Picton and various sidings between Bowelling and Wagin. The rates ranged from—

	RAIL		ROAD	
	Fertilizer (\$/tonne)	Grain (\$/tonne)	Fertilizer (\$/tonne)	Grain (\$/tonne)
Cordering	11.89	13.52	9.00	14.00
Warup	14.89	16.79	11.00	16.00

It should be noted that the road rate for fertilizer transport assumes direct works-to-farm delivery.

- (5) As Bowelling falls within 100 kilometres of Bunbury, the road contractor is prohibited from transporting grain only and is restricted to 9 tonne when transporting fertilizer, timber, petroleum products, or ores and minerals.
- (6) No. However, the information is available in the booklet produced by the Transport Commission and referred to as the "Land Freight Transport Policy, Stage Three". I understand the member has a copy.
- (7) The difference to Westrail in terms of equivalent annual value (EAV) is \$5 500. That is the difference between the EAV of \$79 100 for the closure of the Bowelling-Bokal section, and \$73 600 for seasonal operation of the entire line between Bowelling-Wagin.

*The report was tabled (see paper No. 376).*

1722 and 1723. *These questions were postponed.*

## EMPLOYMENT AND UNEMPLOYMENT

### *Pardelup Prison Farm*

1724. Mr STEPHENS, to the Minister representing the Attorney General:

In view of the importance of maintaining employment in the small country communities, can the Attorney General give an assurance that Pardelup Prison Farm will be retained in any reorganisation of prison facilities?

Mr GRILL replied:

No. However, before any decision is taken on the closure of a prison full consideration will be given to the potential impact of such action.

## MINING: DIAMONDS

### *Equity Purchase: Pegging*

1725. Mr MENSAROS, to the Premier:

Referring to his reply to question 1475 (10), has the Mines Department been deprived of funds and is it therefore in the position of not having the information available which (or at least the second part of which, if the interpretation of the first part is artificially restricted meaning physical pegging before application is made) would have been readily available during the time of the previous Government?

Mr BRIAN BURKE replied:

Applicants for mining tenements under the 1978 Mining Act are not required to specify minerals in their application. This is different from the provisions of the 1904 Mining Act where applicants had to specify the minerals they were seeking.

1726 and 1727. *These questions were postponed.*

## INDUSTRIAL RELATIONS: DISPUTE

### *Pilbara: Tonnage Lost*

1728. Mr MENSAROS, to the Minister for Economic Development and Technology:

- (1) Could he tell what tonnage of iron ore Mt. Newman has lost in its Japanese iron ore shipment during the recent 73 day strike?
- (2) Is it expected, considering the general decline in iron ore demand, that the company could make up for that loss?

- (3) How much is that, expressed in money terms?

Mr BRYCE replied:

- (1) It is not possible to determine with any precision the tonnage which might have been lost by Mt. Newman during the recent strike.

Shipments by Mt. Newman continued for most of the dispute period and did not cease until about 8 September 1983 when force majeure was declared.

- (2) It is expected that a significant proportion of any lost tonnage may be recovered.

Immediately after the strike ended carriers were queuing at Port Hedland and the Japanese indicated that shipments would be limited only by availability of stockpiled ore.

- (3) It is difficult to place a dollar value on possible make-up tonnage.

## MINING: IRON ORE

### *Robe River Ltd.: Acquisition of Shares*

1729. Mr MENSAROS, to the Minister for Economic Development and Technology:

What is the Government's position according to the Iron Ore (Cleveland Cliffs) Agreement Act regarding the recent acquisition of a parcel of shares by Peko Wallsend in Robe River Ltd.?

Mr BRYCE replied:

I am advised that Peko Wallsend has taken over the Robe River Ltd. company through normal commercial procedures. These did not require any approval under the agreement. There is no obligation to inform the State of the acquisition although we have been kept informed on the intentions of Peko Wallsend in relation to the takeover.

The increased Australian equity in the project is noted with pleasure by the Government.

1730. *This question was postponed.*

## HEALTH

### *Air Pollution*

1731. Mr MENSAROS, to the Minister for Health:

Can he confirm (perhaps after officially conferring with the Bureau of Meteor-

ology) that earlier commencement in the day of air polluting activities (such as motor car exhausts) would increase the danger of air pollution like smog, created by inversion?

Mr HODGE replied:

No. After consultation with the Bureau of Meteorology, I advise an earlier start will allow a bigger mass of air pollutant to be confined in the surface layer of an early morning inversion. However, once break-up of the inversion occurs, any trapped pollutants would be dispersed, regardless of the duration of the period of accumulation.

#### DRAINAGE

##### *South-west: Costs*

1732. Mr MENSAROS, to the Minister for Water Resources:

What is the anticipated total cost including—

- (a) operating;
- (b) capital servicing charges, of the 13 south-west drainage districts for 1983-84?

Mr TONKIN replied:

- (a) \$1 397 464;
- (b) \$612 371.

1733. *This question was postponed.*

#### RECREATION: YACHTING

##### *America's Cup Celebrations*

1734. Mr TRETOWAN, to the Premier:

- (1) What celebrations are planned for the return of the victorious America's Cup crew?
- (2) When and where are they to be held?
- (3) Which well known entertainers have accepted invitations to be part of the celebrations?
- (4) (a) What is the estimated total cost of the celebrations;
- (b) of this cost how much is being provided by—
  - (i) the State Government;
  - (ii) Federal Government;
  - (iii) City of Perth;
  - (iv) City of Fremantle;
  - (v) private organisations?

Mr BRIAN BURKE replied:

- (1) to (3) An outline of celebration plans were announced by me immediately after the cup was won and as planning has proceeded the details have received extensive coverage by the media including daily newspapers.

I specifically refer to the report on page 2 of *The West Australian* dated 21 October 1983, which contains the details requested by the member. Further details will be released progressively up to the day of the celebrations, Sunday, 30 October 1983.

- (4) (a) \$135 000;
- (b) (i) \$60 000;
- (ii) \$75 000;
- (iii) to (v) no specific financial contribution but all have been extremely co-operative and have offered their total support.

These celebrations have developed an enormous community spirit and atmosphere of full co-operation by all sectors of the community.

#### RIVER

##### *Swan: Jurisdiction of Local Authority*

1735. Mr MENSAROS, to the Minister for Local Government:

Is a local government authority having a foreshore on the Swan River within the boundaries of its municipality, allowed to exercise full jurisdiction over facilities on the river, such as jetties owned by that local government authority?

Mr CARR replied:

My understanding is that a council can exercise its local government functions in respect of any jetty that is located within its boundary; that is to say, where the municipal district extends into the river.

If, on the other hand, the municipal boundary ran along the river foreshore, then the council could not automatically exercise its local government functions. However, under the provisions of section 299, a jetty can, where the approach to that jetty is within the municipal district, be brought under local government jurisdiction by order of the Governor.

## RAILWAYS

*Midland Workshops: Budget Allocation*

1736. Mr RUSHTON, to the Minister for Transport:

- (1) Referring to question 1644 of 1983 relating to new items of railcars and wagons being built at Midland Workshops, what kind of wagons are being built this financial year which are represented by the—
  - (a) 62 Government;
  - (b) 10 private purchases?
- (2) How many employees have retired or resigned from Midland Workshops in the last six months?
- (3) What are the terms of the voluntary severance scheme?
- (4) What additional work is being sought for Midland Workshops from outside the workshops?

Mr GRILL replied:

- (1) (a) 60 grain wagons  
2 ballast wagons;
- (b) 1 lime wagon  
9 alumina wagons.
- (2) Retired—36;  
resigned—69.  
In addition there were—  
paid off at expiration of apprenticeship—10;  
deceased—3;  
services terminated—2;  
permanently transferred to other branches—12.
- (3) The conditions of the scheme which was initially available to staff until 30 September were as follows—
  - (i) Participation in the scheme will be strictly voluntary.
  - (ii) Participation will be restricted to employees for whom there is not available productive work within their capacity and who are otherwise likely to remain with Westrail for a number of years. Offers will be made only to those employees in classifications where there are surplus staff and to those who can readily be directly replaced by surplus staff.
  - (iii) Payments will be based on a fixed minimum of 13 weeks' pay plus one week's pay for each year of service

with a maximum payment of 45 weeks.

Some examples follow—

Complete Years of Service	Fixed Minimum	Weeks For Service	Total Weeks Paid
5	13	5	18
20	13	20	33
36	13	36	45*

\* maximum payment.

- (iv) Staff aged 58 and over will not be eligible for participation in the scheme.
  - (v) Payment will be at the award rate, plus service pay where applicable, at the time of ceasing duty.
  - (vi) Each offer must result in an estimated net saving for Westrail calculated on a conservative basis.
- In addition to the voluntary severance payment under this scheme, those participating will receive, where applicable—
- (vii) Accrued and *pro rata* annual and long service leave with payment being calculated in accordance with the relevant award or agreement provisions.
  - (viii) Award bonus on annual leave.
  - (ix) A refund of superannuation contributions plus interest and for people who have completed 10 years service an additional payment of two-and-one-half times the primary unit contribution.
  - (x) Partial refund of provident fund contributions.
  - (xi) Refund of endowment fund contributions.
  - (xii) Employees interested in participating in the scheme should apply in writing to their branch head. Having done so they will be notified that they are either eligible to participate or are not. If they are eligible they will be interviewed and will be given full details of the package available to them.
- (4) Any profitable type of work for which machine and labour resources are available within the workshops and this may include new construction or maintenance repairs.

## RAILWAYS: WESTRAIL

*Deficit: Amount*

1737. Mr RUSHTON, to the Minister for Transport:

Referring to question 1645 of 1983, will he please answer that question by giving me details of the items making up the 1982-83 loss of \$46 915 and the estimated \$70 000 loss for 1983-84 so that the movements making up those figures can be compared?

Mr GRILL replied:

## PROFIT AND LOSS STATEMENT

	Actual 1982-83 \$000	Estimate 1983-84 \$000
<b>INCOME</b>		
Passengers	7 858	8 000
Parcels and Mails	426	540
Goods	183 632	182 460
Other Income	34 283	36 000
	226 199	277 000
<b>EXPENDITURE</b>		
Traffic operations and services	88 536	89 290
Maintenance of rolling stock	55 359	60 900
Maintenance track and structures	44 944	49 460
Admin and general expenses	19 948	22 650
Staff superannuation	11 502	13 350
Payroll tax	7 150	7 300
Depreciation	12 092	12 150
Increases salary and wages	—	6 000
	239 531	261 100
Operating loss	13 332	34 100
Interest	33 581	35 900
Extraordinary item	2	—
Loss for year	46 915	70 000

# QUESTIONS WITHOUT NOTICE ABORIGINES

*Discrimination: Favourable*

410. Mr O'CONNOR, to the Minister with special responsibility for Aboriginal Affairs:

- (1) Is it correct that the Government is committed to positive discrimination in favour of Aborigines?
- (2) Does the Minister acknowledge that in some circumstances positive discrimination has resulted in Aboriginal people having rights and entitlements to which non-Aboriginal people in similar social and economic circumstances are not entitled?
- (3) Does this approach represent a fair deal for all Western Australian people?

Mr WILSON replied:

- (1) to (3) It is the policy of the Government to recognise that Aboriginal people have suffered particular disadvantages in

terms of the dispossession that has occurred since white settlement and in a number of areas the Government is concerned to give recognition to this special circumstance.

Mr O'Connor: By way of positive discrimination?

Mr WILSON: Whatever the Leader of the Opposition likes to call it. I have not used that terminology—he has used those words. I have simply said that the Government recognises that due to the history and the development of Aboriginal people since European settlement they have suffered particular disadvantages and that some of those disadvantages need special programmes and special action to be properly reconciled. I hope the Leader of the Opposition and members opposite will join with the Government in recognising those disadvantages.

Mr Hassell: What about the second part of the question?

## STATUTORY MARKETING AUTHORITIES

*Accountability*

411. Mr D. L. SMITH, to the Premier:

Is the State Government looking at ways of making statutory marketing authorities more accountable to the Government and to primary producers?

Mr BRIAN BURKE replied:

I thank the member for Mitchell for notice of his question and beg the indulgence of the House in what is a reasonably long answer to a very important question. The answer is as follows—

Yes. The Government is also examining ways of ensuring Government policies on the conditions of service for employees are applied by marketing authorities.

The Auditor General (Mr W. F. Rolston), has questioned the propriety of arrangements entered into by two marketing authorities—the Grain Pool of Western Australia and the Lamb Marketing Board.

Some of Mr Rolston's criticism were contained in his annual report for 1982-83, tabled in State Parliament today. However, Mr Rolston had questioned more of the Grain Pool's dealings in a letter to me

earlier this month, which I shall seek leave to table at the conclusion of my reply.

Mr Rolston had questioned the propriety of a number of Grain Pool transactions. These were—

the former general manager being accompanied on an overseas selling trip by his wife at the pool's expense. Fares and expenses for his wife totalled more than \$8 000;

the payment on two occasions of expenses for the wives of delegates to interstate conferences;

the sum of \$17 139 being paid from the Grain Pool reserve fund for a trip for a retiring employee of a London-based company and his wife in recognition of services provided in past years;

the general manager being paid an annual salary of \$70 000 plus a \$2 500 entertainment allowance;

the employee superannuation contribution of some senior staff being met by the pool;

the payment, to the former general manager, of a lump sum retirement gratuity of six months' pay and the waiving of the outstanding balance of \$15 999 of a housing loan. A loan of \$30 000 was provided in 1978 at an interest rate of three per cent.

The transactions of the Lamb Marketing Board, the propriety of which Mr Rolston, questioned were—

payment of *pro rata* long service leave of \$7 379 on the retirement of the former general manager at the age of 57;

a Ford Fairlane car allocated to the former general manager during his employment being sold to him on his retirement at the book value of \$4 768 when the current market value was in the range of \$9 400 to \$11 200, depending on the condition.

On the defeat of the previous Government and on receipt of applications from former Ministers to purchase motor vehicles that had been used by them during their term as Ministers the Government insisted on the sale of those motor vehicles at what was then the market value—that was the range that has been quoted by the Auditor General. While this Government was insisting on previous Ministers purchasing motor vehicles at the current market value, the Lamb Marketing Board was apparently selling cars between \$5 000 and \$7 000 below the market value.

Mr Old: Do you know if that was told to the Auditor General?

Mr BRIAN BURKE: Yes, he is the person who supplied the information.

Mr Old: Before the board sold the car?

Mr BRIAN BURKE: I do not know.

Mr Clarko: Someone told me you have a second Ford LTD; is that true or false?

Mr BRIAN BURKE: That is not true, but in due course my vehicle will be replaced by a Ford LTD. I do not understand the interjection.

Mr Stephens: Do you mean car or cars?

Mr BRIAN BURKE: It is a Ford Fairlane car. I make the point that while members of Parliament are often criticised, they were purchasing vehicles at the market price when this Ford Fairlane was being sold at something like \$5 000 to \$7 000 less than the market value.

The board had also amended its superannuation scheme, retrospective to September last year to provide for optional retirement at 55. This had been done without ministerial approval and despite the Minister for Agriculture's having directed in 1979 that the board's retirement scheme should comply with conditions applicable to all Government employees. Retirement at 55 is not such a condition.

I hope members understand the import of that: While the previous Government was passing legislation in relation to retirement, the Lamb Marketing Board instituted its own scheme for optional retirement at 55 years of age despite a direction from the member for Katanning, the then Minister, in 1979 that it should not introduce such a scheme.

The transactions revealed by Mr Rolston were not a proper use of the funds of grain and lamb producers which should concern grain and lamb producers.

The changes the Government is seeking to make at present will be aimed at ensuring that marketing authorities do not abuse the funds that belong to primary producers.

The Government is now aiming to put beyond doubt the fact that marketing bodies must abide by Government policies and guidelines.

There is a responsibility on the political masters of all statutory boards and authorities presently established in this State to take responsibility for the actions of those boards and authorities. In the past it simply has not been the case that Ministers should take the responsibility for all the actions of those boards and authorities. In that manner all the established Ministers were not responsible and should not in many cases have directed boards and authorities to comply with certain requirements of Government. That is amply illustrated in the case of optional 55-year retirement, where, despite the direction in 1979 of the then Minister for Agriculture, the Lamb Marketing Board proceeded to introduce such a scheme.

We are not blaming the previous Government, but that is the situation. What we intend to do is establish clearly with the boards and authorities that they have a political master that will answer for the use, misuse, or delinquency regarding funds for which they are responsible.

I seek leave of the House to table the letter I received from the Auditor General.

*The letter was tabled (see paper No. 373).*

#### MINING: DIAMONDS

##### *Equity Purchase: Independent Financial Assessment*

412. Mr O'CONNOR, to the Premier:

Does the Premier consider Price Waterhouse to be a suitable accounting and auditing firm to undertake an independent financial assessment of the Government's proposed purchase of Northern Mining Corporation NL?

Mr BRIAN BURKE replied:

Price Waterhouse is an internationally reputable firm of accountants and project assessors. I have no reason to doubt the firm's ability to carry out the sort of assessment that it has made in respect of the Government's acquisition of an equity in the Ashton diamond joint venture. In fact, it is my understanding that the previous Government from time to time used the services of Price Waterhouse in carrying out assessments of quite major projects and in the eight months that we have been in Government—and I stand to be corrected on the detail—it is my recollection that we have used Price Waterhouse to assess at least one major project that was seeking Government assistance. By using the word "assessing" I mean that it has turned its attention to the viability of the project, the projected return, and the assessment of all the sincerities related to the project. In regard to the assessment Price Waterhouse carried out for the Government in respect of the Ashton diamond joint venture, I am pleased to inform the House that, although Price Waterhouse is under no obligation to the Government, it has seen fit to say that the project is commercially a very agreeable one and that it is attractive in the firm's conservative assessment of the return to the State, and of the long-term benefit that is likely to accrue to the State.

I would say also those assessments are made on the purchase price of \$42 million which is some \$1 million-plus more than the Government is actually paying. In addition to that commercially acceptable and beneficial agreement, acting on suggestions made by the member for Nedlands—who seemed to think it was odd that we should engage in any project that would necessitate our paying any tax to the Commonwealth—

Mr Court: I didn't say that. I just said you are going to have to pay tax.

Mr BURKE: Acting on whatever it was that the member for Nedlands said, Price Waterhouse advised us that there are entirely legitimate and appropriate methods by which it may not be necessary for the State to pay tax, which means I am proud to be able to inform the House that the estimated return on the project will run to something like 26 per cent.

## STATUTORY MARKETING AUTHORITIES

*Accountability*

413. Mrs HENDERSON, to the Premier:

Further to the previous question on matters raised by the Auditor General and concerning the propriety of arrangements entered into by two marketing authorities—the Grain Pool of Western Australia and the Lamb Marketing Board—is the Premier aware that the Public Accounts Committee is to examine this matter?

Mr BRIAN BURKE replied:

I am aware of the proposed action by the Public Accounts Committee and, unlike my predecessor, I want to say that the Government welcomes the decision of the Public Accounts Committee to involve itself in this matter and to carry out inquiries into those issues raised by the Auditor General. I am informed that the Chairman of the Public Accounts Committee already has made arrangements to contact the Auditor General with a view to having him discuss the matter with the Public Accounts Committee. I understand it may be likely also that the Public Accounts Committee will seek to interview representatives of the two authorities concerned.

The Government sees the Public Accounts Committee as an essential watchdog of this Parliament and, as I said at the outset of this answer, we are very pleased to see the Public Accounts Committee involving itself in this way. We hope this involvement will be beneficial to the people of this State and that we will see a continuation of this sort of supervisory role being adopted by a committee of this Parliament.

## MINING: DIAMONDS

*Equity Purchase: Independent Financial Assessment*

414. Mr PETER JONES, to the Premier:

- (1) Is the Premier aware that Price Waterhouse is the auditor for Bond Corporation Pty. Ltd. and as such can be neither independent nor acceptable where public accountability is concerned in assessing the Government's proposed purchase of Northern Mining Corporation NL?

- (2) If he is aware of this, why did he not inform the public of the link between Price Waterhouse and the Bond Corporation when claiming that that firm's assessment of the Premier's diamond deal demonstrated that the Government was "paying a fair and reasonable price"?

Mr BRIAN BURKE replied:

- (1) and (2) This character assassination by the member for Narrogin is absolutely unable to be—

Several members interjected.

Mr BRIAN BURKE: The member for Narrogin has said that Price Waterhouse, an internationally recognised accounting and project assessment firm—

Mr COURT: And the auditor for the Bond Corporation Pty. Ltd.!

Mr BRIAN BURKE: —is incapable of being honest.

Mr Hassell: That is not so at all. Why don't you just answer the question.

Mr BRIAN BURKE: That is what the member for Narrogin said. If the member for Narrogin believes that he has evidence that Price Waterhouse is a band of brigands incapable of being professionally honest, let him produce the evidence.

Several members interjected.

Mr BRIAN BURKE: If the member for Narrogin is saying that because Price Waterhouse—which is one of the biggest, if not the biggest accounting firm in the world—has an array of clients, it is incapable of being professionally honest, let him say that also.

Mr Hassell: He did not say any of those things; he asked you a question which you would not answer.

Mr BRIAN BURKE: We have absolutely no reason to doubt the ethics, the morality, or the honesty of Price Waterhouse.

Mr Hassell: Answer the question.

Mr BRIAN BURKE: If the member for Narrogin had chosen to doubt the ethics, the morality, or the honesty of that firm, let him say so. However, I warn the Opposition, whether it realises it or not, by travelling along the path—

Mr Hassell: When are you going to answer the question?

Mr BRIAN BURKE: —that the member for Narrogin is propelling it along, it is re-

peatedly disenchanting all its traditional supporters because Price Waterhouse has never been a friend of the Labor Party. Mr Connell is the son-in-law of a long time Liberal member of Parliament, and he told me personally he was a strong supporter of the Liberal Party. Alan Bond has never evinced any signs of supporting the Labor Party, and what I am being told all around this town is that the Opposition is intent on harpooning what are traditionally its best supporters—and I do not mean just its best political supporters, but also its best financial supporters. We did not approach the Labor Party's auditors to carry out some shonky audit. We have gone to the best—Price Waterhouse—and we told it to carry out its assessment. It galls the Opposition for Price Waterhouse to be able to come back and say, "We have examined all the information and find this to be an excellent commercial arrangement".

Mr Court: It works for both sides.

Mr BRIAN BURKE: That is the next point I want to touch upon. During the debate Opposition members said, "Why don't you get an outside auditor to look at it?" I suggested the firm of Price Waterhouse, and the member for Murdoch could not find any problem with that suggestion.

Mr MacKinnon: The member for Murdoch was not aware that it was the auditor for the Bond Corporation.

Several members interjected.

Mr BRIAN BURKE: We have a situation in which the member for Murdoch said he had no objection to Price Waterhouse as one of those firms that might be included in the category to which he referred. Now we find, simply because it is the auditor for the Bond Corporation, it is not permitted any professional honesty, and it is somehow labelled as being incapable of giving independent advice.

I suggest that the Opposition turn its attention to the report—a copy of which I will gladly supply to it—and criticise the report on the basis of its suggestions. If the Opposition can find something wrong with the suggestions rather than with the personalities of those involved, the Government, and, I suggest, the

public, will listen to it. However, while it engages in this character assassination of good Liberal people, I suggest to the Opposition that it is not advancing its own party's political future one whit, and that is the dilemma on which the Opposition is transfixed. It is a dilemma compounded by the fact that we have shown all the information to the Leader of the Opposition, and the Leader of the Opposition has seen fit to criticise certain details of the arrangement. For example, the Leader of the Opposition has seen fit to say we are betraying our philosophies, but he has not objected to the commercial nature of the deal that was explained to him.

Mr Hassell: You still have not answered the question—after 10 minutes.

#### WAGES: FREEZE

##### *Extension: Opposition's Proposal*

415. Mr TROY, to the Premier:

- (1) Is he aware of claims made by the Leader of the Opposition that a \$40 million saving would have resulted from a continuation of the wages pause for six months and that an alternative approach to State budgeting would have offered a \$110 million saving?
- (2) What would the effects have been of continuing the wages pause for a further six months?

Mr BRIAN BURKE replied:

- (1) and (2) I am aware of the comment made by the Leader of the Opposition and I would implore the Leader of the Opposition and the members of the Opposition who sit with him to understand the implications of suggesting that the wage pause continue for another six months.

Do they understand that the national wage case which decided the appropriate increase to be given to the people who were respondents to national and State awards was as a result of a national summit that conceded to the central wage fixation system the ability to do just that?

The Leader of the Opposition suggests that we throw that over completely and say we will not take part in this national consensus that seeks to bring sanity into wage fixation. We gave our word, as did

the other States, that we would abide by the agreement reached at the summit, and that we would abide by the national wage case decision. The Leader of the Opposition suggests seriously that we should thumb our noses at all of the other States, at the national Government's right or wrong attempts to bring some order into a situation that Malcolm Fraser made chaotic, and that we should decide unilaterally to go it alone, and not accept the national wage case decision.

By suggesting that, the Leader of the Opposition is suggesting that the whole nation, not just Western Australia, should be plunged into chaos because the abrogation of Federal awards, the respondents to which are Federal unions, will result in strikes of a magnitude that none of us has ever previously encountered. We cannot isolate Western Australia from a national decision made by the Builders Labourers' Federation and the Shop Assistants Union, or other sections of the trade union movement more responsible than some members opposite might like to regard the Builders Labourers' Federation. It is time to stop supporting the nonsensical idea that we should somehow or other continue the wages pause.

Mr O'Connor: You could do it and the rest of the States could get support from that. You could act directly in that field.

Mr BRIAN BURKE: All of the other States agreed months ago to unified action to seek stability in the matter of wages. The Federal Treasurer, the Prime Minister, the Leader of the Opposition, and I are on record as saying that wage restraint is absolutely essential. Having said that, how are we to have any sort of trust accorded to us by free-ranging through broken promises made, not just by Labor leaders, but by other leaders as well, and by the captains of industry, if we impose our own wages pause?

Remember, we can impose the wages pause only on respondents to State awards. It is time to stop thinking about that nonsense.

## MINING: DIAMONDS

### *Equity Purchase: Independent Financial Assessment*

416. Mr MacKINNON, to the Premier:

Now that it has been established in reply to the previous question that the Government has not obtained any genuinely independent financial assessment of its proposed purchase of Northern Mining Corporation NL, but has quoted L. R. Connell & Partners and Price Waterhouse, who are both closely associated with the Bond Corporation Pty. Ltd. I ask—

Will the Premier now ensure, in the interests of public accountability, and in the interests of ensuring that justice not only is seen to be done but also is done, that a complete and genuinely independent assessment of the complete project and the proposed purchase will be undertaken immediately, prior to the legislation's completing its passage through the Parliament?

Mr BRIAN BURKE replied:

I do not think the Opposition ever learns!

Even if we were to say, in trying to accommodate the Opposition, that we will arrange a series of independent assessments, it would be open for the Opposition to say that because the Bond Corporation banks with the R & I Bank, then the R & I Bank is not impartial. Perhaps Wardley Australia Ltd. could have done an independent assessment; but the Opposition must understand that never before in the history of this State has an acquisition been subjected to the same scrutiny mentioned by the member for Murdoch. There is also the question that the Treasury, on which the previous Government relied, has been open to the same information and the same detail. Not only that, but also it is true that the Leader of the Opposition has had the same detail.

The fundamental point is that if the Opposition is to set about the destruction of the credibility of professional organisations as substantial as Price Waterhouse—

Mr MacKinnon: That is not the question at all.

Mr BRIAN BURKE: —with the Opposition's ideological bent, it will achieve two things. Firstly, by its willingness to sacrifice substantial business people who are of its own ideology, it will destroy confidence in anything that might be seen as the start of a recovery. Secondly, it will effectively complete the character assassination of firms like Price Waterhouse.

The implication made by two members of the Opposition now is that these firms are not fit to have carried out an assessment similar to that which they have carried out on numerous occasions previously.

Mr MacKinnon: That is not the point we made.

Mr Peter Jones: Will you answer the question?

Mr BRIAN BURKE: What is the complaint? Is it that Price Waterhouse should not do the assessment of Northern Mining.

Mr Hassell: This is not complaint time; it is question time.

Mr BRIAN BURKE: What is the complaint?

Mr Hassell: Why don't you just answer the question?

Mr BRIAN BURKE: If the complaint is not that the company should not do the assessment of Northern Mining, what is it? Obviously, if the Opposition claims the company is not a fit and proper company to do the assessment of Northern Mining and its acquisition by the Government simply because it is Bond's auditors, we reject the claim.

## RECREATION: FOOTBALL

### *Joondalup Development*

417. Mrs WATKINS, to the Minister for Sport and Recreation:

- (1) Has the Minister had any official contact with either the Wanneroo Shire, the West Australian Football League, or the Joondalup Development Corporation on the issue of a league football facility at Joondalup?
- (2) Would the Minister be prepared to comment on the substance of an article on this issue in the *Wanneroo Times* of 18 October 1983?

Mr WILSON replied:

- (1) There has been no contact with me on this issue from any of those bodies.
- (2) The article in question suggests that the State Government may be asked to approve of and support such a scheme. Until I am approached, it is obvious that the Government can take no stance on the matter.

I would be pleased to receive a submission from either one or all of those bodies so that the proposals can be studied carefully.

Members will be aware that the Premier has appointed a task force to respond to a submission for assistance from the West Australian Football League. I suggest that the terms of reference of the task force do not encompass such a proposal. The brief of the task force is to consider matters of more immediate concern to the WAFL.

## ABORIGINES

### *Discrimination: Favourable*

418. Mr O'CONNOR, to the Minister with special responsibility for Aboriginal Affairs:

The Minister did not answer the final two parts of my first question, and I would like an answer. I repeat—

- (2) Does the Minister acknowledge that in some circumstances positive discrimination has resulted in Aboriginal people having rights and entitlements to which non-Aboriginal people in similar social and economic circumstances are not entitled?
- (3) Does this approach represent a fair deal for all Western Australian people?

Mr WILSON replied:

- (2) and (3) I do not agree with the Leader of the Opposition that I did not answer those questions. If he cannot understand my answer, I cannot help that.

Opposition members interjected.

**SLOW LEARNING CHILDREN'S GROUP  
OF WA (INC.)**

*Funding*

419. Mrs BUCHANAN, to the Minister for Health:

Following the bringing down of the State Budget, is the Minister in a position to advise what level of State Government funding has been provided in the 1983-84 year for the Slow Learning Children's Group of WA (Inc.)?

Mr HODGE replied:

I am pleased to be able to advise an appreciable rise in the level of funding to this very worthwhile support group. An amount of \$3.673 million has been provided in the Mental Health Services division of the State Budget for the Slow Learning Children's Group. This represents an increase in the vicinity of 25 per cent on the grant provided in 1982-83 and is substantially higher than the level of increase expected in the State's revenue in 1983-84.

**EDUCATION: HIGH SCHOOL**

*Northampton District: Delay*

420. Mr TUBBY, to the Premier:

(1) Has he received a telex from the Northampton District High School

Parents & Citizens' Association in which it expressed no confidence in the Minister for Education?

- (2) If "Yes", does he or his Minister's adviser intend to accept the invitation to visit the school to discuss the rebuilding programme?
- (3) Does he realise that the Minister for Education gave a written commitment in a letter to the Parents & Citizens' Association President that the school would be redeveloped according to plan No. 4 which was accepted and agreed to by the department?
- (4) Does he realise that a considerable delay has occurred since that undertaking was given and at no stage was the cost given as a limiting factor?

Mr BRIAN BURKE replied:

- (1) to (4) Yes, I have received the telex referred to in the member's question. I have initiated urgent inquiries into the points raised in the telex and I will be replying to the association as soon as possible. I will forward a copy of my reply to the member as soon as I have it.