

[Tuesday, 24 September 1996]



WESTERN AUSTRALIA

PARLIAMENTARY DEBATES

(HANSARD)

THIRTY-FOURTH PARLIAMENT
FOURTH SESSION
1996

LEGISLATIVE COUNCIL

Tuesday, 24 September 1996

Legislative Council

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THE PRESIDENT (Hon Clive Griffiths) took the Chair at 3.30 pm, and read prayers.

PETITION - UNIVERSITY FUNDING CUTS; HIGHER EDUCATION CONTRIBUTION SCHEME CHARGES

Hon John Halden (Leader of the Opposition) presented a petition, by delivery to the Clerk, from 100 people opposing the Federal Government's forecast cuts to university funding, and increases in higher education contribution scheme charges.

[See paper No 629.]

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS - REPORT ON CITY NORTHERN BYPASS, TABLING

Hon Murray Montgomery presented the report of the Standing Committee on Estimates and Financial Operations in relation to the briefing and tour provided by the Main Roads Department in regard to the city northern bypass project, and on his motion it was resolved -

That the report do lie upon the Table and be printed.

[See paper No 630.]

STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

Report on 1996-97 Estimates Cycle - Questions on Notice and Generic Questions, Tabling

Hon Murray Montgomery presented the report of the Standing Committee on Estimates and Financial Operations in relation to 1996-97 estimates cycle - questions on notice and generic questions, and on his motion it was resolved -

That the report do lie upon the Table and be printed.

[See paper No 631.]

MOTION - URGENCY

Western Power, Uniform Tariff Scheme, Abandonment

THE PRESIDENT (Hon Clive Griffiths): I have received this letter addressed to me and dated 24 September 1996 -

Dear Mr President

At today's sitting, it is my intention to move under SO 72 that the House, at its rising, adjourn until 9.00 am on 25 December 1996 for the purpose of discussing the State Government's abandonment of the uniform tariff scheme and calls for the Premier and the Minister for Energy to instruct Western Power to re-instate the scheme.

Yours sincerely

Mark Nevill MLC
Member for Mining and Pastoral Region

In order to discuss this matter, it will be necessary for at least four members to indicate their support by rising in their places.

[At least four members rose in their places.]

HON MARK NEVILL (Mining and Pastoral) [3.37 pm]: I move -

That the House at its rising adjourn until 9.00 am on 25 December.

I am sure that opposition members are very concerned about the changes to policy that seem to be occurring in this area of the uniform power tariff across the State. The Government gave a clear commitment to the people of Western Australia that it would maintain the uniform tariff for power across the State. I refer back to 1994 and to the second reading debate on the Electricity Corporation Bill under which Western Power was set up. I will quote from the second reading speech given by the responsible Minister, Hon Colin Barnett. The speech outlines the Government's policy and the principles of the Bill; it is not just ordinary comment during the debate. At page 4883 of *Hansard* he said -

It is possible that the corporation will be required to undertake certain community service obligations as part of its business. These community service obligations will normally cover social or non-commercial objectives and can have a significant impact on the corporation's financial performance.

Members must be made aware of this more important part -

The existing uniform tariff policy, which ensures that consumers in isolated towns pay the same amount for electricity as their metropolitan counterparts, will be retained by the Electricity Corporation. However, in recognition of the Electricity Corporation's exclusive franchise, uniform tariffs will not be treated as a community service obligation and will remain as a franchise obligation.

That is unequivocal. When the Bill was debated on 22 November 1994, during Committee, which was handled for the Government by Hon George Cash, I commented on the debt in relation to remote power plants as follows -

... if they rely on a subsidy from Treasury or the corporation, there is no likelihood of their making a return on their investment.

Hon George Cash responded as follows -

The Bill is structured in such a way as to require transparency of operations by both corporations. The need to subsidise the remote power systems is recognised, and is not being shied away from by the Electricity Corporation or the Government. The fact that they will be allocated their share of debt is nothing more than transparency across the board. The need to subsidise the remote power systems is recognised as a fact of life. However, it is clearly intended that remote power systems should not be in a position in which they pay more than the general tariff being paid across the system generally.

That was a quite clear commitment to the uniform tariff in this place as well.

What does the Government propose in the changes that it has announced recently? Western Power wrote to an applicant who wanted power supplied to premises in Bandy Creek Road, Esperance. The letter was written after the new policy had been announced, and it states -

The estimate to supply power to this location is approximately \$84 100 non-refundable based on a contract minimum demand of 65 kVa . . . The indicative unit price is 40-45 cents/kWh.

That is unimaginably high. How any business in country areas of this State could pay that price for power is beyond comprehension.

Hon P.R. Lightfoot: How much?

Hon MARK NEVILL: The indicative unit price is 40¢ to 45¢ for this business when the going rate is about 16¢ per kilowatt hour.

Hon N.F. Moore: That is the price charged, not the cost to produce.

Hon MARK NEVILL: Exactly. This increase applies to existing customers who consume more than 200 000 units

per annum or new customers who consume more than 100 000 units per annum. That would affect 275 industrial customers in country areas. In Perth, a large hotel would probably pay between 5¢ and 6¢ per kilowatt hour, with the benefit of off-peak tariffs. Consumers in Esperance would be paying an extra 7¢. About 35 major businesses in Esperance could not stand that increase. It would be a blight on that town, as it would be on all the other regional power stations that are affected.

The most important issue is that the Government has given no guarantee as to what it will do after 31 June 1997. After the end of this financial year there is no guarantee, and the Government will not be drawn on saying what it will do; it is silent. People can expect a nasty shock in the pipeline because the Government has failed to be frank.

Hon N.F. Moore: What should we have done?

Hon MARK NEVILL: The Government should stick to the clear commitment to a uniform tariff. Why is the Government repudiating a commitment that it gave to the public of Western Australia when this legislation was introduced?

Hon N.F. Moore interjected.

Hon MARK NEVILL: I will answer the Minister's questions in my reply; there is plenty of time. The Government made that commitment when the legislation was introduced and when it went to the last election. The reason it is jacking up the price in country areas is that its energy policy is falling apart.

During those debates the Opposition said that there would be intense competition from private contractors and that that would force Western Power to pass on its costs to those customers who could least afford to pay, and that is exactly what is happening. The BHP power station at Port Hedland is now supplying power in the Pilbara and that has affected the economics of Western Power's Pilbara power station. The annual report has conveniently just been released and it states that the loss for Pilbara power over the 12 months ending 30 June 1996 is \$5.374m. In the regional power area, which covers the stand-alone power units outside the south west grid, the loss was \$44.393m. In Kalgoorlie, Western Power has lost 210 megawatts of power as a result of losing the accounts for Western Mining Corporation at Kambalda, the Normandy Poseidon account and the BP refinery account - where Mission Energy is now producing power through its co-generation unit. It is coming under enormous pressure. What is the Government's reaction? It is abandoning the uniform tariff policy and pushing the costs back onto the country areas.

Hon N.F. Moore: That is not true.

Hon MARK NEVILL: The Minister can respond later. I do not believe that giving community service obligations to Western Power is the solution, because it will simply maximise the losses in those areas and we will end up subsidising those power losses more than we otherwise would. It must come out of Western Power's own funding. The annual report clearly shows the loss in the segmented parts of the power system. If those losses come out of Western Power's own budget then we can be assured that it will minimise them. The Minister for Energy said during the debate that there would be no competition for the Dampier to Perth gas pipeline. That is clearly not the case. Two years later, we have the Kingstream consortium with its now expanded steel mill proposal at Geraldton requiring a gas pipeline from the Pilbara.

Hon P.R. Lightfoot: That depends on its getting off the ground.

Hon MARK NEVILL: I have been saying for two years that that project was streets ahead of any other project in this State. At 1.5 million tonnes it would have gone ahead six months ago.

Hon P.R. Lightfoot interjected.

Hon MARK NEVILL: They are different plants: One is a steel mill and the other is a DRI plant. I have limited time; I will complete my remarks.

The Government's policy is clearly falling apart. The Minister said that gas consumption would increase. The latest annual report shows that gas consumption increased to 50 terajoules in 1994-95 and dropped to 42 TJ last financial year. Clearly, the Minister was very wrong. Also coal consumption has increased. It is clear to any independent observer that the Collie power station should have been a 600 megawatt power station to get the benefits of scale we can get from a 600 MW power station. Western Power's debt is starting to blow out. That was outlined in the chairman's comments. He said that debt increased overall during the year and the weight of debt carried by Western

Power makes it vulnerable to fluctuations in interest rates. The same applies to AlintaGas' debt. It is worried stiff about the new pipeline from the Pilbara because the pipeline will not need to have the same gas specifications as the Dampier to Perth gas pipeline because of domestic users. It will pump raw industrial gas, which will be a lot cheaper, and that will play havoc with AlintaGas' balance sheet.

This House should not allow the Government to walk away from its commitment to the country people of Western Australia as it is doing with this fiddling with power tariffs. It has been caught out. This House should call on the Premier to honour his sacred promise to the country people of Western Australia to maintain this uniform tariff scheme. It is important that opposition members support this motion. They need to send a message to their constituency that they are 100 per cent behind the uniform tariff policy and will not see it watered down by Western Power's problems with its losses in those areas. Those losses should be covered by the profits from other areas. The Government should be directing Western Power to keep that commitment to uniform tariff policies across this State. I urge members to support this motion.

HON KIM CHANCE (Agricultural) [3.53 pm]: I congratulate Hon Mark Nevill for raising this issue in this forum. It is an incredibly critical issue relating to the development of the regions of Western Australia. What is happening in Esperance is not an Esperance issue alone. Members understand that this is an effect which is symptomatic of what is happening in Western Australia wherever there are regional generators. I understand the difficult position in which Western Power has been placed. I have taken the trouble to hear its side of the argument also. The classic conflict that Western Power finds itself in will always occur whenever one confronts the application of the principle of user-pays. On one hand Western Power must exist in an increasingly competitive commercial environment where margins are extremely low; on the other hand it is facing substantial commercial losses in supplying rural consumers, particularly in areas where there are regional generators.

In recognising Western Power's difficulties, I am not acting as an apologist for it. However, we must understand what are the facts of life for Western Power and where the responsibility for this policy change lies. The concept of uniform charges and its nemesis, user-pays, are not synonymous. On the contrary, they are mutually exclusive. Any service, whether public or private, will vary considerably in cost depending on a number of factors such as scale, distance, production factors, or a number of other determinants. In a user-pays system, the economic rationalist will argue that unless we charge the cost of a service reflecting those variations, we will cause a distortion in the way the resources are allocated and we will thus generate an ongoing cost to the economy. Proponents of uniform charges argue that development must be viewed on a broader basis than the cost of providing fundamental and basic services and there is a good reason for consumers cross-subsidising other consumers who live in and produce goods in higher cost areas. That has been the concept that the State has generally adopted regardless of the party in government.

There is also an economic argument not directly related to those two classical positions of economic rationalism and the broader view; that is, that which is related to the benefits that arise for the whole community from decentralisation, and a separate argument that since the bulk of our economic strength as a State originates in the regions, the comparative advantage that regions receive from uniform charges is warranted by way of reward for the regions' contribution to the whole economy. While it may be technically and literally cheaper to develop and distribute power in the major cities, the major cities would have no reason to exist were it not for the economic power developed in the regions. So far the weight of those arguments has prevailed. It has led successive State Governments to favour uniformity against the economic rationalist view. It is clear from Hon Colin Barnett's statements in the second reading speech on the Electricity Corporation Bill, which was second read on 27 September 1994. It has been a policy of both major parties to maintain uniformity until now.

Hon N.F. Moore: No, no.

Hon KIM CHANCE: What has changed? The Leader of the House said no. However, that has been the case. We are now seeing a fundamental change which walks away from the concept of uniformity. What has been done by Western Power at Esperance and in regions throughout the State has been done in the face of the weight of an argument which has been accepted by successive Governments. It is a body blow to regional development. I have to note the interest in this issue of the member for Northern Rivers, who has said that every town in his electorate is subject to the policy changes by Western Power. The Leader of the House asked Hon Mark Nevill to comment on the changes that were made by the Federal Government to the application of excise to light crude oil. That imposed costs on regional people and directly on Western Power. However, Carnarvon's generators are not supplied by light crude oil or distillates. They are supplied by the gas pipeline. When the member for Northern Rivers raised that issue with Western Power, it said the cost of the pipeline had to be amortised. The member argued that it had been amortised already. The reply was that it had but the asset went to AlintaGas, not to Western Power. Therefore, the people of Carnarvon are being asked to pay twice for the extension of the capital that was consumed in that process.

What has this Government done for the regions generally? This policy move by Western Power does not stand on its own. It is symptomatic of what has been done in regions by this Government, and particularly in the economic development of the regions by this Government over a period. We have only to cast our minds back a little to the question of uniformity charges to Water Authority changes. Where there was a uniform rate of charging throughout country areas, we now have five different grades of water charges including those charges that apply to domestic consumers.

People who live in Merredin pay at a different rate from those living in the nearby town of Mukinbudin. I understand it is rated on scale 1 in Merredin and scale 4 or 5 in Mukinbudin. This Government is showing no commitment to regional development and certainly no ongoing commitment to uniform tariffs.

HON TOM STEPHENS (Mining and Pastoral) [4.00 pm]: This is indeed a very serious issue for regional members of this Parliament. If Hon Norman Moore has the gall to stand in this Parliament and defend this policy, he should be condemned by the people in his electorate. I will make sure that copies of his comments are circulated to his branches of the Liberal Party throughout his electorate.

Hon N.F. Moore: I am happy that you will.

Hon TOM STEPHENS: This policy is absolutely indefensible. It will have a devastating impact on the people of regional Western Australia, particularly those in the Mining and Pastoral Region and those in Esperance. The matter deserves urgent consideration by this House because the policy will be implemented next Tuesday, 1 October and the price rises announced by Western Power, and approved by the Minister, will come into effect. With sleight of hand, the Government pretends that the policy will not have an adverse effect on these people. However, it will cost them \$20m in the first 12 months of operation.

Hon N.F. Moore: Where did you get that from?

Hon TOM STEPHENS: From Western Power.

Hon N.F. Moore: Prove it.

The PRESIDENT: Order!

Hon TOM STEPHENS: Mr Moore -

The PRESIDENT: Order!

Hon TOM STEPHENS: I have those -

The PRESIDENT: Order! Order! I am calling for order.

Hon TOM STEPHENS: I did not hear you, Mr President.

The PRESIDENT: The member heard me and ignored me.

Hon TOM STEPHENS: I did not.

The PRESIDENT: Hon Tom Stephens stood and continued to debate when I called for order. He has a penchant for doing that with a total disregard for the rules. Why is that?

Hon TOM STEPHENS: I did not hear you, Mr President. If you wanted to attract my attention and I did not hear you, I understand there is a provision under the standing orders whereby you can rise to your feet. If you had risen, I would have sat down.

The PRESIDENT: If I had risen, I would have tossed the member out.

Hon TOM STEPHENS: There is a provision under the standing orders -

The PRESIDENT: I know the provisions of the standing orders, one of which is that when I call for order the member must keep quiet.

Hon TOM STEPHENS: If I hear you, Mr President, I will. This policy will have an adverse impact on the people in my region and it deserves to be treated seriously by all members of this House. Specifically, this Government by sleight of hand has introduced a Statute into this place which it says will not breach the uniform tariff policy. Despite the Government's commitment to both Houses of Parliament and its statement that it will set up businesses around which its new policy will operate, Western Power is talking about putting rings and fences around its operations. The additional costs will impact on areas in which Western Power has its loss centres. Members on this side of the House have said that members opposite have a propensity to nationalise losses and privatise profits. They have altered that policy; now they want to expropriate the profits of government trading enterprises in the regional areas and put rings around the loss-making enterprises within those regions.

I refer, for example, to the port authorities of the north west. When they make profits, those profits are distributed throughout the entire State, but when a trading enterprise such as Western Power makes a loss in a regional area the Government wants to put rings and fences around its activity and inflict the full cost of the trading enterprise on the local consumers in that region. This policy has already been through some convolutions to arrive at its current form. The people of Esperance jacked up and there were fights between members of the Liberal Party and the National Party within the coalition Government. Some efforts have been made to mollify the strong feelings of the local community. However, it will have a significant impact on the coalition parties in that town.

Similar concern has not been expressed for the people in the Mining and Pastoral Region, all of whom are represented in the lower House by members of the Labor Party. The people in those electorates must like it or lump it, and they do not like it. It is producing front-page headlines in every regional newspaper in the electorate, such as that in the Carnarvon *The Northern Guardian* of 18 September which reads "Seafoods boss vows to take on Western Power". This is his statement after the modified policy was announced when the Minister backed down as a result of the protest in the Mining and Pastoral Region. Despite that change of policy, this will still impose a significant cost penalty on regional centres such as Carnarvon, Broome and Derby. The general manager of Nor-West Seafoods, Richard Patty, has indicated that this policy will have a devastating impact on industries such as the fish processing industry with which he is associated. Quite clearly, it will.

It is almost as though this Government is intent on shipping these industries from regional centres, to make sure they will head south to pick up power from the south west grid that operates from Geraldton, south to Albany and east to Kalgoorlie. The people in regional areas generate so much benefit and prosperity for the entire State. Why should rings be placed around only those trading enterprises in regional areas that incur increased costs? Other trading enterprises that operate successfully within regional areas have their profits expropriated and distributed around the entire State. No consideration is given to regional Australians who are doing so much to address the financial situation of the entire State and nation by generating wealth and employment opportunities, despite the policies of this Government. These policies have an adverse, negative impact on opportunities for regional growth.

The most recent statement issued by the Minister for Resources Development, Colin Barnett, and reported in today's *The West Australian*, deals with the remote area power scheme. It is a new demonstration of this Government's using beads and mirrors to convey the impression that nothing devastating is happening in regional areas. The scheme it has proposed is worth a piddling \$500 000 a year. However, the Government's scheme will impose an additional cost on those people of \$20m per annum, and it thinks that introducing this scheme will be a sop to people living in remote and regional areas.

Hon N.F. Moore: You don't know what you are talking about.

Hon TOM STEPHENS: I know exactly what I am talking about with regard to this scheme. Perhaps the Minister can indicate -

Hon N.F. Moore: I intend to say something when I get a chance to.

Hon TOM STEPHENS: Perhaps the Minister will indicate why it is so strange that I should introduce this topic into the debate.

Hon N.F. Moore: I thought you would applaud the Government's policy.

Hon TOM STEPHENS: I am decrying the fact that this Government has imposed a \$20m additional cost on the people of regional Australia. It has tried the three thimbles trick by proposing to remove \$20m and introducing a scheme worth only \$500 000, if it is fully utilised. It thinks the people of regional Western Australia should be grateful for that. This scheme is for the mineral producers, farming producers and others, but they will not experience

the impact of this policy because of the application of the diesel rebate in remote locations. They do not have the incentive to get into such a scheme as they are not experiencing the impact of the removal of the diesel fuel rebate; as the Minister knows, the Howard Government is insulating them from that rebate. Does the Minister deny that there will be a \$20m impost as a result of this collapse of the uniform tariff policy on the people of his electorate?

Hon N.F. Moore: That is not happening. You have it absolutely wrong again, Mr Stephens - you always get it wrong!

Hon TOM STEPHENS: No, I have not. The Minister will have the opportunity to put his view to the House.

The PRESIDENT: Order!

Hon TOM STEPHENS: In the first 12 months we will see a \$20m penalty apply to the people of our electorate, and the Government will not give a commitment that the penalty will not increase after that 12 months. The worse part is that in the lead-up to the State election, the Government will not commit itself to these matters. If the people of Western Australian have the misfortune of again being governed by the lot opposite, the problems will be exacerbated and the cost penalty will increase in the future.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [4.11 pm]: We have just heard a conspiracy theory from Hon Mark Nevill, the usual tirade from Hon Tom Stephens and some rational comment from Hon Kim Chance. I note the new tactic of members opposite sitting down early to allow a colleague to get up before others can do so; it is rather a shame, as it would be nice if debate went from one side of the House to the other.

Hon Graham Edwards: That's a reflection on the President!

Hon N.F. MOORE: Three members have made a fundamental error in this debate.

Hon Graham Edwards: They were tremendous speeches; you should've listened to them!

Hon N.F. MOORE: I did. Obviously, the member did not. He does not know what he is talking about. The members said something about abandoning the uniform tariff scheme.

Hon Graham Edwards: You interject on our speeches, but you do not like it when you get it back the other way!

Hon N.F. MOORE: The member has a big chip on his shoulder - it is like a big karri log. Why does the member not sit outside for a while?

The PRESIDENT: Order!

Hon Graham Edwards: I'll sit where I like.

The PRESIDENT: Order! When I call order, Hon Graham Edwards will come to order and stop his interjecting.

Hon Graham Edwards: I am pleased to do so, Mr President.

The PRESIDENT: I am pleased to hear it.

Hon Graham Edwards: It is a pity he's not.

The PRESIDENT: Order! The Minister will come to order when I call on him to do so.

Hon N.F. MOORE: This debate is premised on the assertion that the uniform tariff is to be abandoned - it is not.

Hon Mark Nevill: That is sophistry.

Hon N.F. MOORE: There has never been a total uniform tariff.

Hon Tom Stephens: For regional Western Australia -

Hon N.F. MOORE: For anywhere, Mr Stephens.

Hon Tom Stephens: For regional Western Australia there has. This is sophistry.

Hon N.F. MOORE: A range of large-scale consumers in the grid and non-grid systems do not pay the uniform tariff, Mr Stephens. They are on contracts. A large number of them are on the grid system, and 16 or so of them are on the non-grid system. A totally pure uniform tariff system has never existed - members must understand that for a start. Also, as with this Government, that was the case under the previous Government.

Hon Kim Chance: It is referred to as such.

Hon N.F. MOORE: Members also neglected to admit that the previous federal Labor Government raised, with a click of its fingers, the excise on diesel fuel by 300 per cent.

Hon Mark Nevill: What did you do?

Hon N.F. MOORE: One of the major consumers of diesel fuel is Western Power, which generates power in remote parts of Western Australia. That put an enormous burden on the cost of electricity production. I am a little surprised that Hon Mark Nevill did not mention that. Does the member know the effect of that excise on electricity production in Western Australia? It is a cost of \$20m. That is the \$20m Mr Stephens has been trotting out. That is not the extra cost Western Power will take out of the system, but the cost to the system imposed by the federal colleagues of members opposite. I am sorry that our federal colleagues did not take the excise off as it is an iniquitous tax on remote Australians.

Hon Mark Nevill: You're passing it on.

Hon N.F. MOORE: No, we are not. Hon Tom Stephens talks about \$20m, but he has it wrong. The \$20m is the cost to Western Power of the decision by the Keating Government to increase the excise on diesel fuel by 300 per cent; that is why the increase occurred, and why Western Power has had to apply some measure to try to retrieve the \$20m.

Hon Tom Stephens: You don't understand its effect on your constituents. You do not stand up for them!

Hon N.F. MOORE: Western Power has sought to do something to gain additional revenue to cover the imposition of \$20m by the Keating Government. It has said to the large electricity consumers in remote Western Australia, "If you increase consumption above the 200 000 kW hours per annum which are part of the uniform tariff, you will pay a fee for the additional electricity consumed." Therefore, the uniform tariff in relation to electricity currently consumed will not change, and those who consume their current electricity level into the future will pay only the uniform tariff. It is only when these consumers go beyond that consumption level that an increase will occur. The revenue to Western Power from that change is about \$2m across the State to cover the \$20m impost from the former federal Labor Government.

It is not a matter of the conspiracy theory which Hon Mark Nevill proposed. He claimed that somehow Western Power, because it is a corporate entity, has a cost pressure and must bring in extra money. The uniform tariff will remain in place, as it always has been in place, except for one variation.

Hon Tom Stephens: It will be no more!

The PRESIDENT: Order!

Hon N.F. MOORE: That is not right.

Hon Tom Stephens: It will vary in each region.

The PRESIDENT: Order!

Hon N.F. MOORE: Those consumers not on the grid who consume more than 200 000 kWh per annum will pay the additional cost for the additional power consumed. Up to the 200 000 kWh threshold, they will pay no more than that paid in the past. That is the only change.

Hon Tom Stephens interjected.

The PRESIDENT: Order! We will get it right when I take some action against the member who continues to interject. He makes three speeches every time he contributes to debate: One before he gets his shot, one when he has the call and another when he has finished his contribution.

Hon Tom Stephens: I was trying to get my own back.

The PRESIDENT: Order! I might try to get my own back in a minute. Members may not like what people say here, and may not believe it, but they must listen to what is said.

Hon N.F. MOORE: In respect of the current uniform tariff arrangement, no change applies to people on grids; that is, most consumers in Western Australia. The change relates to those not on the grid, which is about 300 customers from the 20 000 customers in Western Australia. Members opposite call that abandoning the uniform tariff policy, but they are absolutely wrong. In the vast majority of cases - namely, the 20 000 consumers, as opposed to the 300 - there is no change. The reason for increases in some cases is the fuel excise increase which Hon Mark Nevill conveniently ignored in his speech, even though I interjected that he might like to tell us about that change.

Hon Kim Chance: What about Carnarvon?

Hon N.F. MOORE: The increase in Carnarvon is absolutely minimal.

Hon Mark Nevill: After the local member made representations.

Hon N.F. MOORE: I do not know the reasons for that; it is a 1.2¢ increase in Carnarvon. The member for Northern Rivers was quoted in the paper today criticising the remote area power systems scheme, to which Hon Tom Stephens referred. This scheme assists people who are pastoralists, small prospectors and farmers who are not, and cannot get, on the grid.

Hon Tom Stephens: Those exempt from your rebate.

Hon N.F. MOORE: These people produce their own power. They buy their equipment, run it and produce power in remote locations. It costs more than \$50 000 to access a grid system or the local power supply. These people are receiving some assistance. Hon Tom Stephens' constituents and mine are being assisted to the tune of \$500 000 a year for four years, which will make life a whole lot easier for probably the most disadvantaged people in the whole of the State; namely, those who live in totally remote areas. They have no town and cannot access the grid. We are providing some support to the maximum of, I think, \$8 000 for the provision of a power supply. I would have thought that Hon Tom Stephens and Mr Leahy would have immediately said, "What a great idea; it is looking after the interests of the pastoralists, small prospectors and other people in remote areas throughout our electorate." All Hon Tom Stephens does is whinge about the matter, as he does with everything else.

There is no abandoning of the uniform tariff system as it applies. There is no pure uniform tariff system across Western Australia and there never has been. We have always had a process where some consumers are put on contract. A change has occurred to compensate for the \$20m taken away by the Federal Government. We now require the large consumers - 300 of 20 000 - who are not on the grid, to negotiate above the 200 000 kWh per year they consume, if they go beyond that point. It is only for increased consumption, and it will be by negotiation, just as every other contract is by negotiation. There is no abandoning of the uniform tariff. This is scaremongering by the Labor Party. Members opposite are giving the impression that domestic consumers will lose the uniform tariff system. It is absolute rubbish.

Hon Tom Stephens: More will.

Hon N.F. MOORE: They will not, unless they use more than 200 000 kWh per year. Who are they? I hope that before much longer the member will table his proof that this process will take \$20m from regional Western Australia. The motion is absolute nonsense. It is typical scaremongering. It is a pity it is based on a very wrong and false premise.

HON P.R. LIGHTFOOT (North Metropolitan) [4.21 pm]: I will not say anything that I consider or, I hope, the House will consider as provocative this afternoon. I support the remarks by the Leader of the House. I support the way he rebutted significantly, if not totally, the arguments put forward by Hon Mark Nevill, Hon Kim Chance, and particularly Hon Tom Stephens.

I recall the decade prior to 1993 when the previous socialist Government had the opportunity to rectify the very problems members opposite now allege are occurring in the electricity generation systems in this State. Because of its size and location, its minuscule townships and settlements, Western Australia has always had a problem in trying to deliver electricity at competitive prices compared with the Eastern States. Compared with average prices in the Eastern States, Western Australia has always applied 40 to 50 per cent higher tariff charges, for obvious reasons. Since the advent of this Administration in 1993 not only has it completed the 1 400 km gas pipeline from Karratha to Kalgoorlie -

Hon Mark Nevill: I thought that was a private pipeline!

Hon Kim Chance: Are we rewriting history now?

Hon P.R. LIGHTFOOT: It had to be done with government assistance. We cannot decide to build a 1 400 km pipeline and not expect the Government to say that it should do something about legislation. The Government facilitated -

Hon Mark Nevill: Talk about the motion. Do you support the price rises?

Hon P.R. LIGHTFOOT: The member spoke about the gas pipeline.

This Administration has overseen the construction of the Ord hydro scheme, involving a 30 MW power station utilising what would otherwise be water for irrigation or merely running out to sea, at Lake Argyle and at no cost to the State - although it cost the private sector \$70m for the 30 MW power station.

Hon Mark Nevill said that the power policy was really falling apart. However, we have the Rover 300 MW base load coal fired power station at Collie. I do not particularly agree with that, but I agree that we need electricity. We cannot function in a modern world without electricity. We are one of the Organisation for Economic Cooperation and Development countries, which represent about 16 per cent of the international population, yet OECD countries consume 52 per cent of electricity -

The PRESIDENT: Order! There are about six conversations going on in the Chamber. If members want to have meetings they should go outside. That applies to the Minister as well. He should not get smart with me or he will go outside.

Hon P.R. LIGHTFOOT: The need for electricity is the reason the OECD countries on a per capita basis are far wealthier than the so-called developing countries. Each Norwegian uses something like 25 000 kW of electricity a year, while a Cambodian uses about 8 kW a year. That indicates how important electricity is in developing countries. I have mentioned the Rover power station at Collie which I have said I do not necessarily agree with. I cannot agree with the argument that it should be a 600 MW power station either. Once that power station is up and running Western Australia will consume in excess of 6 million tonnes of coal annually, part of which will feed the 300 MW power station which is due for completion in 1999.

The Kalgoorlie-Boulder power station was built by Normandy Poseidon as a result of the 1 400 km gas pipeline. This is a 70 MW power station which, again, would not have been possible without the assistance of the Government. This station will supply power to the Superpit, the Kaltails Mining Services project in Kalgoorlie, and the Jubilee gold mine, among others. The Pilbara energy project by BHP Minerals, a wholly owned subsidiary of BHP, involves a 105 MW power station using natural gas. It is a \$105m project. Again, the Western Mining power project in the goldfields is a result of the gas pipeline from Karratha. It involves four 40 MW power stations - one at Mt Keith, one at Leinster, one at the Kalgoorlie smelter and another at Kambalda. The BP co-generation power station at Fremantle, again, has occurred during the tenure of this Government's administration. To leave the smallest and least significant to last, the 2 MW power station at the wind farm at Esperance supplies about 14 per cent of Esperance's power, and saves 1.6 million litres of diesel fuel annually.

If we do not have electricity we could not have secondary industry to the current extent. If we do not have electricity we cannot enjoy our current standard of living. Therefore, to say that our power policy is falling apart is a blow below the belt for a Government which has progressed significantly faster in its first four years in office compared with the activities of the previous Government in its 10 years in office. That is not to exaggerate the position. It is also not to say we should be happy and content with the cost of power in Western Australia. I do not believe we can sustain the cost of power delivered to domestic homes, commercial business or industry at the current rate and still be competitive in the secondary processing of minerals. That is why anyone who seems to set up in this State, in

multibillion or multimillion dollar industries, thinks first of building a private power station. That is not necessarily a bad thing.

As to the cost per kW of electricity which is largely used on small projects and by domestic consumers, it is a pity that we do not emulate to some degree the cost of power in the United States. That runs from 2¢ a kWh to 17¢ a kWh in the so-called remote areas of Nevada. Much of the electricity in the United States is produced by nuclear power. The lowest production cost is achieved by the Calvert Cliffs power station in Maryland, at 2¢ per kWh delivered to the Baltimore Gas and Electric grid. Businesses such as Black and Decker and others have their international headquarters there because of the cheap power. The Government is cognisant of delivering cheap power to domestic, commercial and industrial users. The Government is not blind to the fact that unless it can produce cheap electricity this State will not prosper. It knows that we cannot continue to dig bigger holes and to use bigger trucks to cart away untreated minerals to be processed overseas. The criticism from the other side is totally unwarranted. We must compare what that side did during its 10 years of the administration of this State and what this Government has done in the four years it has been in office. Some credit must go to the Government for the way it has handled electricity and the distribution of it.

[The motion lapsed, pursuant to Standing Order No 72.]

ROAD TRAFFIC AMENDMENT BILL

Report

Report of Committee adopted.

Third Reading

Bill read a third time, on motion by Hon E.J. Charlton (Minister for Transport), and transmitted to the Assembly.

CRIMINAL INJURIES COMPENSATION AMENDMENT BILL

Committee

Resumed from 18 September. The Chairman of Committees (Hon Barry House) in the Chair; Hon Peter Foss (Attorney General) in charge of the Bill.

Postponed clause 9: Sections 24A and 24B inserted -

Hon PETER FOSS: I move -

Page 6, lines 13 to 25 - To delete the lines and substitute the following lines -

“ **Procedure when, but for this Act, there would be entitlement to payment from health insurance fund**

24A. (1) When, in the opinion of the Chief Assessor, an applicant for compensation in respect of injury or loss -

- (a) is entitled to be awarded compensation under this Act; and
- (b) would have been entitled, but for the existence of this Act, to payment of an amount under a contract of insurance with a registered organization in respect of any loss the subject of the application,

the Chief Assessor shall exclude the amount referred to in paragraph (b) from the amount of the award.

(2) In subsection (1) -

"registered organization" has the same meaning as it has in the *National Health Act 1953* of the Commonwealth. ”.

The point was raised by Hon Nick Griffiths that new section 24A went further than it was intended in that it may deprive a victim totally of his or her compensation where there was an entitlement to recover moneys from a benefit fund. That has been looked at and I believe what we now have more correctly addresses the point and achieves what it is intended to achieve. It was thought this amendment was not necessary in view of section 22 of the Criminal Injuries Compensation Act, which makes it clear that it is not intended that the compensation benefit any insurance company, but that it should benefit victims. This was challenged and this new section is intended to make it clear that it is to benefit victims and not insurance companies.

I mentioned previously the manoeuvres that were being taken to avoid that provision. When the Government introduced this amendment it was keen to ensure that there was no possibility of the benefit fund subrogating itself to the rights of the victims and, even though this deduction was provided for in new section 24A, trying to take any part of the compensation paid to the victims by reason of its changing its rules.

Already the moves that are being taken by the registered organisations are contrary to the spirit of this legislation. The Government's advice at law is that this amendment will not allow that subrogation. That is the intention of this Parliament and that is what we will achieve. Should further efforts be made to try to get around the clear intention of Parliament, the Government will introduce more legislation and will make it retrospective in order to ensure that insurance companies do not use this as a measure to deprive victims of their full amount of compensation. It is intended that the amount of compensation assessed by the chief assessor is paid to and retained by the victims and is no way taken by or made available to the insurer. The wording of the new section is clear; however, I place on the record that this money is for victims, not insurance companies.

Hon N.D. GRIFFITHS: I thank the Attorney General for the amendment. I agree with it. On behalf of the Australian Labor Party in this Chamber I agree with the entirety of the Attorney General's remarks.

Amendment put and passed.

Hon N.D. GRIFFITHS: I move -

Page 7, lines 17 to 21 - To delete subclauses (3) and (4).

This amendment seeks to delete those aspects relating to retrospectivity. I am concerned about the number of people who will be affected if this amendment is not passed. I am concerned that a distinction will be drawn between those who have received their awards and those whose applications have not been dealt with through no fault of their own.

I am concerned also about those who, in the same way as those who have received awards, have the capacity to make an application, but who, because of the nature of their injuries - because their injuries have not settled to the degree required - will be deprived of a capacity to receive compensation. There are three groups of people, one of whom has received a benefit. The other two groups will not receive a benefit. People are being treated differently because this Parliament is contemplating retrospective legislation. The principles of retrospective legislation and the arguments against them are well known. I give notice that the Opposition intends to divide on this clause.

Amendment put and a division called for.

Bells rung and the Committee divided.

The CHAIRMAN: Before the tellers tell I cast my vote with the noes.

Division resulted as follows -

Ayes (12)

Hon Kim Chance
Hon J.A. Cowdell
Hon Graham Edwards
Hon N.D. Griffiths

Hon John Halden
Hon A.J.G. MacTiernan
Hon Mark Nevill
Hon Sam Piantadosi

Hon J.A. Scott
Hon Tom Stephens
Hon Bob Thomas
Hon Tom Helm (*Teller*)

Noes (14)

Hon George Cash
Hon M.J. Criddle
Hon B.K. Donaldson
Hon Max Evans
Hon Peter Foss

Hon Barry House
Hon P.R. Lightfoot
Hon P.H. Lockyer
Hon I.D. MacLean
Hon Murray Montgomery

Hon N.F. Moore
Hon M.D. Nixon
Hon B.M. Scott
Hon Muriel Patterson (*Teller*)

Pairs

Hon Doug Wenn
Hon Cheryl Davenport
Hon Val Ferguson

Hon W.N. Stretch
Hon Derrick Tomlinson
Hon E.J. Charlton

Amendment thus negatived.

Clause, as amended, put and passed.

Title put and passed.

Bill reported, with amendments.

STATUTORY CORPORATIONS (LIABILITY OF DIRECTORS) BILL

Assembly's Amendments

Amendments made by the Assembly now considered.

Committee

The Chairman of Committees (Hon Barry House) in the Chair; Hon Peter Foss (Attorney General) in charge of the Bill.

The amendments made by the Assembly were as follows -

No 1 -

Clause 7

Page 5, after line 25 - To insert the following -

(4) The provisions of this Part apply to a Board member of the Mid West Development Commission and the South West Development Commission established by the *Regional Development Commissions Act 1993* only in respect of the functions of the relevant Commission under Part 5 of that Act.

No 2 -

Schedule 1

Page 15, after line 7 - To insert the following -

Mid West Development Commission a Board member *Regional Development Commissions Act 1993*

No 3 -

Page 15, after line 26 - To insert the following -

South West Development a Board member *Regional Development*
Commission *Commissions Act 1993*

No 4 -

Schedule 2

Page 21, after line 27 - To insert the following -

Regional Development Commissions Act 1993**1.** Section 20 is amended -

- (a) by inserting after “**20.**” the subsection designation “(1)”; and
- (b) by inserting the following subsection -

(2) Subsection (1) has effect subject to the *Statutory Corporations (Liability of Directors) Act 1996* so far as it applies to the Mid West Development Commission or the South West Development Commission.

2. After section 25(2) the following subsection is inserted -

- “ (3) Subsection (1) has effect subject to the *Statutory Corporations (Liability of Directors) Act 1996* so far as it applies to the Mid West Development Commission or the South West Development Commission.

Hon PETER FOSS: I move -

That the amendments made by the Assembly be agreed to.

The message from the Legislative Assembly arises from matters that arose in this Chamber. During the debate here the Opposition raised three matters. The first was why the Harvey Water Board was not provided for in the Bill. The Harvey Water Board was not included because it was abolished. The second question was why the South West Development Commission was not included in the Bill; it appeared to have some powers similar to those equivalent to the public trading enterprises. On investigation it was found that both the South West Development Commission and the Mid West Development Commission have powers under part 5 of the Act to deal with land that they have kept from the previous corporations' existence. I raised the matter with the Minister for Regional Development and we agreed that, because they are in general not PTEs, we should apply the Act to those activities when they are carrying out their part 5 duties. An amendment was moved in the other place to include both the Mid West Development Commission and the South West Development Commission in clause 7(4). The amendment picks up that function but it does not pick it up generally. I imagine that in due course the part 5 function will disappear because over a period that left-over role will also disappear. If members accept that, two more consequences are that the schedule must be amended to refer to that Act and to the Act under which the commissions were constituted. Under schedule 2 is a consequential amendment to the Regional Development Commissions Act 1993.

The third question was why the Dairy Industry Authority was not included. It is a difficult question to answer. The matter was raised with Treasury because it was on the basis of a Treasury classification of various public financial institutions and public trading enterprises that the various PTEs were included. It is difficult to distinguish between the DIA and the other authorities which have been included. Again, I took this issue up with the Minister for Primary Industry. He had no concerns one way or the other. In following it through, we felt that although there were elements each way, it was probably better to stick with the same classification for all the purposes for which it was being used; for example, competition policy. Therefore, we believed it would be better to draw a consistent line rather than try to draw another line for this purpose. As we went through it, we recognised that there were arguments where the DIA could fall on either side of the line. It appeared appropriate to continue that line, having been drawn for one purpose, for all other purposes, otherwise it would lead to confusion in the treatment of the other policies applicable to government organisations. On that basis, I made the decision not to recommend the inclusion of the DIA. It is a matter that could have gone either way. More confusion would be conferred by giving different treatment under this legislation compared with other legislation. Of course, we may eventually reach the conclusion that it is more appropriate for it to fall into this category. It would not be difficult to do that because there is the capacity to add

entities by way of proclamation. The Government's decision is, for the time being, to leave it in the same category as it is for Treasury purposes; if it is necessary to change it for any other purpose that will be done through its general treatment. If we were to make that change now, we would end up with one body which would be treated differently from all the others for one particular reason. The line drawing was difficult for some of the organisations which bear a resemblance to a certain kind of organisation in some respects and to another in other respects. Occasionally we have to draw lines and the line being drawn becomes a justification for treating it for all purposes in that same way.

These are the reasons which were given in the Legislative Assembly in response to the matters raised by this Chamber. I trust members opposite are pleased that the matter has been dealt with by the Government in accordance with their request.

Question put and passed; the Assembly's amendments agreed to.

Report

Resolution reported, the report adopted, and a message accordingly returned to the Assembly.

EMPLOYEES CONFINEMENT OF LIABILITY BILL

Introduction and First Reading

Bill introduced, on motion by Hon A.J.G. MacTiernan, and read a first time.

Second Reading

HON A.J.G. MacTIERNAN (East Metropolitan) [4.54 pm]: I move -

That the Bill be now read a second time.

This Bill is designed to provide to employees protection from damages claims against them where the losses claimed arise in the bona fide course of their employment. Most employees are totally unaware that if they make a mistake in the course of their employment and, as a result, property is damaged or economic loss is incurred, they can be found liable to make good that loss or damage. Most employees do not realise that if they are found to have been negligent in the discharge of their duties and that negligence leads to property damage or personal injury, their employer can sue them both for the losses directly incurred by the employer and for losses incurred by third parties for which the employer is vicariously liable. Because employees are unaware of this exposure to risk, they do not have insurance to protect them in the event of such claims. It is quite clear that employees operating expensive equipment or working in hazardous activities could find themselves with a very large financial liability which could easily bankrupt them.

This liability first came to public attention in *Lister v Romford Ice and Cold Storage* - 1957 - Appeal Court 555, where the employer obtained a judgment against an employee when the employer was found to be vicariously liable to a third party for the employee's negligence. The House of Lords held that there was no implied term in the contract of employment that the employee was entitled to the benefit of any insurance policy held by the employer and that the employee was not entitled to be indemnified by the employer against liability for the conduct in the course of employment. Commenting on this case, leading British jurist Glanville Williams said -

The consequences of this decision are likely to be far-reaching, and they hold possibilities of great hardship for employees.

He went on to say that for employees -

... nearly all of whom spend their lives accumulating a little property, by way of savings and endowment policies against their old age, the enforcement of the employer's right of indemnity is likely to cause a devastation of individual fortunes and a frustration of hopes on a scale that can hardly fail to cause concern.

The High Court noted in *McGrath v Fairfield Municipal Council* - 1985 - 156 CLR 672, that the case had never been the subject of critical examination by that court and that examination was found not to be necessary at that time. Indeed, there have been some indications that the Australian courts would reject the English case. Samuels JA said of the 1988 - 25 IR 87 - case of *Rowell v Alexander Mackie College of Advanced Education* -

... there is no ground for regarding that case as determinative of industrial conditions at the other end of the world 30 years after it was decided.

However, in a recent Western Australian case, a Perth magistrate found an employee, who he determined was negligent in handling company equipment, was liable to indemnify the employer for damage incurred to that equipment - *Robe River Iron Associates v Coombes*, 6 June 1996. The defendant, of course being unaware that he would be found so liable, was not insured. Any attempt to enforce the damages judgment and costs would undoubtedly bankrupt the defendant. In handing down his decision Magistrate W.G. Tarr commented -

... although I have some sympathy for the defendant and the predicament he will find himself in if my decision goes against him, I cannot ignore my role and duty as a magistrate in a court of summary jurisdiction. I must follow the law as established by higher courts and contained in the authorities referred to. It is not my role to make new law and I would be doing the defendant no favours if I allowed my sympathy for him to influence me to ignore the authorities and provide the plaintiff with obvious grounds of appeal.

Of course, it is the role of this Parliament to make new law where it is necessary to achieve fairness and commonsense in the allocation of rights and liabilities.

Clearly, the object of this Bill is to make new law and override the effect of *Lister v Romford Ice* for Western Australia. Failure to override that decision will mean that employees who deal with expensive equipment or substantial sums of money will be exposed to huge financial risks against which they should insure. It is practically and economically ludicrous to require individual employees to take out their own insurance on their employer's assets. The resulting multiplication of insurance would benefit only insurance companies. Indeed, it could increase costs for employers where employees had the industrial strength to demand from the employer reimbursement of insurance costs.

This Bill reasserts a common law principle whereby an employer is vicariously liable for the tortious acts done by the employee in the course of employment. This principle is designed to act as a caution to employers in accident prevention and maximise the chances of risk minimisation procedures being introduced in response. Employers should be responsible for assessment of work practices and consideration of changes to procedures to prevent recurrence.

[Questions without notice taken.]

Hon A.J.G. MacTIERNAN: In addition, employers are using employees to advance their own economic interests. Consequently, fairness dictates that the employer should bear the corresponding liability for losses incurred in the course of enterprise - provided that the employee's actions did not constitute serious or wilful misconduct. This also holds true as a matter of sound industrial relations practice and proper resource allocation as an employer is more likely to be able to satisfy any judgment made against him or her.

Usually, a third party plaintiff will sue both the employer and the employee. However, a plaintiff may choose to sue only the employee. It would not be appropriate to abolish the right of a plaintiff to sue a negligent employee as the employer may be insolvent or uninsured. To hold the employee liable would overtax his or her financial resources or require double insurance, covering both the employer and employee against the same risk. Thus, it is appropriate for the employee to have a right of indemnity from the employer, which in most cases will reduce the employee's exposure to liability. The employer's liability is not increased as he or she is already vicariously liable and would be covered by existing insurance policies for vicarious liability. Thus a person who is injured as a result of an employee's negligence may sue both the employee and the employer, the latter being vicariously liable. The employer is liable to indemnify the employee and cannot seek contribution or indemnity from the employee.

This Bill also applies where an employee's negligent action causes damage to the property or equipment of the employer or injury to a fellow employee, causing loss of that employee's service. Under common law an employer may bring an action against any person whose negligence has deprived the employer of the services of an employee; see, for example, *Sydney County Council v Bosnich* - 1968 - 3 NSWLR 725. This Bill covers the situation where an employee is responsible for that loss of service, including where there is a provision in the employee's contract imposing liability for any such loss.

The Bill also extends to the situation where an employee causes damage to, or the loss of use of, the employer's property or equipment. As a practical matter, actions against employees are likely to arise where the employer cannot

claim from insurance; for example, where the amount of the damage is less than the insurance excess. Under the Bill an employer is prevented from bringing an action against an employee in either tort or contract. However, the employees will not be able to benefit from the protections contained in the Bill where the employee's actions constitute serious or wilful misconduct or were not undertaken in the course of employment. A number of recent workplace agreements have contained express provisions imposing liabilities of this nature on employees. This Bill would render such provisions unenforceable.

This Bill is based on legislation which was first introduced in New South Wales in 1982 and which was then further developed in 1990. In that State the legislation has the support of the Government and the Opposition.

Debate adjourned, on motion by Hon Tom Helm.

VOCATIONAL EDUCATION AND TRAINING BILL

Second Reading

Resumed from 5 September.

HON JOHN HALDEN (South Metropolitan - Leader of the Opposition) [5.37 pm]: This Bill is one of the most long awaited that I can recollect for some time. The Governor in his first Throne speech after the election of the now Government referred to this Bill. Since then we all have waited with bated breath for its appearance. Although we have waited with bated breath, the Opposition will not be supporting this Bill, not necessarily because it disagrees with elements of the policy of the Bill. We have extensively debated this matter. The great difficulty we find is that the policy is not reflected in a clause-by-clause analysis. On that basis the whole Bill is a Micky Mouse arrangement. In his second reading speech, the Minister put forward a number of claims as to what the Bill will provide by way of reform. However, an analysis of the Bill suggests the contrary.

I do not wish to go through the second reading speech in great detail, but I will highlight a few points to which I will refer later in my speech. The Minister stated correctly that the origins of the Bill were in the Vickery and McCarrey reports. The Bill creates a State Training Board; that is, some three years after a State Training Board came into existence. I will comment further about the absolutely extravagant waste in that three years as a result of the dual existence of the State Training Board and the Department of Training board, which was being paid in the order of \$40 000 a year to sit, and an accreditation board which was also being paid significant amounts of money. Be that as it may, we now find some legislative resolution to that problem.

The second reading speech also refers to there being support for industry advisory bodies, including industry training councils. I intend to go into that matter in considerable depth. It also states that the State Training Board will oversee the development of policies for registration of training providers and the accreditation of training. State Training Board membership will be on a non-representational basis. The concept of autonomous colleges is particularly strange when one reads the clauses of the Bill. "Autonomy" must mean something different in the Minister's dictionary, but I will cover that.

The second reading speech then goes on to state that autonomous colleges will be locally managed and responsive to the needs of their communities and enterprises. I will also go into that issue in some detail. That will occur under one very clear proviso: As long as these institutions, the community and the board agree with the Minister. If they do not they will be overridden by some of the widest powers given to a Minister, particularly when that Minister is advocating autonomy, flexibility and community involvement. We are also told that there will be operational flexibility for colleges without compromising the ultimate control and direction of those bodies - to himself, of course. Although I have always believed in the concept of ministerial control as the ultimate power, megalomania appears to have taken over in the drafting of this Bill.

The speech goes on to say that the powers are not as prescriptive as those currently found in the Colleges Act and the Education Act. I have some notes from the department, and when I read them shortly members will come to the view that there is more opportunity for regulation in this Bill than there was under the previous Bills. There is no doubt that the State Employment and Skills Development Authority Act and the authority will be repealed by this Bill. Existing TAFE colleges are to become autonomous, and powers and responsibilities will be modelled on those in place for the independent colleges. I will have considerably more to say about that.

The regulatory regime will be minimal, and I have already made some brief comments about that. The managers will be allowed to manage, and joint ventures and strategic alliances will be encouraged. There will also be close

consultation with the State Supply Commission to ensure that the business arrangements adhere strictly to government policies and procedures, but not to the State Supply Commission Act. That is a delightful arrangement, but I await the Minister's response.

The speech goes on to point out that we will be unencumbered in this legislation by conflicting agendas. That is a nice statement, but I am sure we will all come to the conclusion shortly that there are conflicting agendas and they relate to Liberal Party ideology and what is happening in Canberra at the moment. Of course, there is also the issue of the maintenance of standards, and I will again deal with that in some depth.

I first refer to industry training councils, which we have had for some time. They have reviewed their own existence and modified their procedures as a result of the Vickery report, and Vickery himself saw the necessity for them to continue. Not only did he recognise this responsibility, but also clause 24 of a draft Bill presented to the State Training Board in February 1995 dealt with ITCs. It provided that the board may establish, recognise and issue guidelines, and outlined its functions. It is all set out in and is an integral part of the draft Bill. When the Bill was circulated we were somewhat perplexed by the quaint phrase "supported by industry training advisory bodies, including ITCs". Why would we leave out a fundamental, grassroots element of the consultative process in relation to training? It is interesting - and I know by virtue of discussions I have had - that at a meeting held this month the Minister said that it was his idea to include in the legislation the words "industry advisory body" and not ITCs.

Hon N.F. Moore: That is not incorrect.

Hon JOHN HALDEN: I am telling the Minister what I was told.

Hon N.F. Moore: I was there, you were not.

Hon JOHN HALDEN: That fills me with no confidence whatsoever.

Why would we not give ITCs a centralised role and define them in legislation - as was the case in the first draft of the Bill - as an integral and perhaps the most important part of this process? Why would we refer to nebulous things called "industry training advisory bodies", undefined in the Bill? Why would the Minister want to insist on this wording? I understand that the Minister made commitments that these organisations would continue and that the Government would provide \$3m to these organisations through the Australian National Training Authority agreement.

Hon N.F. Moore: It was before the ANTA agreement, and it still would not be possible.

Hon JOHN HALDEN: It might be, but perhaps not under the same conditions. The Minister may recall Friday's meeting, when he had discussions with the representative group of Australian training Ministers. What did it decide to do? It decided to review training. One of the first things it decided to look at was the role of ITCs in the training process.

Hon N.F. Moore: It was national ITCs.

Hon JOHN HALDEN: I will make my speech; I will get to it.

Hon N.F. Moore: I want to help you get it right.

Hon JOHN HALDEN: I have the agenda and everything else here.

Hon N.F. Moore: But the decision was to look at national ITCs.

Hon JOHN HALDEN: The Minister is right: The decision was to look at national ITCs or industry training advisory bodies, known as ITABs. I have never known an industry with so many acronyms.

Hon N.F. Moore: There is a book listing them.

Hon JOHN HALDEN: I wish I had a copy of it.

Hon N.F. Moore: Don't take it, they have all changed.

Hon JOHN HALDEN: The group will look at the process of ITABs and the state equivalent, the ITCs. It will see a process whereby ITCs will no longer be industry representatives but employer representatives. This legislation will reduce the influence of unions and, in some respects, the government sector in the training arena. This state agenda is very similar to that being developed by the Federal Government. If that were not the case, the Minister would have quite clearly included ITCs in this Bill. They were in the first Bill and were recommended by Vickery. The structure can work as a representative consultative model only if it is retained in its current form. However, the Minister does not want that and I am told that he said that the words in the Bill were his own words. He does not even define ITCs or the quaint little phrase "industry training advisory bodies" in the legislation because quite clearly -

Hon N.F. Moore: Industry training advisory bodies are defined in the legislation.

Hon JOHN HALDEN: I am sorry; I see that that is correct. However, ITCs are not defined.

Hon N.F. Moore: Aren't ITCs included in that?

Hon JOHN HALDEN: This definition allows for exactly what the Federal Government wants to do; that is, to have employer groups reporting to government and no-one else.

Hon N.F. Moore: That is not my view.

Hon JOHN HALDEN: It is in strange circumstances that we are able to compare what is happening at the federal level with what is happening at the state level. If the Minister wanted to address this situation as he had the opportunity to do as the Minister, he could have put in ITCs and could have consulted with anybody he chose. However, he deliberately left out ITCs because he has an agenda for them; that is, to change their makeup, role and activities.

Hon N.F. Moore: I cannot, because they are incorporated bodies. They are quite independent of me.

Hon JOHN HALDEN: The Minister has only to change those to which he provides the funding and that is about how long they will last.

Hon N.F. Moore: I have given a commitment that funding will continue.

Hon JOHN HALDEN: To representative bodies, the composition of which will be available to him by ministerial fiat to change as he chooses. The Chamber of Commerce and Industry will become an ITC, in effect.

Hon N.F. Moore: I hope not. It wouldn't want to be an ITC.

Hon JOHN HALDEN: I am sure it would, because I understand there has been considerable pressure by the CCI of Western Australia to do exactly that. We know that has been the situation at the national level and the Minister should not deny it.

This Bill is concerned also about delivering training. We know there has been difficulty in the training area, particularly in relation to apprenticeships. The Government's record on that is not particularly good. This Bill will repeal the Industrial Training Act, section 37 of which ensures that apprenticeships cannot be superseded by traineeships. At the same ministerial conference on Friday, it decided that the apprenticeships situation should be reviewed. Everyone knows that the preferred option is that they be done away with.

Hon N.F. Moore: Pardon? What? Apprenticeships?

Hon JOHN HALDEN: The Minister knows that is the preferred option.

Hon N.F. Moore: That is not correct.

Hon JOHN HALDEN: Yes, it is. Will the Minister guarantee us four year apprenticeships for the life of the next Government?

Hon N.F. Moore: That is a clearly a misunderstanding. It will not be always be like that. Apprenticeships are changing. You know that.

Hon JOHN HALDEN: Exactly; and they are changing the way I am suggesting. That is why the Government wants to repeal the Industrial Training Act.

Hon N.F. Moore: Do you know who started this?

Hon JOHN HALDEN: I do not care who started this. I am telling the Minister what is wrong with it. The Minister should stop blaming someone else for what is the Government's Bill.

Hon N.F. Moore interjected.

The DEPUTY PRESIDENT (Hon Barry House): Order! This is not a question and answer session. It is a second reading debate. Can we stick to the principle involved in the legislation? That can be done without interjections.

Hon JOHN HALDEN: The reality is that the Government will repeal the Industrial Training Act. We will then not have apprenticeships as we know them. We will have compartmentalised fragments of training. The meeting that agreed to this review on Friday, and which talked about disbanding the ITABs or the state equivalent, the ITCs, also agreed to review the system of apprenticeships. Interestingly, one day before, the State Training Board sent out a review on exactly the same lines inviting expressions of interest.

Hon N.F. Moore: That was announced some time ago.

Hon JOHN HALDEN: The letter is dated last Thursday. The agenda is for a watering down of the extensive training that has been provided in certain areas. We should be careful about this because, although I accept compartmentalised training for specific purposes, we should not throw the baby out with the bathwater. We have the potential to provide compartmentalised apprenticeships. Electricians will be trained only to wire houses. That makes it cheaper to train them. As we are shifting more of this responsibility onto the employers, it is in their interests for training to be cheaper. The difficulty is that a person trained only to be a house electrician will not be able to work on a construction or building site. We will, therefore, lose our ability to meet the demand areas when they arise, because people will not be trained with the portability of skills to move from one area to another. All we will have will be specific industry based apprenticeships as advocated by the Federal Government and its colleagues throughout the States of this country. If we do not skill people broadly in specific areas in Western Australia, we will not be able to respond in the proper way. Our skill base will contract, all for the sake of making it cheaper for employers to train. That may have some short term benefit; but it will have little long term sustainability in the interests of the State.

Hon E.J. Charlton: What would you say if that were not correct?

Hon JOHN HALDEN: I would refer the Minister to the report of the industry reference group on the implementation of modern Australian apprenticeships and traineeships, dated September 1996, and to other comments I will be making -

Hon N.F. Moore: You will not find narrow-based apprenticeships in that. It is about multitasking.

Hon JOHN HALDEN: I am sure the Minister has not read it.

Hon N.F. Moore: I have.

Hon E.J. Charlton: What about the Bill?

Hon JOHN HALDEN: It has a lot to do with the Bill. When I want the Minister's help, I will ask for it.

I draw the Minister's attention to proposal 12, option A which refers to state tertiary VET legislation to be amended to remove the declaration of vocation or equivalent. That means we will remove the tradesperson concept.

Hon N.F. Moore: You misunderstand. Right now, if you want to be a plumber, that is all you are and the declaration of vocation says that. But the modern Australian apprenticeship allows people to be more than just plumbers. They can do a number of things, depending on what the job requires them to do.

Hon JOHN HALDEN: That is exactly what I have said. I am pleased the Minister said that. The job will involve compartmentalised training, which does not allow for broad industry training, but very narrow sectional interests.

Hon N.F. Moore: I will give you an example: At present, three tradespersons are required to fix dishwashers - a plumber, a carpenter and an electrician. This is about one person doing those three things.

Hon JOHN HALDEN: I agree with that. What I do not agree with under this proposal is an electrician fixing washing machines. That is the American system and is one of the great downfalls of portability of employment within that system.

Hon N.F. Moore: You are worried about demarcation.

Hon JOHN HALDEN: I have said the opposite. The Minister has just supported exactly what I said. The Government's agenda will reduce people's capacity to seek employment across a broad sector of our work force and in the State's interest in the long term it will mean that people will not be skilled broadly enough to go from one part of the industry to another. That is dangerous and the American experience exemplifies that. If that is the path the Government wants to go down, is it any wonder that we oppose it?

Hon N.F. Moore: I will have to convince you that you are wrong. You misunderstand the situation.

Hon JOHN HALDEN: I do not misunderstand it at all. I suggest that the Minister's view of this is simplistic. The Minister's suggestion that this review by the ministerial conference is not organised to achieve an end is wrong. Everybody knows what is required and we all know what is the Government's agenda; that is, its desire to dispense with the tradesperson. We know there is a desire at the Federal level to do away with the ITABs.

Sitting suspended from 6.00 to 7.30 pm

Hon JOHN HALDEN: When speaking earlier about the industry training councils, I noted the comment by the Minister responsible for this Bill that three tradespeople were needed to install a dishwasher. Although the Minister for Transport, who is not in the Chamber at the moment, took great delight in that comment, I was sure the Minister for Employment and Training was wrong. That is indicative of one of the problems with this Bill; that is, the Minister does not know the reality of the situation. I am even more distressed than I was before. I took advice during the dinner break and confirmed that only one tradesperson is needed to install a dishwasher - an electrician. I advise both Ministers that it is not necessary for a plumber to be involved unless the device is to be connected to the mains. I am sure all members are aware that if it is necessary when installing a dishwasher, a television set, a computer and the like to carve into the walls, that can be done by the electrician. The smart comment was totally erroneous and I am distressed that the Minister does not understand the mistake he made. Of course, that comment was enormously appreciated by the Minister for Transport.

Hon N.F. Moore: It was meant to be an example of what you were talking about.

Hon JOHN HALDEN: No, it was not. The Minister thought he was right and he was caught out. He was too smart by half. That nonsense argument about three tradespeople being required, no doubt much appreciated in the halls of the Liberal Party and the National Party, is not correct. It epitomises what is wrong with the approach taken to training in this State by people who do not know what they are talking about.

I now refer to compartmentalised training and the abolition of the apprenticeship scheme, as advocated recently in a report to the Minister. No doubt it will ultimately be approved by the Minister.

Hon N.F. Moore: The abolition of apprenticeships?

Hon JOHN HALDEN: Yes.

Hon N.F. Moore: That is not true.

Hon JOHN HALDEN: I ask the Minister to guarantee that in four years' time there will be specific across the board apprenticeship training as we know it today.

Hon N.F. Moore: Of course, it will not be the same as it is today. Everything changes.

Hon JOHN HALDEN: This Minister and the Federal Government -

Hon N.F. Moore: You are just a dope.

Hon JOHN HALDEN: Of course, I gave the example to the House to prove what a nincompoop I am!

The DEPUTY PRESIDENT (Hon Barry House): Order! I ask the member to stick to the subject of the Bill and without any interjections, we will make some progress.

Hon JOHN HALDEN: We must be very clear about this matter. The Government is advocating an American system of compartmentalised, very narrow industry training which will create a situation in which the employee will be the prisoner of the employer. I object to that most strongly. The American experience has demonstrated that people who have been trained in a very narrow area and who want to move from that area, can be excluded from continuing to work in that area by one means or another, no matter what their qualifications. We must consider this matter from the State's perspective. The proposed system would not in any way provide the sort of training required for tradespeople to enable them to transport their knowledge and skill from one area to another. Nothing exemplifies that more than the research and findings of the Worley report and the skills shortages. The Government is proposing to narrow the skill base and increase the skills shortages. This Government is totally wrong if it thinks that that is a sound training base. It is exactly the reason the Opposition opposes this type of legislation.

It has been said by the Minister that he does not want to abolish ITCs. I ask the Minister in his response to this debate to guarantee that if he is part of the Government after the election there will be tripartite ITCs in the true sense of the words, not a Mickey Mouse arrangement whereby the employers dominate.

Hon N.F. Moore: I do not support tripartite ITCs.

Hon JOHN HALDEN: I understand that point, and that is why the Minister will not disclose his agenda. He spoke in the second reading speech about other agendas; however, the only other agenda is his which is biased, bigoted and ideologically driven.

Hon N.F. Moore: And yours is not?

Hon JOHN HALDEN: The Minister wants to drive the union movement and workers out of the training system and ensure that it is dominated by employers. That position will not be supported even by the employers because they know that in order to be aware of the grassroots reaction to events on the shop floor, it is necessary to talk to the people on the shop floor or those who represent them. That may be an affront to the Minister and the Government, but it is sound management. The Minister thinks that employers know everything. Smart employers talk to their employees and their representatives. The Minister presents this tricky nonsense about industry advisory bodies. Everyone knows what the Minister is about. They know what he and his colleagues did last Friday with regard to the review of 80 industry training advisory boards and its implication for the ITCs. The structure of those bodies will change once and for all, and it will mean the end of a meaningful consultative process that results in productivity and good outcomes. The Minister says that he is not in favour of tripartism. I understand the Minister's bizarre bent in relation to this issue. Before he goes too far, he should consider - perhaps along with the Minister who sits next to him, who is more a parrot than an intellect - how tripartism has worked with the federal government department, the Chamber of Commerce and Industry, and the union movement working cooperatively for some time to address the skills shortages program. Again, the baby is thrown out the window with the bathwater as a result of the ideological dogma adopted by the Minister and his colleagues federally. If the Minister thinks we will accept this nonsense dressed up in this way, he is totally wrong.

I may return in my speech to that issue, which has been a sham from the beginning to the end. The Minister has endeavoured to avoid the reality of his agenda, which is patently obvious to anybody who understands these matters. I am glad that the Minister stated that he does not support tripartism. It will have an impact on the industry training councils, which have no legislative base. By ministerial fear, this man will dispense with the good of that system because it suits his ideological masters and his ideological bent. That will not be in the long term interests of Western Australia.

The Minister created the State Training Board to override the then State Employment and Skills Development Authority legislation. He appointed that board, and he continued to pay nearly \$40 000 annually for the maintenance of the SESDA board despite the fact that it basically had nothing to do. Of course, he made it clear that he would take advice from the State Training Board. However, in the dying days of this Government, he has decided to legitimise and formalise that arrangement, despite paying out a considerable amount to a defunct body with which he could not agree ideologically.

I have raised in this place the necessity for Ministers of the Crown to have some regard for legislation. That view

applies to not only this area but also the Industrial Training Act. Again, the Minister has flagrantly breached that legislation, knowing the only way for anybody to complain about such breaches is to take out a writ of mandamus, at enormous cost, in the Supreme Court. The heavy-handed Government has acted with impunity because nobody could possibly enforce the law of the land because of the costs involved.

Again, we find in the dying days of the Government that the legislation will be changed. The State Training Board, to which the Minister gave additional powers regarding employment, will be legitimised. However, it has not been terribly successful in the employment area considering the Wooley report's comments on significant skills shortages.

The second reading speech refers to the State Training Board. As well as the Minister not believing in tripartism, he also does not honour federal agreements. This is of great concern to me. Having breached legislation of this State, the Minister should have been advised appropriately to commit himself to agreements made between the State and Federal Governments. I refer specifically to the maintenance of effort agreement, which required that consultation occur and that the union movement be adequately represented. However, the State Training Board basically has no union representation.

Hon N.F. Moore: To which federal agreement do you refer?

Hon JOHN HALDEN: The maintenance of effort agreement, I understand, of 1990 or 1991.

Hon N.F. Moore: That is an Australian National Training Authority arrangement.

Hon JOHN HALDEN: Yes, and it refers to the matters I outline. I can understand why the Minister has not bothered with detail.

Hon N.F. Moore: The maintenance of effort agreement relates to spending money in TAFE.

Hon JOHN HALDEN: It also has requirements about with whom one consults and who is to be involved in the process. We have a State Training Board with basically no union representation.

Hon N.F. Moore: There is a person who strongly represents the interests of workers.

Hon JOHN HALDEN: Who is that?

Hon N.F. Moore: Rob Meecham.

Hon JOHN HALDEN: No. He is not the delegated union representative. The trouble is that the Minister always tries to be too smart by half. He has been caught out in the space of 20 minutes of debate; first, by his use of the washing machine installation example, and second, by his claim of a union representative.

Hon N.F. Moore: He is not a union representative. I said he represents the interests of employees.

Hon JOHN HALDEN: With whom did the Minister consult on that matter recently? Nobody!

Hon N.F. Moore: I appointed Mr Meecham to the board of the interim state council.

Hon JOHN HALDEN: With whom did the Minister consult to see whether that was appropriate?

Hon N.F. Moore: He was there from the beginning. I think he was the TLC secretary -

Hon JOHN HALDEN: Who has the Minister consulted in that regard?

Hon N.F. Moore: I have made no changes to the board; it will be changed when the legislation is passed.

Hon JOHN HALDEN: Of course.

Hon N.F. Moore: Actually, I have had discussions with Tony Cooke about it.

Hon JOHN HALDEN: The Minister has not changed the board.

Hon N.F. Moore: I have not changed the body - it will be changed once the legislation is passed.

Hon JOHN HALDEN: Exactly. We can imagine the new list. This is indicative of the Minister's attitude to the Legislative Council. It is all right to have people who represent workers - for example, members on this side of the House - but they can never be given the majority in this place. A fair representational base is not given. Members are allowed to air their grievances as tokenism and nothing else. The Minister controls the training process in the same way. He appoints an enormous majority supporting his view. This is a well-founded philosophy on which this place is based as the Government's gerrymander maintains control. It is exactly the same process with this training body; it is actually a corruption of the system.

Hon P.R. Lightfoot: Is it a gerrymander because you need only 46.3 per cent of the vote to win the next election? Is it a gerrymander if it works for you?

Hon JOHN HALDEN: The member is stupid, is he not?

Hon P.R. Lightfoot: I have twice the IQ of you, old fellow!

Hon JOHN HALDEN: Is that right? I did not know that I had been assessed with an IQ of five these days, although I accept that the member has an IQ of 10.

Hon P.R. Lightfoot: You have never done a decent thing in your life; that's your problem.

Hon JOHN HALDEN: To win this place, the Opposition needs 54 per cent of the vote-minimum. This place is a corruption of fairness.

Hon P.R. Lightfoot: You're particularly nasty.

Hon JOHN HALDEN: After what the member did on Thursday, nothing is nasty!

The PRESIDENT: Order! Stop talking to the member.

Hon JOHN HALDEN: I should not have done that, Mr President, but I wanted to make a point with the member which I am sure he appreciated.

Hon Sam Piantadosi: Could you clarify for me how you classify a worker?

Hon JOHN HALDEN: In what respect?

Hon Sam Piantadosi: You say the people on this side of the House represent workers. What is a worker in your opinion?

Hon JOHN HALDEN: A worker is somebody who receives a salary from an employer. I guess that opens up the definition considerably. My view of "employee" is somebody who receives a salary from somebody else and is not the owner of the means of production. Therefore, he is a worker.

Hon Sam Piantadosi: Managers too?

Hon JOHN HALDEN: That involves people who are managers - I am happy to accept that. However, the worker would not own the means of production.

Hon Sam Piantadosi: Do you represent managers as well?

Hon JOHN HALDEN: Hon Ross Lightfoot makes a reasonable point: We have represented both middle and senior management in the public sector because, in essence, they are workers.

Hon P.R. Lightfoot: The Labor Party should re-endorse you and get rid of the real worker!

Hon JOHN HALDEN: The member should be re-endorsed. He has never done a day's work in his life!

Hon P.R. Lightfoot: That is how stupid you are.

Hon JOHN HALDEN: The member is stupid for making that comment. I will deal with that later.

As to the State Training Board being non-representational, we have seen some classic achievements in this process. We have convinced the protagonists in the work situation to cooperate. In a range of issues we have witnessed collaboration between management and the unions. As that started to work, we decided to dispense with that process. We decided that was not an appropriate venue. I am sure that the Minister will be able to provide examples where that has not worked. That is the case, but we can provide examples of the reverse situation.

We are now looking at assessing whether tripartitism or cooperation was really appropriate. In the process of training and employment, surely we would want an amalgamation of effort to achieve the best outcome. However, this legislation will provide no guarantee that any of the views of one side of the employment equation will be taken into account. From our experience with the State Training Board, the best that we can expect is tokenism. That outcome will not be beneficial to the State.

In his second reading speech the Minister refers with some gusto to the fact that we will have a new regime; that we will have autonomous colleges. He states that ministerial powers will guarantee operational flexibility; that the managers will be able to manage. I will outline the sorts of powers that the Minister has given to himself. He states that he will have fewer powers than he has had under the Education and Colleges Acts. I will go through the 72 clauses of this Bill and point to the majority which give powers to the Minister. As I read it, clauses 7 to 14, 17, 19, 21(a) and (c), 25, 27, 35, 37(b) and (g), 38, 39, 41 to 43, 49, 51 to 54, 56 to 58, 63, 66, 68 and 69 give powers to the Minister.

I will refer now to the general powers of the Minister. He has power to issue written guidelines or directions relating to the Act, persons and bodies who must comply with such guidelines or directions; has access to all information in possession of, produced by, and held by a body; he may have land and property vested in him; where land, buildings and equipment, facilities or services used or incidental to the provision of vocational education and training can, in the opinion of the Minister, also be used or provided for commercial, community or any other purpose he can enter into contracts to provide products, consultancy or other services, undertake or provide for their development or use in the commercial community or for other purposes and other intellectual property, product etc; enter into executive joint ventures; borrow money, subject to the approval of the Treasurer; set schedules of fees; make by-laws; enter into partnerships, joint ventures or commercial arrangements; operate a bank account; hold copyright of information; enter into contracts; confer academic awards; and make provision for property.

The Minister has additional powers of delegation. He can delegate to the chief executive, managing directors of colleges, and college councils established under the Act, and other people, by virtue of a second delegatory power. A delegation may be given subject to the conditions that the Minister thinks fit. A delegation is revocable at will and does not prevent the Minister from acting personally in any manner. The Minister will have seven specific powers of delegation. Yet this is all about flexibility and autonomy!

As we go through these provisions we can see that this is all about the Minister being a little megalomaniac. He will control the whole process from beginning to end. If we agree, he can keep going, but if we do not agree there is no flexibility to act. It does not matter what the community wants, if it does not agree with the Minister it will not happen. In this process the Minister will ensure that autonomy and flexibility do not exist. This legislation is all about giving responsibility but no power to those at the coalface. It is a classic Victorian system; it is the classic potential conflict scenario where people have the ability to do certain things but ultimately they will not, because it is all based on ministerial whim. If the Minister decides something is good or bad, he will either accept it or give a direction for it not to happen.

The concept of autonomy in colleges, promoted in the second reading speech and in the booklet produced by the Minister in 1994, does not exist. Colleges will be autonomous as long as they agree and comply with the Minister. It is a nonsense to say that this legislation is an improvement on the existing legislative regime. There is no improvement.

In his second reading speech the Minister also states that he will lessen the regulatory framework. I have looked at the regulatory framework. Without doubt, it is extensive for the Colleges and Education Acts and the Industrial Training Act. However, what is provided in this Bill? It provides a general regulation making power; that is, a power to make regulations about a range of things. It provides also for regulations to be made for a range of other organisations. It deals with student associations, the proceedings of the State Training Board, the constitution and proceedings of industry training councils, the control and management of land and facilities vested in the Minister, prescribing amounts of capital to be managed by college councils, defining major corporation clients, excluding

colleges from dealing directly with overseas markets and clients, accreditation, and other matters as required under the legislation. It has been narrowed down from a significant regulatory regime to a significant regulatory regime. This is a wonderful achievement! Whoever dreamt up this nonsense in the second reading speech should at some stage look at reality.

The regulatory ability under this legislation is probably more extensive than exists currently. Anyone who suggests that it will not be more extensive should read the Minister's own literature on these matters. I do not quote from my own research; I quote from the Department of Training's research. The department provided a briefing to the Trades and Labor Council and its representatives. That briefing referred to the extensive nature of ministerial powers. Again, one is left to ask: Is it any wonder the Opposition opposes this legislation? What is said in the second reading speech is clearly not the reality. It is all about control and centralisation and about the ability to regulate as extensively as, if not more extensively than, currently. To suggest otherwise stretches the bounds of credibility and also probably the standing orders of this place.

I turn to the provision in this Bill to allow colleges, and, I presume, principally the Department of Training, to enter into financial arrangements with joint ventures and into tenders which are not covered by the State Supply Commission Act. I am enormously reassured by the second reading speech when it says, quaintly, that in the development of this Bill there has been close consultation with the State Supply Commission to ensure that business arrangements adhere strictly to government policies and procedures. What it fails to say is that it does not adhere to the State Supply Commission Act. My God - I am so reassured that it is going to adhere to those wonderful government policies and procedures in these matters!

I remind members of the Minister for Transport's arrangement with Mr Buckeridge for contracting out the stevedoring at Fremantle wharf. The only thing that stopped that arrangement proceeding was that it contravened the State Supply Commission Act. Under this legislation the Government proposes to let public servants adhere strictly to government policies and procedures, which I presume are unspecified at this time because in many ways there is a uniqueness about this field. With joint ventures we are dealing with the concept of intellectual property and its worth. The Government will allow a department wanting to proceed in certain directions to establish what intellectual property is worth under procedures and policies with no clear consideration for the State Supply Commission Act. We all know that the worth of intellectual property is difficult to assess. I thought that for their protection those dealing with it would have wanted the security of an independent arbitrator to ensure that the procedures were appropriate in the interests of the State and ultimately would protect them. However, we will not see that situation. The Government will distance itself, presumably, from the State Supply Commission Act.

When dealing with the complexity of some issues in joint arrangements we must be careful that the State is not a loser in this arrangement. There are enormous pitfalls in how one evaluates intellectual property and the equity worth of joint proposals. The Government will allow an organisation whose major focus is training to become also a tendering organisation. I thought that cut across the Government's policy that government departments should be focused on their primary objective. In this case, it is not about tendering for the evaluation of intellectual property, but about the provision of training. I thought every effort would be made to ensure that in those processes there was an independent arbitrator and that it was not just a process that was developed to ensure speedy outcomes. As I understand it, correspondence between the Chief Executive of the Department of Training and the State Supply Commission puts the view that it is quicker for the Department of Training to manage this process itself. That may be the case. However, it was much quicker for the Minister for Transport to run off to his mate Lenny to arrange a tendering arrangement to the advantage of Mr Buckeridge and not necessarily to the State. I thought every effort would be made to ensure that that allegation could never be made, nor should ever be made, because a system was in place that saw the Department of Training concentrating on the delivery of training and the State Supply Commission ensuring that any tendering or business ventures with the private sector were aboveboard, transparent and open. I use those words advisedly because with this Government it is difficult to know anything about openness in these matters.

I refer now to some matters concerning the maintenance of standards. In his second reading speech the Minister referred to how autonomous colleges will be based on lines similar to those provided for independent colleges. He then got into his ideological bent about tripartite representation or any representation that he does not totally control. It is interesting that the Colleges Act established a board under the following basis -

13. (1) Subject to this Act the Council of a college shall consist of -

- (a) seven persons appointed by the Governor representative of education, the professions, industrial, commercial or other community interests;

- (b) the person for the time being appointed to be the chief executive officer of the college;
- (c) two persons who are members of the full-time academic staff of the college and who are elected by members of that staff in such manner as is prescribed by Statute;
- (d) one person who is a member of the full-time salaried staff, other than academic staff, of the college, and who is elected by members of that staff in such manner as is prescribed by Statute;
- (e) one person who is for the time being an enrolled student of the college, and who is elected by enrolled students of the college in such manner as is prescribed by Statute;
- (f) two persons appointed from time to time by the Minister on the recommendation of the other members of the Council; and
- (g) if he is not already a member pursuant to one of the foregoing paragraphs of this subsection, the Chairman.

The Minister referred to how he has modelled autonomous colleges on that basis. This section of the Colleges Act is to be the model. However, again in another sleight of hand in his second reading speech, vis a vis the clauses, this Act is not the model. It is "the Minister shall appoint"; "I will do everything and you will all jump to my bidding." That Act is used as an example of what the colleges will be modelled on, but it will not be used.

I am concerned about ministerial power in these matters. From moment to moment it is abused. Hon Norman Moore is not the first Minister to abuse it; nonetheless he has abused it by making some classic appointments of basically Liberal Party flunkies -

Hon N.F. Moore: To which board?

Hon JOHN HALDEN: The one to which the Minister appointed Chris Baker. He was a very significant contributor to Hedland College!

Hon N.F. Moore: He is a lawyer in Port Hedland.

Hon JOHN HALDEN: The Minister is right again, but he fails to tell us whether Mr Baker expressed an interest in being appointed to that board.

Hon N.F. Moore: Yes.

Hon JOHN HALDEN: No; he did not. I have the information under freedom of information. He came out of mid-air and was appointed because he was a Liberal Party member.

Hon N.F. Moore: You do not FOI telephone conversations do you?

Hon JOHN HALDEN: Does the Minister want me to table the document?

Hon N.F. Moore: I talked to him on the telephone.

Hon JOHN HALDEN: The arrangement for that matter was that expressions of interest were to be registered.

Hon N.F. Moore: They did not have to be registered at all, although people could register an interest if they wished.

Hon JOHN HALDEN: Mr Baker came out of nowhere. I understand he did not even attend a meeting until he came here to be the candidate for Joondalup. He made a significant contribution! The Minister should be proud of the appointment of Mr Baker as an example of ministerial prerogative to totally control a situation. He did not express an opinion that he wanted to be on the board over any period. He got the nod and, as I understand it, he did not bother to attend a meeting. What a wonderful and significant contribution! Members wonder why the Opposition would prefer at least selection to the board as provided under the Colleges Act, on which the Minister says he modelled this Bill. Of course we prefer that system to the Minister's appointing, at political whim, party flunkies who do not want to be involved or do not attend meetings. If the Minister is perturbed in any way, I am happy to table

the list of people who expressed interest in this matter. Mr Baker was not on that list. The Minister may say that Mr Baker expressed interest via the telephone. I do not know who rang whom or for what purpose. Nonetheless, Mr Baker's contribution to this matter was not astounding.

Again, I have no problems with Ministers appointing people to bodies. However, the Minister cannot say on the one hand that he is modelling the running of autonomous colleges on a certain procedure because it works so well, and on the other hand translate into the Bill only the aspects he wants that give him total power in that area. The Colleges Act allows other people to nominate and be appointed to the council - community people, people elected or people not holding only a Liberal Party card in their hand wanting to include it in the curriculum vitae for the next preselection council. We know and the Minister knows that Mr Baker was not the only Liberal appointed to that council. At least the other person appointed had the good grace to nominate his interest and desired involvement in this area.

Why does the Opposition object to total ministerial control? The Minister has clearly identified that he can be totally non-partisan and unbiased and can appoint people representing community views! Arrant nonsense. Of course the Opposition opposes that on the basis that it does not reflect what is indicated in the second reading speech and that the Minister's behaviour when appointing people is clearly questionable.

Regarding the maintenance of standards, the requirements of the Industrial Training Act are about to be ended by this legislation. The Act contains clear provisions for a public servant to oversee industrial training. However, the Minister chose not to go down that path. Again, is he so ideologically bent that he had to contract out that role?

Hon N.F. Moore: I may be ideologically bent, but I am not bent.

Hon JOHN HALDEN: The Minister is sensitive about page 1 of today's *The West Australian*. I understand Hon Ross Lightfoot will name members later, as he is prone to do!

Hon I.D. MacLean: I thought he had the list of your side.

Hon JOHN HALDEN: If he did, he would have done it personally because that is his bent.

I refer to the issue of employers providing training and having an enormous say in accreditation of training at state and national levels. The difficulty in the supervision of apprentices is that the responsibility of this area, which is important to the State's interests, is not directly controllable by this place. I cannot think of too many issues contained in legislation - there are some - where we should not be able to demand of people that they be responsible to the Parliament. The training of people in particular skills should not be a provision of a contract that neither I nor the Parliament will be able to see unless we are able to use the numbers to do that. The Bill does not provide any transparency for the Parliament. The Parliament, through this Bill, will actually give away its responsibility to an unseen contract. God knows what it will be about! The Opposition knows that already problems have been encountered in overseeing apprentices. The Minister will say it has been hunky-dory, but the Opposition is aware of examples where it has not. We know it is unrealistic to expect employers to, on the one hand, be exactly that and then, on the other hand, have the independence to assess the problems of an apprentice and resolve them without having their employers' bias, perspective and interests in mind.

The Industrial Training Act put in place an independent arbitrator who is responsible to this place, not to a department. Under this Bill we will give that away. I know things are cyclical, and that eventually we will come back to a proposition where the supremacy of this place is far better than a supremacy where a contract may be entered into between private individuals or departments with statutory authorities.

I will refer now to some miscellaneous issues relating to this Bill. Bearing in mind that this model is based on the Colleges Act, I ask the Minister to explain why the rate free status of colleges which is provided for in the Colleges Act has not been included in this Bill. Colleges are competitive entities and I ask the Minister to explain how he proposes that time will no longer be spent in competition between colleges which have informally sorted out which college will dispense which course. For example, the Hedland College provides a hospitality course and the Karratha College a different course. The students move between the colleges, depending on their interests. Under this Bill, both colleges will spend enormous time working out proposals and tendering for these sorts of courses when they already have the existing infrastructure and have worked out either formally or informally how they can best manage the limited resources in an enormous area. Under this legislation the way to survive is for each college to try to grab the biggest share of the cake. The result will be a lot of duplication which will not achieve a significant outcome when the economic realities, more than anything else, are clear.

I also question the Minister's ability to move cash reserves from one college to another. I understand the reason it is an equitable arrangement and why the Minister wants to do it. However, the Minister has often espoused that the best and most powerful should reap the rewards. Careful consideration should be given to the Minister's ability to move this cash around. Although, on the one hand, I have some sympathy for it, the desire to go out into the community and seek support from industry and those who might be particularly philanthropic towards the college could be thwarted simply because the Minister decides he will move the cash around from one place to another. On equity grounds, I understand why the Minister wants to do that but what he proposes to do should be made very clear.

I come back to agendas with reference to training. The Federal Government's agenda in this area is quite clearly about ensuring that people take on workplace agreements. It is an obvious agenda - it is not even subtle; it is quite vulgar. The situation is that if a person is employed under an Australian workplace agreement he is entitled to receive a subsidy. If he is not employed under that basis, the subsidy will not apply. Members will recall the freedom of choice nonsense we heard in this place.

Hon N.D. Griffiths: If you don't want to be exploited.

Hon JOHN HALDEN: If people want to be exploited, they must have a workplace agreement because that is what they must have to be entitled to training! It is a wonderful dynamic.

Hon Kim Chance: You must have an Australian workplace agreement to qualify.

Hon JOHN HALDEN: Or a Western Australian workplace agreement.

Hon Kim Chance: That will fix up 2 per cent of the workplace.

Several members interjected.

Hon JOHN HALDEN: Exactly.

Hon Bob Thomas: Is that cumulative?

Hon JOHN HALDEN: The Government has paid \$1m on advertising to get 2 per cent of the work force on workplace agreements. It has done particularly well!

The payment of training allowances should never be tied to whether a person is employed under a workplace agreement, or an award. I remind the House that members opposite complained about the principle of "No ticket, no start." How many times have you, Mr President, heard members opposite rant about that issue? Now the catchcry is, "No workplace agreement, no training." They believe it is legitimate because they want to screw the workers.

Hon Kim Chance: I can barely believe it.

Hon JOHN HALDEN: No, Senator Vanstone would think it up.

Hon I.D. MacLean: You would have to get someone to write it for you.

Hon JOHN HALDEN: We would not ask Hon Iain MacLean.

Hon Kim Chance: You should continue colouring in your book.

Hon JOHN HALDEN: There is not much I can say after that comment.

Hon P.R. Lightfoot: It was rather cruel.

Hon JOHN HALDEN: It was an inane interjection.

Hon Kim Chance: Cruel, but fair.

Hon JOHN HALDEN: Cruel, but totally true.

Training is an enormously significant issue and we cannot tie it into an industrial relations agenda in a discriminatory

way and hope it will be successful. However, in this Bill training is tied to an industrial relations agenda because unions will not be part of the process. The Government will not discuss with unions industrial relations issues however broadly defined. It will not be fair. It will not look at the broad spectrum of issues that impact on people in the workplace. If experience and those decisions on the public record are any indication, the Government will discuss those issues with only employer organisations. The conservative agenda is further typified by this nonsense about who will receive training; that is, only those employed under an Australian workplace agreement - or Western Australian agreements, because seemingly they are just as enlightened. At the end of my speech I will seek leave to table the document that caused the Minister for Employment and Training so much indigestion; that is, the list of citizens who registered their interest to serve on the council of the Hedland College. The name of Chris Baker is significant by its absence.

Hon N.F. Moore: You are drawing conclusions from that which you are not entitled to draw. It is not a requirement.

Hon JOHN HALDEN: The Minister appointed three people on that occasion. One of the other two whom he appointed was also a member of the Liberal Party.

Hon N.F. Moore: I would not have a clue. People express interest from time to time. The college advertises for expressions of interest, and often people are asked.

Hon JOHN HALDEN: Of course! How many times does the Minister telephone the Trades and Labor Council, or the unions? I understand that the Minister does not have that desire. The great difficulty with what the Minister proposes is that he does not want tripartism; he wants to control it all. The Opposition rejects that on the basis of the Minister's second reading speech in which he refers to being in touch with the community, to flexibility, and to using independent colleges as the yardstick for what the Government is proposing. That is all nonsense. That is not reflected in the clauses of this Bill. On that basis no self-respecting Opposition, let alone me, will put up with that intellectual nonsense the Minister is trying to perpetrate on the House. The Minister can use the numbers in this place; however, if the Minister thinks that the Opposition will not see through what is going on, he is foolish.

I have said before in this place, but it needs to be said again in this debate, that the Government is not serious about many of its commitments - be it training or the Fix Australia, Fix the Roads campaign. It was a shenanigan when members opposite complained that the previous Federal Government was not funding particular programs, but it does nothing about funding cuts by the Liberal Federal Government. I cannot understand why, when the federal Budget slashed labour market programs by \$1.8b, the state Minister was not absolutely affronted by that process. I cannot understand why this Minister has allowed changes to apprenticeship subsidies provided by the Federal Government. The previous subsidy was \$4 000. The new subsidy for employers with fewer than 100 workers will fall to \$2 500; the new subsidy for employers with more than 100 workers will fall to \$1 250; and the subsidy for those employers who employ 200 workers or more will not exist after 1 January 1998. Those employers employ the most apprentices. Those employers will not be compensated by the Federal Government. I have not heard a whimper from the Minister for Employment and Training about the Federal Government's cutting back on employers' abilities to train young Australians.

Hon N.F. Moore: I do not whimper at all.

Hon JOHN HALDEN: The Minister whimpered when we were in power. I remember the Minister whimpering like a lame dog when we were in power.

Hon N.F. Moore: "Whimper" is the wrong word; I was angry.

Hon JOHN HALDEN: To use the Minister's terminology: Why was the Minister not equally angry with his federal colleagues?

Hon N.F. Moore: I am angry.

Hon JOHN HALDEN: The Minister just rolled over and they scratched his tummy. It does not stop there. Even accepting that under this regime apprentices are out the window -

Hon N.F. Moore: They are not.

Hon JOHN HALDEN: They are, and the Minister knows the agenda. When the Minister gets his chance, will he guarantee that in four years' time apprenticeships will be the same as they are today? I have the Minister's answer

already! At present the subsidy for traineeships is \$2 000. The new subsidy for employers with fewer than 100 workers will be \$2 500; the new subsidy for employers with more than 100 employees will be \$1 250; and the new subsidy for employers with more than 200 workers as of 1 January 1998 will be zero! The people who are likely to employ the greatest number of trainees will receive no assistance whatever. The Minister should have appropriately and properly commented upon the Federal Government's cuts. We heard not a word. This Government finds it acceptable for the federal Liberal Government to cut back on training; it can lose \$1.8b and subsidies for trainees and apprentices. The Government will cop all that, because it is happy its mates are in Canberra; it thinks they are doing everything right. The Minister will not in any way make the slightest angry comment about that. Instead we are being asked to support this legislation; we were told it was a new requirement of the training regime that this piece of legislation - which is somewhat antiquated as it was three years old before it got to this place - be passed.

The Opposition has no confidence in any of the substantive issues or that this Government or Minister has a handle on the issues. The second reading speech is a litany of inconsistencies. It is almost totally inconsistent and illogical. It does not balance up against the clauses, and the Opposition is expected to support it! I am at a loss to say why, on such an important issue, we would support such nonsense. I do not support the actions of this Government in not demanding for this State and for our young people the maintenance of the effort to provide training. That is an enormously significant issue. However, it is only enormously significant to this Government when it is a Labor Federal Government; it is not significant at all when it is a Liberal Federal Government. I understand the political realities and pragmatism. However, at the end of the day Western Australians will wake up. Some Ministers are able to walk successfully along the line. Hon Eric Charlton tries, but he keeps falling, and as a result suffered a serious injury to his groin.

Hon Bob Thomas: He fixed the roads!

Hon JOHN HALDEN: We are getting to the situation where there is a requirement to comment objectively on the indications of what a Federal Government is doing. Those opposite may use their best efforts to support a Federal Government of their own political persuasion but, at the end of the day, they must have a desire to produce the best outcome for training and the maintenance of it. We have not heard that from either this Minister or this Government. In fact, it is almost a case of deafening silence. This is one of the most - if not the most - savagely cut areas and what have we heard from those opposite? Not a whimper; not an angry shock; I do not think those opposite are even silently angry.

Hon N.D. Griffiths: Not even a whinge.

Hon JOHN HALDEN: We have not heard one publicly anyway. I use this by way of example. The agenda is clear. It is about training and is well documented in the paper I have with me from the ministerial council meeting last Friday. It is about workplace agreements; knocking off any real employer consultations and representation; cutting back the total dollar input into training; and ensuring this system provides very narrow training components and not the broad spectrum of training that we have been used to. As I have said before, that will be to the detriment of not only workers in this State but also industry. Workers will be the captives of employers, and they will not be transportable across the industry as they are now. If the Government wants to go down that path, if it does not accept there have been significant improvements, it will be to its detriment.

The Minister will tell us similar things to the dishwasher example - which was wrong; he will tell us that training has not changed, that it has not become multiskilled. Of course it has. In apprenticeships we now have core subjects as well as electives that are relevant to particular industries and industry needs. We have the best of both worlds: Someone who has knowledge not only across the industrial sector of that person's training but also specific to the industry in which that person is working and which is relevant to that person's employer. That has been established and constructed under this system that we want to change, under tripartism, to employer-ministerial domination.

Why would we want to do that? Surely we would want to build on the benefits, the successes and the advantages that are now starting to flow through a system that has been in place for a number of years? It does not mean that it should not be modified or that some of the problems should be overcome. Of course we want to do that. Under this legislation the Government wants to go back to the 1950s, if we are lucky; it is probably more like the 1890s. Under this legislation the Government wants to go back to employer domination. The legislation defines the client, in terms of TAFE, as the employer. It is not worried about students or anyone else. The client is the employer. That is the Government's decision. I do not agree with that. In my view TAFE has two clients, and probably more.

If that is the Government's priority, so be it. We should not allow a situation where we will regress to a system that did not work. It never worked in the 1950s. It started to show some improvement. There is a history to this matter.

If the Minister does not know it, he should talk to people who will tell him about it. Some significant progress has been made in this area. For the first time in decades, people from both sides - in this case, from three sides - sat around and discussed their needs. People knew what they wanted; they accepted the advice of others in the best interests of their own industry, or the State or employees. "We do not accept that," says the Government, "because it recognises in a true partnership way that employees should be represented on that basis."

This is the Government's Bill. We could go through this Bill clause by clause and amend it. If I did that, I would probably breach the standing orders. The Minister has done pretty much that already because the policy speech is not represented in the Bill. For me to go through it clause by clause to amend it - I have looked at the opportunity to do that - so that it represents what the Minister says it does in the second reading speech would be very difficult. To get the legislation to where I would want it to end up, while accepting some of the principles, would be almost impossible. I am quite happy to accept community representation on autonomous colleges and that there must be certain ministerial powers; however, we must strike a balance between ministerial responsibility and devolution of responsibility. That has not happened in this legislation. As I said, for me to go through this Bill and amend it clause by clause to what I think it should be would breach the standing orders. It would require a rewrite of the Bill, while accepting some of its facets. I do not propose to do that.

Since I have been in opposition I have worked out that there is a case for the Government's legislation to stand for what it is. It is an absolute nonsense in this area. I am not about to spend my time or that of the Opposition going through most of the clauses in this Bill to reflect either what is said in the second reading speech or what I or the Australian Labor Party think it should be. We will move a small number of amendments. They are the result of what we are prepared to do after some people have approached us. It will be up to the Government to accept or reject them. This is the Government's Bill, and it is on its head. At the same time, it is a situation where we know one of the more conservative industry training councils approached some government backbenchers to suggest this Bill should go to a committee. I will not move it. It is the Government's Bill. If those opposite want to do that, they can. I do not know what commitments those opposite made to these people, but as I said, I will not move that it should go to a committee. The Government can wear the responsibility for this Bill and the concerns that a particularly conservative industry training council has, not one associated with any union that deals with the Australian Labor Party, of which I am aware. Why would I take responsibility for this nonsense? It is the Government's legislation. If those opposite think it does not encompass the appropriate provisions that are required for training or consultation or whatever, I suggest they get up and show some courage in this matter because I will not do it. No-one in the Australian Labor Party will do it; or they will do it over my dead body.

The Minister knows from the people who talk to him, who are his sort of people, that they have the concerns that I have been talking about. I could read out the list of people on that side whom they have approached, and I could also tell the House what they said, but I will not do that; that might be the tactic of one member opposite, but it is not mine. Some members opposite know that there are concerns about this Bill and about the legitimacy of the ITCs. People in the conservative dominated area of our work force have concerns. They want the Government to legitimise their role, because they know it is important. I think the Minister knows it is important too. I will not do it for him, because they are his people. Either the Minister will do it for them, or they will know that he did not get on his feet to support what they said they wanted; and I think the Minister was particularly supportive of their position.

This is significant legislation, and we should look seriously at whether some areas of this legislation should be amended or reviewed. We will not take up this issue in such a way that we can be seen as blocking the legislation, or whatever. We will not wear that criticism. This Bill will be the Liberal-National Party Government of Western Australia's contribution to training for the next half decade at least. The Government had better make sure the legislation is correct. It knows it is not, because its own people have told it where it is flawed.

The second reading speech - the policy of the Bill - and the clauses do not marry. How can we have a Bill which purports to lessen ministerial control, and which states that it will give flexibility and greater community involvement and will allow the managers to manage, and all that nonsense, when half of the Bill is about ministerial control and the powers of the Minister? It is not what it appears. This type of legislation has been attempted previously and is currently the legislative training regime in Victoria. The results of the Victorian model, which are known and are being experienced at the moment, are conflict and confusion about who does what, when, where and why. The Government knows that, yet it still wants to go down that path. I have talked about the political direction of this Bill, but the Victorian example should be observed, witnessed and assessed. The results are clear, yet the Government wants to perpetrate that on itself.

I referred earlier to a briefing by the Department of Training and the Trades and Labor Council, and just to make sure that people understand that the views about ministerial power are not just something that I dreamt up or read into the

Bill, it was stated quite clearly at that briefing that the Bill would give the Minister extensive and direct power to issue directions, with virtually no limits. Some areas have limits on the powers of the Minister, but otherwise a free hand is offered, even to the extent of enabling him to override existing regulations. The Department of Training's representatives indicated that this was deliberate and was included to avoid developments that had occurred in other training systems. Members do not have to take my, or anybody's, word for it. I suggest they read the Bill. The Bill is clear and concise in that regard.

It is interesting that at that briefing no formal recognition was given to ITCs, creating the possibility of duplication of advisory bodies within any given industry. Therefore, even if we have the Minister's situation with ITCs and advisory bodies, which he says he will keep, we will have duplication; yet on Friday, when the Minister was at the ministerial council, he voted for a review to minimise duplication.

Hon N.F. Moore: Pardon?

Hon JOHN HALDEN: I have the press release of the Minister's counterpart in Victoria. Does he want me to table that too?

Hon N.F. Moore: That was his view. It was never considered.

Hon JOHN HALDEN: It was in the report, Minister.

Hon N.F. Moore: What report?

Hon JOHN HALDEN: The Report of the Industry Reference Group on the Implementation of the Modern Australian Apprenticeship and Traineeship System, dated September 1996.

Hon N.F. Moore: The Victorian Minister put out his own press release.

Hon JOHN HALDEN: He based it on that report. The report refers to reducing duplication, yet this Minister, having voted on Friday to reduce duplication, is now saying that we should believe that the duplication that he will create will be good for us. That is another example of this second reading speech being beyond belief. One almost gets to the point where one can become quite angry about this second reading speech, because it does not reflect the intent of the Bill or the policy of the Government. We should look at what is required in a second reading speech, because this one is a beauty, a bottler, with regard to its understatement and statement, which are highly questionable factually.

The other side of this legislation is that we desire to support some clauses of it. We will support a State Training Board; its importance is laid down in the Bill. We would be silly not to support it. We support community involvement and the concept - I do not think the words autonomous colleges are in any way legitimate - of community management, which is perhaps a better phrase. We support the establishment of the accreditation board. Other parts of this legislation we happily support, but we do not and are not in a position to support the total thrust of this legislation.

As I look through the second reading speech I notice a couple of distinct points with regard to ministerial practices encompassed by this Bill. It is an absolute outrage that people would think that to publish ministerial directions in an annual general report is accountability - big deal! By that stage any directions might be 18 months out of date and in the case of some tardy departments might be two years out of date. I will not move an amendment, but I will discuss this in the Committee stage. The Minister would know, having been on the same committee as I, that there must be a requirement for all ministerial directions to be tabled in this place within a certain number of days.

Hon N.F. Moore: How many other Acts contain that requirement?

Hon JOHN HALDEN: Make it this one.

Hon N.F. Moore: I know of none.

Hon JOHN HALDEN: I think the Subiaco Redevelopment Act contains such a section. Why would the Minister not do it? In any reasonable kind of ministerial accountability why not table such a direction within a certain number of days, not seven or something silly, but within a month or some appropriate time? To put it in an annual report is to bury it forever because by the time someone reads the direction the issue is over and gone. Why bother? The

Minister might as well withdraw the clause because it is nothing more than tokenism; it offers not an ounce of accountability. We must put it to Parliament during the currency of the situation so that the position is transparent.

I could speak further on a whole range of issues about the state of training in Western Australia and its implications for this piece of legislation. I do not propose to do that because my colleagues will do that. It is rare these days for the Opposition in this place to oppose legislation, but this legislation will be opposed, not because we do not agree with all of it. We agree with significant portions of it, but we object to this legislation because basically it is not representative of the second reading speech. It is a revisionist view going back to the 1950s where all power and wisdom rested with the employers and Ministers. We have a system which is working and improving. It might well deserve improvement and warrant amendment, but it does not deserve what could happen to it as a result of this legislation. This legislation together with what is happening on the national front is nothing but ideological claptrap. We will not support it. Western Australians and the State will not benefit from this Bill, but I say to the Minister that it is all his. If it works it will be to his credit; if it does not, we will perpetually remind him of it.

[Resolved, that the House continue to sit beyond 11.00 pm.]

HON N.D. GRIFFITHS (East Metropolitan) [9.10 pm]: I am very pleased that I am not speaking to this Bill after 11.00 pm.

Hon N.F. Moore interjected.

Hon N.D. GRIFFITHS: The leader could give me an extension, but standing orders would not permit me to go that far.

This Bill is potentially one of the most significant measures we must consider in this Parliament. Therefore, it is a matter of regret that we are considering it in the dying stages of this session.

Hon N.F. Moore: What do you mean? No-one is dying. The Parliament is continuing to operate just as it always does. You might be dying, but I am not.

Hon N.D. GRIFFITHS: I regret that the Parliament is continuing to operate as it nearly always does - with some rather inane interjections. I have observations to make and I thought the Minister might agree with some of them; if he does not, so be it.

This is an important measure and I note the significance of its timing in, I repeat, the dying stages of this Parliament. We had the Vickery report in July 1993, the McCarrey report in August 1993 and now, in September 1996, we have the Vocational Education and Training Bill. Vocational education and training is very important in 1996 because of the state of the economy and the projected state of the economy in respect of projections of employment growth and what the Government foreshadows to be a relatively stagnant rate of unemployment during the 1990s. It is also significant because of the effect of neighbouring economies on our State's economy, particularly in relation to resource based industries. In that context, some commentators are concerned that many East Asian economies are slowing down and that they have gone past the great impetus that they experienced as a result of receiving large dollops of capital and mass mobilisation of their work forces. When that occurs it might have significant ramifications in respect of the sort of economy we want in Western Australia.

I regret that that may not be a matter of great concern to the Minister, but it is a matter of great concern to me as a member of this House. Like many people, I have a family and I want members of my family to receive appropriate education and training so that our State can prosper. Therefore, this measure is very important and needs to be considered in light of the circumstances in which we find ourselves. I note that the department concerned attracts a significant allocation in the state Budget. According to Budget Paper No 6, the Western Australian Department of Training's estimated expenditure for the current financial year is \$324.872m. We are talking about a significant sum.

The department's objective is one that all concerned would support; that is, it proposes to contribute to the development of a strategically focused, competitive and responsive vocational education and training system through the development of quality systems and the provision of strategic advice and information to Government, industry and training providers. I agree with that and I am very pleased about the number of very significant achievements set out as having been realised in the previous financial year. I applaud those achievements. It is the duty of Oppositions to give Governments a tick when they deserve it and also to point out where they have gone wrong.

I mention those achievements in the context of this Bill because I have a concern. These achievements occurred in a substantially different environment from that in which we now find ourselves. I am very concerned that these achievements will be undermined substantially by the measures contained in the Bill. That is not so much in the words that Hon John Halden properly pointed out in his speech on the second reading, but in the actual meaning of the words in the Bill. I will not go through the clauses of the Bill, but it would be a mistake not to read the clauses and reach an understanding on what they mean. I regret to say that reading the second reading speech and accepting it at face value could be very misleading - not in its entirety but to a substantial extent.

Budget Paper No 6 lists a number of major achievements for 1995-96. I am concerned that this proposal might undermine what has taken place and what may continue to take place. I note the preparation of a state training profile and the establishment of a new network of 14 industry training councils. Hon John Halden referred to these ITCs and I am very concerned that the work they do will be placed in jeopardy as a result of this legislation. The Program Statements point out that the establishment of this new network of ITCs was finalised and that it will provide industry advice covering all sectors within Western Australia. I am very concerned that that may be placed at risk - we should all be very concerned. The Program Statements also refer to the funding arrangements for the ITCs being reviewed and a new funding model being developed taking into account the differing industry needs and focusing on strategic outcomes. We have just done that. Why are we placing it in jeopardy?

The Program Statements make reference to the processes for identification and articulation of the State's training priorities being enhanced through the development and dissemination of an improved range of economic, labour market and industry analyses and information services to the ITCs and other stakeholders. I am very concerned that all of that might be placed in jeopardy. My concern is primarily because of the matters raised by Hon John Halden.

However, there is another aspect that we must take into account when considering whether the structures proposed in the Bill, referred to in a shorthand way in the second reading speech, are adequate to deal with the situation in which Western Australia now finds itself. That situation is different from that which existed prior to early March 1996. Prior to that we had a Federal Government that was friendly to the notion of vocational education and training. That Government no longer exists and this is one of the effects of that.

I refer particularly to specific purpose grants. According to Budget Paper No 2, the department is estimated to receive specific purpose grants of at least \$79.126m. I wish to refer to some of those, and pose some questions in respect of them. In doing so, I inquire as to whether what is contained in this Bill is satisfactory to meet the circumstances involved. Some of the programs covered by the specific grants are not necessarily directly related to vocational education and training. However, they do, insofar as they are not directly related, impinge on the operations of the department and therefore may have a very close indirect effect on the operations of vocational education and training. Most of them, however, are directly related to the provision of vocational education and training services and therefore will impact on the structures being put forward in this Bill.

I refer to some of them: The adult migrant education program, \$5.63m; the Australian training subsidy grants, \$7.949m; the Australian vocational certificate training scheme, \$428 000; a program under the heading "children's services" in part to do with the Department of Family and Children's Services, but that apportioned to the Department of Training, \$39 000; the employment services regulatory authority program, \$100 000; the Industry Employment and Training Council, \$1.32m; the landcare and environment action program, \$4m; the pre-vocational training program, \$4.25m; and last, technical and further education, \$55.41m. Have any cuts been made to these programs? If so where? What programs have been sacrificed or modified? What reallocation of resources from other areas has taken place? Specifically, with respect to the policy of this Bill, are the new structures proposed to be set up adequate to deal with the position that the federal Liberal Government has forced on its Western Australian colleagues?

The climate of change federally is also relevant to vocational education and training and the capacity of the structures proposed, specifically having regard to what effect on demand will occur as a result of the changes in the higher education contribution scheme. What consideration has been given to that? Have the matters with which we are dealing in this Bill been impinged on in any way by those proposed changes to HECS? What effect has the slashing of the funding of the skills shares had on the capacity of the structures proposed in the policy of this Bill? What effect has it had, if I may ask as a member of East Metropolitan Region, on the provision of services in areas in my seat, which includes Armadale, currently Maylands - but not, I regret, after the redistribution - and Midland? Hon John Halden referred to the proposed \$1.8b cuts to the Working Nation program of the previous vocational education and training friendly Federal Government. The new Federal Government proposes to spend \$180m on a new apprentice and training program.

I have concern about the future of apprenticeships. I have heard what Hon John Halden said. I know the Minister

may have something to say in due course and I will listen to him with interest when he deals with apprenticeships. However, I am very concerned about the training of apprentices because I am aware of the history of this coalition Government and its coalition predecessors. It is not apprenticeship friendly; in particular, it is not apprenticeship friendly in the public sector. The public sector in Western Australia has a long history of providing vocational education and training, particularly for apprenticeships. In that context I note the presence of the Minister for Transport in the House. I represent East Metropolitan Region, which includes Midland. The Midland Workshops were closed by the Minister for Transport. It provided thousands of apprenticeships over the years. It can no longer do so; it no longer exists. That is part of the history of coalition Governments' dealings with apprenticeships.

I will comment fairly briefly on the legislative regimes that this Bill will replace and following that refer to Vickery, McCarrey, the scheme of the Bill and what is promised in the second reading speech, if I have time. One of the current legislative arrangements proposed to be repealed by this Bill is the State Employment and Skills Development Authority Act. I will not take the House through that Act. It has a constitution that some say has not worked as well as it could have, and that is because of amendments forced upon the previous Labor Government by those opposite. However, one of the significant matters about the constitution of SESDA as it is known - I promise not to use too many acronyms - is something to which Hon John Halden made reference; that is, it has within its membership the capacity to have people who are concerned with what is going in industry, in small business, in the trade union movement, and in the bureaucracy. That representation is appropriate representation when considering the sorts of programs that should be undertaken on vocational education and training. I am very concerned that the sort of expertise referred to in the SESDA Act will not necessarily be forthcoming under the new regime proposed by the Minister.

The functions of SESDA are set out in section 17 of the Act. They are wide and proper, are matters to be promoted, and should be bipartisan. They include "to develop, coordinate and monitor skills formation to meet the immediate and future requirements of industry in the State and in the various regions of the State". I would be very concerned if that were imperilled in any way. Its functions are many. I will not read them out; I have referred to them. I do not want what SESDA was set up to do to be imperilled in any way. Similarly, the Colleges Act is to be repealed. For the most part that seems to be re-enacted, so some areas to which Hon John Halden alluded can be dealt with more appropriately in Committee. The colleges provide a worthwhile service. Again, they have a fairly appropriate constitution and they have a significant role to play in the provision of vocational education and training in this State. The last current legislation to be repealed is the Industrial Training Act 1975. The repeal of that Act causes me a great deal of concern because of the ramifications for the training of apprentices. That Act amended and consolidated the law relating to apprentices and it draws a distinction between an apprentice and an industrial trainee. I am concerned that the proposed system will permit the forgoing of apprenticeships to an industrial trainee regime which will lead Australia - I note what John Halden said about the nasty regime proposed in Canberra - to become a country in which the work force is on low wages, under workplace agreements, and has low skills. The promise of being the most prosperous part of the world in 2000 will not come to fruition because of these misguided measures.

The Vickery report was delivered to the Minister in July 1993, and in August 1993 the Government received its bible from Mr McCarrey and his mates. In volume two reference is made to vocational education and training and I will briefly refer to some points made. It is stated at page 236 that -

Industry and community participation in the vocational, education and training system needs to occur at all stages from policy to delivery.

I am concerned that that will not take place because the current Administration sees the trade union movement as anathema. It must be recognised that the trade union movement has a pivotal role to play in vocational education and training. To the degree that it is not allowed to play that pivotal role, vocational education and training will suffer. I do not say it should be under the control of the trade union movement, but the union certainly has a role, as do all people who are informed and who are publicly minded, in providing good community service. The trade union movement has done that for many decades and will continue to do so. I regret that at the moment it is not being allowed to play the worthwhile role it is able to play.

With regard to colleges, McCarrey observes proposals to move towards more autonomous colleges. Hon John Halden said that is not a bad thing. One of the recommendations in the McCarrey report at page 243 is very interesting -

Structural changes to eliminate duplication between the Department of Employment, Vocational Education and Training and the State Employment and Skills Development Authority need to be implemented as soon as possible.

I am quoting from the Liberal Party's bible. It is dated August 1993 and we are now in September 1996. If my memory is correct, Hon Norman Moore was the Minister at the time the report was published and he remains the Minister. I congratulate him for that.

I now make specific reference to the Bill without going into the nitty-gritty of the clauses. Hon John Halden has already spoken about the many clauses which deal with ministerial power. As he has done so, I see no need to engage in repetition. I note that the Bill as a whole diminishes the role of industry and that of the unions, and that the scheme of the Bill sets up a State Training Board. That is a nice thing. A training accreditation council will be set up, and the Bill contains some interesting appeal provisions. Subject to Hon John Halden's directives in that regard, it may involve some debate in Committee in a technical sense. I note the reference to colleges and training schemes.

I refer briefly to some of the matters raised in the second reading speech. I agree with much of the second reading speech but I am concerned that what is said in that speech does not quite marry with the provisions in the Bill. I may be wrong and if I am, so be it. I look forward to the Minister's comments. I raise my concerns and in doing so will point out where I agree with some of the sentiments put forward by the Minister. In doing so, I am also agreeing with Hon John Halden. With regard to ministerial powers, it is suggested that the powers are to allow operational flexibility for colleges. That is worthwhile and I hope it takes place. I am concerned it may work the other way because it may have been drafted to work the other way. The provision for existing TAFE colleges to be autonomous is an interesting proposition. I note what Hon John Halden said about the proposition that the regulatory regime under the legislation will be minimal. I have not gone through the question of ministerial powers in my comments because he did so but, if the regulatory regime under the legislation is minimal, there is a substantial difference between Hon John Halden's statements and those of the Minister in the second reading speech. It seems from the Bill that there is a lot of force in Hon John Halden's comments. Under the heading "Business dealings" the Minister refers to the Bill providing the wherewithal, along with the appropriate checks and balances, for the VET system and colleges to remain relevant and in touch with the needs of industry. I hope that is the case because there is more at stake than whether Hon Norman Moore or Hon John Halden have it right. The views espoused by the Minister in his second reading speech relate to matters which I hope will be achieved, but I am concerned that may not happen with the structure set out in this Bill and the way in which those matters are presented.

Under the heading, "Responsiveness to industry" reference is made to the Bill focusing on making the colleges and system more responsive to industry by providing a framework that allows them to deliver the services that industry requires unencumbered by conflicting agendas. That can mean many things. However, I am concerned about the passage in which the Minister said -

The Government does not accept the view that industry responsiveness results only from advisory structures that have tripartite arrangements cemented into them.

That is true. In its terms, it is a fair statement. Nevertheless, historically, substantial results arise from arrangements involving people with knowledge from industry, small business, the trade union movement, and government. To emphasise that aspect, the speech continues -

Industry and the community as a whole are best served through efficient, effective and timely training delivered by training providers that deal directly with their customers and provide the service they require.

In the context of the earlier "only" comment regarding cemented tripartite arrangements, the second reading speech is wrong. Those words have a lack of balance in failing to acknowledge the best of what has occurred in the past in harnessing the wisdom of people with great experience. Under this Bill, as I understand the second reading speech, other comments made so far, and the wording of the Bill, the Minister has the power - he will have a lot of power - to do great good. If he does great good, I will be delighted to applaud him. However, I am concerned that the Minister also has the power to do great harm, perhaps through mere inadvertence. Failing to harness the wisdom contained in the industry groups, the trade union movement and other groups creates the potential for the harm to be maximised. Under the heading of "Standards", the second reading speech observes -

The VET system operating under the auspices of this Bill will place far greater emphasis on standards.

I agree that emphasis should be placed on standards, and I will be pleased if the objective is achieved. However, I am concerned that the Bill's proposals may not perform the job. I note the proposition that the Government is committed to the development of a quality training system that provides appropriate safeguards for young apprentices and trainees. I too am committed to such a system, but I am concerned that such a system will not be achieved in the structures proposed. For that reason, primarily, I will join Hon John Halden in opposing this measure.

HON KIM CHANCE (Agricultural) [9.44 pm]: Like my colleagues, I oppose the Bill. I will try to curtail my comments in the second reading debate somewhat, but I want to raise a separate training issue which I can raise entirely in the context of the second reading speech.

The Minister's second reading speech, under the heading "Business Dealings", contains some of the points to which Hon Nick Griffiths referred. He indicated that he would like to support - without putting words in my colleague's mouth - the principles outlined in the speech. In fact, many of us would want to support this type of outcome. The Minister said -

The strength of the VET sector is the direct and productive relevance it has to industry and the workplace. For many years it has been hamstrung by a lack of ability to develop the type of dynamic and structured relationship required by the industry of today.

I will return to that paragraph in a moment. Under the same heading the Minister referred to the function of joint ventures, strategic alliances and cooperative arrangements generally exposing colleges to the needs of industry. Of course, those are worthy aims. I will deal with them specifically in a minute. However, the difficulty arises in relating the sentiments of the second reading speech to the reality of the Bill. It occurred to me before Hon Nick Griffiths mentioned the point, that the second reading speech is rather less about the Bill's policy than it is about making people feel good about what the Bill should contain. I have no real difficulty with the sentiment contained in the second reading speech, but I have an uncomfortable feeling that the speech does not faithfully represent the Bill's contents. The classic example was given by interjection of fitting dishwashers. As the Leader of the Opposition said, the Government misunderstands trades training and the Bill is misrepresented in the second reading speech.

The Minister's second reading speech leads the reader to believe the development of a dynamic and structured relationships in industry and the workplace and curriculum development are being "hamstrung" - to use the words of the speech - presumably, by the current arrangement. We take that by extension to refer to the current industry training councils arrangement, which is tripartite by nature.

Hon N.F. Moore: That is a simplification.

Hon KIM CHANCE: Perhaps it is. I welcome the Minister's comments and the opportunity to be convinced otherwise. Is that really the conclusion when we measure the current situation objectively? My information indicates that the claim is not correct. The dynamism of industry is not being hamstrung by current arrangements. The cooperative arrangements and dynamic relationships referred to in the speech, as well as the new curricula development, have been in place for a long time. I ask the Minister in his response to indicate how many new curricula have been developed under these arrangement in recent years, and how exactly he sees the Bill improving that position. I understand that new curricula have arisen from the current arrangement which are not bound; that is, they are flexible and innovative and must be dynamic because of the changing position from the Commonwealth end, at least, notwithstanding the changes in the State.

One trade, not three, is required to fit a dishwasher. The Government raised that example, not the Opposition. What will be changed in that example by the Bill? As the Leader of the Opposition said, the change is likely to be that a person who is not an electrician will be trained in a module to wire the fitting of such a machine. If that is the outcome, it appears to be the only outcome because only one trade is currently needed to fit a dishwashing machine. I cannot see any gains from the result that a dishwashing machine will be wired by a person who is not an electrician and whose only qualification might be the ability to fit a dishwashing machine. We all realise that, whether trade or non-trade, professional or non-professional, not every task follows the classic line. The problems which occur are sometimes unique to the job. That is why we have broad based training; that is why the Opposition is concerned about trade modules. Notwithstanding the fact that the principles of training modules were introduced by the Opposition when in government, they were introduced in rather a different way. They were not intended to be an alternative to trade training.

Today I asked a colleague, who shall remain unnamed, for his opinion of this Bill. He responded, I hope somewhat tongue in cheek, that it would be a wonderful Act to have if one were the Minister because it effectively centralises the power in the Minister's hands. That is the point that has been made by both opposition speakers so far.

The Bill is represented as granting both flexibility and autonomy. However, in each case in this Bill there is a limitation on training participants by the powers granted by the Minister, and presumably, in some cases, his on-delegation to the State Training Board which is appointed by the Minister. I cannot see - at least from what we have heard so far - that that is an improvement on the present system. The classic conflict which is exemplified in the

second reading speech is that the tripartite arrangements are not regarded as having much future in policy determination. The speech tells us that the industrial training councils will continue as the primary source of advice to the State Training Board. What does the juxtaposition of the two statements mean? It could only mean that the ITCs will continue to perform a vital role but they will do so without union input.

Hon N.F. Moore: No. ITCs are not controlled by the Minister; they are incorporated bodies which make their own arrangements.

Hon KIM CHANCE: They will be governed by the Act.

Hon N.F. Moore: Not this Bill. It does not refer to ITCs.

Hon KIM CHANCE: The Minister must excuse me for being a touch confused, because the second reading speech states -

The Government does not accept the view that industry responsiveness results only from advisory structures that have tripartite arrangements cemented into them.

That comment is in the context of this Bill.

Hon N.F. Moore: It is not exclusive.

Hon KIM CHANCE: It may not be, to this Bill -

Hon N.F. Moore: It says that the ITCs do have an extensive capacity to provide advice.

Hon KIM CHANCE: I am happy to accept that. Nonetheless I do not think I need to resile from the statement I just made. I did not say that unions will not play a part in the ITCs. I simply said that the speech makes it clear that tripartite arrangements are not regarded as having much future in policy determination. What I said is a fair representation of what the second reading speech said. I take it that it can mean only one thing: The ITCs will continue without union input. On the Minister's advice, I am happy to modify that and say that they will continue with less union input than at present.

Hon N.F. Moore: No.

Hon KIM CHANCE: I am also concerned about the possible reduction in input by other community groups such as the handicapped and disadvantaged. I will spend a little time on the second of those two groups a little later. Whatever the outcome, it is reasonably certain that no-one will be appointed to the ITCs without the Minister's nod.

Like Hon Nick Griffiths, and perhaps differently from the Leader of the Opposition, I want to have confidence in the second reading speech. I raise these matters because I am sufficiently concerned about the doubts raised, not only by the Leader of the Opposition but also by others to whom I have spoken - the Australian Manufacturing Workers Union and the Trades and Labor Council. If the Bill is truly represented by the second reading speech and the outcomes expressed in that speech, I hope the Minister can explain why that is the case. However, what is not open to dispute is that union involvement and training will be discounted to some degree, and even discontinued. If that is to be the case, that would be a criminal waste of the advice of a great many deeply committed people. I share the view of the Leader of the Opposition that this Government has a tendency to discount the value of unions in a number of areas. However, apart from training, I want to stress two other areas in which we have seen examples of this occurring. In both workers' compensation and industrial safety we have seen changes come through this place of a legislative nature, and we have seen changes in culture coming through the Government which indicate that the Government is not prepared to accept the value of the role of unions in those areas. Whatever one thinks about unions it is stupid, even criminally stupid, to discount the value of unions in those three areas. I am afraid that this Government has been too ready to do that, from an ideological point of view. It indicates to me that it does not have a sense of history about the unions' contribution in those three vital areas.

I want to agree with the forecast outcomes in the second reading speech because anyone should welcome any improvement in the links between industry needs and provider capacity. I am aware of a case where there is a demonstrable need for improvement in the present situation. If the new Bill can correct that situation I will be delighted, but I have no reason to believe that it can. In many areas I have been concerned about the way in which agricultural and pastoral training is delivered. I am very concerned about how that training is delivered to Aboriginal

people in remote areas. We should all be concerned about that, for a number of reasons. There is probably widespread criticism about the efficiency of Aboriginal operated and managed stations. General concern exists about rangeland management in pastoral areas, whether managed by Aboriginal or non-Aboriginal operators. We are seeing changes occurring in pastoral areas, particularly the Kimberley, relating to what the region produces now and what it will produce in future. I refer here to the growth in horticulture in the southern and northern pastoral zones, and I hope it will be a significant change.

We are seeing increasing levels of Aboriginal management of stations under various arrangements. All those factors lead us to the view that we must increase the level of appropriate training for station hands, station managers and rangeland managers. It bothers me that we do not seem to be getting that increase. I am not talking about the amount of funds that are delivered to address the issues, but about how effectively those funds are being spent. Discussions with some of my colleagues over the past couple of days were sparked by the document that was tabled by the Minister for Finance today regarding the program launched yesterday by the Minister for Labour Relations.

Hon A.J.G. MacTiernan: It wasn't a program; it was an exhortation.

Hon KIM CHANCE: My colleagues and I talked about how the standard of living of a given community could be raised. The general conclusion was that it required a range of issues to be addressed. The standard of living of people, particularly people who are disadvantaged as a group, cannot be improved by isolating and concentrating on one issue, although it might be appropriate to target a specific area where there is an outstanding need, such as in Aboriginal health. However, to raise the general level of living standards it is necessary to target the whole spectrum of issues. We cannot improve health without improving housing in the long term. Even a high standard of housing will not alone be of any great benefit unless appropriate education and sanitation - things as disparate as those two matters - can be delivered. Without education there is no means of teaching people how to appropriately use housing and consider nutrition, for example, which spring from education. That fact takes me to the following issue.

The Kimberley and much of the pastoral zone is in a critical condition. I am concerned that we are slowly losing our grip on the Kimberley region, at the very least. A number of problems exist. Infrastructure in the Kimberley is slowly collapsing on itself. That is not the fault of any Government. I am not attributing blame here.

Hon N.F. Moore: Do you mean the pastoral industry?

Hon KIM CHANCE: Yes, the Kimberley is basically the pastoral industry.

Hon N.F. Moore: I wanted to be sure you were talking about just that industry, because infrastructure everywhere else, including in the training sector, is growing at a dramatic pace.

Hon KIM CHANCE: If the pastoral industry and the area occupied by the pastoral industry is taken away, there is not a lot left of the area, except that it can be argued convincingly that the area occupied by the pastoral industry is also a part of the Kimberley's tourism attraction. I would not argue with that for a moment. Nonetheless, the pastoral industry is a key employer of Aboriginal people. It is the reason for the existence of a number of towns in the Kimberley, and it concerns me that it does not seem to be going anywhere. A joint benefit is to be gained out of applying appropriate training programs for Aboriginal people in the Kimberley. There are benefits there for every one of us.

All those factors point to the need for improvement; however, we do not seem to be getting improvement in the training area. I refer to a report that was sent to me for my information entitled "Aboriginal perceptions of training needs in relation to participation in the rural industries in the Kimberley and Pilbara regions". It is the revised draft of the final report, June 1996. It belongs to the Rural Industries Training Council of Western Australia Inc, and the author is Mr Tas Bedford, project consultant. The report is a joint initiative of the Agricultural and Pastoral Industries Employment and Training Council of Western Australia Inc and the federal Department of Employment, Education and Training. The need for the report was identified by the APIETC after consultation with Aboriginal and non-Aboriginal stakeholders in Western Australia during 1993. The main purpose of the report was to identify the needs of Aboriginal people and other major industry representatives and their perceptions of the current and intended future participation of Aboriginal people in rural industries in both the Kimberley and Pilbara regions, particularly with reference to training needs. The report found -

The main interests of the primary production industries in the regions, which will be served by maximising Aboriginal participation in primary production activities, are land care and a skilled, local permanent resident labour pool.

The provision of training in the primary production industries, per se, for Aboriginal people in the regions, will be ineffective unless it is directly associated with corresponding Aboriginal participation in primary production activities.

Dollars are thrown at the problem, but generally they are for programs that are delivered out of the technical and further education colleges in the region. That might be entirely appropriate for any number of training groups - client groups. However, the difficulty for a community on a pastoral station near Fitzroy Crossing or Halls Creek, for example, is that those colleges are a long way away. The families of the young people on those stations who need training are not keen to see their young people go off to a far distant centre to access the training. The training they need should be delivered on the spot. That is what this report is all about. The report is an accurate and incisive assessment of training in the pastoral industry; however, for reasons that are not clear to me, its recommendations have not been funded by the Government. Perhaps the Government was not keen on some of the things contained in the report. Even if that were the case, I would be disappointed, because the author has hit the nail squarely on the head. Page 6 under the heading "Facilitating Aboriginal participation through training" gives a fair commentary on what is happening in that area. It states -

Government agencies which provide funding for training, and those which are training providers, have been shown to be too constrained by their organisational structure, culture and policies, their inability or monoculturalistic unwillingness to re-frame how they operate, and their lack of cross-cultural knowledge and skills, to be effective in facilitating the provision of industry training in the context of Aboriginal groups and organisations in remote locations.

The agencies have demonstrably been ineffective, in terms of addressing Aboriginal perceived needs regarding industry training in the regions. There are no indications that the agencies have changed, or intend to change, their past patterns of decision-making and ways of operating in the regions.

The author may have been a touch kind in the way he addressed that. The need to improve training for Aboriginals in that region is not justified only by the issues I have already mentioned. The report quoted a document by Crough and Christophersen of 1993 on Aboriginal incomes in the region in which they said -

"approximately 81 per cent of the Aboriginal population in the region were classified in the annual income range of \$0 - \$20,000, compared with only 42 per cent of the non-Aboriginal population."

The report is also clear on whether available funding for Aboriginal training in that area is adequate or even efficiently used. I found this a fascinating section. It suggests that ample funds are available to undertake the kind of things recommended in this industry employment and training council report. At page 9 the report reads -

WA government departments have obtained most of the financial resources, that they have allocated to addressing the employment and training needs of Aboriginal people in the regions, from the plethora of generally uncoordinated federal departmental funding schemes, although the specific purposes for which the funds have been used apparently have not necessarily always been consistent with the policy directions of the federal departments. Crough and Christophersen have concluded that -

"Much of the spending of the (*WA government*) departments and authorities on Aboriginal programs and services is based on specific purpose payments from the Commonwealth Government or ATSIC"

and that despite the change in rhetoric in the Aboriginal Plan 1993 (*of WA DEVET*), the policy-making of the Western Australian Government seems to have been almost completely unaffected by recent developments, particularly the reports of the Royal Commission into the Aboriginal deaths in custody"

Hon N.F. Moore: Which State Government are we talking about?

Hon KIM CHANCE: That is irrelevant.

Hon N.F. Moore: I am wondering which time frame -

Hon KIM CHANCE: The Aboriginal Plan is dated 1993.

Hon N.F. Moore: DEVET was the department running this when you were in Government.

Hon KIM CHANCE: It did not change its name until about late 1993. When was the name change?

Hon N.F. Moore: That report refers to before our time in office.

Hon KIM CHANCE: It is referring to what has happened since the publication of the Aboriginal Plan of 1993. It indicates that despite the change in rhetoric in the Aboriginal Plan, virtually nothing has happened.

Hon N.F. Moore: When is the report dated?

Hon KIM CHANCE: It is dated July 1996. The report also indicates that in too many cases, training which is provided on the station is inappropriate. Comment is provided on one such case at page 21 of the report -

- 6.2.2.1 For the provision of industry training for Aboriginal people in the regions to be effective, the training will have to be directly associated with their participation in industry-related activities. To date, industry training interventions for Aboriginal people in the regions have been characterised by an apparent lack of any direct relationship between genuine Aboriginal participation in relevant industry-related activities and the training provided. The general lack of relationship between training provided and genuine participation in primary production activities is illustrated by the case of the DEET-employed horticultural trainer who was appointed to assist an Aboriginal community to establish a vegetable garden for community subsistence purposes, ostensibly as a training program in basic horticultural practices for some of the community people. By the time the first crop was in production none of the Aboriginal community people were involved in any observable way with the garden, and the entire crop was cabbage, which the local Aboriginal community people would not eat.

As I said, that was clearly a Department of Employment Education and Training funded position. However, it is a fair indication that, from the author's point of view at least, even when training money finds its way onto the station where it is needed, the design and execution of the program is sometimes not all that well thought out.

I have wanted to introduce this matter to the Parliament for some time but, as I said earlier, I have not found a suitable avenue by which to do it.

Hon N.F. Moore: If you have any more of those, let me know and we will introduce an appropriate Bill.

Hon KIM CHANCE: I thank the Minister; I will let him know. It is entirely appropriate that I have raised this issue in the context of this Bill because I very much hope that one of the outcomes from the implementation of the Bill is that worthwhile recommendations such as these will get a guernsey, whereas now they do not. So far, but having not yet heard the Minister's response, I have no confidence that the Bill contains provisions which will allow a more sympathetic handling of these issues. However, everybody with an interest in training and education in at least the pastoral part of the Kimberley and Pilbara regions should, at the very least, read the executive summary of that report. I am happy to provide a copy to the Minister. I hope he or somebody close to him will read the document and tell me why that straight thinking has not been funded.

Unless we do something with the pastoral industry, particularly in the Kimberley, because the Pilbara's future is quite safe, a large part of Western Australia will effectively fall away from our control. I am not trying to be alarmist in saying that, but if we do not use the Kimberley, we will have vacated a large and beautiful part of the State. I oppose the Bill in concert with my colleagues. Having said that, I look forward to hearing the Minister's response.

HON BOB THOMAS (South West) [10.18 pm]: I do not intend to reiterate the arguments put forward by the Leader of the Opposition in opposing this Bill. It is safe to say that he marked out our ground and gave five reasons why we are opposed to it. In summary, this Bill gives too much power to the Minister, by removing any real autonomy from colleges. Rather than making the system less regulatory, as the Minister indicated in his second reading speech will be the case, it makes it more cumbersome and more regulated. This Bill will result in the vocational training industry within Western Australia being less responsive to industry needs. Hon John Halden referred to changes to the existing State Employment and Skills Development Authority legislation. Finally, he indicated that this Bill will allow the standard of training schemes in Western Australia to slip. He spoke at length about the way changes will be made to traineeship and apprenticeship training and I will not retread that ground. The member marked out the Opposition's ground quite well.

I will focus on the problem of long term unemployment. There could not be a more important debate in this

Parliament than a debate on long term unemployment and its nexus with training. This Bill, along with changes by the Federal Government to labour market programs, shows that the coalition, both at a state and federal level, is out of touch with unemployment and has no real understanding of the dynamics of unemployment, let alone the dynamics of long term unemployment. I will read some of the cliches in the Minister's second reading speech to indicate what I mean. In speaking about the training accreditation council the Minister said -

Membership will be on a nonrepresentational basis.

With reference to regulation he said -

The focus of the Bill is to allow training providers to get on with the business of delivering vocational education and training. The legislation allows the managers to manage.

They are the 1980s cliches which those people who were in the Public Service at that time grew up with. These cliches are out of touch with the 1990s. With reference to business dealings the Minister said -

This Bill provides the wherewithal, along with the appropriate checks and balances, for the VET system and colleges to remain relevant and in touch with the needs of industry.

The Minister said with reference to responsiveness to industry -

The Bill focuses on making the colleges and system more responsive to industry by providing a framework that allows them to deliver the services that industry requires unencumbered by conflicting agendas.

Some members are aware of the sorts of agendas the Minister is referring to because they sat through two debates on the State Employment and Skills Development Authority Bill. On one occasion it was knocked out by the Minister, who was then the opposition spokesman for Employment and Training, and Hon Derrick Tomlinson. A couple of weeks later there was a special sitting of Parliament when the Bill was recommitted and members of the then Government had to keep their mouths closed in case they offended those two members and they went back on an agreement to pass the SESDA legislation. The Minister's second reading speech is full of rhetoric and cliches and has no bearing on the complexities of training in a modern society bedevilled with the problem of unemployment and the very difficult problem of long term unemployment.

I draw to the attention of members question on notice 163 which I asked the Minister for Employment and Training, Hon Norman Moore, on 6 July 1993. The question was in three parts. In the first part I asked what was the current rate of unemployment, in the second part I asked what was the participation rate and in the third part I asked -

What training programs has the coalition introduced to assist the unemployed, particularly the long term unemployed, to acquire the necessary skills to re-enter the work force?

The Minister's response was quite illuminating. He said -

It is only through the private sector investing in Western Australia that we will get the creation of proper jobs, real jobs, not the sort of jobs that are talked about in this question; that is, programs to get Government funding to create a whole range of activities in which people get involved and which exist until the money runs out. The bottom line is that if we are to do anything meaningful about unemployment in this State, we have no choice but to encourage the private sector to spend its money. When that happens, it will create real jobs. The dozens and dozens of schemes that the previous Government invented were designed to keep people out of the unemployment queues for a little longer. The bottom line is that there is no point in creating more of those schemes. They will not help. What will help is to get the private sector to invest.

Basically, the Minister was saying that the Government did not have any programs to address the vexing problem of unemployment, particularly long term unemployment. The very simple solution the Government had was that if the private sector invested it would solve the problem of unemployment because people would find work.

Hon A.J.G. MacTiernan: It believes that if it puts it out in a press release it fixes it!

Hon BOB THOMAS: The simple fact is that Western Australia is experiencing a minerals boom. Over the past four years there has been a massive investment in Western Australia. Much of that investment has resulted from the work done by the previous Government and some of it by the work done by this Government.

Hon A.J.G. MacTiernan: It has been ongoing. The gold industry is booming and has been over the past 14 years.

Hon BOB THOMAS: That is right and I recall the work done by the previous Government in the mineral sands industry in the south west as well as the shipbuilding industry. This Government has been responsible for the gas pipeline from the Pilbara to Kalgoorlie. Western Australia has been experiencing a boom for a number of years, even though it still has the problem of a high level of long term unemployed. The very simple Adam Smith type economic policy which the Minister was describing in the answer to my question has been shown to be incorrect. The irony is that Western Australia still has a significant level of unemployment. It also has the problem of a shortage of skilled labour. The problem can be traced back to this Government, because it has invested neither the time nor the energy in identifying the areas where there is a shortage of skilled labour and developing programs so the unemployed can acquire the skills which are in demand in the labour market. The Minister's answer to my question indicates that the ideological dogma which he exhibited in 1990, when this House dealt with the SESDA Bill, has not changed. Even though he has been in government with all the resources and the advice of the experts in the Public Service, he has not changed the position he held when he aborted the SESDA legislation.

I am concerned that the Government does not have an understanding of unemployment. It really does not understand the dynamics of long term unemployment. Unemployment is not a cyclical thing. I know the Australian economy has regularly experienced recessions. For example, there were recessions in 1955, 1961, 1973, 1982 and 1991. In part, recessions occur because this country has become dependent on exporting unprocessed raw materials - wheat, wool, iron ore and coal - and selling them in a market where this country's terms of trade are diminishing and in which there are an increasing number of competitors undermining our prices. Even though the volume of exports is increasing, that competition and the depreciating terms of trade have meant that we are not getting the same value for exports as we were in the 1950s. The result is that each time Australia experiences a downturn or recession, unemployment rises to a higher level. In 1982 unemployment escalated to approximately 600 000 and by the end of the recession in 1983 approximately 200 000 people were classed as long term unemployed.

Between 1983 and about 1990 roughly one million jobs were created in the Australian economy. However, the number of long term unemployed fell by about only 90 000. When the economy went into recession again in 1991 the number of long term unemployed in Australia had fallen to only 120 000. That was unacceptably high, but it was a structural problem that had been getting worse and worse. During the 1990 recession unemployment numbers rose to about 960 000. At the end of that recession something like 350 000 people were long term unemployed. That is defined as being unemployed for more than 12 months. The problem has been getting worse in the Australian economy, and it is one that we should address when we are dealing with vocational employment and training legislation.

Another very interesting aspect of that growing unemployment is that during the 1980s, when there was very strong job growth in Australia, only one in every seven jobs created in the economy went to a person who was unemployed, and an even smaller proportion went to the long term unemployed. Unemployment was ratcheting up. The level of long term unemployment was getting progressively worse, and the ability for people to move out of unemployment back into employment became increasingly hard for those people who had been unemployed for any length of time. The longer they had been unemployed the harder it was for them to get back into employment. There are many reasons that happens. Basically, it relates to the loss of self-esteem of those unemployed people. My experience is that those people who become unemployed initially have high esteem and think they deserve better than the treatment they received from their former employer. They are confident and they approach their job search with some confidence and enthusiasm. However, as they receive more and more knock backs their self-esteem starts to diminish to the point where people who have been unemployed for any length of time believe they do not have any marketable skills. They believe that any vocational skills they had before are redundant. Sadly, they also get to the point where they believe they do not have the ability to learn new skills, so they give up. Unfortunately, they are the visible minority whom we see. They have some very serious problems that too often are glossed over or are derided by our political opponents.

Another reason for the increase in unemployment in contemporary times is that technology is changing so quickly. Computer and manual handling technologies are changing the way we work in modern economies. Unfortunately, we see a large number of those semiskilled and unskilled jobs that adult males used to do disappearing because of technological changes. It is interesting to note that in the past 10 years or so 60 per cent of all new jobs created have been part time. About 80 per cent of the people taking up those jobs have been women. Over the past 10 years or so there has been an increase of only 4 per cent in full time male employment. That is causing enormous problems, especially in regional centres such as Albany, where many traditional manufacturing industries are disappearing. It is causing enormous problems for men who do not have any marketable vocational skills, who probably left school when they were very young, and are now required to go back to school, as they call it, to technical and further

education or any of the other providers such as SkillShare or the private providers to obtain new skills, so they can be competitive in the labour market.

There has also been an increase in the female participation rate in the work force in Australia. In the 1950s and 1960s arbitrary barriers kept women out of the work force. I can recall a conversation with a friend of mine in Albany who is a teacher. She told me that when she married in the early 1970s she was required to resign, because married women were not permitted to be employed in the Education Department. A range of those arbitrary barriers kept women out of the work force. A whole chemistry is contributing to that increasing level of unemployment in our community.

I have had a lot to do with unemployed people, having worked in the Commonwealth Employment Service. I am a member of the SkillShare committee in Albany. I believe people are unemployed for a couple of fundamental reasons - especially those people who become long term unemployed: They either lack the social skills necessary to find a job and hold it down or they lack the vocational skills which are in demand in the local industry. Therefore, it is important that the Government develop a better understanding of the problems associated with unemployment, especially with those people who are long term unemployed. The Government should appreciate that it cannot just say that private investment creating jobs will help people back into employment. It is a difficult pathway back to employment for those people who have been unemployed for any length of time. In many cases it requires, first of all, that a person's self-esteem be re-established. Often that can be done only by training programs such as SkillShare and adult work links which work with people on a one to one basis. This Government and the Federal Government tend to think that a one size fits all training approach will help solve the unemployment problems of all people. It will not work like that. We need a case managed approach. The programs offered by SkillShare and adult work links and so on are necessary.

We also need work experience opportunities so people can take to the job the skills they learn in their fundamental and bridging courses in places like SkillShare and adult work links. That is why we have programs like JobSkill and the landcare and environmental action program where unemployed people can be eased back into the work force, where they are not required to be 100 per cent productive immediately they go into a job, where they can learn about occupational health and safety issues, and where they can be issued with some boots and work gear. They can then gradually ease their way back into employment. From my experience, one of the most effective programs was the community employment program. This program offered some formal off the job training, but it was mainly on the job training. These were community projects where people could take a pride in what they were doing. I found only half of the people who started those jobs ever finished them. They got to the stage where they felt they were competent enough to get non-subsidised jobs in the private sector. I can think of dozens of long termed unemployed people in Manjimup, Albany and Kalgoorlie who needed that special, customised training they received in the CEP-type jobs to develop to the point where they were productive members of the work force and left subsidised jobs and went out and got fully productive jobs in the private sector. Those sorts of things cannot be achieved by having the one-size-fits-all approach adopted by this Government and the Federal Government. This Bill will not improve the vocational, education and training system. The Bill will not achieve what the rhetoric in the second reading speech says it will. It does nothing for the long term unemployed, therefore I oppose it.

HON TOM HELM (Mining and Pastoral) [10.41 pm]: I, too, oppose this Bill for a number of reasons, but primarily because those on the other side of the Chamber have a grave misunderstanding of the training requirements of this State for the future. This Bill does not reflect what is contained in the second reading speech; it reflects the fact that there is a need for the old conservative philosophy of the manager being able to manage. In this case, the manager is the Minister for Employment and Training. All the way through this Bill are examples of how previously training in this State was left virtually in the hands of the major stakeholders - that is, the employers and the employees - with the Government providing the structures and the support that allowed the employees and employers to get on with the job of making this State one of the most efficient in the world, recognising the need for changes that should occur if we were to remain competitive and to take us into the twenty-first century with all the challenges that that will provide. We are looking at this Bill with a background of statements by the Premier that 6 per cent unemployment is full employment, and by the Minister for Transport that people who oppose the Bill support the continuation of demarcation disputes. Those opposite would be hard pressed to point out a demarcation dispute in the past decade.

In my contribution I will try to point out how the cooperation of the unions has helped to develop the appropriate training modules to meet the challenges not just of the twenty-first century but also those that are upon us now. I have said in this place on other occasions that, particularly in the iron ore industry, the number of people who were brought in from overseas to repair and maintain high tech machinery has been reduced substantially. It has made the mining of iron ore a more economic process. Those on both sides of the equation in that industry have had an input about the kind of training that was appropriate for that job.

It was a shame to listen to some of the interjections during the contribution of the Leader of the Opposition in this place. He talked about fitting a dishwashing machine, for instance. Perhaps it is time to remind the House that successful training is provided by building onto that which has gone before, to recognise the limitations of the traditional apprenticeship scheme and skills that used to be provided. I will give an example that immediately springs to mind; that is, the skills of a shipwright. In conversation with a friend who has a son in the Royal Australian Navy, I learned that the son has just completed a course as a refrigeration mechanic. He is a petty officer shipwright in the Navy. That is his job. The skills he acquired through shore-based training programs have enabled him to become a boilermaker, a welder and now a refrigeration mechanic and a pipe fitter. All of those things are required to run a modern day warship. All the additional skills were built onto his original training as a boilermaker.

It is generally agreed across the board by the tripartite organisations, the responsibilities of which are envisaged to be changed by this legislation, that people had original skills as tradesmen and, for the most part, were able to increase those skills in a way that was appropriate for the industry to which they belonged. This concept gave them the ability to take the skills they had already learned to an industry. Those skills enhanced the services of whatever employer they worked for at any given time.

We are rightly suspicious of what is contained in this Bill. It is getting away from the recognition of the rights and roles of vocational education and training. From my experience in the iron ore industry, as a councillor on the Karratha College council, and also as an employee and listening to my trade union colleagues about how they saw the future of training and how they accepted the responsibility that goes with the contribution they make to the provision of training and skills that industry requires, it is a little disappointing to hear this Minister in this place - his reputation is second to none in supporting and enhancing the role of the independent colleges - proposing the changes in this Bill; that is, he is enhancing the authority of the Minister and, through the Minister, the Government. It is somewhat of a slap in the face for what is, by any standard, the successful provision of training in this State. It is successful because of the way in which the councils were set up under the Colleges Act, the role they had to play and the way in which the autonomy of the councils was respected. From my reading of this Bill, those councils will consider themselves to be less autonomous than they have been in the past.

Hon NF Moore: There is no need to think that.

Hon TOM HELM: I will await the response from the Minister on that matter. We are obliged to oppose this Bill because to a large extent it reflects the track down which this Government has continued - privatisation at any cost. The user pays philosophy will be pursued. Therefore, we detect an ideologically driven piece of legislation rather than a reflection of what has appeared to be a successful program for Western Australia thus far.

I am surprised that this Bill is before us. I am not surprised that we have a Bill; we on this side of the House recognise as much as anybody else that times change and we need to adapt to those changes otherwise we die, and we need to put together a Bill that will reflect the additional provisions and responsibilities. However, because this Bill is geared very much towards the Minister's influence in the structuring of training programs, it is the opposite of what we believe should happen and what has happened in the past.

As Hon Kim Chance said in his contribution, if we have decent housing, we have a good chance of putting together a good health program where it is required. In order to get decent industrial relations programs and provisions across the State, we must include people, not exclude them. We must recognise the role that trade unions can play in the provision of training programs. We must look at the track record of the disputation that occurred in the early 1980s, when the them and us attitude was prevalent. We must look at the changes that have occurred in the union movement. I am reminded of a silly throwaway line from Hon Ross Lightfoot about the unions changing their philosophy and role so that they can increase their membership and get some credibility in the workplace. If we take away the unions' ability to influence how training programs are put together, if we take away the unions' right to have some say on behalf of their members about how an enterprise will conduct itself, and if we take away from the shop floor the ability to decide how people's skills are best used, one can fairly say that because the unions have no responsibility, they can act irresponsibly.

If we just give the unions the role of enhancing the pay and conditions of their members, they will take on the role that is given to them, as was the case in the early 1980s, when the previous Administrations, both Federal and State, thought that sort of attitude had a short life; so it changed the way in which we looked at industrial relations and encouraged unions to make what can be described as unpopular decisions in some cases. The Accord is one example where the unions took on the responsibility of looking after the social wage of their members and society at large and gave up some of the pay claims that they had been encouraged to make. Rather than the unions making pay claims where the workers would hit the boss over the head with a cudgel until he acceded to those claims, the claims

contained an element of reward for training, where if people increased their skills, they were given a pay rise. That can only be described as a win-win situation, because the workers increased their productivity and responsibility, and as a result their take-home pay was increased. The size of the work force decreased, but the people who remained increased their skills and became more competitive. Therefore, there was no chance of any overseas enterprise overtaking Australia or Western Australia in being able to dig out more dirt, produce more modules or work harder in the fabrication shops.

That took place against the background of the high technology that was being developed by countries like Japan and Taiwan and by our South East Asian neighbours. We can compete and we are competing quite well with those technologies and with the manufacturing industries in those countries, because that is the desire of both sides of the equation; that is, the industrial masters and their industrial servants in the old parlance. There was a recognition that it was sink or swim for everyone; that one side could not survive without the other, in every sense. That encouraged the employers to pay a decent wage, but, by the same token, the pound of flesh that employees were obliged to supply was increased productivity; that is, not necessarily working harder, but certainly working smarter in the hours that were allocated for people to do the job.

We must not forget that that also took place against the background of an across the board reduction in hours from about 45 in the late 1970s to 38 and fewer, with different ways of putting in those hours. The most important aspect was that the employees did not sit around waiting for someone else to do part of a job that was holding up the job that they were doing. There was a recognition that everyone had a part to play. In my time - I left the industry in 1986 - it was not unusual during a shutdown for people to do the job of another person if they had the skills to do it. There was no recognition of any particular skills. If a rigger was working aloft and a particular weld needed to be done, such as a handrail or tacking one piece of steel to another, the boilermaker would pass him the welding rod and he would strike an arc and put in a weld that would suit the purpose. I have never been trained as a welder, but I know how to strike an arc and I can do a weld that will hold something in place temporarily until a skilled welder can do the job. Today, I understand riggers can undertake courses to be accredited as welders. They are employed primarily as riggers, but those welding skills are utilised regularly by the employer; and the rigger's job is somewhat reduced by boilermakers being trained in how to sling particular weights. On many occasions when I was working aloft I would be asked to use an oxyacetylene cutter to cut a piece of steel in a temporary way to make the job safe until the boilermaker could go up and do the job properly.

Hon Bob Thomas interjected

Hon TOM HELM: I would go only so far with a piece of steel and then a boilermaker would make a proper, cleaner cut. We have gone away from that informal cooperation on the job which an employer could not enforce. When working in 50 degrees of heat people would cooperate because they wanted to get out of those conditions as fast as they possibly could. It was to enhance their own circumstances rather than the job. Now that position is formalised because union representatives on our behalf went on to training councils and other areas. They set up appropriate modules for a job, which could easily be referred to and adapted to anyone regardless of whether he had the skills or not. Those skills could be developed to take care of any aspect of fitting, electrical work, welding or destructive cutting and so on. People received a certificate to show they could do that work. That meant that when they went from one employer to another they would have a ticket, which was for rigging in my case, and also some proof that they had been part of a training module for another skill. That meant they would make themselves more attractive to a prospective employer in the future. That practice was formalised by that cooperation. This Bill will take us back to the them and us position, which is a great shame. The changes that must take place will give people those skills on a formal basis across the board.

If we were to accept the contents of this Bill, we would go back to the encouragement of those less than progressive employers who think that they have the right to manage because they own an enterprise. I am sure members on the other side will try to convince us that the enterprise really belongs to either the board of directors or the shareholders. In no way can we say that they do not have a major stake in the future of that enterprise, but an equal stake can surely be claimed by the employees. That position was accepted until this Bill came into this Chamber. The example I have given led us to having a more efficient Public Service without the slash and burn philosophy we are faced with now. The cooperative approach taken by previous Administrations when dealing with the work force and its representatives has been set to one side. This Bill is sending out the message that will allow the flat earthers and troglodytes to say that they are the managers who are paid to manage or they are the people with the shares in the enterprise and so they have the right to say they know how best the enterprise will pursue its business. I am sure that in investment terms they may have an argument, but I suggest that the work force will have a better idea of how best to use its skills to enhance the profitability of that enterprise. The work force will have understood it for quite some time because of that cooperation.

There is no doubt that the independent colleges which were put into place by the previous Liberal Government of Sir Charles Court and enhanced by the previous Labor Government will be radically changed by this coalition Government as a result of the introduction of this Bill. It seems the Bill has no provision which justifies the actions of the Minister. I am very concerned at the amount of regulatory provisions in this Bill. They seem to bring about a sense of uncertainty. One aspect of industry in this State will have no responsibility for how it progresses. If one aspect acts irresponsibly, there will be uncertainty across the board. I have recently received a magazine from Robe River, which it sends out to all its work force.

Hon Mark Nevill: Is it *Playboy*?

Hon Alannah MacTiernan interjected.

Hon TOM HELM: Hon Ross Lightfoot could tell the member that *Playboy* contains some good articles.

Hon Alannah MacTiernan interjected.

Hon TOM HELM: I do not know what is meant by the chandelier set.

The Robe River magazine is a good example of an organisation, which is no friend of mine, which details its concern for its employees. It tries to encourage them through the magazine to take part in the enterprise and to understand what the enterprise is all about. It sings the praises of the employees and the enterprise when an event is worth praising. That is also done by CRA, Hamersley Iron and BHP. Neither the second reading speech nor the Bill gives a reason for these radical changes taking place. I agree with Hon John Halden's comments on the Minister's second reading speech when he spoke about business dealings. I am aware and quite proud of the fact that we are able to sell these training modules to overseas countries. I have no worries at all about us as the leaders in this field selling that technology overseas.

We were told in the second reading speech that one of the major checks and balances that business has is the State Supply Commission. I will take the House back to the role of the State Supply Commission as explained by the Minister for Transport when commenting on his dealings with Stateships and the stevedoring contracts given to the Buckeridge group of companies. When we found out that the contract did not comply with the State Supply Commission's requirements, this House was told, "That is right but never mind. Don't worry about that because we don't care whether State Supply Commission's requirements were met." The Bill relies too much on the State Supply Commission. I cannot understand why the Minister needs the authority provided to him in the Bill, particularly after this State has gone through the trauma of the years of WA Inc, when the accusation was levelled, perhaps rightly so in some cases, that there was no accountability to this Parliament for how business was dealt with.

Hon Mark Nevill: We can't get questions answered here, so what's changed?

Hon TOM HELM: That is right. One of the major whinges from the other side was that questions were not being answered by the Government of the day.

Hon Mark Nevill: And they had the numbers.

Hon TOM HELM: Yes, their having the numbers in this place did not enhance their ability to get answers. The Labor Party still lacks the numbers in this place and cannot get answers. Previously those services were provided in an open and honest way. However, this State will return to the time when accusations were levelled that commercial confidentiality was the reason some matters were not made clear to the House and when there was a suspicion of wrongdoing. That led us down the path of the Royal Commission into Commercial Activities of Government and Other Matters. Recommendations of the royal commission have for the most part been ignored by this Government. The main thrust of my comments tonight are, first, if it ain't broke, don't fix it. Second, why not stay with the accountability provisions that have served us satisfactorily in the past? The opening words of the second reading speech are -

This Bill is the central element in the process to modernise and unify the vocational education and training system in Western Australia. It brings the four state Acts regulating the operations of the VET sector into one piece of legislation. The changes within the sector, along with the growing diversity and competition in the training market, mean that new arrangements must be put in place if public VET providers are to remain relevant and viable.

It seems that Western Australia already has a relevant and viable public VET provider. It already has most of the things this Bill seeks to achieve. However, it does not tell us how the system will be modernised when it seeks to return to the system that used to prevail when education and training providers were governed almost exclusively from a central bureaucracy in Perth. The Bill will not do a lot of things. The one thing the legislation will do, as mentioned in the second reading speech and more clearly in the Bill, is provide more power to the Minister and, through the Minister, to the Executive. It will not necessarily take away the power from those who provide vocational education and training within the system at the moment; however, it will take away their ability to make their own mistakes and will also reflect the diverse need for training packages across this State.

I speak only from my experience in the north west and as a college councillor. However, those experiences lead me to the conclusion that this conservative Government is acting in the way conservative Governments do; that is, it is saying that its right to manage should be enhanced and that the ability for those who have a major stake in providing that training appropriately should be reduced. It worries me that when that approach fails, some employers will have the ability to bring in guest workers. We are told that a boom is coming. I am worried also about the ability of some major industries to send overseas the top end modules, the gas platforms, and all the associated fabrication work that is now manufactured in Western Australia, not because Western Australia cannot compete economically, but because it will be said that the State does not have the appropriately trained work force to do the work. There may be an investment boom - the money will be put into the State - but it will not be transferred into jobs; it will be transferred into capital that will not stay in this State but will go overseas and interstate.

I hope the Minister for Employment and Training will be able to address some of the fears members have spoken about during this debate and particularly some of my concerns. Those concerns are shared by the Australian Manufacturing Workers Union, formerly the Amalgamated Metal Workers Union, which has done a lot of work in this field and has put together papers that argue far more cogently than I can why the State should follow the tracks that were laid down previously to encourage the work force to play a role in how training is put together. I commend some of the booklets and pamphlets that have been put together by the AMWU. It is good reading and it flies in the face of this Bill, which I oppose.

HON J.A. SCOTT (South Metropolitan) [11.17 pm]: While reading the second reading speech I saw a number of interesting statements which set the mood of this Bill, although Hon John Halden argued that the second reading speech and the Bill bear little relationship. The second reading speech gives some indication of the direction in which the Government is moving in vocational education and training in this State. It refers to preparation for the state training profile, which is an aggregation of industry's view of the State's training needs. Although we must consider the needs of industry when looking at vocational education and training, we must consider also the ability of the trainers. I will talk more about these matters because the second reading speech states that measures will be put in place to look at that area. It says in the next paragraph that the State Training Board will oversee the development of policies for registration of training providers and accreditation of training.

The language used in this Bill worries me somewhat. We are moving in this State to where the ethos of corporatisation is fulfilling every part of life and going beyond a balance to where the real needs of students in these institutions are not being properly met. When we consider the roles of TAFE, we should consider first the student profiles. Students enrol in TAFE and certificate courses for a variety of reasons, including the requirement for specific certificates for employment and/or for promotion; to gain credentials for obtaining work; to avoid university fees; to enable one to earn a living; ineligibility to enrol in a university or other institution; and isolation either by distance or confinement in a prison from normal educational opportunities. Many government departments, such as the Agriculture Western Australia and the Department of Conservation and Land Management, also have requirements for specific TAFE courses. They want their personnel to have continuous education and ongoing training. In the past, TAFE was the main provider of those services. Now we see not only dismantling of TAFE but also within TAFE a move towards that new system. Very little emphasis is placed on the educational and training needs of isolated students. We have seen external studies in this State run down to quite a degree.

In the past, in catering to non-urban students, TAFE offered a range of certificate courses to prepare them for a variety of occupations which they could access through the external studies system. They were excellent opportunities for people living in isolated areas or who for some reason were unable to get to an institution. Since the late 1980s access for urban students to external studies has all but been abolished. That obviously means that a section of the community, such as shift workers, mothers and people who live a long way from a TAFE but do not have the money to travel, are disfranchised by this move. They are largely cut out by the present situation. With the devolution of TAFE courses the external studies college has almost disappeared as the newly independent colleges make budgetary decisions to eliminate external studies functions based on the poor return from those courses.

Hon N.F. Moore: Which college has reduced its budget?

Hon J.A. SCOTT: I am referring to the independent colleges which are not making a great return on external studies.

Hon N.F. Moore: Which independent colleges?

Hon J.A. SCOTT: Those that have been formed as a result of the devolution of TAFE. Even TAFE is devolving its external studies courses.

Hon N.F. Moore: You are saying that colleges are cutting back their expenditure, and I am asking for an example.

Hon J.A. SCOTT: During this period, staff have been shed and moved around at an alarming rate. Some interesting things have occurred with the people who work with TAFE. We have a problem with the esprit de corps.

Hon Mark Nevill: It sounds alcoholic.

Hon J.A. SCOTT: It has probably turned alcoholic, because the staff and the colleges are almost totally demoralised by the changes.

Hon N.F. Moore: Such as what?

Hon J.A. SCOTT: People no longer having tenure and being moved around.

Hon N.F. Moore: Who has lost tenure?

Hon J.A. SCOTT: I will go into that.

Hon N.F. Moore: You are showing all the indications of a person giving a speech about which he knows nothing.

Hon J.A. SCOTT: When the devolution project began staff were advised that they would be transferred to other colleges but were not advised specifically about to which colleges they would be moved. They were prepared to move but were often unprepared for the locations to which the Government wanted to send them. They were informed that no redundancies would be offered. Among the examples I have been given is that of a person from the applied science section who was an experienced lecturer and examiner in the higher mathematics subjects being transferred to Geraldton TAFE to teach literacy. His domestic arrangements - he looked after his elderly mother - prevented him from taking up the transfer so he was offered, and accepted, redundancy.

Hon N.F. Moore: Will you provide me with that evidence?

Hon J.A. SCOTT: Another lecturer from general studies had been teaching literacy in prisons for three and a half years and prepared learning material for the subjects. She was sent to teach general studies at Bunbury TAFE and her husband was sent to Carine TAFE. This lecturer submitted a grievance and subsequently was transferred to Thornlie TAFE. In recent months she has been advised that her position of teaching literacy in the prisons has been abolished and she will have to consider taking part time, rather than full time, work. That will mean a lower income. In the meantime, one of her colleagues has been appointed to her position in the prisons because his subjects were cut. She was advised that her program manager has only a three year contract and by that time there will be no job for the program manager as she has been given the job of closing her section of the college. A further intimation was that Thornlie TAFE would be closed by 1998.

One lecturer in higher mathematics in applied science was sent to Midland TAFE to teach literacy in the prisons, despite his well-known difficulties of communicating in the English language. Another lecturer was sent to Albany, but elected to take redundancy on the ground that she had an elderly, dependent mother. At the C Y O'Connor College of TAFE five lecturers from the agriculture study area at the external studies college were sent to Northam TAFE. One lives not far from Northam and two others commute on a daily basis. The fourth was unable to commute due to medical problems. She was denied access to the grievance procedure and has since been dismissed for failing to take up the appointment.

Hon E.J. Charlton: Do you support the C.Y. O'Connor College?

Hon J.A. SCOTT: Legal proceedings are currently under way. None of the lecturers was offered accommodation

or removal assistance as part of their transfer. Some short term overnight accommodation has been made available for those who can commute. This is hardly satisfactory for staff wishing to become part of the community.

Hon Mark Nevill interjected.

Hon J.A. SCOTT: That is probably right.

The offer of telecommuting for two other staff was denied on the ground that the managing director wants the staff under his control. Another member of the staff was transferred to Northam TAFE but has been allowed to work in Perth at Murdoch TAFE campus. It is rumoured that the staff at Northam have little work to do and students are disenchanted with the working of the system.

Hon N.F. Moore: Do you think we should close it?

Hon J.A. SCOTT: The Government should start looking to ensure that -

Several members interjected.

Hon N.F. Moore: I had to make one to get it opened in the first place because your Government would not spend any money to open one in the bush.

Hon J.A. SCOTT: - something is done to give people pride in their job and reasons for wanting to help make the system work properly, rather than providing this insecure system.

Hon N.F. Moore: You want a centralised system with tenure for all staff and time and a half for any work done after five o'clock. You want the old rules and you call me a conservative!

Hon J.A. SCOTT: I certainly do not want that. I would like to see people being treated as human beings and accorded a bit of dignity, not the Government's trying to drive the best people out of the system by imposing such tight conditions.

Hon E.J. Charlton: Don't you think that the people living that region are owed some dignity as well so they can have access to further education?

Hon J.A. SCOTT: Absolutely! This is one of the problems. In the early 1990s emphasis was diverted from the print based study methods to the use of high technology, multimedia, flexible delivery methods. Instead of integrating the new delivery methods with the traditional print based methods, the new systems were developed independently and often at the expense of the old system. Justification for this action was that this was the way of the future and little thought was given to those who did not have access to the new technologies.

In the meantime, students continue to enrol in subjects for which study material is either good or, as is more often the case, outdated, down right poor quality and grossly inaccurate in content. This is frustrating for the lecturers, who are refused permission to revise, update and/or correct the study materials. It is further frustrating when students continue to point out the errors in the materials for which they have paid. Access to the new technologies for students depends on their own resources. For example, many will now be expected to have computers and modems to access courses. Some are required to drive many kilometres to so-called telecentres -

Hon N.F. Moore: What are you reading?

Hon J.A. SCOTT: I had a document prepared from interviews with people working in the system.

Hon N.F. Moore: Are you happy to table it?

Hon J.A. SCOTT: Yes.

Hon Bob Thomas: He is reading his speech notes.

Hon N.F. Moore: He is reading a document.

Hon J.A. SCOTT: Students enrolling in computer courses at C.Y. O'Connor College found themselves attending

telecentres for broadcast lectures but were unable to do the work because they did not receive the work materials until two weeks after the lectures. The fragmentation of the external studies functions has meant that the students are confused about what they can and should do. There is now a multiplicity of administration staff who have little or no understanding of the courses and the methods used in external teaching. The emphasis on reducing the number of permanent staff at colleges has resulted in a large number of people on lower pay taking on the temporary positions offered by the colleges. These people often have no understanding of the courses and the operation of the TAFE system. The rationale for this is that the colleges can dump these temporary lecturers on a week's notice should there be insufficient student enrolments. Given the push to upgrade the skills base of Australians it seems extraordinary that competent lecturers who were in the system are now being forced out into private business. We now have people without the same ability taking on lecturing responsibilities.

The increasing cost to students is another factor that is sending students to university or the beach. Students are now telephoning two, three or four colleges to solve their problems. One phone call to the Midland College of TAFE typifies the problems experienced by prospective students. The call was answered with music. After waiting several minutes, the operator came on the line. The call was then put on hold because the extension was busy. Finally the line was free and the call was connected to an answering machine. The total time for the call was 17 minutes - at the caller's expense. That is hardly a good service for country students.

One student sent a first assignment to C.Y. O'Connor College, where it was date stamped and sent back unmarked. The student's inquiry lead to the assignment's being sent to another lecturer, who was said to be her designated lecturer for the subject at Murdoch College. Four weeks later the tutor rang to say that she had just returned from leave and was not the tutor for that subject, but that the tutor who would mark the work had just gone on leave for three weeks. The system was working very well! This student was enrolled in three subjects in that semester and finally completed one subject because staff were not available.

Hon Mark Nevill interjected.

Hon J.A. SCOTT: Yes.

Hon N.F. Moore: It also sounds like someone's version of events and it needs to be verified.

The DEPUTY PRESIDENT (Hon Barry House): The member is going very close to breaching a couple of standing orders. One relates to reading a speech and the other to relevance to the Bill. He needs to point out how the instances that he is relating are relevant to the Bill before the House.

Hon J.A. SCOTT: I am talking about the delivery of vocational education.

Hon N.F. Moore: Which is about to be changed by this Bill.

Hon J.A. SCOTT: These parts will not be changed. The Government is moving further down the line.

Hon N.F. Moore: Why not make some suggestions instead of whingeing all the time?

Hon J.A. SCOTT: I am saying that the system should stop treating -

Hon N.F. Moore: No you are not.

Hon J.A. Cowdell: The leader always asks for chapter and verse about the problems and now he is getting them, so he can listen.

Hon N.F. Moore: Of course I must listen, but it would be nice to hear some positive suggestions.

The DEPUTY PRESIDENT: Order!

Hon J.A. SCOTT: The situation is ludicrous. We are talking about setting up systems for selecting the tutors, but the management is not working. People who have the skills in a subject are being used in completely different subjects. When lecturers in applied mathematics are asked to teach literacy, and they have no skills in that area, there is something wrong with the system. I do not believe that this Bill will change that. The problem is that we have very poor management of the system by people trying to use the economic rationalist model to do things as cheaply as possible. Students are becoming numbers and are being pushed through institutions. The premise appears to be that

the more we push through at the lowest price, the better it will be. A number of these courses are becoming almost irrelevant to the employers who need to employ people. I understand that the tourism industry has indicated that the students coming out of the tourism course are not of a sufficient standard to meet the needs of the industry. It presents a real problem which is not a long standing problem, but the creation of the new economic rationalist monster which is gobbling up everything. Instead of the concentration being on vocational education and training, it is on moving to another unit.

I understand that the funding for these institutions is far too little. I have been given information that the Central Metropolitan College of TAFE has insufficient computers for the number of students enrolled in the computer course. At times there are 20 students in the class, which has 15 computers, of which only a few are in working order at any one time.

Hon J.A. Cowdell: I think they spent \$7m on a mainframe which does not do what it is supposed to do.

Hon J.A. SCOTT: The result is that we have a system which is economically rational. It is rolling out the numbers, but those people are not properly trained. The Government is neither providing a service to the people who attend those institutions nor being fair to the people who live in remote areas and are unable to attend these institutions, because the external study units are breaking down. Only a few people keep this service operating. I am concerned that the economic rationalist model is getting rid of the counsellors who give advice to students on how to manage their time and to get the best out of the course they choose to undertake. The problem with the current system is that the counsellors are being replaced by what one would call salesmen who provide students with a book and say, "Here is the information. We are a wonderful institution. Go and find out all these things for yourself."

Hon N.F. Moore: Do you think they should see a psychologist to find out what course they should do?

Hon J.A. SCOTT: People are human beings and when they go into an institution they need some assistance to find their feet. A lot of people have never done a tertiary course and they need assistance to understand what workload they can take on in a year.

Hon N.F. Moore: Do you think they need a psychologist to tell them that? Do universities have psychologists?

Hon J.A. SCOTT: They may need a psychologist because people sometimes have particular problems -

Hon N.F. Moore: They can go and see one. We do not need to provide one for everyone who thinks he might have a problem.

Hon J.A. SCOTT: Does the Minister have something against psychologists?

Several members interjected.

The DEPUTY PRESIDENT (Hon Murray Montgomery): Order! If the member addresses his remarks to the Chair he can put his point of view.

Hon J.A. SCOTT: The Government is not carrying out its training program; it is actually degrading the quality of these institutions.

Hon P.R. Lightfoot: Don't mention the term "economic rationalist" again or I will scream.

Hon J.A. SCOTT: I will not mention that term again for Hon Ross Lightfoot's benefit.

Vocational education and training is going downhill and it is a tragedy. The Federal Government is pulling money out of various training programs

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon J.A. SCOTT: If we are to come back to a system that works - I am not saying it was perfect by any means - we must give the people who work in these places some support. We should not treat them or the students who attend these institutions as commodities. Some respect must be given to the ability of people to train students and there must

be proper facilities for them to do that. The Government must give consideration to revamping external study units. It really is another area in which women, in particular, are being discriminated against. We know that, generally, women are the lower income earners in this country and whether that reflects their academic or training ability is something which must be considered. In the future women will be driven out of furthering their education in droves, and that will be a tragedy. I await with interest the next stage of this Bill, but I cannot see how it will improve the education system for people who attend vocational training courses in this State. In fact, the reverse is likely to be the case.

HON N.F. MOORE (Mining and Pastoral - Minister for Employment and Training) [11.47 pm]: I thank the members who have made a contribution to this debate. I suggest a number of members have not fully understood what the Bill entails. I cannot believe the misunderstandings, the exaggeration and the wild accusations by members, including the extraordinary comment made by the last speaker, Hon Jim Scott, that this Bill will drive women out of the education system in droves. Some of the comments were unbelievable and demonstrated a clear misunderstanding of what this Bill is about; the inability of members to understand what it means and what the system has been in the past; a lack of understanding of what the TAFE system is about and what has been taking place nationally in education and training; and an equally significant lack of understanding of from where the Labor Party from across Australia, apart from Western Australia, is coming.

Reform in the vocational education and training system has been taking place in this country for the past 10 years. To a large extent the reform was initiated by the union movement, by people such as Laurie Carmichael and others who saw training as a vehicle for giving the unions relevance, which they were losing at the time, and also for getting better working conditions and better pay without having to go through the traditional processes of going on strike and taking other industrial action. Out of that came a significant change to the way in which Governments seek to deliver training and vocational education in Australia. It was picked up by the last Federal Government and, until the last federal election, it was developing the Australian vocational training system. That was agreed to by all Governments in Australia. Many of the changes which are reflected in this Bill and which are occurring within Western Australia are part of a national changing system. It is not happening only here; it is happening across Australia, in the Labor States as well as the coalition States. The suggestion that somehow we are doing things differently completely ignores the reality of the way things are happening.

The new Federal Government's strategies summed up in the modern Australian apprenticeship training system is an extension of the old Australian vocational training scheme put in place by the previous Government. It is a continuation of the process of making training more relevant. Hon John Halden asked me to guarantee that in four years all apprenticeships will be the same as they are now. I cannot do that. I cannot give that guarantee and do not want to because I hope training will continue to change to meet the changing needs of people who require the training. What Hon John Halden wants to have continue forever in Western Australia is a system involving four or five year indentured apprenticeships. This is changing and will continue to change as the demands of industry and training change and as our capacity to deliver training differently comes about. It is not necessary any more to spend five years as an indentured apprentice on the job to acquire a skill. On the job and off the job training is now done, with a large amount being done in the tertiary and further education colleges or with private providers and a lot being done on the job, and the time can be reduced because of the work that is already done in advance at the beginning of an apprenticeship. The new type of training that has been talked about in Australia is about creating training which meets the needs of employees and employers, so that we have training and vocational education which relates to the needs of industry.

Hon Tom Helm: Was that not happening?

Hon N.F. MOORE: It was not happening well enough.

Hon Tom Helm: Where was it falling down?

Hon N.F. MOORE: I am happy to make this speech in response to all the things the member raised. If then I have not answered all his questions the member can have another go.

Hon John Halden: Aren't you going to tell us about the dishwasher! What a joke! What a Minister who did not know that!

The DEPUTY PRESIDENT: Order!

Hon N.F. MOORE: I will start from the beginning. There was a meeting of Ministers last week in Canberra; it was

MINCO, a ministerial council set up under the Australian National Training Authority legislation, which is federal legislation. The ANTA federal legislation does not contain any relevance to the national industry training advisory bodies. Yet the Leader of the Opposition is carrying on about the need for our legislation to contain reference to the industry training councils. There is no reference in the federal legislation - brought in by the Leader of the Opposition's colleagues in Canberra - to put in place the Commonwealth's role in regard to training, bearing in mind it is a State responsibility but has been gradually taken over by the Commonwealth. That move was initiated by Mr Keating, who wanted to take over the TAFE system altogether but fortunately was resisted by Mr Beazley and, to her credit, Kay Hallahan when she was Minister. We finished up with the ANTA arrangement, a cooperative approach between the Commonwealth and States, and out of that came commonwealth legislation. It does not contain any reference to industry training councils.

Hon John Halden: I never said it did.

Hon N.F. MOORE: I know the Leader of the Opposition did not. However, he has said that our legislation should and I am telling him that, for the very same reasons that it is not necessary for it to be in the federal legislation, it is not necessary for it to be in ours.

The MINCO meeting was held last week. It considered the progress of the Federal Government's reforms on training. There was general agreement by all Ministers, including the Minister from New South Wales, who is a Labor Minister, for the general direction in which this process is going, because it follows the reforms that have taken place in the past; that is, the reforms aimed at making sure that we deliver training based upon industry's needs and not on the basis of what colleges think they should deliver. TAFE colleges especially - government providers - provide courses based upon what sort of lecturers they have, not on what training people need. If a TAFE college happens to have enough lecturers to run courses in certain areas, they run those courses regardless of whether the people who do the courses can get a job afterwards. The change is about trying to determine what are the States' or the nation's needs and to quantify them as well as we can.

Hon John Halden: You have made it worse in this legislation because TAFE colleges will be independent employers, so you will not be able to move from TAFE college to TAFE college.

Hon N.F. MOORE: The Leader of the Opposition was just telling me I had too much power under this Bill. Now he is saying I do not have the power to do that. The Leader of the Opposition should relax and I will tell him how it will work. We are putting in place a process which will allow us to find out to the best of our capacity what are the State's training needs. Manpower planning or person power planning is a very inexact science. Nobody has ever been able to work it out totally accurately. However, we can make predictions and we can work out what industry is likely to need in the future. That is the role of the industry training councils in Western Australia. They are set up to cover industries and to work out a training profile for the industries they cover. Their job is to try to find out what those industries will need by way of training over the next three years on a rolling triennium basis updated on an annual basis. The aim of that exercise is to try to find out what training we need to provide and not continue to provide training because the lecturers are available in colleges to deliver that training.

The amalgamation of all the training profiles from the various industries through the ITC network will come together through the State Training Board as the state training profile. The state training profile is the amalgamation of all the training needs of all industry in Western Australia. That process has to work very well. If it does not we will not get the right advice. If we do not get the right advice we will not provide the right training. Once we have determined what the state training profile is, that will then go out to tender in a sense; we will get tenders to provide the training identified in the state training profile. Under this Bill and the structure we are putting in place, the state training profile will be agreed to by the Minister and by the Australian National Training Authority and it will then go to the Department of Training. The department's role will be that of a broker. It will have the state training profile as the basis of the training that must be provided. The State Government will provide the funds for that department to deliver the necessary training.

Hon Tom Helm: You have been down this track with the Health Department and the idea failed.

Hon N.F. MOORE: We have not been down this path at all. We have just started going down this path.

Hon Tom Helm: "Purchaser-provider" it was called and it failed.

Hon N.F. MOORE: Nothing has failed. What failed in the past was the setting up of TAFE colleges which did not provide the training that people wanted and that industry demanded. We are trying to put in place a process so that

we can find out what are the training needs and then put in place a process of getting real value in the delivery of that training. Instead of the Department of Training running TAFE colleges as it does now, it will be a broker and the TAFE colleges will become independent colleges to tender for the work. They will also compete with the private sector, which will be capable of providing training at the same time. Interwoven with all that will be the quality assurance process that will ensure the proper provision of training; and a subsidiary of the State Training Board, the Training Accreditation Council, will ensure that the courses are properly accredited. That body replaces the Skills Standards and Accreditation Board, a tripartite body set up under the SESDA legislation.

Hon J.A. Scott: Don't you get duplication under that sort of system?

Hon N.F. MOORE: We work out the State's training needs. We provide the money for the training and people tender to provide that training, most of which will go to the technical and further education colleges in the short term. We also ensure that what they deliver is quality training. That is a simple, easy process which I thought members would understand.

I come back to the provision of advice about training; in other words, the role of the industry training councils. In the past, ITCs had monopoly control over the determination of the training needs of all industries they covered. In Western Australia they do not cover the mining industry, which is unusual. This legislation states that we will seek advice from any organisation that wants to provide advice on training needs. However, ITCs will still be a primary provider of that advice. The Government will continue to fund them, as it does now. They are incorporated bodies. They are independent of this Bill. They will continue to operate, and be funded by the State. In Western Australia the money spent on the ITC network is twice as much as anywhere else in the country. ITCs still have a significant role to play as primary providers of advice for the State Training Board and in the compilation of the training profile for industries. However, they will not be the only source of advice. The Government wants the best advice possible about the training needs of Western Australia. Members opposite cannot say that ITCs are the only place where we can get advice. We can get it from anywhere we like.

Hon John Halden: We know that.

Hon N.F. MOORE: The State Training Board has been told by me they it must get out among businesses in the regions of Australia to find out what is going on.

Hon John Halden: I am advised that you have said the ITCs are the only place currently where one can seek advice.

Hon N.F. MOORE: I said they have a legislative role at present. They see themselves as a fundamental source of advice. They have a legislative role in a range of other issues like accreditation of courses. I am saying that ITCs should not have that legislative role, because they are no more important in the overall scheme of things than other people who might want to provide advice. For example, the Chamber of Minerals and Energy is a good source of advice for training in the mining industry.

Hon John Halden: Nobody says you cannot consult it.

Hon N.F. MOORE: Nobody says it will not be consulted. This Bill says there will be industry training advisory bodies.

Hon John Halden interjected.

Hon N.F. MOORE: I do not care. I have already had this debate with a number of people. The fact is that ITCs will continue to exist with government funding.

Hon John Halden: It will not be a tripartite body.

Hon N.F. MOORE: ITCs are not affected by this Bill. They are incorporated bodies. I do not have any say on membership. The biggest problem with ITCs is not that they are dominated by employers but that so few employers are involved in them. The problem with tripartite bodies is that people do not like being on them, because they never seem to get anywhere. People argue their cases and they cannot make decisions, because they must check with the place they came from to see if everything is all right. They do not work.

Hon John Halden: The skill shortage at Kwinana exists because of that reason.

Hon N.F. MOORE: This legislation has no affect on the composition of ITCs. If ITCs want to continue to be tripartite bodies, that is their business. Some of them are dominated by unions that use them for industrial reasons as much as anything else; others are dominated by employers who are not interested enough to make them work properly; and some are fantastic and do a great job. The problem is that that last situation is not the case across the board. Under the legislation, the State Training Board will take advice from any source it can get it. A primary source of advice will be the ITC network, which will continue to be funded by the State Government.

I have already mentioned apprenticeships. I will not go into more detail other than to say that the nature of training is changing. We cannot say that what has been the case in the past shall always be the case in the future. I agree that some fundamental aspects of apprenticeships need to be retained, including the need for on the job as well as off the job training. That requires a commitment over time.

As the needs of industry and the nature of work change, so too will the nature of training. We must ensure that our training providers are capable of keeping up with the pace of change. Hon Bob Thomas said that change was taking place quickly. The Government's problem is to ensure that our colleges, training system, and the State Training Board are switched on enough to keep up with the pace of change. The problem in the past with a bureaucratic system like the Department of Training and the TAFE colleges was that it was not flexible or responsive enough to meet the changing needs of industry. One of the reasons for skills shortages is that training providers are not switched on and geared up quickly enough to change the way in which they are headed to provide the training that becomes necessary. However, they are getting better at it. A good example is in the aluminium boat industry where the South Metropolitan College of TAFE quickly responded to the needs of Austal Ships Pty Ltd and set up a customised TAFE course at Henderson in a building provided by that company.

Hon John Halden: The program for that was agreed upon in consultation with the unions, the employer and the Government.

Hon N.F. MOORE: That is fine.

Hon John Halden: It worked superbly well.

Hon Tom Helm: Why change it then?

Hon N.F. MOORE: Nobody is changing it.

Hon John Halden: You have told us that tripartism does not work.

Hon N.F. MOORE: It does not work if it is compulsory. It will work if it is a consultative process.

Hon Tom Helm: Under ministerial control!

Hon N.F. MOORE: It will work if people consult because they want to. When people are required - as with the building and construction industry training fund - to sit down and do deals, it never works. It has not worked. When people genuinely come together because they have something to contribute on a voluntary basis it usually works. The unions are not being cast aside in this process, despite what I heard in speeches tonight. Hon Tom Helm went on about the them and us syndrome. That is not what this Bill is about at all.

Hon Tom Helm: It has not been up to now.

Hon N.F. MOORE: The only change in this Bill which relates to unions is that they will not have an assured position on the State Training Board, whereas they had an assured position on the State Employment and Skills Development Authority.

Hon Tom Helm: How were they failing?

Hon N.F. MOORE: SESDA did not work. When I first became the Minister I inherited SESDA and the Department of Employment, Vocational Education and Training. DEVET was the government department running TAFE colleges. SESDA was concerned with identifying the State's training needs for the ITC network. SESDA was a tripartite body. It spent half its life fighting with the department and vice versa; it did not work. Instead of making a decision off my own bat, I set up the Vickery inquiry. That inquiry said the system should be changed. The basic structure that has been put in place now is based upon the Vickery recommendations; that is, a State Training Board,

which is not an agency with executive powers but is in fact more advisory; a system of autonomous colleges; and the Department of Training, which becomes the broker. There are no significant changes to the way in which unions are involved in this process at all. I strongly believe that the union movement should take a significant role in training.

Hon Tom Helm: That is refreshing.

Hon N.F. MOORE: They do, and I appreciate it. The employer side does not take enough interest in training. I tell them in no uncertain terms when I get half a chance that they must take more interest in training. One of the problems in Australia over the past 10 or so years is that many companies have opted out of providing their own training and have left it to the Government to provide. Hamersley Iron Pty Ltd is a classic example. It used to have a huge training centre in Tom Price. Every child who went through the Tom Price school got an apprenticeship with that company; it was part of the deal. The company does not run anything that can be compared with its previous programs. All the companies in the north west had huge training establishments. That is not the case any more. I regret that many employers have opted out of training. I am trying to argue that everybody who is involved in the workplace, be they employers, employees or anybody else, must take a far greater interest in the training system. If they do not, they will be the losers. This industry is the biggest loser if it does not have adequately trained personnel. I do not support tripartism as a principle because I do not think it has worked. However, there must be a cooperative approach between all sectors. I wish a few more of the employers were involved in the ITCs. It might make the ITCs more balanced in some of the views they express from time to time.

Hon John Halden suggested I had breached the Industrial Training Act - I shall be interested to hear how - and also the federal agreement relating to maintenance of effort. I have had a quick look at the ANTA Act and there is nothing in it about unions being consulted with respect to that Act and having an effect on the maintenance of effort. As a matter of interest, the maintenance of effort requirement is that States must continue to provide the same number of dollars that they provided in the past, plus an inflationary factor, in order to access federal growth funds. This State has always maintained effort. It is not correct for Hon Jim Scott to say that this Government has slashed expenditure. It has had to spend more every year on training in order to obtain the Federal Government's contribution. That is verified by the Australian National Training Authority.

The State Training Board will be set up to identify the State's training needs and put together the state training profile. It will be made up of people with a particular knowledge and understanding of training, and not those who are representative of any particular interests. I do not regard the training system as an industrial relations exercise. It is about providing people with skills to get employment. The pity is that in the past people have used the training system as part of the industrial relations campaign. It is not the intention that the Trades and Labor Council, the Chamber of Commerce and Industry of Western Australia, the Chamber of Mines and Energy or any other organisation will have representatives on the State Training Board. It will consist of people who can make a contribution because of their knowledge of and expertise in training and the delivery of training.

Hon Tom Helm: That is in your view.

Hon N.F. MOORE: Yes, it will be in my view and in the event I am replaced it will be in the new Minister's view. In the event that Hon Tom Helm became Minister for Employment and Training, it would be in his view. When members opposite see the calibre of the people who have been chosen already, they will recognise they are a first-class group of people.

Hon Tom Helm: Answerable to you.

Hon N.F. MOORE: The State Training Board has its own functions to attend to.

Hon Tom Helm: But it will be answerable to you.

Hon N.F. MOORE: It will provide me with a state training profile.

Hon Tom Helm: Is that a good idea?

Hon N.F. MOORE: Yes, that is how it works.

Hon Tom Helm: Why not be answerable to the organisation they come from?

Hon N.F. MOORE: That is not the board's role.

Hon Tom Helm: There is no responsibility.

Hon N.F. MOORE: Its role is to find out what is needed in training - to determine, for example, how many hairdressers or boilermakers are needed.

Hon Tom Helm: What if they are wrong?

Hon N.F. MOORE: I tried to explain earlier that manpower planning is a very inexact science. Of course, the board will be wrong in some areas.

Hon Tom Helm: In your view.

Hon N.F. MOORE: We will know when the board has got it wrong because there will be either a surplus of people trained in some areas or a shortage in other areas.. The member must understand that training takes time to deliver. It may be that the board will decide that there will be vacancies for 50 boilermakers in three years' time. A training program will be set up to provide that training but it may be that only 40 boilermakers will be required. The board will have miscalculated, but it will not be a bad effort.

Hon Tom Helm: If they got it wrong, as you are the Minister responsible you would be wrong.

Hon N.F. MOORE: I am responsible for ticking off the state training profiles.

Hon Tom Helm: When you are wrong will you resign?

The DEPUTY PRESIDENT: The member will have his opportunity to contribute at the Committee stage if he wishes to make another speech.

Hon N.F. MOORE: The tragedy of this debate is the clear lack of understanding by members opposite of what it is about. It is my fault because I have obviously not explained it well enough to Hon Tom Helm. At the moment there is an interim State Training Board. I chose Rob Meecham as a member of that board not because he was then secretary of the TLC, but because he has a significant interest and involvement in training. I would not be unhappy if Rob Meecham stayed on the board but that is not the will of the unions. The TLC has said it will not have Rob Meecham on the State Training Board because it wants someone to represent the unions. That is not the way it will be.

Much has been said in this debate about the powers of the Minister. The powers of the Minister under this legislation will be less than those he currently has under the Education Act and the Colleges Act. It is not correct to suggest that this legislation is extraordinary. However, it is necessary for the Minister to have considerable power with regard to the system to make sure it is responsive and that the funds provided by the State Government are appropriately used and targeted to meet the needs of training in Western Australia. We shall probably go into more detail on that point as we go through the Bill in Committee. At present all TAFE colleges, other than the four independent colleges, are part of the Department of Training. The vast amount of training in TAFE is under the direct control of the Minister now. Under the provisions of this Bill all TAFE colleges will become autonomous, along with the independent colleges in Karratha, Port Hedland, Pundulmurra and Kalgoorlie. It will give those colleges significantly greater power and capacity to be responsive to the needs of their communities. They will all have their own governing councils which can make decisions about the training profile for their college and customised courses they may offer.

Hon John Halden: As long as you fund them.

Hon N.F. MOORE: They will be funded for the provision of training based on the profile approved for those particular colleges, just as the independent colleges are now.

Hon John Halden: What a nonsense.

Hon N.F. MOORE: The Leader of the Opposition does not understand and it really worries me that he has such little knowledge and understanding of it.

Hon John Halden: I go no further than the dishwasher.

Hon Tom Helm: What are the changes in the autonomy of the colleges?

Hon N.F. MOORE: Hon Tom Helm has been living in Port Hedland for too long. There are other colleges in this State besides that at Port Hedland. The Central Metropolitan College of TAFE is part of the Department of Training and it does not have its own governing council, for example. Only the independent colleges have governing councils. All the other TAFE colleges are part of the Department of Training. Under this legislation all TAFE colleges will be much the same as the independent colleges, with slight variations around the edges. They will all come under the same umbrella. At the moment there are several different hybrids and that is not an efficient way of delivering vocational education and training.

Under this Bill the colleges will be able to make significant decisions about the needs in their communities. For example, they will be able to provide customised courses for companies that want a particular course delivered. That is increasingly becoming part of the role of TAFE. Hon Tom Helm asked today how much the colleges received for customised courses within the training system. The colleges will increasingly provide courses for which the companies will pay on a cost recovery basis. That will be decided by college councils and they will be able to keep the money.

Hon John Halden: There is no money to be kept.

Hon N.F. MOORE: If they run customised courses and make a profit, they can keep the profit.

Hon John Halden: They do not make money.

Hon N.F. MOORE: They can. Part of the deal is that they can enter into competitive arrangements with anybody who wants them to provide training and if they secure a deal and make a profit, the college can keep the money. The Leader of the Opposition correctly pointed out that the Minister has the power under the Act to transfer funds from one college to another, should one college become extremely rich and another become extremely poor. That is necessary because there is still a network of training providers across Western Australia, and it is not intended that all colleges be totally independent of each other. The aim of the exercise is to give maximum autonomy but, at the same time, to recognise that there is a network of training providers across the State.

In a competitive environment, if the bigger colleges were allowed to go hell for leather in every regional part of Western Australia, they would put our regional colleges out of business. If the Central Metropolitan College went to Karratha tomorrow to provide training, it could put the Karratha College out of business. This arrangement will ensure that that does not happen. This co-called economic rationalist proposal will protect regional colleges by having a controlled competitive system rather than open slather which would see the regional colleges put out of business by the large metropolitan colleges which have economies of scale. That aspect is another reason to give the Minister power to ensure that controlled competition takes place. That summarises the system to be put in place.

Some peripheral matters were raised by members opposite. Hon John Halden talked about flunkies and said that anybody who had been in the Liberal Party should not be on a college council; he mentioned Chris Baker in Port Hedland. I was interested that Hon Tom Helm was on the Karratha College Council. I am sure he was not appointed because of his Liberal leanings or economic rationalism -

Hon John Halden: It was because he turned up to meetings.

Hon Tom Helm: I was there for three years.

Hon N.F. MOORE: It was not an appointment by a Minister from our side of politics, Mr Helm.

Hon John Halden: We put people on who participate.

Hon N.F. MOORE: Mr Baker left very soon after he was appointed for reasons best known to himself. If people want to join a college council, the college advertises and people submit expressions of interest. The college then recommends to me who should be appointed.

Hon John Halden: You did not do that.

Hon N.F. MOORE: That is not the only way to do it. People are often asked to go on boards because they had not thought about making a submission. One looks for the best people to appoint to boards. One relies not only on

people submitting expressions of interest. The Leader of the Opposition did that in government; he chose people for a range of bodies because they were the best people for the job - or that is what I will be told, no doubt. Hon Tom Helm was considered by the previous Labor Minister to be the best person to go on the Karratha College Council, just as I decided Mr Baker was the right sort of person for the Port Hedland council.

Hon John Halden: He was not the right person. He did not turn up for a meeting!

Hon N.F. MOORE: Some would argue that Mr Baker's not turning up was a greater contribution than Hon Tom Helm's turning up.

Hon Tom Helm: I could argue with that.

Hon John Halden: You may well be right, but we will never know.

Hon P.R. Lightfoot: Do not interject when the Minister is winding up his speech.

The DEPUTY PRESIDENT (Hon Barry House): Order! That is my line.

Hon N.F. MOORE: Hon John Halden said he would not mend the legislation and that the Government could wear it. I am happy to do so. This is good legislation which will go a long way to making the training system responsive to the needs of industry and employees. It will provide training which is appropriate, relevant and required by industry.

Hon Nick Griffiths asked me about the effect of the commonwealth budget cuts on this matter, and I have had not had time to obtain that information; I will provide it tomorrow if necessary. Hon Kim Chance asked about training in the agriculture and pastoral industry. I have set up a college in the Kimberley, which we have talked about before. Its role is to provide the necessary training in the Kimberley - that is its focus. If it is not doing a good enough job in the pastoral industry, it must understand that it is not performing its role. I suspect that somebody from the industry will be a member of that college board. The idea is for the colleges to reflect industry needs, and people can have an input through that process. It was established to deliver that training. A couple of years ago, the Kimberley had little training provision, let alone in that industry, and one must recognise the difficulty in providing training across the Kimberley and the entire pastoral industry. It is not easy.

Hon John Halden: In fairness, one of the successes has been C.Y. O'Connor College.

Hon N.F. MOORE: We heard a long diatribe from Hon Jim Scott about how terrible that facility is; I will convey his views to everyone at C.Y. O'Connor College. That facility is a good idea as it provides training for people in the agricultural area and I hope it will provide training for the pastoral industry as well. It is new and is learning the ropes. It is a multi-multi-campus institution, which creates its own difficulties. It was set up to provide training for people in the local community.

Hon John Halden: It also does not have economy of scale on its side.

Hon N.F. MOORE: Not at all. I could close it down, along with the Karratha and Port Hedland Colleges, and have one college in Perth to deliver training cheaper, but not necessarily better. However, in that case, we would not have facilities in the country. I refer to managed competition. It is against the grain of the economic rationalist monster to which Hon Jim Scott referred.

Hon Bob Thomas referred to programs for the long term unemployed. The Commonwealth Government has accepted responsibility for dealing with unemployment, an area in which it has been actively involved for many years. The State has not traditionally been involved in schemes to help the unemployed. However, to be fair, the previous Labor Government set up the Joblink program, which successfully deals with people when they are first unemployed; this gives them a chance to get back into the labour market before they run out of enthusiasm. The commonwealth schemes apply to the long term unemployed, which is one of the failings of the commonwealth involvement in labour market programs.

Hon John Halden: Some of its programs, in fairness.

Hon N.F. MOORE: That applies to many of them. Most of them are not hugely successful when considering the too high unemployment level.

Hon John Halden: It is getting bigger.

Hon N.F. MOORE: It is not.

Hon John Halden: According to budget predictions, it will.

Hon Kim Chance: Unemployment rose in the August figure.

Hon N.F. MOORE: It was 0.1 per cent, I think. One must look at the participation rates. The problem with releasing the Australian employment figures every month is that it belies the reality of the situation. I say every month that I will neither take credit when the unemployment comes down nor the blame when it goes up. Other figures must be considered.

Hon John Halden: The trends line is vital.

Hon N.F. MOORE: It is flat.

Hon John Halden: It is going up.

Hon N.F. MOORE: It is flat for unemployment and going up for employment.

Hon John Halden: I will give you my copy.

Hon N.F. MOORE: Hon Tom Helm talked about unions, which is not unusual. He told us what a great job they do, and I accept what he said. However, I refute the proposal that somehow or other this Bill is anti-unions. That is not the case as unions have a significant role to play. I hope that they will participate and see this issue as training, not industrial relations.

Hon John Halden: But not with any power.

Hon N.F. MOORE: They will have the same power as the CCI and any other organisation. Hon Jim Scott said that insufficient money, properly trained people, this, that and the other were provided. I asked him to tell us what he would put in place, and he told us that one of these days he will tell us how to run the world. He was critical of people involved in TAFE and went through a string of cases which I asked him to table - he did not. I will look at the list to see if his claims have any truth. He talked about the economic rationalist monster, and the need for psychologists to tell people which courses to take. We have had that debate before. He spoke about salesmen and claimed that women are driven out of the system in droves because the external studies unit has been devolved to the colleges. Frankly, the member exaggerates. I suspect he is wrong, but if it turns out in due course that colleges are not able to deliver external studies in an appropriate way, I will ensure that they do through the power the Bill will give me.

Hon John Halden: You must admit that it has not been a raving success.

Hon N.F. MOORE: I have not heard any complaints of any significance.

Hon John Halden: Mt Lawley campus has been an absolute disaster in the area of child care.

Hon N.F. MOORE: That is the first time the Leader of the Opposition has raised that with me. As I said, if he has a problem -

Hon John Halden: I have raised this matter with you several times.

Hon N.F. MOORE: With respect, that is not so. I must also say that on some occasions the external studies unit did not get it right either. We are in a process of change and when change is taking place, we must expect that things will not always go absolutely 100 per cent right. In my opinion the model and the process are right. When it is given a chance to work I have no doubt that we will have a first-class vocational education and training program in Western Australia which will be the envy of other parts of Australia. We are miles ahead of most other States and this new system will ensure we remain there and that the other States will model their processes on ours. I go to ministerial conferences; I know what the other States are doing, both Liberal and Labor. The State that is furthest behind the rest is New South Wales, and it had a Liberal Government for a long time. I admire Mr Aquilina, the present

Minister; however, he has a few problems with his constituency, the unions, that are saying that he must do this, that and the other. He is not given the capacity he requires to progress. I have no doubt that when we get this legislation through and the system is in place, we will be the envy of the rest of Australia. I commend the Bill to the House.

Question put and a division taken with the following result -

Ayes (14)

| | | |
|--------------------|--------------------|--|
| Hon George Cash | Hon Peter Foss | Hon Murray Montgomery |
| Hon E.J. Charlton | Hon Barry House | Hon N.F. Moore |
| Hon M.J. Criddle | Hon P.R. Lightfoot | Hon M.D. Nixon |
| Hon B.K. Donaldson | Hon P.H. Lockyer | Hon Muriel Patterson (<i>Teller</i>) |
| Hon Max Evans | Hon I.D. MacLean | |

Noes (11)

| | | |
|--------------------|-----------------------|--------------------------------|
| Hon Kim Chance | Hon A.J.G. MacTiernan | Hon Bob Thomas |
| Hon J.A. Cowdell | Hon Mark Nevill | Hon Doug Wenn |
| Hon N.D. Griffiths | Hon J.A. Scott | Hon Tom Helm (<i>Teller</i>) |
| Hon John Halden | Hon Tom Stephens | |

Pairs

| | |
|-----------------------|----------------------|
| Hon W.N. Stretch | Hon Val Ferguson |
| Hon Derrick Tomlinson | Hon Cheryl Davenport |
| Hon B.M. Scott | Hon Graham Edwards |

Question thus passed.

Bill read a second time.

ADJOURNMENT OF THE HOUSE - ORDINARY

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [12.33 am]: I move -

That the House do now adjourn.

Adjournment Debate - Select Committee on Fisheries Department; Debate on Northern Demersal Fishery

HON JOHN HALDEN (South Metropolitan - Leader of the Opposition) [12.34 am]: I wish to draw to the attention of the Government and, in particular, the Minister for Transport representing the Minister for Fisheries a matter that I raised last week. Last Thursday we debated a motion in the name of Hon Kim Chance about the management of certain fisheries by the Fisheries Department. The Opposition moved for the appointment of a select committee and also that that committee report to the House by Tuesday, 22 October.

During the debate we said that we were moving on a very narrow aspect of the Western Australian Fisheries Department. We proposed that the committee would have a very short lifespan in which to investigate the management by the Fisheries Department of the northern demersal trap and line fisheries. As of today the Government has not given any indication that it wants to debate this matter. We would like some indication of when during this week this matter will be debated. Obviously if it is not debated this week, the House will adjourn for a fortnight. Bearing in mind that we have debated the management of the Fisheries Department in Western Australia on a number of occasions and that a report by the department has been tabled in this place as well as in the other House - a report I have described as superficial and clarifying little, if anything - it is now incumbent upon the Government to give some indication of on what day this week we will debate this matter so that we can bring it to a conclusion, hopefully, one that will provide support for the motion moved by Hon Kim Chance. Any effort to hold this matter over until we come back will be viewed on our part as nothing but filibustering, and we would make the appropriate comments to the appropriate people if that were to eventuate.

HON E.J. CHARLTON (Agricultural - Minister for Transport) [12.36 am]: I know what the Leader of the Opposition means by filibustering; I have just witnessed it.

Hon John Halden: I thought the Minister was quite short; we could have had the Attorney General.

Hon Peter Foss: Indeed!

Hon John Halden: We could have been here for hours.

Hon E.J. CHARLTON: As I mentioned, probably by interjection when this motion was moved last week, I understand the Minister had just received a report of the working party on the northern demersal fishery. I wanted to get the Minister's assessment of that report so I could advise the Opposition of its findings. It would be inappropriate to continue the debate on the motion about the appointment of a select committee without having the Minister's response to the report that was recently submitted to him. I intend to check with the Minister on his progress. I know the Minister is not in the other place this week; however, I will get an update and tomorrow I will let the Leader of the Opposition know the situation.

Question put and passed.

House adjourned at 12.38 am (Wednesday)

QUESTIONS ON NOTICE

FIREARMS - LEGISLATION

519. Hon P.R. LIGHTFOOT to the Attorney General representing the Minister for Police:

- (1) Will the new proposed gun laws apply equally to Aboriginal Australians?
- (2) Will the Aboriginal "traditional" way of life, equate to bona fide farmers, with respect to legal retention of certain types of guns?
- (3) Will a special squad within the Western Australia Police Force, be raised to collect the guns made illegal under the proposed amendments?
- (4) What is the appeal process, if any, that gun owners can take to seek redress if their guns are deemed to be undervalued?
- (5) Are there any groups or individuals in Western Australia, or who travel into Western Australia for short periods, that are not obliged to register their guns in Western Australia?

Hon PETER FOSS replied:

The Commissioner of Police has provided the following advice -

- (1) Yes.
- (2) Not in relation to category C firearms. All Australians will have access to a wide range of firearms in categories A and B, provided they are a fit and proper person and have a genuine reason or need for a firearm.
- (3) The ramifications of the proposed legislation are being assessed by the Police Service and the types of resources needed will not be known until the legislation is enacted.
- (4) It was agreed at the Australasian Police Ministers' Council meeting on 17 July 1996 that all jurisdictions would appoint arbitrators to assess the value of firearms which are either listed at over \$2 500 and the value is disputed by the owner, or the firearm is not listed on the valuation schedule.
- (5) Only defence force personnel who are exempt under section 8 of the Firearms Act and those persons who are exempt under the provisions of the Defence Act 1903 (Australian Rifle Club regulations). The Commonwealth has undertaken to amend the Australian Rifle Club regulations to require club members to fall within the laws of their respective jurisdiction. All other persons or groups are required to register their firearms by way of a temporary permit or other means.

FISHERIES DEPARTMENT - ILLEGAL ACTIVITIES, POLICE INQUIRY; DIXON/KENDRICK CASE

603. Hon MARK NEVILL to the Attorney General representing the Minister for Police:

- (1) Why did the terms of reference of the investigation into illegal activities in the Fisheries Department not include the Dixon/Kendrick case?
- (2) Why was not the Dixon case examined during the police investigation into illegal activities in the Fisheries Department?

Hon PETER FOSS replied:

The Commissioner of Police has provided the following reply -

- (1) The Dixon/Kendrick case had some time previously been investigated and resolved by the Fisheries Department in respect of Mr Kendrick's actions as a fisheries officer. The investigation undertaken by inquiry officers within their terms of reference were -

Concerned with the liaison between Police Service and Fisheries Department officers sharing of resources and possible criminal activity with respect to such sharing of resources.

- (2) Police Service investigators were already aware that the Dixon matter had previously been the subject of investigation and resolution by the Fisheries Department. The matter was not therefore considered to be a term of reference.

If the member is aware of any information which requires further investigation, this should be referred to the WA Police Service. Furthermore, if there are any complaints about the actions of police officers these should be referred to the Ombudsman.

ENVIRONMENTAL PROTECTION AUTHORITY - COCKBURN CEMENT LTD

Shell Sand Mining, Briefing 1993, Notes or Minutes' Tabling

635. Hon J.A. SCOTT to the Leader of the House representing the Premier:

I refer the Premier to question on notice 257 of 30 April 1996 -

- (1) Will the Premier table any notes or minutes that were taken of the proceedings of the December 1993 briefing with regard to shell sand mining held with the former Deputy Chairman of the Environmental Protection Authority, a senior scientific officer, the Premier and the Minister for the Environment?
- (2) If not, why not?
- (3) If none were taken, why were they not taken?

Hon N.F. MOORE replied:

The Premier has provided the following reply -

- (1)-(3) The meeting referred to in questions 257 and 635 was a briefing for the Premier on scientific issues relating to continued shell sand mining on Success Bank. Due to the informational nature of the briefing, and as far as I am aware, no minutes were taken.

DRINKING WATER - QUALITY RESPONSIBILITY; RESOURCES PROTECTION

638. Hon J.A. SCOTT to the Minister for Finance representing the Minister for Water Resources:

- (1) Is clean sustainable drinking water the right of every citizen in Western Australia?
- (2) Is the quality of drinking water the responsibility of the State Government?
- (3) Does the Minister for Water Resources have a long-term plan for controlling and protecting our existing water resources?
- (4) Why is there no way that future contamination of the water bores in Singleton, Golden Bay and Madora Bay could be prevented, as the Minister has said?
- (5) If so, what is this plan?

Hon MAX EVANS replied:

The Minister for Water Resources has provided the following reply -

- (1) To the Water Corporation's knowledge, no Government of Western Australia has stated that clean sustainable drinking water is the right of every citizen of Western Australia.
- (2) The quality of drinking water from public supplies is the responsibility of the State Government through its agency, the Water Corporation.

- (3) No, this is the responsibility of the Minister for the Environment and the Water and Rivers Commission.
- (4) Water bores serving residences in Singleton, Golden Bay and Madora are privately owned and any contamination of them could be as a result of the inappropriate siting of septic tanks on the individual properties. This issue is best addressed by the Health Department and/or the relevant local authority environmental officers.
- (5) See (4).

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF - REGIONAL FOREST
AGREEMENT PROCESS, FUNDING

660. Hon J.A. SCOTT to the Minister for the Environment:

- (1) How much money has the State Government allocated to the regional forest agreement process?
- (2) How much money has the State Government allocated to the assessments leading to the identification and implementation of the “comprehensive, adequate and representative” forest conservation reserves system?
- (3) What methodologies will be used to determine a “comprehensive, adequate and representative” reserve system of Western Australia?

Hon PETER FOSS replied:

- (1) The State Government will make a financial contribution to match the Commonwealth Government contribution to the regional forest agreement process in Western Australia. The State’s contribution will be made principally through “in kind” contributions, consisting of salaries, data and services from several government agencies, as required to achieve a scientifically robust set of assessments.
- (2) See (1).
- (3) The State and Commonwealth Governments have agreed to use the principles, approaches and criteria of the final “National Criteria for the Establishment of a Comprehensive, Adequate and Representative Reserve System for Forests in Australia” currently being jointly developed by the Commonwealth and the States.

PROUDLY WESTERN AUSTRALIAN - ADVERTISING COST

664. Hon TOM STEPHENS to the Leader of the House representing the Premier:

What was the total cost of advertising undertaken by state government departments or agencies in the newspaper *Proudly Western Australian*?

Hon N.F. MOORE replied:

\$73 500.

CONSERVATION AND LAND MANAGEMENT ACT - REVIEW

686. Hon J.A. SCOTT to the Minister for the Environment:

- (1) Is the Minister aware of the commitment made by the coalition parties to review the Conservation and Land Management Act 1984 during this current term of office?
- (2) Why has this not been done?

Hon PETER FOSS replied:

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

PARKS - CREATION; PROPOSALS

693. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

I refer the Minister for Planning to *The West Australian* of 2 September 1996 with regard to bushland and regional parks and his comments that, "We have created parks the size of 80 new Kings Parks", and ask -

- (1) What are the names of the parks that have been created by the coalition Government and where are they?
- (2) What zoning status do these parks have?
- (3) What is the exact land area of each park?
- (4) Are any of these parks proposals only, and have not yet been officially rezoned?
- (5) If yes, when will they be made official?

Hon PETER FOSS replied:

- (1)-(5) The Minister for Planning's comments quoted in *The West Australian* were not meant to convey the impression that 80 new parks had been created. The Minister was seeking to convey by way of illustration the extent of this Government's major amendment program which has reserved or is in the process of reserving some 33 000 hectares of land in the metropolitan region scheme for parks and recreation. This land is protected against development and where in private ownership is being progressively purchased. Much of this land is being or has been reserved to extend or consolidate existing regional parks.

FUEL - NEW STORAGE PRECINCT ESTABLISHMENT

704. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Did the Government promise to "establish a new fuel storage precinct to better manage storage and distribution of fuel"?
- (2) If yes, what has been done?

Hon PETER FOSS replied:

- (1) The Fremantle regional strategy recommended the preparation of a strategy for the storage and distribution of petroleum in the Perth metropolitan region.
- (2) Such a strategy is in the course of preparation.

MINING INDUSTRY - MT PERCY TAILINGS DAM, SEEPAGE

725. Hon J.A. SCOTT to the Minister for the Environment:

I refer to questions without notice asked on 23 May 1995 and 25 May 1995 regarding leakage and seepage from Mt Percy tailings dam which killed and/or stressed vegetation -

- (1) What are the current ground water levels, in metres, in the following monitoring bores below ground level -
 - (a) MB-MP1;
 - (b) MB-MP2;
 - (c) MB-MP3;
 - (d) MB-MP4;
 - (e) MB-MP5;
 - (f) MB-MP6;
 - (g) MB-MP7; and
 - (h) MB-MP8?

- (2) Will the Minister or the Department of Environmental Protection supply me with all the results for sampling from the above monitoring bores since they were first constructed?
- (3) Were drill logs completed for all of the above monitoring bores?
- (4) If not, why not?
- (5) If yes, will the Minister supply me with full and complete copies of all the drill logs?

Hon PETER FOSS replied:

- (1) I am pleased to provide the requested information. It is a full report of water levels and analyses in all the monitoring bores around the Mt Percy mine tailings storage facility. [See paper No 635].
- (2),(5) [See paper No 635.]
- (3) Yes.
- (4) Not applicable.

QUESTIONS WITHOUT NOTICE

“PRODUCTIVITY WA 2000” - TABLING; COST

834. Hon JOHN HALDEN to the Minister representing the Minister for Labour Relations:

Yesterday the Western Australian Government unveiled a plan to make the Western Australian standard of living "lead the world" by the year 2000.

- (1) Will the Minister table that report?
- (2) What was the cost of compiling that report?
- (3) To whom was that report distributed?
- (4) What was the cost of distributing that report?

Hon MAX EVANS replied:

I thank the member for some notice of this question. The Minister for Labour Relations has provided the following reply -

- (1) Yes. I seek leave to table a document titled "Productivity WA 2000" vision. [See paper No 632 .]
- (2) \$10 500.
- (3) Attendees at the launch of the "Productivity WA 2000" vision and other interested people.
- (4) Nil.

MARKET CITY - LEASE APPLICATION; NEW BOARD APPOINTMENT

835. Hon SAM PIANTADOSI to the Minister representing the Minister for Primary Industry:

- (1) Will the Minister confirm why people applying for floor space at Market City Canning Vale to operate as agents are unable to gain approval from the market trust?
- (2) Will the Minister confirm that a new board has not been appointed?
- (3) What action does the Minister propose to take to overcome the ongoing fiasco at the Canning Vale markets?

Hon E.J. CHARLTON replied:

I thank the member for some notice of the question. The Minister for Primary Industry has advised -

- (1) One business not currently operating in the market has requested approval to secure a portion of a lease from an existing tenant. The applicant has been invited to provide additional supporting information.
- (2) Cabinet papers have been prepared and submitted for approval.
- (3) I will continue to work closely with the chairman and the new board to ensure that the market continues to offer a first class service.

WESTRAIL - TRACK MAINTENANCE CONTRACTS

John Holland Construction & Engineering Pty Ltd; CMM

836. Hon A.J.G. MacTIERNAN to the Minister for Transport:

- (1) In respect of contracts let by Westrail to John Holland Construction & Engineering Pty Ltd and CMM to undertake track maintenance, is the contract price of each of these -
 - (a) entirely cost plus;
 - (b) entirely fixed;
 - (c) measured on performance; or
 - (d) a combination of two or more of the above?
- (2) If the answer to (1) is (d), which combination applies and what aspect of each contract is determined by each of the abovenamed formula?
- (3) If part or all of any contract is determined on performance, how is that performance assessed?
- (4) Is the plant and equipment used by the contractors to be supplied by Westrail or contractors?
- (5) If the equipment is to be supplied by Westrail, will Westrail be required to purchase new equipment, and how will the price of the equipment leases be determined?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1)-(2) The contracts are based on an hourly rate for maintenance labour; unit rates for resleepering and track machine work; and cost plus for materials and subcontracted activities.
- (3) Price of part or all of any contract is not determined on performance.
- (4) Contractors.
- (5) Not applicable.

PORT CATHERINE MARINA DEVELOPMENT - CONCEPT PLAN

837. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Is the Minister aware that the concept plan for the Point Catherine marina development south of Fremantle has been approved by the Cockburn City Council?
- (2) If yes, what process will be followed by the developers and the council to implement the plan?
- (3) Who currently owns the land and ocean area affected by the concept plan, and what approvals will be necessary to allow the project to proceed?

- (4) Is community consultation a necessary part of the approval, and when will this occur?
- (5) What guidelines have been set in place for an environmental study of the littoral impacts of the development, particularly with regard to the artificial islands and groynes?
- (6) When will the Minister make the concept plan available to the public and will the Minister table the plan in the House; if not, why not?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Plans for the Port Catherine marina development will require approval by the Western Australian Planning Commission, the City of Cockburn, and agencies such as Main Roads WA and the Environmental Protection Authority
- (3) Land affected by the concept plan is currently vested in government agencies including the WAPC, LandCorp, Department of Land Administration and Westrail. Consolidated Marine Developments is a private landowner within the development area. Other private land holdings within the development area have been purchased by the WAPC.
- (4) Yes, during the amendment process for the metropolitan region scheme.
- (5) Guidelines will be set by the Environmental Protection Authority
- (6) The concept plan will be made available to the public during the public consultation process associated with an amendment to the metropolitan region scheme.

BORES - GWELUP FIELD; MIRRABOOKA CATCHMENT, CLOSURE

838. Hon SAM PIANTADOSI to the Minister representing the Minister for Water Resources:

- (1) How many bores from the Gwelup field sited near the Hertha Road tip have been closed?
- (2) How many bores from the Mirrabooka catchment areas sited along Gngangara Road have been closed?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) No bores in the Gwelup field near the Hertha Road tip have been closed.
- (2) No bores in the Mirrabooka catchment along Gngangara Road have been closed.

WESTRAIL - TRACK MAINTENANCE CONTRACTS

839. Hon A.J.G. MacTIERNAN to the Minister for Transport:

In relation to the Minister's answer to my last question, in which he said that the Westrail's contract prices were based in part on an hourly rate for maintenance labour, how is the amount of labour monitored; is a limit written into the contract, and, if so, how is it determined; and, if there is no limit, how is the amount of labour determined?

Hon E.J. CHARLTON replied:

I cannot advise the member of specific labour allocations. The member will acknowledge that a maintenance contract is a working contractual arrangement with Westrail to do the work that is required, as determined by Westrail. The difference between contracts carried out by the private sector and Westrail is that Westrail previously employed people to carry out that work and they were paid accordingly; and, as outlined in a previous answer, the work

undertaken by the contractor has three components. It depends on the type of work being carried out; for example, bridge work and resleepering are different components and a formula and basis are in place for each of those dimensions.

Hon A.J.G. MacTiernan: We cannot see those?

Hon E.J. CHARLTON: Westrail does not know what will happen next week. One cannot write into a contract a flood, a derailment and those sort of things. However, separate components are included in a contract. For example, resleepering will be carried out on a certain basis. That will depend on whether resleepering is for a specific purpose or part of a total resleepering process. Members should understand it is not like a straight out contract to build a new section of railway. If members are genuinely interested I am happy for them to meet with Westrail to go through that proposal, so they have a full appreciation of it. It is not complex. It is new and different. It is the first time it has ever been done in Australia. Obviously the two companies involved are keen to carry out this work in a way that will bring about a substantial improvement to the network, because it is in their interests and our interests to do that. At the end of the five year contract the Government expects an A-1 railway infrastructure in Western Australia that will enable trains to run in the most efficient manner.

VITAMIN A PROGRAM - GOVERNMENT FUNDING

840. Hon KIM CHANCE to the Attorney General representing the Minister for Health:

- (1) Has the Minister been approached to provide funding for the vitamin A program?
- (2) If so, has the Minister made a decision in relation to that request?
- (3) What is the Health Department's attitude to the program?
- (4) Will it provide financial or other support?

Hon PETER FOSS replied:

- (1) Yes. The Minister for Health has been approached.
- (2) No. The Minister has not made a decision.
- (3) The Health Department has, through the Sir Charles Gairdner Research Foundation, provided \$1.4m for asbestos related disease programs over the term of this Government. This funding expires at the end of the financial year.
- (4) The final quarter of these funds will be allocated to the research foundation for distribution to the various programs this financial year. Any further funding will be considered at the appropriate time.

INNER PEEL REGION STRUCTURE PLAN - PUBLIC RESPONSE PERIOD, EXTENSION

841. Hon J.A. COWDELL to the Attorney General representing the Minister for Planning:

With respect to the Inner Peel Region Structure Plan, I ask -

- (1) Will the Minister provide an extension of the period for public response until the end of October?
- (2) Will the proposed rezoning of the Nambellup Park area to industrial, permit increased flights to and from Murrayfield Airpark, thus disrupting kennel businesses in the current special zoned region?
- (3) Can the Minister assure kennel owners in the Nambellup Park area that they will not have to move their businesses yet again as a result of the rezoning proposed under the regional plan?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No. The Minister for Planning has already granted one extension to the public response period, now ending on 4 October 1996.
- (2) The draft structure plan does not rezone the Nambeellup Park area to industrial. I think the basic assumption in that question is wrong. Additional flights to and from Murrayfield Airpark may require environmental assessment. To the extent that industrial uses adjacent to an airfield are more compatible than special rural uses, if the land is rezoned, additional flights would be more acceptable.
- (3) The kennel owners will be able to stay on their land for as long as they want. If the zoning of the land were to change - the landowners would need to request such a change - the current land use would become non-conforming within the new zone, but kennel owners could still live there.

WORKSAFE WA - SHARE FISHING AGREEMENTS

842. Hon KIM CHANCE to the Minister representing the Minister for Labour Relations:

- (1) Is the Minister aware of a practice in the fishing industry involving the structure of employment arrangements known as "share fishing" agreements, thus avoiding workers' compensation liabilities under section 17 of the Workers' Compensation and Rehabilitation Act 1981?
- (2) If so, has any investigation been undertaken to determine whether these arrangements are genuine share fishing agreements or merely contrivances to avoid responsibility under the Act?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Isolated individual cases involving share fishing agreements have been drawn to the attention of WorkCover WA.
- (2) Investigations have been carried out into share fishing agreements within the industry in Geraldton, and WorkCover inspectors will follow up on this matter during a visit to the town next week.

PORT KENNEDY DEVELOPMENT - ADVERTISING IN SINGAPORE

843. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Is the Minister aware that a "Kennedy Bay resort development at Port Kennedy in Western Australia" is being advertised in Singapore newspapers?
- (2) Is the Minister aware that freehold land is being advertised for sale?
- (3) Is the developer of Port Kennedy permitted to sell freehold land and, if so, in which stage of the project?
- (4) Is the Minister aware that the same advertisement includes as one of the features of the development a multistorey, 225 room, beachfront resort hotel, and has such a development been approved at Port Kennedy?
- (5) Will the Minister allow high-rise development at Port Kennedy?

Hon PETER FOSS replied:

I presume in each case the member is referring to whether the Minister for Planning is aware of these matters. I will answer on that basis.

- (1)-(2) Yes, the Minister for Planning is aware.
- (3) Yes, after freehold land is granted to the developer in accordance with the requirements of the Port Kennedy Development Agreement Act.
- (4) No. A hotel is included within the Port Kennedy Development Agreement Act.

- (5) Such a development would require the approval of the Western Australian Planning Commission.

CAPE RANGE NATIONAL PARK - POINT MURAT, DRILLING APPLICATION

844. Hon TOM STEPHENS to the Minister for the Environment:

- (1) Is the Minister aware of an application by the Victoria Petroleum company to carry out oil and gas exploration on commonwealth land at Point Murat that is proposed to go into the Cape Range National Park?
- (2) In view of the national heritage value of the Cape Range National Park and its proximity to the proposed drilling in the Ningaloo Marine Park, has the Minister approached the Commonwealth Government to request a full environmental impact assessment under the Environmental Protection Act, prior to any approval being considered?
- (3) If not, will the Minister be requesting such an assessment?
- (4) If not, why not?

Hon PETER FOSS replied:

- (1)-(4) I am not aware of that; however, I shall make inquiries and find out the significance of it. If I believe this matter should be drawn to the attention of the federal Minister for the Environment, I shall do so.

TAFE - STAFF, MALAYSIAN VISIT

845. Hon JOHN HALDEN to the Minister for Employment and Training:

- (1) Is the Minister aware that technical and further education staff recently travelled to Malaysia on departmental business?
- (2) What was the purpose of this visit?
- (3) How many staff travelled on this visit?
- (4) What was the cost to the Government of this visit?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) As the Minister for Employment and Training, I am aware that TAFE staff recently travelled to Malaysia on departmental business.
- (2) The chief purpose of the visit to Malaysia was to take part in the Strategic Alliance Mission, organised by the Western Australian Trade Office and headed by Hon Hendy Cowan, Deputy Premier, in Kuala Lumpur.
- (3) In total, five TAFE staff travelled on this visit, comprising two persons from TAFE International and three persons from the Advanced Manufacturing Technology Centre.
- (4) TAFE International and AMTC met the costs with revenue raised from their own operating budgets; therefore, no funds were required from the consolidated fund.

BUS SERVICES - YANCHEP-TWO ROCKS CONTRACT

846. Hon KIM CHANCE to the Minister for Transport:

I refer the Minister to his answer to question without notice 752 asked on 5 September 1996. Can the Minister advise the House whether the contractor who won the tender for the Yanchep-Two Rocks bus service can negotiate for a decrease in the service?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question. The Department of Transport approves all services, without exception. In calling tenders, the Department of Transport has, as its base, predominantly the services that existed when the tenders were called. Contracts are approved on that basis.

The Department of Transport has no intention of considering any reduction in bus services to Yanchep-Two Rocks in view of the potential growth of that area. Today I saw a letter to the editor from a Labor Party candidate pointing out that, in her opinion, these services would be reduced, especially on weekends, because private operators would not run them when there were fewer returns. It is important that the Labor Party inform its candidates of the facts so that -

Hon A.J.G. MacTiernan: They can be in a better position than the Minister!

Hon E.J. CHARLTON: If the member wants them to be totally discredited for misleading the public -

Hon A.J.G. MacTiernan interjected.

Hon E.J. CHARLTON: The member is not interested in the facts; she never entertains facts in her comments. This is a very important and serious question, and I want to give a serious and factual answer.

The contracts were let on the basis of the existing service operations. The Department of Transport will ensure the services go only one way; that is, they will get better. There will not be fewer services. A reduction in services will not be entertained on the part of any private operator, including Metrobus which happens to be the contractor in this case. It is not up to the operator to determine whether there are people to be picked up and, therefore, whether the service needs to be run. The contract states: Thou shalt run this service at these times. The schedules are laid down in the contract. If the operator wants to change those terms, approval of the Department of Transport is needed. It is not up to the operator to make judgments. The only judgment the operator can make is if it wants to improve the service. It can then go to the Department of Transport and say it believes there is a need to put in additional services. If the Department of Transport agrees, the contractor will be paid to do that. It is not reliant on how many people use the system, as MetroBus is not reliant on how many people use it. The basis of the contractual arrangement, as well as MetroBus' own operation, which is not currently part of any contractual arrangement, is about providing services to the travelling public. It is important that everybody understand that and not make these statements. I am not accusing the member who asked the question, because the question is quite proper; I am referring to a statement which has been put out in the form of a letter to the editor, which is totally incorrect and without credibility, and which totally misinforms the people.

CAPE RANGE NATIONAL PARK - POINT MURAT, DRILLING APPLICATION**847. Hon TOM STEPHENS to the Minister for the Environment:**

The Minister indicated in response to my earlier question that he was not aware of an application to drill on lands proposed to be included in the Cape Range National Park in the area adjacent to the Ningaloo Marine Park. Can the Minister now recall a detailed, two page letter, dated 8 August 1996, written to him in his capacity as Minister for the Environment, and signed by Michael Bland, which expressed concerns about this issue? If the Minister cannot recall that letter, what happens to correspondence addressed to the Minister for the Environment and raising issues of important environmental concern?

Hon PETER FOSS replied:

It is very easy to explain. The first thing that happens when correspondence of that nature comes in is that it goes straight to the department, for obvious reasons -

Hon E.J. Charlton: If he had been a Minister for long enough he would have worked that out!

Hon Tom Stephens: I read my letters!

Hon PETER FOSS: We can understand why; he had so little to do that he just sat in that little office of his!

The PRESIDENT: Order!

Hon PETER FOSS: The correspondence goes straight to the department, because obviously it is very important that it be acted upon as soon as possible. If it went to my office and I thought, "I would like to have some information", as opposed to its being referred to the department and then coming back with recommendations, it would take only a small amount of thought to recognise that that would lead to a delay. That is the process.

Hon Tom Stephens: Nearly six weeks! That is almost as long as I was a Minister!

Hon PETER FOSS: That is true. That is probably why the member never got to learn how the mail system works.

Hon Tom Stephens: I was in charge of the mail system!

Hon PETER FOSS: That explains a lot! We will obviously have to see what he did to it!

That is the way it works. In many cases, it is dealt with instantly by the department, because, as the member might appreciate, the Department of Environmental Protection is one of those departments that attracts a tremendous amount of mail, and some matters are dealt with at ministerial level, some at policy officer level, and some at departmental level, so it could very well be that the department has already dealt with it.

Hon John Halden: I bet if it has not, you will rocket it!

Hon PETER FOSS: As I said, I will make inquiries about it, and I will respond if I believe that is appropriate.

HUGHES, CASSANDRA MAY - DEATH, MEDICAL RECORDS

848. Hon A.J.G. MacTIERNAN to the Attorney General:

Notice has been given of this question, but there was an error in transmission and it was addressed to the Attorney General representing the Minister for Health when it should have been addressed to the Attorney General. I gather a man of the calibre of the Attorney General would have worked that out.

The PRESIDENT: Order! Do you have a question to ask?

Hon A.J.G. MacTIERNAN: I ask: The management of Royal Perth Hospital has advised Mrs Jenny Hughes that the medical records of her deceased daughter, Cassandra May Hughes, were last shown to be booked out to the coroner's office.

- (1) Do the records of the coroner's office show that these documents were returned to Royal Perth Hospital?
- (2) If so, on what date were they returned, which officer of the coroner's office oversaw their return, and what was the method of their return?
- (3) Will the Attorney table copies of the relevant coroner's office records?

Hon PETER FOSS replied:

I thank the member for some notice of this question. In my capacity as Minister representing the Minister for Health, perhaps I should again explain the process. As the member might recognise, when we get questions without notice of which some notice has been given, it requires the Minister's office to move very promptly to secure the information from the department or the Minister who is being represented. That involves quite significant activity on the day when we receive these questions, and a lot of work is done in a very short time. That is one of the reasons that the Leader of the House indicated we prefer the questions then to be answered on that day, because we like to give members the fruits of that work. This question did go to the Minister for Health. I do not get the question back to approve until such time as the information has come back, and I then decide whether the answer is appropriate. The information that I have has been provided to me by the Health Department, but I think it does deal fully with the question.

Hon John Halden: I am glad it was a short preamble!

Hon PETER FOSS: I do not chase up this information.

The PRESIDENT: Order! Just because the member who asked the question made a speech before she did it does not mean the Attorney must make one before he gives the answer.

Hon PETER FOSS: I am not answering in my capacity as Attorney General. I am answering in my representative capacity.

Royal Perth Hospital has the record "booked" out to the State Mortuary, QE II Medical Centre, on 21 August 1995. The last record that can be found on the file's movements is a recording at the State Mortuary showing that the record was placed in its mail room on 18 December 1995 for return to Royal Perth Hospital. There is no record at Royal Perth Hospital of the record ever being returned, although weekly hospital searches have been conducted since January 1996.

- (1) The file is recorded as being transported from the coroner's office to the State Mortuary on 13 December 1995. State Mortuary records show that it forwarded the records to Royal Perth Hospital on 18 December 1995.
- (2) The records show that the report was delivered to the mail room on 18 December by mortuary clerk Peter Ward for collection by the daily hospital courier.
- (3) The only document available was the attached document, which I seek leave to table.

Leave granted. [See paper No 633.]

EDUCATION AMENDMENT BILL - STUDENT DRESS CODES REGULATIONS, PROCLAMATION DATE

849. Hon JOHN HALDEN to the Leader of the House representing the Minister for Education:

When will the Government proclaim the Education Amendment Bill to allow for a code of dress for school uniforms?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. The Government will proclaim the Education Amendment Bill when regulations allowing for the establishment of student dress codes have been drafted and approved. It is intended that this will occur in time for the commencement of the 1997 school year.

BUILDING AND CONSTRUCTION INDUSTRY - DEATHS

850. Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Labour Relations:

In answer to question without notice 827, the Minister claimed there were four deaths in the Western Australian construction industry in 1990-91.

- (1) How does the Minister reconcile this answer with the figures contained in a WorkSafe Western Australia document of 9 September 1996, entitled "Facility Statistics", which states that only two deaths occurred that year?
- (2) If the Minister stands by his original answer, can he list the dates on which the workers concerned were killed?

Hon MAX EVANS replied:

I thank the member for some notice of this question. The Minister for Labour Relations has provided the following reply -

- (1) The number of construction industry fatalities identified by WorkSafe Western Australia for 1990-91 includes two cases where the workers were employees of earthmoving contractors, which are coded as construction, within a mining operation.

- (2) 27 September 1990 and 1 December 1990.

YOUTH UNEMPLOYMENT - PROJECTIONS; JOB GUARANTEES

851. Hon JOHN HALDEN to the Minister for Employment and Training:

- (1) What are the projected youth unemployment figures for 1996-97, 1997-98, 1998-99 and 1999-2000 in both percentage and gross figures?
- (2) Will the Minister confirm that any young person who wants a job will have one by the year 2000?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) No such youth unemployment projections are available.
- (2) No, for the same reason that Bob Hawke should never have said that no child would be living in poverty by a certain date.

Hon John Halden: The Premier said that yesterday.

Hon N.F. MOORE: I cannot give a guarantee that every person who wants a job will have one, and I do not think the Premier did that either. However, I can confirm that the Government is committed to ensuring that employment and training opportunities for young people are maximised. This commitment has led to Western Australia's having the lowest youth unemployment rate of all the States for many years.

TAFE - FEE-FOR-SERVICE COURSES, REVENUE; COST

852. Hon JOHN HALDEN to the Minister for Employment and Training:

- (1) In the 1995-96 State Budget how much money did TAFE raise from fee-for-service courses?
- (2) What was the cost of providing these courses?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) Revenue raised from fee-for-service courses in 1995-96 was \$10 191 888.
- (2) The cost of conducting fee-for-service courses in 1995-96 was \$10 191 888.

Hon MAX EVANS was granted leave to table a corrected answer to question without notice No 827 asked on 19 September. [See paper No 634.]

STATEMENT - PRESIDENT

Questions Asked of Ministers Procedure

The PRESIDENT (Hon Clive Griffiths): As members are well aware, the likelihood is that somebody will succeed me in this place in the near future. That person may be a lot less tolerant and not as kind hearted as I am. I bring to honourable members' attention for the third time during this session of Parliament a very important factor when asking questions in this place. I will say it slowly so that members can understand. Members cannot ask a question in this House of a Minister in another place; members can ask questions in this House only of a Minister in this House. That is pretty simple, and yet I see a question on notice today which refers the Premier to a question and asks the Premier to table some papers. The Premier is not in this place and has no part in the operations of this House. He cannot be asked the question.

So that my successor does not think that I have failed in my duty to members to make sure that they are informed of

it, I thought I would take the opportunity of saying again that members can ask a question only of the Minister who is representing the Minister in the other place. The answer to the question is the answer belonging to the Minister in this House. The Minister in this House takes the responsibility for the answer; it is not the Minister in the other place. I will not indicate who is the honourable member; I guess he knows.

Hon A.J.G. MacTiernan: Who is the honourable Minister?

The PRESIDENT: The tragedy is that the Minister has answered the question! I wonder what I have been saying all this time and why it is so.
