Legislative Council

Thursday, 2 August 1984

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

BREAD AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Hon. D. K. Dans (Minister for Industrial Relations), and read a first time.

ACTS AMENDMENT AND REPEAL (DISQUALIFICATION FOR PARLIAMENT) BILL

Introduction and First Reading

Bill introduced, on motion by Hon. J. M. Berinson (Attorney General), and read a first time.

Second Reading

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

That the Bill be now read a second time.

Western Australia inherited the British constitutional principle that the Executive should not be able to influence members of Parliament by entering into contractual relations with them, or by offering them offices of profit within its disposition. As a result, the law in this State prevents persons who hold offices of profit, or who enjoy the benefit of a contract with the Crown, from sitting in Parliament.

The present position may be summarised as follows: The holder of an office of profit is not disqualified from becoming a member but, if elected, is deemed to have vacated the office on taking the oath. A member who accepts an office from the Crown vacates his seat. With various exceptions and qualifications, a person is disqualified from becoming a member during the time he is interested in the execution or enjoyment of a contract with the Western Australian Government. A member who undertakes a disqualifying contract vacates his seat.

A member does not vacate his seat by reason only of accepting payments of prescribed expenses if appointed to a Royal Commission or a Select Committee, as an Honorary Minister, a representative of either House or of the Commonwealth Parliamentary Association.

A person who sits or votes while disqualified is liable to forfeit the sum of $400 and this may be recovered by any person who sues for it in the Supreme Court by way of a common informer procedure.

The law in this State has for many years been regarded as unsatisfactory. In 1971 the Law Reform Committee—now the Law Reform Commission—reported that the law was defective, obscure and too rigid. It recommended substantial change. In particular, the committee recommended that a contract with the Crown should no longer disqualify a person from membership of Parliament, and that disqualifying offices be listed by name in a Statute. Holders of offices other than judicial officers should be able to stand for election without resigning and a disqualifying office should automatically be vacated upon the taking of the member's oath.

Under other recommendations of the committee, persons holding an office from or under the Crown in right of any other State or the Commonwealth would be disqualified in the same way as persons holding similar listed qualifying offices from or under the Crown in right of Western Australia. Membership of the Parliament of any other State or the Commonwealth would disqualify from membership of the Western Australian Parliament, and the common informer procedure would be repealed. However, any person, on providing security for costs, would be entitled to apply to the Supreme Court for a declaration that a particular member has forfeited his office or vacated his seat.

In May 1979 the then Attorney General introduced into the Parliament the Acts Amendment and Repeal (Disqualification for Parliament) Bill 1979. The Bill followed the Law Reform Committee's approach. It provided that the holding of a contract with the Crown was no longer to disqualify from membership, and disqualifying offices were to be listed by name in a schedule. Any amendment to that list was to be by Order-in-Council. The acceptance of a disqualified office was to cause a seat to be vacated. Except for judicial officers, who were to be disqualified from election, the holders of offices were to stand for Parliament without being compelled to resign. Members of the Parliaments of the Commonwealth, a Territory, or another State were to be disqualified for election as members of the Western Australian Parliament.

Persons holding office in the service of the Commonwealth, a Territory, or another State were to lose the seats to which they had been elected unless they resigned the office within 21 sitting days of the House to which they had been returned. Listed statutory officers and public servants in Western Australia were to be held to have vacated

their office if elected and sworn as members of either House. The common informer procedure was to be repealed and replaced, on the giving of security for costs, by an application to the Supreme Court for a declaration in respect of disqualification for Parliament.

The Bill lapsed on prorogation.

In October 1980, the Parliament established a Joint Select Committee to inquire into the law relating to offices of profit and contracts with the Crown, with particular reference to the Law Reform Committee's report and the 1979 Bill. The committee reported in October 1982, and generally accepted the proposals set out in the 1979 Bill. The present Bill substantially follows the 1979 Bill, but is modified to adopt a number of the Select Committee's recommendations.

A summary of the modified proposals is as follows: It is proposed to implement the Select Committee's recommendation that the seat of a person holding office under the Commonwealth, another State, or a Territory, who is elected to the Legislative Council at a general election, be considered vacant if that person has not resigned from his office by the time prescribed for the commencement of his membership of the Council. The 1979 Bill provided a 21-day period in this respect. It is also proposed to implement the recommendation that the seat of such a person who is elected to the Legislative Assembly be considered vacant if he has not resigned his office within 21 days of the declaration of the poll.

The Select Committee recommended that the list of disqualifying offices be amended only by Order-in-Council pursuant to a resolution of both Houses. The Bill implements this recommendation.

The Select Committee recommended that the Auditor General, the Parliamentary Commissioner, the Commissioner of Police, and the Clerks of the Legislative Council and the Legislative Assembly be disqualified from membership of either House in the same way as judicial officers. Acceptance of such office by a member shall cause his seat to be declared vacant. The Bill implements this recommendation.

It is proposed to implement the Select Committee's recommendation that all permanent heads of Government departments and those of equivalent status in other instrumentalities and agencies of government be disqualified from election to Parliament. This is contrary to the 1979 Bill which provided that these positions be subject to automatic vacation upon election and oath of office. The Bill lists the permanent heads and those of equivalent status. The holder of such a position will therefore be required to resign the position before standing for election.

The Select Committee recommended that those Western Australian office holders who could be elected without resigning should vacate their office on the declaration of the poll. The Bill implements this recommendation.

The Select Committee also recommended that Western Australian office holders standing for election should be required to take leave from the close of nominations. The Bill implements this recommendation and provides for the making of regulations in respect of leave.

It is also proposed to accept the Select Committee's recommendation that, by application to the Supreme Court, any person or member should be able to seek a declaration as to disqualification.

The Select Committee recommended that, with the abolition of the restrictions on contract with the Crown, the question of conflict of interest be the subject of specific Standing Orders in each House. The Government will later pursue this question separately.

I do not intend to detail the Bill on a clause by clause basis. It is a technical and rather complex document and I have arranged for an explanatory memorandum to be prepared by Parliamentary Counsel. This will shortly be circulated to all members and the Bill will be left to lie on the Table for at least three weeks to allow for detailed consideration by honourable members.

In conclusion, this Bill seeks to resolve difficulties which have been recognised for a number of years. These should not be allowed to continue.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

JURIES AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Hon. J. M. Berinson (Attorney General), and read a first time.

ADMINISTRATION AMENDMENT BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.50 p.m.]: I move—

That the Bill be now read a second time.

The law governing the distribution of the estate of a person dying intestate has never been fully set out in the Administration Act. The Act adopts by reference a modified version of rules set out in

seventeenth century English legislation, the Statute of Distributions.

Over the years, local modified rules have grown more numerous and more elaborate. In recent times, important legislative changes have been made by the amendments to the Act of 1976 and 1982. As a result, the Act has been transformed to the point where it is almost no longer necessary to refer back to the English law.

In August 1982, the State's two private trustee companies jointly approached the then Attorney General and suggested that the rules would be clearer and easier to apply if there were to be some elucidation of the term "next of kin" in the relevant part of the Act. It was also suggested that the Act should be made to say specifically that in determining relationships, for the purpose of deciding entitlement in distribution, no distinction is to be made between those of the whole blood and those of the half blood.

In addition, the companies suggested that other relevant rules be stated in the Act; in particular, a rule to determine where there is more than one person entitled in equal degree with others, whether each such person is entitled to a particular part of the estate individually (*per capita*) or is entitled only to share that part with others so entitled (*per stirpes*); and a rule to decide in what cases the issue of a deceased ancestor are entitled to take the share to which that ancestor would have been entitled had he survived the intestate.

The law on the matters raised is considered to be well settled, although some doubts have resulted from a 1976 amendment which, among other things, repealed the part of the Act which had applied the provisions of the English Statute of Distributions. It is therefore arguable that those provisions are no longer applicable.

What is, however, clear beyond any question is that the law which is now being applied by administrators, and which includes principles stated in the Statute of Distributions, is still not comprehensively stated in the Administration Act. It is desirable that the Administration Act should contain such a comprehensive statement, and this Bill is designed to achieve that.

Clause 3 introduces a specific statement that relations of half blood are entitled equally with those of the whole blood.

Clause 4 is the most important part of the Bill and deals with the other matters raised by the trustee companies. Proposed subsections (2a) and (2b) of section 14 provide a formula for determining how the estate is to be distributed among the issue of the intestate; that is, those in direct line of descent, namely, children, grandchildren, great-grandchildren, and so on.

Proposed subsection (3a) of section 14 provides a formula for distribution among collaterals; that is, those who have an ancestor in common with the intestate, namely, brothers and sisters, and uncles and aunts and their respective children. So far as uncles and aunts and their children are concerned, the subsection (3a) formula is applied by reference in proposed item 10 of the table in section 14.

The Bill also makes some important changes to the law. In the table to section 14, proposed item 9 confers an entitlement on grandparents and puts them ahead of uncles and aunts and their children. Proposed item 10 will have the effect of terminating the collateral line through uncles and aunts, with the children of deceased uncles and aunts. This is more consistent with the present limitation of the collateral line through brothers and sisters, to the children of deceased brothers and sisters.

If there are no kin, or the only kin are more remote than the children of deceased uncles and aunts, then under proposed item 11 of the table, the whole of the intestate property will pass to the Crown by way of escheat. At present, there is no escheat to the Crown so long as any kin remain, no matter how remote they may be.

As the Law Reform Commission observed in its working paper, it is reasonable to provide that the general community should benefit before relatives who are so remote that it would be unusual for them to have had any significant contact with the intestate.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

BAIL AMENDMENT BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [2.55 p.m.]: I move—

That the Bill be now read a second time.

The Bail Act was enacted at the end of 1982, but was not proclaimed at that time, pending the drafting of relevant regulations. When these were circulated for comment to appropriate judicial officers attention was drawn to serious administrative difficulties which would result from proclamation of the Act in its present form. Amendments are therefore necessary and are the subject of this Bill.

In general, the Act requires the provision of more information to and by defendants and

sureties. This is to ensure that they are aware of their respective rights and obligations. The emphasis on the provision of adequate information places a day-to-day burden on the officers who administer the bail system.

The Bill proposes to reduce the resulting administrative burden as far as possible without detracting from the Act's philosophy.

It is proposed to amend the Act in the following respects.

Section 8 obliges an officer to provide the defendant with information as to his bail rights on every occasion that the defendant's position in respect of bail is considered. It is proposed that this requirement should apply on the first occasion only. Thereafter, the officer need not duplicate the information provided he is satisfied that it has already been provided.

Section 8 also requires the disclosure of all relevant information by the defendant to the officer authorised to grant bail. It is proposed that a judicial officer may dispense with this requirement where bail is likely to be granted and the information in the possession of the officer is sufficient for his consideration of the case. Clause 6 of the Bill effects these changes.

Section 11(2) requires a certificate to be provided by the officer granting bail to the officer in charge of the lock-up or prison where the defendant is held. In some cases, the officer authorised to grant bail is also in charge of the lock-up and it is proposed that where the one person performs both functions, a certificate shall not be necessary. Clause 7 achieves this.

Section 26 presently requires the completion of a bail record form on all occasions. It is proposed that in respect of applications before magistrates and judges, it shall be enough to keep a record of the application together with reasons for the grant or refusal. This is the effect of clause 11.

Other difficulties not directly related to the provision of information are expected to arise if the Act is proclaimed in its present form. The Bill therefore proposes additional amendments in the following areas.

Section 7(3) of the Act provides that where bail has been refused by a Supreme Court judge the defendant on each subsequent appearance before the court may request to again go before the Supreme Court. In view of the backlog of cases before the Supreme Court, and the lack of necessity for this unlimited right, clause 5 proposes that the defendant should only be entitled to go before a Supreme Court judge on a subsequent occasion where circumstances have changed since his bail was refused on a previous application, or where he failed adequately to present his case for bail on that occasion.

Section 14 provides a right of appeal to a judge of the Supreme Court when bail has been refused by a judicial officer at a lower level. It is proposed to amend section 14 to restrict this ability to one application unless circumstances similar to those proposed in respect of section 7 justify a further application. This is the effect of clause 8.

Section 15 provides the Supreme Court with an exclusive jurisdiction to grant bail where the offence for which the defendant is in custody is punishable by death or imprisonment for life. The major relevant offences are wilful murder, murder, rape, and armed robbery.

It is proposed by clause 9 to limit the operation of section 15 to offences subject to mandatory life imprisonment or, in the case of minors, to sentences in strict custody at the Governor's pleasure. The restricted range of offences will minimise the transport problems which would otherwise arise from the Supreme Courts's exclusive jurisdiction.

It is also proposed to expand a useful provision of the Act in respect of simple offences. Section 18 provides that a deposit of up to $100 will produce a right to be at liberty without formal requirements of bail with respect to offences punishable by a fine of not more that $100 or imprisonment for one month or both. Section 19 provides that the deposit is refunded if the defendant appears, but otherwise he is convicted in his absence and the deposit applied to any fine. It is proposed by clause 9 to treble the amount so as to cover additional appropriate simple offences.

Other matters dealt with by the Bill are as follows.

Clause 5 expressly makes it clear that an application for bail may be made during trial.

Clause 17 proposes to amend section 49. That section provides for the forfeiture of money to the Crown by a surety where the defendant fails to comply with his bail undertaking. It is proposed to tighten up these obligations by the deletion of subsection (1)(c)(ii) of section 49 and restricting subsection (1)(d)(i) of section 49 to excessive hardship caused by a change in circumstances after the date on which the surety undertaken was entered into. This is consistent with the Government's stated view of section 49 when the Act was first introduced.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

SUITORS' FUND AMENDMENT BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.01 p.m.]: I move—

That the Bill be now read a second time.

Proceedings may be taken in the Supreme Court by way of prerogative writ to correct decisions of the Small Claims Tribunal. The prerogative writ procedure operates, in effect, by way of appeal from a decision of the Small Claims Tribunal, on the grounds of breach of natural justice or want of jurisdiction.

A successful party in such an action is unable to recover costs from the suitors' fund because the tribunal is not regarded as a court for the purposes of the Suitors' Fund Act. It is proposed to amend the Act to bring prerogative writs for the correction of Small Claims Tribunal decisions within the scope of the suitors' fund.

Clause 2 of the Bill implements that proposal, by amending the definition of "court" in section 3 of the Act.

Clause 3 of the Bill is unrelated to the above, and effects a consequential amendment to section 4(3) of the Act which was overlooked when the Act was amended in 1978.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

STAMP AMENDMENT BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Minister for Budget Management) [3.03 p.m.]: I move—

That the Bill be now read a second time.

Following a major review of the Stamp Act in 1979 and resulting amendments to the legislation, an expert committee was appointed by the previous Government to consider the public and professional submissions which followed. This Bill is to implement the recommendations of that committee.

The committee's recommendations are designed to discourage or prevent avoidance devices while minimising interference with or the disturbance of ordinary commercial practice. The review committee recommended some 20 amendments in an endeavour to cure the anomalies and inconsistencies which resulted from the 1979 amendments. Some of these recommendations have been implemented in earlier amending Bills because of their effect on duty avoidance and the need to protect revenue.

The amendments now proposed will have little or no effect on the revenue as they seek in the main to improve the administration and understanding of the law and to remove any areas which could offer avenues of duty avoidance.

In brief, the proposed amendments arising out of the committee's report will—

Clarify the administrative provisions for investigatory powers and alteration of documents, and improve the conditions for lodgment of *caveats*;

improve the appellate procedures and ensure that these are restored on a uniform basis;

remove the imposition of duty on package deals of land and improvements which were incapable of being policed and which produced some anomalous situations;

clarify the provisions relating to the stamping of securities for unspecified amounts and for the purchase of property for companies in the process of incorporation;

exempt from the charge of conveyance duty all chattel or moveable type property or property not situated in Western Australia;

modify the provisions relating to transfers of shares on branch registers; and

transfer from the Treasurer to the Commissioner the discretionary powers of exemption from duty for certain charitable organisations.

In addition to the amendments recommended by the review committee, the Bill contains a number of amendments which are designed to improve the interpretation of existing provisions, update the penalty for late lodgment of documents or returns, remove some anomalies and duty avoidance avenues, and clarify certain administrative procedures.

At the present time the provisions for stamping documents without penalty which are executed outside Western Australia and are subsequently brought into the State are unclear. There is also some confusion as to the recovery of duty in certain circumstances. The Bill will clarify these matters specifying more precise periods for both stamping and recovery. At the same time, it is proposed to update the amount of the fine which may be imposed for late lodgment of instruments or returns and for late payment of assessed duty.

The Bill also proposes to correct an anomaly arising out of the provision introduced in 1983 dealing with the issue of units in unit trusts.

These provisions were designed to prevent the use of trusts as vehicles for duty avoidance; but representations by the legal profession have revealed that no allowance has been made for the issue or redemption of units in proportion to existing holdings. Under the present law these would be charged with *ad valorem* duty as a disposition of an interest in the trust. There is, in fact, no change in the proportional benefit entitlement in these cases and it is therefore proposed to provide for only nominal duty.

Another issue has developed from the practice of "lease back" arrangements for fixtures attached to real property. These can be in the nature of brick kilns or other commercial plant. The Bill proposes to ensure that these types of arrangements fall within the definition of "goods" and will thereby remove any doubt that the transactions are subject to the rental duty.

An exemption contained in the third schedule to the Act for instruments of a rental, contractual or technological nature was introduced into the law in 1977 to give relief from the charge of bond duty for certain instruments involving transactions for an indefinite period.

A successful appeal by a taxpayer on this issue has shown that the exemption can be applied to not only the primary instrument but also any following instrument relating to that transaction. This goes further than originally intended and it is proposed to confine the exemption to the first instrument only. Any following documents will be liable to the appropriate *ad valorem* duty.

Another proposal arises from the consolidation in the 1979 review of the "mortgage" and "bond" heads of charge in the second schedule. Certain words left in the consolidated head of charge are considered restrictive in that they relate to "only or principal or primary security" and "rent reserved by a lease". These words are creating uncertainty as to which instrument is the "principal" or "primary" security, and which "rents" are not chargeable as a security in any event. The amendments propose to remove these uncertainties but will have no effect on the revenue.

The 1979 amendments also removed an exemption for an agreement granting option to take up shares in a company. At that time the exemption was seen as an anomaly as options to buy other types of property were liable to duty. The administrative problems associated with trying to enforce this provision have shown it to be impractical. It is therefore proposed to reinstate the earlier exemption provision.

The Bill also proposes to ensure that the anti-splitting provisions will apply to contracts of sale or deeds of gift.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

RESTRAINT OF DEBTORS BILL

Second Reading

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [3.08 p.m.]: I move—

That the Bill be now read a second time.

The present Absconding Debtors Act dates from 1877. It was principally designed to prevent assisted passage immigrants from leaving Western Australia without refunding passage money if they had not already discharged their undertaking to work in the colony.

In September 1978 the Law Reform Commission was requested to undertake a general review of the Act with a view to bringing it up to date. This Bill is based on recommendations contained in the commission's subsequent report of November 1981—project No. 73. Consistent with the commission's recommendations, the Bill goes beyond the provisions of the present Act in one basic respect—that is, it not only provides a means for preventing the debtor from personally leaving the State but, unlike the present Act, it can also be used to prevent him transferring his property, or removing it from the State, if it is thought that such transfer or removal would prejudice the creditor's recovery of what he is owed.

Part II of the proposed Act will enable a debtor who owes more than $500—at present $40—to be prevented from leaving the State where such departure will prejudice the creditor's chance of recovering the debt, and the creditor has made the application for the debtor's restraint within a reasonable time after it came to his knowledge that the debtor intended to leave—clause 3(3). This requirement is intended to prevent the Act being used unfairly. If a creditor delays his action until the last minute in order to put undue pressure on the departing debtor, he may be denied the use of the Act's provisions.

Other proposals to prevent an abuse of the powers in the new Act include the power to review any order made or the issue of any summons or warrant—in clause 21—the creation of the offence of making an improper application—in clause 26—and the provision of a special civil remedy under which the debtor may recover damages from a person who has made use of the Act

without reasonable cause, or in a way which is contrary to the provisions of the Act—clause 27.

The procedure for preventing the departure of a debtor is to obtain a court order that he not leave the State—clause 14. Where the creditor can establish that the circumstances justify arrest—clause 5—the debtor may be brought before the court for this purpose by the issue of a warrant—clauses 6, 7, and 8—otherwise the matter is initiated with the court simply by the issue and return of a summons—clauses 6 and 8.

The warrants will, as now, be issued to and be executed by police officers—clauses 6(1)(a) and 11. Where there is an arrest, the debtor will, as now, be held in custody until he is brought before the court—clause 12—unless he first settles the debt, deposits the amount thereof with the police officer to abide the determination of the claim, or provides satisfactory security for the payment of the amount in question—clause 13. At the hearing, the court may order that the debtor give assurance that he will not leave the State with the debt unpaid and, where he is in custody, make the furnishing of such assurance or assurances the condition for his release—clause 14. The court may also require the creditor to prosecute his claim for the recovery of the alleged debt within a specified time—clause 14(1)(f).

Clause 16 makes provision for the arrest or rearrest as the case may be of a debtor who, having been before the court, fails, or appears to be about to fail, to comply with the conditions imposed for his departure from the State.

Part III of the Act provides for restraint of the transfer of any of the debtor's property in the State, or its removal from the State. The applicant creditor must be able to show that the transfer or removal of the property would prejudice the prospect of recovering what is owing—which, again, must be more than $500. The applicant must also show that he has acted promptly—clause 3(4). The application must be made to the court in which there is already an action for the recovery of the alleged debt or, if there is no such action on foot, then to the court in which such an action might be commenced—clause 17. The outcome can be an order restraining the transfer or removal of the debtor's property—clause 19.

Part V provides for the review of the issue of summonses and warrants, and of any orders of the court. Summonses or warrants may be varied or set aside—clause 21(1)(a). Orders may be varied or quashed—clause 21(1)(b). Orders may be made for the release of debtors in custody—clause 21(1)(c). Applications for such review may be made to the person who issued the summons or warrant, or to the court which made the order sought to be reviewed, but there is a right to go direct to the Supreme Court to have a summons or warrant varied or set aside, or a debtor released from custody—clause 21(2). A person aggrieved by the decision or order made—other than in the Supreme Court—on the hearing of any such application may apply to the Supreme Court for the review of that decision or order.

In general, the Bill will replace the existing Absconding Debtors Act with an Act more suited to current conditions. I commend the Bill to the House.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

ADDRESS-IN-REPLY: FOURTH DAY

Motion

Debate resumed from 1 August.

HON. V. J. FERRY (South-West) [3.13 p.m.]: I have pleasure in supporting the Address-in-Reply motion moved by Hon. Mark Nevill at the recent opening of Parliament and I take this opportunity to congratulate Professor Gordon Reid on his appointment as Governor of Western Australia to be the representative of Her Majesty Queen Elizabeth II. I am sure we have all had the pleasure of meeting Professor Reid and his good wife and we wish them well in their term of office. We hope they derive a great deal of personal satisfaction and reward from their experiences as Her Majesty's representatives in this State.

Further, I congratulate the new Leader of the Opposition in this House, Hon. Gordon Masters. The honourable member has had some years' experience as a member in this House including several years as a Minister of the Crown, and he is well equipped for his new job. We all wish him well in his endeavours.

I also pay tribute to the previous Leader of the Opposition in this House, Hon. Ian Medcalf. He has served with great distinction, firstly as an ordinary member and then as a Minister of the Crown; in fact right throughout his career he has set an exemplary standard in all his endeavours. His decision to step down from the leadership of our party was a decision of his own choice without any persuasion from his colleagues. We respect his wishes to have a rest from the pressures of office and understand that it is a fine thing that a man can relinquish such a position and still be prepared to remain as a member of the House. I am sure he will contribute a great deal more to the Parliament in the time he remains here

One of the most important issues I intend to raise today is one I have raised previously because

it affects the area of the south-west I represent, and for that reason I imagine this will not be the last time I speak on this matter. I refer to the mineral sands industry. Western Australia is fortunate to have this resource. In fact the world is fortunate in having not only Australia but also Brazil and India rich in beach sand deposits containing titanium and zirconium-bearing minerals.

The Western Australian industry commenced in the 1950s and its value to the State is of great moment. In 1982, the total quantity of mineral sands extracted in Australia was 1.8 million tonnes, and the major portion of the tonnage, in fact 1.4 million tonnes, was produced in Western Australia. So the rest of Australia contributed just 0.4 million tonnes of total production. It is interesting to note that in 1982, Western Australia accounted for over 20 per cent of the world's production of these minerals, so it is no mean industry in this State. It is important not only to us, but to countries around the globe.

The industry here employs approximately 1 000 people directly in mining and road haulage operations. Of course, the spin-off throughout the community is quite considerable.

Having set the pattern for the importance of this industry, members may recall my concern expressed some months ago when the Government set up an inquiry to report to the Minister for Health in this State on protection from ionising radiation associated with the mineral sands industry. The report was issued in June 1984 and tabled in the House yesterday. The inquiry attracted a great deal of public debate and exposure in the media, especially the printed media, about the possible radiation hazards of the mineral sands industry. The debate centred around operations in the Capel Shire and in Geraldton.

Last year the debate took a nasty turn when the *Daily News* printed a photograph which it later acknowledged it had doctored. It is a shame that a responsible journal should go to that length to portray one side of the issue.

I would be the first to agree that any industry, commercial undertaking, or facet in our lives deserves to be reviewed and appraised from time to time. One falls behind if one does not do that, and it applies to any aspect in life one may think of. I was a little disappointed that the campaign reached such a fever point that the Government was persuaded to set up an inquiry into the suspected hazards of radiation in this industry. The word "radiation" inspires awe and wonder, and fear both healthy and unhealthy.

I refer now to the terms of reference of the inquiry. In chapter 7 of the inquiry report on page 7.1 under the heading "Discussion of the Terms of Reference", it states—

> The terms of reference of the present commission are to report and make recommendations to the Minister of Health on the following matters:
>
> a. The adequacy of, and compliance with, codes of practice, regulations and legislation regulating radiation protection in the mining, processing and transport of heavy mineral sands and the disposal of tailings;
>
> b. Whether any action needs to be taken in relation to materials removed from heavy mineral sands tailing dumps.
>
> A discussion of the terms of reference, as is done in this chapter, is a necessary precursor to the recommendations of chapter 9. First, we ask whether the existing codes, regulations and legislation are being complied with.
>
> The committee has found no major breaches of legislation, regulations or codes of practice.

The inquiry was set up to probe the industry and it found no major breaches whatever. The report continues as follows—

> At the moment there is an obvious and genuine attempt by the industry to run its business in accordance with good common sense, the codes, regulations and pertinent legislation. The existing state authority responsible for overseeing radiation levels, the State X-ray Laboratories, carries out its work efficiently and effectively despite the small size of its work force.
>
> The committee however did note some minor breaches. An example would be the existence of spilled minerals in the car park of one plant. Employees' vehicles pick up minerals on their tyres, particularly in wet weather. This material, which is mildly radioactive, is then distributed around the local roads. Apart from this being a bad "housekeeping" practice, it is also contrary to the ALARA principle, which is a key principle of the codes and regulations currently in force.

The initials ALARA stand for "as low as is reasonably achievable".

The committee of inquiry comprised three members; the chairman was Associate Professor Murray Winn, of the School of Physics at the University of Sydney; Dr John Mathews of the ACTU Occupational Health and Safety Unit; and Mr Alan Tough of the Western Australian

Chamber of Mines. Mr Tough is a first rate operator and a practical man who knows what he is talking about.

One point in particular concerns me in relation to this industry. I believe the recommendations flowing from the report amount to overkill. The industry has been virtually self-regulating over the years with help from the Radiological Council of this State and the Mines Department. The committee put forward two main recommendations. The first was that a mines radiation safety board should be established and should have the following composition—

1 independent chairperson, appointed by and directly accountable to the Minister;

2 representatives nominated by employers;

2 representatives nominated by the TLC;

1 representative nominated by the Radiological Council;

1 representative nominated by the Department of Mines.

It also recommends that the chairperson should be a full-time or part-time appointment, and that person should not be a current employee of the Mines Department or the Health Department. That is an interesting point. One wonders what brought the committee to the conclusion, that there is not enough expertise in those two departments in Western Australia, when in the committee's own report it states there is little wrong with the industry and the obeying of regulations that control the industry. One wonders what is behind the suggestion of a new man setting up a new beaureaucracy of seven people.

The report goes further and states it should have a full-time secretariat consisting of—

1 Administrative or Executive Officer;

2 Research Officers;

1 Technical Officer;

2 clerical staff.

That is another six people, so there would be 13 people in the new bureaucracy to oversee an industry which is largely self-regulating and which the report said was in good shape, in the main, with some minor variations and tidying up to be done. I asked myself why this proposal was put forward if the local departments are not considered capable of doing it. Who else would fit this appointment, particularly that of chairman?

I looked at the composition of the committee and it occurred to me—but I hope it is not true—that Professor Winn himself might be recommending to the Government that he become chairman of the new body. It is not beyond the bounds of possibility that the Government would be persuaded to appoint him. I do not doubt his competence, but I wonder whether it is necessary to have this gentleman or someone else in charge of a new bureaucracy. We are trying to save money and run an efficient industry. It is efficient; four major companies are involved, and they are all responsible. They have proved that over the years; some have been in the game for 30-odd years.

I realise this report is for public examination and response. I am making a response now as a layman. I do not challenge the technical data because that is not my field. I would not dare because I am not trained in that area. But as a representative of the mineral sands industry to a large extent, a concerned citizen, and parliamentary representative, it seems to me it could be a case of overkill.

I do not know what the response to this report will be from the four mining companies, but my guess is that they will respond to it. Maybe they will do it on an industry basis, which is probably right and proper. I am rather concerned there will be this interference with an industry that has had a good track record.

I guess it is comforting to know from reading the report that the information about what was called "contaminated areas"—I refer to Wonnerup and Capel—was known before this committee commenced its work. It was known before the newspaper ran a story. Steps had been taken to protect the people and landfill operations were put in place in order to cover the tailings. The situation was being remedied by the companies concerned and by the local shires. However, all those so-called "hot spots" were known before the committee commenced its investigations. It is nothing new, yet we have this pressure against the mineral sands industry. I am concerned that over-zealous academics who have no practical experience in the industry will tend to kill it off.

The report which is available to all members to read states that radioactive thorium could be used in nuclear weapons. A lot of information is contained in the report about the nuclear issue. One wonders why this issue has been included in the report because the terms of reference do not cover where the product will end up.

However, the report goes further and refers to the possibility of some element in the mineral sands that could be used for nuclear weapons.

It is fascinating that Dr Troy, a former member of this Parliament, came out with a publication titled "Mineral Sands Scandal" some time ago.

The document is really not worth reading, but it is a further attack on the mineral sands industry, largely on the basis that the product might end up in some nuclear reactor or be applied to nuclear weapons. Where does one apply that yardstick to the minerals of this State? We should perhaps stop mining iron ore in this State because it could end up being used in the construction of guns, warships, aircraft, and submarines. That argument is ridiculous, but it has been put forward as a reason that this mineral sands industry should be suspect. I do not hold with that.

Another peculiar section is contained in this report in chapter 8, page 8.1. It is headed, "Comments on matters outside the terms of reference of the inquiry". The report contains lengthy information on matters which are outside the terms of reference of the inquiry into the mineral sands industry. It is scurrilous that this sort of thing has occurred. I have already read the terms of reference to the House. However, the report refers to the Laporte establishment at Australind near Bunbury and it mentions some matters which I believe the company will be taking up strongly with the Government of the day. My guess is that the company would not have been given the opportunity to make an input on matters outside the terms of reference. It is scurrilous that a company like Laporte should be treated in this way.

The report touches on frontal dune mining.

Hon. Mark Nevill: Are you quoting from the report?

Hon. V. J. FERRY: The report is known as the "Winn Report" and is dated June 1984.

Hon. Mark Nevill: Is that a summary from which you are quoting?

Hon. V. J. FERRY: I am quoting from the actual report. In the section dealing with matters outside the committee's terms of reference the heading, "Thorium nuclear power and weapons" has been used and the report reads as follows—

> Approximately 16 thousand tonnes of monazite are leaving Australia each year; with each tonne containing 60 kg of thorium Australia is exporting in the order of a thousand tonnes of thorium per year. Concern was expressed over the final destination of this thorium in a number of submissions.

Hon. Mark Nevill: What is the conclusion?

Hon. V. J. FERRY: The report continues—

> The beach sands minerals ilmenite, rutile and zircon have many uses but they are also sources of the strategically important elements titanium (military aircraft bodies) and zirconium (nuclear reactor fuel element cladding). Only a small proportion of the elements in the sands minerals end up in these places; however in some submissions there was concern expressed about such uses of the beach sand minerals.

A great part of the report is outside the terms of reference and is slanted towards dubious motives, including nuclear weapons and military hardware.

Hon. Mark Nevill: You are dealing with some of the statements, you have said nothing about the recommendations.

Hon. V. J. FERRY: An honourable member is entitled to read from a report.

Hon. D. K. Dans: We do not mind you reading it, but not today.

Hon. V. J. FERRY: If Mr Dans objects, I am only reading part of it.

Hon. D. K. Dans: Thank goodness for that. You read most of your speeches.

Hon. V. J. FERRY: Mr Dans represents the area of Fremantle and most citizens in that area have the capacity to speak up—

Hon. D. K. Dans: I have read the report and the conclusions. However, I have not brought it to this House to read to members because I am convinced that most of them can read.

Hon. V. J. FERRY: That is patronising of Mr Dans, but while I am representing the mineral sands area it is my privilege to represent the people.

Hon. D. K. Dans: I have to listen.

Hon. V. J. FERRY: The people in the mineral sands area are sick and tired of their towns being downgraded by the slur and the falsehood that the local shire is dangerously contaminated by radiation. It is absolute, utter nonsense.

Hon. D. K. Dans: What were the conclusions reached? Read them to us.

Hon. V. J. FERRY: If the Leader of the Government in this place raises issue about this matter I will quote from the *Daily News* on 22 December 1983, headed, "Capel: We're sick of this stigma". The article states—

> BUNBURY: Capel community leaders and property owners are angry about what they say is a radiation stigma attached to the town.
>
> The shire president, Cr Bill Spurr, says the townspeople are "sick and tired of radiation scare stories" in the newspapers.

If any member in this House denies me the opportunity to speak up on behalf of the people of Bunbury, Capel, or anywhere else, I want to know why. The Leader of the House is touchy about my

suggesting nuclear weapons and military hardware.

Hon. D. K. Dans: Did you make a submission to the inquiry?

Hon. V. J. FERRY: I did not make a submission to the inquiry; it was a technical inquiry which was entitled to produce a report. Anyone can make a response, and that is what I am doing.

Hon. D. K. Dans: I am waiting for the conclusions.

Hon. V. J. FERRY: Earlier in my speech I read from the report which recommends the setting up of a bureaucracy, which can be done. The report also said there was nothing wrong. The idea is to superimpose another bureaucracy.

A Government member: You disagree with Mr Tough?

Hon. V. J. FERRY: I disagree with this report. I am not disagreeing with people, I am disagreeing with this report. It is a public document commissioned by the Government. It is scandalous that it should not support local people.

Hon. D. K. Dans: Mr Tough is in the industry and he appended his name to the report.

Hon. V. J. FERRY: I recognise that, and he is a practical operator. I have acknowledged that before. I disagree with this proposed bureaucracy. I would suggest that the chairman is an academic who has never run a mineral sands industry. He has plenty of criticisms. He has practically shut the industry down on the eastern seaboard by these pinpricks. If these pinpricks are brought in there will not be an industry here. Perhaps some people want to shut it down in case it affects some nuclear reactor.

I want to refer now to one or two other items. The Bunbury City Council has been troubled over the years with the availability of endowment lands for the benefit of the community. Some few years ago there was a great hoo-ha in the Bunbury area by people who are now members of this Parliament—David Smith and Philip Smith—about the possibility of Bunbury losing endowment land because the then Government was about to sell it down the drain. Nothing like that happened. Bunbury has been favourably treated over the years, and it has served Bunbury well. Many other towns would like to have this facility.

Seeing the present Government is now in office, it is curious to find that the city council wishes to receive back into its endowment land Reserve No. 16044, which was ceded by the Bunbury City Council for the purpose of a rifle range. It is no longer required for a rifle range and will be used for other purposes. The Bunbury City Council wants to take that land back. The Commonwealth has agreed to give it up, but the State is not saying it should go back into the endowment lands.

I do not want to bore members with details of the plan, which I do not have here, but it is surrounded by further endowment lands, and the logical thing would be for that land to return to the block from which it came originally. The Government is hedging at the moment. I have put a proposition to the Minister for Lands to have that position corrected, and it will be interesting to see the outcome.

Hon. A. A. Lewis mentioned yesterday the question of Westrail and the depletion of the service. I gather members have received a lot of correspondence from Westrail recently about the closure of offices and various stations. I was reminded as I read this letter of what happened during the last election campaign in Bunbury when I was told emphatically by Westrail employees of Labor Party persuasion that the O'Connor Government would sack 2 000 Westrail employees. There was no doubt about it, it was not 1 999 or 2 001, it was 2 000.

Hon. Mark Nevill: How do you know they were not wrong?

Sitting suspended from 3.45 to 4.00 p.m.

Hon. V. J. FERRY: Prior to the afternoon tea suspension I was referring to the current situation at Westrail and also to the fact that approximately 18 months ago information was circulated to the effect that 2 000 Westrail employees would be dismissed. That indicates the sort of rumour-mongering that is spread around the country. It is fascinating to note that, presumably supported by this Government, Westrail is presently making many changes and a number of people are losing their jobs. Therefore, one wonders what those people in Bunbury feel about the matter now.

I turn now to daylight saving. Earlier this year a referendum was conducted after a further trial period of daylight saving had been carried out. I say a "further trial period" because nine or 10 years ago we had a similar trial and referendum. If one compares the referendum figures, one finds the percentage of votes in favour of and against daylight saving were roughly parallel in both referendums with a marginal increase of 0.69 per cent in the number of people who voted against daylight saving this year as compared to the referendum in 1974.

It seems that the community is firmly against the introduction of daylight saving in Western Australia and I hope the issue rests there for many years. I do not want to see another trial period inflicted on the people of this State because clearly

they do not want daylight saving. I do not see any necessity to raise this issue again for a very long time and I hope future Governments of whatever persuasion are not talked into doing so.

It is not a case of people not wanting more daylight; rather people are expressing their revulsion at the heat we experience in the summer months. That is what causes people to vote against daylight saving. They do not do so because they do not want more daylight. Therefore, I hope this matter has been well and truly laid to rest.

I am a little concerned about the Western Australian wine industry. Currently a considerable amount of wine is being imported into Australia, particularly from the Continent. I am worried that this cheap wine will make inroads into the stocks of our local wineries. However, I gain some comfort from the thought that Western Australian wines are often superior to those which come in from overseas under the dumping procedure. These wines are not only cheap in the monetary sense, but also, in many cases, they are inferior to the local product. However, many people may buy cheap, imported wine rather than the local product.

Hon. D. K. Dans: It is not just wine that comes into this State from overseas, it comes from the Eastern States also.

Hon. V. J. FERRY: Wine brought in from the Eastern States does not help the local industry, either.

I could touch on a number of other items, but perhaps I have dealt with enough issues today and I shall have another opportunity to look at other matters.

Finally, I refer to the position in respect of the Army and Navy in this State. We all know that the present Government, supported by the left wing elements within its ranks, is very much against hosting American naval ships in our ports. I do not know what its attitude is to ships of other nationalities, whether they be British, French, or from some other country; but certainly the Government has a strong dislike for hosting American naval ships.

There seems to be a ground swell of opinion in the ranks of Labor Party supporters that no facilities should be provided for American naval vessels. That concerns me greatly.

I am concerned also about the fact that the Army had to give up its land on Rottnest Island. I realise that matter falls under Commonwealth jurisdiction, but the State was involved in negotiations and I understand compensation of $2.2 million has been awarded in that respect. However, so far I cannot find any evidence of substitute land being given to the Army to replace the facility that it lost on Rottnest Island. That worries me greatly, because here again it seems our defence forces are not being given the correct priority.

I know the Government has set up a defence committee of some sort to examine co-ordination with the Commonwealth on these matters and I hope it succeeds. I wish it well in its endeavours. I hope it produces suggestions which will strengthen the security of the western seaboard and provide better and more efficient facilities for each of the armed services. It is very necessary that should occur.

Most thinking people in the community recognise the need for adequate defence facilities in this State, but it worries me that the Army has been forced off its land on Rottnest Island without alternative accommodation being provided. It must be emphasised that, in times of need, we shall be calling on the armed services to perform efficiently and, if they do not, as one who has some experience in the military arena, I know they will get caned.

Hon. D. K. Dans: You get shot!

Hon. V. J. FERRY: They may get mangled! The community should be behind the armed services and should support them. In that way we can ensure our community is safe. Above all, members of the armed services are an important part of our community. Those who are married have their families living with them wherever they are located and they should not be cast out into the desert regions of Western Australia and told, "You can play your war games out there. If we need you, we will ring a bell and you can come and defend us".

The community should be accustomed to the presence of the armed services in the community as occurs in other countries. A good example of that can be found in the tiny, independent country of Switzerland where military service is compulsory and everyone takes it for granted that he has a responsibility in this area.

We have seen a succession of Governments—this Government is no exception—which have not paid adequate attention to this matter.

Hon. D. K. Dans: They don't have a military camp on the Matterhorn in Switzerland.

Hon. V. J. FERRY: I have not been up there, but I have driven over some of the tank traps on the highways. They were not designed to trap civilian vehicles, otherwise I would not be here; but I have seen some of their fortifications.

Hon. Graham Edwards: Do you support a return to conscription?

Hon. V. J. FERRY: Looking at the clock, I wonder whether members would like me to answer that interjection, or whether it would be preferable for me to conclude my speech.

I would be happy to discuss the conscription issue with the honourable gentleman on another occasion. I centainly believe in the community supporting itself. We need a Police Force and the armed services as much as we have ever done. History has shown this repeatedly, so we do not need to be reminded of this; perhaps we all know it, but I have to restate it. History has shown that those communities which are weak will be steamrolled. Nothing is more certain in life than that. It has happened before and it will happen again.

I support the motion.

Debate adjourned until a later stage of the sitting, on motion by Hon. John Williams.

QUESTIONS

Questions were taken at this stage.

ADDRESS-IN-REPLY: FOURTH DAY

Motion

Debate resumed from an earlier stage of the sitting.

HON. JOHN WILLIAMS (Metropolitan) [4.23 p.m.]: I wish to support the motion and in doing so say I hope the Minister for budgetary services will stay for a little while. I realise he is usually here, but I want to ensure he listens, because I have one or two facts to present to him.

Hon. J. M. Berinson: Do you want to make sure the Minister for Administative Services or the Minister for Budget Management is here?

Hon. JOHN WILLIAMS: The Minister for Budget Management is the man I am after. I hope I am helpful to him.

I would like to add my name to the list of people who are delighted at the Government's excellent choice of Governor in Professor Gordon Reid, and his consort Mrs Reid. I am sure they will bring a new dimension to the Governorship. Professor Reid's expertise on constitutional matters may be needed by this Government before its term is out.

It is also fitting that I congratulate my leader Hon. Gordon Masters on his appointment to succeed my colleague, Hon. Ian Medcalf. Should there be any doubt in anyone's mind, I say that Gordon Masters is a man worthy of the position. Our method of appointment of leaders in this Chamber has proved over the years that there can be no doubt that we make the best choice we can possibly make.

Mr Masters knows he has every member on this side of the House behind him, and I know that the Leader of the House feels also that he has no antagonism towards him as a person—in politics it might be a different matter.

I draw the attention of members to the slip of the tongue made by the Minister for Planning a moment ago when answering a question. He described another member from place as a member of the Government. He is not a member of the Government; he does not have Cabinet rank, to the best of my knowledge. The Executive is the Government. He may be a member of the Government party, but he is not a member of the Government. It may have been a slip of the tongue, but it draws the distinction which I wish to draw at a later stage in my speech about what constitutes Government and what constitutes Parliament.

I am sure members here have looked at the Notice Paper which is before us. I wonder whether the Minister for Budget Management knew that, because of the diligence and application of the Clerk and the President of this House in getting us information as quickly as possible, the cost to produce this Notice Paper is now 3.27c per page. The Notice Paper is made up in this House and photocopied by the Government Printer. The cost to produce this previously was something like $58 per page.

Hon. J. M. Berinson: I suspect your figures are a little wrong.

Hon. JOHN WILLIAMS: I stand open to correction. My understanding was that it cost $58 per page to be produced by the Government Printer and 3.27c per page to be produced here, in cooperation with the Government Printer.

Hon. D. K. Dans: The figures I had showed that it now costs 10c per page and previously cost $42 per page.

Hon. JOHN WILLIAMS: I am sure that it would not have escaped the Minister's notice.

The second matter which I wish to draw to the attention of the Minister for Prisons is that some alarm has been expressed in articles in the Press of late which purport that the medium security prison at Canning Vale is not so secure and that people going there from a maximum security prison will create risks to the community.

I was invited by the Minister for Prisons to watch an exhibition at the medium security prison at Canning Vale. I say unequivocally that the medium security prison at Canning Vale is superior to the maximum security prison at Fremantle

where it would not take a man very long to tunnel out—as has been done in the past.

Without disclosing anything of what we were told or saw, I can assure the public and members in this place, that the medium security prison at Canning Vale is far superior to the maximum security prison at Fremantle.

Hon. D. K. Dans: Ask any prisoner and he will agree with you.

Hon. JOHN WILLIAMS: It is only a question of certain people feeling that guards should be armed so that they can shoot at those who may try to escape. In this day and age that is not always the answer. The answer is to contain the prisoners so that they cannot get out. I do not wish to see a inhumane situation like *Jika-Jika* in Victoria. I visited that prison with a parliamentary group on one occasion.

There are no votes for prisons. The Minister in charge of that portfolio has a most unenviable task and at the moment it is considered by international authorities that Australian gaols are over-crowded and, no doubt, that puts a tremendous pressure on gaols. However, the Minister must weigh up the public demand. Offences are becoming more grievous in nature and more aggravating to people who are victims of crime, and public emotion being what it is, people demand that the persons who have been found guilty be put in a safe place. Successive Governments have to weigh up, especially in tight budgetary times, whether they will build extensions to a gaol or build another school or hospital, etc. It must be difficult to sit around a Cabinet table and say to colleagues, "I need another gaol, or road, or school". They will have to answer when the appeal is from the outside world.

I would like to go on record as saying that I hope the Government will find some way of honouring a man in the community for whom I have had the greatest respect over the years and who, indeed, was once a colleague of mine outside this place. I am referring to Laurie Turnbull and, in his capacity as Attorney General, Hon. Joe Berinson would be mindful of the contribution Mr Turnbull gave to the Parole Board during his time in office. I am sure Hon. D. K. Dans, as a son of an ex-Fremantle fireman, is aware that Mr Turnbull served as chairman of the fire services for some time.

Hon. D. K. Dans: I know him very well.

Hon. JOHN WILLIAMS: I am ever-mindful that he also served as Deputy Chairman of the Alcohol and Drug Authority from its inception until this year.

Inevitably age has caught up with him. He still looks very young and acts in a young manner, but he has now decided that it is time he started enjoying himself.

Hon. H. W. Gayfer: He is still on some very active committees.

Hon. JOHN WILLIAMS: I am aware of that, but I am sure he would not want me to draw the attention of the House to that because he has done so well over the years. He is well respected by a large section of the community for his charity work, and all credit to him for that.

I turn now to ask not questions, but to say that I am totally dissatisfied with the conditions of my workplace. I probably have one of the nicest workplaces in the world. My workplace is Parliament House. I do not deny that I have a good place in which to work and a good room with all facilities, but I shall fight for better facilities for every member for a long time to come. I am talking about all members—both Government and Opposition. There is one thing in which I have failed dismally and which I have raised twice in this House; that is, over 200 people are working in Parliament House—

Hon. A. A. Lewis: When was that count taken?

Hon. JOHN WILLIAMS: As from yesterday.

Hon. D. K. Dans: It will be 205 today.

Hon. JOHN WILLIAMS: God help us, Mr President, if one of us suddenly falls sick. There would not be a great chance of survival. It has happened to a Presiding Officer since I have been in this House. I want to briefly recall those circumstances. That Presiding Officer was in the billiard room after tea, taking some recreation, as was his wont, when the bells rang and he went downstairs to put on his robe. Within five minutes he had collapsed—at least he was not dead when he was put in the ambulance.

It could have been the stress and strain of the position of Presiding Officer that precipitated this. For goodness sake, let us all get together and get some place, particularly during the session, where trained people are able to use resuscitation equipment. It is my honest opinion that had resuscitation equipment been readily available it could well be that that Presiding Officer would be alive today.

Let no-one here think in his mind that he is exempted from these sudden collapses in health.

Hon. H. W. Gayfer: It could not happen today because we would not have time to lie down.

Hon. JOHN WILLIAMS: Mr Gayfer has a point. However, there is a need for a trained person to be present in this building during sessions.

There is also a need for a trained person to be around in case he needs to be consulted. Many members in this House take a great deal of care about their health and they are astonished at what happens when they have a series of tests and find that they are not as fit as they thought they were. It could well be that an early warning system, which is not quite compulsory, but which is convenient and on the spot, and for which members would perhaps not mind paying, would result in a lot of people getting an early warning.

Everyone is jealous about one thing, and that is life. We all say that it will never happen to us. We all know that we will die at some stage, but we hope that it will not happen the next time around. I hope I have not put any sort of jinx on this House and I do not wish any member of the House or the staff any harm, but it is something to which members could turn their attention for their own welfare and for the welfare of the staff.

I refer now to reforms which have gone on in this place over the past 13 years. Mr President, you would be more aware of them because you have had a longer time in this place than I. However, gradually I see that reforms are coming. I will get on my old hobby horse again and say that I hope the time is not far distant when we have an independent pair of Presiding Officers. It is of no disrespect to you, Mr President or to Mr Speaker, but I do appreciate the fact that the skills that are required to be an efficient Presiding Officer cannot be applied in a short three or six-year period.

When I was a boy one of the shining lights in my home town was a fellow called George Thomas who later became the Speaker of the House of Commons. While he was not of my political persuasion he was a brilliant and capable Parliamentarian. I understand that you, Mr President, became acquainted with him and I suggest to you that you would never find a more generous, kindly man who had an excellent knowledge of the Parliament he served. While he was a Labour member of Parliament he became the independently elected Speaker of the House of Commons. He is now retired and later became a Lord in the House of Lords. He made a tremendous contribution to the Parliament and members in this House can make the same contribution, provided they are prepared to give up the silly idea of appointing Presiding Officers from the majority party.

Mr Speaker Harman and you, Mr President, should be thinking of staying in office till the age of 65 at least. I am sure you would not disagree with that. You should not be forced to an election which might be keenly contested, as is the case with the Speaker of the House of Commons. In point of fact, if the election were contested, the Opposition would canvass for him to be re-elected in his constituency.

The reforms must of necessity come through joint negotiations within the Parliament, taking advice from time to time as and when necessary from outside Parliament.

Hon. Garry Kelly: There must be a fundamental change for this to happen in Australia.

Hon. JOHN WILLIAMS: Absolutely, but already, during the short period of this Government, there has been a fundamental change. The process of using Government advisers has been introduced.

Hon. Garry Kelly: Do you agree with that?

Hon. JOHN WILLIAMS: I think it has certain advantages, when the process is finely tuned, to go straight to those with ability. It is a system which could stay. I would agree with that.

Every member of this place and of the other place must be sensitive to the fact that to be elected and to serve in this place is one thing, but to have a sense of responsibility about it is another. People outside look to members of Parliament until such time as one of our number, be it from the Government or from the Opposition, plays up in some ridiculous fashion in an attempt to grab a silly headline and brings the whole institution into disrepute. I sometimes wonder, when one sees all those children in the galleries, whether they truly understand that a member who is reading a piece of paper could well be listening to the debate at the same time. There is no measure of the skills necessary to be a parliamentarian, yet we should be telling people just what those skills are, realising there is no training school, there is no precursor of events to make one person a parliamentarian and another not.

I do not wish to detain the House because I cannot take members on a tour around my electorate. My electorate is a metropolitan one, and it would be ridiculous to do so. I realise our country members can do this and say what is wrong in each little corner. I cannot say that in relation to Mt. Lawley, Fremantle, and so on, and do justice to everyone living there.

I hope, in this session, something very positive and tangible will be done about discussing the security system in this place. You, Mr President, have tried, for goodness knows how long, to get even some minor amendments to security. Do not let any member sit smugly in this House thinking an incident will never happen here.

One of the advantages of the money which the Government grants us on warrant from time to time on our imprest account is that we can go

abroad and look at other places. Something which makes one sit up and think is the amount of security—perhaps in our opinion over-security—we see in other Legislatures throughout the world. In Spain that goes as far as the main thoroughfare outside, where people in jungle greens parade with machine pistols outside the Legislative Chambers.

Hon. Garry Kelly: Was that before or after that incident?

Hon. JOHN WILLIAMS: It was after. The Spanish have every reason to know now that something like this is possible. Our population is not as volatile, but such is the speed of communication that any parcel of miscreants could be deposited in Perth, and they could create an incident in this Chamber if they wanted to draw world attention to some fatuous cause which they supported.

My appeal to the Government as a whole is that if there is no security—and there is some—that is criminal. With our small security it becomes disgusting.

I am looking around at the House on a Thursday afternoon. It does not differ from the House on a Tuesday afternoon. The members are present, and I notice that we have improved our security in this Chamber 100 per cent. We now have our own policeman in the gallery. When I first came here we used to share him with the Legislative Assembly. The policeman from the Legislative Assembly used to come here if we were still sitting when the Legislative Assembly got up. He was a very nice fellow; I knew him well.

Hon. Garry Kelly: In other words Legislative councillors were expendable.

Hon. JOHN WILLIAMS: Absolutely. I know certain things can go on. I would like to see it made a little more difficult to get into Parliament House. The introduction of Government ministerial advisers has in my opinion heightened the problem. One walks up and down these corridors going about one's business and one sees this. Immediately after an election it is a bit dicey to challenge someone and say, "Are you a member?"—if he is, he is indignant.

Hon. Garry Kelly: Are you advocating badges?

Hon. JOHN WILLIAMS: I advocate what was recommended.

Hon. Peter Dowding: In the House of Commons the police are required to recognise the members, and if they do not, they ask. The members are quite happy to be asked.

Hon. JOHN WILLIAMS: A special division of the Metropolitan Police Force whose members live near the House is stationed at Cannon Row. The men are specialised in knowing parliamentary members and procedure.

Hon. Peter Dowding: They do not have badges.

Hon. JOHN WILLIAMS: Members of staff do.

Hon. Peter Dowding: Members of Parliament do not carry badges.

Hon. JOHN WILLIAMS: I am not advocating that members of Parliament carry badges.

Hon. Peter Dowding: I am sorry, I thought, in answer to the question, you did.

Hon. JOHN WILLIAMS: Mr Kelly asked if there was some process of identification by way of labels needed, and my answer was, yes.

Hon. Peter Dowding: For staff?

Hon. JOHN WILLIAMS: For staff, because we do not know the staff.

Hon. Garry Kelly: That is false security, because if anyone wants to get in he can soon forge a badge.

Hon. JOHN WILLIAMS: There is a system whereby it is difficult to do that. One checks in and checks out. Systems can be devised.

I want to finish with a mention of "A" Division of the Metropolitan Police Force. They can also tell one who is on his feet in the House and at what stage the debate is, and what is next on the order paper, such is the nature of the Police Force and the part it plays.

I have drawn attention to only a few domestic matters, but I hope that, in doing so, members will think firstly, about their responsibilities, and, secondly, about better ways in which they may carry them out.

I should love to see the day arrive, Sir, when you and Mr Speaker place on the Table of the House a document indicating how much it will cost to run Parliament for the ensuing year. The Treasurer, in his wisdom, would then take up that document and, before anything else in the Budget is dealt with, would decide a certain amount of money was necessary for expenditure on Parliament, knowing full well that, if that did not occur, there would be no supply.

I hope such a procedure is not too far distant so that the House will then become responsible for the money it spends as well as the money it receives.

Debate adjourned, on motion by Hon. W. G. Atkinson.

House adjourned at 4.52 p.m.

QUESTIONS ON NOTICE

14 and 16. *Postponed.*

GAMBLING: CASINO

Applicants: Cabinet Subcommittee

17. Hon. P. G. PENDAL, to the Minister for Administrative Service:

(1) Is it correct that, arising out of the Cabinet subcommittee's meetings on Tuesday, 3 July 1984 with casino contenders that some or all of the contenders were asked to provide extra information?

(2) If so, which of the contenders provided extra information?

(3) Was Friday, 6 July 1984 given as the deadline for receiving this extra information?

(4) Was Monday, 9 July 1984 the day on which the Cabinet or its subcommittee decided to reduce the short list from six contenders to two?

(5) If so, when did the subcommittee meet to discuss the extra information sought from the contenders?

(6) Where did that meeting take place?

(7) How long did the meeting last?

(8) Which Ministers and/or officers attended?

Hon. D. K. DANS replied:

(1) No.

(2) and (3) Not applicable.

(4) Yes.

(5) to (8) Not applicable.

MINERALS: TENEMENTS

Rates

20. Hon. N. F. MOORE, to the Minister for Budget Management:

Why is it necessary for the Valuer General to continue valuing mining tenements when their rateable value has been included in the Acts Amendment (Mining Tenements) (Rating) Bill which was passed by the Parliament earlier this year?

Hon. J. M. BERINSON replied:

The Valuation of Land Act requires that all valuations be supplied by the Valuer General. He therefore calculates and supplies mining tenement valuations.

While the calculation of mining tenement valuations is straightforward, it is preferable that this continue to be done by the Valuer General, so as to ensure that the calculation is in accordance with the relevant Act.

GAMBLING: CASINO

Applicant: Mr Brian Conway

21. Hon. P. G. PENDAL, to the Minister for Planning:

I refer to a newspaper report of 21 July 1984 which stated that Mr Brian Conway's company was asked for more detail on his proposal for a casino, and ask—

(1) Was the 200 pages of additional submission which was handed to the Government on Friday, 6 July 1984 read by the Minister?

(2) If so, when did he read it bearing in mind that Mr Conway was deleted from the short list within 72 hours of providing this extra information?

(3) If not, why was this extra information sought and not read?

Hon. PETER DOWDING replied:

(1) to (3) As I recall the circumstances, Mr Conway's group was not requested to provide specific further information but was advised that further written submissions would be accepted.

The papers which were provided elaborated on and confirmed matters which had already been put to the committee in the course of discussions.

All such matters were considered by the committee. This did not require an actual reading of all papers. That would have been more relevant to the consideration of the Casino Control Committee had Mr Conway's group reached that stage.

The Leader of the Opposition will be able to confirm this if they accept the Government's invitation to view the relevant papers in confidence.

GAMBLING: CASINO

Applicant: Mr Brian Conway

23. Hon. P. G. PENDAL, to the Minister for Planning representing the Minister for Minerals and Energy:

I refer to a newspaper report of 21 July 1984 which stated that Mr Brian Conway's company was asked for more detail on his proposal for a casino, and ask—

(1) Did the Minister actually read this extra 200 pages of submission handed to the Government on 6 July 1984?

(2) If so, when did he read it bearing in mind that Mr Conway was deleted from the short list within 72 hours of providing this extra information?

(3) If not, why was this extra information sought and not read?

Hon. PETER DOWDING replied:

(1) to (3) As I recall the circumstances, Mr Conway's group was not requested to provide specific further information but was advised that further written submissions would be accepted.

The papers which were provided elaborated on and confirmed matters which had already been put to the committee in the course of discussions.

All such matters were considered by the committee. This did not require an actual reading of all papers. That would have been more relevant to the consideration of the Casino Control Committee had Mr Conway's group reached that stage.

The Leader of the Opposition will be able to confirm this if they accept the Government's invitation to view the relevant papers in confidence.

Hon. G. E. Masters: If he doesn't gag debate.

HOUSING: SHC

Flats: Meekatharra

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

(1) Did the member for Kimberley, Mr Ernie Bridge, officially open a block of State Housing Commission flats in Meekatharra last week?

(2) If so, at whose request did he carry out this function?

(3) Why was it that the three local members representing Meekatharra were not even invited to the opening?

(4) Is it now Government policy that where a Minister is unable to officially open a Government building, a Government backbench member will be given this task, regardless of the electorate in which the building is located?

Hon. PETER DOWDING replied:

(1) Yes.

(2) At the request of the Chairperson of the local Aboriginal Housing Committee, Mrs Avy Curley.

(3) As all invitations to the opening were issued by the local Aboriginal Housing Committee, the member should address his question to those concerned.

(4) No. This was a one off occasion on which the member for Kimberley was invited to to perform this function, being the only Aboriginal member of Parliament in Western Australia and a highly respected member of the Government.

Hon. D. J. Wordsworth: He is not a member of the Government.

GAMBLING: CASINO

Applicant: Mr Brian Conway

25. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Police and Emerency Services:

I refer to a newspaper report of 21 July 1984 which stated that Mr Brian Conway's company was asked for more detail on his proposal for a casino, and ask—

(1) Did the Minister actually read this extra 200 pages of submission handed to the Government on 6 July 1984?

(2) If so, when did he read it bearing in mind that Mr Conway was deleted from the short list within 72 hours of providing this extra information?

(3) If not, why was this extra information sought and not read?

Hon. J. M. BERINSON replied:

(1) to (3) As I recall the circumstances, Mr Conway's group was not requested to provide specific further information but

was advised that further written submissions would be accepted.

The papers which were provided elaborated on and confirmed matters which had already been put to the committee in the course of discussions.

All such matters were considered by the committee. This did not require an actual reading of all papers. That would have been more relevant to the consideration of the Casino Control Committee had Mr Conway's group reached that stage.

The Leaders of the Opposition will be able to confirm this if they accept the Government's invitation to view the relevant papers in confidence.

GAMBLING: CASINO

Applicant: Mr Brian Conway

27. Hon. P. G. PENDAL, to the Minister for Administrative Services:

I refer to a newspaper report of 21 July 1984 which stated that Mr Brian Conway's company was asked for more detail on his proposal for a casino, and ask—

(1) Did the Minister actually read this extra 200 pages of submissions handed to the Governmet on 6 July 1984?

(2) If so, when did he read it bearing in mind that Mr Conway was deleted from the short list within 72 hours of providing this extra information?

(3) If not, why was this extra information sought and not read?

Hon. D. K. DANS replied:

(1) to (3) At the risk of sounding monotonous, as I recall the circumstances, Mr Conway's group was not requested to provide specific further information but was advised that further written submissions would be accepted.

The papers which were provided elaborated on and confirmed matters which had already been put to the committee in the course of discussions.

Hon. P. G. Pendal: Did he tell us untruths? Give us an answer.

Hon. D. K. DANS: Under the circumstances, I do not intend to answer question 27.

Hon. Peter Dowding: That will teach you a lesson.

Hon. D. K. DANS: Mr President, I do not intend to answer question 27.

GAMBLING: CASINO

Applicant: Mr Brian Conway

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

I refer to a newspaper report of 21 July 1984 which stated that Mr Brian Conway's company was asked for more detail on his proposal for a casino, and ask—

(1) Did the Attorney General actually read this extra 200 pages of submission handed to the Government on 6 July 1984?

(2) If so, when did he read it bearing in mind that Mr Conway was deleted from the short list within 72 hours of providing this extra information?

(3) If not, why was this extra information sought and not read?

Hon. J. M. BERINSON replied:

(1) to (3) As I recall the circumstances, Mr Conway's group was not requested to provide specific further information but was advised that further written submissions would be accepted.

The papers which were provided elaborated on and confirmed matters which had already been put to the committee in the course of discussions.

All such matters were considered by the committee. This did not require an actual reading of all papers. That would have been more relevant to the consideration of the Casino Control Committee had Mr Conway's group reached that stage.

The Leaders of the Opposition will be able to confirm this if they accept the Government's invitation to view the relevant papers in confidence.

HEALTH

School Health Service: Dalwallinu

30. Hon. W. G. ATKINSON, to the Minister for Planning representing the Minister for Education:

(1) Why was the position of the School Health Service Sister, based at Dalwallinu, not filled following the resignation of the previous sister on 6 June 1984?

(2) Under the new arrangements, how many and what are the schools covered by the sister based at Moora?

(3) What is the desired frequency of visits to schools in this area and is this desired frequency decided on numbers in each school or other criteria?

(4) Since the area serviced from Moora was enlarged, how many hours are involved in travelling time in an average week?

(5) What is the average weekly kilometres travelled?

(6) What is the estimated monthly costs of accommodation required away from Moora?

(7) Is the sister available for other duties such as—

(a) sex education;

(b) growth and development programmes;

(c) guidance on mental, physical or personal problems; and

(d) assisting with guidance problems?

Hon. PETER DOWDING replied:

(1) There was no position available at Dalwallinu following the resignation of the previous school health nurse, as the position was relocated to the central region due to policy of rationalisation and regionalisation.

(2) 25 schools now receive services from the school health nurse in Moora—

Central Midlands Senior High School, Moora
Gingin District High School
Badgingarra Primary School
Bindi Bindi Primary School
Bindoon Primary School
Cervantes Primary School
Coomberdale Primary School
Dandaragan Primary School
Gillingarra Primary School
Jurien Bay Primary School
Lancelin Primary School
Miling Primary School
Moora Primary School
Wannamal Primary School
Watheroo Primary School
Keaney College
St Joseph's Convent, Moora
Salvado College, New Norcia
Dalwallinu District High School
Ballidu Primary School
Buntine Primary School
Calingiri Primary School
Pithara Primary School
Wubin Primary School
Yerecoin Primary School

(3) Frequency of visits dependent on—

numbers of children needing screening services at relevant ages;

numbers of children requiring reviews for health reasons;

participation in health promotion and health education programmes;

numbers of children specially referred to school nurse by parents/teachers.

(4) to (6) It is not possible to give this information as yet as the new situation has not been in existence long enough.

(7) (a) to (d) Yes.

GAMBLING: CASINO

Applicants: Cabinet Subcommittee

33. Hon. P. G. PENDAL, to the Minister for Administrative Services:

(1) Did the Minister, in a letter dated 5 July 1984, to a party interested in establishing a casino, say that additional information being sought by the Cabinet subcommittee would assist that full Cabinet at its meeting the following Monday?

(2) Did he advise in the same letter that it was likely that at that Cabinet meeting a further short list of contenders would be selected?

(3) Is it correct that on Monday, 9 July, Cabinet did not meet but that the number of contenders was reduced to two in any case?

(4) If so, in the absence of a full meeting of the Cabinet who made the decision to reduce the number of contenders to two?

Hon. D. K. DANS replied:

(1) Yes.

(2) Yes.

(3) Cabinet did not meet, but all available Cabinet Ministers were consulted.

(4) Answered by (3) above.

38 and 39. *Postponed.*

PLANNING

South-east District Planning Committee

40. Hon. P. G. PENDAL, to the Minister for Planning:

(1) Should the south-east district planning committee participate in all steps and the various studies in the matter of the Spencer-Chapman road link which directly affect the member councils?

(2) Will the Minister direct the relevant departments and the MRPA to involve the south-east district planning committee in these investigations forthwith, and to halt all work studies relating to this major project until the committee has been fully briefed on the work carried out to date and given an opportunity to participate in future?

Hon. PETER DOWDING replied:

(1) and (2) The member misunderstands the process. Many of the studies are not relevant to the statutory functions of the committee but when the proposed amendment to the region scheme is advertised for comment with a supporting ERMP it will then go out for wide public reaction. The committee will then have ample opportunity to make an input. Substantial changes to a proposal at that stage are not unusual so the consultation then is real and does give the committee every opportunity to be involved.

41. *Postponed.*

HEALTH: DENTAL

Dentists and Dental Technicians

42. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Health:

(1) How many dentists are registered to operate in Western Australia?

(2) How many dental technicians are there in Western Australia?

Hon. D. K. DANS replied:

(1) As at 6 July 1984 —686.

(2) There is no registration mechanism presently available to the Government for this figure to be accurately determined.

ROAD

Great Eastern Highway

43. Hon. G. E. MASTERS, to the Minister for Planning representing the Minister for Transport:

(1) How far advanced are plans for the widening of the Great Eastern Highway, Greenmount?

(2) What other options have been considered or are to be considered by the MRPA and the Main Roads Department?

(3) If no other options have been considered or investigated, why not?

(4) In view of the deep concern of local residents when can they expect to be advised of a final decision on construction dates and details of land resumptions?

Hon. PETER DOWDING replied:

(1) to (4) The member is referred to the answer given to question 13 yesterday. There is nothing further that can be added at this stage.

LOCAL GOVERNMENT

Development Costs

44. Hon. P. G. PENDAL, to the Minister for Planning:

(1) Has the Minister received approaches from local authorities to allow for the introduction of a system by which councils would recover the cost of planning services from developers under certain circumstances?

(2) If so, what is the Government's attitude to such a scheme?

(3) Has the Government been asked to reconsider its attitude and, if so, with what result?

Hon. PETER DOWDING replied:

(1) Yes.

(2) and (3) The views expressed by local authorities are being referred to the Committee of Inquiry into Statutory Planning and the Government will make a determination in the light of the inquiry's report.

STATE EMERGENCY SERVICE

Protective Clothing

45. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

(1) What amount of money was spent by the State Emergency Service on protective clothing over each of the past five years?

(2) Would the Minister provide a break down of the major component of such expenditure for protective clothing?

Hon. J. M. BERINSON replied:

(1) State funding of any significance for the purchase of SES equipment including protective clothing was first made in 1983-84. The amount spent on protective clothing was $47 310.

(2)

ITEM	QUANTITY	COST
(a) Boots High Leg	400	11 800
(b) Foul Weather Jacket/Trousers	300	3 900
(c) Overalls (Orange)	600	14 382
(d) Hats Safety (Bush Style)	1 000	3 500
(e) Belt Waist Webbing	350	1 050
(f) Shirt Men (Metallic Blue)	280	2 329
(g) Trousers Men (Metallic Blue)	100	1 655
(h) Jacket (Metallic Blue)	140	2 772
(i) Slacks/Shirt (Metallic Blue) Women	100	3 704
(j) Survivor Vests	100	1 500
(k) Goggles Protective	200	482
(l) Wet Weather Clothing	20	236

CHARITABLE ORGANISATIONS

Raffles: Licensed Premises

46. Hon. P. G. PENDAL, to the Minister for Adminstrative Services:

(1) Is he aware of the concern of charitable bodies over the long-standing prohibition of selling raffle tickets on licensed premises?

(2) Is he prepared to consider changes in legislation to accommodate the charitable bodies?

Hon. D. K. DANS replied:

(1) Yes.

(2) Yes. It is intended to introduce the legislation in this session.

HEALTH: DENTAL

Dentists and Dental Technicians

47. Hon. P. H. WELLS, to the Minister for Planning representing the Minister for Education:

(1) How many dentists have qualified for each of the past five years?

(2) How many dental technicians have qualified for each of the past five years?

Hon. PETER DOWDING replied:

(1) The following are the numbers of students who graduated during this time from the University of WA with a Bachelor of Dental Science—

	Pass Degrees	Honours Degree
1979	22	—
1980	21	1
1981	30	2
1982	21	3
1983	23	2

Depending, however, on the meaning of "qualify", it should be noted that the Dental Board of WA has registered the following numbers of dentists over the same period.

	UWA Graduates	interstate Graduates	Overseas Graduates
1979	20	2	39
1980	7	13	18
1981	23	8	10
1982	41	6	4
1983	8	9	9

(2) The following are the numbers of students who have successfully completed the Technical Education Division Dental Technician's Apprentice Course during this period—

1979	14
1980	1
1981	2
1982	15
1983	2

PORNOGRAPHY: VIDEO FILMS

Banning: Period of Grace

48. Hon. P. G. PENDAL, to the Minister for Administrative Serives:

(1) Why did the Government permit such a lenghty period of grace to be given to traders in X-rated pornographic video material?

(2) Does the Minister accept the view of the Soroptomists International of Canning Districts, amongst others, that the delay will have the effect of accelerating the proliferation of X-rated videos through increased sales to beat the 1 September deadline?

(3) Is he also aware of the public comments made by some video dealers that they have a way of circumventing the new law?

(4) If so, what action has been taken to—

(a) discover the method of circumvention;

(b) prevent these traders from making a mockery of the law?

Hon. D. K. DANS replied:

(1) Because in some cases vast amounts of capital had been invested. In addition, all distributors had paid an annual licence fee from as early as 1 January 1984.

(2) No.

(3) No.

(4) (a) and (b) This is a matter for the Police Department.

HEALTH: MEDICAL PRACTITIONERS

Osborne Park and Wanneroo Hospitals

49. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Health:

(1) At the Wanneroo and Osborne Park hospitals under the sessional arrangements for doctors and surgeons, who are responsible for providing instruments and equipment required for an operation?

(2) What is the value of instruments for such operations held by each of these local hospitals as at 30 July 1984?

(3) What plans are there to purchase additional instruments required for operations in the Wanneroo and Osborne Park hospitals?

(4) What expenditure is planned for each of these hospitals for such instruments?

Hon. D. K. DANS replied:

(1) The hospitals are responsible for providing essential operating instruments and equipment.

(2) This information cannot be obtained at short notice.

(3) Surgeons were asked to supply, by 30 July 1984, details of essential operating instruments and equipment.

(4) Essential operating instruments and equipment will be purchased within the constraints imposed by budgetary considerations.

50. *Postponed.*

HEALTH: DENTAL

Dentists and Dental Technicians

51. Hon. P. H. WELLS, to the Leader of the House representing the Minister for Health:

(1) How many dentists are employed in—

(a) hospitals;

(b) education institutions; and

(c) other Government institutions or statutory authorities?

(2) How many dental technicians are employed in—

(a) hospitals;

(b) education institutions; and

(c) other Government institutions or statutory authorities?

Hon. D. K. DANS replied:

(1) (a) 60 full time
27 part time;

(b) 14 full time
3 part time;

(c) 52 full time

(2) (a) 49 full time
14 apprentices;

(b) 5 full time

(c) 3 full time.

ROAD

Hope Avenue Interchange

52. Hon. P. G. PENDAL, to the Minister for Planning:

I refer to an approach to the Minister from the South Perth City Council dated 28 May on the subject of the Hope Avenue Interchange at Manning, and ask—

(1) Why has the Minister delayed responding to the council's request for two months?

(2) Will he undertake to expedite a reply?

Hon. PETER DOWDING replied:

(1) and (2) It would appear that the member has again failed to check his information thoroughly before asking this question.

It is not correct to say that I have delayed replying to the City of South Perth on this matter, in fact I wrote to the Town Clerk on 6 July, 1984.

In that letter I indicated that the MRPA was still awaiting a report from the Main Roads Department and therefore it was not possible to resolve the matter at that time.

53. *Postponed.*

WASTE DISPOSAL

Manning Tip

54. Hon. P. G. PENDAL, to the Minister for Planning:

(1) Has the MRPA now received from the South Perth City Council the conceptual plan for the future development of the old Manning rubbish tip?

(2) If so, when can the council expect the land to vested in it?

Hon. PETER DOWDING replied:

(1) Yes.

(2) When the outstanding matters have been settled the issue will be resolved.

PORNOGRAPHY: CENSORSHIP

Advisory Committee

55. Hon. H. W. GAYFER, to the Minister for Administrative Services:

Further to my question 1 of 31 July 1984, and in respect of the operations of the State advisory committee on publications—

(1) When is it proposed the Government will appoint two persons to fill the vacant positions on the committee?

(2) If 8 per cent of the videotapes from 1 January 1984 and 10.5 per cent of publications from 1 July 1983, to 30 June 1984, have been rejected what are the total figures, in each category, of the material examined from which those percentages were arrived at?

Hon. D. K. DANS replied:

(1) In the near future.

(2) Videos—525

publications—1874.