Legislative Council

Tuesday, 20 September 1983

The PRESIDENT (Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS

Questions were taken at this stage.

LEGISLATIVE COUNCIL CHAMBER

Televising: Statement by President

THE PRESIDENT (Hon. Clive Griffiths): Honourable members, in keeping with an arrangement of which you are aware, earlier in the session I permitted the ABC to film a part of a sitting of this House, which film the ABC would retain in its film library for future use when references were made to the Legislative Council. I have given similar approval for TVW Channel 7 to have the same facility, possibly tomorrow or the next day.

ELECTORAL AMENDMENT BILL

Second Reading

Debate resumed from 13 September.

HON. P. G. PENDAL (South Central Metropolitan) [5.15 p.m.]: The Opposition takes the view that this Bill is something like the curate's egg; it is good in parts. In an overall sense, a number of commendable objectives are contained in the Bill and were explained by the Minister in his second reading speech. By the same token, the Opposition takes the view that a number of aspects of the Bill are, to say the least, deficient. The least the Opposition requires in the course of this debate is detailed answers in order that we can assure ourselves of the bona fides of the Government.

The Bill is also a little puzzling, not only for what it does, but also for what it does not do. The Government sees a lot of merit in drawing some parallels between Commonwealth electoral practice and the Commonwealth Electoral Act, on the one hand, and State electoral practice and the State Electoral Act, on the other. For example, in his second reading speech the Attorney General spoke very warmly in this House about establishing—I think he called it—a working relationship between the State of Western Australia and the Commonwealth. The Opposition takes the view that that in itself is an entirely commendable objective.

At least two things are apparent, if we embrace that idea of the Commonwealth and the State working more closely together in electoral matters. The first is that the proposal for a joint enrolment card is in fact quite contrary—I emphasise that—to the ALP's own election manifesto, a manifesto which explicitly makes the promise of a joint electoral roll.

The second thing that emerges in the eyes of the Opposition in regard to this Bill is that the proposals the Government has included in it in fact, I suggest, positively conflict with some provisions of the Federal Act. I put it to the House that a good example of that is the provision that, if passed, will mean that once the writ is issued for a State election a fortnight must elapse before a person may nominate. I refer to section 72(2) of the Federal Act, which in fact makes an allowance for nominations for Parliament to be made at any time after the issue of the writs.

In making that observation I also make the point that the Opposition does not see any particular merit in uniformity *per se* or uniformity for its own sake. We do not see anything inherently good in uniformity. I put it to the House that it is odd, to say the least, for the Government to see much merit in uniformity and yet to totally disregard moves to achieve that end. Why is it, for example, that only a few months ago the Australian Labor Party was so passionately committed to a joint roll but has now abandoned that stance? After all, the Attorney General's own remarks in his second reading speech were as follows—

> This Bill contains a number of proposals which form part of a range of electoral reform undertakings presented to the electors by the Labor Party at the 1983 general elections.

But the truth of the matter is that the proposition for a joint enrolment procedure is one for which the Government has no public endorsement. In fact, I would go so far as to say that the public did not even hear about that concept. In those circumstances, I put it to the House that it is a complete irrelevance for the Attorney General to commend these proposals to us on the ground that they will save money. I say that it is an irrelevance because one would have to admit that a joint roll as distinct from joint enrolment would save even more money.

Those critical comments on that point aside, I express my own general agreement with the concept of a joint roll. Other speakers may take a view contrary to mine, which is that the concept of a joint enrolment card is in itself a laudible ob-

jective. If it has no other result than that we have in this State an up-to-date set of electoral rolls at any given time, I put it to the House that the change would be a worth-while one, especially as the change would come about without surrendering to the Commonwealth in any practical sense any right of this State so far as the conduct of its own affairs is concerned.

It seems to be a matter of almost supreme irony that the insertion of the provision for the joint enrolment card in fact will repeal the section of the present Act which already provides the machinery for a joint electoral roll. I hope members take note of my comments. In other words, the Government is asking us to take out of the Electoral Act the very provision to which earlier this year the Labor Party committed itself in its election document. I remind members that the Premier, Mr Burke, had this to say—

> The Labor Government will enact a new Electoral Act incorporating joint State/Commonwealth electoral rolls with the adoption of Commonwealth electoral procedures.

That was the commitment for joint State-Commonwealth electoral rolls made at that time. It was not a commitment for a joint electoral card, which is the proposition now put to us by the Government in this Bill. If ever the concept of "mandate" had any meaning or integrity it has been destroyed by the action of the Government in repudiating its own new policy, albeit a policy with which I agree. As a member of this House, I hope that from now on we do not hear the word "mandate" mentioned at all because if one claims that one has a mandate to do A, B, and C, it is also reasonable to assume that the party that has committed itself to D, E, and F, will at least make some effort to implement those propositions. Yet in this case we are being asked to take out of the Electoral Act the very provision to which the Burke Government, prior to its election, committed itself.

Hon. Garry Kelly: Surely there is more to it than that?

Hon. P. G. PENDAL: We are told, perhaps reasonably, that the joint enrolment approach is favoured because State rolls are used for a number of purposes which are not the concern of the Commonwealth. In that respect the Attorney General has told us that the Government wants to preserve some measure of independence for this State, and I applaud him for that. We are told that to achieve the joint enrolment the residential qualification has to be altered so that a person needs to reside in that electoral district—I think they are the words—for a period of only a month in order to qualify as a voter in that district.

That is, on the surface, a fair and reasonable proposition; but I put it to members of the House that it will be a very difficult thing for any person coming to this State from, say, Tasmania who otherwise qualifies to be on both electoral rolls, to make any sort of mature judgment in a State election after only one month's residence in Western Australia. If in fact the one-month residential qualification is pivotal to a joint enrolment procedure, I would be reluctant to press the point any further. I rather think that the one-month qualification period is almost a certain guarantee that ill-informed judgments will be made, at least by that section of the population—judgments which could otherwise have been avoided.

The Bill also seeks to repeal that section of the Act that requires a claim to have a person's signature witnessed by a range of people, including a justice of the peace. That proposition has been argued vigorously since its introduction some years ago. I put it to the House that if the witness can be virtually anyone—that is, an elector who is qualified to be on the roll for the Commonwealth or the Legislative Assembly—and if in fact the witnessing qualification is that wide, there is really not much point in having a witness at all. It may be that a simple declaration by the claimant could be made without the need for a second party to be involved.

Hon. Garry Kelly: That would be in regard to the Commonwealth roll.

Hon. P. G. PENDAL: I appreciate that; however, I prefaced my remarks by saying that the Opposition does not see anything inherently good in uniformity, but there may indeed be good reasons for uniformity in a variety of areas.

I feel less charitably inclined towards the further amendment that repeals the law demanding that a claim form be submitted to the electoral registrar within 31 days of its completion. Of course, it is an understatement to say that that provision has been argued with great vigour and passion in this Chamber. The point I raise here is that I cannot begin to wonder why a person would want to hold on to a card for any longer than that period anyway—unless, of course, that person was up to some mischief.

I do not see any disadvantage, because of the time span, to people who live in remote areas of the State, which is the reason cited by the Attorney General for its removal. After all, if we are so concerned about the red tape aspect and how that adversely affects country people and those living in remote areas, the present Government

would have heeded the call that I made in this Chamber when Parliament was recalled earlier this year to discuss the prices legislation.

If I recall correctly, that legislation contained a provision whereby country storekeepers, for example, could be required to have a stocktake carried out at the request, behest, or insistence of the commissioner for prices and the details of that stocktake would need to be witnessed by some independent party. That was the point I raised during that debate. When I pointed out the problems the legislation might bring to people living in country areas or remote areas the Government of the time showed scant regard.

I put it to the House that the parallel between that situation and the situation which brings the Government to repealing this section of the Electoral Act are very similar indeed. In other words if one is asking for at least a minimum of consistency, the Government should not have included it in the prices legislation or, alternatively, it should not be seeking to amend the current provision in the present Electoral Act.

The Opposition also is extremely concerned about the widely varying assessments as to the number of people who will be transferred from the Commonwealth roll to the State roll under the provisions of this Bill. For example, I have heard the Minister in another place refer to that figure as being in the region of 40 000 to 50 000 people. Yet an authoritative document is available to the Government—as it has been to the Opposition—published out of Murdoch University under the authorship of Geoffrey Gallop, which indicates that at the time of the State election on 19 February the number of people voting for the Legislative Assembly election was in the region of 644 000. Two weeks later, 728 000 Western Australian electors turned out for the Commonwealth lower House election. That would suggest a discrepancy of somewhere around 84 000 electors. The Attorney General at some later stage may care to comment as to why those figures seem to be so far apart.

In touching briefly on that area one concedes that those voters—at least on my reading of the Bill—are not automatically going to be transferred to the State roll, and neither should they be. There is provision which puts onus on an electoral registrar to check the qualifications of a person being transferred. Under the new Act as it will be then the transfer proposal will be carried out within six months of the commencing date of the Act. I put it to the House that we are really giving the registrar or the officials an impossible task to achieve if they are to do the job properly. I go so far as to suggest that it is inviting trouble to the extent that a registrar will be able to afford each elector only a cursory glance before he is transferred from the Commonwealth to the State roll.

I do not suggest the entire 84 000 people to whom I referred earlier are dubious voters. Even if only five per cent were challenged, one is talking about 4 200 voters which, as anyone would know, even dealing only with the last State election, is enough across several electorates—especially marginal electorates—to affect the outcome of an entire State election. The point I am making, if the Minister did not hear it earlier, is that while there is to be machinery for the transfer of those people I am suggesting it is an impossible task to transfer 84 000 people in six months and still abide by the provisions of the Act.

Hon. J. M. Berinson: You seem to be dealing with two different things: the difference in enrolment and the difference in the number of people voting. You seem to be treating those as the same. Is that your intention?

Hon. P. G. PENDAL: I am suggesting that that may well be the case. Whatever the number, the Minister himself in another place has conceded that the number could be anywhere between 40 000 and 50 000. Again the point I was making earlier is that it does not really matter whether it is 84 000, 50 000 or the 40 000 mentioned by the Minister in another place. There is sufficient discrepancy and a sufficient "stab in the dark" approach to the accuracy of those figures as to cast serious doubts about the capacity of electoral officers to comb through those names before they are admitted to the State electoral roll.

In those circumstances one cannot have it both ways. If we are going to say there is a large number of people who should be transferred and that we are going to allow a six months' period for that transfer, one assumes the Government has done sufficient homework to ensure that six months is adequate time. Otherwise one could argue that the period of six months is not sufficient to permit the job to be done adequately, and that we are going to end up with a messy roll; and rather, we should have allowed 12 months to do the job accurately.

Again I am making the point that I query whether the Government is setting an impossible task for electoral officers. There may well be a simple and reasonable explanation, but in this debate up until now that explanation has not been forthcoming.

Hon. Kay Hallahan: What constitutes "dubiousness"?

Hon. P. G. PENDAL: To obtain a definition of "dubiousness" we could comb over material that has been combed over in at least three years since I have been in this Parliament. The suggestion being put to us by way of this amending legislation is that we need a more up to date and reasonable system. I suggest we would probably do ourselves a great favour by not looking for definitions of what is a dubious and even perhaps, in some circumstances, a non-existent voter.

I have grave doubts about altering those procedures whereby under current law people can be taken off the roll if they fail to vote and then fail to respond to the query by the Electoral Department. It is argued that to take a person off the roll in that way or in those circumstances is in itself an undemocratic act. Yet I suppose one could draw a parallel between what the other agencies of government do when one ignores their communications. In the case of the SEC one ends up with no power; in the case of Telecom, one has no telephone; with the Metropolitan Water Authority, one loses one's water.

I acknowledge that under these new provisions as I read them a person can still be fined for failing to respond, but that the fine in no way will take the person off the roll.

The Opposition has some criticism to offer of the provision by which a claimant who does not know his date of birth or his year of birth, can now simply declare that he is 18 years of age and have that alleged fact witnessed by a qualified person.

The provision merely says that the witness has to satisfy himself or herself that the claimant is over 18 and one may well ask: How does a witness satisfy himself of a person's age when the person does not know it himself? Certainly a 65-year-old "boat person" who otherwise qualifies to go on the roll is demonstrably over the age of 18.

Hon. Garry Kelly: How many cases would be involved?

Hon. P. G. PENDAL: I do not know how many cases would be involved, but on many occasions in this place we have heard that if democracy is a fragile instrument, one should head off all possibilities for manipulation and abuse. Therefore, I suggest, if it involved only 100 people in a marginal electorate, that could well be critical. I think the member would concede that point.

Hon. Peter Dowding: Even if it kept 200 people off the roll!

Hon. P. G. PENDAL: The person who is not in that category of demonstrably being over the age of 18—the person who, by his appearance, appears to be 17, 18, or 19—may well put the witness in a very unfair legal situation.

I refer members to the provisions that pertain to a person seeking a motor driver's licence in this State and I ask the Attorney General to give us a response to that point when he replies. My inquiries reveal that one cannot obtain a motor driver's licence unless one produces a birth certificate and, in that particular case, parental consent.

Hon. Peter Dowding: That is not so, because not everyone born in Australia has a birth certificate. Therefore, that is nonsense!

Hon. P. G. PENDAL: I wonder whether we are now having the Minister for Mines responding for the Attorney General. I refer the Attorney General, who is frequently a little more helpful than his colleague, to that Statute which deals with the issuing of motor drivers' licences.

Hon. Garry Kelly: Are you saying that everyone has to have a birth certificate?

Hon. P. G. PENDAL: I am not saying that at all. I wish members would pay attention to what is being said, then they would not need to ask silly questions. We have even seen the position in the north of this State where, a few days ago, a situation I agree was unsatisfactory applied to people who were seeking Australian passports in order that they could travel to Bali. Again I suggest that the obligation we seek to place on the person who is witnessing that claim for enrolment card is a very unfair duty indeed.

Hon. Peter Dowding: Why?

Hon. P. G. PENDAL: I do not intend to repeat what I have said just for the Minister's sake; but it is unfair if for no other reason than that it puts the law in the position where it is asking a person to say, "Have a stab in the dark. Have a go. Make an estimate as to the person's age". Then, I suppose, the witness is asked to make a judgment as to the integrity of the person who is making the claim, because the witness then must ensure that the person is in fact over the age of 18. I put it to the House that that is a lackadaisical way to legislate.

Hon. Garry Kelly: How would you do it?

Hon. P. G. PENDAL: I have a number of suggestions as to how we should do it.

Hon. Peter Dowding: That is what happens at the moment—people have to make a stab.

Hon. P. G. PENDAL: That, Mr Kelly and Mr Dowding, was the reason for which the Government was elected. It was elected to come up with

some of those solutions. After all, the Government has posed the problem in the legislation that is before us now.

Overall many of the provisions of the Bill are not unreasonable and, indeed, it could be argued—I would be happy to argue in this way—that they will improve the electoral system which, despite the criticisms, is among the fairest electoral systems in the world.

Hon. Garry Kelly: Except for redistribution.

Hon. P. G. PENDAL: Many people would be delighted to have it. People in Central America would be delighted to embrace it and people in the Middle East are currently dieing in an effort to achieve something that even resembles the electoral system that exists in this State.

Hon. Garry Kelly: The gerrymander!

Hon. Graham Edwards: Are you saying that, in the Middle East, they are fighting for democracy?

Hon. P. G. PENDAL: No, I did not say that.

Hon. Graham Edwards: What are you saying?

Hon. Kay Hallahan: You were implying it.

Hon. P. G. PENDAL: The member asked me a question and I have answered it. I repeat my earlier statement: We are making some effort in this Bill to tidy up an electoral system which is among the fairest anywhere in the world and certainly in the western world; an electoral system which is the envy of many countries not so lucky as to have free elections and all that they suggest.

The Hon. Margaret McAleer and some of my other colleagues will expand on other areas of the Bill during the second reading stage. As I have pointed out, and as will be pointed out by my colleagues, the Bill contains a number of unsatisfactory clauses on which we shall seek some answers. However, the provisions which are good can be shown to be good and, therefore, I have not spent a great deal of time on them and I commend the Government for them. Those which are dubious and upon which one could cast some doubt, are doubtful and dubious indeed, and we hope that, in the course of the debate, the Government will provide us with the answers we seek.

HON. LYLA ELLIOTT (North-East Metropolitan) [5.36 p.m.]: I support the Bill. One of the most basic requirements of a democratic society is a fair and just electoral system which enables all citizens to participate equally in the selection of Governments and, contrary to the remarks of the Hon. Phillip Pendal, I do not believe that is the position in Western Australia at present.

The Government has given a clear commitment to correct the situation and this Bill is just one of the steps which will achieve that.

The position was bad enough before 1974, because of the unjust electoral boundaries which existed then and which still exist—I will not go into them—but during the nine years of Liberal-National Country Party rule since then we saw some of the most disgraceful abuses of power in the area of electoral affairs that have ever been witnessed in this State's history. In 1976, within two years of being elected, the Court Government amended the Electoral Act to enable it to deprive Aborigines in the north-west of their votes at the 1977 election.

Hon. P. H. Lockyer: Rubbish!

Hon. Kay Hallahan: It is true.

Hon. P. H. Lockyer: How would you know, Mrs Hallahan?

Several members interjected.

Hon. LYLA ELLIOTT: When the shameful tactics of the Liberal Party were exposed at the subsequent Kimberley Court of Disputed Returns—I am sure the members who interjected would not have the cheek to dispute the findings of that court—the Government had the audacity, right on top of the court's decision, to introduce other legislation in 1977, the very same year of the hearing, to try to amend the Act again. It was only as a result of the public outcry, the strong opposition of the Labor Party, and, finally, the casting vote of the Government's Speaker, Mr Thompson, that the legislation was thrown out on that occasion.

Of course, not satisfied with that, the Government introduced another Bill in 1979 which, among other things, in my opinion and in the opinion of many other people, was designed to manipulate the electoral rolls and to make it difficult for certain people to enrol and vote, by imposing unreasonable conditions that did not apply anywhere else in Australia, including Queensland.

Hon. Garry Kelly: To minimise enrolment.

Hon. LYLA ELLIOTT: I will not deal with the 1975 and 1978 Bills which amended the Electoral Districts Act, which fiddled the metropolitan and north-west boundaries, and which were designed to give the Liberals an electoral advantage, but I merely include mention of them to support the case I am trying to present that the conservative parties in this State have a disgraceful record in respect of electoral matters.

Two other charges can be levelled at the previous Government: Firstly, it starved the Electoral Department of funds. It is one of the most important departments which should be given adequate resources and staff; but the previous Government starved that department of funds so that it could

not perform its functions effectively. One has only to point to the recent findings of the Mundaring Court of Disputed Returns and to draw on one's own knowledge gained during campaigning to realise that is the case.

Secondly, we saw the smart alec tactics which involved closing the rolls not only early, but also retrospectively in the North Province by-election when hundreds of people were denied the right to vote.

Hon. Garry Kelly: Even though their cards were there.

Hon. LYLA ELLIOTT: The Bill before us is an attempt by the present Government to take the State a step closer to a fair and just electoral system. Elections are or should be for the benefit of the people; they should not be designed to allow Governments or political parties to manipulate the system to suit their own needs.

I shall refer to three provisions in the Bill. The first relates to clause 5 which seeks to amend section 31 of the Act and provides for a single enrolment procedure for both State and Commonwealth rolls. This is an eminently reasonable and sensible proposition. It is quite untenable that something like 40 000 people appear on the Commonwealth roll who do not appear on the State roll. In the main, I am certain this is due to the confusion that is created by the need to complete two enrolment cards.

It is quite obvious why the discrepancy occurs, because the Commonwealth Electoral Office is more assiduous in enrolling people than the State department. People receive only one card and they assume, when they have completed that card, that they are enrolled on both rolls.

I am sure members have been confronted on people's doorsteps with evidence of this when they have been doorknocking. A person says he is on the roll and one checks the State roll, but his name is not on it. The person then says, "I have an acknowledgment from the Electoral Office". Of course, it always turns out that the acknowledgment is from the Commonwealth Electoral Office.

I am sure, like myself, many other members have witnessed the confusion on election day when people turn up to vote and find their names are not on the roll.

Quite a lot of migration occurs between the States these days as a result of people looking for work. This applies particularly to our north-west, where the majority of workers in this category come from States which have only one enrolment claim card.

Hon. P. H. Lockyer: Soon there will be no-one left there. They are leaving in droves.

Hon. Tom Stephens: Why don't you go up there?

Hon. P. H. Lockyer: I was up there last week and I was astounded that your members are doing nothing for the people up there.

Hon. Tom Stephens: You were in a race; that was hardly solving industrial disputes.

Hon. P. H. Lockyer: That was more than you were doing. You were doing nothing, absolutely nothing.

Hon. LYLA ELLIOTT: Many people come to this State to look for work, and many of those people do not realise that in this State they must fill out two enrolment claim cards. Usually they are surprised on polling day for a State election when they are denied the right to vote.

Hon. P. G. Pendal: That is a weak argument. The same can be said about car registration.

Hon. LYLA ELLIOTT: The new provision will overcome that problem; it will create a much more simple and reasonable procedure. In the long run this procedure will be more economical. It must be; instead of our having two enrolment procedures in this State with each having separate administrations, we will have one administration.

The dropping of the harsh and unreasonable restrictions in respect of the witnessing of claim cards pleases me greatly. These restrictions were placed in the Act in 1979 by the then Government. No evidence of any deliberate dishonesty occurring with enrolments was ever given by the Court Government to justify the amendment.

I refer now to the report of Judge Kay on the Electoral Act, a report commissioned by the Court Government. Judge Kay provided no evidence of any fictitious names on the roll, and he quoted the Chief Electoral Officer as saying there was no undue duplication of names of nomadic or illiterate people, or of any other type of elector. It was said that of the small amount of duplication that occurred, the Electoral Department had accounted for 84 per cent, and the remainder was due to incorrect spelling or christian names added or deleted.

Hon. P. G Pendal: Didn't we have a member of Parliament enrolled twice?

Hon. P. H. Lockyer interjected.

Hon. Tom Stephens interjected.

Hon. LYLA ELLIOTT: There was one reason and one reason only for the Court Government restricting witnesses to justices of the peace, police officers, clerks of courts and electoral officers,

and that was, as we all know, to dissuade Aboriginal voters from enrolling. The Liberals knew quite well, as was borne out by the Kimberley Court of Disputed Returns, that the Aboriginal vote would not favour the Liberal Party candidates. It was a shameful exercise in the blatant manipulation of our electoral system for political purposes. It is pleasing to have a return to the simple and reasonable position that existed previously, and that has existed continuously in other States and the Commonwealth. Claim cards will now be able to be witnessed by anyone who is eligible for enrolment.

I congratulate the Government on the provision to allow people 14 days in which to enrol after the announcement of an election. People who genuinely wish to exercise their right to vote—after all, it is one of our basic human rights—will be given the opportunity to do so. Previous Liberal Governments deliberately set out to deny this right to our community. That action was reprehensible.

I will not refer to all the provisions of the Bill in detail, and will conclude my remarks with the comment that this legislation is a commendable piece of legislation designed to not give any political party electoral advantage, but rather to introduce a measure of simplicity and fairness into our electoral system.

HON. MARGARET McALEER (Upper West) [5.49 p.m.]: It may be said that anyone who is eligible to vote has a right, a responsibility, and an obligation to do so, particularly so in the case of Australian electors, Commonwealth or State.

The PRESIDENT: Order! I ask honourable members to cease their interjections and private discussions while the honourable member is addressing the Chair. She does not have a powerful voice.

Hon. MARGARET McALEER: Whether or not voting were compulsory, the State would have, and certainly does have responsibilities, obligations and duties in connection with enrolment and the keeping of rolls, which are that qualified electors are able to enrol with as much ease as possible. That is consistent with the State's other responsibility to ensure that the roll does not contain the names of unqualified or non-existent voters, which could lead to abuses such as stacked rolls and the distortion of elections. The State has a further responsibility, among others, to ensure that electors have every reasonable facility to actually cast their votes. Bearing these points in mind, I support the general thrust of this amending Bill, a thrust which is embodied in the provision for joint enrolment.

I will divert for a moment to say that I listened with great interest to the remarks of the Hon. Lyla Elliott. She ranged far and wide over the years and the various Acts covering these matters, but I do not accept that this legislation is revolutionary or of such a major nature that it in any way indicates there is anything terribly wrong with the existing system, as she seemed to suggest there is.

Way back in 1907 there was a good deal of argument about the section of the Act to be repealed which deals with joint rolls. In those days it was held by some that the State roll was in so much better condition than the Commonwealth roll that the State should not contemplate a joint roll with the Commonwealth. For quite different reasons the present Government decided that a joint roll, which has been provided for in the Act for all these years, as it has in the Commonwealth Act, but has never been implemented, is not what Western Australia requires. Since, as the Hon. Phillip Pendal has pointed out, this was not in the least what ALP policy contemplated before the election, it must be another case of Ministers becoming so much better informed since they took office. However, joint arrangements which will enable the State to have the benefit of Commonwealth electoral procedures, such as the staff the Commonwealth is able to put into the field for checking and canvassing of eligible voters, ought logically to help us improve and maintain the State roll.

It seems rather pointless for me to go over the suggestion of the Hon. Lyla Elliott that our troubles with the electoral roll in this State were caused simply by a lack of funds provided by the previous Government.

Hon. Lyla Elliott: I did not say that. I said it was just one of the sins of the previous Government.

Hon. MARGARET McALEER: I am sorry; the honourable member said that one of the sins of the previous Government was that it did not provide funds to the Electoral Department.

Government members: Enough funds.

Hon. MARGARET McALEER: Very well, it did not provide enough funds. It seems to me that the present Government will not provide more funds, but simply will use the facilities of the Commonwealth. That is a good solution, about which I will not carp; but the point is that this Government when in Opposition said that more money should have been poured into the Electoral Department, but now when in Government it will not do so. As Miss Elliott said, the present economic climate is restrictive, and the Government

should not condemn the previous Government for not having poured funds into the Electoral Department.

I do not wish to pursue the question of joint enrolment any further. There are other provisions in this Bill which can be said to be consequential. They seek uniformity with Commonwealth procedures, and there are others which are additional to anything in the Commonwealth Act.

I will confine my attention at this stage to just three or four of these provisions. The first is the repeal, or abolition, of elector objection to electoral claims; and the second is the additional time allowed for enrolment before an election. Miss Elliott touched on these matters towards the end of her speech. Unfortunately I was distracted and did not hear what she said. I will speak briefly also about the provision for an elector to supply the Electoral Department with a postal address in addition to his or her place of residence. I will refer also to the amendment which will make it obligatory for the returning officer to notify candidates 48 hours in advance of the time when a mobile polling booth is to be provided for declared institutions and hospitals.

As I understand it, although elector objection to claims did not initially find unanimous acceptance, it was inserted in the Act to try to ensure that claims for enrolment in any particular district were, in fact, valid. This was at a time when distance, the mail service, and generally less easy conditions of travel and communication made it difficult for the Electoral Department to check the existence and qualifications of the claimant. The provision that only an elector of the same district could object, assumed that he would be in a position to know the circumstances and, perhaps, especially the residential qualification of the person to whom he was objecting. Those who opposed the provision then, did so on much the same grounds as are used now; that is, that it was hard enough for people in remote areas to apply for enrolment, as the situation was at that time. If they had to contend with mistaken or malicious objections as well, along with the process of being notified, the necessity to respond, and the hearing of appeals before a magistrate, they would never get on the roll.

Members of the Opposition concerned about the repeal of this provision now believe that to do so would remove what could still be a real safeguard, in certain circumstances, against a concerted effort, as has been suggested, by an ill-disposed or anarchist type of group to invalidate an election by putting, perhaps, hundreds of fictitious names on the roll. It is argued that, with the abolition of the 14-day period for provisional listing of electoral claims, there would be no opportunity for a registrar or divisional returning officer to check the claims immediately before an election, yet the onus would remain on him.

This situation would be made all the more difficult because the Bill provides that enrolment can be made up to the time of the issue of the writ. In such circumstances as I have outlined this argument is perhaps a valid one. No one can say that in a rapidly changing world these circumstances might not arise, and even if the provision for elector objection to claims is very little used—I would be glad for the Attorney to tell me later whether this is so—this is not necessarily a reason for not keeping the provision on the books. Against that, we have to set the delay in putting people on the roll, which in ordinary circumstances is hardly desirable; the fact that there is still elector objection to enrolment; and the probability that if the extraordinary circumstances referred to ever did arise, it would be impossible to send out notices and give the required time for the lodging of appeals effectively. I must say I am not really sure on this point, and I would be glad if the Attorney General explained it further.

I know the amendment would make the Act similar to the Commonwealth Act in this respect, and that it has an additional provision for names queried by the registrar to be marked on the roll for the election. In effect, people who are objected to by the Registrar, and whose appeal cannot be heard in time before an election, must make a declaration to the returning officer before they can vote at the poll.

Sitting suspended from 6.00 to 7.30 p.m.

Hon. MARGARET McALEER: I believe that the amendment which allows people to enrol up to the time of the issue of the writs, instead of not having their application accepted during the 14 days before the election, will be acceptable to the public. The provision is similar in this respect to the Commonwealth Electoral Act. It can be said that many of the people who rush to enrol at the last moment have had the opportunity to do so for a long time. It is only when an election is announced that some people suddenly remember they have not bothered to enrol since changing their address, although the time may be long past when they had an obligation to transfer themselves from one roll to another.

If people really were enthusiastic about voting it would not be necessary to make it compulsory. No doubt a number of circumstances exist which legitimately prevent people from enrolling until the last possible moment. I think, for instance, of the large number of people who have become citi-

zens in certain parts of my province and who may obtain their citizenship only shortly before an election is announced. At the same time, it is practically impossible for the divisional returning officer or the registrar to vet the applications in such circumstances, and it must make administration and preparation of the roll more difficult. It may frustrate any effort to ensure that only eligible people are enrolled, and in finely balanced electorates it could lead to some distortion of the results.

I turn now to a quite new departure—the amendment which allows people to notify the Electoral Department of their postal address as well as their residential address. The Opposition has some reservations about this provision because we believe it leaves room for abuse. People may live away from the electorate in which they are enrolled but disguise the change of residence by a postal address so they would remain quite unjustifiably on the roll for that electorate.

Referring to my own province, I believe there are a number of cases where a postal address could facilitate communication with the Electoral Department. I refer to country people who, for instance, live reasonably close to a large town and have a mail box in the Post Office there. In some cases the town might not be in their own electorate, but it is their business centre. If one does not provide a postal address for such people long delays may occur while a letter goes to and fro before it finds them. The letter may not find them and it is up to the Australia Post staff to track them down. Those staff often are quite clever in doing so, but are not always successful. There are a number of itinerant workers in the electorate who move from town to town. They too, need a postal address where they can be certain of getting their mail. On balance, I believe this is a justifiable provision, but not all members may agree with me. The question remains as to whether the record of such postal address should be available to the public and even whether it should be included on the roll.

I turn finally to the question of hospitals and institutions declared by the Minister which are entitled to be served by a mobile polling booth. Clause 19 provides that the Commonwealth Electoral Office, or returning officer, shall notify each candidate for the province or district in which the hospital or institution is situated, of the times at which the presiding officer and his colleagues will be in attendance. This is a worthwhile amendment because it will provide for normal scrutineering of polling; it will normalise a process which may take place at any time up to 14 days before election day.

There is still a question in the Opposition's mind as to whether the time has come for requiring more, or all, such hospitals and institutions to be statutorily declared so every eligible voter should have the facility for voting at a mobile polling booth. I know the Minister has the power to declare such hospitals and institutions at his discretion. Where at present only hospitals and institutions of 50 beds are so declared, he could require those with 20 or fewer beds to be included. I would be interested to hear the Attorney General's opinion of the proposition to make it mandatory to include all hospitals and institutions with less bed capacity.

This is a fairly complex Bill and in touching on only a few points, I have not done justice to that complexity. I hope after further matters have been raised the Attorney General will elucidate on them in his reply to the debate.

HON. TOM STEPHENS (North) [7.36 p.m.]: As a member of a party committed to introducing electoral reform in this State I am delighted to be associated with this Bill. The Bill does not deal with some sections of our electoral and parliamentary reform platform that are long awaited in this State. It is important that members focus their minds precisely on the Bill before us.

Hon. P. H. Wells: I have read it.

Hon. TOM STEPHENS: I am pleased to hear that, and I hope the member will ensure that his reading of the Bill is sufficient to attract his support.

In my view it is an excellent Bill.

Hon. P. H. Wells: I read all Bills; I do not have someone else make up my mind.

Hon. TOM STEPHENS: I am pleased the member reads all Bills and that someone else does not make up his mind. I am surprised only by the fact that he has a mind.

Hon. G. E. Masters: You could take a lesson from that.

Hon. TOM STEPHENS: I have a very independent frame of mind and am quite proud to be able to stand before this Chamber—

Hon. G. E. Masters: We wouldn't mind a demonstration.

Hon. TOM STEPHENS: —to say we are debating this proposal and to assure members opposite that it gained our support before it arrived in the Chamber.

Democracy can be characterised and described in many ways. For me, it is best represented by that catchcry, "one-person-one-vote-one-value".

The DEPUTY PRESIDENT: (Hon. John Williams) Order! I ask the member to address his remarks to the contents of the Bill.

Hon. TOM STEPHENS: Thank you, Mr Deputy President. I intend to address myself very closely and carefully to the Bill before us. I point out through you exactly how that catchcry relates to this Bill.

Hon. Tom Knight: You got caught then.

Hon. TOM STEPHENS: I am not caught. I am delighted to focus on the significance to the Bill of the catchcry to which I referred.

That catchcry cannot be described in any sense as meaningless because in many ways it is a catchcry that has inspired the hearts and minds of many hundreds of thousands of Western Australians. It reminds me of the great catchcries of democratic history, such as "Liberty, Equality, Fraternity", none of which can be described as meaningless, but each of which has enormous power.

We are dealing in this Bill with the first component of the catchcry—"one-person-one-vote". The other part, "one-value", will be discussed at some later stage and at that time we presumably will hear many contributions.

Hon. Tom Knight: I think you will be talking about both parts.

Hon. TOM STEPHENS: I would be in breach of Standing Orders.

Hon. Tom Knight: You will be talking about the first part later; it is not in this Bill.

The DEPUTY PRESIDENT: (Hon. John Williams): Order! The Hon. Tom Stephens will ignore the disorderly remarks and address his remarks to the chair.

Hon. TOM STEPHENS: The component of one-vote-one-value comes later. At that time, many of us on this side will address ourselves to that issue with an enormous amount of vigour.

Hon. G. C. MacKinnon: Tell us about the Senate.

Hon. TOM STEPHENS: There is a gaggle of geese on the other side.

Hon. G. E. Masters: We are listening to the quacking from your side.

Hon. P. H. Wells: When are you getting to the Bill?

The DEPUTY PRESIDENT: I remind honourable members that because I am Deputy President does not mean I will not enforce Standing Orders. Disorderly interjections will cease.

Hon. TOM STEPHENS: We on this side are very strongly committed to the introduction of democracy in this State. The principle of one-person-one-vote is intimately connected with this Bill.

Hon. P. H. Wells: What clause is that?

Hon. TOM STEPHENS: Members will find it encapsulated in almost every clause of the Bill.

Hon. G. C. MacKinnon: How do you spell that?

Hon. TOM STEPHENS: The member is a former Minister for Education; I would have thought he would be able to spell that word.

Hon. G. C. MacKinnon: Don't you know there is an illiteracy problem?

Hon. TOM STEPHENS: It may have been thought by some people in this State that in 1983 we would not have to address ourselves to the question of one-person-one-vote. Indeed in many ways, one might have assumed that particular provision had been enshrined in legislation enacted in this Parliament. This Bill highlights the fact that this is not the case. Admittedly, members opposite have agreed to that part of the one-person-one-vote concept which relates to ensuring that the vote is given to women and people who are not property owners. I will highlight how this Bill will go the whole hog and ensure the introduction of one-person-one-vote.

I am delighted as well that we now have in power a Government which is committed to the introduction of this legislation. Under the previous nine years of Liberal conservative Governments in this State we have seen the erosion and deliberate undermining of that component of the democratic catchcry, "one-person-one-vote". That erosion has been most apparent in the sections of the Act being amended in this Bill.

Hon. D. J. Wordsworth: Are you suggesting someone should get two votes?

Hon. TOM STEPHENS: I am talking about ensuring that people have one vote; that is, the component, one-person-one-vote. It does not surprise me that members opposite cannot grasp this concept.

The DEPUTY PRESIDENT (Hon. John Williams): Order! If the Hon. Tom Stephens does not draw my attention to the contents of the Bill I will ask him to do so very quickly.

Hon. TOM STEPHENS: The contents of the Bill I will be highlighting through this reference to one-person-one-vote are those aspects relating to enrolment. It is my thesis that members opposite have, through emasculation of the Electoral Act, made it difficult for people to get on the roll and have eroded the concept of one-person-one-vote deliberately and cynically.

That is the connection between the Bill and that catchcry. It does not surprise me that members opposite are sensitive about this matter and cannot even grasp the concept, as the interjections seem to indicate.

Hon. G. C. MacKinnon: That is the system that got you here.

Hon. TOM STEPHENS: It does not surprise me that, over the years, members opposite were involved in a Government which tried to undermine that principle. It tried to turn back the clock of democratic history. If members opposite were still in Government, in many ways, it would not have surprised me if they had tried to undermine this democratic principle even further and tried to restore the franchise to the domain of male property holders only. However, they have been thrown out of office and we are pleased to see that. Instead, members have before them a Government committed to democratic reform through legislation such as this.

In many ways, the Bill is designed to overhaul the electoral machinery, to simplify the enrolment process, and to promote a comprehensive and accurate set of rolls. In this way, we hope to move in the direction of each and every person being entitled to a vote in this State; and eventually we will ensure that.

Some parts of the Bill have become necessary only because of the actions of the Liberal Party and the other Opposition party when they were in Government. I am pleased that members opposite who have spoken so far appear to have shown some measure of support for the Bill. I will not focus on the parts of the Bill for which they have indicated support; but I hope to focus on other parts of the Bill so that I might pre-empt the concerns and the considerations of members.

Hon. Tom Knight: Do not take too many risks. You might finish up losing our support.

Hon. TOM STEPHENS: I would be amazed if the party of the Hon. Tom Knight had the audacity to throw out the Bill for which we so clearly have a mandate.

Opposition members interjected.

Hon. Tom Knight: A mandate? You do not even have the numbers in this place.

Hon. TOM STEPHENS: The Bill provides for a co-operative State-Commonwealth enrolment procedure, an Australia-wide system of enrolment based on Australian citizenship.

When the previous Liberal Government was tossed out of office, in many ways that was because of the revulsion of the electorate at that Government's determination to stay in office by fair means or foul.

Hon. Mark Nevill: Mostly foul.

Hon. TOM STEPHENS: That Government achieved the manipulation of the electoral system mostly by way of amendments to the Electoral Districts Act. The Liberal Government was involved in the most scandalous abuse of that Act. It developed malapportionment and gerrymander to a very fine art. Every now and again it changed the Electoral Act for additional advantage. No other State, and no other Government in the history of which I am aware, has been involved in such a manipulation of the State's Constitution, the Electoral Districts Act, and the Electoral Act.

The New York Yacht Club has nothing on the Liberal Party of Western Australia. The New York Yacht Club could take lessons from the Liberal Party of Western Australia, as it has changed the rules constantly. It has changed the Electoral Act and all the other Acts related to the democratic process in this State, in order to get it over the finishing line, despite the fact that, in reality, it should have lost.

The Constitution Act has been changed three times, the Electoral Districts Act has been changed twice, and the Electoral Act has been changed four times.

Hon. Margaret McAleer: While the Deputy President is indulging you, do you remember another famous saying from the French Revolution: "Oh liberty, what crimes are committed in thy name!"

Hon. TOM STEPHENS: I thank Miss McAleer for reminding me of that part of the democratic history of the world. I was not aware of those particular words; but I assure her that this Bill does not represent any threat to liberty. In fact, it represents a movement in the direction of democracy.

Hon. Kay Hallahan: That's right!

Hon. TOM STEPHENS: The previous Government's amendments to the electoral Acts were, for the most part, efforts by the Liberal Party to cement itself in office, despite its declining popularity. In many ways, the Liberal Government was prepared to involve itself in effectively stealing the votes of many categories of people within the State.

In 1979, the amendments to the Electoral Act were designed by the then Government to make it increasingly difficult for people to enrol. That made it difficult for them to cast votes. Nowhere was that more apparent than in my electorate, North Province. The Liberal Party amended the

Electoral Act at that time to ensure that it was necessary to find a justice of the peace, an electoral officer, a police officer, or a clerk of court, to witness an electoral claim card. That restriction on enrolment was imposed to restrict the ability of one section of the population of Western Australia to cast votes.

Hon. N. F. Moore: It was done as a result of a judicial inquiry.

Hon. TOM STEPHENS: By a fake judge conducting a fake inquiry.

Hon. P. G. Pendal: What sort of judge did you say?

Several members interjected.

The PRESIDENT: Order!

Hon. TOM STEPHENS: The stealing of those votes affected people such as transient workers, ethnic groups, young people, and Aboriginal people—people in remote areas who were unable to find the officers required to witness enrolment claims.

To some extent, those provisions in the electoral legislation are being reversed and rescinded by this Bill. The amendment to the Electoral Act in 1979 restricted the categories and classes of people who could witness enrolment cards. Earlier tonight Mr Pendal gave some figures during his contribution to the debate. I will update one figure which does not appear to have been given by anyone. The discrepancy caused by the electoral amendments in 1979 will be shown by these figures. On 6 September, the State enrolment showed a total of 746 220. The Commonwealth enrolment figure for the State at that date was 806 580. That means that more than 60 000 people are now not on the State roll but are on the Commonwealth roll. It would not have surprised me if the amendments in 1979 had been even more draconian than they were. Nonetheless, as draconian as they were, they succeeded in restricting the enrolments of 60 000 people on the State roll. That figure is 20 times the enrolment of Murchison-Eyre, or nearly 10 times the enrolment for Mr Moore's province.

Hon. N. F. Moore: How many times the number in yours?

Hon. TOM STEPHENS: My electorate has 44 000 eligible voters, so the number not on the roll is one and a half times the number of potential electors in the North Province.

Hon. Robert Hetherington: Being the furthest province, of course, it has more electors than yours!

Hon. N. F. Moore: Of course it does.

Hon. TOM STEPHENS: The Bill will amend the Electoral Act to improve the enrolment provisions in this State. They will be in line with the Commonwealth provisions. Once more, any person qualified to be an elector will be able to witness a person's enrolment card for the purposes of the State roll. Persons seeking enrolment for the first time will not have to go through the painful exercise of finding someone to witness the enrolment card. That was caused by the members opposite who wanted to restrict the witnesses.

Hon. W. G. Atkinson: There are plenty of justices of the peace now.

Hon. Robert Hetherington: There will be more if this does not pass.

Hon. N. F. Moore: You are not demeaning the office of justice of the peace, are you?

Hon. TOM STEPHENS: After the passage of this Bill, the members of a person's family will be able to witness an enrolment card; or workmates or friends could. In fact, any person over the age of 18 years could do it, as long as that person was eligible to be on the electoral roll. In this way, the provision relating to enrolment will be the same as that of the Commonwealth. This will ensure cooperation between Western Australia and the Commonwealth. The one enrolment card will simplify the enrolment process, especially within my electorate.

We will see the removal of the difficulties that arise when a person comes from another State and is accustomed to a different system of enrolment. That applies to all States, with the exception of Queensland.

Hon. P. G. Pendal: Some other States have an actual joint roll. Would you care to comment on that?

Hon. TOM STEPHENS: Yes, I will comment on that later. I will address myself firstly to the question of the enrolment card.

Hon. G. E. Masters: Not too much later, I hope.

Hon. TOM STEPHENS: When people come from other States to this State, they will know the enrolment provisions. They will suffer no confusion, as is the situation now. When people come from the other States, they try to use the process with which they were familiar in the other States, simply filling in one card. If they do that now, they find themselves disfranchised as far as State elections are concerned.

After the passage of this Bill, that difficulty will arise no longer. Therefore I applaud that part of the Bill.

The removal of the duplication process is cost efficient. It ensures ease and simplicity in the enrolment process. At the same time, however along, with the co-operation between the Commonwealth and the State on the enrolment card, we will retain an independent State databank for our electoral roll. For the reasons that were highlighted in the Minister's second reading speech—

Hon. N. F. Moore: He did not say anything about it.

Hon. TOM STEPHENS: It was in the second reading speech.

Hon. N. F. Moore: You should read the second reading speech.

Hon. TOM STEPHENS: I may have to re-read it. I understood it was in the Minister's second reading speech. If it was not in the second reading speech here, it may have been in the one in another place.

Hon. N. F. Moore: It was in your party room. That is where you heard it.

Hon. TOM STEPHENS: By retaining the independence of the State electoral databank, we can be sure that the electoral roll can be used in an independent way.

Hon. N. F. Moore: Sending letters to people on the roll for the Mundaring by-election.

Hon. TOM STEPHENS: That is a reflection on our State Electoral Department.

Hon. N. F. Moore: It is a reflection on your Deputy Premier.

Hon. TOM STEPHENS: That is a nonsense comment; the member is a nonsense person. Only a nonsense person such as he—

The PRESIDENT: Order! This has nothing to do with the Bill. I suggest that the honourable member ignore the interjections, confine his comments to the Bill, and direct them to the Chair.

Hon. TOM STEPHENS: Thank you, Mr President.

The retention of the independence of the State databank of electoral information will ensure greater flexibility in regard to the use of the electoral roll. In the situation where the electoral commissioners are determining boundaries, for instance, they could have before them a computer printout of enrolments. Regardless of the needs of the Commonwealth, regardless of whether an election for the Commonwealth was being held, the commissioners would have available, independently, all information relating to the electoral roll of this State. That information could be used for exercises such as our own elections, for boundary redistributions, or for jury rolls for the State. The information could be made available freely to the State, not at the discretion of the Commonwealth. In many ways it is simply a process of co-operation with the Commonwealth, a process that will lead to efficiency, economy, ease, and simplicity.

After the passage of this Bill, the single enrolment claim card will be first transmitted to the Australian Electoral Office and the information will then be communicated to the State Electoral Department where it will be retained on computer lists. Nothing could be more sensible, practical, or simple. This co-operation with the Commonwealth will ensure that something like 60 000 people who are currently only on the Commonwealth roll will, at the expiration of six months, find themselves on the State roll as well. Moreover, the particular aspect of the operation of the Australian Electoral Office that needs to be highlighed is the habitation review in which it is so constantly and capably involved.

It has galled me to listen to the Hon. Phil Pendal, in particular, suggesting there might be something dubious about these provisions and that we might be trying to put fictitious people on the roll.

Hon. P. G. Pendal: In all seriousness, didn't you appear on the roll twice? I am not reading anything into that.

Hon. TOM STEPHENS: That is correct, but with this co-operation with the Commonwealth which will come as a result of the passage of this Bill, we will have the luxury of these habitation reviews. In this situation where the Commonwealth conducts reviews, the name of any person on the roll who should not be on the roll will now disappear from the State electoral roll, because he will have been objected to as a result of the habitation review, which found him not to be at that place.

That does not relate exactly to my double enrolment when I was in my hospital bed in Port Hedland. Mr Hetherington was able to outline the exact situation at that time. At that time, through a mistake on my part, I used an abbreviated form of my first name to change my enrolment from the Kimberley to the Pilbara, whereas I had used my full name, Thomas Gregory Stephens, when initially applying to be put on the Kimberley roll. The use of the slightly different names had the effect of not throwing out my enrolment back in the Kimberley. As soon as I was aware of this I rang the Chief Electoral Officer. The Chief Secretary explained to the House that this was the position. But I did ring promptly and have my name deleted from the Kimberley roll.

Hon. P. H. Lockyer: We never doubted your integrity.

Hon. TOM STEPHENS: I want now to put the kybosh on another suggestion before it is brought up, a suggestion that some people may not want to be on the State roll. There may be some people who want to champion the cause of those people who do not want to be on the State roll. Their cause has been championed in the media and in another place by persons who have suggested that this amendment to the Act will make it necessary for the registrar to check the two rolls over a six-month period. The suggestion is that some people who do not want to be on the State roll will end up on it. People who find themselves championing this cause are being quite consistent in this State because they have championed law-breakers such as the tax dodgers in the past; but if they champion the cause—that is, to not get on the roll—of people obliged to be on the electoral roll and who are placed on the roll, they will be championing the wrong cause.

Currently some people in this State are not required to be on either the State or the Commonwealth rolls, and I refer to Aboriginal people. It may be argued by some people—I hope it will not be, because it is a specious argument—that within the six months some Aboriginal people who have chosen to be on the Commonwealth roll might find themselves on the State roll when they have not wanted to be on our roll. That is the most unlikely and hypothetically nonsensical situation I can imagine any person putting forward against this amendment.

The Aboriginal people in this State have had nine years of conservative Liberal Governments that constantly attacked them.

Hon. N. F. Moore: Absolute drivel.

Hon. TOM STEPHENS: The Aboriginal people know that the Hon. Norman Moore is the shadow Minister against Aboriginal people and they know he has involved himself in attacks against them in this matter.

Hon. N. F. Moore: I attack people like you.

Hon. TOM STEPHENS: Is there any wonder that they would consider such a proposition to be nonsensical?

Hon. N. F. Moore interjected.

The PRESIDENT: Order! The Hon. Tom Stephens should ignore the interjections and talk about the Bill.

Hon. TOM STEPHENS: This is the provision of the Bill which ensures that during this six months, any person on the Commonwealth roll will be included on the State roll. The shadow Minister, the Hon. Norm Moore, looks as though he will take this tack that I am suggesting is nonsensical. I will expose precisely why it is a nonsensical proposition: The Aboriginal people of this State know that if they ever again have the misfortune of getting a Liberal Government in this State, they will end up with a person like the Hon. Norm Moore responsible for Aboriginal Affairs. Have members ever heard a more compelling argument why those Aboriginal people will ensure that they rush to get on the State roll to keep these people on the back benches and in Opposition for as long as possible?

Hon. P. H. Lockyer: You as the Minister would be the absolute end of the earth.

Hon. TOM STEPHENS: The situation is this: Over the last nine years, Aboriginal people have chosen very enthusiastically to get on the State roll so they can have their say about electoral matters. It is the most unlikely cause to champion to want to keep them off the State roll with the suggestion that they only want to be on the Commonwealth roll. I state to the shadow Minister opposite, who has attacked Aborigines' hopes and aspirations so often, that they will be clamouring to get on the roll to keep him in Opposition for ever.

Hon. N. F. Moore: Absolute nonsense.

Hon. TOM STEPHENS: That is the other nonsensical argument that might be trotted out, although we will not be surprised if members opposite start to champion inconsistent arguments, in which case we would be the first to guffaw, and it would not surprise me if they were inconsistent. The other flaw in the argument put forward by members opposite is that, if they are showing concern for the rights of persons who want to stay off the roll, persons who are entitled to stay off the roll, where is their commensurate concern for those people who have been prevented from being on the roll?

This Bill demonstrates our commitment and concern to ensure that all those persons who are entitled and obliged to vote, will have that opportunity; they will be able to put their names on the roll and cast votes at election time. That is a commitment of this Labor Party and this Labor Government; we want to make sure that these enrolment provisions are simple and we want to make sure that this overhauling of electoral machinery is done in such a way as to allow people to be on the roll if they want to be on the roll and to enable them to vote. We want to ensure we have a system of one-person-one-vote.

Another provision of the Bill gives the registrar the opportunity to check the Commonwealth roll

and make sure that those persons who are on that roll can be added to the State roll. This is commendable. The registrar will check through that process and ensure there is no double enrolment. He will check it carefully and I hope he checks my name first, because I would be the first person who would not like to be on the roll twice.

Another provision in the Bill permits those people who do not know their year of birth to be enrolled. The current situation is that if a person does not know his year of birth, he is prevented from enrolling. Nothing could be more heinous than that. I have many friends who do not know their year of birth. One distinguished friend, Xavier Herbert, is a Western Australian who, when he returns to the State and wants to put his name on the electoral roll, is inconvenienced. In fact, to do so would be to involve himself in a fraudulent act.

Hon. Robert Hetherington: Is he over 18?

Hon. TOM STEPHENS: He is about 83. He is a very distinguished Western Arntralian, but he does not know his exact year of birth and so could be accused of fraud in his attempt to enrol. That is the situation with the law as it stands. He could commit an offence. We are amending the law in such a way as to demonstrate our concern to facilitate people such as he who want to enrol, regardless of whether or not they know their year of birth. We are ensuring that if a person does not know his year of birth, all he needs to do is show that he is over the age of 18. It is most unlikely that a person of 17 or 18 years would not know his year of birth. This provision really applies to people at the other end of the age spectrum. To put forward the specious argument that we want to do something inappropriate or sinister really does gall me.

Hon. Robert Hetherington: They are past masters at specious arguments.

Hon. TOM STEPHENS: The Hon. Margaret McAleer commented on the removal of public objections to the enrolment claim process; she expressed some concern about this provision. I have a particular interest in the removal of section 43 of the Act, which is an enigma. To my knowledge Western Australia is the only State in the Commonwealth with a provision of this nature; it does not apply in the Commonwealth. So, apart from anything else, if we are to have this co-operation with the Commonwealth in the enrolment process, it is only right that section 43 should be repealed. This is probably the crucial and critical reason for its removal. There is nothing sinister about this.

What it does is this: It brings into legal and legislative reality the situation which exists already. I had become so used to the tricks of the Liberal Party in this State that before the last election I was expecting all sorts of dirty tricks, and it would not have surprised me if, in the then marginal seat of Pilbara, the Liberal Party had rushed down to the State Electoral Department and thrown in fictitious enrolments from all over the State in an effort to help it win that seat.

Hon. N. F. Moore: Like Julian Grill did in Murchison-Eyre.

Hon. TOM STEPHENS: I had become so used to the dirty tricks trotted out against the people of this State by members of the Liberal Party that in the final two weeks during which this public objection process to enrolment claims could be utilised, I went to the Electoral Department and asked to check upon the enrolment claim cards that were coming in.

The Act works in this way: Currently the Electoral Department is simply obliged to receive enrolment cards, date them upon arrival at the department, and batch them according to that date. There is only batching according to date; there is no alphabetical ordering or ordering according to provinces or Assembly districts. In accordance with the Electoral Act the cards are simply batched according to the order of their arrival in the State Electoral Department. They are then put away and brought out at the expiration of the 14-day period when they are processed for enrolment or rejected if unsuitable for enrolment or registration. It is only then that someone like myself is able to check.

However, the problem is that the only time someone might be tempted to utilise this process of public objection to the claim is in those two weeks before an election, and during that time these provisions cannot be utilised because there are thousands of enrolment cards which are not in alphabetical or electoral district order.

As I tried to struggle my way through these cards I quickly realised that this provision has no use whatsoever and the only way that one could use the objection process is in the normal process of objecting to enrolments—not to enrolment claims but to actual enrolments. That can be done only in the period before there is any hint of an election in the air. In this situation a person who is accustomed to the Western Australian Liberal Party would be wise to make sure that he checks the enrolment statistics and the enrolment computer sheets, because provision for public objections to enrolments is still retained in the amended Act.

If a person finds that someone is on the electoral roll whom he believes should not be there, he

could still object to it even under the amended Act. That is really the only provision for public objection which is of any use to members of the Western Australian public; because, as I already highlighted, the public objection process which relates to the enrolment claim process is simply not possible to follow. In that regard, the existing legislation is not practicable because of administrative problems.

There is a side benefit to the repeal of section 43. Some information on the enrolment cards is taken to be confidential; for instance, the date of birth might be considered to be confidential information and, in my view, it should be retained as confidential information. With the removal of section 43 from the Act, during that 14-day period a person cannot go to the department and check another person's date of birth.

The removal of that section from the Act, assuming the Bill is passed, will mean also that people will not have the opportunity to check the postal address of others. It is important that postal addresses remain confidential, and the information will be available solely to the Electoral Department. The removal of the enrolment claim process from the scrutiny of the public means persons cannot find out the postal address of whoever is enrolling, and I think that is quite commendable.

Hon. D. J. Wordsworth: Can you expand on that?

Hon. TOM STEPHENS: I do not think that I need to expand on that.

Hon. D. J. Wordsworth: Why would one want to be secretive about one's postal address?

Hon. TOM STEPHENS: Many people are secretive about that. For some reason they may not want their postal address on public display. They may simply want to receive only family mail through it.

Hon. D. J. Wordsworth: They have to have their address on public display, surely. That is vital.

Hon. TOM STEPHENS: The residential address is the relevant thing and that is why that address will still be available for the public under the amended Act, as it is under the existing State.

Hon. D. J. Wordsworth: You are not frightened to have their political addresses?

Hon. TOM STEPHENS: That is a specious argument. It does not surprise me that the member comes up with specious arguments; although they are rather galling. I can understand that the member is accustomed to seeing sinister objectives in electoral amendments, but there is none in this case.

The PRESIDENT: Order! Would the honourable member ignore the interjections, please?

Hon. TOM STEPHENS: The uniform approach to the enrolment process for both the State and the Commonwealth will be enabled by this removal of the objection process. We can now have this co-operative approach due to the repeal of section 43.

Of course, as a consequence of the repeal of section 43, the Electoral Department has had removed from it a period during which previously it had time to tidy up the electoral rolls in the lead-up to an election. Of course, a consequent reform is then necessary; that is, the reform of section 65 so that the minimum period during which nominations can be received after the issue of a writ is 14 days. That situation allows for the co-operative approach with the Commonwealth and gives at least 14 days in which people can enrol, 14 days which until now has been used for the public objection process.

That really highlights another provision in the Bill. I remember only too well what happened before the elections of 1977 and 1980, the by-election of 1982, and the election of 1983. On each of those occasions the Liberal Party in office at that time jammed shut the rolls in such a way as to deprive thousands of persons of the opportunity of being enrolled. I distinctly remember the 1977 election and all the shenanigans that went on at that time. I have very clear memories of 1982 and the by-election for North Province in which in excess of 1 200 enrolment cards for North Province were lying on a table in the State Electoral Department waiting for the expiration of the 14-day period. Upon the receipt of the resignation of the Hon. Bill Withers the writ was issued in such a way as to close the rolls retrospectively.

This Bill removes from the legislation the potential for that sort of distortion—I am tempted to use strong words for it—in the handling of the Electoral Act.

Bills like this become necessary after a period of Government such as we had in the last nine years, when so many tricks were played at various times with amendments to electoral legislation. This Bill is necessary simply to remove from the realms of possibility stunts such as those which have been played over the years. It highlights the fact that we are a Government which will ensure that the Electoral Act and the process of elections are not for the convenience of Governments or of the Parliament; they are certainly not for the convenience of political parties; but certainly should

be for the convenience of the people. That is what this legislation is really about.

The other part of the Bill that I am delighted to see here is the clause which relates to letters to persons who appear to have failed to vote. I remember well that I raised this matter with the former Chief Secretary in this Chamber, and at the time that he lost his job he indicated it was still under his active consideration.

I am pleased to see that now this particular section in the Act is being addressed and amendments have been introduced relating to persons who appear to have failed to vote. The letter will no longer be required to be sent to the residential address, because in electorates such as my own—particularly in places north of Port Hedland—there is no such thing as mail delivery to a residential address; the only mail that gets to people is delivered to their postal addresses, yet mail currently is not sent to postal addresses by the Electoral Department. Under those circumstances mail could quite easily go astray, and once the provisions of the Electoral Act are enforced the ultimate sanction can be taken against a person who does not respond to such a letter—he can be simply removed from the electoral roll.

In that way the electoral roll and present electoral legislation reflect the concern of the previous Government to ensure that people are kept off the roll; but these amendments now reflect our Government's concern to facilitate enrolment and to enable persons to remain on the electoral roll despite the fact that their postal address may not be the same as their residential address. We are concerned that when the Chief Electoral Officer sends his mail to persons it has a better chance of reaching their postal address; and, more importantly, where a person has failed to vote, the Chief Electoral Officer does not have to act as an automaton and say, "Strike that person off the roll". He does not have to exercise that ultimate sanction and get rid of these persons as voters; but rather the Chief Electoral Officer can act as an intelligent person and make inquiries through one of the 12 officers of the Australian Electoral Office and check to see whether that person is still at that address. Then he can arrange for a new card to be sent or for other checks to be made so that the person is not necessarily struck from the roll, simply because he or she failed to respond to a letter.

This co-operation with the Commonwealth introduces a sanction against non-eligibles and I want to highlight that point. This Bill was not designed to ensure that non-eligible voters get on the roll. This co-operation process with the Commonwealth in regard to habitation activities will ensure that only those persons eligible to be on the roll will stay on the roll. If a person is not at that address when the habitation review is conducted, there will be a good chance of his then being removed from the roll.

Hon. P. G. Pendal: Aren't you putting an inordinate degree of faith in these habitation checks? It is simply a spot check, isn't it?

Hon. TOM STEPHENS: It is very comprehensive and very thorough. At present the Australian Electoral Office is conducting very thorough habitation reviews.

Hon. P. G. Pendal: For 800 000 electors?

Hon. TOM STEPHENS: The member will find that is in train.

Hon. P. G. Pendal: I do not believe that is possible.

Hon. TOM STEPHENS: They certainly will not be able to get to every habitat but they are certainly getting to a good number of them. I look forward to the results of that review. We will then have a very good Commonwealth electoral roll which will reflect the aspirations of people in this State who want to be on the State electoral roll; and those persons who are not eligible will not appear on the roll because they will have been cut out by the process of habitat review.

The shameful record of previous Liberal Governments in this State is one that really has to be referred to in regard to the Bill before the Chamber. It should come as no surprise that Bill No. 31 of 1982—

Hon. P. H. Wells: We are getting to the Bill!

Hon. TOM STEPHENS: No, this is the previous Bill.

Hon. P. G. Pendal: He's got to 1982. Give him a go. He has only been talking for an hour.

Hon. TOM STEPHENS: That amending Act is to be completely rescinded by this legislation.

Hon. P. H. Wells: What is the number of the Bill we have here?

Hon. G. E. Masters: I do not think the Minister will need to reply. Nearly everything has been covered.

The PRESIDENT: Order!

Hon. TOM STEPHENS: Mr Wells is so ignorant of the Bill he does not even know the number of it. I have just realised it has not a number on the front page.

Hon. A. A. Lewis: Who else is ignorant about it?

Hon. TOM STEPHENS: It is No. 1 on the "Notice Paper".

Hon. P. G. Pendal: Are you sure you are not on the wrong Bill?

Hon. TOM STEPHENS: Accusations of sinister plots or anything else in respect of this Bill are not appropriate. It is an extremely responsible Bill which really tries to address the abuse, the distortion, and the horrific treatment of the electoral process that has occurred over many years in this State. I recall the provisions that related to the 1977 Court of Disputed Returns and that then flowed into the Kay inquiry of 1978, the electoral amendments of 1979, and then the events of 1980.

We have to address ourselves to these questions as we consider this Bill. This Bill comes to redress the focus of previous Governments in trying to deprive people of their right to vote.

This move will ensure that not only will the good amendments of this legislation proceed, but administration of the Electoral Act will now be able to be done in an intelligent way and in such a way as to ensure that the essence of the Government's policy is carried out in this regard; that is, enrolments should be easier and more accurate, there should be co-operation between Commonwealth and State, and savings should be made in the process.

I commend the Bill to the House.

HON. N. F. MOORE (Lower North) [8.31 p.m.]: The Hon. Phillip Pendal regarded this legislation as being like the curate's egg; it is good in some parts and bad in others. I am yet to be convinced it is good in any part. I will make up my mind on the subject when I have heard the Minister's response to some of the questions raised.

Hon. P. H. Wells: He will not answer your questions; he never does.

Hon. N. F. MOORE: The question of joint enrolment procedures sounds very reasonable and I am pleased that the Government did not decide to go the whole hog and have a joint roll with the Commonwealth. The Government stopped short of that by having joint enrolment procedures. It is another example of a Labor Government handing over to the Commonwealth more and more of the State's responsibility. Whenever a problem seems too hard this State rushes to the Commonwealth and asks it to handle the situation. The attitude seems to be that the Commonwealth has more money; therefore it should be given more and more of the State's responsibility.

In fact, it was at the Constitutional Convention this year that the present Government put forward a motion which sought in part to put the State electoral laws under the Federal Constitution. Fortunately the Constitutional Convention rejected the motion, but this reflects the extent to which the Government is prepared to go. Surprisingly the Government has not gone as far as its platform suggested, but it is another example of power being given to the Commonwealth at the expense of this State. We know that this is part of the total philosophy and attitude of the Labor Government.

I am interested in some aspects of the Minister's second reading speech The Hon. Tom Stephens in his speech started to explain the reasons for separating the rolls. He said there was an explanation in the Minister's speech which reads—

> This approach has been favoured because State rolls are used for a number of purposes which are not the concern of the Commonwealth. In other words, the Government wishes to preserve some measure of independence for the State in this matter. The arrangement will retain the electoral databank in Western Australia and permit us to use this information to serve all State purposes.

He talks about "all State purposes". That is all he says. I have a very suspicious mind when it comes to matters affecting the electoral laws of the State or any parliamentary system.

Hon. Tom Stephens: Being a member of the Liberal Party of this State, you would have.

Hon. N. F. MOORE: People who made laws about their own future at times tend to make laws which might be seen to favour their own point of view.

I would like the Attorney General to explain what are these "other purposes". When the Attorney was discussing the need for a separate roll, I interjected to suggest the Government may want to use the rolls in the same way as a word processor to gain information for the distribution of material. Perhaps the Government may decide it will utilise the tapes held by the Electoral Department to sort out people in different areas or to send them letters for various reasons. I am not suggesting that honourable members would use the tapes in this manner.

Hon. Tom Stephens: Only a corrupt party would do such a thing.

Hon. N. F. MOORE: I am just suggesting this is the sort of thinking the Government may have in mind.

I am prepared to accept any reasonable explanation from the Attorney General and I accept that he will endeavour to make such an explanation. It is not contained in the second read-

ing speech and, bearing in mind not having a joint roll is a change from the platform of the Labor Party, an explanation is needed.

Hon. P. G. Pendal: Dramatic.

Hon. N. F. MOORE: Some discussion has been held with regard to the change to the requirement in respect of witnessing electoral enrolment claims. The Bill proposes to remove the requirement that only certain persons may witness electoral enrolment claims. The reason for the introduction of this legislation in the first place was the result of the Electoral Act inquiry in 1978, commissioned by the then Government and conducted by Judge A. E. Kay. For some reason the present Government has stated that Judge Kay produced no evidence of malpractice. When any recommendations of this report were implemented the attitude of the then Opposition was that no evidence was provided. It is interesting that the Government refers to the Court of Disputed Returns as having produced a good result on the basis of the evidence provided.

However, because as a result of an extensive inquiry, during which time he received evidence, Judge Kay came down with a report which contained recommendations; but members opposite say there was no evidence.

Hon. Tom Stephens: Give us the evidence.

The PRESIDENT: Order!

Hon. N. F. MOORE: Judge Kay spent a great deal of time arriving at his conclusions based on the evidence he received.

Hon. Tom Stephens: It was a fraudulent report by a fraudulent inquiry.

Hon. N. F. MOORE: I am not Judge Kay; I do not have the evidence in front of me. He is a judicial figure, and I am taking into account the recommendations he made to Parliament.

Hon. Tom Stephens: It was based on hearsay. No substantive evidence was produced in the entire inquiry, and I attended the whole of the sessions.

The PRESIDENT: Order!

Hon. N. F. MOORE: Apparently the Hon. Tom Stephens is quite happy to cast aspersions on the judiciary.

Hon. Tom Stephens: I am quite happy to cast aspersions on the inquiry.

Hon. N. F. MOORE: I quote from page 11 of the report as follows—

> At the present time, anyone can enrol a fictitious person and witness the claim card himself. This procedure, in my opinion, should be tightened up. Any reasonable method which would overcome or lessen any manipulation should be adopted. It has been said that if the elector has to go before a specific person to have his claim card witnessed, then this is placing obstacles in his way. It is said that the enrolling process should be made easier rather than harder but, after all, quite a lot of applications for various matters have to be signed before a Justice of the Peace.

Hon. Tom Stephens: Cite some evidence.

The PRESIDENT: Order! I ask the Hon. Tom Stephens to cease his interjections. I insisted that other members cease their interjections when he was speaking and I am endeavouring to allow other members the same benefit.

Hon. N. F. MOORE: Judge Kay's report continues—

> Declarations and Affidavits have to be made in connection with certain claims and no-one seems to find difficulty in obtaining a Justice of the Peace or a Commissioner.

He goes on further to say—

> I consider that the people who should be witnesses to the electoral claim card should be an Electoral Officer, a Justice of the Peace, a Clerk of Courts or a Police Officer.

That was his considered opinion. Judge Kay took evidence, but naturally the evidence is not contained in the report. Obviously, it would be contained in a whole series of documents in his possession. However, that is his report and those are his recommendations. The Government of the day accepted his recommendations and passed legislation based on those recommendations, and if the honourable gentleman opposite wants to cast aspersions on the judge—

Hon. Tom Stephens: Too right I am.

Hon. N. F. MOORE: —that is his right. I am simply pointing out there were good reasons at the time for the decision to be made.

Hon. Tom Stephens: You have not given us any.

Hon. N. F. MOORE: It is interesting that the Hon. Robert Hetherington interjected during the Hon. Tom Stephens' speech and said when talking about justices of the peace, "If this Bill does not go through, there will a whole lot more justices of the peace". It is quite obvious why members of Parliament are being given the opportunity to become justices of the peace.

Hon. P. G. Pendal: The local branch secretary of the Australian Labor Party will be next.

Hon. N. F. MOORE: The next matter to which I refer relates to the removal of the requirement for an enrolment card to be received by the Electoral Department within 31 days of its being signed. The Minister made the following comment in his second reading speech—

> A further amendment repeals the law passed in 1981 which demands that a claim be submitted to the Electoral Registrar within 31 days of completion. This obviously is a big disadvantage to those who live in remote areas of the State, and apart from there never having been any real need for such a law, it would now act as a bar to the establishment of co-operative working arrangements with the Commonwealth.

I voted in favour of that legislation and, at the time, I happened to think that provision was a good idea. Interestingly, the then Opposition in this State agreed with that legislation. I quote from the guru on electoral matters, Mr Tonkin, who was reported in the Legislative Assembly debates as follows—

> The Bill is designed to ensure that enrolment cards are returned within 31 days of their being filled in and we can see no quarrel with that.

It is a good idea because it ensures that anyone who fills in a claim card and entrusts someone else to put it in knows that, by law, the person must put it in. For example, somebody in the Hon. Tom Stephens' electorate—we know he goes around putting people on the roll—

Hon. Tom Stephens: And I am proud of it.

Hon. N. F. MOORE: I am not suggesting the member is not. The person the Hon. Tom Stephens is seeking to put on the roll might say, "Next time you go to the post office, Tom, put it in for me". Under this proposal, there is no requirement that the card be submitted within 31 days of its completion. It is possible for the person entrusted with that card to hold on to it. No-one is suggesting the Hon. Tom Stephens would do that, because he is an honourable man.

Hon. Tom Stephens: Probably it would be done by members of the Liberal Party.

Hon. N. F. MOORE: Now, with the provision for 14 days' grace, a person may hold on to the claim cards and put them all in at once, so that nobody would know where the people come from, who they are, and whether they are entitled to be on the roll.

All these sorts of things could happen. I am not suggesting the Hon. Tom Stephens would do those sorts of things, but I know some people—

Hon. Tom Stephens: I know, and they are your sort.

Hon. N. F. MOORE: —would be quite happy to hold on to the cards and put them in all at once. It is fair and reasonable that we retain what was acceptable last year to the then Opposition in a Bill which passed through both Houses of the Parliament.

The Minister's second reading speech claims the existing provision is against the interests of people living in remote areas. Perhaps in his reply the Attorney might give some evidence to support his claim. Can he give me evidence that people in remote electorates have complained that they could not get onto the roll within 31 days—either because of a difficulty with the mail, or for some other reason—and thus were not accepted on the roll? If dozens of people have written complaining to that effect, I would be prepared to say the time should be extended; however, the whole provision should not be removed altogether.

The next point I mention relates to the question of striking from the roll people who fail to vote at an election and do not reply to the notice sent to them by the Chief Electoral Officer. In the past, the practice has been that a person who does not vote and does not respond to a letter requiring an explanation from him automatically is struck from the roll. In some cases, I agree this may be unfair. However, we must also take into account that people have responsibilities. The people in this State have a right to vote; it is a right denied to many millions of people throughout the world. Therefore, they have a responsibility to make sure they get themselves on the roll and into a position where they can fulfill their obligation to vote. If people are either too lazy or unconcerned to respond to correspondence from the Electoral Department, they should be taken from the roll. I have grave reservations as to whether we should remove this requirement.

We are talking about people having to put their ages on the enrolment cards and the fact that it will now be sufficient for a person to witness that the applicant is 18 years of age or over. I cannot get very fired up over this matter other than to say that, if the Hon. Tom Stephens were to go to all the hotels in Perth and ask all the barmaids and barmen who serve people over the bar, "Do you have much difficulty telling 17-year-olds from 18-year-olds or 16-year-olds from 19-year-olds?" the vast majority would say they have a great deal of trouble, because it is very difficult to decide how old people in that age group actually are.

It is easy to see that ordinary people—people like me who are as ordinary as one can get—would have great difficulty making a decision as to whether a person is old enough to go on the roll.

Hon. Tom Stephens: Is there any suggestion that a person is 18 years of age, but does not know that he is?

Hon. N. F. MOORE: What I am saying is, this is subject to abuse. If somebody who is not 18 years of age but looks 18 years of age decides he wants to go on the roll and says, "I am 21 years of age; I want to go on the roll; this is my name, my address, and my date of birth" and the Hon. Tom Stephens signs the claim card as a witness that, in his judgment, that person is over 18, he would then go on the roll and the chances are the Electoral Department would not have time to check whether that person was old enough to vote and he would have the opportunity to cast a vote.

I am not saying that will happen, but the provision places a great deal of duress on the head of the witness who must make this decision.

Perhaps we ought to have considered a provision that, where doubt exists as to a person's age, somebody, such as a magistrate or the like, must certify that, in his opinion, the person is 18 years of age or over, because the provision in the Bill is subject to manipulation and abuse. It also puts difficulties in the way of witnesses which perhaps should not be there. Anything in an Electoral Act which allows abuse of that nature to take place should be discouraged.

The Bill allows for a postal address for the receipt of electoral material to be included on a claim card. I have some very severe concerns about this, once again because I consider the provision will be open to abuse. The whole question of postal voting was considered in great depth by Judge Kay, because it was a matter which was under a microscope in the Kimberley in 1977. The Hon. Tom Stephens knows all about that. In his report, Judge Kay made some very interesting comments about postal voting. I refer to page 42 of his report where the following statement appears—

> It was difficult to get direct evidence to support this statement but circumstantial evidence and the widespread rumours of manipulation tend to make me believe that such abuse is not only potential but actual.

The judge is not saying that manipulation took place; he is saying that, in his opinion, the law as it existed at the time could be subject to abuse and manipulation. He made recommendations, which the Government subsequently accepted, to make it easier for people to go to polling booths, rather than have to submit postal votes. Therefore, as a result of the Kay report, we had the implementation of mobile polling booths in remote areas so that we reduced the number of people who had to rely on postal votes.

This all relates to Judge Kay's assumption—and I call it an "assumption"; as he says himself, it is not based on solid evidence, it is based on circumstantial evidence and widespread rumours— that manipulation can take place.

Hon. Tom Stephens: What sort of judge would say that?

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! It is unparliamentary to reflect on the judge. The member may reflect on the report, but not upon the judge.

The Hon. N. F. MOORE: Thank you, Mr Deputy President. This Bill proposes that any person who is not a normal postal voter may have his ballot paper forwarded to a post office box number. In some cases that would be very convenient to a person who finds it is much easier to receive his mail through a post office box, but I am talking about the potentiality for abuse—the potentiality Judge Kay talked about in respect of postal voting. It is not inconceivable that a person could go into my electorate—into the central desert area—and enrol a number of illiterate Aborigines, putting on their electoral claim cards a post office box number convenient to them.

Hon. Tom Stephens: It would not appear on the roll.

Hon. N. F. MOORE: Of course it would not appear on the roll and that is another area of concern. The postal ballot papers would go to the post office box.

Hon. Tom Stephens: No, they would not.

Hon. N. F. MOORE: Perhaps the member will allay my fears, because, if they are to go to the post office box number, the person who submitted the electoral claim card could take all the postal ballot papers from the post office box, fill them in, and submit them as votes.

I am not saying that sort of thing has happened in the past, but there is ample rumour and an enormous amount of circumstantial evidence to suggest it could have happened in the past; that perhaps postal votes have been filled in *en masse* and sent back to the department.

If ballot papers are to be sent to post office box numbers, there is ample ground for abuse and manipulation of the system, and people's votes may be cast by other people.

Therefore, I have grave doubts about whether this part of the Bill is worth supporting. The fact that it has been kept secret is interesting, because apart from the person who put the illiterate Aboriginal on the roll, nobody will know what his post office box number will be except, of course, the Electoral Department. However, the department will not check the situation, because, if thousands of people with post office box numbers as their addresses go onto the roll, the department will not check whether in fact in every case the box number which appears on the card is actually that of the person who is seeking to be enrolled by submitting that card. The only person who will know where the votes will go is the person who put in the claim card and, as the Hon. Tom Stephens knows, many illiterate Aboriginal people do not know what it is all about.

Hon. Tom Stephens: I do not know any such people.

Hon. N. F. MOORE: Well, there are many in my electorate.

Hon. Tom Stephens: Have you tried to help them? They probably don't understand the system.

Hon. N. F. MOORE: Of course I try to help them. I try to help Aboriginal and other people in my area.

Hon. Tom Stephens: There is no connection between postal voting and enrolment. A postal vote application is filled in quite separately from the enrolment application.

Hon. N. F. MOORE: I realise that. We also have a postal voters register and those on it will have, next to their names, their post office box numbers. I presume those on the register will automatically have their postal ballot papers sent to the post office box numbers. They may never see the ballot papers, but they may well be cast as votes, and that is what worries me.

Hon. Tom Stephens: During all the court cases on this matter, there has never been any evidence produced to suggest that has occurred.

Hon. N. F. MOORE: There are several reasons for that which have never been explained in great detail and I shall tell the member about them on some other occasion.

Hon. Tom Stephens: Tell us now.

Hon. N. F. MOORE: The Bill provides also for the automatic transfer from the Federal roll to the State roll of all those persons whose names now appear on the Federal roll but not on the State roll. Once again, I have some grave concerns about this matter simply from the point of view, as I mentioned earlier in regard to another matter, that people have the right to vote in Western Australia and that right holds certain responsibilities. If those people are not prepared to accept their responsibilities and ensure they are on the roll, I do not see why we have to pass legislation to mollycoddle them.

Here we are saying, "Just because you did not get around to getting on the roll, we will change the system in such a way that you do not have to do anything yourself. You will not have to think". We are getting to the situation that pertains in Sweden where people do not have to think any more, because the State thinks for them. People in Sweden like the servitude there, because life is so easy for them. They do not have to do anything; everything is done by the Government. We are getting to that situation in Western Australia today. We do not have to accept any responsibility for being citizens. We live in one of the freest countries in the world and people should accept some of the responsibilities which go with that. The provisions in the Bill take away from people the need to have some responsibility.

I shall ask a few questions of the Attorney in relation to the way in which the Bill affects Aborigines. The Hon. Tom Stephens raised this and said in his opinion, a specious argument had been made. Section 45(5) of the Electoral Act says, "This section, except subsection (4) thereof, does not apply to an Aboriginal". In other words, an Aboriginal person in Western Australia does not have to be on the electoral roll.

Hon. Tom Stephens: Is that a good idea?

Hon. N. F. MOORE: I am not making a judgment. I have a very open mind on that.

Hon. Tom Stephens: One people, one law!

Hon. N. F. MOORE: If this Bill is passed, does it mean some provisions of the Act will be at odds with other provisions? I ask that because, if an Aboriginal person is on the Federal roll by choice and he is transferred automatically to the State roll, he has been put on the State roll even though he has a choice as to whether he wants to be on it. He is not given that choice.

Hon. J. M. Berinson: You are talking about the deeming provision, are you?

Hon. N. F. MOORE: There might be an explanation for it. I am looking for it. I do not have the advisers available to the Minister to tell me how these situations work, but it has dawned on me that one section of the Electoral Act says Aborigines do not have to be on the roll. However, the Government is proposing an amendment to the Act which could put Aboriginal people on the State roll, even if they do not know about it. Indeed, they may not want to be on the State roll.

I do not expect this would occur in many cases, but it could happen and, even if it happened in one case, it could be contrary to the Act. I would like the Minister to check the position and give me an answer.

Is it likely to occur also that those people who are on the State roll and who are not on the Commonwealth roll will be transferred to the latter roll? I do not say a large number of people are on the State roll but not on the Commonwealth roll, or vice versa. However, if people are on the State roll but not on the Commonwealth roll, will the reverse situation apply?

Hon. J. M. Berinson: If the Federal Parliament passes an Act to that effect, it would. Nothing we do could result in enrolment on the Commonwealth roll.

Hon. N. F. MOORE: Thank you. Recently the Hon. Tom Stephens asked a question in the House about the number of people who had been taken off the roll because they did not vote at the last election. I am not sure exactly how many were involved.

Hon. Tom Stephens: There were 31 000.

Hon. N. F. MOORE: Those people were taken off the roll because they did not vote.

Hon. Tom Stephens: Because they appeared not to have voted.

Hon. N. F. MOORE: They did not respond to the "Please explain" letter, so they were taken off the roll.

Hon. Tom Stephens: Because they appeared not to have voted.

Hon. N. F. MOORE: Very well, if the member wishes to be pedantic: According to the Electoral Department these people appeared not to have voted, so they were taken off the roll.

Hon. Tom Stephens: No, they were taken off the roll because there is a mandatory provision. If you appear not to have voted and you are sent a letter by the department to which you do not respond, you are taken off the roll.

Hon. N. F. MOORE: Let us act on the assumption that the vast majority of those people did not vote. I do not believe the Electoral Department would be so incompetent as to take those people off the roll even though they voted.

Hon. Tom Stephens: Your party, while in office, starved the department of the funds necessary to do its job properly.

Hon. N. F. MOORE: I am talking about what has happened in the last couple of months. The Hon. Tom Stephens asked a question. I am talking about what has happened since members opposite have been in Government. I am not referring to the situation in the Electoral Department before the Government came into power; and 30 000 people have been taken off the roll for some reason or other.

I want to know whether, if we pass this legislation, those people will go back on the roll if they happen to be on the Commonwealth roll?

Hon. J. M. Berinson: It will happen if the other provisions of the Bill are satisfied.

Hon. N. F. MOORE: In other words, those people will not be given a rap over the knuckles for not having voted before in the State election, because if we assume they are on the Commonwealth roll, they will automatically be put back on the State roll, and that will overcome the problem that someone raised earlier about having to put a person back on the roll. It will all be done by the State Electoral Department quite legally and simply using a computer, which will save all that trekking around the outback areas by Labor canvassers.

Hon. J. M. Berinson: This is not being done for the advantage of Labor canvassers.

Hon. N. F. MOORE: I find it rather unusual to see the way members opposite have presented their arguments, with their holier-than-thou approach—although I noticed they could not get the numbers in the other House last week—with the Hon. Tom Stephens' halo shining above his head while talking about honour and how he would not involve himself in manipulation of Aborigines in the Kimberley; and we now find the Attorney starting to sound just like him. That to me is rather unusual.

Hon. J. M. Berinson: Do you believe in facilitating enrolment?

Hon. N. F. MOORE: I believe people should accept their responsibility to get on the roll. I do not believe in a society where everyone has everything done for him by holier-than-thou Governments such as we have here.

I have raised quite a number of matters which cause me concern. The main areas of concern are those amendments which could result in abuse of the system. I have explained them as clearly as I can, and perhaps the Attorney will be able to put my mind at rest and allay my fears that this Bill is not as fair and reasonable as the Government would have people believe, and that it is not designed for the advantage of the Labor Party. Perhaps I can be convinced otherwise by the eloquence of the Attorney.

I conclude where I started: I am always suspicious of these sorts of Bills; I am more than sus-

picious when they are supported by the Hon. Tom Stephens. I cannot understand the Hon. Tom Stephens. He comes in here breathing fire and brimstone about electoral matters and talks about one-person-one-vote-one-value, knowing full well that if we have one-person-one-vote-one-value, his electors will be disadvantaged.

Hon. Tom Stephens: Incorrect.

Hon. N. F. MOORE: They will not have any members in the Legislative Council.

Hon. Tom Stephens: Not true.

Hon. N. F. MOORE: Losing the two they have now would be no great disadvantage.

Point of Order

Hon. TOM STEPHENS: It really is important that the member should address himself to the Bill and not wander all over the place as he is doing. I was not allowed to wander all over the place, and neither should he be allowed to.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): There is no point of order. Nonetheless, the member should address the question.

Debate Resumed

Hon. N. F. MOORE: The honourable member has unusual ideas on electoral matters.

Hon. Tom Stephens: Democracy.

Hon. N. F. MOORE: His ideas generally are ones which would be to the detriment of his constituents, yet he continues to wear badges and to act as if he is a very knowledgeable person on electoral matters.

The DEPUTY PRESIDENT: Order! I have requested that the member speak to the Bill.

Hon. N. F. MOORE: I am referring to the Bill.

Hon. Tom Stephens: Don't show contempt for the Chair.

Hon. N. F. MOORE: In due course he will be indicating to the House that he wishes to deprive his electors of representation.

Hon. Tom Stephens: Not so.

Hon. N. F. MOORE: I reserve my decision on whether I will support the Bill and whether I will support certain clauses in the Committee stage, until I hear the Attorney's response.

HON. P. H. WELLS (North Metropolitan) [9.04 p.m.]: This Bill really reminds me of the story of Snow White and the seven dwarfs. We heard from Dopey, who spoke about anything but consultation and co-operation; we heard Grumpy, who talked about democracy; and we heard Greedy, who obviously represents those people who want to grab power. Of course, the wicked queen is still to be heard from, but she is the person who does not want to provide us with information. I refer to my previous efforts to get information from the Attorney General. He has been unwilling to answer my questions asked of him and I suspect I will have the same problem this evening.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): I do not believe you should reflect on members of the House.

Hon. P. H. WELLS: The reason I have used the analogy of Snow White is that in her story there was an apple which itself was good and wholesome, but which had within it some poison. This Bill is in part good like that apple, but it has parts which challenge me to suspect it to have been drafted by masterminds who have no idea of wanting fairness but who want to perpetuate power.

Hon. Tom Stephens: Rubbish! You mix with too many Liberals.

Hon. J. M. Berinson: He mixes too many metaphors.

Hon. P. H. WELLS: It was interesting to hear members who have tonight made their maiden speeches on legislation this session. I had not heard their voices for some time.

Hon. Tom Stephens: As soon as I spoke you wanted me to shut up. You cannot have it both ways.

Hon. P. H. WELLS: I respect the member's right to speak; I am happy to hear from him on any occasion.

The Bill causes me a number of concerns. I suspect the member who has been interjecting had some input to this Bill because I notice he is a member of his party's electoral reform committee. It is obvious that members opposite do not want a contribution from us despite what they say about wanting to consult. It seems they want to consult with people, but not with us because we are "bad" people. There is nothing in this Bill or related Bills to show that the Government is interested in seeking an input from the Opposition. In my humble opinion, it would be nice, in an attempt to get people on the electoral roll, if we were to have a magically independent group we could go to—this would have to be Utopia—to handle elections; perhaps a body like the United Nations. This would be the only situation in which everyone would get a fair go. I say this because it would appear to me that no matter which party is in power, accusations of unfairness will always be made by the other side.

Within this Bill there are the seeds that could create and perpetuate areas of skulduggery and manipulation of the electoral roll. If members opposite believe they introduce perfect legislation, if they believe they are "mightier than thou", it seems that we cannot expect them to allow anyone else to have a say.

Hon. Kay Hallahan: It is a great improvement.

Hon. P. H. WELLS: The member feels she has found faults in the existing Act.

Hon. Kay Hallahan: We found faults in what exists.

Hon. P. H. WELLS: I do not disagree that we presently have problems, but I want to deal with the way members opposite have gone about correcting them. My argument is that the Government is not interested in reaching consensus to see that the electoral system we have here is the best we can possibly have. It does not want an input from the Opposition or anyone other than the TLC and the Labor Party.

Hon. Tom Stephens: You had nine years.

Hon. P. H. WELLS: Every time legislation is introduced, I find that improvements could be made to it the day after. When a party gains office, regardless of its colour, it seems that any faults it finds are faults belonging to the opposite side, and that any Government that loses office finds that the faults are with the new Government.

I admit that the electoral rolls are in a mess, but I do not accept that it is totally our fault.

Hon. Lyla Elliott: It is true.

Hon. P. H. WELLS: The member does not give enough thought to these matters. She indicates that she does not do enough research if she is prepared to say that any fault is our fault. I wonder how many hours she spent in the State Electoral Department researching this issue, or did she get the information from the Hon. Tom Stephens? Members opposite say that the Liberal Party made it hard for people to get on the roll.

Hon. Kay Hallahan: It made it very difficult.

Hon. P. H. WELLS: I know of a person who could not get on the roll because of the inefficiencies of the system. A gentleman came to my office who had recently been married. He had been in this State for three years and his wife's card had been rejected. She was not one of those people who are particularly enthusiastic about seeking to sort out electoral matters. I checked with one of my old rolls and found that she had been on the roll for 10 years that I could detect, but that the department had decided to take her off. I phoned the department and was informed that this had occurred because of a computer error. The department had reached the magical computer age. We all think that computerisation is the answer to all matters, but it has a lot of faults. Every time a department goes to computerisation, it spends a lot of time sorting out bugs in the system.

The member has suggested that the previous Government's legislation was at fault, but this lady had done exactly as the Hon. Tom Stephens had done, except that where he had used "Thomas Gregory" originally and then used the name "Tom", this girl had done it the other way round. The computer had been unable to recognise the problem and had thought her to be a first-time enrollee. The problem was not that the Government had legislation which prevented her getting on the roll; the problem was the mechanics of the system.

The problem of all those 60 000 people the Hon. Tom Stephens said were not on the roll is not a problem caused by the previous Government's having legislation that would not let them be on the roll. I am suggesting, as the Hon. Tom Stephens found out, that there are problems with the system. Furthermore, in the terms of the figures that have been quoted in this debate concerning the number of people who are on the roll, it is easy for someone to say that at least 60 000 people are not on the roll. I suggest probably twice that number of people are not on the roll. In fact, it is possible that there are 60 000 people who should be on the Federal rolls but who are not.

The figures provided by the Bureau of Statistics show that at 30 June 1982 the number of people over the age of 18 years was approaching 900 000. I say "approaching" because the figure was between 870 000 and 900 000. If one were using the figures for the month of September 1983, as used by the Hon. Tom Stephens, there should be somewhere between 920 000 and 930 000 adults on the roll, and now we are told only 730 000 people are enrolled. I gather that that number includes some people who do not qualify for a vote. For instance, in the figure referred to by the Hon. Tom Stephens no allowance was made for those people who are exempt from voting in terms of religious convictions. I do not suggest that figure runs into thousands, but I point out that for some reason or other some people were not included on the roll, and saying that is the fault of the previous Government does not achieve consensus for getting better rolls.

The Hon. Tom Stephens made reference to Aborigines, but this argument cannot be applied to my electorate where there would be at least 5 000 people who are not on the roll.

I suggest that one cannot blame the previous Government for the number of people who are not enrolled. A problem certainly exists in getting people to enrol and I am happy to go along with the experiment the Government has suggested in terms of a joint card.

In one breath the Government says it wants joint rolls but in the next breath it says it does not want joint rolls but wants joint cards. It says that it wants to reserve the right to have access to postal addresses on the electoral cards and that no-one else will have that right. It says it wants to use this for its own purpose. How can the Government expect me to believe that it is trying to obtain a roll that will be in the best interests of the people? How does it expect me to believe that it, as Government of the day, should have the right to have access to the rolls, yet they will not be made available to anyone else?

I ask the Attorney General whether members of Parliament will be provided with rolls that show both the residential and postal addresses of electors? I ask this question because members of Parliament write to newly enrolled electors within their electorates, and if the electors have provided a postal address I believe they are entitled to have mail forwarded to that address. The Commonwealth Government has provided printed labels to members in the House of Representatives showing this information. If the Commonwealth Government accepts that as the normal course of events, I believe it should be accepted by this Government.

Before we reach the committee stage of this Bill I want to know from the Attorney General whether the print-out that will be made available to members of Parliament will show both residential and postal addresses and whether they will be available for scrutiny. If they will not be available for scrutiny I will question this piece of legislation and will know that the Government is not really being honest in trying to bring forward a fair and equitable system.

I will take a leaf out of the Attorney General's book when in Opposition and suggest that he should make sure that his second reading speech explains the Bill. The jargon that is used in Bills cannot be understood and Justice Kirby has suggested that it is time provision was made in this regard.

The Government is not prepared to provide members with a leaf system in order that we might understand Bills quickly, and, as a result, we have to wade through the Bill and the Act. I would have thought that we would be provided with the necessary information and a copy of the Act with special coloured interleaves indicating those sections which will be amended by this Bill. I spend a lot of time trying to find out what the Government is doing—it is like playing a game of hide and seek.

Hon. J. M. Berinson: Are you aware of any Parliament where this is provided?

Hon. P. H. WELLS: Is the Attorney General saying that just because no other Parliament does it, this Government should not do it? Perhaps I could have access to the Attorney General's file and perhaps in the future he will make the necessary information available.

I am trying to be constructive in asking the Attorney General to reform the situation and ensure that in future legislation that comes before this place is fully documented.

Simple explanations have not been provided. For instance, clause 3 deletes the definition of "naturalised". I gather that the Government has some explanation for this change, but it was not outlined in the second reading speech. In fact, a number of explanations were omitted in terms of what the Bill is intended to do. When we were in Government I remember the Attorney General making the point on several occasions that more explanation should be made of the reason for various Bills.

I find it hard to believe that the Government has agreed to the fact that people should be stashing cards. I find it hard to believe that the Government has agreed to legislation in which a time limit will not be placed on those people holding electoral cards. Now that the Government has won office I gather that it is greedy and is trying to hang onto power.

Hon. Tom Stephens: Rubbish!

Hon. P. H. WELLS: The Hon. Tom Stephens says that is rubbish, but he found that cards were collected prior to his election. I want to hear a good reason that people should be able to hang onto electoral cards as long as they like and therefore deprive people of a right to vote. What could happen is that a person from a particular party could hold on to Opposition cards and send in his own time to the Electoral Department.

Hon. Tom Stephens: That is an offence.

Hon. P. H. WELLS: The Government has withdrawn the provision of 31 days from the Act. Firstly it agreed to the 31-day provision and now it disagrees with it. I would like to know what information the Government has.

Hon. Tom Stephens: The answer is that we want to have a co-operative process with the Commonwealth and as part of that we are saying

that if a person has not handed in a card within 31 days, why should he be deprived of a vote?

Hon. P. H. WELLS: In other words we are allowed to change things in terms of a joint roll but other things are not allowed to be changed. The Government wants to keep this system in order so that it can send out letters to those people who have enrolled. Government members have acknowledged the fact that when this legislation was before the Parliament on the last occasion they agreed with the system provided.

Hon. Tom Stephens: I did not agree with it.

Hon. P. H. WELLS: In other words, the Hon. Tom Stephens believes it is a good idea to hang on to the cards.

Hon. Tom Stephens: I do not think you should deprive people.

Hon. P. H. WELLS: If the Hon. Tom Stephens were to go to the Electoral Department and obtain a list of enrolments and check the dates on them he would find the reasons for amending the legislation.

I would suggest that the agreement between the Commonwealth Government and the State Government is crucial to this Bill and would need to be worked out between the Ministers of the day. I realise that everything cannot be included in legislation and that the agreement between the Governments, which will be in writing, will be the ground rules for this Bill. I wonder whether the Attorney General is prepared to table that agreement in this House.

I suggest that the freedom of information Act in Victoria would provide members of that Government with information of this type, and I suggest that the Attorney General give consideration to similar legislation to ensure that the agreement is tabled. I am asking that he not only give an undertaking to consider my request, but that he also incorporate it in the Bill. Perhaps he will not agree with me, but I notice that his colleagues do not always agree 100 per cent with him.

I believe the only way this can be done is to include these matters in the Act.

When the Hon. Tom Stephens finishes engaging the Minister in conversation I may be able to capture the Attorney's attention. We are trying to get information from the Attorney and his attention is being taken by his adviser.

Hon. Kay Hallahan: You should address your comments to the Deputy Chairman.

Hon. P. H. WELLS: I am doing so. I am waiting for the backbench adviser to finish speaking to the Minister.

I assume some variation from the Commonwealth system has been maintained, such as the provision that exists that people with certain religious convictions do not have to cast a vote. That is a variation between the systems and I want the Attorney to confirm that has not changed.

Hon. J. M. Berinson: The arrangement with the Commonwealth relates only to enrolment. I believe that answers your question.

Hon. P. H. WELLS: All right. The Attorney is saying a number of variations similar to the one I mentioned relating to religious conviction have been maintained.

Hon. J. M. Berinson: We will continue to have our own Electoral Act.

Hon. P. H. WELLS: The Minister's second reading speech states that the Government favours the proposed system of rolls for a number of purposes not concerned with the Commonwealth. I ask the Attorney to provide us with a list of those uses, and the people who will have access to the rolls. It seems to me some secret information will be available which one speaker said should not be available to other people.

The other matter which I find difficult to justify, and the Attorney may say it is in the Commonwealth legislation and therefore some difficulty exists in relation to it, is that the system exists under our legislation whereby an electoral card is witnessed by a person qualified to be enrolled. That has been the case for a long time. I ask the Attorney whether anyone has ever checked on the witness of a card. The question was raised previously as to whether anyone had checked on justices of the peace, and the department indicated that this had not been done. That is a useless situation. What is the purpose of having a witness if no check is to be made and we have no way of knowing whether the person is qualified to be enrolled? I know the Commonwealth does that, but that is no reason for our perpetuating it.

Hon. J. M. Berinson: Would you rather not have a witness?

Hon. P. H. WELLS: I am questioning the purpose of having a witness. Has a witness ever been checked? If not, is that an effective method of checking people going onto the roll? It is built into our system in Australia that a witness is desirable. I suggest we do it because of form. Has it been checked? What purpose does it serve? If the system is not effective the department should look at it. The system should be questioned if people are following it only because it was done last year. Some system of witnessing appears to be desirable but I believe the present system has never been

checked, and I do not know how one would check it.

I would like the Attorney to give reasons for the 31-day period being taken out of the system, although he supported it previously. Another matter of concern to me is the alteration of a provision for the roll to have a clear method of removing people who should not be on it. The Minister's second reading speech on page 8 said in future it will not be mandatory for the Chief Electoral Officer to strike from the roll the names of non-voters.

It has been proved that "dead" people have voted in elections. Our electoral roll system is very fragile and is becoming more so with this legislation, which reduces to one month the period for people to get on the roll. A person taking long service leave might decide to enrol in an electorate like Mundaring where only 16 votes decided the outcome. That person could take an address in Mundaring for three months to justify his transfer on the roll. Western Australia has a fairly fluid population in the mining industry with people shifting to areas for more than a month while their real residential address is somewhere else. I worked in the mining industry, and I found people often went into the bush for a couple of months. Under this Bill persons who were politically motivated could move into an area where an election was pending and the result was likely to be close, and change their enrolment.

We are fortunate there has not been more manipulation of our system than has occurred, but it will be possible for people to shift from one place to another, and to register at a friend's place. It was reported to me some years ago when the Viner campaign was being conducted, and the previous result hung on 12 votes, that people had shifted to Fremantle who were registered in the Stirling electorate. That was the rumour, and I do not say it happened; but I defy anyone to say it cannot happen under our system.

Like the apple to which I referred when I commenced, the proposals in the Bill are good in parts. Some areas really worry me. I ask the Government to consider seriously the points I have raised and see whether it is prepared to accept a number of amendments when we reach the Committee stage. This will not be the end of the amendments; as we find faults and people trying to manipulate the system, we will introduce more amendments.

If the Government has a clear interest in ensuring this legislation is not just for the manipulators—and it is no use saying they do not exist—it should consider the points we have raised. I refer to the caravan people who protest one moment in Tasmania and then move to Roxby Downs and Yeelirrie.

Hon. Mark Nevill: Wilson Tuckey.

Hon. P. H. WELLS: They only have to be there a month and they can get on the roll although they are not at their residential address. Many areas of the Bill allow manipulation, and if the Government is interested in true reform I suggest it consider seriously the propositions put forward by the Hon. Phillip Pendal, the Hon. Margaret McAleer and others who have taken part in the debate.

HON. A. A. LEWIS (Lower Central) [9.40 p.m.]: I find myself in league with some of my colleagues, and not with others. I would like the Attorney to answer some of the questions raised before we go into Committee because it will make the position easier for us. Whether he can do that is a matter for him to decide, but I believe this is essentially a Committee Bill and I will save my main arguments for that stage.

I agree with the Hon. Peter Wells about enrolment cards. I cannot see any reason for their being held for any length of time, not only out of courtesy to the Electoral Department, but also to the people who signed them. I have believed in a system of a roll based on one card for quite a time. I have no objection to that as long as it is watched and the cleansing procedures are watched, and those procedures are clearly set out. I do not believe that has happened yet.

The Hon. Tom Stephens talked about not putting people off the roll when they fail to reply to a letter. I wonder how many people who received a letter with a cheque in it and which required them to sign a suitable slip before the cheque could be cashed, would follow that procedure? I think most people would. Some checks and balances must exist in the scheme, and I hope the Attorney does not take the Hon. Tom Stephens' comments as being acceptable to this House.

Most people regard the right to vote as very important, and I believe they should be prepared to state why they have not voted in a particular election. I do not say a person should be wiped off the roll straightaway, but he should be removed if no answer is received in two months; that gives him plenty of time.

It worries me that we have had a political haranguing match tonight. The fate of the Bill here will depend on the Attorney's answers. They are the key to some of the clauses being passed.

It is a terrible responsibility to give to a Minister who is handling the Bill for another Minister.

I feel very sorry for him. I warn him we will tolerate no finger wagging; nor will we tolerate his saying we are not behaving in the proper manner. We expect full and frank answers from the Attorney. I will not commit myself one way or another on the Bill until I hear his reply. I believe he should accept amendments on some points and passage of the Bill in full will depend on his replies to our questions.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [9.45 p.m.]: At one time people were prepared to argue that not all citizens of the State should be entitled to a vote. This House was established on that basis, and it is not to the credit of the parties or the members concerned that the restricted franchise continued for more than 70 years. Despite that history I think it is fair to say that the universal franchise is now generally accepted as the proper basis on which the parliamentary system should proceed.

The same is true of compulsory voting. There was a time also in Australia when that was a subject of dispute. In democratic terms the argument against compulsory voting has to be conceded as quite respectable, and it is in fact the norm in most western-style democracies. Yet here again in Australia, compulsory voting is no longer contentious; like the universal franchise it is universally accepted.

Hon. P. H. Wells: Does not the Liberal Party have a universal franchise?

Hon. J. M. BERINSON: In the context of universal, compulsory voting, one would naturally look to physical arrangements for elections which encouraged and facilitated voting and minimised any barriers or discouragement to electors.

Under successive Liberal-Country Party Governments the tendency, regrettably, was all the other way. Contrary to the practice everywhere else in Australia, the witnessing of original claim forms was restricted to narrow and limited classes of persons. Uniquely in Australia, we had implemented that peculiar 31-day rule. The striking off of electors from the roll was given far greater emphasis than any effort to increase enrolments.

This Bill reverses the recent trend and puts the emphasis where it belongs, on easier, more accessible, more accurate, and more secure enrolment. I appreciate the substantial support for this measure which has emerged in the debate. To the extent that Opposition members have expressed reservations, most have taken the form of seeking further explanation, and I will try to provide that as best I can, at least on the more basic questions; but as I have had to do in other Bills I am forced by the number of questions, many of them of a minor character, to suggest that they be pursued, if thought absolutely essential, in the Committee stage.

Hon. P. H. Wells: Apparently you do not think they are essential.

Hon. J. M. BERINSON: I turn first to the main concern which was expressed by the Hon. Phillip Pendal, the Hon. Norman Moore, and the Hon. Peter Wells, and perhaps by other speakers as well. With great sensitivity to the need for the Labor Government to implement its own platform, those honourable members latched onto our commitment for a joint roll and contrasted that, with some horror, to my own statement in the second reading speech that "The subject of this Bill is not one of joint rolls".

I want to allay the anxiety of those honourable members that I might to the slightest degree be straying from the electoral commitments of the Government, and I think that I can do that fairly readily. The comparison is not between our commitment to a joint roll and my statement that the concept of this Bill is not one of joint rolls; the comparison in fact should be between our commitment and my unabbreviated statement that "The concept in this Bill is not one of joint rolls such as is operated in some Australian States".

Hon. P. G. Pendal: It is not one consistent with your policy. That is the fact.

Hon. Robert Hetherington: Just wait a minute. You will find it is.

Hon. J. M. BERINSON: If the honourable member will just contain his anxiety to see the Labor platform met in full, I will try to accommodate him. The term "joint roll" is not a narrow, technical expression which can take one form alone. Tasmania, New South Wales, Victoria, and South Australia are all correctly said to operate joint rolls with the Commonwealth. In fact, among those four States, three separate systems are in operation.

Hon. P. H. Wells: They cannot agree amongst themselves.

Hon. J. M. BERINSON: In respect of Tasmania there is, as I understand it, a system where the mechanics of enrolment and maintenance of the rolls are undertaken by the Commonwealth.

Hon. N. F. Moore: Surely that relates to the system of voting.

Hon. J. M. BERINSON: In Tasmania there is the peculiar situation where the Commonwealth electorates match precisely the State electorates.

It is therefore a very simple matter for the single roll to be used for both Commonwealth and State election purposes. That has come about because Tasmania has legislated to structure its electoral boundaries on Commonwealth boundaries and no difficulty arises. That, however, is a peculiar situation, which no other State could adopt, and in fact no other State has adopted it.

Hon. D. J. Wordsworth: Is it by sheer chance that at this stage they have that number of Federal members?

Hon. J. M. BERINSON: The fact that the number of Federal members and the number of State electorates coincides is not fortuitous. It is a deliberate decision on their part that the boundaries should coincide.

Hon. D. J. Wordsworth: If they have another 36 members in the Federal Parliament, they will not.

Hon. J. M. BERINSON: That is not possible in any other State, for very obvious reasons.

In South Australia a second system operates. The enrolment procedures are conducted by the State and the records are maintained by the State. The information gathered by the South Australian authorities is made available to the Commonwealth at appropriate times.

In New South Wales and Victoria we come across yet a third system. In those two States it is the Commonwealth which maintains the basic record, and the Commonwealth which provides its tape to the respective States when they require it to proceed with the printing of their rolls. All of those situations are properly termed "joint roll arrangements", and in fact that is how they are universally referred to.

Hon. P. G. Pendal: You must have your tongue in your cheek tonight.

Hon. J. M. BERINSON: In Western Australia we are about to proceed to a fourth type of joint roll arrangement which modifies and takes some part of the other systems that I have referred to. What is proposed in Western Australia is that the Commonwealth will maintain the structure for gathering enrolments and for the original recording of all the data onto the appropriate computer hardware; but that information will be made available for a master tape which the State will hold and keep up to date on its own account. In order to do that the arrangement with the Commonwealth is that there will be regular periodic—and I mean weekly—transfers of taped information from the Commonwealth office to the State office. That is something which does not occur either in Victoria or in New South Wales.

If somebody wants to argue that we therefore do not have a joint roll, all that argument comes down to is the proposition that we do not have a joint roll of the precise nature to be found in other States. It would be very difficult to maintain the argument that what we are doing is not a joint roll because in fact it is.

I was asked by all the honourable members I referred to, most of whom fear some sort of underhand intention behind this arrangement—

Hon. P. G. Pendal: I just wonder why you repudiated what you told us.

Hon. J. M. BERINSON: —"What is the basic purpose of our having this arrangement, different as it is proposed to be from that in the other States?" At least three important benefits will accrue from the modified version of the joint roll arrangement to which we are intending to proceed. The first arises from what I have already indicated, a regular weekly updating of the State records.

Hon. P. H. Wells: Does that mean members of Parliament will be a fortnight behind? In other words, if you take a week to get it, it will take our department another week to get it updated.

Hon. J. M. BERINSON: As I understand it, we will be, at most, a week behind the Commonwealth office. At about weekly intervals, it will transfer records of enrolments over that week's period to the State office. That information will go onto the tape; and to the extent that the mechanics of the operation take some time, it will be some days before members can obtain the information.

Hon. P. H. Wells: Could not the Commonwealth get it straight to the member?

Hon. J. M. BERINSON: It is not the job of the Commonwealth to provide State members with that information. The Commonwealth office does not exist for that purpose.

This raises an important distinction between the system that we want to maintain and the systems elsewhere. Honourable members will know that all of us are entitled, on request, to obtain from the Electoral Department periodic records of new enrolments.

Hon. P. H. Wells: Yet the Commonwealth office gives that to their own members.

Hon. Robert Hetherington: Just try to ignore him and go on with your very good speech.

Hon. J. M. BERINSON: Members will know that records of this nature are available to all members, quite impartially, without any question of special Government advantage. The information is available on a periodic basis. That fa-

cility is not available in New South Wales and Victoria, for example, because the joint roll arrangement there does not provide for regular updating. That is the first advantage of adopting the system to which we are proposing to proceed.

A second advantage emerges at a time of any redistribution. At such a time it is important that our Electoral Department have an accurate habitation record; that is, a record of the number of electors per street. It must be detailed to that degree because that detail cannot be relied on to be readily available from the Commonwealth at a time when the State wishes to proceed to redistribution. That then is the second advantage of maintaining our master tapes, and it is an important one in preserving the independence of our system.

Some mention has been made in the course of debate of the use of this information for jury rolls. I am informed we have 11 jury districts and that it is proposed to adapt the records on our master tapes in the Electoral Department so as to automatically set aside from jury selection electors excused from jury service. That will facilitate the work of jury selection in this State.

Those three are the major advantages in specific terms. In general, however, the sum of the exercise is to have the advantages of the technical and manpower facilities of the Commonwealth while maintaining the independence of the State Electoral Department to the maximum extent possible.

Hon. N. F. Moore: Are the other States following your example?

Hon. J. M. BERINSON: That is a very good and interesting question. I thank the member for it. I am informed that both New South Wales and Victoria are most impressed with the pattern developed in discussions between the Commonwealth and Western Australia, and in fact are giving every indication that they propose to follow our good example.

Hon. Peter Dowding: You bought that one, didn't you, Norman?

Hon. N. F. Moore: It sounds like a very sensible arrangement.

Hon. J. M. BERINSON: I will attempt now to make a general reply to a number of specific questions. The answer, before I refer to the questions, is that the co-operative arrangement with the Commonwealth demands certain provisions. The questions are: Why is the Government fiddling with the matter of the period of residence before enrolment, the 31-day rule, and the provisions relating to qualified witnesses?

Hon. P. G. Pendal: Is this to be a feature of your career; that you will give us the answers before the questions, because it is a little hard to follow?

Hon. J. M. BERINSON: I am testing the member's capacity to adapt himself to difficult circumstances.

Hon. N. F. Moore: Why don't you get the Commonwealth to change its rules instead of making it a one-way track?

Hon. J. M. BERINSON: The member should understand he is not making a small request, if he seriously wants to pursue that line. It is not just a question of suggesting the Commonwealth change its tack, but that the Commonwealth, Tasmania, New South Wales, Victoria, and South Australia all change tack in order to accommodate the member's desire for further independence in this State. A practical question arises here. I want to stress that although a number of these matters do stand and fall at the end of the day on the need to develop uniformity with the Commonwealth and the practices of the other States, they do not stand on this basis alone. We are not arguing, as someone warned us not to do, that uniformity for its own sake is something that ought to be pursued. The fact is that some of the matters I am coming to are really not important. In that category I would put the 31-day rule. It is true enough that we did not oppose it when it went through the Parliament last year. It is true enough also, if the Hon. Peter Wells wants to push me further, that we supported it.

Our support of the 31-day rule was quoted from statements made by our spokesman at the time, Mr Arthur Tonkin. He was quoted at length, and if I remember correctly, the complete quotation of his interest in the 31-day rule extended to the extent of his saying, in round terms, "Well, that's not a bad idea". One sentence in the Minister's speech was devoted to that point, which was a measure of the importance of the rule. The truth is that neither at the time the rule was introduced nor since that time has there been any evidence it was made necessary by improper or undesirable practices in the field.

There are other matters also with which we are proceeding on the basis of attracting uniformity, but not on that basis alone. Some of these matters are much more important, and in that category I put the question of qualified witnesses. With due respect to members opposite, I really would imagine they would treat the opportunity to dispense with this absurd rule—with the witnessing of an initial enrolment by a JP, a police officer or electoral officer—as something to be rid of at the first

opportunity and with the least discussion. It never made sense, it never served a need, and it never served a decent purpose. It only ever existed to serve the purpose of making enrolments more difficult rather than more easy, and that is precisely the opposite of the attitude that should properly be taken in these matters.

The Hon. Margaret McAleer drew attention to the repeal of the provision which allows electors to object to claims for enrolments. She asked how often this provision had been used. I am informed by the Electoral Department that it has never been used. It would be difficult to use, and no doubt that accounts for its neglect. It really would be necessary to have someone in the nature of a scrutineer attending regularly, if not on a permanent basis, at electoral offices to sort out names being handed in, and quickly check where the claimants purported to live, and so on.

I would add that the repeal of this provision does not affect two other provisions. Firstly, the registrar can object to a claim for enrolment and, more importantly, the registrar and an elector remain able to object to an enrolment, so that if an improper claim is lodged, that situation is not irreparable—it is open to objection by either of those parties later.

The Hon. Peter Wells asked a number of questions, some of which I have already dealt with in the general course of discussion. He asked in particular as to the futility of having a witness at all. He asked whether, in the experience of the Electoral Department, witnesses were checked. I can only refer to him the advice I have received; that is, there is no practice of checking witnesses, and such a practice is not engaged in by the Commonwealth or any other State. Frankly, I was not sure whether the Hon. Peter Wells—he can elaborate later if he wishes—was seeking to argue from that point that we should do away with the witness provision altogether, or that we should implement a system of some sort of regular or spot-checking review.

Hon. P. H. Wells: If you think it is necessary there should be at least spot checking.

Hon. J. M. BERINSON: I suppose the best answer I can provide is that on the whole in these matters there is a need to impress on people the importance of their providing accurate information, and that is stressed in the case of the Electoral Act by the provision of penalties against both a claimaint for a vote and a witness to a claimant's application who provides false information or who wrongly witnesses an application. I guess, as in many other areas of the law, it is really a question of having penalties as a deterrent, while basically relying on the fact that people will comply with the law when they are called on to do so. That is how the system really functions.

Hon. P. H. Wells: You are hoping everyone is honest.

Hon. P. G. Pendal: You are probably right in what you say, but there are easier ways, and they were pointed out during the second reading.

Hon. J. M. BERINSON: That part of the honourable member's second reading speech was, I am sure, memorable, but I regret I cannot recall it.

Hon. N. F. Moore: Is this the new spirit of consensus?

Hon. J. M. BERINSON: Seriously, if the member would like to raise it again, it can be discussed further. I put it to the House quite seriously that there is nothing at all radical in the proposals we make. I would have thought that to a large extent they would have met the needs of the Opposition in its being so conservative; we are really reverting to the system that existed in this State for 70 or 80 years, and which applies in the Commonwealth and in all other States. On the whole that system has shown itself to function reasonably well.

In spite of some of the enthusiasm invested in this debate, it is true to say that it is quite a modest measure, but at the same time one which is important and long overdue. It is designed to simplify the procedures for enrolment—to make them easier and more certain—from the point of view of electors. It is designed by means of a co-operative arrangement with the Commonwealth to secure an electoral roll which is as accurate and, most of all, as complete as possible. The degree to which our electoral roll has been allowed to degenerate in recent years is in its own way quite scandalous. It is not something we should permit to continue, especially when a relatively easy and sensible remedy is at hand, and that is to be found in the co-operative arrangements proposed to be conducted with the Commonwealth.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Hon. D. J. Wordsworth) in the Chair; Hon. J. M. Berinson (Attorney General) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Commencement—

Hon. P. H. WELLS: I desire an indication of when this Bill will come into effect.

Hon. J. M. BERINSON: The proclamation of the entire Bill, excluding part III, is expected after the normal interval of time after passage through the Parliament. I do not know exactly what that is—two to four weeks, I suppose. Part III is planned to come into operation, together with similar declarations by the Commonwealth and other States, on 26 January 1984.

Clause put and passed.

Clause 3: Section 4 amended—

Hon. P. H. WELLS: The Attorney General did not explain this. Could he give an explanation of this and other clauses? He did not do so in his second reading speech.

Hon. ROBERT HETHERINGTON: The Attorney General does not really need to explain it all. All one has to do is to read the Act which is being amended in relation to the word "naturalised" and its meaning. In other words, "naturalised" as defined in the parent Act is obsolete, and we now naturalise people differently. A naturalised Australian citizen today is one naturalised under the present laws of Australia. If the honourable gentleman had done his homework he would not have asked the question.

Hon. N. F. Moore: We should have made you the Minister!

Hon. J. M. BERINSON: I see the Hon. Peter Wells is not satisfied so I will try to assist him. If the member refers to clause 4 of the Bill he will see that it is proposed to amend section 17 by deleting subsection (1)(a) which refers to a natural parent or naturalised subject of Her Majesty, and to replace it with the words "who is a British subject". That and one or two other amendments obviate any need for reference to the term "naturalised". It falls within the Act.

Hon. P. H. WELLS: I merely point out that a better explanation during the second reading speech would have been a lot easier. The Attorney General himself used to argue that point.

Clause put and passed.

Clause 4: Section 17 amended—

Hon. P. G. PENDAL: I raise two matters, one of substance, the other a fairly minor matter. The minor matter is in relation to new subsection (1)(c). The last words refer to an elector living in an electoral district "for one month last past". That falls within the category, with all due respect to our draftsmen and to the lawyers, of being put rather pompously. What we are really saying is, "the preceding month".

This is a criticism that I direct to the Attorney General because of other comments that have been made recently in the Chamber. Perhaps I am wrong, and it may mean something else; but I do not think so. I think it is time to emphasise the point that one must have been enrolled in the electoral district for the most recent month up to that point. If one gives anything more than lip service to the notion that the laws ought to be understandable to the legislators, if not to the public, perhaps one ought to bear that in mind. I am talking about simplicity.

I want to pursue another point with the Minister. I am not sure if he responded to this matter, which was raised by members on this side of the Chamber in regard to the simple requirement, that an elector be resident in a district for a month. The criticism offered on that matter was that it gives very little opportunity for a person moving into that electoral district to really make any sort of mature judgment. The Government has said—and I do not dispute its claim—that the Bill is intended to make the electoral machinery work better and, in its view, more fairly. It is expecting an awful lot of people to come into a new political environment and then be expected to make a mature judgment and decision that may determine which Government is elected. That reason, the Government insists, since 1948 has been one of the barriers to enrolment procedures. That may be true but I am suggesting that the trade-off is a very high price to pay in order to achieve what apparently we have been unable to achieve since 1948. I want the Minister to comment on both aspects, but I will not cut my wrists if I do not receive a substantial reply on the first matter.

Hon. J. M. Berinson: As long as you don't cut mine!

Hon. P. G. PENDAL: It bears thinking about if people are to take the Parliament seriously, because it really is a bit of pompous claptrap.

Hon. J. M. BERINSON: The one-month period of residence is not alleged to be a barrier to uniformity; it is in fact a barrier to uniformity. It is an essential part of the exercise that the period of residence be reduced to one month. The matter does not rest on the uniformity issue alone; it is desirable for its own sake; or, at the very least, does not do any harm.

I think the Hon. Phillip Pendal has confused two separate issues. He is concerned that a person who has been in WA for only one month may not be able to cast a vote with as much knowledge of the local background as is desirable. This provision does not go to his casting a vote, but to his

eligibility to enrol. This argument really relates to only the few cases dealing with people who have not only come to enrol within a month of moving to WA, but who happen to find that it coincides precisely with the time of a State election.

The point the member is raising really has no relevance at all. With due respect, I think the number of such cases would be very limited indeed. To the extent that they exist there is no harm involved, because I doubt very much whether a period of one or three months would make any real difference to a total stranger to WA in respect of understanding what is going on in the State or knowing how to vote on particular issues affecting State interests.

In summary, we do need this amendment for the purposes of uniformity. The number of cases in which a stranger to the State would be called on to vote within a month of arrival would be very limited indeed and even in those cases no potential harm exists.

The honourable member asked me to define the terminology of new section 17(1)(c). He does not like the terminology "for one month last past". I can only say that, if anything, it is no worse and is probably better than the terminology it replaces; namely "for a period of one month immediately preceding the date of his claim". Whether he finds the new language more felicitous than the old, I do not know, but at least it is briefer.

I ask the member to accept the improvement of the terminology to the extent that it has been achieved.

Hon. P. G. PENDAL: If I were the Attorney General I would say the provision of one month's residence is really of no consequence, because one could draw on the experience in Australia of very recent weeks to find how that provision could be much more easily manipulated by people because one month is involved. Then people could manipulate it or be prepared to manipulate it if three months' residence were involved. An example would be the people who protested at the Roxby Downs project in South Australia. They may well say to themselves, "The job is done here. There is soon to be a major uranium project in WA at Yeelirrie, which happens to be within the province of Murchison-Eyre where even five, 10, 15, or 50 votes makes a big impact". I am suggesting that it is certainly not beyond the realms of possibility that people could be dedicated to the extent that they would make the difficult decision and take up residence in the seat of Murchison-Eyre with the sole intention of taking on that job. I am not trying to denigrate people who have exercised their freedom, but I am talking in relation to the point that Mr Berinson has made. What does it matter if it is one month or three? Does it really matter? I suggest to the Attorney General that it is a bit on the sloppy side for him to suggest that someone may not take advantage of experience he has gained in the previous three weeks.

I am not saying the likelihood that it will occur is great and that people will start packing their caravans and moving to marginal electorates. Certainly, if the next State election is in, say, 18 months' time, they will not wait around.

However, in its view, the Government has taken the bit between its teeth by introducing amendments designed not only to tidy up the Act but also, presumably, to prevent its manipulation. I am suggesting this provision will make it far easier for people to manipulate the Act. I accept the Government has made a value judgment as a trade-off, and has said, "How important to us is this joint enrolment card and the matter of uniformity?" The Government has made a value judgment, which it is perfectly free to do; but I am saying it may well be that the price the Government pays could be a very high one indeed, because very often these things are a double-edged sword.

Hon. J. M. BERINSON: While this provision may seem peripheral, it is quite vital to the passage of the whole legislation, as the total scheme of Commonwealth-State co-operation depends on uniformity. Beyond that, I do not know how I can answer the member further, other than to say no evidence is available of improper manipulation of the one month's residency requirement in the other electoral systems in which it applies. I have already indicated it applies in the Commonwealth and the other joint roll States, although quite frankly I am not sure of the precise position in Queensland.

Hon. N. F. Moore: Ask Mr Grill about enrolling Main Roads Department gangs onto the Murchison-Eyre electoral roll. There is good evidence of that happening.

Hon. J. M. BERINSON: I am not aware of any occurrence of the sort the Hon. Norman Moore insinuates has happened. In addition, that sort of thing can very easily backfire at times of election, when people are sensitive to such issues.

Hon. N. F. Moore: Mr McIver was very sensitive.

Hon. J. M. BERINSON: I shall make one or two other comments to clarify another aspect of this matter. One month is not necessarily the maximum time a person must stay in an electorate in order to vote. It is one month to enrol and,

under the new provisions, the election cannot take place until five weeks beyond that.

Hon. MARGARET McALEER: It is my understanding that the Commonwealth Act does not include the residency requirement, but that it is simply left to the regulations. What would be the situation if the Commonwealth changed its regulations embodying this requirement? Would it then be necessary to alter our legislation?

Hon. J. M. BERINSON: I confess I am not aware of this matter. However, given the general uniformity that is involved in this scheme right across the Commonwealth, it would be unthinkable that the Commonwealth either by Statute or by regulation would change the one month period. There is no question of that arising. However, if it did, the converse of what I am now suggesting would apply: The scheme could not continue to function.

Hon. P. H. WELLS: The Attorney informs us it is essential to have combined enrolments. I ask whether the Commonwealth has categorically stated it will not accept this proposition unless we change our residency requirement to one month? Has the State given consideration to attempting to persuade the Government to extend this period? I believe a one-month residency requirement leaves the rolls wide open to abuse by the "rent-a-crowd" groups who will now be able to include in their saleable wares the option of transportable votes. We are moving into an age where people are prepared to move to prove their point, whether it be to the Antarctic, or to the Franklin dam area. These groups of protesters are able to marshall large numbers of supporters. It would be interesting to speak to the attendants on the front door of Parliament House and ask them how many people appear regularly in the various protest marches we see from time to time.

When I was scrutineer for an election at Stirling, the election was won by only 12 votes. A number of electorates are won by only a handful of votes, and the difference either way could make a difference to the eventual Government. If the Government is honest, it would discuss this matter with the Commonwealth. If it is trying to obtain a more equitable roll, it will take steps to increase this period. What is wrong with the period of three months? It is working, and in the past has never been opposed by members opposite. Surely that would be a deterrent to people who otherwise might be willing to move in with their caravans and obtain a vote in a marginal electorate. I suggest this provision could cause the rolls to be manipulated, and allow minority groups to cause a change of Government.

Hon. J. M. BERINSON: The Hon. Peter Wells must accept that, representing the responsible Minister, I am not in a position to provide any details of discussions which may have taken place. All I can say is that the discussions which have taken place have been on the basis that Western Australia should fall in with the practice of the Commonwealth and all the other participating States, rather than our looking to those other States and the Commonwealth to change to our requirements in terms of the period of residence.

Hon. ROBERT HETHERINGTON: I am a little concerned by the kind of arguments produced in this Committee tonight. I had the experience for 20 years of voting in a State which had a common roll, and where the residency requirement was only one month. I refer, of course, to South Australia. I am not aware that any of the things which it has been suggested might happen in Western Australia in fact happened in South Australia.

I believe members who have advanced these arguments are underestimating what a free society means. In fact, we still have a free society and we are not in the habit of manipulating our electoral system. I have no doubt that if anybody started to do that sort of thing, it would become known and we would do something about it.

In the meantime, to raise these little horror stories about what might happen—but which has not happened elsewhere—is really nonsensical.

I also point out to those members that it is difficult to stack electorates in South Australia because it does not have any electorate as tiny as Murchison-Eyre.

Hon. N. F. Moore: It is actually very large.

Hon. ROBERT HETHERINGTON: If Western Australia had a better balance of electorates numerically we would not be so worried about small numbers of people moving into electorates and influencing the vote. Having made those suggestions, perhaps members opposite will look at other reforms which are necessary in our State, as illustrated by their expressed concern about this clause.

I also find it odd that when the Attorney General stands to answer a question relating to the matter of whether the residency requirement of one month is long enough for a person to know which way he was going to vote, he is berated for answering another question. When I set foot on Western Australian soil on 20 December 1966, I knew which way I would vote in the next State election, and that was exactly how I did vote and I have been voting that way ever since.

Hon. P. G. Pendal: Not all people are as prejudiced as you.

Hon. ROBERT HETHERINGTON: Some people are interested in the electoral system, and some are not. When I was in South Australia, I had heard about Sir Charles Court, Sir David Brand, the Hawke Government, and various other matters. I certainly knew where my loyalties would lie when I came here, and I have not changed them since I have been here. Yet other people can be here for 12 years and still go along and vote blindly or have a donkey vote.

So, this is all a lot of brouhaha. It seems to me there is no real criticism of this Bill, and that members opposite have resorted to nitpicking.

Hon. N. F. Moore: Rubbish. We are sitting here listening to you.

Hon. ROBERT HETHERINGTON: I deplore the tendency to raise these horror stories and to flog people along and say, "If we allow this provision into the Bill, there will be a conspiracy and people will be able to manipulate the rolls and all sorts of nasty things might happen". I do not think that sort of thing happens in a free society; if it does happen, certainly, this Government would take steps to stop it.

Hon. P. H. WELLS: Obviously, the Hon. Robert Hetherington was talking from a purely party-political point of view, and has no idea of what we are talking about; in fact, he has not even been listening. He said if we had electorates that were more numerically even, it would not be possible to manipulate the vote. It does not matter whether an electorate contains 10 000 voters or only 3 000; an election can still be lost by only 12 votes.

Hon. Robert Hetherington: The next election is most unlikely to be lost by 12 votes.

Hon. P. H. WELLS: Mundaring was won with a margin of only 16 votes, and that was at the last State election.

Hon. Robert Hetherington: You do not know what you are talking about. You are talking nonsense.

Hon. P. H. WELLS: Protesters are able to attract sizeable "rent-a-crowds" to support their causes, and could easily swing a marginal electorate one way or the other.

Another aspect of the debate which concerns me is that obviously the Government of the day has insufficient faith in its Minister in this place and in the value of this Chamber as a House of Review to brief him adequately with the information he needs to answer our queries. I raise this point quite seriously. People outside Parliament House have said that our electoral system is a fragile one, and that this provision could lead to manipulation by professional protesters. Is it too much to expect that the Government has some faith in its Ministers in the upper House? I know the Government does not think much of this place. It is a clear indication of this Minister's lack of credibility when he says, "I am only representing a Minister in another place; I am not in a position to be able to tell you anything".

This is a House of Review. Surely we can expect the Minister in charge of the Bill to discuss the matter with the Minister responsible for it. I suggest serious discussion take place with the Commonwealth in order that the period of one month be increased. This area is left wide open and it will be too late to come back here some years later when an inquiry has revealed manipulation by a minority as a result of which, by two seats, it has been able to take over the Government. I am talking about minorities taking control of this State. This Government espouses the fact that this is a House of Review and it should demonstrate that is the case.

Hon. J. M. BERINSON: I have consulted with the Minister on this question and his advice is very much in line with what I implied it probably would be; namely, that it was not considered realistic to look to the Commonwealth and all other States to change their practices in order to conform with our practice. Discussions, therefore, proceeded on the basis reflected in the Bill.

Clause put and passed.

Clause 5: Section 31 repealed and sections 31 and 31A substituted—

Hon. P. G. PENDAL: I make a passing reference to the comments made by the Attorney General when he replied to the second reading debate, which is that people on this side and people beyond the confines of Parliament if nothing else are not stupid. One of the matters which was spelt out clearly, which was not necessarily widely publicised, but which formed part of Labor Party policy, was the intention of conveying that there would be a joint Commonwealth-State roll.

It is of little value the Attorney General giving us a Cook's tour of Australia as to how one system operates in South Australia which is different from the system operating in Tasmania, etc. The only point I make is that the Opposition agrees with the concept of the joint enrolment card. That is not at issue.

During the second reading debate I applauded the Government for having done that, but I simply record my resentment at being told, in effect, that we cannot read; because that was the

commitment made by the Government. Indeed, the Government's commitment in its policy document is already a part of the Act and we are seeking to repeal a part of the Act which provides the mechanism of achieving the Labor Party's own policy; that is, section 31 of the principal Act.

Having said that, and having suggested there has been at least a 45-degree, if not a complete, about face, I support that concept.

Hon. P. H. WELLS: The question I posed in connection with this clause was not answered by the Attorney in the second reading debate. To create this set-up, of necessity, there will be a written agreement between the Commonwealth Electoral Office and the State Electoral Department. This Chamber has a role as a House of Review. We are entitled to know what type of arrangements will be made in this respect. Is the Government prepared to table in the Parliament the agreement with the Commonwealth which is referred to throughout this clause?

The second query I raise is this: Problems could be created by having a joint roll as far as the duplication of names is concerned. The Commonwealth will get this information and, when complaints are made that people are not on the roll, should inquiries be directed to the State Electoral Department or the Commonwealth Electoral Office?

Hon. J. M. BERINSON: Replying to the last question first, I indicate that the honourable member's proper recourse for inquiries of this kind will continue to be the State Electoral Department, which will be in a position to respond to the sorts of matters he raised.

The member's first question was whether the agreement with the Commonwealth would be made available to this Chamber. The answer to that is, "Yes".

Clause put and passed.

Clause 6: Section 42 repealed and substituted—

Hon. P. G. PENDAL: This clause was well discussed by the Opposition during the second reading debate and I do not think the Attorney answered the criticisms when he responded.

The original criticism I made was that if the Government intended to make the witnessing provisions so wide, perhaps it ought to do away with them altogether. Under this provision, one is entitled to witness a claim form if one is eligible to vote in the Federal or State lower House elections which, in effect, means everyone.

I have no real quarrel with that, except to ask that if the Government intends to make it so wide, and if the qualifications are to be so all-embracing, is there really any need to have anybody witness the claim form?

In reply, the Attorney General made the point that there is some deterrent value in a person witnessing the document having some obligation in his own mind to ensure, as best he can, that the information he is witnessing is correct. There is a way around that and I am surprised that either the department, this Minister, or the previous Minister has not come to grips with it. The solution is to simply have a warning displayed prominently on the enrolment card to the effect that any information found to be inaccurate or false, where it can be shown that the person had used that false information without regard to the truth, is liable to certain penalties.

I very much doubt the deterrent value in this provision. I can see it becomes a matter of individual judgment, but it could have been achieved in an easier fashion than is the case under this clause.

Hon. J. M. BERINSON: I refer again to the uniformity of the proposed procedures with procedures elsewhere and also to the fact that this amendment reinstates the procedure which existed in this State for about 70 years before being replaced by a requirement for a restricted class of witness. I suppose it is a matter of judgment as to whether the further formality of having to obtain a witness to a signature impresses more strongly on the applicant that he is, required to conform with various obligations. I suppose it is also a question of judgment as to whether one firms up the position by having two people put themselves at risk if one of them is not complying with the requirements of the Act.

I point out in this respect that the obligations on the witness provided by this Bill are in fact more stringent than those applying to the witnesses to be replaced; for example, under the Act there is a requirement that an applicant for enrolment must have his signature witnessed by a justice of the peace. There is no obligation on the justice of the peace to do more than witness the signature. Before he witnesses the application, he is under no obligation to make any inquiry of any sort. That position is tightened up in the Bill by clause 25 which seeks to amend section 207 of the Act. I refer members to the wording of proposed new section 207(3). Members will appreciate that, while the range of witnesses is widened, the formalities are not really relaxed. In this important respect they are made more stringent and that will no doubt be brought to the attention of both the applicant and the witness in an appropriate manner.

Hon. P. H. WELLS: It staggers me that the Attorney says we are tightening up the witnessing procedure when we are seeking to delete from section 42 the provision he has just referred to, or one very similar to it. Section 42(3) of the Act reads as follows—

> Any person who witnesses the signature of a claimant without being personally acquainted with the facts, or satisfying himself by inquiry from the claimant or otherwise that the statements contained in the claim are true, commits an offence and is liable to a fine not exceeding $100.

Surely what the Attorney is saying is incorrect.

Hon. J. M. Berinson: You are perfectly right. Does that help?

Hon. P. H. WELLS: I am glad to see that at least the Attorney has enough graciousness to admit when he is wrong.

We have a problem in that the position with regard to witnesses has never been checked and it needs to be done on an Australia-wide basis. For instance, the Commonwealth recently decided in respect of passports that because it did not check the position in the past, it should move now towards a 100 per cent check, because it has found that things are going wrong.

I am suggesting here that the Minister could have discussions on an Australia-wide basis to arrive at a better system. It would appear that the proposed system is open to abuse and that, if people want to manipulate the rolls, there will be little opportunity to check on this. I defy the department to be able to understand some of the signatures I have seen on electoral claim cards.

Hon. J. M. BERINSON: I agree that the system has been open to abuse, but unlike the case with passports where there was very clear evidence of widespread abuse, no such evidence exists in the field we are discussing. If any grounds for concern arise, these provisions allow for a very quick tightening up of procedures. In the absence of any more than fears of some improper conduct, there is hardly a justification for the enormous effort in time, effort, and manpower that would be required for a substantial checking of witnesses' signatures. Precisely the same position was the case when we had these qualified witnesses. Mr Chairman, there was nothing to prevent your signing your name and putting "JP" after it, well knowing that no-one would check it. For that matter, there was nothing to prevent your signing my name and putting "JP" after it. The fact that JPs, police officers, and electoral officers were specified did not do anything to overcome the sort of potential which is now exercising the honourable member's mind.

To that extent I am forced to say that the least that can be said is that no harm is done by the change. As opposed to that we have the substantial benefit of an unrestricted access to witnesses and a move away from requirements that were restricted and that undoubtedly did act as a disincentive in some cases to enrolment. What we have on balance is a system that is far preferable in terms of encouraging a more complete enrolment, while involving no change at all in terms of any potential risk of improper conduct.

Hon. N. F. MOORE: This may or may not be trivial, but proposed new section 42 indicates that a claim "may" be in the prescribed form. The word "may" is also used in the parent Act. Does this mean it is possible to make a claim on other than the prescribed form?

Hon. J. M. BERINSON: I am reluctant to be too firm in my conclusion, but my understanding is that in the Interpretation Act the word "may" normally imports a discretion. It may well be the case that an application for enrolment would be acceptable without being in the prescribed form, but subject to including all the specified requirements for enrolment. Such cases would be odd, as I imagine that anyone who wants to attempt to construct his own application would take the risk that something might be omitted. As a matter of practice, I do not think this would occur. I will need further advice to be confident about the position, but I understand that what I have said is correct.

Hon. P. H. WELLS: I presume that the prescribed form is one that will be prescribed by regulation. I note that under the present Act the claim has to be dated. The current Commonwealth enrolment card does not inform the elector that, in being a witness, he should make certain that he knows the relevant details of the claim he is witnessing. Will the prescribed form make it clear to a witness what his duties are?

Hon. J. M. BERINSON: I understand that is the case. The problem I have is that the forms have not yet been prescribed, but I am assured the information will be complete.

I take this opportunity to elaborate on the answer I gave a moment ago to the Hon. Norman Moore. My attention has been drawn to section 25 of the Interpretation Act under the heading "Special Rules of Construction". This indicates that, "Whenever, by any Act, or by any regulation, rule, or by-law made thereunder, forms are prescribed, it shall be deemed to be provided that forms to the same effect shall be sufficient".

Hon. ROBERT HETHERINGTON: Section 212 of the principal Act indicates that strict compliance with the prescribed form shall not be required and substantial compliance therewith shall suffice for the purposes of this Act.

Hon. J. M. BERINSON: Again I would like to elaborate on my earlier answer to the Hon. Peter Wells. I am informed that a draft form has reached an advanced stage, although it is not finalised, and that it is certainly proposed that it should include an appropriate warning to witnesses about their obligations.

Clause put and passed.

Clause 7: Section 42A inserted—

Hon. N. F. MOORE: This clause essentially carries out the intention of transferring from the Commonwealth roll to the State roll all those voters who are on the Commonwealth roll but not the State roll. It provides automatic transferral and for the whole arrangement to be finalised in six months.

During the second reading debate I expressed a great deal of concern about this provision and suggested that the right to vote denotes responsibility to get oneself on the roll. This automatic transfer should not be supported.

I also raised the matter of Aboriginal voters, but this was not referred to by the Attorney in his reply to the second reading debate. Section 45(5) of the parent Act says that "This section, except for subsection (4), does not apply to an Aboriginal". There could well be some Aboriginal people who are on the Commonwealth roll and who, under this provision, will be transferred to the State roll automatically, but who do not wish to be transferred. If they are to be transferred in this manner, this provision appears to be in conflict with the parent Act.

Can the Attorney indicate whether there is a provision anywhere else which will mean that this provision is not in conflict with section 45(5) of the principal Act?

For all the reasons I gave during my second reading speech when I discussed the question of transfers of voters from the Commonwealth to the State roll, I indicate that I intend to vote against this clause.

Hon. J. M. BERINSON: The Commonwealth Act contains a provision similar to ours; that is, it provides for enrolment by Aborigines to be optional. It would be most unusual for any Aboriginal person consciously to decide to enrol for Commonwealth elections and consciously to decide to refrain from enrolling for State elections. In the event that such a person was enrolled for Commonwealth elections, the odds would be many times greater that the absence of his name from the State roll would be an omission rather than a deliberate decision.

Nonetheless, the fact is as I understand the Hon. Norman Moore has indicated; that is, an Aboriginal voter enrolled for Commonwealth elections and not for State elections will be deemed to have applied for enrolment in State elections. Subject to the qualifications in proposed new section 42A, he would be enrolled as a State elector.

Hon. N. F. MOORE: I ask the Attorney to consider amending this clause to cover the situation I have outlined, because if an Aboriginal is deemed to be enrolled on the State roll, I am sure it is contrary to the fact that he does have a choice, and being deemed to be enrolled on the State electoral roll is a compulsory act. He has a choice under existing legislation. However, if this clause is accepted, he will be placed on the State electoral roll automatically as a compulsory act, yet he is not compelled under any law, State or Federal, to be on the State electoral roll. The Attorney should consider including a provision which says that this does not apply to an Aboriginal.

Hon. NEIL OLIVER: I question the practicalities of how this transfer of approximately 31 000 to 41 000 people will occur. Will it result in two computer spools being set up with the information and transferred into the new electoral districts? There could be possibilities of duplication such as those suggested by other members. For example, on the Commonwealth roll we may have a person enrolled as "Bernice Smith" formerly of "Lot 38 such and such" and we could have "Bernice Eva Smith" of "Lot 38", which has been changed to "Lot 51". This happens particularly in areas such as Wooroloo and Gidgegannup where there are properties of approximately 40 acres and it is not unusual for them to have three street frontages.

Will there be any sort of manual checking? I am interested in the mechanics of this operation. I am worried about the technicalities of this legislation and wonder how successful it will be. Will we have to wait for a period of 12 months to sort out duplications?

Hon. J. M. BERINSON: This is a legitimate question and I wish I could answer it in greater detail than I am able to do. My problem is that every time someone explains something to me about a computer system I start to glaze and switch off, and it all sounds like magic.

I am assured that it is possible and that it will eventuate. A great proportion of the necessary work will be done by this magical process of matching computer tapes—this is already done by the State office. It already processes names alphabetically for the whole State and it breaks up entries in various ways, but I do not think I should attempt to explain this. As well as that, there can be no doubt that after all the technical aspects of the exercise have been completed there will still be a great amount of physical work involved as well.

The Electoral Department has detailed its requirements and in the short term a significant amount of labour will be necessary for the purpose of checking. This will be done in a number of ways. It will be done partly by mail and where necessary we will make use of the Commonwealth facilities for doorknocking.

The honourable member will apreciate that where an apparent conflict emerges between the Commonwealth and State rolls the Commonwealth record will be as much in doubt as our own. Therefore it is accepted by the Commonwealth that it will be part of its responsibility to doorknock to the extent that is necessary. It will be a major exercise to get the system operating properly, but the consolation is that once it is established it should be capable of being maintained fairly easily by "technical means".

Hon. NEIL OLIVER: I thank the Attorney-General for his answer. Has the Electoral Department given any indication as to how long it will take to at least get some reasonable degree of accuracy?

Hon. J. M. BERINSON: Under proposed new section 42A(2) the Bill requires that the work be completed within six months. I understand that it is accepted that that will be possible.

Hon. A. A. LEWIS: I also am pleased with the Attorney General's answer, and I am tickled pink with his optimism.

Hon. J. M. Berinson: It is my nature.

Hon. A. A. LEWIS: I realise that; but, really, does the Government have an assurance from the Federal Government that it will put on the extra staff required to complete the doorknocking operation and the final slotting into place of all the information?

If an election is to be held in the Federal divisions of Curtin and Forrest, the Commonwealth will not be interested in going back to those electorates because of our queries. As the Attorney General explained, the Commonwealth Department will do the leg-work because it has the numbers. I guess we do not have to pay for the work it does. I ask the Attorney General whether he is not committing the Federal Government and the Federal Electoral Office to this work? I would like to know what the department has done since the Federal election, and I am sure the Attorney's adviser will provide the information. I do not think the Federal department has a chance in hell of physically checking these entries within six months. It appears to be a mammoth task and if the Attorney had said 12 months I would say it would have a fair chance. Has the Federal Government given an assurance that it will put on the necessary people to carry out these checks?

Hon. P. G. PENDAL: The Hon. Sandy Lewis has reinforced the question raised during the second reading stage of this Bill. The point the Opposition was trying to make is that there must be some reason for suggesting the period of six months. It occurred to members of the Opposition during the second reading stage that that was somewhat optimistic and the more we hear the less optimistic we become, despite the optimistic nature of the Attorney General.

Hon. J. M. BERINSON: The last thing I would want to do is to underestimate the scale of the difficulty. On the other hand, I do not want to overestimate it.

The real question arising from this clause involves the names on the Commonwealth roll that do not appear on the State roll. We know there is a discrepancy of roughly 50 000 names, so we can expect a large number of names to emerge in the course of the cross check as being on the Commonwealth roll and not on the State roll. That does not mean it will be necessary to send people to knock on 50 000 doors. As I understand it the first check will be of those people who voted at the recent elections. The Federal election was only six months ago and assuming that the check commences in a few months' time it is reasonable to accept that the Federal enrolment of people who then voted is correct.

I understand that the intention of the department is that an acknowledgment will be sent to the address shown in the Federal record and it will be left to the person who is at that address to respond if, by chance, a change has taken place in his place of residence over the last six months. The truth of the matter is that the record ought to be accurate and as far as the State and Federal rolls are concerned, not too many people will be found to have moved without their addresses being changed accordingly. Beyond that and to the extent that a physical check is required, we need to keep in mind the scale of the continuing Federal enrolment drive. This longstanding programme has obviously not been instituted for our

purposes; it has been going on for years and has proceeded in the normal course of events, even since the Federal elections. Large numbers of recently changed records are available all the time in the Federal office.

I am told there are no less than 50 full-time enrolment officers attached to the State section of the Federal department and they cover a large amount of territory. Their duties will be diverted as is necessary in order to get this scheme into operation and to have the necessary records verified. The judgement of the State and Federal officers who have been engaged in the planning of this proposal is that those 50 full-time officers will ensure that the job can be done within six months.

Hon. A. A. LEWIS: I to not want to be a doubting Thomas, but my understanding is that simultaneously we will run two tapes for the State and Federal rolls through a computer. There is a fairly wide diversity of ideas as to how this will operate. I believe that the checking, for example, of "Lot 2" which could be used in the Federal roll, and "No. 2" which could be used in the State roll, will eliminate a certain amount of the problem—say 35 to 40 per cent; it may even be greater. After the names have been fed into the computer it may result in the checking of, say, 50 000 or 40 000 people on a physical basis.

I understand that the Commonwealth staff are being used to their full extent. I am not an expert on this matter—and I hope the Attorney General will put me right—but I understand that it takes something like five months to undertake the required checking in one Federal electorate.

That is why a doubt exists in my mind. Admittedly our electorates are not as many in number as Federal electorates, but if one goes from the great Australian desert to Walpole and Augusta, an immense amount of checking has to be done. I will not hold it against the Electoral Department if it is not done within six months, because I do not think that is possible with the amount of physical checking that must be done.

If my facts are correct about the length of time it will take to check thoroughly a Federal electorate, it is a fair assumption that it would take about 12 months. We should say it will take that long and if it is cleaned up in nine months, we will be doing well. If we say it will take six months and it turns out that it takes nine months, the Attorney will come in for criticism. It would be better to take a longer time and ensure the job was done properly. To do otherwise will put immense pressure on the State and Federal Electoral Departments and more mistakes may be made. We are all aiming to avoid that.

I point out that if an attempt is made to complete the check in six months, that period will include major holiday breaks such as Christmas. The Government should be looking at a 12-month period and saying it will try to complete the job in that time. I do not think it is possible to do it quicker when two or three weeks will be lost through holidays and staff will not be available. We must also take into account the period until the Bill is proclaimed, and then the physical check must be made—the eye-straining check on the print-outs—which will take a lot longer than the Government is allowing for if it is to be completely correct.

The Hon. N. F. MOORE: I regret I have to return to the matter I raised earlier. The Attorney has not answered my suggestion that this requires amendment; he did not respond on that point. I will suggest a possible amendment to take away the conflict that exists between this clause and the parent Act.

This clause puts Aboriginal people on the State roll—in effect, it compels them—if they are already on the Commonwealth roll. The parent Act gives them a discretion to put their names on the roll. It is not now compulsory for Aboriginal people to be enrolled, but the Government now is reversing that situation. One Act of Parliament, which presumably will be passed tonight, will state that Aboriginal people shall go on the State roll, and the parent Act at present says they do not have to do that. The Attorney should look at a possible amendment to proposed section 42A, line 27, page 6 which states—

> (1) On the day on which section 7 of the Electoral Amendment Act 1983 comes into operation (in this section called "the commencement date"), the Registrar for a District or Sub-district shall be deemed to have received a claim under section 42 of this Act for enrolment on the roll for that District or Sub-district from every person who—

I suggest that before the word "who" the words "except an Aboriginal" be inserted. If that were done we would exclude Aborigines from being deemed to have put in a claim for State enrolment. That is consistent with section 45(5) of the parent Act, which states it is not compulsory for Aborigines to be enrolled. Rather than move the amendment now I ask the Attorney if anything is wrong with it. It may be the way to overcome this serious conflict between the Bill and the parent Act.

The Hon. J. M. BERINSON: I am not a man to make hasty decisions but I think I can respond fairly quickly to this proposal. It is not acceptable

in principle and it is impractical. Nothing in our enrolment procedures requires an Aboriginal to be identified as such. There is therefore nothing in the existing Commonwealth roll which would enable Aboriginal voters on the Commonwealth roll to be separated from all others whose names do not appear on the State roll. That is the practical objection.

The objection in principle to an amendment of this kind really is based on the fact that it involves the construction of a phantom problem; it is not a real problem at all. I suggested earlier that the number of cases in which an Aboriginal voter positively decided to enrol for a Federal election while positively deciding to refrain from enrolling for a State election would be so minute as to be safely ignored. The Hon. Norman Moore finds it difficult to ignore the question; it looms large in his mind. I urge on him the thought that it is really a problem of his own making and not to be expected in reality. I think the practical difficulties in the amendment are enough on their own to make it unacceptable.

Hon. N. F. MOORE: How incredible that a practical problem the Minister has is sufficient reason to advocate the passsing of a Bill and making an Act of Parliament which is in conflict with another Act of Parliament. An Aboriginal person who does not want to be on both rolls has that choice under Commonwealth and State legislation, and the Government is saying that he no longer has that right because of a practical problem. This clause should be thrown out because it is very messy. It is not acceptable, because the Government is trying to pass legislation which conflicts with other legislation.

Hon. J. M. BERINSON: I refer to section 52(1)(b) of the Act which provides, in addition to the other powers of alteration conferred by the Act, that rolls may be altered by the Chief Electoral Officer or by the registrar by removing the name of any person who requests in writing that it be removed from the roll.

Hon. N. F. MOORE: I wish to test the feeling of the Committee and to move the amendment I have already foreshadowed.

I move an amendment—

> Page 6, line 14—Insert after the word "person" the words "except an Aboriginal person".

By doing that we would take away this inherent conflict. How the department sorts out who is an Aboriginal person and who is not—

Hon. Peter Dowding: How can they?

Hon. N. F. MOORE: I suggest the Minister finds out. If one looks at people's addresses and where they live—

Hon. Peter Dowding: Don't be absurd. How can you tell Mrs Jill Dowding is an Aboriginal?

Hon. P. G. Pendal: Leave the Bill to the Minister.

Hon. Peter Dowding: Mr Moore is talking tripe.

Hon. N. F. MOORE: It is not sufficient reason to pass legislation like this simply because a practical problem exists which may be difficult to solve. This amendment will overcome the problem, which the Minister has admitted, of these people being placed compulsorily on the roll when they may not wish to be on the roll. Good reasons exist for Aboriginal people not having to be on the roll.

Hon. Peter Dowding: They can get off the roll.

Hon. N. F. MOORE: They may not know they are on the roll.

Hon. J. M. BERINSON: The Government opposes this amendment and I express some surprise that the honorable member is pursuing it. To summarise the objections I have expressed previously, in the first place, it is directed to an unreal problem. Secondly, it is an impractical proposition which no amount of good advice to the Government that it should be able to sort out practical problems, will solve. Thirdly, as I have already indicated, section 52(1)(b) provides a remedy for any isolated problem which may emerge.

As I indicated earlier, in trying to explain the procedures which the Electoral Department would implement, a name added to the State roll by virtue of this clause would result in the person whose name is added receiving an acknowledgment card. In the case of an Aboriginal, that would open the way for him to make an application pursuant to section 52, if he wished not to be enrolled. To the extent that the honourable member has a problem, that appears to be a sufficient remedy; so I oppose the amendment.

Hon. ROBERT HETHERINGTON: It seems to me if one reads section 52(1)(b) in conjunction with section 45(5) there is no problem at all because the registrar would be required to remove the name of any Aboriginal who wrote in to say that he did not want to be involved. I cannot see why this amendment is at all necessary. The remedy lies in the Act as it stands.

Hon. N. F. MOORE: I do not intend to pursue this matter further, except to say that the Aboriginal people are not given the choice of opting

into our electoral system. The Attorney is now saying he will give them the option to opt out if they desire. In my opinion that is the wrong way round. We have gone along with the opting in procedure in the past. We could have made it compulsory for Aboriginal people to vote. We have continued to agree that Aboriginal people should be able to opt into the system if they so desire. Here we have a piece of legislation which makes it compulsory for them to go on the State roll, and the Attorney tells the Committee about a particular section of the Act which says they can opt out. I urge the Committee to accept this amendment.

Hon. NEIL OLIVER: There has been so much controversy, so much bitterness, and so many accusations about Aboriginal voters, I would have thought that the Government would be anxious to make certain there was no criticism of either side, Government or Opposition. The Attorney must agree that there have been great bitterness and division, and accusations made that the Aboriginal vote has been manipulated, possibly by both sides. I have heard accusations made by all political parties.

After listening to the honourable member—I had not intended to speak on this matter at all—it would appear to me that it bears examination. Some Government members have spoken on this matter, not only this evening, but also on many other occasions.

I have heard accusations of manipulation of the vote. This has received major prominence in the Press, and it is about time we put this matter to bed. I would like the Attorney to examine this rather than make a quick decision on it. It may have substance.

Hon. TOM STEPHENS: I would be surprised if the Hon. Norman Moore's amendment gains the support of the Chamber, because we would be faced with impractical and impossible legislative provision, and there is no way that the State Electoral Department can know from enrolment cards or processing of tapes who is an Aboriginal person. I speak with experience. I have a large Aboriginal enrolment in my electorate. I understand the concern of the Hon. Norman Moore, and I would pay some attention to it if it was matched by commensurate concern for those Aboriginal persons, many of whom have been desperately trying to get onto the State electoral roll but have been prevented from getting onto that roll by the difficult enrolment process involved.

Members opposite have expressed concern about the rights of those who choose to get onto the Commonwealth roll. We are expressing concern about the rights of those who are trying to utilise enrolment provisions. The honourable member has not shown concern for those persons who have been prevented, by the existing provisions, from getting onto the State roll. I would be surprised if the honourable member were able to win the support of his colleagues, because that would result in legislation which could not be administered. How could one identify Aboriginal persons from an enrolment card and then prevent them from getting on the State roll during this process of amalgamation. It would not work. It is an impossible argument.

I do not want to be inflammatory about this, but the Hon. Norman Moore should remember his speeches last week and the arguments he presented in them.

Hon. N. F. Moore: Are you looking for another one of those speeches by saying that? Now, don't be inflammatory.

Hon. TOM STEPHENS: I am trying not to be. In his speeches last week, the honourable member put the proposition of one-people-one-law and now he is championing an argument of a different type. I think he would be consistent if he dropped this argument. If he believes the Aboriginal people should be faced with the same legislation as other people, as he argued last week, he would desist from proceeding with the amendment which would cause the Electoral Department an administrative nightmare.

Hon. N. F. MOORE: I regret that the honourable gentleman has forced me to my feet. The Government has suggested there will be a joint electoral procedure which will bring the forces of the Commonwealth and all its money into Western Australia to get people on the roll. I have agreed with that and I did not vote against the clause. If that will make it easier for the Aboriginal people to get on the roll, I accept it.

As for my speech last week when I talked about one law for all people, I have a very open mind on the question of compulsory voting. I am not so sure that it should be compulsory for me to vote, either. At the present time we have an Act of Parliament which says it is not compulsory for Aboriginal people to vote. The Government did not seek to change that. The Government could have changed that with this Bill. That is the Government's prerogative. I could seek, if I were in Government, to change the law so that it was not compulsory for anybody, and that would be consistent.

The point I have been trying to make all along has nothing to do with trying to deprive anybody of a vote. This amendment is simply to maintain

the right of Aboriginal people to have the option and to decide whether they want to opt in. They should not be made to opt out because of an administrative difficulty for the Electoral Department. A number of times I sat on that side of the Chamber and heard members in the then Opposition complain about legislation which was designed to make life easier for the bureaucrat. I could go through speech after speech in *Hansard* in which members have complained about legislation to make life easier for the bureaucrats. Look after and preserve the rights of the individual in the community! Here we have an Act of Parliament which says one thing and a Bill which seeks to amend that Act saying something else. That is the reason I moved this amendment. If the Government wants to come back with another Bill some other time which removes the voluntary nature of Aboriginal voting, we will argue that point then.

Do not misunderstand me. It is not a question of keeping people off the roll. It is a question of preserving the rights of Aboriginal people under the Act.

Amendment put and negatived.

Clause put and passed.

Clause 8: Section 43 repealed—

Hon. MARGARET McALEER: I thank the Attorney General for his information about the use which has been made of the objections process in recent times. I realise it is still possible for the registrar to object, though, of course, not after the issue of the writ. Since claim cards can be received till the issue of a writ, that does limit the ability of the registrar to object. In the same way I think there may be an appeal against the registrar's objection within 14 days of the election. Then the claimant may go on the roll, though in that case, when a mark is made against his name, he must make a declaration.

Hon. P. H. WELLS: Section 43, which is being repealed, includes the need for the registrar to insert the date of receipt on the claim, and file the claim. It also includes the responsibility of the registrar to have claims open for public inspection at the registrar's office on any weekday during the hours the office is open. Am I correct that this is covered somewhere else in the Act which I have not noticed?

Hon. J. M. BERINSON: The point is that the claims will not be coming to the State registrar. They will be going to the Commonwealth office so the registrar will not have the claims.

Hon. Robert Hetherington: It makes it a bit difficult for him.

Hon. P. H. WELLS: That answers the first question. In providing the people of this State with the right to examine claims, what arrangement has the Government made to ensure that the right is preserved?

Hon. J. M. BERINSON: So far as I am aware, no special arrangement has been made with the Commonwealth. All new enrolments will be readily available to us within a short time. They will be available for whatever checking might be necessary.

One of our problems is that many provisions of this type simply are not used. To the extent that a check of all enrolments is necessary, that can be taken equally well from the enrolment details.

Hon. P. H. WELLS: The answer is that if it is not used, we pull it out, but we have not done that with the witnessing.

Hon. J. M. Berinson: I am saying the check can be made a different way.

Hon. P. H. WELLS: Will there be any arrangement in regard to a person who wants to check the cards? Will anybody be able to go in and check them, or will the Government hand this over holus-bolus to the Commonwealth?

Hon. J. M. BERINSON: As far as I am aware there is no such arrangement.

Clause put and passed.

Clause 9: Section 44 amended—

Hon. P. G. PENDAL: I seek the Attorney's comments in relation to the provision of this clause dealing with the mechanism to determine whether a person is over the age of 18 years. This matter was raised during the second reading debate, and I referred to the provision, proposed subsection (4)(a), which says that the claim will be acceptable under certain circumstances. I wonder how it is that a person witnessing a claim will be able to satisfy himself of something about which a claimant may be unaware. If we request a witness to satisfy himself that a claimant is 18 years or over, that is a bit rich in view of the fact that the claimant may not know his age. The witness cannot be satisfied if the claimant himself does not know his age.

It seems to me to be a cavalier way to handle this matter. When a person applies for a driver's licence he is required to produce an extract from his birth certificate. I understand that is the case.

Clause 26 refers to the witness being personally acquainted with the facts. It seems to me when we get to the stage of dealing with clause 26 we have run out of options because we are demanding witnesses to put their signatures to something of which they have personal acquaintanceship with

the facts, yet that is not what we demand at clause 9.

I appreciate it is difficult to find any other method when considering a person of 17, 18, or 19 years of age. Again we could be talking about either an Aboriginal person, or an immigrant from, perhaps, a refugee boat who is not clear as to whether he is 17, 18, or 19. Certainly the person would not have the difficulties if he or she is demonstrably 65. I am simply trying to draw these points together to suggest this provision is a little cavalier.

Hon. J. M. BERINSON: The honourable member again confuses different matters when he suggests we are asking by this clause that the witness certify what the applicant himself cannot certify. That is not the case at all. The applicant is a person unable to produce a birth certificate; he is not a person unable to state he is 18 years of age or older. His only disability is that he cannot produce a birth certificate and does not know his date of birth. We then look to the witness to certify he is satisfied the claimant is not under 18 years of age, and the witness must be careful to meet the requirements of proposed new section 207 to which the honourable member referred. Again I think the member's view of proposed new section 207(3) is too restrictive.

This proposed new subsection not only opens the way to a witness to certify he is personally acquainted with the facts, but also allows him to indicate he has satisfied himself by inquiry of the claimant, or to certify he has satisfied himself otherwise. He may satisfy himself otherwise simply by observation. To take the example of the Hon. Tom Stephens, anyone in contact with Xavier Herbert would presumably find himself able to certify he was dealing with a person over 18 years of age. Certainly we can come very low in the age scale before we run into this grey area, and eventually we hit the grey area.

The honourable member referred to that when he talked of someone from overseas without a birth certificate who is unaware of his birth date. He could be 17 or 19 as easily as he could be 18 years of age. In those circumstances the witness could not possibly certify himself as being satisfied. There would have to be some doubt in his mind, and the end result of that could well be the claimant having to wait for some little time, perhaps two, three or four years, beyond the age of 18, at which point somebody might be satisfied that he is 18. I suggest that is not a matter of being cavalier, but of trying to meet a fairly limited but real problem in as sensible a way as it can be met.

Hon. N. F. MOORE: This clause is a bit complicated when one compares it with the amendments to the Electoral Act. My understanding of clause 9(c) is that subsection (4) of section 44 will be replaced. I may well be wrong, but was section 44(4) included in the 1982 amendment in relation to the requirement to lodge claim cards within 31 days?

Hon. J. M. Berinson: No, I do not think so.

Clause put and passed.

Clauses 10 to 14 put and passed.

Clause 15: Section 68 amended—

Hon. P. H. WELLS: I gather the reason for the inclusion of "6 o'clock" is to enable the 14-day period prior to the closing of the roll. Perhaps the Attorney can explain that.

Hon. J. M. BERINSON: There seem to be two factors involved in this. One is that this time will coincide with the provisions for the closing of the Commonwealth rolls, which is not crucial. The other factor is that it will bring the provision into line with the provision that enrolments will be accepted up to the issue of the writ. The intention is that enrolments will be accepted until 6 o'clock on the day of the issue of the writ, and it is desirable, given the need for a clear specification of the cut-off point of enrolments, that a time actually be stated. The specification of 6 o'clock is to meet that requirement.

Hon. NEIL OLIVER: In relation to the closing time for writs, and the acceptance of enrolments, I take it there is a gap of approximately seven days, which is the period from when the Commonwealth roll is brought up to date and the information is transferred onto the State roll. That will be the assurance mentioned earlier—it is six weeks from the date of the issue of a writ and on election in WA, which is currently a minimum period of six weeks.

Hon. J. M. Berinson: It will now be seven weeks.

Hon. NEIL OLIVER: We have the longest period. I think Federally and in Victoria it is four weeks. I do not think any other State has this provision, but the Attorney General might be able to enlighten me on that. I am not aware of any other State that utilises the six-week period. It appears to me that we extend ourselves into probably the longest span of an election campaign from the date of its announcement to its conclusion in Australia. Seven weeks is a long time. Is the Government proposing any changes? The Minister made the statement about Victoria and commented that we are now moving towards all other States in regard to some form of confirmation of joint rules.

Is there any future proposal for further legislation? This gap certainly would not appeal to an electorate faced with an election campaign spanning seven weeks. I seek the Attorney General's views on that matter.

Hon. J. M. BERINSON: The election campaign can be as long or short as the various parties decide. The Act will ensure that there must be a minimum period of seven weeks between the date on which the intention to hold an election is announced and the date of the election. There will be a minimum two-week period to the closing of the roll which will allow a minimum two-week period of enrolment.

Following the issue of the writ there will be a period of two weeks to the closing of nominations and a further three weeks to election day itself. The whole process then will involve a minimum seven-week period. I must be frank with the honourable member and say there is no intention of reducing that period: in fact that would be inconsistent with one of the aims of this legislation. The Government is deliberately setting out, by these provisions, to prevent a recurrence of the sort of circumstances that we have had on some occasions where an election is announced and there is a sudden-death closure of the rolls, cutting out many thousands of qualified but unenrolled electors. Then follows the six-week period. The starting point of our consideration is to ensure a maximum opportunity for all qualified electors to get onto the roll in time for an election. For that purpose a minimum two-week period is provided, and the rest follows.

Hon. NEIL OLIVER: I commend that; that is a good move: but it is not really the answer to my question. The Attorney General has explained to me the enrolment procedures and the reason for them and I accept that. The six-week period is still there. Will consideration be given to shortening the period?

Hon. J. M. Berinson: Which six-week period?

Hon. NEIL OLIVER: The six-week period from the time of the issue of the writ.

Hon. J. M. Berinson: Five-week period.

Hon. NEIL OLIVER: It will extend the campaign for seven weeks when it is actually only six weeks now. I do not wish to propose an amendment to disadvantage people in all political parties from calling elections at a time in which people are not able to enrol. Of course, people should take the necessary action to enrol. Early warnings could be given by way of advertisements duly placed in newspapers. The problem is that people do not have notice of that.

Hon. Peter Dowding: They are not given any warning.

Hon. NEIL OLIVER: The fact that the election campaign in WA will become the longest election campaign of any State in Australia concerns me.

Hon. J. M. BERINSON: The real explanation of the period comes in the provision for a two-week period between the issue of the writ and the closing of nominations. Previously nominations could be closed seven days after the issue of the writ. The longer period is required to enable the rolls to be prepared. Under the Act enrolment claims are not included in the roll for an election, if they are received within the last 14 days. That additional fortnight for the preparation of the rolls is provided. Now that the time for acceptance of enrolments is carried forward, the additional one week is considered necessary to allow the collation of the rolls to proceed.

Hon. Neil Oliver: Yes, but the point I was making is that the Commonwealth operates on a four-week gap, as does Victoria.

Hon. J. M. BERINSON: Yes, but Victoria does not have a minimum period of 14 days for further enrolments. Victoria can have a sudden-death closure, as we could to date.

Hon. Neil Oliver: I know that this sudden-death closure is in the Commonwealth situation, but we are now breaking new ground, contrary to any State in Australia.

Hon. J. M. BERINSON: That is correct.

Clause put and passed.

Clauses 16 to 18 put and passed.

Clause 19: Section 100A amended—

Hon. MARGARET McALEER: During the course of the second reading debate, I asked the Attorney General if the Government had a view or proposal in regard to the idea that had been suggested in another place that it would be good to have a statutory requirement for all hospitals and institutions to be declared. At present they are declared at the Minister's discretion. I ask the Attorney General for his view on this matter.

Hon. J. M. BERINSON: I understand the previous Government fixed a lower limit of 50 beds for relevant institutions for the purpose of section 100A. The responsible Minister has indicated that he will be looking to lower that limit and thus provide for a substantial expansion of the mobile polling service. He has not finally determined his position in that respect. Questions of logistics as well as policy are involved in this and I am not in a position to give any commitment as to the number or range of institutions which will be

covered. It will certainly not be less than those already covered and any change will be in the direction of an expansion of this service.

Clause put and passed.

Clauses 20 and 21 put and passed.

Clause 22: Section 156 amended—

Hon. N. F. MOORE: Paragraph (a) of clause 22 deletes the words "at the address mentioned in that list". This refers to the list of voters who did not vote that is compiled after each election. These people are then sent a letter by the Chief Electoral Officer asking for their explanation for not voting. Paragraph (a) removes the need for that letter to be sent to the address mentioned in that list. Perhaps the Attorney General might confirm with me that this relates to the ability of people to have the letters sent to a postal box address rather than to a residential address mentioned in the list.

Hon. J. M. Berinson: Yes. My understanding is that it is to open the way for correspondence to be addressed to a postal rather than a residential address.

Hon. N. F. MOORE: I regret then that I must oppose this on the same grounds that I opposed the whole matter of postal addresses. I oppose the idea of these letters being sent to someone's post office box because it allows for, not just manipulation, but abuse of the system. As I explained in my second reading speech, in respect of postal votes, an illiterate Aboriginal could be put on the roll by somebody and the postal address could be put on the claim card. The Aboriginal person would have no idea what it was. The ballot paper could be sent there. Let us assume that he has not voted on the ballot paper.

Hon. Peter Dowding: This is not about ballot papers.

Hon. N. F. MOORE: Just a moment, please. Had the Minister been here all night and heard the whole of the debate—

Hon. Peter Dowding: I have been here.

Hon. N. F. MOORE: —and took cognisance of everything that has been said, he would know what I am talking about. Obviously he missed my second reading speech.

Hon. Peter Dowding: I thought it was pathetic, but I didn't miss it.

Hon. N. F. MOORE: The supercilious look on the Minister's face is enough to drive anybody to distraction.

Hon. Peter Dowding: It obviously drives you to distraction.

Hon. N. F. MOORE: This relates to sending to an elector who does not vote a letter asking him to explain reasons for not doing so. If this legislation is passed, the letter may be sent to a post office box, where it could quite easily be intercepted. Indeed, those in control of that post office box could indicate on the form a reason for the person not voting and send it back, and that person would not be removed from the roll, as occurs at present. I am opposed to the whole concept of people being able to use postal box numbers for the receipt of any electoral material, and this is just one aspect of that. I will talk about postal votes at a later date when we discuss the changes to the electoral enrolment card which will allow a postal box number to be put on it. I oppose the clause.

Hon. NEIL OLIVER: I acquaint the Attorney General with my views on this matter. I also am opposed to this. I do not believe that where a person has an address he should take the opportunity of using a postal box, which is open to manipulation by people. I challenge anybody here to say that it is not open to manipulation. I am opposed to this amendment and I will speak later on clauses complementary to this one.

Hon. TOM STEPHENS: I am sorry that we have had two expressions of concern about this clause. This clause concerns a matter I raised with the Chief Secretary of the last Government soon after I arrived in this place. I was able to highlight to him the difficulties within my electorate of North Province. In my electorate no mail deliveries are made to residential addresses north of Port Hedland. I was able to highlight that to the Hon. Bob Pike and express the need for amendments to the Electoral Act that would make it possible for the people in this State—and it is a vast State in which many different situations exist which may not apply to the electorate of the Hon. Neil Oliver—

Hon. Neil Oliver: The same thing happens in my electorate. There are no mail deliveries so the little local store collects the mail in boxes.

Hon. TOM STEPHENS: Under the Act as it now stands the department is obliged to send mail to a person's residential address. That mail has not been getting to persons in my electorate. That is why I raised this matter with the previous Chief Secretary. It is not appropriate to refer to other mail, such as social security mail. That mail is addressed to a person's postal address and that is what we are trying to do in this clause. I understand it is the Government's intention to amend the Electoral Act so that mail addressed to a voter can go to his postal address in the same way as social security mail. The mail will be certain of getting there. I am not clear about the suggestion

that has been made; is it that simply by using a person's postal box address the system is open to fictitious enrolments? If that is the suggestion, it is not the case because that matter will be addressed by the habitation reviews.

Hon. N. F. Moore: Not fictitious enrolments; people can enrol, giving a post office box as their postal address, and this could lead to abuse.

Hon. TOM STEPHENS: They have to include their residential address. It is the residential address that is going to be subject to the habitation review.

The member is shaking his head quite legitimately. The concerns that are expressed are ill-founded because the habitation reviews will ensure that any person who tries to—

Hon. N. F. Moore: The habitation review has nothing to do with the post office box number.

Hon. TOM STEPHENS: Yes, it does. The member has expressed concern that postal address will enable fictitious enrolments.

Hon. N. F. Moore: I am talking about actual enrolments.

Hon. Peter Dowding: Then what is the concern?

Hon. TOM STEPHENS: If the member's concern is not about fictitious enrolments, there is no real concern.

Hon. N. F. MOORE: If Joe Smith, an Aboriginal person of Cundeelee mission, is put on the roll by an individual whose motives are suspect, his postal address can be given as post office box 27, Kalgoorlie. However, post office box 27, Kalgoorlie may happen to be the post office box of a local manipulator who intercepts all mail addressed to Joe Smith from the Electoral Department. The letter sent to Joe Smith, if he does not vote, and his postal ballot paper, if he is a postal voter, can be intercepted. That is the point I am trying to make. It is people who are illiterate and do not understand the system who can be affected. That is why it is not compulsory for Aboriginal people to be on the electoral roll if they do not wish to be involved in the system. I am talking about people who do not understand the system and who, in the past, have been used by people like the member for North Province to vote in a certain way.

Withdrawal of Remark

Hon. ROBERT HETHERINGTON: That is a gross reflection on a member of this Chamber. I ask that the remark be withdrawn.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! I find that under Standing Orders that is a reflection on a member of this Chamber and I ask the member to withdraw the remark.

Hon. N. F. MOORE: I withdraw the remark.

Committee Resumed

Hon. P. H. WELLS: I have some sympathy for the argument. I believe the use of a postal box address provides a loophole which could enable misuse. I understand that the Minister handling the Bill in the lower House has publicly indicated on a number of occasions that the use of post office box numbers has created problems in the matter of consumer affairs. It is interesting to note that this is one area where the State card has differed from the Commonwealth card, which does not include provision for postal addresses. Previously the argument has been that this Government is taking certain action in line with the Commonwealth. Now we have something the Commonwealth does not do, and it is okay.

In order to overcome the problem I believe the system needs to be tightened up. I do not know whether this will satisfy the member for Moore, but the minimum that needs to be done is for the Government to move an amendment to make it illegal to give an incorrect postal address; to prevent a situation where someone clearing a post office box could manipulate votes.

Hon. Peter Dowding: He still has to give his residential address.

Hon. P. H. WELLS: Communications relating to voting go to the postal address so for what other reason does the Government require the postal address?

Hon. Peter Dowding: You can do it with postal ballots now.

Hon. P. H. WELLS: The honourable member says we do not need that duplication. I believe we should get rid of it; the Commonwealth does not require that information on its card.

Hon. Peter Dowding: But you can do it.

Hon. P. H. WELLS: The Commonwealth card does not provide a space for a postal address. It specifies "place of living".

Hon. Peter Dowding: You can put a postal address which will be recorded and mail will be directed to that address.

Hon. P. H. WELLS: On the Commonwealth card there is no requirement to put the postal address. This is a requirement to put a postal address.

Hon. Peter Dowding: No, it is not.

Hon. P. H. WELLS: What is so wrong with tightening up the system to prevent use of fictit-

ious addresses? In other words, is the Minister subscribing to manipulation of the rolls?

I asked the Attorney General whether members of Parliament will receive a print-out of voters' postal addresses as well as their residential addresses. He did not answer that question. I believe it is important for members of Parliament to be able to communicate with their electors and the provision of voters' addresses has generally been accepted by the Commonwealth Government, which provides print-out labels to members of Parliament. I believe it is reasonable for addresses to be made available to members of Parliament.

Hon. TOM STEPHENS: It is important that members realise this Bill will free the Chief Electoral Officer so that he no longer has to act as an automaton. In a situation such as Cundeelee, it is not obligatory for the electoral officer to send mail to the address that is recorded as the postal address on the enrolment card. It simply makes it possible—

Hon. N. F. Moore: How does he decide which address to send it to?

Hon. TOM STEPHENS: It is simply the decision of the Chief Electoral Officer or registrar. If the department receives mail for someone enrolled at Cundeelee, which presumably has a private mail box, the electoral officer can by simple inquiry or by sending the mail to the address now recorded as the postal address on the enrolment card establish that that address will be sufficient for delivery to Cundeelee. It is a different situation in the north-west where persons do not have the luxury of mail delivered to the residential address as happens in other areas.

Hon. Neil Oliver: That applies generally, not just in the North Province.

Hon. TOM STEPHENS: It does apply generally. I hope it will sort out the enormous problems that occur in my electorate. The Hon. Peter Wells should read clause 23 relating to persons wilfully making false statements.

Hon. P. H. Wells: But you do not check them.

Hon. N. F. MOORE: The Hon. Tom Stephens said that the Chief Electoral Officer could make up his mind about which address the mail should be sent to. That seems a bit sloppy, but perhaps in practice it will work out. I can see some merit in this clause for the people in North Province and also for those in my electorate. The point I make is that the system is open to abuse. It provides a situation where some abuse can take place and I think in electoral laws we should be going at 100 miles an hour to prevent instances where abuse can take place.

Hon. J. M. Berinson: Can you specify what abuse can take place under this particular section?

Hon. N. F. MOORE: Interception of a letter sent to a person who did not vote.

Hon. J. M. Berinson: What would be the point of anyone intercepting a letter to an individual who did not vote? What would be the purpose of that abuse?

Hon. N. F. MOORE: I have argued on this point earlier this evening. Under the existing Act it would be easy for somebody to fill in the form and say Joe Blow did not vote because he was away in the Eastern States, even though Joe Blow had no intention of voting and should have been taken off the roll. Joe Blow was not taken off the roll because the form was intercepted. It may well be that this clause will prevent that situation arising.

Hon. J. M. Berinson: What would be the purpose of that abuse?

Hon. N. F. MOORE: To keep somebody on the roll. It is very difficult to go to Warburton and put somebody on the roll. If it is possible to prevent the name being taken off the roll, it could save a 500 mile trip. The point relates to subclause (b) which automatically removes a person from the roll if a satisfactory explanation is not given for failing to vote.

In the second reading debate I referred to a further amendment which I could not accept. People who do not go to the trouble of voting, and do not answer correspondence or give a satisfactory explanation for not voting, in my judgment should be taken off the roll. They should then have to go to the trouble of getting back on the roll if they eventually realise they have certain responsibilities as citizens.

Taking clause 22 paragraphs (a) and (b) together, I oppose (a) on the basis of post office boxes being given as postal addresses and (b) because I think people should be taken off the roll if they do not vote and do not give a satisfactory explanation.

Hon. NEIL OLIVER: The use of a postal box provides an opportunity for interception by a person other than the person to whom the mail is addressed, particularly in the light of the comments made by the Hon. Tom Stephens in regard to the northern areas of the State. The same applies to most parts of Western Australia where there are no mail deliveries.

Like everybody in the community, the Attorney General is concerned that there be no manipulation of a person's vote or his right to vote or to be on the roll. Having a postal box available

which could be used on a multi-community basis as the place where notices could be sent to people by the Electoral Department, is a situation which is open to abuse or manipulation by a person or group of people who are not the people who have control of the postal box. I do not believe the Government has that intention nor do I believe that Mr Berinson, in all sincerity, has that intention; but that provision is open to abuse.

The Government would be totally wrong and would regret it if it did not take action in this area. Indeed, I would be surprised if the Attorney General did not believe that a post office box number used on a multi-basis by a group of people, which may be under the control of one person, is open to abuse. If the Attorney does not believe that is the case, my opinion of him would deteriorate drastically.

Hon. J. M. BERINSON: That is a risk I dare not take! I shall, therefore, concede there is the potential for interception and manipulation where the bulk post box situation arises. On the one hand that is a possibility and, on the other hand, we are trying to balance a disadvantage which can arise, and demonstrably has arisen, in respect of people who do not have a postal delivery service and, therefore, do not receive their electoral mail.

Those are the two aspects we are trying to balance: One is the potential, or perhaps the risk, of people behaving improperly, as we are always at risk people will operate with or without post box facilities; the other is the absolute certainty that many people in country and outback areas will positively be disadvantaged in the absence of that facility. The judgment of the Government, acting on the experience of demonstrated problems, is that it ought to try to overcome it and it ought to do it in this way.

It is only fair in this context to suggest to the Hon. Norman Moore that one of the things about which he is concerned will happen anyway, and I refer here to his concern that someone who lives at Warburton will be kept on the roll without the need for a party canvasser, a candidate, or someone of that nature to go out to re-enrol him after he has been struck off automatically. It is a deliberate objective of this Bill to reverse the onus, so to speak, in terms of electors being struck off the roll. The present situation is, "If you do not vote and if you do not justify yourself, you do not stay on the roll". The new provision is that, if one does not vote and does not give a satisfactory explanation, under proposed new section 156(15) the onus remains on the electoral officer to satisfy himself that the elector should be struck off the roll.

It is a change of approach and emphasis which runs right through the pattern of the Bill, so the very example given by the Hon. Norman Moore is not the problem which he perceives it to be.

Hon. N. F. Moore: I am opposing paragraph (b) and I hope the rest of the members of the Council will do likewise. In other words, paragraph (a) still remains relevant.

Hon. J. M. BERINSON: In that case we have clarified the position that the Hon. Norman Moore and the Government together with, I trust, a very healthy majority of this Committee, are at odds and I do not think I can take that particular part of the argument any further.

The Hon. Peter Wells raised certain questions in regard to an apparent conflict between the State's provision for a postal address and the Commonwealth's provision. He was concerned that we should remain consistent with the line we have taken on other parts of the Bill in which we have aimed for consistency between the two systems.

In this respect, I advise the Hon. Peter Wells that the Commonwealth Act does not preclude the recording of postal addresses. In fact, that is already being done and the new cards proposed to be issued by the Commonwealth will make specific provision for postal votes to be recorded. That is authorised not by the Act itself, but by regulations under the Act.

Hon. NEIL OLIVER: I return to the area of signatures which is relevant to this provision, because I am talking now about a group of people using a post office box on a multi-faceted basis.

A notice is sent by the Electoral Department to ascertain whether a person failed to sign and post the claim form, etc. At that post box that notice is intercepted, a signature is assigned to it, and it is sent back to the department.

Is there a method by which the signature which appears on the application for a postal vote may be compared, for the purposes of authenticity, with the signature which appears on the enrolment card, in order that it may be proved it is a legitimate application?

Hon. J. M. BERINSON: All claim cards will be microfilmed and a copy of them will be held in the State Electoral Department as well as the Commonwealth Electoral Office and available for the sort of cross check the member has suggested would be desirable.

Hon. NEIL OLIVER: Has that been done in the past?

Hon. J. M. BERINSON: In fact that is the current practice and I am advised the Electoral

Department checks signatures on postal vote applications against the signatures on claim forms.

Clause put and passed.

Clauses 23 and 24 put and passed.

Clause 25: Section 194 amended—

Hon. N. F. MOORE: I have been trying to find out for some time where the provision in relation to the 31-day requirement is deleted. I think part of it is contained in this clause, although I believe it relates also to the provision I queried earlier. I refer members to the wording of section 207 which indicates that the claim card must be received by the Chief Electoral Officer within 31 days of its being signed. That provision resulted from legislation passed in this Chamber last year.

In summing up the second reading debate, the Attorney said the reason for removing this 31-day requirement was to have a uniform arrangement with the Commonwealth. I do not recall exactly whether it was an absolute necessity that this be removed or whether it was a matter of convenience.

Hon. J. M. Berinson: It is necessary.

Hon. N. F. MOORE: In his initial speech on the second reading, the Attorney said, "This obviously is a big disadvantage to those who live in the remote areas of the State". When I made my second reading speech I asked whether the Attorney had any evidence that was the case. I wondered whether he had received complaints from people that they did not get enrolled properly, because their mail service was so bad that the department did not receive their enrolment cards within 31 days of their being signed.

I still hold the opinion that the 31-day requirement is a good idea, because it prevents the possibility that we have seen in the past of someone enrolling dozens and dozens of people and holding on to the electoral claim cards until an appropriate moment—usually when the Premier of the day is just about to announce an election—and then racing down to the Electoral Department with them, as a result of which the opposing political party has no idea who has been put on the roll or what the situation is all about. Mr Dowding knows what I am talking about, because I have no doubt he has been involved in these sorts of activities.

Hon. Peter Dowding: Have you?

Hon. N. F. MOORE: Although members opposite were lukewarm, the fact is they supported this provision in the Chamber last year when we sought to amend the Act in this manner. The Minister in the other place, as he is now, the then Opposition spokesman, was prepared to accept this as a not unreasonable suggestion, although he did not think it was a brilliant idea.

Now we find, for administrative reasons again, we have to remove part of the legislation. I do not propose to get into that argument again except to make the point that, for administrative reasons and in order to go along with the Commonwealth as we always have, we must delete something which is a good provision.

Could the Attorney give some indication of any evidence he has that the amendment we passed last year has caused any inconvenience or disadvantage to people living in remote areas, because I am a member who represents a remote area and not one person has come to me to indicate he has been disadvantaged?

Hon. J. M. BERINSON: Not to beat about the bush, whatever the other supporting reasons for this amendment, its main justification is that it is required for the necessary uniformity to implement the co-operative arrangements. Without the deletion of this provision there would be a problem that the one card received by the Commonwealth Electoral Office could be eligible for Commonwealth enrolment but rejected for State purposes, and this would throw the system out of kilter and it would not function in the way in which it is intended.

I understand that since this provision was inserted in the Act, only several dozen cards have been rejected on these grounds. Most have come from the more remote areas, but precise statistics have not been kept. The real point is that it has not been a big enough problem to attract all that much attention.

I come back to what I said before: Whatever the other justifications for it, they are really peripheral to the need to secure uniformity. If some important principle were being sacrificed for the purpose, it may be an occasion for real concern, but there is no great principle involved. Even taking the member's own example of the large-scale enrolment of electors late in the electoral process, I did not understand him to say that any such persons were improperly enrolled. All the member was saying was that they were enrolled at some time after they signed the enrolment form. It is not quite clear to me from that example that there is any practice which can properly be said to be improper or to result in a distortion of legitimate voting rights.

Hon. N. F. Moore: Perhaps you could ask Mr Dowding to explain.

Clause put and passed.

Clause 26: Section 207 repealed and substituted—

Hon. P. H. WELLS: I point out to the Attorney quite seriously something which was placed in the 1911 Act when apparently there were separate rolls for the Legislative Assembly and the Legislative Council. Although the clause here refers to signatures that may be witnessed by an elector or person qualified to be enrolled as an elector of the Commonwealth Parliament, I notice that the 1911 Act refers to a person's being eligible to be enrolled on the Commonwealth roll "or the Assembly". Through an oversight I let this slip through when dealing with clause 6 earlier.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! I rule that the form of words has been used in clause 6 and that attempts to alter those words now are against Standing Order No. 261. The member cannot suggest a change unless the Bill is recommitted.

Hon. P. H. WELLS: Could I seek leave of the Committee to consider including this?

The DEPUTY CHAIRMAN: Order! I am sorry, but I have made a ruling that these words have been used before, so there can be no further discussion unless the Bill is recommitted.

Hon. P. H. WELLS: I seek your guidance whether under Standing Orders I can seek leave to have them accepted.

The DEPUTY CHAIRMAN: Order! The member can seek leave of the Committee to recommit the Bill.

Hon. P. H. WELLS: While I am dealing with clause 26—

The DEPUTY CHAIRMAN: I am sorry, but unless the member recommits clause 6 to alter the form of words, Standing Order No. 261 is quite clear. You must seek leave of the Committee to recommit the Bill to further consider clause 6.

Point of Order

Hon. G. C. MacKINNON: Would it be possible for the honourable member to ask a question now without moving an amendment so that if the answer is satisfactory he would have no need to move to recommit the Bill?

The DEPUTY CHAIRMAN: The member can ask a question.

Committee Resumed

Hon. P. H. WELLS: Does the Attorney not think that the reference should be not to the Commonwealth Parliament and the Assembly, but to the Commonwealth Parliament and the Western Australian Parliament?

Hon. J. M. BERINSON: That might make it more consistent, but it would not give us anything different in terms of effect. The persons who are eligible to be enrolled as electors of the Assembly are precisely identical to those eligible to be enrolled as electors of the State Parliament. Whether that would produce a more felicitous phrase, it would be no different in practice. In the circumstances I see no reason to be concerned to the extent of considering an amendment.

Hon. NEIL OLIVER: We have left the horse and buggy days of 1911. I suggest that we should consider tidying up the legislation so that it refers to the Commonwealth Parliament and the Western Australian Parliament.

The DEPUTY CHAIRMAN (Hon. John Williams): The member cannot ask the Attorney for an opinion. As I have explained previously, a member must ask a question and should not be seen to be asking for an opinion.

Hon. NEIL OLIVER: Would it not be a tidy way to have legislation in 1983 to include reference to the Commonwealth Parliament and the Western Australian Parliament?

Hon. J. M. BERINSON: It would be tidy, but unnecessary. I do not believe the Committee should pursue the question.

Clause put and passed.

Clause 27: Section 208 repealed and substituted—

Hon. N. F. MOORE: This clause also deals with postal addresses being post office box addresses. For all the reasons I raised previously about the whole matter of the potential that exists for abuse of the electoral system by allowing post office boxes as addresses, I oppose the clause.

Clause put and a division taken with the following result—

Ayes 20

Hon. J. M. Berinson	Hon. Margaret McAleer
Hon. J. M. Brown	Hon. I. G. Medcalf
Hon. D. K. Dans	Hon. Mark Nevill
Hon. Peter Dowding	Hon. P. G. Pendal
Hon. Lyla Elliott	Hon. S. M. Piantadosi
Hon. H. W. Gayfer	Hon. Tom Stephens
Hon. Kay Hallahan	Hon. W. N. Stretch
Hon. Robert Hetherington	Hon. P. H. Wells
Hon. Tom Knight	Hon. D. J. Wordsworth
Hon. G. C. MacKinnon	Hon. Fred McKenzie *(Teller)*

Noes 7

Hon. W. G. Atkinson	Hon. N. F. Moore
Hon. C. J. Bell	Hon. Neil Oliver
Hon. V. J. Ferry	Hon. A. A. Lewis
Hon. P. H. Lockyer	*(Teller)*

Pairs

Ayes	Noes
Hon. Graham Edwards	Hon. I. G. Pratt
Hon. Garry Kelly	Hon. G. E. Masters

Clause thus passed.

Clause 28: Section 211 amended—

Hon. N. F. MOORE: This clause repeals section 211(2) which was inserted in 1982 when we resolved to provide for the 31 days, and various other matters. Could the Attorney please explain why this is to be repealed?

Hon. J. M. BERINSON: This is covered by "other offences" on page 16, paragraph (c).

Clause put and passed.

Clauses 29 to 31 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

[Resolved: That business be continued.]

The PRESIDENT: Order! I remind honourable members that the reading of newspapers in this Chamber is considered to be out of order.

CONSTITUTION AMENDMENT BILL

Second Reading

Debate resumed from 13 September.

HON. P. G. PENDAL (South-Central Metropolitan) [1.16 a.m.]: The Bill now before the House is consequential upon the Bill that has just been debated. The Opposition supports the Government's measures that, in fact, seek to delete the same words from sections 7 and 20 of the principal Act and in particular to take out those words which relate to the qualification to be a member of this House or the qualification to be a member of another place insofar as they refer to the qualification of being a "natural born or naturalised subject of Her Majesty the Queen".

As I understand the previous Bill dealt with the qualification of electors and, therefore, this Bill is consistent because electors are mentioned in both sections 7 and 20 of this Act. This Bill is now dealing with similar changes in regard to the qualifications of members of Parliament.

I guess that were it any other time of the day one could speak on the formal removal of certain words which people in past years have held close to their hearts, but this is not the time to do that.

The Opposition supports the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

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

ADJOURNMENT OF THE HOUSE

HON. D. K. DANS (South Metropolitan—Leader of the House) [1.19 a.m.]: I move—

That the House do now adjourn.

Employment and Unemployment: Union Dues

HON. PETER WELLS (North Metropolitan) [1.20 a.m.]: It is without apology that I raise two issues which I believe are important.

One concerns the fact that unions are aiding unemployment in this community. I draw the attention of the Leader of the House to a person who was unemployed for some time and on finding a job was told by the BLF that he must pay $80 in union dues. He asked if he could pay off this amount but was told by the foreman that he would have to find $80 or he would not get the job. That is an irresponsible stand. Unemployed people do not have $80 to spare when they are seeking jobs. If, for instance, there is a closed shop, we will find that these people will remain unemployed.

The Government should take some action and while the unions are on the side of the Government they should be told that people do not have money to pay union dues in the present economic climate.

When I was employed underground in Norseman my union dues were taken out of my pay each week. Surely similar arrangements can be made today. If the Government subscribes to this type of thing I suggest that it should first consider the people who are unemployed.

Education: Warwick High School

The other issue I wish to raise concerns the Warwick High School. On 13 September the Government advised that the three questions I asked relating to transportables, staff, and students at a school in my province would cost too much to answer.

I now find that there is a plan afoot to have 14 transportables in that school next year. This will destroy a lot of bushland.

A large number of people are moving into the area and already the library and the Year 8 activity room is being used as a classroom. Both staff rooms are used for remedial reading three days a week and the science block is being used as classrooms. The existing transportables are not efficient and the desks in them are too small for the children.

It has been forecast that the number of children in the school will increase from 600 to 900 and as a result each toilet will cater for more than 100 children.

The Government has a building programme arranged for next year and I suggest that it be brought forward to cater for the problem that exists. If work on the Year 9-10 block was ready for occupation in February next year, the Government would save thousands of dollars in respect of providing the required transportables. The parents are concerned and I have heard rumours that the children are considering strike action because of developments.

The Government should bring forward its programme which would result in savings in relation to transportables.

I understand that the health inspector of the Shire of Wanneroo has inspected the school. It is time the Education Department listened to the people working in the schools. The architects who design the schools do not confer with those people working in them and do not have an understanding of what is required.

Many schools in my area have the flywire ripped off the doors and windows. Had the officers of the Public Works Department spoken to principals and teachers they would have ascertained that the flywire should be put on the inside and not the outside of the doors and the windows. Many areas could be improved in the education arena, but the problem that concerns me is that the Government should bring forward its building programme for the Warwick High School.

This Government should take a leaf out of the previous Government's book and if it is running out of money it should get up front money from the contractor and then pay the interest with the money they have saved from setting up transportables. I hope this request will not fall on deaf ears.

The Government should have had the courtesy to answer questions numbered 294, 308, and 330.

Hon. Neil Oliver: What did you say about the health hazard?

Hon. P. H. WELLS: It could well result in a health hazard if 100 students have to use the one toilet—it would be too bad if they all arrived there at the same time.

Hon. D. K. Dans: It would be the towering inferno all over again.

Hon. P. H. WELLS: I urge the Government to take action in relation to the Warwick High School.

The answers to the questions I asked, that remain unanswered, would have cost the Government only 20 per cent more than the cost of answering the average question, yet the Government has not come forward with the answers.

Question put and passed.

House adjourned at 1.30 a.m. (Wednesday).

QUESTIONS ON NOTICE

TOURISM

America's Cup: Promotional Work

412. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

I refer to his answer to question 334 of 14 September 1983 and ask whether a recent request of a Coolbellup resident for his department to send tourist information to a Newport contact was turned down on the grounds that the department has no budget provision for such mail?

Hon. D. K. DANS replied:

The Department of Tourism is always prepared to supply promotional brochures on Western Australia for despatch to overseas inquirers. Because of the high cost of postage, which ranges from $8.50 for 575 grams, surface air lift, to $10 for the same kit by airmail (marked "promotional booklets"), the department generally endeavours to encourage local residents to forward the tourist information direct to their contacts in overseas locations.

Alternatively, the inquirer, or the contact's overseas address, is redirected to the department's overseas representative or the appropriate office of the Australian Tourist Commission, to meet the request. This policy may have been misinterpreted by the inquirer in this particular instance.

RECREATION: FOOTBALL

Grand Final: Tickets

413. Hon. TOM McNEIL, to the Minister for Mines representing the Minister for Sport and Recreation:

With regard to the appointment by the Government of a task force to investigate the viability of the WAFL, will the Minister advise—

(1) In light of the announcement that football grand final tickets were being sold by scalpers for $60 each, and the comments by the league's general manager that it was "bad luck if scalpers beat you for grand final tickets", will the task force investigate this problem?

(2) Will the task force investigate the following—

(a) a controlled mail order system in conjunction with distribution of a set number of tickets to the eight league clubs according to membership;

(b) the adoption of a system similar to the one employed by the VFL; and

(c) a further allocation to the clubs appearing in the grand final?

Hon. PETER DOWDING replied:

(1) and (2) The WAFL task force has been established in response to a specific submission from the league. Its terms of reference contain no brief to deal with specific issues of WAFL policy such as the procedure with grand final tickets.

I would suggest that the matters which the member feels require investigations are best referred to the WAFL itself.

TAXATION

Withholding Tax

414. Hon. NEIL OLIVER, to the Minister for Mines representing the Minister for Housing:

I refer to the commonly used term "withholding tax" introduced by the Commonwealth Government on 1 September 1983, and ask—

(1) Are building societies currently withholding progress payments to house builders?

(2) If "Yes" to (1), are all permanent and terminating building societies taking this action?

(3) If not, what building societies are taking this action and for what reason are these payments being withheld?

(4) If "Yes" to (1), what action will the Minister take to avoid a major financial crisis amongst builders, subcontractors, suppliers, and their wage and salary earners?

Hon. PETER DOWDING replied:

(1) A check among both permanent and terminating building societies revealed that building societies are not currently

withholding progress payments to house builders.

(2) to (4) Not applicable.

TOURISM

Commission: Industry Training and Workforce Planning

415. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

(1) Is it correct that the proposed tourism commission will monitor industry training and workforce planning?

(2) If so, why is it that a commission can undertake such activity but the current department is unable to do so?

Hon. D. K. DANS replied:

(1) Manpower planning, research, training, and education will be an important aspect of the proposed commission's activities.

(2) The commission will give manpower resource planning a major priority as it is an important element in the Government's plans for the long-term development of tourism in Western Australia.

LIQUOR: DISTILLERY

Swan Valley: Government Assistance

416. Hon. NEIL OLIVER, to the Minister for Mines representing the Minister for Economic Development and Technology:

In view of the reply to my question 336 of Wednesday, 14 September, wherein I was advised the Government is conducting confidential negotiations concerning a proposed distillery in the Swan Valley—

(1) Was an advertisement placed in *The Midland Reporter* of September on page 5, authorised by M. Beahan, 82 Beaufort Street, Perth, which stated that $400 000 has been approved to build a distillery?

(2) Is the Government in any way associated with the provision of those funds?

(3) If so, how was this amount agreed upon, and from what source will it be appropriated?

Hon. PETER DOWDING replied:

(1) Yes.

(2) Yes.

(3) This amount represents the estimated cost of establishing a distillery in the Swan Valley. As indicated in the reply to the member's question 336, detailed financial information regarding the establishment of the distillery will remain confidential during current negotiations.

HOUSING

South Perth: Lot 22 Ranelagh Crescent

417. Hon. P. G. PENDAL, to the Minister for Mines representing the Minister for Housing:

I refer to proposals by the State Housing Commission to sell the prime riverfront location, lot 22 Ranelagh Crescent, South Perth, and ask—

(1) What was the highest price tendered as a result of the advertisement placed in the Press in April this year?

(2) Since this and other tender prices have been ruled unsatisfactory by the commission, what other proposals are now under way for the sale of the land?

Hon. PETER DOWDING replied:

(1) It is not in the best interests of optimum realisation to disclose price details, other than to say the prices offered have not been considered satisfactory.

(2) Discussions have taken place with interested parties and the commission is awaiting further submissions which, when received, will be considered on the price offered and development proposals for the land.

EDUCATION: HIGH SCHOOLS AND PRIMARY SCHOOLS

Beldon, Marangaroo, and Padbury

418. Hon. P. H. WELLS, to the Attorney General representing the Minister for Education:

Will the Minister provide me with as much readily available information as possible relating to primary and high schools situated in Beldon, Padbury, and Marangaroo, the contents of which were contained in questions 294, 308, and 330 of 1983?

Hon. J. M. BERINSON replied:

In the Padbury suburb there are two Government schools, both at primary

level. They are the Bambara and Padbury Primary Schools.

Enrolments, 1 July 1983
Bambara—476 primary, 90 pre-primary
Padbury—638 primary, 51 pre-primary

Estimated enrolments, 1984
Bambara—506 primary, 90 pre-primary
Padbury—660 primary, 51 pre-primary

Staffing 1983
Bambara—22.8 teachers, 4.1 (equivalent full-time) ancillary staff, 1 gardener, 1 cleaner for 10 hours per week.
Padbury—28 teachers, 3.5 (equivalent full time) ancillary staff, 1 gardener, 7 cleaners.

Staffing 1984
Staffing has not been finalised for 1984.

Temporary Classrooms
1983—Bambara 2
1983—Padbury 3
1984—requirements have not yet been finalised.

Beldon and Marangaroo
There are no Government schools in these areas.

LIQUOR: DISTILLERY

Swan Valley: Election Promise

419. Hon. NEIL OLIVER, to the Leader of the House representing the Premier:

(1) Did the Premier at a meeting convened by the Labor candidate for Mundaring on Friday, 7 January 1982, promise grape growers that a distillery would be installed in the Swan Valley as soon as they (Labor) took office?

(2) If "Yes", why has this promise been broken?

Hon. D. K. DANS replied:

(1) Yes.

(2) On 20 July 1983, Cabinet approved financial assistance for the establishment of the distillery. The member will be aware from replies to his question 336 of Wednesday, 14 September and question 416 of Tuesday, 20 September that negotiations are currently being conducted.

CULTURAL AFFAIRS: LIBRARIES

Local Government

420. Hon. P. H. WELLS, to the Attorney General representing the Minister for the Arts:

(1) Which local government authorities have advised the WA Library Board that they intend to either open new libraries or structurally enlarge present libraries in 1983-84?

(2) For the following years, which authorities have requested additional stocks of library books because their current stocks are below the 1.25 books *per capita* level—

(a) 1982-83; and

(b) 1983-84?

(3) Which local councils, requesting additional books in 1982-83, failed to be supplied?

(4) How many new books were supplied to libraries in 1982-83?

(5) How many books were withdrawn from libraries in 1982-83?

Hon. J. M. BERINSON replied:

(1) Applications for the 1983-84 development programme were received in the two months up to 30 September 1982, as the board's development programme must necessarily be planned 12 months in advance.

Applications for books under the development programme were received from the Shires of Augusta-Margaret River, Collie, Esperance, Mandurah, Mundaring, Murray, Roebourne, Swan, and Wanneroo, and the Cities of Bunbury, Canning, Gosnells, and Melville.

Applications were also received from the Shire of Rockingham for the extension of services of the Rockingham Technical College Library to the public, and the City of Stirling for the new Mirrabooka Library.

(2) (a) 1982-83—Shires of Broome, Busselton, Kalamunda, Kwinana, Leonora, Manjimup, Mundaring, Rockingham, Swan, Wanneroo, West Pilbara, and Wyndham-East Kimberley, Towns of Armadale and Geraldton, Cities of Canning,

Cockburn, Fremantle, Gosnells, Perth, South Perth and Stirling;

(b) 1983-84—Shires of Augusta-Margaret River, Collie, Esperance, Mandurah, Mundaring, Murray, Rockingham, Roebourne, Swan, and Wanneroo, Cities of Bunbury, Canning, Gosnells, Melville and Stirling.

(3) Shires of Busselton, Collie, Irwin, Murray, Waroona, and West Kimberley.

(4) 13 309 under the development programme. This does not include new books under the exchange programme.

(5) 125 102 volumes were discarded from circulation division (i.e. public libraries) stock in 1982-83.

AGRICULTURE

Direct Drilling

421. Hon. MARK NEVILL, to the Leader of the House representing the Minister for Agriculture:

(1) When did the Department of Agriculture commence direct drilling trials in the Esperance-Mallee region?

(2) Have these trials with minimum cultivation techniques been a success in terms of increasing wheat yields, reducing wind erosion, etc.?

(3) Will the Minister provide any comparative results from Department of Agriculture trials for wheat yields in the Esperance-Mallee area during each of the last six seasons for—

(a) conventional tillage methods;

(b) spray and combine methods; and

(c) spray and triple disc methods?

(4) What major brands of organic chemicals are currently used for weed control in (3)(b) and (3)(c) above?

(5) What are the systematic names of the organic chemicals which are the main active ingredients in these herbicides and weedicides?

(6) Has there been any increase in the use of non-conventional drilling techniques in the Esperance area in recent years?

Hon. D. K. DANS replied:

(1) 1972-73.

(2) Yes.

(3) Continuous cereal (Yield kg/ha).

	DD/TDD	Cult TDD	DDC	DP	
1977	2 587	2 478	2 560	2478	wheat
1978	2 041	1 995	2 086	1 795	barley
1979	1 512	1 403	929	647	wheat
1980	1 977	1 886	1 877	2 077	wheat
1981	1 879	1 652	1 678	1 540	wheat
1982	1 813	1 700	1 354	1 379	wheat
	1 968	1 852	1 747	1 652	

DD/TDD = Direct drill—triple disc drill
Cult/TDD = Single cultivation—triple disc drill
DDC = Direct drill with full combine
DP = Conventional tillage ("district practise")

(4) Sprayseed, Hoegrass, Brominil M.

(5)

Trade Name	Common Names	Systematic Chemical Name
Sprayseed	Diquat + Paraquat	1,1'-ethylene-2,2' bipyridyldylium ion 1,1'-dimethyl-4,4' bipyridyldylium ion
Hoegrass	dichlofop-methyl	(+)-2-[4-(2,4-dichlorophenoxy) phenoxy]propionic acid
Brominil M	Bromoxymil + MCPA	3,5-dibromo-4-hydroxybenzonitrile + (4-chloro-o-tolyloxy) acetic acid

(6) Yes.

LAND: NATIONAL PARK

Shannon River: Expenditure

422. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Employment and Administrative Services:

Is the Minister correctly reported in the *Warren Blackwood Times* of 7 September in saying that $500 000 will be spent in the Shannon national park and the Dwellingup-Murray Valley area?

Hon. D. K. DANS replied:

By and large, although the reference should have been to the area of the proposed Shannon national park, the exact amount of funds allocated to the two projects are $394 000 to the Shannon area and $184 000 to the Dwellingup-Murray Valley jarrah forest, totalling $578 000.

STATE FORESTS: PINE

Manjimup

423. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Forests:

Is the Minister correctly quoted in the *Manjimup-Warren Times* of September

7 in saying that "There was a big area of crown land on which pine plantations would be established"?

Hon. D. K. DANS replied:

Yes. Currently a number of studies are being undertaken to determine the areas where it would be desirable to establish pine plantations on Crown land. The Government was also investigating the potential for using a mix of Crown land, which currently had no forest cover, and farm land which was only marginally suitable for agricultural production.

HEALTH

Lead: Monitoring

424. Hon. P. H. WELLS, to the Attorney General representing the Minister for Health:

(1) What industrial and environmental monitoring is carried out to determine the possible dangers of exposing people to lead and lead salts?

(2) Which industries in Western Australia have received environmental orders relating to the reduction of lead content in waste discharge?

Hon. J. M. BERINSON replied:

(1) Monitoring for lead in air and estimation of lead levels in blood and urine where necessary.

(2) This question should be referred to the Minister for Works.

STATE FORESTS

"Karri Valley"

425. Hon. A. A. LEWIS, to the Leader of the House representing the Minister for Forests:

(1) Did the Minister state at the opening of "Karri Valley" in Pemberton that Mr Bartholomaeus had the right ideas about forest matters?

(2) If so, is the Government going to implement those ideas?

Hon. D. K. DANS replied:

(1) and (2) The Minister strongly supports the idea that there should be a balanced approach to forest uses. To the extent that Mr Bartholomaeus' activities have contributed towards this, he supports them.

HEALTH

Lead: Report

426. Hon. P. H. WELLS, to the Attorney General representing the Minister for the Environment:

(1) Is the Minister or his department aware of the British Royal Commission on environmental pollution's ninth report on lead in the environment?

(2) Has the Minister or his department examined the commission's report to see if its findings or recommendations have relevance for Western Australia?

(3) If so, what were the results of the report's examination?

(4) Does the Minister intend tabling either a report from his department, or its recommendations relating to the commission's report?

(5) If no examination of the commission's report has been carried out, will the Minister arrange for his department to conduct such an examination and table a subsequent report?

Hon. J. M. BERINSON replied:

(1) The department regularly received the publications of the British Royal Commission on environmental pollution. It has not yet received report No. 9 referred to.

(2) to (4) No. See (1).

(5) No. If the member has a specific concern as to the presence of lead in the environment and wishes me to take some action, would he please ask.

TOURISM

Job Creation

427. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Tourism:

(1) Is the Minister aware of the joint announcement on 16 June 1983 by the Acting Premier of New South Wales and the Acting Federal Minister for Employment and Industrial Relations dealing with tourist-related job creation?

(2) Is he also aware that NSW received $1.3 million from the Commonwealth for these projects?

(3) Did the WA Government make any submissions to the Commonwealth for similar funds?

(4) If so, with what result?

(5) If not, why not?

Hon. D. K. DANS replied:

(1) Yes.

(2) Yes.

(3) to (5) Western Australia was allocated $17.58 million under the Commonwealth Government's wages pause programme The announcement referred to in (1) and the amount in (2) relate to a portion of New South Wales' total allocation under that programme.

A number of tourism-related projects will benefit from the distribution of Western Australia's allocation.

HEALTH

Lead: Research

428. Hon. P. H. WELLS, to the Attorney General representing the Minister for Health:

(1) What research, particularly on children, has been conducted by or for the Public Health Department on the effects of low lead concentrations?

(2) What research is being carried out by agencies, known to the department, into the effects of low lead concentrations, particularly on children?

(3) What long term studies are being conducted, in Western Australia and other States, regarding the exposure of persons to lead and lead salts used in industry?

Hon. J. M. BERINSON replied:

(1) (a) Lead in Air 1979 (Dr A. G. Cumpston);

(b) lead levels have been studied at Northampton, 1980;

(c) air levels have also been studied at a school 1981-82;

(d) exposures of traffic police to exhaust lead.

(2) Surveys by University of WA, by University of New South Wales, and the Port Pirie study in South Australia, are known to this department. In addition, many overseas studies have been done.

(3) Continuous monitoring of lead workers is carried out.

HOUSING: INTEREST RATES

Tax Deductibility

429. Hon. P. H. WELLS, to the Minister for Mines representing the Minister for Housing:

(1) Is the Minister aware that, since the removal of the Federal Government's home mortgage interest rebate, a large number of people are paying up to $400 a year more for their housing loans?

(2) Has the Government made representation to the Federal Government regarding tax deductibility for interest payments?

(3) If not, why not?

Hon. PETER DOWDING replied:

(1) I am aware that as a result of the Commonwealth's withdrawing its interest rate deductibility scheme, existing borrowers are needing to meet increased repayments based on higher interest rates of 1 per cent to 1½ per cent.

I am also aware of the Commonwealth's new housing initiatives introduced to give housing a high priority, and to target its assistance to the lower and middle income groups who need assistance most.

I agree with the Commonwealth objective of restoring home buyer confidence which will provide a much needed stimulus to the house-building industry, and welcome the reduction in housing interest rates made over the past weeks which is an encouraging sign.

People experiencing genuine financial hardship resulting from the withdrawal of the interest rate taxation deductibility scheme may apply for relief under the guidelines set by the mortgage assessment and relief committee.

(2) Yes.

(3) Not applicable.