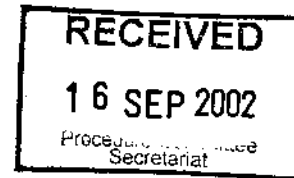


## Submission No. 6



11 September 2002

Ms Judy Middlebrook  
Secretary  
Standing Committee on Procedure  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Judy,

### Examination of Estimates and Expenditure

The Legislative Assembly of Western Australia's examination of the annual budget estimates and expenditure is undertaken by two Estimates Committees, as provided for under the Standing Orders to consider the Appropriation bills in detail after the conclusion of the second reading stage of the bills. The relevant Standing Orders relating to these Estimates Committees are attached for your information.

Also attached for your Committee's perusal are copies of the following:

- (a) a report of our Procedure and Privileges Committee (PPC) entitled "Report on the Operation of Estimates Committees;
- (b) extracts from *Hansard* of member's speeches delivered on presentation of the Estimates Committees reports for the last two budgets; and
- (c) information sheets provided to Chairman, advisers and members regarding the Estimates process.

At this time, the government has not submitted a formal response to the PPC report. However, many of the items in the report were taken into consideration for the operations of the 2002 Estimates Committees.

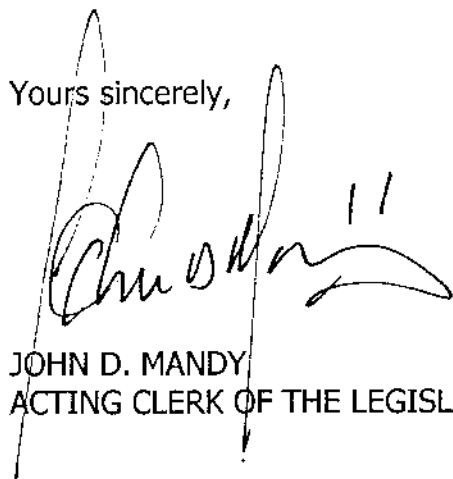
The PPC report and member's speeches underscore two areas of concern relating to our Estimates process. The first of these is the exclusion of off-budget authorities and agencies from the examination process. Currently, members are unable to ask questions relating to expenditure by these organisations, which is a perennial source of criticism by members. Whilst there has been ongoing debate as to how this matter may be addressed, no firm solution has been agreed to at this stage.

The second matter of concern for our members is the scheduling of individual sessions dealing with discrete parts of the Estimates. In accordance with Standing Order 223, a management committee is appointed to construct and present to the House a timetable for the Estimates hearings. Once the management committee's report is adopted by the House, this cannot be amended by the Estimates Committees. Given the nature of the questioning and answering process during the Estimates, there are invariably some divisions of the budget that are not scrutinised to the satisfaction of all members. Whilst this deficiency is acknowledged, there are no immediate plans to amend this process.

Further to this, it is the intention of the PPC to review the comments of members made when the Estimates Committees reports were presented in 2002.

I hope this information is of some use to your Committee during their deliberations. If you have any queries arising from this correspondence, please call me direct on (08) 9222-7236.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John D. Mandy', with a stylized flourish at the end.

JOHN D. MANDY  
ACTING CLERK OF THE LEGISLATIVE ASSEMBLY

## CHAPTER 21

### ESTIMATES COMMITTEES

#### Arrangement of estimates

**221.** (1) The Estimates for the Consolidated Fund will be listed in the following manner and order —

- (a) as one Part, the Estimates dealing with Parliament;
- (b) as separate Parts, the Estimates of all departments administered by each individual Minister under portfolios held by the Minister at the time;
- (c) as separate Divisions within each Part, the Estimates of each department, authority, or section of Government activity administered by the Minister under portfolios held by the Minister at the time.

(2) Department, agency and authority information in support of the Estimates will be similarly arranged and appropriately indexed.

#### Bills referred to estimates committees

**222.** (1) After the second reading of the Appropriation bill or bills which provide for the main recurrent and capital appropriations, the consideration in detail stage will be replaced by Estimates Committees A and B.

(2) The estimates committees will examine the bills and proposed expenditure contained in the Estimates and report on proposed expenditure by the Parliament and government departments and agencies funded from the Consolidated Fund.

**Management committee**

**223.** (1) There will be a management committee which will comprise the Leader of the House, one member nominated in writing to the Speaker by the Premier, and two members similarly nominated by the Leader of the Opposition.

(2) Before the estimates committees first meet, the Leader of the House will present to the House the report of the management committee, which report will prescribe —

- (a) which parts of the Estimates are to be considered by each committee; and
- (b) the time allotted for consideration of each part or any division or program of the Estimates and the budgets of those agencies referred to in Standing Order 222 (2).

(3) On the presentation of the report of the management committee, the Speaker will forthwith propose the question, “That the report be adopted.” and debate may proceed for a maximum period of one hour on that question and any proposed amendments.

**Estimates committees membership**

**224.** Each estimates committee will consist of —

- (a) a Chairman;
- (b) three members appointed by the Leader of the House and three members appointed by the Leader of the Opposition; and
- (c) the Minister or Parliamentary Secretary responsible in the Assembly for the department, agency or enterprise under consideration, or another Minister acting in that capacity, or when considering the estimate for “Parliament”, the Speaker or the Deputy Speaker.

### **Appointment of members**

**225.** The Leader of the House and the Leader of the Opposition will notify in writing to the Speaker their appointment of members for each part, division or program, specified in the report of the management committee.

### **Replacement of members**

**226.** A member may be replaced on an estimates committee by —

- (a) the member appointing another member as a replacement;
- (b) the Leader of the House or the Leader of the Opposition appointing another member as a replacement; or
- (c) a member deputed by the Leader of the House or the Leader of the Opposition appointing another member as a replacement,

and no change will take effect until notified in writing to the Clerk to the Committee.

### **Chairing of estimates committees**

**227.** (1) The Chairman of an estimates committee will be the Deputy Speaker or an Acting Speaker.

(2) Any member of the committee may take the Chair temporarily whenever requested so to do by the Chairman of that committee.

### **Quorum**

**228.** The quorum of an estimates Committee will be four, excluding the Chairman, and if at any time a quorum is not present, the Chairman may suspend the proceedings of the committee until a quorum is present.

**Non-committee members**

**229.** Members of the Assembly who are not members of the committee may participate, at the discretion of the Chairman, in the proceedings of the committee, but will not vote, move any motion, or be counted for the purpose of a quorum.

**Ministerial advisers**

**230.** Advisers who are present at an estimates committee to assist Ministers will not directly answer questions or otherwise address the committee except with the approval of and in the presence of a Minister or Parliamentary Secretary.

**Minutes of estimates committees**

**231.** Minutes of each estimates committee will be recorded by the Clerk to the Committee, and will be signed by the Deputy Speaker or an Acting Speaker and the Clerk to the Committee.

**Procedure in estimates committees**

**232.** In each estimates committee —

- (a) the question will be proposed for each division or part thereof of the Estimates referred to that committee, “That the appropriation be recommended.”, and if there is an equality of votes on any such question, the committee will include in its report to the House, its inability to report on that division;
- (b) voting in a division will be taken by a show of hands of those members of the committee, exclusive of the Chairman, present when a question is put and tellers will not be appointed;
- (c) any question of procedure or point of order will be determined by the Chairman of the committee, subject to the ultimate decision of the Speaker; and

- (d) at the conclusion of consideration by Estimates Committee A of the Estimates referred to it or at the expiry of the time allocated to that committee, the question will be put forthwith — “That the clauses, schedules and title of the bill be agreed to.”.

### **Presentation of reports**

**233.** Reports of the estimates committees will state which parts of the Estimates have been considered and whether the proposed expenditures are recommended. Failure of an estimates committee to report on any part of the Estimates within the time required by the Assembly will be deemed to be a report recommending the proposed expenditures. The time for presentation of the reports may be as determined by the Assembly.

### **Procedure for presentation of reports**

**234.** The reports of the estimates committees will be presented together to the Assembly by the Deputy Speaker and may be considered forthwith, the question being proposed for each, “That the report be adopted.”. Debate on that question and any amendment thereto will not exceed one hour in total, but that will not preclude an amendment being moved and the question being put thereon. If the reports of the committees are adopted, the third reading of the bill may be moved forthwith.



WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

**PROCEDURE AND PRIVILEGES  
COMMITTEE**

**Report  
on the  
Operation of Estimates Committees**

Presented by:  
Mrs Dianne Guise, MLA  
Deputy Speaker

Laid on the Table of the Legislative Assembly  
on  
18 April 2002

**ORDERED TO BE PRINTED**



**2002**

**WESTERN AUSTRALIA**

**LEGISLATIVE ASSEMBLY**

**PROCEDURE AND PRIVILEGES  
COMMITTEE**

**Report  
on the  
Operation of Estimates Committees**



## COMMITTEE MEMBERS

### Chairman

Hon. Fred Riebeling, MLA  
(Speaker of the Legislative Assembly)

### Members

Mrs Dianne Guise, MLA  
(Deputy Speaker and Member for Wanneroo)

Ms Katie Hodson-Thomas, MLA  
(Member for Carine)

Mr Norm Marlborough, MLA  
(Member for Peel)

Mr Dan Sullivan, MLA  
(Deputy Leader of the Opposition and Member for Mitchell)

## STAFF

### Clerk to the Committee

Mr John D. Mandy  
(Deputy Clerk (Procedure) of the Legislative Assembly)

Mr Peter J. McHugh  
(Clerk of the Legislative Assembly)

Mr Doug Carpenter  
(Deputy Clerk (Committees) of the Legislative Assembly)



## REPORT ON THE OPERATION OF ESTIMATES COMMITTEES

1. Your Committee reviewed comments made in the House by Legislative Assembly members on 16 October 2001 when the Reports of the Estimates Committees were being debated. Issues raised were -

### **Crowded conditions in the Legislative Assembly Committee Room (Estimates Committee B)**

2. Several members requested a review of the method used to allocate meeting rooms to the bigger agencies. They argued that smaller agencies should be allocated to Estimates Committee B located in the Legislative Assembly Committee Room.

3. Plainly, being much larger, the Chamber should be allocated to the bigger agencies. The Leader of the House, when drafting the estimates program for the Management Committee's consideration, should ensure the committee room is allocated to the smaller agencies, taking into account the estimated number of advisers attending with each Minister. This will alleviate problems of insufficient room for advisers, the general public and the media, but given the physical constraints, will not eliminate the problem entirely for the committee room.

### *Recommendation*

Your Committee recommends -

1. That the Leader of the House, when drafting the estimates program for the Management Committee's consideration, ensures the Legislative Assembly Committee Room is allocated to the smaller agencies.

### **Completion of Parts or Portfolios early or the time allocated expires before completion**

4. The Leader of the House raised this issue of scheduling and indicated he was happy to enter into discussion with members of both sides of the House about whether there can be a compromise and that he welcomed positive suggestions on how to improve the process.

5. Your Committee agreed that assessing the amount of time for each part of the programme is a matter for continuing consideration by the Leader of the House and the Opposition when the estimates programme is being prepared for the Management Committee's consideration.

6. Your Committee notes that the use of the allocated time within each part or portfolio is a matter for members of the respective estimates committees. The Chair may remind members about the amount of time left to consider remaining divisions but is unable to take any further action.

**Recommendation**

Your Committee recommends -

2. That the allocation of time for parts or portfolios within the estimates should continue to be fully considered by the Leader of the House and the Opposition before the estimates programme is presented to the Management Committee for its consideration.

**Flexibility to cover exceptional circumstances (interruptions)**

7. The Leader of the House suggested there needed to be sufficient flexibility built in to the Estimates system to take into account exceptional circumstances such as the bomb scare which occurred last year.
8. Your Committee considered while the established programme must be adhered to, if exceptional circumstances recur and if it is considered warranted, an agreement could be reached between the Leader of the House and the Leader of the Opposition to allocate additional time for further consideration of the relevant items at the end of the first sitting day after the estimates committees have met. Your Committee believes that no further remedy is needed.

**Examination of off-budget authorities and agencies**

9. The Leader of the House, when mentioning complaints by members about not being permitted to ask questions on items not in the Budget, said it was a perennial question which had the potential to widen the debate so much that it could not be controlled.
10. In the Budget Paper No. 3, 2001-2002 *Economic and Fiscal Outlook*, the Treasurer published a list of Public Non-Financial Corporations, and Public Financial Corporations which are the off-budget authorities members wish to examine. This standing practice of listing should be continued as a part of the budget papers.
11. Your Committee agrees that off-budget authorities should be examined under an identical system to that for budget authorities and that extra time be provided for this purpose during the estimates committees process. If any member makes a request, within one week of presentation of the budget, representatives of an off-budget authority should attend and answer questions. The request should be made to the Leader of the House who will advise the relevant Minister to arrange for the Chief Executive Officer or a nominee to attend at the appropriate time. A minimum of an extra half-hour should be scheduled, at the end of the time already allotted for their estimates, for those Ministers who have off-budget authorities within their responsibilities. As no appropriation is involved, the estimates committees will be able to ask questions but no 'vote' will be considered.
12. Consequently, minor changes need to be made to the Estimates Committees Standing Orders to facilitate examination of these additional bodies.

*Recommendation*

Your Committee recommends -

3. (a) That off-budget Public Non-Financial Corporations and Public Financial Corporations be identified annually in the Budget Papers and that they be subject to examination; and
- (b) That a minimum of an additional half-hour be allocated to Ministers where an examination has been requested for an off-budget authority within their portfolio responsibilities.

*Recommendation*

Your Committee recommends -

4. That Standing Orders 222, 223, and 230 be amended as shown, with underlined words to be inserted and struck through words to be deleted -

**Bills referred to estimates committees**

222. (1) After the second reading of the Appropriation bill or bills which provide for the main recurrent and capital appropriations, the consideration in detail stage will be replaced by Estimates Committees A and B.

(2) The estimates committees will examine the bills and proposed expenditure contained in the Estimates and report on proposed expenditure by the Parliament and government departments and agencies funded from the Consolidated Fund.

(3) The estimates committees may also examine off-budget public corporations and ask questions regarding their budgets and operations.

**Management committee**

223. (1) There will be a management committee which will comprise the Leader of the House, one member nominated in writing to the Speaker by the premier, and two members similarly nominated by the Leader of the Opposition

(2) Before the estimates committees first meet, the Leader of the House will present to the House the report of the management committee, which report will prescribe -

- (a) which parts of the Estimates are to be considered by each committee; and
- (b) the time allotted for consideration of each part or any division or program of the Estimates and the budgets of those agencies referred to in Standing Order 222 (2); and
- (c) where any member has so requested the Leader of the House within one week of the presentation of the budget, the time allotted for off-budget public corporations.

*Recommendation 4 continued***Ministerial advisers**

230. (1) Advisers who are present at an estimates committee to assist Ministers will not directly answer questions or otherwise address the committee except with the approval of and in the presence of a Minister or Parliamentary Secretary.

(2) Representatives of off-budget public corporations are treated as Ministerial advisers for the purposes of this standing order.

**Teleconferencing**

13. The Leader of the House indicated that the use of telephone conferencing by Estimates Committee B was successful and he thought it could continue in 2002. However, another member was particularly critical that, through the use of teleconferencing, some CEOs did not personally appear before the Estimates Committees with their Minister.

14. Your Committee considers that there is considerable value in members meeting face-to-face with Ministerial advisers and consequently audio- or tele-conferencing should only be used in exceptional circumstances where Ministerial advisers are unable travel to Perth to appear with their respective Ministers before the Estimates Committees.

*Recommendation*

Your Committee recommends -

5. That audio- or tele-conferencing for Estimates Committees only be used in exceptional circumstances where Ministerial advisers are unable travel to Perth.

**Allocation and type of questions****(a) 'Dorothy Dix' questions**

Several members questioned the apparent use of 'Dorothy Dix' questions by Government members.

**(b) Allocation of questions on a rotational basis**

Some members argued that the allocation of questions on a rotational basis between Opposition and Government members was denying or reducing the Opposition's opportunities to scrutinise the Government's activities.

**(c) Use of a series of questions**

There was also criticism of the practice of allowing a series of questions to be asked by one member, as that was to the detriment of other members seeking to ask questions of a Minister.

15. Your Committee agreed that nothing precludes a member from asking a question irrespective of the source of the question.



16. It is recognised that the Estimates Committees are a very important part of parliamentary scrutiny of the Government's financial performance and expenditure priorities. Taking this into account, the Chair should achieve some balance in allocating the call for questions while also providing a reasonable opportunity in the circumstances for a member to follow a particular line of questioning. A series of connected questions may be allowable.

17. As there is no relationship between further questions in Estimates Committees and 'supplementary questions' in Question Time, the use of the term 'Supplementary Question' should be discouraged, and understands that the Speaker will convey that to the Deputy Speaker and the Acting-Speakers.

18. Your Committee also noted that, while the member chairing may ask questions during proceedings, that should not operate so as to interrupt the flow of proceedings or unduly preclude other members from contributing. The balance of questions should not be interrupted by the Chair's questions.

#### *Recommendation*

Your Committee recommends -

6. That questions in an Estimates Committee be allocated to achieve some balance between members while also allowing a reasonable opportunity in all the circumstances for a member to follow a particular line of questioning.

#### **Supplementary information**

19. Several members were concerned that supplementary information was provided late in 2001 (in some instances after the third reading of the Appropriation Bills). Other members raised concerns about not being able to clearly identify supplementary information requests within the *Hansard* transcripts. Ministerial and Government staff also experienced some difficulty in identifying requests when preparing the information.

20. Members have a reasonable expectation that supplementary information which Ministers agree to provide will be available before the third reading of the Appropriation Bill.

21. Your Committee is aware that as a result of the expression of members' concerns, a new process is being implemented which numbers each item of supplementary information a Minister agrees to provide to an estimates committee. When confirming a Minister's agreement to provide supplementary information, the member presiding will advise what number has been allocated and that number will appear in *Hansard*.

22. This system will clearly identify each agreement to provide supplementary information and allow a computer search of *Hansard* for that. No further action or recommendation by this committee is required.

### **Presentation of Estimates papers**

23. A Member mentioned difficulties experienced with budget CD Roms not being paginated to match the hard copy version of the estimates papers. Given increasing use of the electronic version to prepare notes and questions prior to the estimates committees meeting the capacity for members to cross reference their notes with the hard copy version used during committee proceedings would be valuable. Your Committee agreed that the pagination in the electronic copy of estimates papers should match the hard copy used by the estimates committees.

24. Your Committee also agreed that the index to the estimates papers should include direct references to appropriations for Community Service Obligations and other Administered Appropriations.

25. Your Committee also received a request that a separate list of departments and agencies covered within each division should be provided by Treasury to all members. It is noted that Chapter 1 of Budget Paper No. 2 provides a summary of the Consolidated Fund Expenditure Estimates, set out in portfolio order, divided into divisions and referenced to the volume and page of the detailed agency information. No further listing should be needed by members.

#### *Recommendation*

Your committee recommends –

7. That the presentation of the estimates papers be improved by –
  - (a) Ensuring pagination in the electronic version matches the hard copy of the Estimates, and
  - (b) Providing a comprehensive index that includes direct reference to the appropriation of administered funds.

### **Options for future Estimates Committees' structure**

26. A member suggested that there be –

- One estimates committee operating over a 2 week period; or
- Two estimates committees with Estimates Committee A considering major portfolios in the first week when the House is not sitting; and Estimates Committee B considering smaller portfolios in the second week when the House is sitting.

27. Your Committee considers that the allocation of an additional sitting week for option 1 is not warranted as there is relatively little conflict for most members when deciding which Estimates Committee to attend. The second option is likely to create programming problems for the House because over a whole sitting week many members are likely to have a conflict between attending the broad-ranging and somewhat unpredictable proceedings in the House and the estimates committee. Consequently, no recommendation for change will be made.

**Relevance - Items falling within Estimates**

28. A member raised the issue of a matter being ruled out of order, arguing that the activity clearly fell within the estimates. Your Committee acknowledges that the Speaker has already raised this issue with the relevant Acting-Speakers, and intends again to provide the Deputy Speaker and Acting-Speakers with a comprehensive briefing, prior to estimates committees week, where the general parameters of what matters fall within the estimates, and other aspects of chairing, will be covered.

29. Generally your Committee believes questions should be allowed where a member is able to demonstrate a reasonable link with the estimates then currently before the committee. The Committee agreed that no further action is required.

**APPENDIX A  
OFF-BUDGET AUTHORITIES*****Agriculture, Forestry and Fisheries***

- Forest Products Commission
- Perth Market Authority
- Potato Marketing Corporation of Western Australia
- The Grain Pool of WA
- Western Australian Egg Marketing Board

***Energy***

- Electricity Corporation (Western Power Corporation)

***Government Enterprises***

- Bunbury Water Board
- Busselton Water Board
- Gold Corporation
- Insurance Commission of Western Australia
- Lotteries Commission
- Riskcover
- Water Corporation

***Health***

- Animal Resources Authority

***Housing and Works***

- Country Housing Authority
- Government Employees Housing Authority
- Keystart Housing Scheme (Keystart Bonds Ltd; Keystart Loans Ltd; Keystart Support Ltd; Keystart Support (Subsidiary) Pty Ltd)
- The State Housing Commission

***Local Government and Regional Development***

- Fremantle Cemetery Board
- Metropolitan Cemeteries Board

***Minister Assisting the Minister for Planning and Infrastructure***

- The Eastern Goldfields Transport Board

***Planning and Infrastructure***

- Albany Port Authority
- Broome Port Authority
- Bunbury Port Authority
- Dampier Port Authority
- East Perth Redevelopment Authority
- Esperance Port Authority
- Fremantle Port Authority
- Geraldton Port Authority
- Metropolitan (Perth) Passenger Transport Trust
- Midland Redevelopment Authority
- Port Hedland Port Authority
- Subiaco Redevelopment Authority
- The Western Australian Government Railways Commission
- Western Australian Coastal Shipping Commission
- Western Australian Land Authority

***Racing and Gaming***

- Totalisator Agency Board

*Tourism*

- Rottnest Island Authority

*Treasurer*

- Western Australian Treasury Corporation

## Ayes (30)

Mr Andrews	Ms Guise	Ms McHale	Mr Ripper
Mr Bowler	Mr Hyde	Mr McRae	Mrs Roberts
Mr Brown	Mr Kobelke	Mr Marlborough	Mr Templeman
Mr Carpenter	Mr Kucera	Mrs Martin	Mr Watson
Mr Dean	Mr Logan	Mr Murray	Mr Whitely
Mr D'Orazio	Ms MacTiernan	Mr O'Gorman	Ms Quirk ( <i>Teller</i> )
Dr Edwards	Mr McGinty	Mr Quigley	
Dr Gallop	Mr McGowan	Ms Radisich	

## Noes (21)

Mr Barnett	Mr Grylls	Mr Omodei	Ms Sue Walker
Mr Birney	Ms Hodson-Thomas	Mr Pandal	Dr Woollard
Mr Board	Mr House	Mr Barron-Sullivan	Mr Bradshaw ( <i>Teller</i> )
Dr Constable	Mr Johnson	Mr Sweetman	
Mr Day	Mr Marshall	Mr Trenorden	
Mr Edwards	Mr Masters	Mr Waldron	

## Pair

Mr Hill

Mr Ainsworth

Question thus passed.

**APPROPRIATION (CONSOLIDATED FUND) BILL (NO. 1) 2002**  
**APPROPRIATION (CONSOLIDATED FUND) BILL (NO. 2) 2002**

*Estimates Committees A and B Reports and Minutes - Presentation and Adoption*

**THE DEPUTY SPEAKER** (Ms Guise): I present the reports and minutes of Estimates Committees A and B.

[See papers Nos 1571 and 1572.]

The **DEPUTY SPEAKER**: I move -

That the report of Estimates Committee A be adopted.

Estimates Committee A ran relatively smoothly and I will refer to some of the feedback received from the committee. I am advised that at noon today, only two questions requiring supplementary information were outstanding. I hope that most members have received answers to their questions. There were a few instances in which the role of the Chair was misunderstood. Those few problems will be addressed by the Speaker. For the purpose of *Hansard* I will refer to some of the questions asked in the different divisions. I advise members that I will include additional questions that were allowed to be asked.

The first session was held on Tuesday, 28 May, and covered divisions 1 and 2, representing the Parliament. One hour was set aside and 30 questions were asked. Opposition members asked 20 questions and government members asked 10 in division 1. In division 2, 21 questions were asked; opposition members asked 11 and government members asked 10. Three questions required supplementary information. Subsequent divisions were covered the Deputy Premier and Treasurer, and six hours were set aside. In division 3, Premier and Cabinet, 33 questions were asked; the Opposition asked 22 and the Government asked 11. In division 9, Treasury and Finance, 74 questions were asked; opposition members asked 53 and government members asked 21. Division 10 was the Office of the Auditor General. Ten questions were asked, with an equal number between the Government and the Opposition. Division 11 was the Office of Energy. Opposition members asked 18 questions and government members asked four questions. Division 12 covered the Perth International Centre for Application of Solar Energy. Fifteen questions were asked, mostly by opposition members. Division 71 was Racing, Gaming and Liquor. Opposition members asked 14 questions and government members asked six. Division 72 covered the Goldfields-Esperance Development Commission. Members of the Opposition asked five questions. The six-hour session was broken evenly in two with a break for lunch, and progressed smoothly.

On Wednesday, 29 May, the session from 9.00 am to 3.00 pm was set aside for education, sport and recreation and indigenous affairs. A tea break of 15 minutes duration was taken in the morning. Members upheld an agreement to ensure that the education divisions were completed by lunchtime. They were completed by 1.00 pm. Seventy-three questions were asked on education. Opposition members asked 58 and government members asked 15. Division 60 covered the Country High School Hostels Authority, but only four questions were asked, three of which were by opposition members. Divisions 61 and 62 covered the Curriculum Council and Education Services and 15 questions

were raised, 14 of which were asked by opposition members. After lunch, division 63, covering the Recreation Camps and Reserves Board, involved nine questions, six of which were asked by opposition members and three by government members. Division 64 was Sport and Recreation and 28 questions were raised, 24 of which were asked by opposition members and four by government members. Division 65 was the Western Australian Sports Centre Trust. Opposition members asked five questions and a government member asked one. Division 66 was Indigenous Affairs, and 23 questions were raised, 21 of which were asked by opposition members and two by government members. Division 52 was held between 4.00 pm and 5.00 pm and 23 questions were raised, 14 of which were asked by opposition members. Four hours were set aside for police and emergency services. In division 47, 102 questions were asked, 75 of which were asked by opposition members and government members asked 27. A number of questions required supplementary information. During division 48, which covered fire and emergency services, only six questions were asked, five of which were from opposition members. The time allotted for the division was insufficient as only eight to 10 minutes were available for it. It was a time management issue that was agreed by the members of the committee.

One minister was required to field questions for Estimates Committee A on Thursday, 30 May, from nine o'clock in the morning until 10 o'clock at night, with only a break for lunch. Next year, that should be taken into account. A lesser soul than the Minister for Planning and Infrastructure would not have lasted the distance. I take my hat off to the minister. She stuck it out for the whole day. It is too much for one person. Commonsense must prevail.

Mr Day: These things happen by agreement.

The DEPUTY SPEAKER: I will get to that. We need to do something about it next year. Division 50, Land Administration, contained 40 questions, 25 of which were from opposition members and 15 from government members. Sitting was then suspended for 16 minutes, as agreed, for a morning tea break. The committee then moved on to division 51, Main Roads. A total of 35 questions were asked, and the Opposition asked 25 of those. After lunch, the committee proceeded to division 49, Planning and Infrastructure. A total of 78 questions were asked, 68 of which were asked by opposition members. Sitting was again suspended for an afternoon tea break - commonsense must have prevailed - before the committee moved onto the Western Australian Planning Commission, for which only seven questions were asked, three by opposition members and four by government members. Time for those divisions expired at 5.00 pm. The minister then dealt with the divisions covering housing and works, local government, regional development and Kimberley, Pilbara and Gascoyne. For divisions 21 to 25, 97 questions were asked, 96 by the Opposition and only one by a government member. The committee adjourned early - at 9.15 pm.

Mr Board: That is how it ought to be - the Opposition asking all the questions.

The DEPUTY SPEAKER: There might be some comment on that from this side! However, everybody seemed reasonably happy. Friday's hearings ran from 9.00 am to 1.00 pm and covered the portfolios relating to the Premier, public sector management, federal affairs, science, and citizenship and multicultural affairs. For division 3, Premier and Cabinet, 103 questions were asked, 82 of which were allocated to members from the opposite side. Once again, the committee was suspended for a 15-minute tea break before proceeding to division 4, Royal Commission Into Whether There Has Been Any Corrupt or Criminal Conduct by Western Australian Police Officers. A total of nine questions were asked, seven of which were allocated to opposition members. For division 5, Anti-Corruption Commission, a total of 11 questions were asked. One question was asked by the Opposition and 10 were asked by government members. For division 6, Governor's Establishment, a total of five questions were asked, two by opposition members and three by government members. For division 7, Office of the Public Sector Standards Commissioner, a total of 10 questions were asked, seven by opposition members and three by government members. The hearing finished with division 8, Salaries and Allowances Tribunal. A total of eight questions were asked, six by opposition members and two by government members. That committee adjourned at 12.45 pm, with 15 minutes to spare.

I have made a point of putting that on record because I think it will make an interesting analysis for years to come. I have deliberately mentioned the tea breaks. I urge the Leader of the House and the opposition team to take on board that, as well as members liking a cup of tea - we made arrangements for that - some physical necessities need to be taken care of. People need pit stops, if I can put it that way. It is not good to sit in the Chair and watch ministers turn all colours of the rainbow as they signal frantically that they would like a break.

Mr Johnson: I think they are called comfort breaks.

The DEPUTY SPEAKER: That is nicely put. There was some contention about tea breaks. In one case agreement was reached, only for members to later realise that they had given up what they considered precious minutes. Time allocation in the estimates committees is a matter for members, not the Chair. We can only try to encourage members to fit in with the time slots.

I raise two points: first, it is unrealistic to have one minister deal with divisions all day; and, second, given the number of tea breaks that were taken, unless sessions are evenly divided into two sections by a lunch or dinner break - there was one - it would be better to allocate the time beforehand so that everyone knows where they stand. The advisers were able to go to the Strangers Bar, but they were not likely to leave the Chamber while a session was still on. They would not leave their minister without assistance. I bring those matters to the attention of the House and urge it to consider them for next year.

I finish by thanking members and the Acting Speakers who assisted throughout the week for their cooperation. It was a long week. I think I was a bit grumpy by the end, but I am sure I am excused. I particularly thank the parliamentary staff, who did a sterling job and assisted us so well through the week.

**MR KOBELKE** (Nollamara - Leader of the House) [4.44 pm]: I thank all members for their contributions, both in committee A and committee B - although it is not appropriate to speak about that committee now. I particularly thank the member for Girrawheen, who did the job of organising our members to cover the committees and making sure they ran smoothly on our side. I thank the Acting Speakers and the Deputy Speaker for the role they played, and the Clerks etc who assisted. The committees went particularly smoothly, and for that I thank all those who had some responsibility in their management, and all members who participated and contributed to the work of the two estimates committees.

Question put and passed.

**THE DEPUTY SPEAKER** (Ms Guise): I move -

That the report of Estimates Committee B be adopted.

I report on the committee B hearings that were held during the week, and will close with some comments. On Tuesday we started with the divisions relating to the environment, and they ran from 9.00 am until 11.00 am. Once again, for the purpose of *Hansard*, I will go through the volume of questions, because I know some members will be interested. For division 38, Conservation and Land Management, a total of 35 questions were asked, with the Opposition asking 25 of those and government members asking 10. There was, once again, that famous tea break. For division 39, Botanic Gardens and Parks Authority, a total of 16 questions were asked, 11 of which were from opposition members. For division 40, Environmental Protection, a total of 10 questions were asked, eight by opposition members. Government members asked two. For division 41, Office of Water Regulation, three questions were asked, all by members of the Opposition. For division 42, Swan River Trust, seven questions were asked. Opposition members asked three and government members asked four. For division 43, Water and Rivers Commission, only one question was asked by the Opposition before time expired. This led to a question about time allocation and some debate about members having agreed to morning tea. The committee then moved on to division 45, Heritage Council of Western Australia. A total of 22 questions were asked, 12 by opposition members and 10 by government members. For division 46, National Trust of Australia (WA), there was a total of nine questions, with four being asked by opposition members and five by government members. Five hours were set aside from 2.00 pm to 7.00 pm, with a dinner break, for state development. For division 54, Industry and Technology, 87 questions were asked. Opposition members asked 80 questions and government members asked only seven. The sitting was suspended twice during the afternoon, once at 3.38 pm for 12 minutes and again at 5.00 pm for five minutes. For division 55, Mineral and Petroleum Resources, a total of 28 questions were asked, 24 by opposition members and four by government members. For division 56, Minerals and Energy Research Institute of Western Australia, seven questions were asked, all by members of the Opposition. From 8.00 pm to 9.00 pm, the committee dealt with division 57, Western Australian Tourism Commission. A total of 19 questions were asked, 14 by opposition members and five by government members. For division 58, Small Business Development Corporation, 18 questions were asked, eight by opposition members and 10 by government members, before time expired.

On Wednesday the committee dealt with the divisions covering the Attorney General, justice and legal affairs, electoral affairs, Peel and south west. Six hours were set aside for these divisions. For division 30, Commissioner for Equal Opportunity, a total of six questions were asked, four by the Opposition and two by government members. For division 31, Law Reform Commission, only three questions were asked, all by government members. For division 32, Office of the Director of Public Prosecutions, a total of 50 questions were asked, 38 by opposition members and 12 by government members. Once again, sitting was suspended for a 14-minute morning tea break. In division 34, Office of the Inspector of Custodial Services, 23 questions were asked, 15 by the Opposition and eight by the Government. In division 29, Justice, 84 questions were asked, 72 by the Opposition and 12 by the Government. In division 35, Western Australian Electoral Commission, 20 questions were asked, 12 by the Opposition and eight by the Government. In division 36, Peel Development Commission, 15 questions were asked, eight by the Opposition and seven by the Government.

In Estimates Committee B, for two hours from 4.00 pm to 6.00 pm, division 68, Disability Services Commission, was dealt with and 73 questions were asked, 59 by the Opposition and 14 by the Government. From 7.00 pm to 10.00 pm we moved to the portfolios of community development, women's interests, seniors and youth and culture and the arts. In division 67, Community Development, 51 questions were asked, 39 by the Opposition and 12 by the Government. In division 69, Culture and the Arts, 14 questions were asked, nine by the Opposition and five by the Government. On Thursday, five hours were allocated to division 26, Consumer and Employment Protection, in which 90 questions were asked, 79 by the Opposition and 11 by the Government. The time for that division and division 27 expired, and I am unsure how they were ultimately dealt with because I could not find them in *Hansard*. In division 27, Registrar, Western Australian Industrial Relations Commission, 59 questions were asked, 58 by the Opposition and one by the Government. As I said, time expired for these two latter divisions.



In division 28, Training, 76 questions were asked from 3.00 pm, 69 by the Opposition and seven by the Government. That division finished early at 5.09 pm.

Committee B dealt with agriculture, forestry and fisheries, the mid west, wheatbelt and the great southern portfolios from 7.00 pm to 10.00 pm. In division 16, Fisheries, 16 questions were asked, nine by the Opposition and seven by the Government. In division 13, Agriculture, 31 questions were asked, 23 by the Opposition and eight by the Government. In division 17, Mid West Development Commission, five questions were asked, four by the Opposition and one by the Government. In division 18, Wheatbelt Development Commission, four questions were asked, three by the Opposition and one by the Government. The committee adjourned at 10.00 pm. I note that no questions were asked on the great southern region. I am not sure whether time expired.

Mr Sweetman: Time expired.

The DEPUTY SPEAKER: Time expired. I note that no questions were asked on that day on the great southern region.

Mr Hyde interjected.

The DEPUTY SPEAKER: No, that was another committee in the other place.

Finally, we finished on Friday with division 72, Health, for which six hours were allocated and 72 questions were asked, 53 by the Opposition and 19 by the Government. The sitting was suspended at 11.20 am for a nine-minute break and later adjourned at 2.00 pm.

Comments have been made about the length of time it took members to get the call to ask a question. I have made some comparisons between the health portfolio and other portfolios. Bearing in mind that six hours were allocated for health and 72 questions were asked, six hours were also allocated to the Attorney General's portfolios, in which 201 questions were asked. In division 29, Justice, 84 questions were asked. The Deputy Premier's portfolios were also allocated six hours in which 179 questions were asked, 74 in division 9, Treasury and Finance. The Minister for Consumer and Employment Protection, over five hours, fielded 149 questions, 90 of which were on division 26.

I mentioned those comparisons because a concern was raised about the allocation of questions. However, members will see from a reading of *Hansard* that some questions were quite lengthy and many complex issues were raised requiring detailed answers. Members, rather than asking questions, often made statements. That raises the role of the Chair, and I suggest that members be more mindful of that matter next year. We must ensure that members ask questions and others answer them in a more succinct way so that we can move on. I have made those points to address some of the queries and the feedback that the committees received.

I thank members once again for their cooperation. I particularly thank the President of the Legislative Council for the use of the other place. It was much more agreeable than the Assembly committee room for dealing with bigger portfolios. I again thank the Acting Speakers, who did a marvellous job throughout the week, and the parliamentary staff for their support.

**MR PENDAL** (South Perth) [4.55 pm]: I make some brief comments about an item considered in Estimates Committee B, particularly to raise concerns about the corporate arm of the Department of Agriculture known as AgWest. The matters I raise are centred around part 4 on page 223 of the *Budget Statements*. Members will recall that the department has an allocation in the budget this year of \$128 million. The specific issue I raise is the only reference to intellectual property, which appears on page 234, and relates to lupin growers. On page 236 reference is made to research and development to enhance the productivity of agriculture. My remarks go to the heart of that matter.

This is not the first time that the Department of Agriculture's intellectual property rights have been raised in this Parliament, and it is now two or so years since it was last raised. My focus today will be very much concentrated on an extension of the matter raised in the Parliament three to four years ago. Several years ago, concerns were raised in the Parliament and in the wider media in Western Australia about what had happened in the issue of the loss of intellectual property rights to the Pink Lady apple. I advise members who are unaware of the issue that the Pink Lady apple has become an icon around the world today because of the work done and the research developed principally at Manjimup by research officers of the Western Australian Department of Agriculture. Many members will be aware that what should have been a great triumph for Western Australia in fact developed into a catastrophic loss to Western Australia, when at least four overseas countries beat us to the punch and registered the trademark and the intellectual copyright of our own apple.

Mr Omodei interjected.

**Mr PENDAL**: Indeed. If I recall correctly, those countries were Argentina, France, the United Kingdom and the United States of America. I also recall that, over time, the Western Australian Government has been able to resuscitate that rather drastic position in three of those countries. We were able to recover our position and we regained what at that time looked like a loss. The reality is that in the USA, which is the largest of all the markets, the Government failed to reverse that appalling record; that is, the Americans beat us to our own product. It would be almost impossible for anyone to compute the loss to the Western Australian Treasury of the royalties and revenue that might otherwise have flowed had people been doing their job.

If that were not bad enough, and if it were not sufficient to trigger the Auditor General's intervention in the question of the loss of intellectual property rights, what some people fear will happen should be enough to force a reassessment of the way we value research and the intellectual property that should flow from it. There are real fears that the Pink Lady fiasco will be repeated with the Ben 18/8 apple. There are real and substantial fears that, unless the Department of Agriculture gets on top of the situation, a greater loss will be sustained by Western Australian taxpayers when we might otherwise have enjoyed huge gains. It is important to understand that we are not talking about the private sector; we are talking about taxpayers' funds being allocated to the Department of Agriculture so that research will reap substantial returns for Western Australian taxpayers.

In the face of the abject failure by the department with regard to the Pink Lady project, the research, marketing and intellectual property components of the Ben 18/8 project have been handballed to the Australian Apple and Pear Growers Association. I do not think one could find a more illustrative vote of no confidence on the part of the Department of Agriculture. It is almost intimidated at the prospect of success.

Mr Kobelke: When did that happen?

Mr PENDAL: It is happening as we speak. It has come to a head in the past 18 months; that is, since the transfer. I find it particularly offensive that what should be a benchmark of success will in all likelihood be a display of the Department of Agriculture's lack of confidence in the product it helped to develop with money allocated by this Parliament.

I have taken it upon myself to have the matter referred to the Auditor General to see whether he can instigate a fresh inquiry; that is, in addition to the inquiry he carried out in 1999. I note that the member for Riverton is in the Chamber. He is the Chairman of the Economics and Industry Standing Committee. On behalf of the people who have approached me, I have sent him a letter similar to that which I sent to the Auditor General, suggesting that his committee has a role in establishing whether we are on the verge of losing another huge opportunity. It may be an opportunity for the standing committee and the Auditor General, who is an officer of this Parliament, to collaborate to find the answer to that question.

The Auditor General took an interest in agricultural intellectual property some years ago. He gave the Parliament a perspective that should have stopped members in their tracks. We are talking about research in Western Australia costing in excess of \$100 million. The Auditor General's "Public Sector Performance Report 1999" refers to the management of assets, and intellectual property is a key component of those assets, particularly in this day and age of the global market. The report states -

Government agencies spend at least \$96 million per year on various types of research or development activities that may give rise to 'intellectual property' (IP). In addition to this amount, agencies engage in activities such as the creation of training and advertising materials, databases and computer programs which may also be the subject of IP protection.

I am not concerned at this stage about advertising material, databases and computer programs. The Auditor General quantified the potential risk to Western Australia as follows -

The financial returns available from the successful commercialisation of IP could be lost if agencies fail to:

- consider whether any of their projects or activities will result in the creation of some form of IP; and
- take adequate steps to protect and preserve the value of IP assets.

He then goes on to say -

In addition to loss of financial returns, Western Australian industry may lose important business opportunities if agencies do not effectively commercialise their IP.

The Auditor General later effectively answers his own question. In respect of the Pink Lady apple issue he said -

Mr Kobelke: Which report was it?

Mr PENDAL: It was a 1999 report; it is very recent. The then opposition spokesperson on agriculture took a very keen interest in this topic. The Auditor General said -

... the move away from AGWEST's traditional focus as a provider of a range of cost-free services towards some emphasis on IP exploitation means that AGWEST needs to -

- conduct formal assessments or evaluations ('business planning') of the commercial costs and benefits of exploiting its IP assets;
- develop commercial expertise to exploit its IP and to access appropriate legal advice;
- conduct regular reviews of its IP portfolio and reassess protection and commercialisation strategies in response to changing needs and industry conditions; and
- maintain adequate records of revenue and expenditure associated with commercialisation.

I have asked the Auditor General what has happened to the four benchmarks set three years ago.

The same report traces the terrible story of how the Pink Lady project was transformed from a potential windfall for Western Australia into a fiasco. The Auditor General states -

- Due to limited experience with plant breeders' rights legislation and uncertainty about industry acceptance, AGWEST did not apply for plant breeders' rights in Australia to the Cripps Pink variety.

That is associated with the trademark Pink Lady.

He went on to say -

- In Argentina, France, UK and the USA, other organisations successfully filed applications for the Pink Lady<sup>®</sup> trademark before AGWEST. In all but the USA ownership of these trademarks has been recovered by negotiation with the relevant parties.

He is saying that after we made a mess of it, we had to fight very hard to recover in those three countries. He continues -

- In 1998, AGWEST successfully defended its . . . rights in legal action against an infringement of its Cripps Pink variety rights in the USA.

This is the final part of the matter that I wanted to raise before the budget was finally given approval. It begs the question of whether anything has changed. If it has not changed as a result of the Auditor General's report, there is a responsibility on the part of the Government to say in this House why it has not changed. There is a responsibility in a collaborative sense with the Auditor General for the standing committee of this House to make an examination of the kind that I am talking about.

As someone pointed out to me, when we lost the rights to the Pink Lady apple, we did not lose just the apple. Hundreds of millions of trees are being planted in other countries and little or no benefit is being returned to Western Australia. I am told that more than just the fresh apples are involved. Associated flow-on and by-product industries have been given up, including the industries for apple pies, which would go down particularly well in the United States, apple juices, apple milks and other products. If they are accumulated, they can run potentially to hundreds of millions of dollars in annual sales, and many millions of dollars to the Western Australian Treasury by way of proper royalties.

I am told that the department regards the Ben 18/8 apple as having no established market and as not having performed to international standards. This is the same department that dropped the ball on the Pink Lady. I do not know whether the evidence I am being given is substantial. I believe it to be, and that is why I am raising it in this place. I think that the Auditor General and the Economics and Industry Standing Committee should be in a position to call this person as a witness to determine whether the Department of Agriculture has learned any lessons. It is the view of the people who have come to see me that the Ben 18/8 is the only apple with the potential to return a royalty to Western Australian taxpayers. That is a very sad situation. These people take the view that it has an extraordinary and exciting commercial potential, which seems to have been bypassed in this apparent science cringe in which the intellectual concepts are discovered in Western Australia and then are lost to other parts of Australia or the world because there is not sufficient scrutiny and diligence on the part of the Government to bring home the bacon.

In summary, it is a serious situation. The person who has come to see me is adamant. We do not need to be on the verge of losing our Pink Lady mark II in the form of the Ben 18/8 apple. It is not something that should appeal just to members of this Parliament who represent the agricultural region and who live in those areas. It should appeal as a serious issue to every member, metropolitan or country, who is offended by the notion of intellectual concepts and property moving out of Western Australia. Why? When I asked what was the motive of the department and why it would do this, the person made no greater claim than to say that it just failed to read it properly. It did not have the confidence in the products that it should have had. It did not have the confidence in its own research staff. There was almost a belief that if this variety had been discovered locally at Manjimup, it could not be all that good. There is also the track record that those varieties the department is backing have far less potential, and there is far less excitement among the scientists who have brought this to my notice. This matter was raised with me at about the time of the estimates committees, but there was no opportunity to pursue it at the time. First, I use this occasion to draw it to the attention of the House, and to ask that the chairman of that committee treat my request seriously when he receives it. Secondly, I hope that the Auditor General will do likewise. Western Australia has a good track record with an Auditor General who is very much on the ball in all respects. Finally, I hope that a minister in this House conveys to the Cabinet or to the Minister for Agriculture that a matter that he thought was of immense importance two or three years ago, when he was the shadow minister, is now in danger of falling by the wayside in the same way that happened when he was critical of his predecessor.

**MR JOHNSON** (Hillarys) [5.15 pm]: Estimates Committees A and B were very useful. I thank all members of the Liberal Party who took part in the committees. They made a useful contribution. I reiterate that the Opposition and the Procedure and Privileges Committee are of the view that non-government agencies should be incorporated in the estimates committees in future, but not all at once. More appropriately, perhaps the Opposition could name four and

government members could name four, if they so wish. I know that the Leader of the House does not want the Opposition to have it all. However, it is the Opposition's job in this place to scrutinise all the expenditure of the Executive Government. That is not likely to be done as vigorously by government members as by opposition members.

In relation to the comments made by the Deputy Speaker when she presented the reports of Estimates Committees A and B, the Opposition is willing to have comfort breaks at certain times throughout the committee hearings. It is unreasonable to expect members to sit through either Estimates Committee A or B for extensive periods without a comfort and refreshment break of about 15 minutes. We do not oppose the idea of set comfort breaks in the estimates committees next year.

I use this opportunity to once again say to the Leader of the House that we expect to be able to scrutinise certain non-government agencies next year. The most important organisation that comes to mind at the moment is the Western Australian Government Railways Commission, which is responsible for the largest infrastructure project this State has seen for many years. That project will cost about \$1.4 billion. My view is that it will blow out to nearly \$2 billion. That is an enormous amount of Western Australian taxpayers money. It is essential for the Opposition to be able to scrutinise that sort of expenditure through the estimates committees. It is the only avenue through which we can ask detailed questions. Chief executive officers and their administrative staff are in attendance to answer the more detailed questions that ministers probably would not know, and I would not expect them to know those answers. It is essential that agencies such as the Western Australian Government Railways Commission, the Water Corporation, Homeswest and maybe one or two others be taken into consideration when the time comes for the next budget estimates.

I also place on record my thanks to you, Mr Acting Speaker (Mr Edwards), for doing an excellent job during the estimates committees. I also thank the Deputy Speaker, the member for Wanneroo; my colleague the member for Southern River, who is an excellent chairman of committees, as I have said many times; and my colleague the member for Carine, who did not do quite so much this year because her commitments did not permit her to do so. I think I have covered everyone to whom I would like to express my thanks. There were problems in some of the estimates committee sessions. I experienced a problem in one of the estimates committees, and that is unfortunate. Some of my colleagues have also expressed to me problems that they experienced in one or two of the estimates committee sessions; they were not estimates committees that were chaired by the members whom I have acknowledged so far. The difference between the estimates committees this year and last year is that there was more courteous behaviour on the part of committee members and those chairmen of committees whom I have mentioned, and that resulted in a better system of estimates committee management. At a future date I may use another avenue to explore the concerns that I have from time to time about the chairing of certain committees. Today is not the time to do that; but, unless I see some improvement, at some time in the future I will be forced to take certain action that I do not really want to take. Time is marching on, and I know one or two other members wish to say a few words on this motion.

**DR CONSTABLE** (Churchlands) [5.22 pm]: I found that the estimates committee process this year was much improved on last year. Last year seemed very disjointed and longwinded, and it was very difficult to get in more than one question every hour. This year flowed quite smoothly. Members who asked questions had the ability to develop a theme, and that went really well. One of the problems we always have, and it was a problem again this year, is that some of the answers that are given by ministers are far too long. Ministers sometimes like to waffle on certain subjects and make all sorts of grand ministerial statements instead of sticking with the exact questions that are asked. Perhaps we can forgive them for that some of the time, but not all of the time.

I found it a bit frustrating that the timetable provided a number of clashes for me. On the Wednesday I had to try to be in two places at once throughout the entire day in order to ask questions about the portfolio areas about which I wanted to ask questions. I ask the Leader of the House whether next year the draft timetable can be drawn up much earlier than it was this year so that we can look at those clashes and have a bit more time to sort them out. It is difficult to be in two places at once, although I am getting better at that now I have had some practice this year. One way of solving that problem may be to allow more hours in the timetable. I know ministers do not want to do that, but when we consider the importance of the budget we only scratch the surface in the estimates committees. Members have the opportunity to ask a lot of questions on notice afterwards, but the estimates committees and the face-to-face contact with ministers and senior members of government departments is a great way of questioning the budget. I would like more time allocated to that process if at all possible.

I found also that the use of the Council Chamber this year was a great improvement over a select committee room. It was much easier and more comfortable for everyone concerned to be in that venue than in a select committee room. I hope that can be arranged again next year, because it was exceptionally good.

In summary, I found the estimates committee process much better than last year. I had the opportunity to ask more questions; and I am sure everyone else felt that was the case. It went much more smoothly. There were problems with the timetable. I encourage the use of the Council Chamber. If we could encourage ministers to be more succinct in their answers, perhaps more questions could be asked.

**MR BOARD** (Murdoch) [5.25 pm] I want to make a few comments about the estimates committee process, in particular Estimates Committee B. I will deal particularly with the health portfolio, which was a six-hour session, and I

will highlight a number of issues, I hope in a constructive way. I commend the Deputy Speaker for her report, which I found fairly accurate. I also commend the Government for trying to expedite the estimates committee process, and for using the Assembly and Council Chambers, which I found very beneficial, particularly for the health portfolio.

The Minister for Health had between 25 and 30 advisers, which we would expect in such a large portfolio, with many issues to be addressed. However, during that six-hour period, as the Deputy Speaker indicated, only 72 questions were asked. Although the Deputy Speaker indicated that 53 questions went to the Opposition and 19 to the Government, the reality is that many of the answers from the Government were extremely long. Therefore, the number of questions that were asked by each side does not indicate the amount of time that the Opposition and the Government had. I do not say this as a criticism, but on occasion, five or six different advisers commented on the same question, because each adviser wanted to add a comment; and sometimes five minutes was spent on one answer. At one stage I looked at my watch, and one answer from the Government had taken 15 minutes, because the minister had handballed the question to five or six advisers.

The appropriation Bill is probably the most important Bill to come before the Parliament, yet the committee process for the examination of that Bill is different from that for a normal Bill, in which we normally have an exchange between the minister and a member of Parliament, and members can follow a theme or develop an issue and can ask repetitive-type questions on the same subject. We cannot do that in the estimates committee, because by the time five or six other people have asked a question, things have moved on and there is no opportunity to explore and debate an issue of importance. I find that strange, considering the importance of the estimates committees and of putting the appropriation Bill through the Parliament. I am not criticising the Government, because it is following a process that has been in place for some time; and, if anything, it has improved that process. However, I found the process flawed when in government, and I say the same in opposition. It is very difficult, because of the number of advisers and the rotating nature of the questions, for opposition and other members to work through the budget in detail and explore an issue for any length of time; hence we end up having to put on notice questions that we could have asked in the Chamber, or we have to find other ways of gaining that information. That does not do the Parliament or the estimates committee process justice. It also means that people who want to read the debate in *Hansard* - because this is a public process as well - are denied the exploration of issues that need to be explored through the estimates committee process. As I said at the outset, I do not criticise the Government for that. This Government is continuing with the process that is in place, but if we want to use the committee process when dealing with the appropriation Bills to obtain information and explore issues that are of interest to members and the community, we should look at it. It is a question of whether we really want to use that process properly. If we do, and if that is what we as a Parliament intend to do, the Government should look at whether the process should be further refined. Questions and answers could have time limits, similar to those in debates in this place. The Opposition could be given a time frame within which to examine an issue, rather than have questions rotating around six different members so that we do not have the opportunity to explore issues to their conclusion. There are many ways in which this process could be better used to extract the required information. I thank the Government for the opportunity to participate in discussion on the committee process.

**MR TRENORDEN** (Avon - Leader of the National Party) [5.31 pm]: I will make some comments on the estimates process. I ask the Leader of the House to take into account some of my history: I spent 12 years as a member of the Public Accounts Committee and eight years as chairman, during which time we looked constantly at the budget. On 16 June 1998, the current Premier, as then Leader of the Opposition, asked a question of the then Premier, Richard Court. He said -

... budget papers are misleading and lacking in financial transparency ... the Budget does not give members of Parliament enough information about where money is being spent?

He then alluded to an attack on the budget presentation by government members, and concluded by asking -

... what action does he intend to take to improve next year's budget presentation?

I make that point, because for as long as I have been a member of this House that has been the argument about the budget papers. Interestingly, government members were also criticising the budget papers, the presentation of which is an important matter. The budget papers have a dual purpose: they are used by us, and they are also used by other Treasuries in Australia, private interests, academics and others. There is a conflict in that process. Since we have moved from a cash system to an accrual presentation of accounts, accountability has been lost. This has not been deliberate. I have nothing but admiration for Treasury officers who have worked diligently over the years to try to make the budget papers presentable to members of Parliament. That is a difficult process. Let us face it, members come from different backgrounds; some of us can read balance sheets, but others cannot. I would never criticise a member for not being able to read a balance sheet or for not getting involved in an in-depth reading of the budget papers, because it is hardly scintillating material; however, it is a very important part of the process.

I will make a few comments about how we can make the budget papers more accountable and more informative. I have been looking at this matter for some years. The Premier and the Treasurer could start by looking at the education portfolio, which could be a great deal more accountable. The coalition's last education budget was made up of seven outputs: preprimary, primary, secondary, residential agricultural education, isolated and distant education, education for

students who require non-innovative education and senior college education. This year's budget had two outputs: primary and secondary. Going from seven outputs to two outputs is a substantial reduction in accountability for the second biggest budget division. It makes it a lot more difficult for members who have an interest in education, and that probably includes all 57 members of this House. That is a reasonable criticism of the budget process. Education has a \$2 billion budget, but the budget papers contain no mention of residential agricultural education or isolated and distance education, expenditure on which amounts to more than \$20 million. There is no mention of expenditure on services for students who have special needs and disability problems, which amounts to \$65 million. It is important that members are able to dig into the budget papers and find out what they want to know. It is not acceptable to have only two outputs for a budget division with expenditure of \$2 billion.

Mr Acting Speaker (Mr Edwards) will be in agreement with me, because in every agency there is a lack of distinction between city and country appropriations. Those of us with an interest in rural Western Australia cannot delve into the budget papers and extract programs and activities that relate to the country. Many agencies are connected with that appropriation. The budget papers should contain a page with an appropriation based on regional development commissions. There must be a reason for doing these things, and it would be logical to ask agencies to list their expenditure in clusters or to list accumulations of expenditure within regional development commissions. That information would be useful not only for you, Mr Acting Speaker, and me, but also for the regional development commissions and the shires within those commissions. It is important that that information be provided. Some agencies will say that they do not have the capacity to do that. I would prefer that the agencies with the capacity to do so supply the information, and those that do not have that capacity could indicate that, and we could deal with them at a later date. The whole purpose of the estimates is to make the Government of the day accountable to the House, and it is a very important process. It has always been my view that the estimates are the worst part of the government process. We in this House have debated these issues on many occasions and I do not intend to debate them now. We should be acting to improve the estimates procedure as best we can.

During a number of estimates hearings, we were told that expenditure on programs such as the salinity strategy was apportioned across more than one agency. That argument was used to try to pass the buck between different ministers. When multi-agency delivery of programs occurs, there is no clear appreciation of what is happening on important issues such as salinity. We should be able to follow serious issues such as salinity through the budget papers, even though funding is apportioned across a number of agencies. Salinity is a good example of an issue that involves a number of agencies. One should not need to be Einstein to work those things out from the budget papers. Literally thousands of people outside this House have an interest in that issue. They should be able to pick up the budget papers and read about it for themselves, and not have to take my word for it or that of the Leader of the Opposition, a minister or some spokesman from this side. They should be able to find that information for themselves so that they can satisfy themselves about what happens to the money. I am critical that in the *Budget Statements* people are not able to follow the expenditure across agencies to arrive at a global figure on, for example, salinity measures.

The issue of major achievements has been around forever. Some of the major achievements in the budget papers this year, as in previous years, are appalling. They are motherhood statements that mean nothing at all. From memory, the Financial Administration and Audit Act was passed in 1985. Some 17 years after the passage of that Act, which established the guidelines for budget outcomes, it is time we got those things down pat. Either we present the information in such a way that people can easily follow the system of achievements and outcomes in a budget, or we do as the Canadians have done and delete those statements. The Canadians are yet to agree that including motherhood statements is of any value at all. Those type of statements just waste the time of the Estimates Committee because members ask global questions about them and go on a fishing expedition when they should not have to. Major achievement statements should provide a description of the major achievements; they should not be motherhood statements. Some years ago the Auditor General tried to clamp down on these types of statements, and it is time for him to do it again. I do not want to pick on the Auditor General because I have great respect for him. Nevertheless, we cannot allow agencies to make statements about major achievements that are far too general. Output descriptions are also inadequate and require further questions during the Estimates Committee to work out what they are about.

The budget papers must be developed more sharply so that when members read the budget papers, they have a clearer idea of what they mean. It is important that Treasury take on board that message and not allow agencies to provide inadequate output descriptions; they must be clear and concise. If they are not clear and concise, we must question why they are there at all. Some tables - for example, the relationship to government strategic objectives - are little more than major achievement statements. Sections within the budget papers are too broad and are too much like motherhood statements to be of any real value to the budget papers; they must be tightened up.

Some tables, such as key effective indicators, are also too subjective to be useful. It all goes back to the FAAA. After 17 years of the operation of the FAAA, we must either operate the major achievement statements more effectively or get rid of them. The Leader of the House must do this because he has his hands on the levers. The Premier and the Treasurer must go back to Treasury and demand that the budget papers be improved. They must do that not because the Opposition thinks this is a conspiracy - I do not - but because we want better budget papers. They are becoming thicker each year. We cannot control that. However, if they are thicker, the content should be better. All of us must ensure that the content of future budgets is better than it has been.

The *Economic and Fiscal Outlook* remains the best publication of the budget documents. It is an important document. For members who do not spend a lot of time reading the budget papers, I suggest they put the *Economic and Fiscal Outlook* document in the drawer -

Ms McHale: By their bedside.

Mr TRENORDEN: I would not suggest that unless they are having trouble sleeping. However, members should keep it nearby because it contains good information. It can be used to demonstrate what I was talking about when I referred to agency papers. It is more concise than the agency papers, which makes it easier to find where money has come from and where it is going.

We congratulate Treasury for putting the budget on a CD-ROM. The previous Government started to implement that process, but that is neither here nor there. The use of CD-ROMs is a very good idea. It has been suggested that we could do without them. However, country members cannot do without them because many Internet users in the country have such a slow connection to the Internet that it is hard for them to download large amounts of information. Rural users must have the budget information available on CD-ROM. In future, the CD-ROM must list the page numbers of the *Budget Statements* so that one can be related to the other.

Question put and passed.

### APPROPRIATION (CONSOLIDATED FUND) BILL (NO. 1) 2002

#### *Third Reading*

MR KOBELKE (Noilamara - Leader of the House) [5.46 pm]: I move on behalf of the Treasurer -

That the Bill be now read a third time.

MR MARSHALL (Dawesville) [5.46 pm]: In speaking to the appropriation Bill, I remind the Government that the penny has dropped for the public. It has suddenly realised that it is disgruntled at the significant increases in payroll tax, land tax and stamp duty. Incidentally, they are all broken election promises. The public should be disgruntled because as well as increases in those three items, water, sewerage and drainage charges have increased by 3.5 per cent; compulsory third-party premiums have increased by two per cent; motor vehicle registration fees have increased by five per cent; parking levies in the central business district and probate fees have all increased; transport costs are up 2.6 per cent; and water rates are up by 2.8 per cent. The Government increased all those charges after it went to the polls promising the people of Western Australia that there would be no increases at all.

Of these increases, I am particularly concerned by the Government's decision two weeks ago to increase stamp duty on the purchase of houses and motor vehicles. This imposition disadvantages the young people of Western Australia, and it could also be considered an imposition on the elderly people of Western Australia. The extra stamp duty of \$295 on a moderately priced property of \$150 000 does not sound like much until people must pay it. The stamp duty on a \$15 000 vehicle was increased by \$37.50.

I have previously mentioned the highs and lows of our State. The State is overburdened with elderly people, although there is a growing population of younger people. Elderly people are moving out of their four-bedroom homes and are buying smaller ones because they do not want to maintain, and no longer need, a big house. Now when they move house, they will be taxed at a higher rate. We should be looking after the elderly people of this State. On the other hand, young people who have saved a small deposit for a moderately priced house are also being taxed. I have not yet referred to the \$500 000 houses and the extraordinary increases in stamp duty that must now be paid on them.

Little fish are sweet. The little people will be taxed the most. Elderly people cannot afford these tax increases because their pensions are being depleted. Every day, people retire who will have to carefully watch their money and their retirement plans. I know people getting to the age of 65 years who have sold their \$280 000 house and bought a \$150 000 townhouse. After bringing up children, and for the first time in their lives, they have \$100 000 to spend. People are disgruntled. They understand that the youth of today, the future of Western Australia, are not given a chance to get going.

Other budget items affect my electorate. The delay in the development of the Perth to Mandurah rail link is costing Western Australia taxpayers millions of dollars and has cost the people of Mandurah thousands of dollars. The original route was to cost \$1.2 billion but has blown out to \$1.4 billion. That is within only two years of this Government coming to office.

The ACTING SPEAKER (Mr Edwards): Order, Members! There are too many conversations in the House. I am finding it difficult to hear the member although he is quite close to me. Hansard is also finding it difficult to hear. Members should be quieter or conduct their conversations outside the House.

Mr MARSHALL: I must say that \$400 million is a very large amount just to change the direction of a track to save 12 minutes in commuting time. The money will come from taxpayers' pockets. The delay is costing thousands of dollars to people in my electorate because the rail link will promote tourism and the hospitality industry will blossom. The rate of employment will improve and the retail and housing sector will explode when the rail link is in place. In addition to