

ACTS AMENDMENT (STUDENT GUILDS AND ASSOCIATIONS) BILL 2002

Consideration in Detail

Resumed from 5 November.

Clause 4: Section 44 amended -

Debate was adjourned after the clause had been partly considered.

Mr B.K. MASTERS: When I spoke on this Bill on Tuesday, I asked the minister to advise what were some of the amenities, services or facilities to which the money that will be raised via the amenities levy would be directed. The minister gave a couple of examples, but I was not convinced that many of those services deserve to have that funding. When I was at university, I did not think then, and I still do not think now, that we needed the snooker room, the bridge club or card room, the movie nights and the live gigs with local bands. I even saw the Bee Gees perform before they became well known.

Mr A.J. Carpenter: At university?

Mr B.K. MASTERS: At the Octagon Theatre in about 1968.

On Tuesday the minister said there may be a need - and I agree - for subsidised child minding facilities. However, very few of the other services, facilities or amenities mentioned by the minister justify the imposition of this sort of levy. We are dealing in this part of the Bill with Curtin University of Technology. Can the minister indicate which of the services that are provided at that university desperately need some form of subsidy through the imposition of an amenities levy?

Mr A.J. CARPENTER: The member's opinion of what may be a valuable service obviously varies from the opinion of others; that is why we are proposing universality of service provision rather than seeking to impose a user-pays approach. I do not have a comprehensive list of all the services that are provided on campus at every university. My answer is in the broad terms that I have already provided to the House. The university guild representatives were in the parliamentary precinct on Tuesday, and they provided me with various lists of the services to which their moneys would be applied. Some of the broad categories of amenities and services upon which the fees would be expended were representation and advocacy services, health and welfare services; cultural activities, social activities along the lines the member has just mentioned from his experience, commercial activities; sporting and recreational activities, buildings, communications and information technology and associated infrastructure, investments and reserves, and other amenities and services to benefit the student community. It also includes the administrative cost of providing any or all of these amenities and services and collecting the fees. In more specific terms, the list that we provided to the House on Tuesday of the services that these fees would be able to enhance or re-establish included subsidised food and beverages, meeting rooms, orientation information, support for overseas students, increased support for student clubs and societies, and financial counselling. I have mentioned sporting associations and cultural events. The member has mentioned bands. I would think that the once in a lifetime experience of seeing the Bee Gees in concert at university would have stuck in the member's mind and he would have been eternally grateful for that.

Mr B.K. Masters: It has stuck in my mind, but I question whether it needed to attract a subsidy from the other students.

Mr A.J. CARPENTER: The member needs to broaden his horizons rather than consider this matter in the light of just the one-off experience he has had. This is part of the universal provision of services. Edith Cowan University will, for the first time, be able to employ professional staff such as advocates and counsellors on matters involving Centrelink and Austudy. A vast array of services will be provided. I think the member is aware of that.

[Quorum formed.]

Mr J.L. BRADSHAW: The problem I have with this clause is that the fees that will be raised will go automatically to the student guilds or unions. Some people are philosophically opposed to being a member of a union. It is all very well to say that people do not have to be members of the union; the fact is that some of the money that they will be paying for the amenities and services fee will go to student unions or guilds regardless of those people's wishes and philosophical bent. What will happen to those people? This Bill may cause people who are philosophically opposed to these types of organisations to decide that they will not go to university if that means that some of their money will go to a student guild or union. I believe the Plymouth Brethren are philosophically opposed to unions. The other issue is why should people at universities subsidise the pleasure of other people who, for example, join the football, squash or tennis team or use the bar and eating facilities? Some

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of these people are poor and are battling to raise the money to pay university fees and living allowances, let alone contribute to someone else's joy.

Mr A.J. Dean: The people of Bunbury subsidised the people of Harvey when the Bunbury Regional Entertainment Centre was built.

Mr J.L. BRADSHAW: We will get to that matter another time, if the member wishes; I am talking about universities at the moment.

Mr A.J. Dean: It is the same thing.

Mr J.L. BRADSHAW: Bunbury is subsidised by people from the Harvey area when they shop in Bunbury and contribute to its economy in that way. The member should not go down that path.

Some people going to university are struggling and must work to cover costs. Under this legislation they will be compelled to contribute to fund facilities and services that they might never use. It is wrong that people should have to contribute in that way. As I said earlier, some people are philosophically opposed to unions and yet their fees will go to a student union or guild. If that is the case, they might decide to not go to university. It is wrong for people who are philosophically opposed to unions to be treated in this manner.

The Government is moving in the wrong direction. I want some answers about why people should contribute to a facility they may have nothing to do with, just to subsidise, for example, cheap meals. If people are worried about the cost of food, they should take a bread roll and a bit of meat and salad to university for their lunch. That is the best way to get a subsidised meal. Eating in a restaurant or a cafe is the dearest way to eat. It is about time that this Government started to think about the whole community, rather than being philosophically bent and making everybody join the student guild and union game to provide these amenities. I would like the minister to answer my questions.

Mr A.J. CARPENTER: In relation to the member's assertion about compulsory guild membership and/or unionism, it is my view, which is bulwarked by various court decisions, that automatic membership of a student guild is not tantamount to compulsory guild membership or compulsory unionism. Guilds and unions are not synonymous. In relation to the assertion about students' compulsion to join a guild, I direct the member's attention to proposed section 44(7) in clause 4(3) which states -

A student may elect at the time of enrolment not to become a member of the Student Guild, and . . . may resign at any time

The prospect that the member raised of prospective students not attending university because they do not want to join a union or a guild is addressed by that provision.

The issue the member raised about the expenditure of moneys and some people not wishing to contribute is an argument that has been mounted for more than 30 years. It is incumbent upon a university administration and its guild to ensure that the overwhelming majority of students are desirous of the services and amenities provided, and they then have the choice to use those facilities. I draw the analogy, as I have before, to the local government situation. I am a citizen of the City of Melville and I pay my rates, even though I do not think I have ever used any of its sporting ovals. I do not think I have used many of its facilities, but I contribute to them because I recognise that it is in the greater interests of everybody in the area to have those facilities and services provided. The same principle applies to this case. This is a matter upon which we will continue to disagree. However, that is the answer to the points the member raised.

Mr J.L. BRADSHAW: Either the minister was not listening, or did not wish to listen, to what I said. I said that those who are philosophically opposed to unions, and I understand that they are not automatically enrolled in a student union or guild, may not want their money to go to a student union or guild and that, therefore, may preclude them from going to university. I do not know, I have not spoken to these people -

Mr A.J. Carpenter: No, the member does not know. This situation applies in every other State.

Mr J.L. BRADSHAW: I do not care about every other State. I am worried about the people in Western Australia whom I represent. I am not worried about what happens over east. If people in the eastern States want to be stupid and have this legislation, that is their decision. This legislation may preclude people from going to university if they are philosophically opposed to, and have a strong beliefs about, unions and whether one should become a member. Everybody who goes to university in Western Australia will have to pay a fee that will go to a union or a student guild, and it may preclude those opposed to unions from going to university. The minister said that proposed section 44(7) allows them to elect not to become a student guild member. I understand that. However, their money will go to a union and that may deter them from going to university.

I want the minister to answer that question. I do not think he can because this legislation makes it compulsory for every person going to university to pay this fee. It is wrong. Students should have the option of paying. It is

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all right to draw an analogy about paying council rates and how that contributes to the community; I understand that and I am in exactly the same position. However, this fee is another add-on cost. The minister was right when he said that those facilities exist in local government areas. If students want to use the football ovals, squash courts, recreation grounds or parks to run around, good on them; that is what their parents or their rental property owners pay for in their local government rates. However, this fee is another cost that should not be imposed on students going to university, if they do not want to pay it. Let the bars, restaurants and cafes stand on their own feet. Let the football oval and the football team stand on their own feet. Do not make everybody who goes to university subsidise those amenities. What a joke this is! I would like the minister to answer my question about people who have a philosophical opposition to unions and whose money will contribute towards them. It is a moot point and the minister failed to answer it before.

Mr A.J. CARPENTER: I have answered it to the best of my ability. This provision will not preclude anybody from going to university. The member can make that assertion but, as he said, he does not know. The guild membership is not compulsory. If the member wants to talk about the structure of the amount of money that flows to the guild, I could mount an argument based on his analysis that at least 50 per cent of students will now join the guild. Those over and above that figure who do not wish to be a member of guild will pay their fee and the money will go to the university administration.

Mr J.H.D. DAY: This clause deals with the membership aspect of the legislation related to the Curtin Student Guild. The minister has made much of the fact that students are not required to be members of that guild under this legislation, which is correct. However, in effect, we submit that students are required to join the organisation because they are required to fund the organisation. This provision is tantamount to compulsory student unionism. Nevertheless, the minister has made much of the fact that students are able to opt out of membership if they so wish, although there will be no financial advantage in doing so.

The wording of this clause means that students will be automatically deemed to be members of the Curtin Student Guild unless they actively indicate otherwise. The university, as provided for in subclause (4), is not permitted to, in any way, discourage or dissuade a student from joining the Curtin Student Guild. That is fine as far as it goes because a university should not actively dissuade a student from joining its guild. On the other hand, from the way this clause is worded at the moment, it appears that the university, in its admission procedures and on the enrolment forms and so on that will be produced, will be precluded from providing any information about the fact that students are not required to join the Curtin Student Guild if they do not wish to. Therefore, this clause could be worded in a far better way to make it clear that students are not required to join student guilds if they do not wish to do so. On the other hand, if they wish to join the Curtin Student Guild, they should actively indicate their desire to do so.

In the absence of the member for Kingsley, I move the following amendment on her behalf -

Page 3, lines 24 to 26 - To delete the lines.

The amendment will have the effect of deleting proposed section 44(6) of the Curtin University of Technology Act 1966. If the amendment is passed, students will not automatically become members of the Curtin Student Guild unless they actively indicate their desire to be members.

Mrs D.J. Guise: Surely you can see that clause 4 provides students with a choice about whether they becomes members of a student guild. The choice is quite clearly given. Can you see that the choice is given in the way the legislation is written?

Mr J.H.D. DAY: Yes, the Opposition accepts that students have the choice to opt out of membership. However, as the legislation is currently worded, it is quite clear that they will automatically be deemed to be members unless they actively indicate their desire not to become members.

Mrs D.J. Guise: The choice is there.

Mr J.H.D. DAY: There is a theoretical choice. The Opposition does not believe there is a real choice in the sense that students are required to pay the fees. It would not make much sense not to become a member given that, in some cases, the fees will pay the salaries of student union leaders, and before a student can vote at elections or run as a candidate he or she must be a member of the guild. It would make sense to be a member. The Government does not believe that students should be required to be members, and, although the Opposition supports that view, it goes much further because it believes that students should not be required to fund the guilds if they do not wish to do so. Therefore, it would be more appropriate if students were required actively to indicate their desire to be a member of the guild or not to be a member, rather than the situation that currently exists in clause 4 whereby students are deemed to be members of the guild unless they actively indicate a desire not to be a member.

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Mr W.J. McNEE: I have difficulty with this matter because although the Government has stated that guild membership is not compulsory, it really is. Clause 4(3), proposed section 44(5), states that any student is eligible to be a member of the student guild. Indeed, they are eligible. However, students have to put money into the guild and they will be required to pay whatever amount is set. The fee will have to be paid; it does not indicate that membership is not free. Students can resign from the guild, but they will still have to pay the fee. If I join a golf or bowling club, I pay a set fee. I am not forced to do anything except go along and play golf or bowls. I do not have to do anything other than pay the set amount of money, which allows me to have a say. When I decide that I no longer want to be a member of a golf or bowling club, I simply cease paying the money.

Mr M.P. Whitely interjected.

Mr W.J. McNEE: If I were the member for Roleystone, I would brush up on my teaching skills because he will need them in a couple of years time. We are now closer to the next election than we are to the previous one. Therefore, if I were the fellows on the government backbench I would be very careful. I would not be forcing students to do anything because -

Several government members interjected.

The ACTING SPEAKER (Mr A.P. O’Gorman): Members, the member for Moore has the call.

Mr W.J. McNEE: They are very toey, Mr Acting Speaker.

In this House the Premier has talked about freedom and choice. However, there is no choice with this Mugabe-style Government. Mr Acting Speaker, as a result of your Government’s legislation, people in the community are losing their jobs because small business people cannot afford to employ them.

Mr A.D. McRae: Shock, horror!

Mr W.J. McNEE: Well, shock, horror back to the member for Riverton, who is about to lose his job. I do not think anybody will worry too much.

Mr A.D. McRae interjected.

The ACTING SPEAKER (Mr A.P. O’Gorman): Member for Moore, I ask that you address your remarks to clause 4 of this Bill and not to any other Bill.

Mr W.J. McNEE: I am doing that. I remind government members of the damage they have caused because they are so keen. They do not care about guilds or students. They are really about providing funds so that their politically aligned people can damage the rest of Western Australia. The measure is compulsive in every way, and it is repulsive. I would have thought that young people at universities would want the opportunity to make up their own minds. I would have thought that young people attending university would be well qualified to make up their own minds and to decide what types of amenities they need. If they need certain amenities, I am sure they can make up their minds as to how they can best be provided. If it is by paying an amount of money to a guild, that is fine. However, I am sure students do not want to be compelled to pay a fee.

Mr J.L. BRADSHAW: I support the amendment, which will remove proposed section 44(6). I am aware that the legislation states that students can opt not to be members of the student guild. However, the legislation is a tricky way of getting students to become members. I am sure that a form will not be provided that will allow students to tick one box if they want to be members of a guild and another if they do not. Students will automatically become members of a guild. Most students do not read the fine print about their rights at university. That is the last thing they worry about. They are more worried about which courses they can get into and whether they can handle being students at university.

Mr A.J. Carpenter: Did you say this would be the last thing they would be worried about?

Mr J.L. BRADSHAW: Yes, that is right.

Mr A.D. McRae: When was the last time you went to an enrolment day at a university?

Mr J.L. BRADSHAW: That is totally irrelevant.

The facts are that when students start university they will automatically be slugged with a fee that will be set by the university, 51 per cent of which will be directed to the student guild, and students will automatically become guild members unless they indicate that they do not wish to do so. I would like to know whether the enrolment form will have a box that will allow students to tick yes or no to indicate whether they wish to become members of the student guild. If that provision is made on the enrolment form, students will have an option. However, if they are not presented with that option, there is a good chance they will not be aware that they have that because, as I said, students do not generally read this type of legislation to find out what their rights are. They are fresh

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and eager to become students at university, and they are more interested in what courses they will take, the days they have to turn up for lectures, whether they will be able to handle the courses and the like. Most students attending university could not care less about student guilds. A certain percentage of students will want to use the facilities provided by the guild and a percentage will not, yet they will be forced to put money into those facilities. It is false to say that the students will get subsidised food and drinks. It is not a subsidy if the students have to pay at one end and receive a subsidy at the other end. Not everybody will get that subsidy because some students do not go into the bars and cafeterias.

Mr M. McGowan: Tell us about your university days.

Mr J.L. BRADSHAW: I did not go to university. During the second reading debate I said that I went to the Western Australian Institute of Technology, which is now called the Curtin University of Technology.

Mr M. McGowan: I want to hear some of the member's rollicking yarns.

Mr J.L. BRADSHAW: I do not have any rollicking yarns. We worked too hard and were too worried about studying to go to the bar and the cafeteria. I object to these provisions of the Bill. I support the amendment moved by the member for Darling Range on behalf of the member for Kingsley that we should remove the students' automatic enrolment to a student guild if they do not wish to become members. I would like the minister to tell us whether the students will have the opportunity to tick a box to confirm whether they will join a student guild.

Mr A.J. CARPENTER: I have previously indicated that the assertion that the Bill will provide students with automatic membership to a guild is basically correct, unless they opt not to be a member.

Mr P.D. OMODEI: I support the amendment proposed by the member for Kingsley because I believe that students should have the choice whether to become members of a guild at the time of enrolment or any other time. I strongly believe that they should have a choice whether or not to pay this tax. From my reading of today's newspaper, I understand that most of the students who were interviewed are not in favour of this fee.

Mr A.D. McRae interjected.

Mr P.D. OMODEI: I hear the rabbit from Riverton. I will direct my comments directly to the Chair so that I do not have to respond to the members in the vegetable patch on my left. I am sure that as students they were all very wealthy. Given their backgrounds, I am sure that they could afford all these extra charges. They could afford to go to the pub and become members of the Labor Party. As I said during the second reading debate, I asked one of my boys yesterday whether he used the facilities provided by the guild. He said that he could not afford to go boozing at the pub and the guild did not provide him with the services he required. He said that he was too busy studying for a good mark in his degree. He has about three degrees and has achieved honours. He said that the guild is a breeding ground for blooming socialists; it is a breeding ground for the Labor Party. It is no wonder that the Labor Party wants to introduce this compulsory fee. This is not about providing extra services for students; it is about furthering the ends of the Labor Party. This Bill will impose a burden on students at a vulnerable time in their lives when they need all the resources they have to help them in their studies so that they can reach the appropriate levels in their degrees. We should apply some commonsense. Many young people are struggling.

Several members interjected.

The ACTING SPEAKER (Mr J.P.D. Edwards): Order, members!

Mr P.D. OMODEI: Members only have to read today's newspaper. Members cannot say that *The West Australian* newspaper -

The ACTING SPEAKER: Order, members! I am finding it extremely difficult to hear the member from the Chair and I am sure that the Hansard reporter is too. The member for Warren-Blackwood is on his feet. It is unparliamentary for other members to talk while a member has the call, and I ask them to desist.

Mr P.D. OMODEI: I read the newspaper this morning. One could not describe *The West Australian* newspaper as the bastion of conservative politics. I would have thought it was a very even-handed newspaper. It reports very accurately - from time to time - about issues that occur in Western Australia. Having heard the debates the other day about this proposal for a tax on students, I was very interested to hear the views of the people who were interviewed by the newspaper as to whether they wanted to pay the new fee or become members of a student guild. It was a very good report. I find it incongruous that we are debating this type of legislation when there are far more important things to discuss in this Parliament than whether students should be forced to pay another tax.

Mr J.H.D. DAY: We are debating the amendment I moved in the name of the member for Kingsley. That amendment will do more to ensure that a real choice is available to students to decide whether they become

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members of a guild - in this case of the Curtin Student Guild. I have heard a few interjections from the Government's backbench. It is fascinating that we have not heard one speech during the second reading debate or the consideration in detail stage from a government member, except the minister who is obliged to speak on the issue. No government member has made a speech in defence of this legislation. I challenge government members to say a few words and place their support for this Bill on the record. If they do not, it will be clear why they do not.

There is growing hostility to this legislation on university campuses. That is evident from the article in this morning's *The West Australian*. When students return to university campuses in 2003, they will discover that they will be charged a fee of up to \$140. That fee will inevitably increase to the sort of level that students at the University of Sydney pay, which is \$460 a year. The students will realise that they will have to pay those amounts to fund activities, which, in some cases, they are opposed to and will not want to support, be involved in or take advantage of. Students will realise that they will be forced to pay these fees regardless of whether they want to, for no benefit in many cases. When that happens, they will become even more hostile to this legislation and to the Labor Government. I challenge some of the Labor members on the back bench to place their support for this legislation on the record. We have not heard one word from them so far in support of this Bill. That silence is deafening.

Mr M. McGowan interjected.

Mr J.H.D. DAY: The member for Rockingham must do more than simply make cheap interjections. Some of the members opposite have been through university. They have been on university campuses in Western Australia and can speak from experience. They should put their support for this legislation on the record; I challenge them to do so.

Mrs C.L. EDWARDES: I thank the member for Darling Range for moving the amendment in my name. I drafted this amendment after very carefully listening to the Minister for Education the other day. He espoused support for freedom of association and he was very clear that students did not have to become members of the guild. If the minister is really serious and is committed to not requiring students to become members of the guild when they join, he will support this amendment. Clause 6 should be deleted and clause 7 should be amended so that students have a choice. When they enrol, they pay the fee - that is a different part of the Bill. They should then be given a choice. It is legitimate for someone who is enrolling at a university to be given the choice of becoming a member of the guild. If the guild is doing its job and providing facilities, a student will obviously want to become a member. I was a member of the guild when I was at university and enjoyed many of the facilities that were provided. If a guild is doing its job, students will want to become members. Why should they automatically become members upon enrolment and then have to decide whether to not be a member? It is back-to-front. It is a negative. It runs totally against the idea of freedom of association. If the minister is serious about freedom of association, proposed subsection (6) needs to be deleted. Proposed subsection provides that a student will automatically become a member of the guild on enrolment. That is not freedom of association. Students can choose not to be members of the guild at a later stage. However, we should amend proposed subsection (7) to allow students to choose at enrolment whether to become members of the guild. During Tuesday night's debate the member for Churchlands asked whether students would be able to tick "yes" or "no" boxes on enrolment forms. The answer was that those boxes would not be provided; there is no opportunity for that. Proposed subsection (6) does not provide that choice. Students only have the opportunity on the enrolment or a separate form to say that they do not want to become a member of the guild. Proposed subsection (6) does not provide that choice. I ask the minister to support this amendment and the subsequent amendment to proposed subsection (7) to give students the choice of becoming members of the guild. If guilds do their job right - the minister has indicated that he is confident that they will - students will automatically want to become members. They should not automatically become members of the guild on paying the fee. They should make that decision themselves.

Mr W.J. McNEE: I do not like having to keep on about this, but the principle of choice is at stake. I did not go to a formal university, but I went to the university of hard knocks.

Mr P.D. Omodei: And graduated with honours.

Mr B.K. Masters: I think you have a doctorate.

Mr W.J. McNEE: I probably have a couple of them. I will tell members what that did for me; it helped me suss out a dirty deal. It certainly helped me decide which way was right and which way was wrong. This is certainly the wrong way to go. The Government is removing the right to choose. However, it is not removing the opportunity not to pay! An election was recently held in the wool industry. That election absolutely devastated the non-performers. When I was thinking about the upcoming election I hoped that those blokes would go, but I thought that they would probably survive. However, the growers knew that they were not getting value for their

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dollar, so they threw them out. The Government is giving people who enrol at university a \$500 Gallop tax on education, which they will pay whether they like it or not. What is the real reason behind this provision? It is to further the aims of the Labor Party; it is for no other reason. This will involve millions of dollars; we are not talking about just a few peanuts.

Mr C.J. Barnett: \$10 million.

Mr W.J. McNEE: It is \$10 million. People will not have any choice but to pay the Gallop tax on education. The Government is saying that this is good for students. It is not giving people the opportunity to make up their own minds about joining guilds. The amendment moved by the member for Kingsley is of vital importance. Young people who are about to go to university should congratulate the member for Kingsley; they should certainly be on her side. This issue concerns the very freedom that I have sometimes seen students protesting about. It is a freedom that they say they do not have in the world's greatest country. It is the very freedom that the Government wants to take away from them. That is not fair. They should have the opportunity to make that decision. The minister said that he did not know about ticking a box. The fact is that people will roll up to the universities to enrol and will then have to pay the hundreds of dollars or whatever it might be in guild fees. It is a tax. As has been pointed out, it is a very important tax. It could turn out to be \$500. The rural industry used to have a thing called a weigh bill book, because we had to have some system of making sure that sheep were not stolen. I can remember when those books were free. They are not free today. I do not care; they only cost a few dollars. Young students should be very careful when they put their feet on the fly tape because what costs a dollar today will cost \$20 or \$30 pretty quickly. The Government's fee will be \$500 before people can blink. In rough figures, students will have to pay another three bucks a week. They already pay rent. Young people from my electorate had to live in Scarborough. They had a big problem in accessing public transport to get to university. That caused real problems. If the Government is going to make them pay another \$500 or whatever it is going to be -

Mr P.B. Watson interjected.

Mr W.J. McNEE: I told the member for Albany the other day that he needed to polish up his old postal skills. He needs to see if the stamps are all right. He needs to keep them in order, because that is where he will be. If I were part of the new country Labor, I would be on my side, because the people who Labor members represent come from the same sort of area as the people I represent. Those people need some members with some guts to stand up for them, not someone who accepts the old Labor Party junk that says members will do this or that. Members on this side of the House do not believe in that. I urge the minister to treat these people with the respect with which I know he would normally treat them. I am surprised that the minister has allowed the Government to push him over, because he is basically a pretty fair sort of fellow. The Government has put the minister in a pretty untenable position.

Mr J.H.D. DAY: On the issue of guts, I wonder if any Labor members have any guts to support this legislation. Do they have the guts to get up and defend this legislation and put something on the record to show that they have the courage of their convictions? Their silence has been deafening, except for some cheap interjections that have not dealt with the substance of the issue. Only one member on the government side has spoken, and that is the minister, who has no alternative but to speak on this legislation. Even he would not speak on this legislation if he did not have to, because Labor members are starting to understand that this legislation will be very unpopular on university campuses in 2003. The Labor Party will be well and truly on the nose. Do any Labor members have any guts? Do they have the courage of their convictions to get up and place on record their support for this legislation?

Mr J.L. BRADSHAW: I have asked the minister a couple of questions, which he has failed to answer. I asked whether students who were philosophically opposed to being involved in student unions or guilds could be exempt from joining those organisations. Even though those students have the ability to choose not to be members of a student union or guild, their money will still go to those organisations.

Mr A.P. O'Gorman: They will still receive services.

Mr J.L. BRADSHAW: How does the member for Joondalup know that they will receive services? If they do not go to the bar or cafeteria or join the football club, they will not use those facilities. Why should they have to provide money for them?

Mr A.P. O'Gorman interjected.

Mr J.L. BRADSHAW: The member for Joondalup should show some guts and get up and speak in his own time if he wants to contribute to this debate. The minister has not answered my question.

Mr J.J.M. Bowler: Stop talking and it will give us a chance.

Extract from Hansard

[ASSEMBLY - Thursday, 7 November 2002]

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Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

Mr J.L. BRADSHAW: The Labor members from the vegie patch are absolutely pathetic, especially given the way they are rabbiting on. They should stand and speak in a disciplined way with the approval of the Acting Speaker (Mr J.P.D. Edwards).

Several members interjected.

Mr J.L. BRADSHAW: As has been pointed out on a few occasions, we supposedly live in a country of freedom. That freedom is being taken away from the students of the universities of Western Australia. I find it interesting that although this Government has removed compulsory fees for primary and high school students, it is introducing compulsory fees for university students. I do not see a big difference between those fees.

Mrs D.J. Guise: You do not understand the difference between fees for core education and an amenities and services fee. I have a problem with that.

Mr J.L. BRADSHAW: All I know is that when I went to the Western Australian Institute of Technology, there was no student guild or union.

Mr A.P. O’Gorman interjected.

Mr J.L. BRADSHAW: We had lecturers who turned up and lectured us. We went there to learn. We did not go there to go to the bar or the football club. If I wanted to be in a football club, which I was -

Mr R.C. Kucera: Now you are denigrating our students as well.

Mr J.L. BRADSHAW: The Minister for Health is denigrating our students. His Government is saying that they must be subsidised to attend those facilities. The Government has said that, not me.

Mr P.B. Watson interjected.

Mr J.L. BRADSHAW: I put my comments about university students in a press release. Members opposite have got themselves into a hole because they kowtowed to someone and said that they would introduce this legislation. This is a country of freedom, but we are saying that people who go to university will not have freedom. They will be forced to put money into those guilds. They will be members of the guild unless they say that they do not want to be. Again, the minister has failed to tell me whether students will be required to tick a “yes” or “no” box.

Mrs C.L. Edwardes: There will not be a “yes” box. They will have no choice.

Mr A.J. Carpenter: I have confirmed that. A person must opt out of the guild.

Mr J.L. BRADSHAW: I did not hear the minister say that earlier.

Mr A.J. Carpenter: That is what I said when I responded to the second reading debate.

Mr J.L. BRADSHAW: The minister said that a student must choose to opt out of the guild, but he did not say how he could opt out. Will he tick a box or write a letter saying that he does not wish to be a member of the student guild?

Mr A.J. Carpenter: I will not write the enrolment forms for universities. That is up to them.

Mr J.L. BRADSHAW: The minister is writing the legislation. He could include it in the legislation. This is wrong. The minister has not told me what will happen to people who are philosophically opposed to unions and do not want to contribute to them. Even if those students do not become members of the union, they will still have to give money to them. It may prevent them going to university. I would like the minister to tell me whether those people will be given some consideration and an opportunity to opt out of the situation the Government is forcing on every enrolled student.

Mr A.J. CARPENTER: I respond to the arguments for the amendment. Essentially, the amendment prescribes that during the enrolment process students can decide whether they want to join the guild - to actively opt in. We say that enrolment in university will confer upon a student automatic membership of the student organisation. Over time, it has been argued that that contravenes freedom of association principles. A number of jurisdictions, including the European Court of Human Rights, have found that it does not contravene the principles of freedom of association. In any event, to ensure that it was not a point of contention, I have included in this legislation a clause that will allow students the opportunity to indicate at the point of enrolment that they do not want to be part of a guild. The member for Murray-Wellington is right: it is an opting-out provision. Also, a student may resign as a member of the guild at any time.

I have responded to the other points to the best of my ability. I am sorry that I have not been able to satisfy the member. We will not support the amendment.

Mr W.J. McNEE: I cannot believe what I am hearing.

Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

Several members interjected.

Mr W.J. McNEE: I have told the fellows on that side that they are getting closer to the next election.

Mr R.C. Kucera: So are you.

Mr W.J. McNEE: I have told the minister that he is stuffing up enough with the health portfolio. He should concentrate on the health portfolio and not worry about me. I am more than capable of looking after myself. The Minister for Education says that a person can choose to not belong to a student guild. He cannot choose because he must pay his \$700 or whatever it is. He must pay the money; the choice is made for him by the Government. It says that once people pay the money, they will have the liberty to choose. I do not think I am misquoting when I say that the minister said that a student can tick a box saying that he chooses to not belong to the guild. That student might not approve of the guild. In this free world, people should be able to choose whether they give money to this, that or the other organisation. A person should choose what he does with his money. Someone might decide that he does not like the activities of the guild. It seems that, under this Bill, students will be forced to subscribe to activities of the guild, whatever they are. They will not have a choice because the Government is taking it away.

I ask the minister about people with religious beliefs. The Plymouth Brethren is a group of wonderful people who make a great contribution to this State. Its members do not believe in unionism. They have strong beliefs, and I respect people with strong beliefs. They would not pay that money. They could attend university, but they would not be able to graduate. The time it took them to do their course would be wasted. The Government is effectively barring those people from university. It is taking away freedom of choice. In which country was the leader recently re-elected with 100 per cent of the vote because he was the only candidate? I have forgotten which tin-pot country it was.

Mr F.M. Logan: It is the same country you sell your wheat to.

Mrs C.L. Edwardes: It was Iraq.

Mr W.J. McNEE: Is that what this Government is trying to emulate? The Government is taking away people's choice. If guilds were good things to belong to and performed well, everybody would join them. They would be knocking down the door to get in because no-one would want to dip out. However, they are proven non-performers. The Leader of the Opposition said that at one university only six per cent of students are members of the guild. Under this Bill, that guild will receive 51 per cent of the money. How can the Government justify that? I have never heard of such a rort, but this Government is saying that it approves of and sponsors this rort. How can members opposite do it? It represents all the things they mouth off about. This shows how genuine they are.

I urge at least the country Labor fellows to stand and defend their people. This is another intrusion into people's lives by a Government that does not care. There is no justification for this. I would like the minister to justify this non-existent choice. A student must pay the money. I would also like the minister to tell me how he intends to deal with people such as those in the Plymouth Brethren who have strong religious beliefs, make a great contribution to this country and are outstanding and great citizens.

Mr J.H.D. DAY: Is there any Labor member who would like to speak? If so, I will sit down to enable the call to be given to him. Is there anyone? There are a reasonable number of Labor members in the Chamber. The members for Southern River, Roleystone, Eyre, Albany, Innaloo, Riverton, Perth, Joondalup, Wanneroo, Rockingham, Bunbury, Girraween and Yokine are here, in addition to the Minister for Education. Would any of them like to get up and say a few words in support of this legislation? If so, I will sit down and enable them to do what they are elected to do; that is, to speak in this Parliament and represent their constituents. Would any of them like to? Not one!

Mr M.P. Whitely interjected.

Mr J.H.D. DAY: I am not arguing about the merits of the Minister for Education. I agree that he has a lot going for him - although he has a lot against him!

Mr A.J. Carpenter: Stop right there!

Mr J.H.D. DAY: As he said, we have a similar heritage. We both studied at the University of Western Australia and lived at St George's College.

Mr A.J. Carpenter: We had more hair!

Mr J.H.D. DAY: It wasn't grey either! The minister has a lot going for him. This is not a debate about the merits of the Minister for Education or his background; this is a debate about the merits of this legislation and compulsory student unionism. Would any Labor member like to get up and speak in its defence? Not one!

Extract from Hansard

[ASSEMBLY - Thursday, 7 November 2002]

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Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

If Labor members will not, I will say something in defence of student guilds. They are important organisations, particularly if they are well run and well managed and act responsibly with the money contributed to them. If all that is done, if they have general support from and provide benefits to students, they will attract membership. I understand that the membership of the UWA Guild of Undergraduates has increased in recent times, up to 50 per cent or so. That has occurred not as a result of compulsory membership or compulsory payment of fees; it has occurred in spite of it. The UWA Guild of Undergraduates must be doing something right; presumably it is offering services which are appreciated by students and from which they benefit. I attended the very well run open day at the UWA campus some months ago. I picked up some of the pamphlets published by the guild. The pamphlets encourage students to join the guild.

Mr A.D. McRae: Have you shown them to the member for Moore?

Mr J.H.D. DAY: I am showing him now. If the member cares to listen he may learn something. The point of this debate is that, at the moment, students have choice. They will join organisations if there is something in it for them. For example, the guild at the University of Western Australia is offering cups of tea or coffee for \$1. It is also offering 25 per cent off the price of its sports card, which represents a saving of \$12. It is offering 25 per cent off the price of parking permits. Emergency loans of up to \$75 are available; student loans of up to \$600 are also available. Free entry is available to the student tavern for special shows - that will appeal to some Labor members!

Mr A.D. McRae: The Leader of the Opposition!

Mr J.H.D. DAY: Members on both sides. It is also offering a 10 per cent discount on the cost of computer-related items. A 10 per cent discount is available for existing student-friendly prices in the guild village. A 15 per cent discount is available on contact lenses and spectacle frames. Those are some of the benefits offered to students at the University of Western Australia by the guild. Students will choose to join a guild if benefits are offered. The argument of the Opposition is that students should not be compelled to join a guild. Quite clearly, to take the other extreme, the Edith Cowan University Student Guild has only six per cent membership.

Mr B.K. MASTERS: I wish to give the member for Darling Range an opportunity to continue his comments. Before he does, I want to follow on from what he said. He was quoting from a pamphlet and highlighting some of the very good services that are provided by student guilds. I ask the minister to say - I suspect he will not - whether he agrees the following services and activities undertaken by the UWA Guild of Undergraduates are, in his personal view, desirable. Should there be funding of an alternative sexuality information department coordinator? Should there be funding from the guild to the UWA Rounders Club, which is the university gambling club? Should there be funding to the Socialist Workers Student Club, the web site of which states that the club is active in fighting against the Liberal Government? Obviously, the web site is a bit out of date.

Mr J.N. Hyde: The federal Government!

Mr B.K. MASTERS: As it is a state university I suspect it is referring to the State Government. Does the minister believe there should be guild funding for a university scavenger hunt? What about the national campus bands competition? How about the Oktoberfest? For members who know anything about such events, they are the least sober events that occur in a university calendar. What about funding from the guild for the guild balls? They receive subsidies. What about compulsory fees to the guild being used to support market days in the guild village? Does the minister personally support any one of those things? Does he think any of them is a good way to spend money?

Mr A.J. CARPENTER: I remind the member that we are dealing with legislation pertaining to Curtin University. The member should apply himself to what is before him and demonstrate the discipline that this side of the House shows.

Mrs C.L. Edwardes: If that is the way you want to play it, we will go through this legislation one by one.

Mr A.J. CARPENTER: That is your choice. This side of the House has discipline because it believes this legislation is a good thing and it wants to see it progress through the Parliament as expeditiously as possible. Members on the other side are adopting their approach because they think it is a bad thing and they want to slow down its progress as much as possible. That is the simple difference. The points raised by the member for Vasse illustrate to me the rich texture of a wonderful university campus life. I congratulate the guild. However, if the member examines the legislation he will see that the university administration has the capacity to lay down broad guidelines for expenditure. In any event, the guilds are democratically elected bodies. If their members disagree with the way money is expended they can do something about it.

Mr B.K. MASTERS: I will therefore refer to the Curtin Student Guild. I challenge the minister to tell me whether he thinks guild fees should go to the Megazone on the Curtin campus, which is the largest amusement centre of any Australian university. Should there be funding for the Curtin University Oktoberfest; the guild

Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

ball; the “Live it Up” day; the campus bands competition; the beach bash, or the market days, which are held on every second Wednesday of term? What about “Grill the Guild” sausage sizzles? Are these good ways for compulsory student fees to be spent by the guild?

Mr A.J. CARPENTER: I refer the member to my answer to the previous question.

Mr T.K. WALDRON: During the second reading debate I said that this legislation is about freedom of choice. The Chamber is now hearing about different guild activities. I raised concerns about how guild fees are spent. The minister said that guilds are democratically elected. That is fine, but I do have a problem. The member for Darling Range said that the UWA Guild of Undergraduates was promoting its activities and increasing its membership. I also mentioned that in the second reading debate. If student fees are compulsory the guilds can rest on their laurels. Yes, they can be thrown out, but they are not under pressure to perform. The guild at the University of Western Australia is trying to be proactive and is offering real benefits. If guilds do that they will attract more members. It is a basic right to have a choice. If a student agrees, or disagrees with what the guild is doing, he or she can choose whether to be a part of it. That should be a right.

Mr A.J. CARPENTER: I congratulate the member for addressing the amendment. I addressed those points in my response to the second reading debate about the desire of members for the guild to perform well. I drew the analogy then with members of Parliament. I do not expect members of Parliament to come into this Chamber and not wish to perform well, simply because they are in safe seats or anything else. I have great confidence that the members of the guild who are elected to office will be very keen to perform extremely well, and the university administration will be keen to ensure that as well.

Amendment put and a division taken with the following result -

Ayes (16)

Mr C.J. Barnett	Mrs C.L. Edwardes	Mr B.K. Masters	Mr T.K. Waldron
Mr M.F. Board	Ms K. Hodson-Thomas	Mr P.D. Omodei	Ms S.E. Walker
Dr E. Constable	Mr W.J. McNee	Mr P.G. Pandal	Dr J.M. Woollard
Mr J.H.D. Day	Mr A.D. Marshall	Mr D.F. Barron-Sullivan	Mr J.L. Bradshaw (<i>Teller</i>)

Noes (25)

Mr P.W. Andrews	Mrs D.J. Guise	Mr A.D. McRae	Mr D.A. Templeman
Mr J.J.M. Bowler	Mr S.R. Hill	Mr N.R. Marlborough	Mr P.B. Watson
Mr C.M. Brown	Mr J.N. Hyde	Mr M.P. Murray	Mr M.P. Whitely
Mr A.J. Carpenter	Mr R.C. Kucera	Mr A.P. O’Gorman	Ms M.M. Quirk (<i>Teller</i>)
Mr A.J. Dean	Mr F.M. Logan	Mr J.R. Quigley	
Dr J.M. Edwards	Mr M. McGowan	Mr E.S. Ripper	
Dr G.I. Gallop	Ms S.M. McHale	Mrs M.H. Roberts	

Pairs

Mr M.J. Birney	Ms A.J. MacTiernan
Mr R.F. Johnson	Mr J.B. D’Orazio
Mr R.N. Sweetman	Mrs C.A. Martin
Mr B.J. Grylls	Mr J.A. McGinty
Mr M.W. Trenorden	Mr J.C. Kobelke

Amendment thus negatived.

Mr J.H.D. DAY: I move -

Page 3, line 27 - To delete “not”

The House has been debating whether students have a real choice in whether or not they wish to join, in this case, the Curtin Student Guild. The Opposition is of the view that more should be done to provide genuine choice. That was the rationale behind the amendment that has just been voted on. It is consistent with that philosophy that I have moved that proposed section 44(7) be amended by deleting the word “not”. This would have the effect of ensuring that students must indicate that they wish to be members of the guild, rather than indicate that they do not wish to join. As we have discussed earlier this morning, the minister has made much of the fact that in his view choice is available to students, even though they will not have any choice about whether they pay the fee. They will be required to pay a fee whether they wish to subscribe to the activities of the guild

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or not, but there is a theoretical choice of becoming a member or not. The Opposition has the view that if students wish to join, they should be required to indicate this. We would certainly not discourage them from doing so. Indeed, on the contrary, I would encourage students to join the guild, particularly if they are paying the money anyway and even if they are not paying the money. It is in the interests of students to join these organisations and to have a say. However, the whole point of this debate is that students should be able to choose for themselves. At the moment this legislation does not go far enough to ensure that students have a choice about joining the organisation or not. It would therefore be appropriate to delete the word “not” from this proposed subsection, so that students have more of a choice about joining the guild. In other words, the students must indicate that they wish to join the organisation, not that they do not. This amendment should be supported.

Mrs C.L. EDWARDES: I support the amendment, on the basis of the choice, and the benefit that choice will have to the guild itself. Everyone knows that students who make a commitment are much more likely to participate in the activities and decisions of the guild, than if they are compelled to join, or have become members by virtue of proposed section 44(6). If members are really interested in the life and value of student guilds, they would want those students who have a commitment to the activities and decisions of the guilds to become members by choice. As members of Parliament, we all know about those who get involved in community activities. Often, one person wears many hats. Very few people make a decision to get involved in something unless they wish to respond to something they clearly dislike. It is far better, in any organisation, if people make a commitment. Committed people are empowered to get involved in what the guild is offering. Being compelled to become members by virtue of paying the fee, and having to make a choice not to be members, takes away that empowerment. That may be one of the reasons the Labor Government is proposing this legislation. It may not want students to get involved in the guilds, and would be very happy to have the guilds run by a small number of people. We will shortly be debating clause 5, which deals with the services and amenities fees, and the way that the council is involved in the determination of that fee. Everything about the services and amenities fee is geared towards the guilds. No less than 50 per cent of the fee will go to the guilds. Therefore, if the guilds increase their membership, they will get a proportionate increase in funding from fees. The guilds will not have to do very much to get more than 50 per cent of the services and amenities fee. The services and amenities fee is really about the guilds; it has nothing to do with the universities providing facilities, services and amenities to students. We would have far more effective guilds if we were to empower people to make the decision about whether to join or not join the guild. We should let people make their own decision rather than say they will become a member automatically once they have paid the fee.

Mr W.J. McNEE: I support the amendment, because it upholds an important principle. What we are seeing here is the standard trick that I learnt a long time ago; namely, when we ask a question and we do not get an answer, we should be very careful. Therefore, I ask the minister again: what does he intend to do for people like the Plymouth Brethren who have an aversion to unions and will not pay the fee? Will they be barred from going to university? I heard someone say that if the universities do not have the money, they will not be able to provide the facilities. What a wonderful way to have a business! I would love to be able to start a business and say, “I want to provide services, but I do not have any money, so someone will have to give me the money.” That would mean that I would be able to just wander along and would not need to perform, because I would be guaranteed to get money regardless. We want people to say that they want to belong to the guild. At least that will make them want to follow where their money is going, because we find in life that the heart usually follows the wallet. It is important that students be alerted to the fact that part of their money will go to the guild, because when they go to university on the first day to enrol, that is probably not one of the things they are thinking about. It should be made clear to students what they are doing when they pay this fee, because this Bill will remove their opportunity to decide whether they want to be a member of the guild. This amendment will give students the opportunity to decide. That is very important. I ask the minister again: what will he do for people like the Plymouth Brethren?

Mr T.K. WALDRON: I support the amendment. I spoke earlier about choice and incentive to join the guild. The member for Kingsley said that if people want to be a member of a guild, they will contribute. On the other side of the equation, I am concerned that if a person’s money were to go to a guild and be used in an inappropriate way, resentment might build up against the guild. It might also cause the guild to not have a good name and be degraded in the eyes of the students and cause long-term damage to the guild. As the member for Darling Range said, guilds play an important role. If students had the right to choose whether to become members of the guild, everyone would want to be involved and be part of the team. The guild would then be proactive and would not have the people who had been forced to become members drag down the very body that should be representing them. That is a real concern in the long term.

Mr A.J. CARPENTER: People do not need to become members of the guild. At the time of enrolment they can opt out.

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Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

Mr W.J. McNee: But they will still have to put in their money.

Mr A.J. CARPENTER: A number of different issues are involved. We are proposing to allow universities to impose a services and amenities fee for the universal provision of what we expect to be fantastic, wonderful on-campus services, facilities and amenities. That is the purpose of the fee. We believe that upon enrolment, automatic membership of the guild should be accorded. However, I insisted - as some people around the place would know - that although students should be required to pay a fee for the provision of services and amenities on campus, they should not be required to join the guild if they were of that mind, perhaps because they thought, like the member, that guilds were unions. People on both sides of politics have that view. I do not necessarily have that view, because in the normal context unions are an industrial organisation and involve an employer. In the case of guilds, no employer is involved. Students will have the right, upon enrolment, to decide, perhaps because of their religious beliefs, that they do not want to be a member of the guild. The reason we are imposing the levy is for the provision of services and amenities. That is the basic driver of this Bill. The guilds have historically provided a wonderful set of services and amenities on university campuses across Australia, and we recognise them as being the principal organisation through which services and amenities should be provided for the good of the whole student body.

With regard to the amendment, the member for Kingsley argued her point very well, but I think we inadvertently debated this matter in our previous discussion about whether at the time of enrolment students should be able to decide whether to join or not join the guild. The Government's view is well known. We will not support the amendment.

Mr B.K. MASTERS: What the minister is really saying to people like members of the Plymouth Brethren is that they will have to live a lie. If people are philosophically opposed to being a member of a union, perhaps because of their religious beliefs, the minister is saying that, on the one hand, they can tick the box and opt out of being a member of the union, but, on the other hand, their money will still compulsorily go to the guild for the guild to use for whatever purpose it may choose.

Mr A.J. Carpenter: Read the legislation.

Mr B.K. MASTERS: If a member of the Plymouth Brethren had a conscientious objection to unions of any sort and opted out of becoming a member, would part of his money still go to the guild? The answer is clearly yes. Therefore, the minister is saying to these people that nominally they can opt out of being a member of the union, but their money will still go to the union. The minister wants these people to pretend that they are not really making a significant contribution to the union. The reality of the situation is that the minister is asking these people to live a lie. The minister should give these people the ability to direct their money away from the guild. As I suggested to the minister during the second reading debate, a person enrolling at university should be able to say, "I am philosophically opposed to being a member of a guild. I am not opposed because I am short of cash. I am opposed for genuine reasons of conviction. Therefore, I direct that my money go to a worthy cause". If we were to bring in a clause like that, it would be voluntary unionism and what the minister is saying would be true. However, the reality is that the money will be going to the guild, and the minister is asking these people to live a lie.

Mr J.L. BRADSHAW: I also support the amendment. It is not totally to my liking, even with the deletion of the word "not", because I do not believe this legislation should be before the House. However, it is before the House; therefore, I am prepared to support the amendment to delete the word "not" so that on enrolment a student will have the right to decide whether to join the union. What will happen to a person who does not pay the fee? Will he be knocked back from going to university, not get his marks at the end of his course of study, or be thrown into jail? What is the score if he does not pay? I have not been able to find what happens anywhere in this Bill. What happens if a student opposes his money going into a student union or guild and he does not pay the fee?

I support this amendment. It is important that this provision gives people the ability to say no, they do not wish to become members of the guild, and that they do not automatically become members of the union and then have to opt out of it. The minister does not know how the universities will apply this option and whether students will have to tick a box on the form if they wish to become members. If students are forced to pay these fees, most people will tick the box indicating that they wish to be a guild member anyway, because they have already paid the fees. Why not be a member just in case they want to use the facilities? I am sure the minister would then say that 75 per cent of students are guild members, even though it is not their wish to be members or to pay the amenities and services fee. It will create false figures of those who want to be members of a student guild or union. I support this amendment, but it probably does not go as far as I would like it to go. However, at least it will give students the opportunity at enrolment to say whether they want to join a guild. Entering university as new students and being green, they may not know that they have the option to opt out of membership and, as

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they must pay a fee, they will just pay it. Perhaps, when the students sign up, the universities may not give them the right to say that they can opt out. Nobody knows what will happen. The minister cannot tell us what the universities will do. This amendment will overcome that problem by deleting the word “not”.

Mr A.J. CARPENTER: I will briefly respond to the member’s hypothetical scenarios. This fee is payable at the beginning of the process upon enrolment. The student can enter into negotiations with the university about the methodology and the timing of that payment. Universities and guilds have all committed to providing for those students who are in genuine financial difficulty by providing financial support and ease of payment mechanisms. To take the member’s hypothetical situation further, it is my understanding that at least in some universities, non-payment of overdue library book fines can also result in a student’s inability to graduate. However, we do not stand here beating our breasts about that. If the member wants to, he can raise every hypothetical situation under the sun, a tactic that is used by the Opposition to delay legislation. However, I have done my best to address all the issues raised in general terms in my second reading response and, in particular, the point raised by the member about the fee and preclusion from graduation.

Mr J.H.D. DAY: The issue that the member for Murray-Wellington raised about a student not paying a fee or, as the minister said, not making the appropriate arrangements to pay the fee upon enrolment, and the situation that then ensues, is far from a hypothetical situation. We could have this debate on this clause or the next one. However, it is an important issue whenever that occurs. If students do not pay up upon enrolment it would appear, from what the minister has said, that they will not be able to enrol. If they do not make an arrangement to enter into a contract with the university to pay the fee over time, or whatever the case may be, they will not be able to enrol. We must be clear about this. It seems clear now that if, when enrolling, students do not pay up or enter into an agreement with the university to pay the money over time, they will not be able to enrol or study at that university; they will not be able to complete the requirements for their degree. It will not be a matter of waiting until the end of the academic year when the students seek graduation or their university results. The minister is confirming now that if students do not pay up when they enrol, they will not be able to study. That is the essence of the matter.

Mr A.J. CARPENTER: I remind members that in relation to courses of study in post-compulsory secondary education in Western Australia, the previous Government introduced legislation that requires that the fees must be paid.

Amendment put and a division taken with the following result -

Ayes (19)

Mr R.A. Ainsworth	Mrs C.L. Edwardes	Mr A.D. Marshall	Mr T.K. Waldron
Mr C.J. Barnett	Mr J.P.D. Edwards	Mr B.K. Masters	Ms S.E. Walker
Mr M.F. Board	Ms K. Hodson-Thomas	Mr P.D. Omodei	Dr J.M. Woollard
Dr E. Constable	Mr M.G. House	Mr P.G. Pandal	Mr J.L. Bradshaw (<i>Teller</i>)
Mr J.H.D. Day	Mr W.J. McNee	Mr D.F. Barron-Sullivan	

Noes (24)

Mr P.W. Andrews	Dr G.I. Gallop	Ms S.M. McHale	Mr E.S. Ripper
Mr J.J.M. Bowler	Mr S.R. Hill	Mr A.D. McRae	Mrs M.H. Roberts
Mr C.M. Brown	Mr J.N. Hyde	Mr N.R. Marlborough	Mr D.A. Templeman
Mr A.J. Carpenter	Mr R.C. Kucera	Mr M.P. Murray	Mr P.B. Watson
Mr A.J. Dean	Mr F.M. Logan	Mr A.P. O’Gorman	Mr M.P. Whitely
Dr J.M. Edwards	Mr M. McGowan	Mr J.R. Quigley	Ms M.M. Quirk (<i>Teller</i>)

Pairs

Mr M.J. Birney	Ms A.J. MacTiernan
Mr R.F. Johnson	Mr J.B. D’Orazio
Mr R.N. Sweetman	Mrs C.A. Martin
Mr B.J. Grylls	Mr J.A. McGinty
Mr M.W. Trenorden	Mr J.C. Kobelke

Amendment thus negatived.

Mr J.H.D. DAY: I move -

Page 3, line 28 - To insert after “member” the following -

Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

or not to become a member

The amendment is consistent with the other arguments put forward by the Opposition. Students should have a real choice about whether they join student guilds, rather than have the more theoretical choice whereby they will be deemed members unless they actively indicate that they do not wish to be members.

Therefore, the amendment is in line with providing a better degree of choice. It is reasonable that students have the option of not becoming a member much more actively than is currently provided in the legislation.

Mr A.J. CARPENTER: Given that the previous amendment was defeated, I am not sure that this amendment makes sense. If we were to insert the amendment into proposed subsection (7) it would read -

A student may elect at the time of enrolment not to become a member or not to become a member . . .

Given that the previous amendment was defeated, this one should lapse.

Mr J.H.D. DAY: I accept the minister's comments. The Opposition was trying to make the point that the legislation is not appropriately worded. However, given that the previous amendment was defeated this amendment is superfluous.

Amendment, by leave, withdrawn.

Mrs C.L. EDWARDES: The amendment was moved to demonstrate that the Opposition has not backed away from its principles. Although the previous amendment was defeated and it does not make sense to continue, the Opposition supports the principle of choice; that is, upon enrolment, students should have a choice about whether to join a student union or guild.

Mr J.L. BRADSHAW: I move -

Page 4, after line 3 - To insert the following -

- (8) Enrolled students who are philosophically opposed to student guilds or student unions be exempted from paying the amenities and services fees and permitted to pay an equivalent sum of the amenities and services fee to an authorised charitable association.

As the Opposition has already outlined during the debate, some in the community are philosophically opposed to unions and do not want their money - regardless of whether they are members - to go to unions. In particular I refer to the Plymouth Brethren, although I am sure there are many more such groups. People belonging to this group might not attend university because they do not want their money going to a union. As was stated earlier, there should be freedom of choice, not only in Western Australia but also in Australia, about whether to belong to such associations. Instead, the Government will make it compulsory for students to pay fees that will be directed to student guilds or unions, even though they may be philosophically opposed to such organisations, do not want to become members of a guild or do not have the money to pay the fee. The path the Government has chosen to follow means that students will have to pay the money if they want to attend university. As I said previously, groups such as the Plymouth Brethren are philosophically opposed to this measure. Members may remember that when the House was debating the labour relations Bill, members of the Plymouth Brethren sat in the gallery day after day. They were happy with the legislation that the coalition Government had introduced. The Plymouth Brethren will not be associated with any union whatsoever in any way, shape or form. Its members are faced with the situation of being precluded from attending university because they do not want to pay fees that will be used by student guilds or unions. Indeed, so strong is the group's beliefs that it will go down that path. If the amendment is passed it will give students the opportunity to opt out of paying fees to a guild or union. They will be able to donate an equivalent amount of money to a charitable organisation to which they are happy to contribute. The amendment, if passed, means students will not be forced into a situation in which they will not attend university because of the provisions of the Bill.

Mr B.K. MASTERS: I am pleased to support the amendment, because it covers the points I previously raised during today's consideration in detail and during Tuesday's second reading debate.

If the minister is honest with the community of Western Australia and this Parliament, he will allow the amendment to proceed and be accepted by the Government. I estimate that less than five per cent of students will opt not to be members of student guilds or unions on philosophical or conscientious grounds. Overwhelmingly the minister will still get his way, because at least 95 per cent of students will take the view that if they have to pay the fee they may as well join the guild and reap some of the benefits. Very few students will make a conscientious objection to being a member of a guild. The Opposition has thrown a challenge in the minister's direction. If the amendment will have little practical impact at the same time that it will allow a small proportion of students to register their philosophical objections in a true and meaningful way, I repeat my belief that it is a good amendment. It will take a certain amount of sting out of the tail of the Bill, a sting about which

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Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
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members on this side of the House are concerned. Further, it will cost the guilds and the universities very little. There will be nothing to stop one of the charitable groups to whom a conscientious objector directs his or her money from donating that money to a university. The money could also be directed to a political party or a wide range of bodies. The amendment introduces more genuine freedom and an opportunity to choose. In proposing the amendment the Opposition is challenging the Government to be truly honest.

Mr A.J. CARPENTER: We have traversed this ground before so I will make the issue perfectly clear. The fee is not for charitable organisations, as much as they do good in the community. The fee is for the provision of services and amenities at universities for the benefit of students. The purpose of the Government's legislation is to raise a fee for the provision of services through the mechanism of guild universities and associations.

Mr B.K. Masters: Effectively it is a tax.

Mr A.J. CARPENTER: I have already discussed with the Leader of the Opposition whether the fee is a tax. It is not a tax; it is a fee. Fees are raised for the provision of services; a tax is a general broad-based revenue measure imposed by Governments across the community. Taxes are not imposed by public institutions such as universities. Unless we extend the parameters of the meaning of the word "tax" the fee cannot be considered to be a tax in any real meaning of the word.

I will address the member's points directly because there might be some light at the end of the tunnel. The money will be used to provide services, amenities and facilities on the campuses; it is not for charities. People can support charities through other mechanisms. Proposed subsection (7) allows people to opt out of membership of a student guild. I honestly believe that that completely addresses - we will disagree on it - the issue of compulsion and principles of association. Student guilds are not unions in the general understanding of the word. Unions are industrial bodies that have a relationship with an employer. That is why various religious groups were in this Chamber when the legislation to which the member referred came before Parliament. They were concerned about the interruption of the connection between God, the employer and the servant; their concerns had nothing to do with this. The absence of those same groups of people today might indicate their lack of concern about this Bill. There is no doubt that they are intelligent people and can understand the difference between this legislation and the industrial relations legislation that deals with industrial unions about which we talked. I know this will not alleviate the member's concern and he will maintain his position, but I will put on the record a letter from the Vice Chancellor of Murdoch University, Professor John Yovich, which addresses this point. Members should bear in mind that there is general agreement on both sides of the Chamber - all members have said it - that guild membership under the mechanism we propose will be quite high. The member for Vasse said membership will be as high as 95 per cent. The letter from Professor Yovich states that Murdoch University is proposing -

Expenditure of the fee income from students who opt out of Guild membership will use the following process: the University to invite suggestions from those students who opt out, after which the University drafts proposals for consideration at a meeting with the Guild. That meeting would make a recommendation to Senate. The Statute would not require an annual review.

It is the clear expectation that those payments would still be used for the services and amenities on the campus.

Mr B.K. Masters: Would the guild or the university ask the students for their opinions?

Mr A.J. CARPENTER: The scenario that we face is, for example, 60 per cent of the enrolled students would elect to remain members of the guild and 40 per cent would not. I agree with the member for Vasse and believe the percentage of students who will remain members of the guild will be higher than that. Students who are concerned with being associated with the guild by paying money will have the option to go to the university administration, which will get the other element of the money, and suggest what the money could be expended on at the campus. For example, they might propose that the money could be used to support religious organisations on the campus.

Mr B.K. Masters: When you read out that letter, you read it quickly, and it is the first time I have heard it. I thought you said that the administration would seek advice, but then the guild would hold a meeting to make the final decision.

Mr A.J. CARPENTER: The letter states -

... the University to invite suggestions from those students who opt out, after which the University drafts proposals for consideration at a meeting with the Guild.

That is consistent with the legislation.

Mr B.K. Masters: I thought you said "meeting of the guild".

Mr A.J. CARPENTER: No.

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Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

Mrs C.L. EDWARDES: The minister's view is that if students opt out, it covers the situation of those people who have a conscientious objection to the student guild; however, it does not. Proposed section 45(5) states that at least 50 per cent of the fees will go to the guild. If fewer than 50 per cent of students belong to a guild and a student opts not to become a member, part of his fee will go to the guild. The student has no choice in that. The student cannot object to part of his fee being spent on the guild. The only value in what the minister said is if more than 50 per cent of students belong to a guild. He believes it is likely that student membership will be more than 50 per cent. Most people would accept that view, and it is a realistic expectation; however, it is only an expectation. The legislation is flawed because it is dependent upon an expectation of human behaviour, which might be true, but the Bill does not contain a conscientious objection clause. I believe that the minister would believe that the Bill should contain that choice. Some people might conscientiously object to a particular organisation whether or not they believe it is a union - it is a guild. Some students might not support the objectives of the guild; therefore, they will want to exercise their choice to not pay their fee to the guild. There is value in providing such a clause.

I commend Murdoch University for its initiative in its approach to people who do not want to be part of the student guild. I want to know who will run the amenities for the students who opt out of the guild for which the balance of the fee is to be expended. If the guild runs those student amenities, it might not meet the expectations of the students who want to opt out of having to pay their fees to the guild. Some of those mechanisms must be thought through more thoroughly than they have been because the matter will be out of our hands; we will not administer this arrangement. Much of what we are suggesting will occur on the ground. That is the case with much legislation that we pass in Parliament. We discuss how legislation will be implemented in practice. I suggest that some people have concerns - perhaps it is only a small number of people. They might be Plymouth Brethren or students who do not support the objectives of the guild and do not want any of their student amenity fees to go to the guild to be spent on things that they do not support. There is no provision for those people to ensure that their funds are not given to the guild unless more than 50 per cent of students opt to become members of the guild.

Mr J.L. BRADSHAW: The minister's letter from Professor John Yovich of Murdoch University provides some comfort. However, those recommendations are not in this legislation or in the regulations; they are recommendations that Murdoch University will consider. It is not as though the university will do anything about the students who do not want their fees to go to the guild. I want a provision in the legislation that says that those recommendations will happen - not that they might happen or that they will be given consideration. Big deal! We can all give consideration to a thing and say we have considered it and then move on to the next business and ignore the people who are philosophically opposed to becoming members of a union or giving their money to a union. Some people are philosophically opposed to belonging to these sorts of organisations. The Government does not seem to care about them. It says that it is too bad and that the Government will get on with life. It will override them, trample them into the ground and forget about them.

Some people are so strongly opposed to unions that they will not attend university because they do not want to give their money to a union. It is not a matter of belonging to the union or not; it is about giving it their money. As I pointed out earlier in this debate, if those people do not pay their fees, they will not be allowed to go to university. What a great country this is turning into! Men and women fought in the wars for their freedom and the minister is taking away their freedom. That is a fact of life. When other members and I visit schools, the scouts and other organisations, we talk about freedom of religion, freedom of expression and freedom to travel in Australia. Yet if people want some freedom about whether to join or put money into a union, they will not get any under this legislation. The Government has said that they will either put money into the union or not go to university. This is totally disgraceful. I did not get a lot of comfort from Professor John Yovich's letter. He is a highly respected person. That is the view of only one university. A further three universities will have to worry about this issue. The minister's comments did not give me any comfort. As I said, the universities can say that they have considered the matter and that they want to move on to the next part of the business. I want a provision in the legislation that students do not have to join or put money into a student union. The Parliament should support this amendment.

Point of Order

Mr J.L. BRADSHAW: Madam Deputy Speaker, I draw your attention to the state of the House.

The DEPUTY SPEAKER: A quorum is not present, ring the bells. Members, you may not leave the Chamber once the bells are ringing for a quorum. Member for Warren-Blackwood! Thank you.

[Quorum formed.]

Debate Resumed

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Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

Amendment put and a division taken with the following result -

Ayes (19)

Mr R.A. Ainsworth	Mrs C.L. Edwardes	Mr A.D. Marshall	Mr T.K. Waldron
Mr C.J. Barnett	Mr J.P.D. Edwards	Mr B.K. Masters	Ms S.E. Walker
Mr M.F. Board	Ms K. Hodson-Thomas	Mr P.D. Omodei	Dr J.M. Woollard
Dr E. Constable	Mr M.G. House	Mr P.G. Pandal	Mr J.L. Bradshaw (<i>Teller</i>)
Mr J.H.D. Day	Mr W.J. McNee	Mr D.F. Barron-Sullivan	

Noes (23)

Mr P.W. Andrews	Mr S.R. Hill	Mr A.D. McRae	Mrs M.H. Roberts
Mr J.J.M. Bowler	Mr J.N. Hyde	Mr N.R. Marlborough	Mr D.A. Templeman
Mr C.M. Brown	Mr R.C. Kucera	Mr M.P. Murray	Mr P.B. Watson
Mr A.J. Carpenter	Mr F.M. Logan	Mr A.P. O’Gorman	Mr M.P. Whitely
Mr A.J. Dean	Mr M. McGowan	Mr J.R. Quigley	Ms M.M. Quirk (<i>Teller</i>)
Dr G.I. Gallop	Ms S.M. McHale	Mr E.S. Ripper	

Pairs

Mr M.J. Birney	Ms A.J. MacTiernan
Mr R.F. Johnson	Mr J.B. D’Orazio
Mr R.N. Sweetman	Mrs C.A. Martin
Mr B.J. Grylls	Mr J.A. McGinty
Mr M.W. Trenorden	Mr J.C. Kobelke

Amendment thus negatived.

Mrs C.L. EDWARDES: I move -

Page 4, lines 5 to 11 - To delete the lines.

This amendment deals with a situation that the minister does not think will arise. He has great confidence in the universities. This Bill has been introduced because the universities have been banging on the minister’s door asking him to introduce an amenities fee. They think that the Government has a great policy. That is why the minister has brought in this legislation to provide a student amenities fee. The universities support this legislation, but this clause delivers an insult to those universities. The minister has a letter from Professor John Yovich of Murdoch University. He is a highly respected person who has gone out of his way to make sure that students who do not want their fees to go to the guild will have an opportunity to say what they want those fees spent on. However, this proposed subsection provides that the universities and its highly respected leaders -

... shall not act in a way that may dissuade or discourage an enrolled student ... from being or becoming a member of the Student Guild.

What an insult! The universities suggested this fee; they support the legislation and are going out of their way to help the Government implement this fee. They want to make sure that the least amount of upset is caused to students who do not want their fees to go to the guild. However, this proposed subsection whacks them right across the head. They are being told that they must not dissuade or discourage people from joining or becoming members of the guild. As I said the other day, that could be interpreted as broadly as the proposed subsection on the enrolment forms in terms of a person opting out of being a member. I am concerned about who will claim that the university is dissuading or discouraging a student. What does this proposed subsection actually mean? What will happen under this proposed subsection? Who will say that the universities are doing this? What is the consequence of doing so? No consequence has been deliberately put, unless the minister can tell us otherwise. Who will interpret the actions of the university and say that it has dissuaded or discouraged an enrolled student from being a member of the guild? A complaint could come to the minister from the guild or a student enrolled at the university. The complaint could simply involve a section on a form. The minister will ring up the university and say, “Hey, we treat you pretty well. Funds come your way and we have projects that we want to give you, but unless you stop doing this, you will not receive those funds and we will not give you any further contracts, research money or whatever”. What is the meaning of this proposed subsection? Who will interpret it and what are the potential consequences for a university that is found guilty of dissuading or discouraging an enrolled student from joining the guild?

Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
Acting Speaker; Mrs Cheryl Edwardes; Mr Terry Waldron; Deputy Speaker

Mr J.H.D. DAY: I must confess that I wondered about the necessity of this amendment, but the member for Kingsley has convincingly argued why it is desirable. I agree that proposed section 44(9) is an insult to the universities. Why would they actively dissuade students from becoming members of the student organisations? The provision indicates a lack of trust in the administration of the universities. Therefore, I think the amendment is worthy of support.

I have looked through the Bill to try to find equivalent provisions for the other universities. I have found them for the University of Western Australia and Murdoch University, but I cannot find an equivalent provision for Edith Cowan University. Is it the intention of the Government to make this sort of prescription for all universities except Edith Cowan University? Maybe this is something we can discuss when we deal with part 3 of the Bill, which relates to Edith Cowan University. Maybe it indicates that there is some degree of trust in the administration of Edith Cowan University that does not exist for Curtin University, Murdoch University or the University of Western Australia. There is an inconsistency. Why does the Government appear to have a greater degree of trust in the administration of Edith Cowan University than it does in the administrations of Curtin and Murdoch Universities and the University of Western Australia?

Mr W.J. McNEE: It seems to me this is the dead hand of socialism at its very best. The Government is successfully removing the right of people to make a choice, which is a basic and fundamental principle of Australian society. The dead hand of this socialist Government is making sure that those things do not happen. It is confusing. When people enrol in university, they pay a fee and become members of the guild, whether they want to or not. They have the right to resign from the guild, but they can never recover their money. That freedom is taken away from people. It is a good socialist principle. The socialists in this country should congratulate themselves, although they will not. As the member for Kingsley has said, the Government is slapping the universities in the face by saying that they cannot act in a way that will discourage people from joining the guild. I cannot imagine why a university would want to do that. Is it likely that a complete bunch of duds could run the guild?

Mrs C.L. Edwardes: It might not support what the guild is doing.

Mr W.J. McNEE: The university might not support the guild. I would not see much wrong with that. I suppose the students could remove the guild executive. I do not know. These people seem to have a way of doing the things we do not want them to do. Why would the university want to discourage people from joining the guild? This Government and its socialist attitude have won. The Government will take people's money. It does not care about giving them a choice, which the Premier talks about at length. I cannot wait until the next time he comes into this place and starts talking about that. We will give him a bit of stick. The Government wants to take students' money, and now it says that if the universities discourage that, they will be penalised. Proposed section 44(9) is a totally unnecessary part of this Bill.

Mr J.L. BRADSHAW: There are sinister motives for proposed section 44(9). I spoke earlier about students ticking a box to indicate whether they wanted to join the guild. I am worried that the universities will fall over themselves to comply with this legislation and will not bother to include a "yes" or "no" box on the enrolment form -

Mrs C.L. Edwardes: There will be no "yes" box on the form.

Mr J.L. BRADSHAW: That is right. There will be no "yes" box. There will also be no "no" box because that might discourage people from becoming guild members. This proposed subsection has sinister connotations. It is disgraceful that it is in the Bill. I wholeheartedly support the amendment of the member for Kingsley to delete this proposed subsection. Some of those in the vegie patch who have sat through the debate on this legislation in a mummified state or who have not been present at all should start considering the connotations of this proposed subsection. Why would the Government include a proposed subsection that states -

The University shall not act in a way that may dissuade or discourage an enrolled student, or person seeking enrolment as a student, from being or becoming a member of the Student Guild.

I doubt if some members opposite have even read this Bill. They would not even know what this proposed subsection is about. They could not care less about those students. I find it interesting that the Labor Party promotes itself as a party that looks after the poor and unfortunate people and those in low socioeconomic areas. However, when it comes to people who might be struggling to pay their university fees, it slaps them with another levy; another tax. It does not give a stuff about those people. Those government members who are present are mute. They do not have much interest in this Bill at all. They do not give a continental about those students. They could not care less about them. They want to trample and squash them and take away their freedoms, and then include in this Bill a sinister provision that means that universities will not be able to put a "no" box on the enrolment form. The university administrations will look at this provision and consider that

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Mr Bernie Masters; Mr Alan Carpenter; Mr John Bradshaw; Mr John Day; Mr Bill McNee; Mr Paul Omodei;
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including such a box would be unlawful. They will think that they could be taken to task for it. What will be the penalty for dissuading people from becoming a member of the student guild?

Mr A.J. Carpenter: We might have to reintroduce corporal punishment.

Mr J.L. BRADSHAW: Considering what is in this legislation, that would not surprise me. What will be the penalty for a university that discourages people from becoming guild members? This proposed subsection is disgraceful and will result in there being no box on the enrolment form that people can tick to indicate that they do not want to join the union.

Mr A.J. CARPENTER: As I said in my reply to the second reading debate, this provision has been included in the legislation because there were concerns that a university might at some stage deem it desirable to maximise the proportion of the fee payment it had at its disposal by discouraging guild membership. I said at the time that I did not consider that to be a likelihood. I do not believe it will eventuate. Because of the concern raised about the potential outcome, negotiations were held between the university administrations, the vice-chancellors, the guilds and the Government about whether such a clause should be included in legislation affecting public universities in this State. The University of Western Australia, Curtin University and Murdoch University agreed with their guilds and the Government that they would be comfortable having such a provision. Edith Cowan University and its guild agreed that it was not necessary for them. The member is quite right and I thank her for drawing it to my attention. Of course, I already knew that, as she would expect!

For that reason, the provision is not relevant to Edith Cowan as it did not consider it necessary. In consultation with their guilds, the other three universities agreed to the provision. I do not believe it will ever be necessary to invoke this provision. I do not believe that universities will discourage students from joining a guild. I cannot see why they would, and I have never believed that they would.

Debate interrupted, pursuant to standing orders.

[Continued on page 2833.]