

Noes—19

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|--------------------|-------------------|
| Mr. Blaikie | Mr. O'Neill |
| Sir Charles Court | Mr. Ridge |
| Dr. Dadour | Mr. Runciman |
| Mr. Grayden | Mr. Rushton |
| Mr. Hutchinson | Mr. Sibson |
| Mr. A. A. Lewis | Mr. Thompson |
| Mr. E. H. M. Lewis | Mr. R. L. Young |
| Mr. McPharlin | Mr. W. G. Young |
| Mr. Mensaros | Mr. I. W. Manning |
| Mr. O'Connor | (Teller) |

Pairs

| Ayes | Noes |
|-------------|-------------------|
| Mr. Bertram | Mr. Stephens |
| Mr. Taylor | Mr. Gayfer |
| Mr. Sewell | Mr. Nalder |
| Mr. Lapham | Mr. W. A. Manning |
| Mr. Brady | Sir David Brand |
| Mr. McIver | Mr. Coyne |

The SPEAKER: The voting being equal, I give my casting vote with the Ayes.

Question thus passed.

Bill read a third time and transmitted to the Council.

ADJOURNMENT OF THE HOUSE: SPECIAL

MR. J. T. TONKIN (Melville—Premier)
[5.38 a.m.]: I move—

That the House at its rising adjourn until 2.15 p.m. today (Thursday).

Question put and passed.

House adjourned at 5.39 a.m. (Thursday).

Legislative Council

Thursday, the 9th August, 1973

The DEPUTY PRESIDENT (The Hon. N. E. Baxter) took the Chair at 2.30 p.m., and read prayers.

SUPPLY BILL

Standing Orders Suspension

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [2.42 p.m.]: I move—

That so much of the Standing Orders be suspended as is necessary to enable a Supply Bill to pass through all stages at any one sitting.

Question put and passed.

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. J. Dolan (Leader of the House), read a first time.

Second Reading

THE HON. J. DOLAN (South-East Metropolitan—Leader of the House) [2.43 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this measure is to seek a grant of supply to Her Majesty of \$265,000,000 for the services of the State in the year ending the 30th June, 1974.

The Revenue Budget and the Loan Estimates for 1973-74 are now in the course of preparation and will be presented to Parliament, with the respective Appropriation Bills, later in the session.

In the meantime, funds must be provided to carry on the services of the State and to meet our continuing obligations, and the Bill now before the House authorises the provision of funds for these purposes.

An issue of \$230,000,000 is sought from the Consolidated Revenue Fund and \$30,000,000 from moneys to the credit of the General Loan Fund. Provision is also made in the Bill for an issue of \$5,000,000 from the Public Account to enable the Treasurer to make such temporary advances as may be necessary.

The proposed issue from the Consolidated Revenue Fund is greater by \$30,000,000 than the corresponding provision in the Supply Act of 1972. The amounts to be drawn from the General Loan Fund and the Public Account are the same as were provided last year.

The increased issue from the Consolidated Revenue Fund is required to finance the higher level of expenditure on Government services resulting principally from the continued rise in the Government's wages bill.

The rapid increase in wage levels experienced in recent years is presenting a problem of very considerable magnitude to all State Governments. Although the Financial Assistance Grants formula, under which the Australian Government provides general revenue grants to the States, takes into account the movement in the general level of wages in the community, these grants constitute only about half of the State's revenue.

The balance of our revenue is derived from State taxes and charges and the earnings of business undertakings. Of these, only the payroll tax increases in any direct relationship with the rise in average wage levels, with the result that the States are faced with a progressively widening revenue gap.

This worrying trend in State finances was apparent in the year just concluded and it was only by careful husbanding of our resources that we were able to contain the deficit last year to the figure of \$3,490,000 which was eventually realised.

It is gratifying to note that, through a combination of circumstances, the actual deficit was \$1,587,000 less than the Budget estimate of \$5,077,000.

Expenditure for the year exceeded the estimate by \$2,809,000 mainly as a result of a higher increase in the wages bill than had been anticipated.

Departmental expenditures were generally close to estimates but a number of departments exceeded their votes, for the

most part because of wage and salary increases for which Budget provision had not been made. The largest excess was in the Education Vote which was overspent by \$2,584,000 as a result of dating a re-classification of teachers from the 1st January, 1973 in lieu of the 1st July, 1973 as had been anticipated at the time the Budget was framed.

As a consequence of the return to more buoyant economic conditions in Western Australia, revenue from State sources substantially exceeded the estimates. Although Commonwealth payments to Western Australia were \$2,931,000 less than the amount originally forecast by the Australian Government, this reduction was more than offset by increases in other receipts, particularly from stamp duties and mining.

Stamp duty collections exceeded the estimate by \$3,098,000 and mining receipts benefited from an upturn in shipments of iron ore to Japan to the extent that we received \$2,860,000 more from this source than had been anticipated.

Overall, revenue collections were \$4,396,000 higher than Budget which was sufficient to offset the excess expenditure and bring about the improved result I remarked on earlier.

Pleasing as the final result was, no Government can be content with a deficit on its current account transactions for the year. We move forward into 1973-74 with current expenditure running ahead of revenue to that extent. Any increase in revenue this year will be first required to close that gap before being applied to finance the expected increase in expenditure.

The cost of providing Government services continues to increase at an alarming rate and the problem of how to balance the budget is a constant source of worry to all State Treasurers.

At the recent Premiers' Conference, all Premiers pressed for additional financial assistance from the Australian Government to assist them with their budgetary problems in 1973-74. It must be said that the Australian Government is also facing a difficult financial situation and the Prime Minister was understandably reluctant to increase his own problems by providing further grants to the States.

In the event, the Australian Government agreed to provide special additional revenue assistance of \$25,000,000 to be distributed between the States in proportion to their existing Financial Assistance Grants. Western Australia's share of this extra sum amounts to \$2,800,000 which will not in itself go far towards meeting our requirements.

However, I am also pleased to report that, following the Premier's representations to the Prime Minister prior to the conference, it was agreed that this State

would again receive special supplementary assistance of \$3,500,000 which was provided last year. The conference also agreed that the arrangement that had been in force since 1970, whereby the State's revenue grants were being reduced by \$3,000,000 a year with a corresponding increase to our semi-governmental borrowing allocation, would be ended and that no further reductions would be made to our revenue grants.

Consequently the total effect as far as Western Australia is concerned of changes agreed to at the Premiers' Conference was that we will receive \$9,300,000 more in Commonwealth revenue grants in 1973-74 than we would have obtained under the arrangements existing prior to the conference.

I commend the Bill to the House.

Debate adjourned, on motion by The Hon. A. F. Griffith (Leader of the Opposition).

TRADE DESCRIPTIONS AND FALSE ADVERTISEMENTS ACT AMENDMENT BILL

Second Reading

THE HON. R. H. C. STUBBS (South-East—Minister for Local Government)
[2.51 p.m.]: I move—

That the Bill be now read a second time.

The Trade Descriptions and False Advertisements Act was passed in 1936, its purpose being mainly to provide, firstly, for the application of trade descriptions to textile products and to certain goods other than textile products and, secondly, the prevention of false advertisements intended to promote the sale of property.

It followed in the main the provisions in legislation in New South Wales relating to false advertising, but over the years has not undergone amendment, as in other States, where similar legislation has been updated and strengthened so as to be particularly effective in relation to consumer protection.

The Act in this State has been found inadequate to allow action to be taken where misleading and untrue advertising has been practised.

The amendments proposed in this Bill have been determined after considering the current law in the other States and the deficiencies which exist in Western Australia. A recommendation of the Honorary Royal Commission appointed in Western Australia in 1972 to inquire into hire purchase and other agreements as far as they relate to goods and services, is also embraced in the amendments; that is, "that the prohibition of misleading advertising suggested in the Molomby report be adopted". The Molomby report is a report on fair consumer credit laws made

to the Attorney-General of Victoria by a committee of the Law Council of Australia and a relevant extract reads—

The committee considers that the principal purpose of the suggested legislation should be to make it an offence for a supplier of goods or services or a provider of credit to cause publication of an advertisement relating to such goods, services or credit containing any assertion, representation or statement that is inaccurate, untrue, deceptive or misleading and which that person knew or might on reasonable investigation have ascertained to be inaccurate, untrue, deceptive or misleading.

Evidence had been given to the Honorary Royal Commission that misleading advertising was being practised by some dealers to advertise motor vehicles that were not available and at prices that could not be met with vehicles in their stock.

A legal opinion obtained in a case of misleading information in the advertisement of a warranty by a motor firm showed that an action for false advertisement was unlikely to succeed because it may have been concluded there was a grain of truth in the advertisement which prevented it from being shown to be false. However, it was considered by the department to be misleading and the terms of warranty advertised something of a hollow shell; but until the legislation is amended as proposed, the department is unable to act and is seriously limited in effectively blocking the subtlety of advertised inducements that rely more on planned misconceptions than blatant falsehood.

The long title of the Act is to be amended in that false advertisements now restricted to property for sale will in future embrace false and misleading advertisements in respect of property, goods and services.

"Goods" will include broadly anything that is the subject of trade, manufacture or merchandise. The definition of "services" is similar to that in the New South Wales Act.

This wider interpretation of goods and the inclusion of services will apply particularly to part III, which deals with false advertisements.

Section 8 in that part is to be substantially amended, the purpose being to obtain much better protection for consumers. An important alteration occurs in regard to a published statement intended to promote the sale, disposal, or letting of any land or goods, or to induce the use on payment of a fee for any services, wherein the statement is not only false but possibly inaccurate or misleading in a material particular and likely to deceive or mislead any person in a material way.

Clauses used in the Queensland legislation have been included. One is to prohibit "passing off", which seeks to prevent publishing of statements which might be construed to mean that goods produced or manufactured by one person are produced or manufactured by another person. There is also the aspect concerning a published statement that is likely to mislead any person as to the purpose for which the goods are suitable. This is covered also.

A published statement will be regarded as inaccurate if it specifies an amount payable as portion of the consideration for goods, services, or land offered for sale and does not contain the total consideration for which the goods, services or land may be obtained for cash. Similar legislation in South Australia contains this provision.

Section 8(2) which explains when a statement is deemed to be published, has been widened to include other media, and section 8(3) dealing with presumption of falsity and grounds for defence has been updated. Provision is retained in the Act, that before a prosecution can be instituted for printers or publishers to be warned by the administering authority of the contravention in such statements, and the subsequent action which is required to avoid the commission of an offence. That is really protection for the media.

The repeal of the schedule of goods is consequential upon the repeal of section 4 and with the definition of goods being widened for the purpose of false and misleading advertisements, together with the amendment to section 5 (1) which allows goods for trade description purposes to be declared by regulation.

Were I to relate a simple example of a case which clearly indicates the necessity for this type of legislation, I believe that further explanation of the Bill at this point would be redundant. Members may recall that before Christmas a product was allegedly labelled "turkey" in very large letters, but alongside it, in very small letters, it carried the words "chicken like". "Turkey" was the predominant word and an eye catcher for the unwary. The publicity and the wrapping on that product were not false, but it is a fair assumption that the presentation of the description of the goods offered was definitely most misleading and intended to mislead the public into purchasing that product as turkey.

Nevertheless, in view of the limitations contained in the existing Act and because of the strict interpretation of the word "false" nothing could be done in that instance and I commend to members the amendments which are now proposed as a reasonable protection for consumers.

I commend the Bill to the House.

Debate adjourned, on motion by The Hon. J. Heitman.

TRAFFIC ACT AMENDMENT BILL (No. 2)

Second Reading

Debate resumed from the 7th August.

THE HON. J. HEITMAN (Upper West) [3.00 p.m.]: I would like to point out that in the first paragraph of the second reading speech made by the Minister he said—

This Bill is complementary to the Bill to repeal the Road Maintenance (Contribution) Act, and unless this Bill is passed the Government will not proceed with the other and it will not become law.

Yesterday I asked a question without notice on this aspect of the legislation because I recall quite well that when the Premier introduced the Bill in another place, together with the Road Maintenance (Contribution) Act Repeal Bill, the opening paragraph of his second reading speech was exactly the same as that made by the Minister in this House. After a deputation from the Lakes district yesterday morning waited on the Premier, I asked the Leader of the House a question without notice, and he agreed to interview the Premier and convey the information he received from him to me and to other members on this side of the House; because the Premier, after meeting the deputation had intimated that if the Traffic Act Amendment Bill (No. 2) were not passed, he would still proclaim the Road Maintenance (Contribution) Act Repeal Bill following its passage through Parliament.

As I have stated, I asked a question without notice, but unfortunately the Leader of the House did not have the question before him in the same terms as I had asked it and, as a result, the answer from the Premier was, "No". The question I asked pointed out what the Premier had said to members of the deputation but, actually, another question without notice had been asked before that.

The Hon. J. Dolan: I understood that the answer to the first question should be "No".

The Hon. J. HEITMAN: Yes, but that is not the way the deputation from the Lakes district understood the question and, of course, the members of that deputation appealed to me and to other members on this side of the House to vote against the Bill we are now discussing because it would impose heavier license fees on them compared with the road maintenance tax they are now contributing. They also asked us to agree to the Road Maintenance (Con-

tribution) Act Repeal Bill. Of course, it has now been stated that if the Traffic Act Amendment Bill (No. 2) is not passed the Road Maintenance (Contribution) Act Repeal Bill will not go forward.

In the first instance, when he made his policy speech in 1971, the Premier said that his one principal aim was to abolish the Road Maintenance (Contribution) Act. He obtained a great number of votes as a result of including that in his policy speech because the road maintenance tax does affect a large number of people. However, when he made that statement there were no strings attached to the abolition of the tax, but now he states that he will impose a substitute tax.

If he had looked at the matter closely in the first place he would have found that once a tax such as this is abolished a great deal of money for road works is lost if a substitute is not introduced. However it is not fair for the Premier to say initially that he would not introduce a substitute tax and then for him to change his mind and say he will introduce one. The Premier realises, of course, that a substitute tax must be introduced if he is to derive money for road works. This is the only reason that we have tried to keep our feet on the ground because we know that in all the other States a road maintenance tax is imposed and that it is a tax that must be continued in this State until we all agree that the imposition of a petrol tax throughout the Commonwealth should take the place of the road maintenance tax imposed on those owners of vehicles that cart more than eight tons.

I think if the Premier, initially, had really considered the road maintenance tax proposition and how it affected everyone he would not have made the promise to abolish the legislation that imposes it. I have gone to considerable trouble to ascertain from the transport authorities the cost of carting superphosphate per ton-mile by road as against the cost of carting it by rail. I have discovered that the cost per ton-mile is 3.959c, which is near enough to 4c. The Railways Department has a telescopic scale of fees; that is, the further the article is carried the less the freight becomes per ton-mile, but up to 100 miles the Railways Department charges 4.30c per ton-mile for the cartage of superphosphate from January to June in each year. That is when most of the super is carted. However, the Railways Department charges 3.88c per ton-mile from July to September. I also ascertained that the Railways Department makes a flat charge of 3.40c per ton-mile all the year round. It can be seen, therefore, that road transport, even with the imposition of road maintenance tax incorporated in the charges, is much cheaper than carting by rail.

Taking the matter a little further, when the Premier promised to abolish the road maintenance tax, road transport was a great deal cheaper than it is now. Since then two increases have been granted in the cost of road carting superphosphate and wheat over long distances. However, the Railways Department has not increased its charges since 1965. The freight charges are exactly the same as they were in that year. If the Premier had taken notice of these facts at least he would have put to himself the question, "Now who has to put up with hard times?" I can take my mind back to 1928, because I was a road transport operator in those days and to cart super we were given a shilling a ton-mile. Now that we have better roads the cartage rates of road transport should have increased considerably since those times.

I know that the people from the Lakes districts who came to us the other day after a deputation to the Premier, presented a very sound case to him by pointing out what it cost to cart super from Esperance to Ravensthorpe, a distance of 121 miles. The freights are based on the cartage of superphosphate from Bunbury. I do not know the reason for that because the distance from Bunbury to Ravensthorpe is 361 miles, and it is only 121 miles from Esperance.

The Hon. D. J. Wordsworth: Before Esperance became a port they used to cart the super from Bunbury.

The Hon. J. HEITMAN: Yes, when this price was based on the cartage of superphosphate from Bunbury, I do not think farmers were aware that there was a superphosphate works at Esperance and super could be road-freighted from those works.

I cannot understand why the authorities continue to base these figures on Bunbury. To my mind the committee in question did a tremendous job. I have with me three or four pages of foolscap setting out how this matter works in that particular area. If we consider the facts and take the costs factor into consideration we find that those who use the railways are still paying rail maintenance charges, just as those who are carting by road transport are paying road maintenance tax.

The price of cartage per ton mile on the roads is still cheaper, despite the fact that there have been two increases in this direction since 1965. There has of course been no such increase in the cartage fees on the railways. In spite of this it is still cheaper to cart by road than it is by rail.

If a truck picks up super in Esperance and carts it to Ravensthorpe, the super is dumped in one's shed, but if the railways are used for this purpose and they cart

super from, say, Morawa to Geraldton—a distance of 120 miles—it is still necessary to pay 4.30c per ton mile apart from which one would also have to pay 50c a ton to have the super unloaded and \$2 a ton to have it carted the 15 miles to the farm.

Those who use the railways and enjoy the convenience of a better service know that they can obtain this service on so many days a week. They do pay more than those who use the roads and pay road maintenance tax. So far as the other farmers are concerned, if they wish to use 8-ton trucks instead of the larger 12-ton trucks, it would not be necessary for them to pay road maintenance tax anyway. Then again, we do not always know whether the truck carter passes on the cost of the road maintenance tax. Where there is severe competition the carters are inclined to carry a bit of the road maintenance tax.

At the present time I am 100 miles from Geraldton by road and 120 by rail. What I have mentioned would also apply in the Lakes districts because by the time the railway winds in and out and takes the easier route the man who is normally 100 miles away would find himself to be actually 140 miles distant.

The Hon. T. O. Perry: They have not got it.

The Hon. J. HEITMAN: I say this would be so in the circumstances I have outlined. The aspects to which I have referred must be considered when any mention is made—as was made by the Premier—of abolishing road maintenance tax out of hand and substituting it with another tax.

My sympathy lies with those who reside in the lakes district. Those who are serviced by a railway receive their mail three or four times a week, depending on how often the trains run. When somebody wishes to sell a farm he is generally asked how far the nearest railhead lies and things become very difficult if there is no such railhead.

The Hon. J. Dolan: That is ridiculous. There must be a nearest railhead even if it is 1,000 miles away.

The Hon. J. HEITMAN: That may be so but it would not help anyone who was trying to sell a farm, because nobody would be interested if the nearest railhead were 1,000 miles away.

The Hon. J. Dolan: You would not buy it.

The Hon. J. HEITMAN: That is the point I am trying to make. The people to whom I have referred have to put up with the circumstances of not having a railway within a reasonable distance. I do

not think that 40 or 50 miles away is a reasonable distance. If one has a railway within 20 miles of one's property and it is giving a particular service three or four times a week it certainly helps to improve the value of one's property. It would improve the value more than if the railway were, say, 150 or 160 miles away. Accordingly I do feel sorry for the people concerned.

If the people in question desire to send their children to school they have the option of sending them to the local primary school or to a junior high school within a certain distance. Alternatively they could take them by car and travel anything up to 400 miles so that their children may attend a senior high school. It is necessary for them to do this because there is no rail service available. The parents must transport the children because there is no railway in the area.

Naturally if there were a railway located within close proximity to a farm it would provide an added attraction at all times and in all circumstances. When we are told, however, that all the difficulties we experience are the direct result of road maintenance tax, I am afraid I cannot go along with this. Generally speaking, taxes are not the answer to a maiden's prayer but some of them are necessary and cannot be done without.

To my mind there appears to be a very steep rise in the new license fees contained in the Traffic Act Amendment Bill (No. 2). As these are set out according to the metric system, they are a bit hard to follow, but so far as I can make out it is easier to work these figures back to tons. It will be necessary to do this for some time until we get used to the metric system. It is all very well for those with quicker brains than I have to view things and say that 56 327 kilometres per annum are equal to so many miles; or that 37 600 kilograms are equal to so many tons or pounds.

So far as I can see a farmer would still be paying \$10 more than he is today despite the two-thirds rebate on his 7-ton truck. There is nothing, however, very much wrong with that particular item, but I think we must appreciate that wages and prices are constantly rising. This being the case the cost of license fees must also rise. The cost involved, however, is still up to \$20 dearer.

But when a large semi-trailer of, say, 36 576 kilograms is involved the amount to be paid is \$1,519, and it would be necessary to pay that amount out at first hand. A small contractor who does not travel a tremendous number of miles per annum would not be too happy about that aspect because he would be paying out \$700 in one hit.

Under road maintenance tax, however, the contractor concerned would get his license for half the fee and he would pay his road maintenance tax as he earns it.

The very big contractors, however, who are doing a tremendous mileage per annum—and members know to whom I am referring—are laughing up their sleeves because they know they will have to pay \$1,519 to license their trucks for a year, whereas if they were paying road maintenance tax they would be paying a lot more than under the present set-up.

The scheme is not fair to everybody. It is only fair to those who are receiving the two-thirds rebate; that is, the farming community which will be paying only from \$10 to \$30 more, and that certainly will not upset them.

The smaller type of truck, which does not do a great mileage, would be better off paying road maintenance tax. The subcontractors who have to do a considerable mileage will find it hard to operate under the provisions of this proposal. I do not think it is a fair and equitable system of increasing license fees to concentrate on an aggregate weight basis rather than on a tare weight basis. I consider there are too many anomalies in this system and I feel sure the truck operators would be better off under the present road maintenance tax system.

There is no doubt that the larger trucks cause most of the damage to the roads. This fact was amply demonstrated to me by a neighbour who operates a Readymix metal dump. He often complained to me about having to pay the road maintenance tax and he claimed that the big trucks did not cause much damage to the roads. However, he had something like 10,000 tons of metal dumped on his property and trucks which were licensed to carry 26 tons were carrying 40 tons of metal onto his property. It was only a short haul.

Although my neighbour graded and gravelled his roads to carry the extra weight involved those large trucks made a shambles of his roads. He later confided to me that it was the large trucks which caused the damage to the roads. His own truck carries only 26 tons and it did not cause any damage to his roads but after his experience with the larger trucks he changed his mind. That person became quite sympathetic towards the local shire and did not mind paying his road maintenance tax after that experience.

For the life of me I cannot see how we can be expected to support the second reading of the Traffic Act Amendment Bill (No. 2). Personally, I think the community, at large, is better off under the present system of paying road maintenance tax. Perhaps we will eventually convince the Federal Government that we should be

allowed to charge a petrol tax and a diesel tax to overcome our shortage of finance for the maintenance of roads.

The Hon. J. Dolan: I wish we could.

The Hon. J. HEITMAN: We would be better off under such a system. I do not think that the road maintenance tax is the answer to our prayer, but I do think it is better than the system proposed in in this Bill. I do not intend to support the second reading.

THE HON. L. A. LOGAN (Upper West) [3.24 p.m.]: On Tuesday last we were shown how to get the answer to a problem out of a computer, if one did not know the answer beforehand. However, I do not think it is necessary to go to the computer to obtain an answer to the proposal now before us. It should be obvious that even the most ardent supporters of the repeal of road maintenance tax have stated, in no uncertain terms, that they prefer the tax to the schedule of license fees contained in this Bill.

It is obvious to those who have carried out any investigation that the costs involved in the proposed formula are not acceptable to the community. It has been stated many times that if a suitable alternative could be found the road maintenance tax would be repealed. I think it is pertinent to point out that the Premier said he would ask the Premiers of the other States to think about this matter. However, he received short shrift from the other Premiers because they were happy with the present system of road maintenance tax. If an alternative system of raising finance were available I feel sure one of the other States would have discovered it before now.

Another important aspect of this problem is that if the road maintenance tax is repealed, and the new schedule of charges comes into effect, the resultant finance would be paid directly into general revenue. At present 92 per cent. of the money raised under the road maintenance tax legislation is paid back to the country areas, where the damage to the roads occurs.

A question was asked this afternoon concerning the Irwin district, but that is not the only local authority which is suffering from the cut in funds which are made available by the Main Roads Department.

The Hon. J. Heitman: I think I pointed that out.

The Hon. L. A. LOGAN: Since 1957 local authorities have been receiving special grants for new land settlers. However, I do not think that after a period of 16 years those settlers can be called new land settlers. The money which the shires have been receiving has become part and parcel

of their revenue. Quite a number of local authorities come within that category and their funds will be cut considerably. If the road maintenance tax payments are also taken from those shires they will face considerable financial difficulty. As a matter of fact, most of them are already in financial difficulty and as a result they have to stop their works programmes which, of course, curtails employment.

It is time the Government looked at this aspect because there is no point in talking about decentralisation if local authorities are to have their source of revenue reduced.

There is no need for me to delay the passage of this Bill. I have stated, categorically, many times that I see nothing wrong with the system of paying road maintenance tax, particularly as 92 per cent. of the money raised goes back to the country areas where the damage to the roads occurs. It certainly can be proved, without any shadow of a doubt, that it is the heavy trucks which cause the damage not only in this State, but also throughout Australia. Surely those heavy trucks should pay for the damage.

I do not intend to deal with the problem facing the lakes district because I am aware that some members of my party are meeting a committee to discuss the matter. Perhaps those people have a case concerning their own isolated area but we have to deal with the State as a whole. I will leave that problem to my colleague, Mr. Syd Thompson.

I do not intend to support this measure, and I will not support the repeal of the road maintenance tax.

Debate adjourned, on motion by The Hon. S. T. J. Thompson.

QUESTIONS (6): ON NOTICE

1. EDUCATION

Aboriginal Tribal Languages

The Hon. W. R. WITHERS, to the Leader of the House:

- (1) How many teachers will be taught the Pitjantjara language for school teaching in that language?
- (2) Will the teachers be retained in schools using that language for longer than two years?
- (3) How many Aboriginal tribal languages exist in Western Australia?
- (4) (a) How many pupils will be taught in the Pitjantjara language using the first trained teachers;
- (b) what is the percentage of these pupils compared to the remaining Aboriginal pupils throughout the rest of the State?

- (5) Will the Mirriwun language be used in East Kimberley schools?
- (6) (a) What is the estimated cost of training the first Western Australian teachers in this language;
- (b) what is the length of the course?
- (7) What is the estimated cost of training all the required teachers in all the tribal languages?
- (8) (a) Did Mr. Bryant, or other Federal Ministers and departments, offer practical evidence to convince State Departmental Officers prior to the Minister adopting this bilingual policy;
- (b) if so, will the Minister table the correspondence and evidence to support this expenditure of public funds?

The Hon. J. DOLAN replied:

- (1) (2), (4), (6), (7) and (8) The Education Department has not adopted a policy of teaching Aborigines in their native language. It is intended that a pilot project only in bilingual education will be undertaken at the Warburton Ranges commencing in 1974. The Education Department teachers would be invited to attend a three week course on the structure of the Aboriginal language during the summer vacation but they will not learn the language. Teaching aides will be appointed from the Aboriginal community to assist the teachers to communicate with the young children. It is possible that a course in the Warburton Ranges language will be held in Perth during January, and although actual costs are not available at present, the total expenditure would not be excessive. Reports are available of bilingual teaching elsewhere but the Education Department is running this pilot project to make its own assessment of the effectiveness of this type of teaching.
- (3) There are approximately thirty dialects in use in Western Australia but of these, about six to ten are commonly spoken.
- (5) There is no intention of instructing in the Mirriwun language at present.

2. SCAFFOLDING

Inconvenience to Public

The Hon. I. G. MEDCALF, to the Leader of the House:

- (1) Is the Minister aware that not only is the scaffolding over the St. George's Terrace footpath ad-

acent to the Allendale Town project not drip-proof during rainstorms, but in addition the scaffolding continues to allow large drops of water to drip on to passers-by for some time after the rain has stopped?

- (2) In view of the fact that this is a considerable inconvenience and nuisance to passers-by, which did not exist before the scaffolding was erected, will the Minister take action to have the scaffolding made drip-proof as soon as possible?

The Hon. J. DOLAN replied:

- (1) and (2) The public protection gantry over the St. George's Terrace footpath adjacent to the Allendale Town project has been fitted with plastic waterproof sheeting as required by the Inspection of Scaffolding Branch to prevent the nuisance of water drips to passers-by.

An examination of this sheeting by an Inspector has not disclosed any apparent defects, and further inspections will be made when it next rains.

- 3. *This question was postponed.*

4. EAST PERTH SCHOOL

Closure

The Hon. R. J. L. WILLIAMS, to the Leader of the House:

- (1) Is the Minister aware of a circular issued by the Director of Primary Education dated the 27th July, 1973, in which he canvasses the Education Department's preference to close the East Perth school in the 1974 year?
- (2) If "Yes", will the Minister—
 - (a) see that no extra costs will be incurred by the parents as inferred by the penultimate paragraph;
 - (b) arrange for a meeting of all parents so that verbal objections may be lodged, as many of the parents, by inference of the circular, would have serious language difficulties, and written objections would be impossible;
 - (c) ascertain that the information given about Highgate school is accurate, in particular the information re remedial education classes?
- (3) What types of remedial classes are being run at Highgate by the Department, and do they come under

the surveillance of that section of Guidance Branch that generally supervises these "Special Class" activities?

The Hon. J. DOLAN replied:

- (1) Yes.
- (2) (a) Children in the metropolitan area normally have to pay the cost of their transport to school. To make an exception in the case of East Perth children could create a costly precedent.
- (b) A meeting of parents to discuss the closure of East Perth could quite easily be arranged if the parents desire this.
- (c) The information about Highgate is accurate in terms of present proposals for the school.
A library-resource centre is planned for Highgate this year.
Present proposals are that Highgate will be restructured into Junior Primary and Senior Primary Schools in 1974. There are three language classes for migrant pupils. There are two special classes—one junior and one senior.
- (3) The two special classes come under the surveillance of the Guidance Branch and provide remedial teaching and learning activities adapted to children with special learning difficulties.

5. HOUSING

Brownlie Flats

The Hon. CLIVE GRIFFITHS, to the Leader of the House:

- (1) How many units are currently vacant at the State Housing Commission's flats "Brownlie Towers"?
- (2) What are the reasons for these vacancies?
- (3) Is the occupancy rate considered to be equivalent to that which would normally apply to a block of privately-owned flats of similar size?

The Hon. J. DOLAN replied:

- (1) 21 of the 320 apartments are vacant.
- (2) Approximately 54 per cent of vacancies are due to Tenant turn for alternative accommodation provided by the Commission under both purchase and rental schemes.

- (3) There are no comparable private projects in Perth. However, checks indicate that in like medium rise projects the vacancy rate ranges from 15 to 25 per cent per annum depending on location and rentals. The vacancy rate for the Commission project was 7 per cent during 1972-73—a period in which housing demand was much easier than when the Bentley Project was built.

6. STATES' LEGISLATIVE POWERS

Federal Government's Policy

The Hon. A. F. GRIFFITH, to the Leader of the House:

In respect to the answer to question 1 of the 8th August, 1973—

- (1) To what extent are the statements inaccurate?
- (2) What steps has the Hon. Premier made to correct these Press inaccuracies?

The Hon. J. DOLAN replied:

- (1) and (2) To the extent that it is not a verbatim report. Experience has shown me that it is fruitless to attempt to correct Press inaccuracies. Apart from this, however, the slight discrepancy does not warrant any action.

House adjourned at 3.40 p.m.

Legislative Assembly

Thursday, the 9th August, 1973

The SPEAKER (Mr. Norton) took the Chair at 2.15 p.m., and read prayers.

LEAVE OF ABSENCE

On motion by Mr. Bateman, leave of absence for eight weeks granted to Mr. Bertram (Mt. Hawthorn) on the ground of public business.

On motion by Mr. McPharlin, leave of absence for seven weeks granted to Mr. Stephens (Stirling) on the ground of public business.

BILLS (2): INTRODUCTION AND FIRST READING

1. Juries Act Amendment Bill.
Bill introduced, on motion by Mr. T. D. Evans (Attorney-General), and read a first time.