

BANK OF WESTERN AUSTRALIA AMENDMENT BILL 2012

Returned

Bill returned from the Assembly with an amendment.

Assembly's Amendment — Motion

The amendment made by the Assembly was as follows —

Clause 7

Page 9, line 12 — To delete “declaration.” and substitute —

declaration; and

- (c) laid before each House of Parliament by the Minister or dealt with in accordance with subsection (3) within 30 days after receipt of the certificate referred to in subsection (1).
- (3) If —
 - (a) a House of Parliament is not sitting at the commencement of the period referred to in subsection 2(c) in respect of a certificate; and
 - (b) the Minister is of the opinion that that House will not sit during that period, the Minister is to transmit a copy of the certificate to the Clerk of that House.
- (4) A copy of a certificate transmitted to the Clerk of a House is to be taken to have been laid before that House.
- (5) The laying of a copy of a certificate that is regarded as having occurred under subsection (4) is to be recorded in the Votes and Proceedings, or Minutes, of the House on the first sitting day of the House after the Clerk received the copy.

HON SIMON O'BRIEN (South Metropolitan — Minister for Finance) [2.23 pm] — without notice: I move —

That the amendment made by the Assembly be agreed to.

One of the good things about this house is that we have relationships between all sides whereby we can confer behind the Chair. The Leader of the Opposition and I, showing a remarkable presence of mind, anticipated that this might happen and we have already considered this matter. The proposed amendment to the bill, which originated in this house, relates to the requirement for a future Bankwest to give the minister a certificate to the effect that Bankwest has complied with the obligations imposed by the relevant part of the act. This amendment, which was moved in the other place by the opposition and agreed to by the government, creates a further requirement that the certificate should be tabled in the house in the terms set out in the amendment.

I indicate that the government here supports that amendment and I think we can deal with it now. That is why I have moved the motion. I also express my appreciation to the Leader of the Opposition for her assistance in this matter.

HON LYNN MacLAREN (South Metropolitan) [2.25 pm]: On behalf of the Greens (WA), we have reviewed the message from the Legislative Assembly regarding the Bank of Western Australia Amendment Bill 2012. We think it is an improvement to the legislation and we support it.

HON KEN TRAVERS (North Metropolitan) [2.25 pm]: I rise on behalf of the Labor Party to indicate that we will also support this amendment. As I think the Acting Leader of the House will recall, we had a discussion about this issue when it was in committee stage. I am trying to get up the *Hansard* to refer to it. We discussed whether the certificates could be tabled and I think the minister gave some fairly positive comments in the house at the time. As a result of that, it went to what seems to now be acting as the house of review and the place where amendments are made to legislation. It is a good thing that people will now be able to see whether the bank is complying with the requirements of the new act, as the statement will be a public document. We are more than happy to support the amendment.

I make the point that we are trying to get this bill through and the opposition is prepared to cooperate so that this legislation goes through today. However, it is a sad indictment that it took the government 18 months to get the legislation into this place. We now have to do things at very short notice and outside our normal processes because of the failure of this government to manage its legislative program and get legislation into this place in a timely manner without forcing this house to change its processes and procedures in such a way. It is an ongoing

Extract from *Hansard*

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Hon Simon O'Brien; Hon Lynn MacLaren; Hon Ken Travers; Hon Philip Gardiner

problem that we see consistently in this house; this government is not one that is able to manage its legislation, let alone many of the other complex and difficult issues governments are required to manage.

HON PHILIP GARDINER (Agricultural) [2.27 pm]: I rise to say that the Nationals are happy to endorse this amendment. The obligations of the bank are clearly stated in the bill. This amendment, as we see it, will give a little more substance to the fact that the obligations are to be examined as being true when they are signed off by the management of Bankwest and submitted to the houses of Parliament through the minister or, in his absence, as explained in the amendment, the Clerk of the house to sign off. We support the amendment.

Question put and passed; the Assembly's amendment agreed to.

The Assembly acquitted accordingly.