

Mr. Kelly: My point regarding the economic waste in the industry was that the 5 oz. measurement which is now applied is wasteful, because in three or four months, time it will become 8 to 10 oz.

Mr. ROSS HUTCHINSON: I appreciate the point made by the honourable member. The difficulty is to increase the existing weight measurement to a higher figure. I am loth to increase the figure at the present time. The amendments in the Bill are necessary, by and large, and will assist the department to continue the conservation of the cray fisheries along our coastline.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

*House adjourned at 11.45 p.m.*

## Legislative Council

Wednesday, the 11th October, 1961

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The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

### BILLS (9): ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Pig Industry Compensation Act Amendment Bill.
2. Health Education Council Act Amendment Bill.
3. Fire Brigades Act Amendment Bill.
4. Fruit Cases Act Amendment Bill.
5. Coogee-Kwinana (Deviation) Railway Bill.
6. Unauthorised Documents Bill.
7. Metropolitan (Perth) Passenger Transport Trust Act Amendment Bill.
8. Companies Act Amendment Bill.
9. Country High School Hostels Authority Act Amendment Bill.

# QUESTIONS ON NOTICE

## ELECTION FEES

*Payments to Polling Booth Officers  
from 1950 to 1956*

1. The Hon. H. C. STRICKLAND asked the Minister for Mines:

- (1) What was the scale of fees payable to officers staffing polling places for Legislative Assembly

general elections and Legislative Council biennial elections held in the years—

1950:  
1952:  
1953:  
1954:  
1956?

- (2) What were the total costs of such fees in each of the years mentioned?

The Hon. A. F. GRIFFITH replied:

- (1) The scale of fees paid to officers was:—

Election	Returning Officers			Deputy Returning Officers			Assistant Returning Officers	Presiding Officers (not exceeding 2 tables)†	Assistant Presiding Officers	Poll Clerks and Doorkeepers		Overtime on Scrutiny (Per hour)
	Contested Election	Uncontested Election	£	Contested Election	Uncontested Election	£	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1950 Legislative Assembly General	16	6	16	£	£	£	£	2 10 0	2 5 0	1 15 0	1 10 0	5 0
1950 Legislative Council Biennial	16	6	16	13	4	4	4	2 10 0	2 5 0	1 15 0	1 10 0	5 0
1952 Legislative Council Biennial	25	6	25	20	4	6	6	4 0 2	3 14 2	3 4 2	3 4 2	7 6
1953 Legislative Assembly General	25	6	25	...	...	6	6	4 7 6	4 1 6	3 11 6	3 11 6	7 6
1954 Legislative Council Biennial	25	6	25	20	4	0	0	4 9 11	4 3 11	3 13 11	3 13 11	7 6
1956 Legislative Assembly General	40	10	40	32	8	8	8	4 12 1	4 6 1	3 16 1	3 16 1	10 0
1956 Legislative Council Biennial*												

\* Where an election for the Legislative Council is held on the same day as an election for the Legislative Assembly the Returning Officer receives the full fee for one election plus 50% for the remaining election.

† A P sitting Officer in charge of more than two tables receives 10/- extra.

- (2) The total cost of such fees for the years mentioned, including overtime on the scrutiny, was:—

	£	£
1950 Legislative Assembly Election ..	5,895	
1950 Legislative Council Election ..	2,496	8,391
1952 Legislative Council Election ..		3,029
1953 Legislative Assembly Election ..		7,697
1954 Legislative Council Election ..		2,615
1956 Legislative Assembly and Legislative Council Elections held conjointly ..		15,821

### BEECHBORO-GOSNELLS HIGHWAY

#### *Commencement of Work*

- 2A. The Hon. G. E. JEFFERY asked the Minister for Local Government:

When is it anticipated that work will be commenced on the Beechboro-Gosnells Highway?

The Hon. L. A. LOGAN replied:

Not for many years—perhaps 10 to 15.

### BRIDGE AT REDCLIFFE

#### *Construction*

- 2B. The Hon. G. E. JEFFERY asked the Minister for Local Government:

- (1) Has the Government any plans for the early construction of the necessary bridge over the Swan River at Redcliffe?
- (2) If not, will the Government give urgent consideration to the building of the bridge to ease congestion on the existing facilities?

The Hon. L. A. LOGAN replied:

- (1) Planning has only been of a very preliminary character.
- (2) No. Having regard to other urgencies and limited finance, the building of this bridge is not yet regarded as having the necessary degree of priority.

### CONSTITUTION ACTS AMENDMENT BILL

#### *Introduction and First Reading*

Bill introduced, on motion by The Hon. E. M. Heenan, and read a first time.

### BILLS (3): RECEIPT AND FIRST READING

1. Criminal Code Amendment Bill
2. Justices Act Amendment Bill.  
Bills received from the Assembly; and, on motions by The Hon. A. F. Griffith (Minister for Mines), read a first time.
3. Juries Act Amendment Bill.  
Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

### BETTING CONTROL ACT AMENDMENT BILL

#### *Third Reading*

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.42 p.m.]: I move—

That the Bill be now read a third time.

THE HON. H. C. STRICKLAND (North—Leader of the Opposition) [4.42 p.m.]: During the second reading debate on this Bill I raised a question concerning telephone betting between Western Australia and Tasmania. Later I asked the Minister whether he would make some inquiries and explain the legal position in relation to that type of betting.

Incidentally, I read in this morning's paper where a bookmaker in New South Wales bet £10,000 from the racecourse with other bookmakers in Victoria. That is a large amount of money to bet. I am wondering what the position would be; because section 92 of the Commonwealth Constitution does have something to do with the free flow of trade between the States.

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [4.43 p.m.]: Unfortunately, I have not had a lot of time since last night and I cannot directly give the honourable member the answer to the question he has raised at this particular time. I am conferring with my colleague, the Minister for Police, who is the Minister in charge of the administration of this Bill, and at some subsequent period I will convey the information to the honourable member. I cannot do so at present; and I am sure members in the House will appreciate that on this particular matter I must be certain of my words.

Question put and passed.

Bill read a third time, and passed.

### TOTALISATOR AGENCY BOARD BETTING ACT AMENDMENT BILL

#### *Third Reading*

Bill read a third time, on motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

### REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES BILL

#### *Report*

Report of Committee adopted.

### BUILDING SOCIETIES ACT AMENDMENT BILL

#### *Second Reading*

THE HON. A. F. GRIFFITH (Suburban—Minister for Housing) [4.45 p.m.]: I move—

That the Bill be now read a second time.

The existing law relating to building societies in this State was introduced some 30 years ago to regulate the long-established types of permanent and Starr Bowkett societies well-known to us all. The idea of establishing building societies was one of very long standing in the old country and, consequently, the legislation introduced in this State was based, to a large extent, on British law dating back to the last century.

I might, at this stage, express the view that the activities of the building society movement have been a valuable aid towards providing many members of the community with a satisfactory and relatively easy means of achieving homeownership. The number of societies in existence until about 1956 was quite limited, but adequate in terms of the amount of finance available to meet their activities. The Commonwealth-State Housing Agreement of that year, in conjunction with the provisions of the State Housing Loan Guarantee Act, gave a tremendous impetus to the building society movement, and it is the large expansion of building society activities which has resulted in the pressing need for the complete recasting of the Building Societies Act.

As an indication of the very rapid development which has taken place in the past five or six years, members may be interested to know that, whereas in 1955-56 there were only eight societies in operation, this figure had increased to 20 registered societies operating by the end of June, 1960. Subscriptions and deposits had risen from nearly £900,000 received during 1955-56 to more than £2,000,000 in 1959-60. Additional money coming into the movement as a result of the Commonwealth-State Housing Agreement amounted to £5.8 million during the period 1956-57 to 1959-60. As a consequence of this rapid development, the liabilities of building societies in Western Australia increased from a figure of £3.9 million in 1955-56 to more than £9,000,000 at the end of June, 1960; and advances on mortgages likewise increased from £3.8 million to £8.8 million.

The handling of the very large proportion of these substantial additional moneys has been made possible through the development in this State of a new type of society commonly referred to as the terminating or co-operative housing society. I shall refer in more detail to that type of society as I proceed. I shall not describe in any great detail the activities of the older established types of societies. Suffice to say, the permanent society operates on small contributions of share capital from a large number of investing members. They are thrift organisations which borrow short and lend long. Bearing in mind a need to have provision for liquidity, the existing Act places limits, under section 21, to the amount which

may be received by way of a deposit or loan, and these limits have been retained in a slightly varied form in this Bill.

The limitation on borrowing is at present stated as two-thirds of the amount for the time being secured by mortgage. This is sometimes difficult to determine; and in any case, is open to evasion by registering a mortgage before a house has been constructed, in which case only a small part of the security actually exists. It is therefore proposed to restate the limitation as three times shareholder's funds as disclosed in the last annual return. There is also a discretionary power for the registrar to allow the limit to be exceeded.

The terminating or co-operative housing societies do not receive share subscriptions towards funds for advances. These funds are obtained by loan from finance institutions. The term of the loan is set for a rather longer period than the members' repayment period. Payments are computed actuarially to provide a sinking fund to redeem the principal advanced over the term of the society, and such payments are normally secured by a Government guarantee.

In the event of a society earning a higher rate of interest on its surplus moneys than that set for redemption, the member benefits for the reason that his advance is cleared earlier than contracted for. This comprises the co-operative element.

This system has operated most successfully in New South Wales over a considerable period—20 years—and is working satisfactorily in Victoria. While the system is quite sound, it has been found that under the existing Building Societies Act in this State, special endeavours have had to be made over the past few years to contain its rather complex facets within the scope of our existing legislation. With the tremendous increase in building society activities of late, there has come to the fore a particular danger of some societies losing their true identity as building societies in the long-accepted conception of such. That has been a potent factor leading to the decision to amend the Act to meet present-day requirements.

Consequently, steps were taken by the registrar, and by officers of the State Housing Commission to study the Eastern States "experience." As a result, an invitation was extended by the Chief Secretary to the Registrar of Co-operative Housing Societies in Victoria and Chairman of the Victorian Home Finance Corporation (Mr. E. Ebells), and also to the President of the Australian Federation of Building Societies (Mr. E. Tytherleigh) to confer as a scrutinising committee on legislation with the Chief Administrative Officer of the State Housing Commission, and the Registrar of Building Societies.

This Bill was drafted on the advice of this committee, and it proposes the strengthening of the old Act in the following

directions: The officer at present holding the appointment of Registrar of Building Societies is also the Registrar of Friendly Societies. It is intended to appoint a separate Registrar of Building Societies in order to enable the holder of this position to devote his full energies to the administration of building societies. This is considered most desirable in view of the previous references made to the increasing number, scope and activities of registered building societies in the State. Far-reaching powers, in respect to administrative responsibilities and the safeguarding of public moneys, will be conferred with this appointment.

The Bill empowers the Minister to appoint valuers. The need for such appointments has been brought about by the increasing dependence of societies on public funds and the Government guarantees involved. The appointments also will be in the interests of the members who, more often than not, are committed to a substantial proportion of their earnings in home purchase. The appointments will, in the first instance, be made the subject of recommendations by an advisory committee which is to be set up. I shall deal with that matter later.

One of the important duties of valuers will be to ensure adequate security in respect of advances—an aspect of building society practice which has lapsed somewhat as close liaison between building societies and other interested organisations has developed. I shall have more to say in that regard as I proceed. The activities of valuers will be apparent also in connection with minimum construction standards in new homes, as also the model building by-laws. I might add that an important object of these appointments is the restoration of public confidence in the building society movement with a particular bearing on loan raising to which I shall shortly refer.

The advisory committee provided under this Bill will consist of five persons. Members will represent building societies, the valuers, and the Government, with the registrar as chairman. Some of the committee's main functions by way of relieving the Minister and the registrar of detailed consideration of matters leading up to important decisions, will be in respect of minimum construction standards, reasonable needs for societies in particular areas—i.e., registrations—and the betterment of the means of societies achieving and maintaining their important role in the matter of home finance. The establishment of the advisory committee is regarded as a most desirable and constructive idea.

Another important feature is the conferring of authority on the registrar to order an inspection of a society's accounts and activities. The existing Act is quite restrictive in this regard; to the extent, in fact, that by the time an inspection

could be arranged, it could come too late to prevent almost irreparable damage being done to the movement.

For instance, were a group of members to find it had signed up unwittingly at a rate of repayment later found to be insufficient to repay its commitments to the society in the stipulated period, the members of such group could, because of other commitments, face foreclosure. That, in itself, could be cause for members seeking an inspection of the society's affairs, but remedial action would most likely come too late in so far as the particular members were concerned. The whole basis of building society lore implies regular stipulated payments right to the end of the contract—this to facilitate members keeping their commitments within their means. The power given to the registrar to appoint inspectors of his own volition will safeguard this and many other principles of long standing.

When speaking of the duties of the advisory committee, brief comment was made on the reasonable need for the existence of societies in certain areas. Because of the inrush of applications for registration following upon additional finance being made available since 1956, it has become imperative for the registrar to be empowered to refuse registration under certain circumstances. He is at present barely able to do this, due to such action being subject to summons before the Supreme Court to substantiate the grounds of refusal. In fact, the registrar is obliged to register any society which submits rules complying with the Act, irrespective of its likely hopes of success, or of any evidence of the need for its existence in a particular area.

As implied earlier, the terms of the Housing Agreement Act prompted a flood of applications for registration, each hoping for a loan allocation from the Home Builder's Account. Of these, no less than 30 were unable to obtain the requisite finance, have never been operable, yet remain nominally registered. They are unable to start up in business, being legally prevented from obtaining loans other than from the Housing Commission. Under the present law, they may not be deregistered, except at their own request. The passing of this Bill would enable these dormant societies to be deregistered; and this could be done if for no other reason than that their existence exceeds the economic demand.

It is intended to maintain a definite relation between the number of societies able to offer finance on reasonable terms, and the home finance demands of the areas proposed to be served by them.

This brings me to a most important aspect—perhaps the main aspect and crux of our present problems; namely, finance. The prime problem which has been posed

since 1956 by the accentuated promotion of home-ownership per medium of the building societies, has been the limitation on borrowing. The Act prevents a society from obtaining loan or deposit money prior to procuring share capital. Were it not that borrowing from the State Housing Commission of Commonwealth-State Housing Act money is permitted under legislation other than the Building Societies Act, the new terminating societies would never have been able to start up. This "outside" legislation provided the starting point from which additional borrowing through normal avenues could progress.

The Act has been stretched to its limits during the past few years with a view to enabling such terminating societies to be registered initially as permanent societies, so procuring finance through shares and loans. While this was a necessary expedient, it was one which, in time, introduced new problems, such as the risk of the untimely winding up of a society in the event of new finance not becoming available to replace matured capital.

There followed difficulties surrounding voting powers of members—only holders of fully paid up shares being permitted to vote for directors, for instance.

Soon there was introduced a course of action completely incompatible with the concept of the movement, namely, a society could become a fully owned subsidiary of a finance house. This most disconcerting development was sponsored by estate development interests, and has threatened members' individual choice, not only of the building lot, but of the builder too, and placed these conditions on money available for advances.

The relative section of the Act has been proved completely inadequate in this direction, and one of the urgent reasons for introducing this Bill is that we might have on our statute book suitable laws for the maintenance of the long-accepted principles of the building societies' movement which we desire to preserve from undue influence being brought about by too close liaison between directors of finance institutions and land agents. Such basically important matters are properly covered in the measure now before the House.

The entire success of building societies is dependent, to a marked degree, on the confidence of finance institutions, small investors, and intending borrowers. It is considered that such confidence has been somewhat shaken of late. The provisions of this Bill will strengthen the movement against such doubts.

With a view to overcoming undesirable features in the financial control of societies, a limit on the holdings of a single corporation or incorporated company is to be set at 10 per cent. of the total share capital of a society. The aggregate proportion of capital to be held in a society by incorporated companies or corporations will

be restricted to 40 per cent. of the total share capital. This will prevent any finance house or group of financial institutions from securing the control of a building society. It is not expected that this move will affect, detrimentally, the amount of money available for housing—rather will it direct substantial long-term loans to terminating societies.

Furthermore, while the main role of a permanent society is a thrift organisation, raising small individual amounts of relative short-term capital, larger sums will be taken as loans by the societies, should they become available.

Before concluding, I desire to have something to say with respect to the Housing Loan Guarantee Act and its operation. A Bill to amend that Act will also be read a second time, but with your permission, Mr. President, I would like to refer to it because one Act depends very largely upon the other.

As members will know, the Act was designed to give encouragement to investment of private capital in housing. Unfortunately, the results brought about by the introduction of this legislation have not been as effective as was hoped. This is, to some extent, due to doubts as to the power of building societies to enter into arrangements for loans. It seems that, as a result of this, some avenues of finance, such as savings banks, have provided very little money. Members will appreciate that the difficulties which have been faced have been substantial and of a serious nature, and have warranted the earnest consideration which has been given to the redrafting of the law, as affecting the future of building societies in Western Australia. It is considered that the legislation now before the House takes into account the interests of all—those of the home owners, those of the societies, and the Government's interest as the caretaker of the people's money.

The many recent developments which I have outlined have left no doubt as to the damaging conditions which have developed. A closer relationship has been established between building societies and the Housing Commission through the Commonwealth-State Housing Agreement, and the Housing Loan Guarantee Act.

The Act has heretofore been administered by the Chief Secretary. In order to meet any future eventuality, the Bill does not specify who shall administer the Act.

The Hon. H. K. Watson: Which Act are you talking about?

The Hon. A. F. GRIFFITH: The Building Societies Act, because the Housing Loan Guarantee Act is administered by the Minister for Housing. I was going to make some comments about investments and the Housing Loan Guarantee Act, but as the amendment to that Act is the next item on the notice paper, I shall leave my remarks till I get to that point.

I should like to say in conclusion that, in collaboration with the Chief Secretary, I was directly responsible for the invitation that my colleague, the Chief Secretary, issued to those two gentlemen from the Eastern States to come here and confer with us upon the difficulties which we were facing. It is the Government's hope that the amendments to this legislation will be of value to the building society movement, and that they will encourage more finance into Western Australia to enable more homes to be built. The consequent result will be that the people of our State will benefit. I commend the Bill to the House.

Debate adjourned, on motion by The Hon. R. Thompson.

### COAL MINERS' WELFARE ACT AMENDMENT BILL

#### *Returned*

Bill returned from the Assembly without amendment.

### BILLS (3): RECEIPT AND FIRST READING

1. Public Moneys Investment Bill.
2. Stamp Act Amendment Bill.
3. Fisheries Act Amendment Bill.

Bills received from the Assembly; and, on motions by The Hon. L. A. Logan (Minister for Local Government), read a first time.

### HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

#### *Second Reading*

THE HON. A. F. GRIFFITH (Suburban—Minister for Housing) [5.10 p.m.]: I move—

That the Bill be now read a second time.

In moving that this Bill be now read a second time, I desire to point out to members that this measure is, to a degree, complementary to the amendment to the Building Societies Act, which I have just introduced.

The committee which advised the Government last year in respect of the Building Societies Act was asked also to submit its recommendations in respect of appropriate amendments to the Housing Loan Guarantee Act. While the committee expressed its complete agreement with the administration of the Act, and with the principle of guarantees, it made certain suggestions for the improvement of the Act in the interests of the Government and of the home-builder.

The first of these, which I shall explain to members, is in respect of guarantees. The continuous guarantee of moneys advanced by the major financial institutions

to approved institutions which, in turn, receive a guarantee against default by the borrower, is considered unnecessary. It is proposed to amend the Act to limit the guarantee to moneys advanced by the major financial institutions. In order to distinguish these major financial institutions from the approved institutions, the former are to be defined as set out in paragraph (b) of clause 4 as "approved lending authorities."

Clause 9 of the Bill provides for the repealing and re-enactment of section 7A of the Act, and sets out the conditions under which the Treasurer is empowered to give guarantees to approved lending authorities. One of the conditions, of course, provides that the loan must be made for the purpose of building new houses or for making financial assistance available for the purpose of purchasing new houses.

There is provision for the execution by the approved institution of such securities as the Treasurer thinks necessary in order to secure compliance with their undertaking, and, further, to secure the Treasurer against any liability he incurs under the guarantee.

It is further provided that the securities shall be a first charge on the undertaking, notwithstanding the provisions of any other Act, except where there is a floating charge under the Commonwealth and State Housing Agreement Act of 1956, in which case, the securities executed under subsection 2 of the new section 7A shall be subject to that floating charge.

I earlier referred to the undesirable feature of the existing Act in respect of the continuing guarantee right down to the borrower. The parent Act allows for the guaranteeing to approved societies of moneys advanced to individual borrowers under security of first or second mortgages on a scale of percentages of values of houses.

This guarantee is to be discontinued, effect being given to this under clause 8, through the repeal and re-enactment of section 7. In its place, it is proposed to introduce a form of indemnity, the conditions of which are set out in clause 10, which makes provision for a new section 7B to the Act.

There are several aspects of this proposal which are particularly interesting. It is considered that this move will encourage approved institutions to give closer scrutiny to a borrower's credit worth. This is in the interests of better management, and will reduce the contingent guarantee liability. The intention of this amendment is to empower approved institutions being indemnified against loss in the event of necessity to foreclose on first mortgage only. The institution will be indemnified, however, only to the extent of the difference between the amount it would have normally advanced against

value, and the amount which it is authorised to advance of the money it has received under guarantee from a lending institution. Again, I might mention this should encourage greater responsibility being accepted by these institutions.

I made reference earlier to the scale of values. The scale at present in operation is in respect of guarantees to approved institutions for the whole or part of moneys advanced to individual borrowers under the security of first or second mortgages. It extends up to 95 per cent. of the value of a new house not exceeding £3,000; up to 90 per cent. exceeding £3,000 but not exceeding £5,000; up to 80 per cent. exceeding £5,000.

The indemnity is to be under a slightly amended scale and, as previously mentioned, against loss in the event of necessity to foreclose on first mortgage only. The amount of indemnity will be set at a figure between the amount which would normally be advanced against value and 95 per cent. of value of a new house, not exceeding £3,000; between this figure and 90 per cent. of value of a new house exceeding £3,000 but not exceeding £4,500; between that figure and 80 per cent. of value of a new house exceeding £4,000 but to be limited to £6,000.

The object of the limitation to £6,000 is directed towards the encouragement of home-ownership by the lower and middle income group, by excluding the higher income group which should be better able to shoulder the heavier commitment entailed in the purchase or erection of a home exceeding £6,000 in value. This higher income group should have the financial capacity to obtain financial assistance without Government guarantee or indemnity.

Clause 11 of the Bill sets out the conditions under which indemnity is to be given. They are set out in new section 7C to the Act. Subsection (1) (a) stipulates fixed periodical instalments sufficient to meet the borrower's obligations, together with interest, within a period of 45 years. Paragraph (b) restricts the indemnity to moneys borrowed for obtaining a home for the borrower and his dependants.

The Hon. H. K. Watson: Is there any reason for stipulating 45 years in this instance, and only 30 years in respect of building societies?

The Hon. A. F. GRIFFITH: Only because it is a different kind of finance. As I said when I introduced the Bill in respect of building societies, the policy of these societies is to advance loans for a shorter period than that mentioned in this Bill.

There are certain restrictions under paragraph (c) regarding interested parties already owning a dwelling house; and also in respect of previous indemnities under similar conditions and for like purpose as described in paragraph (d), both of which

will generally apply unless just cause exists for exemption from these by the Minister. Finally, under paragraph (e), indemnities may not be given in respect of moneys chargeable with interest in excess of that covered by authority granted the Treasurer under new section 7F as set out in clause 14.

The new section 7F sets out very clearly the responsibility of the Treasurer to declare, from time to time, whenever requested by the Minister, the aggregate amounts of guarantees and indemnities, the maximum rate of interest which an approved institution may charge, and the maximum amount which an approved institution shall advance to a borrower.

These provisions safeguard the use of public moneys committed through this legislation and, in conjunction with new section 7D introduced under clause 12, regulate the aggregate of liabilities under guarantees and indemnities to amounts declared by the Treasurer. This is a very necessary provision, in view of the liability of the Treasurer, as set out in new section 7E under clause 13.

I invite members' attention to clause 17 which makes provision for the repeal and re-enactment of section 9 of the Act. There is established at the Treasury, under the provisions of existing section 9, a housing loan guarantee fund. Maybe it is part of Consolidated Revenue.

The Hon. F. J. S. Wise: There is no relationship.

The Hon. A. F. GRIFFITH: I shall stick to the Housing Loan Guarantee Bill. A sum amounting to one-quarter of 1 per cent. per annum on so much of the amount not repaid to the approved institution is being paid into this fund in order to meet claims and cover administration charges. There is a somewhat similar arrangement in existence under old legislation still in operation in South Australia.

It may interest members to know that a sum of no less than £250,000,000 has been guaranteed in the States of New South Wales, Victoria, and Queensland. It has not been found necessary in these States to levy this one-quarter per cent. to meet administration costs and losses should any be sustained, and it is intended to discontinue the practice here. Members will recall that I introduced a Bill in 1959 to remove the anomaly in respect of this charge. The Housing Loan Guarantee Act was originated by the previous Government, but due to a misconception of the legal interpretation we, as the incoming Government, had to charge two lots of one-quarter per cent. We had to introduce a Bill to overcome that anomaly.

The Hon. H. K. Watson: It was a double-headed charge.

The Hon. A. F. GRIFFITH: It was, but that was not intended. We have come to the conclusion that there is no necessity to sustain this one-quarter per cent. charge.



This decision is supported also by the fact that, in respect to guarantees on advances for purposes other than housing, there is no such charge in this State.

I mention these aspects in support of the decision to empower the Treasurer to pay claims from Consolidated Revenue. The experience throughout Australia shows the unlikelihood of any significant number of claims, and accordingly the discontinuance of this charge, which is an annual recurring one, is considered justified, and, furthermore, will benefit materially the home purchaser.

There is a provision, however, inserted in clause 19 allowing the fixing of fees by regulation with a view to meeting administrative expenses, such as the cost of registering applications for guarantees and preparing security documents, guarantees, indemnities, etc.

Clause 15 repeals and re-enacts section 8 dealing with valuers. The re-enactment of this section is considered very desirable, in view of the nature of the agreements for indemnities which may be entered into by the Treasurer in addition to establishing the powers of the Minister with regard to the appointment of valuers in subsection (1).

The redrafting of subsection (2) makes provision for a new house which is the subject of a first mortgage or contract for sale and purchase, to be valued by the Minister's valuer, the distribution of the cost of which may be determined by the Minister.

I desire to make a passing reference to clause 16 and the power given to the Minister under new section 8A to determine, from time to time, the interpretation of "new house." This provision is inserted in order that the Minister might meet eventualities as they occur.

Since the Bill has been drafted, some doubt has arisen on this particular amendment. The drafting of the clause in the way it has been drafted might not give effect to what was intended. Under the existing Act, a new house is defined as one which has just been completed, or which has not been occupied for more than six months. It is not the intention of the Minister to classify a house which has been occupied for six months and one day in that category, and it is intended that he should have a discretion in such cases. The clause was drafted with a view to giving the Minister this discretion, but from inquiries I have made I find that if the Minister extended the period in one case he would have to extend the period in all cases. That is not the intention. During the Committee stage an opportunity will be given us to consider that aspect.

I have had discussions with some people in this community who are interested in building societies and financial institutions. They have raised certain points,

and these have sufficient merit to require investigation. I have given an undertaking that I will not go further than the Committee stage of the Bill until we have had an opportunity to consider those suggestions. They have been made largely by people who have had a great deal of experience in the building society movement, and I feel sure they have been made with the intention of assisting and not obstructing the legislation. I was happy to confer with them on the points they raised.

Although this Act did not get away to a very good start, in more recent times it has operated quite satisfactorily. In 1958-59, the Government was called upon to guarantee £20,837. At that time the interest rate was 7½ per cent. In 1959 the incoming Government decided that this interest rate was too high and should be reduced. It was reduced to a rate of 6½ per cent. maximum. Surprisingly enough, that had the desired effect of increasing the amount which the Government was called upon to guarantee. In 1959-60 the Treasurer was called upon to guarantee an amount of £382,953; and in 1960-61 the figure was £790,054. Up to the 1st October, 1961—that is for three months of this financial year—the figure was £140,936. Therefore, the Act has played its part.

The amendments which I have endeavoured to explain are substantial and far-reaching; and, as initially mentioned, they are directed towards the better operation and management of the Housing Loan Guarantee Act, the provisions of which are related very closely to building societies and to their operations in this State. I have touched on most of the major proposals, and during the Committee stage we will have an opportunity for reviewing further the clauses in the Bill, in the light of the circumstances I mentioned a few moments ago.

Debate adjourned, on motion by The Hon. F. J. S. Wise.

## CIVIL AVIATION (CARRIERS' LIABILITY) BILL

### Second Reading

Debate resumed from the 10th October.

**THE HON. F. J. S. WISE** (North) [5.28 p.m.]: This Bill which was introduced in this House last evening contains a very desirable principle. That principle is to ensure, without the need to prove negligence, that aircraft operators have a liability to their passengers. The Minister mentioned in the course of his speech that one of our local airline companies now provides free insurance, in the case of death, to the extent of £2,000 for an adult and £1,000 for a child. Such amounts will be paid whether or not negligence is proved.

The objective of this Bill is tied to the reference in section 31 of the Commonwealth Act, which is set out in clause 5. The objective is that aircraft operators—referred to in the Commonwealth legislation and in this Bill as carriers—shall have a liability in respect of each passenger to the extent of £7,500 in the event of death, or such higher sum as may be specified in the contract of carriage.

The Commonwealth Act which is No. 2 of 1959 has as its short title "Civil Aviation (Carriers' Liability) Act, 1959." That Act, as passed in 1959, was based on an international agreement reached at The Hague in 1959 and very much earlier at the Warsaw Convention in 1929.

The Commonwealth Act has 43 sections with schedules which are reprints of certain rules relating to international carriage by air. The schedules, I find, are actual extracts from the articles which were signed at The Hague and Warsaw by the plenipotentiaries of the States, including Australia, on behalf of which the protocols were signed.

The Commonwealth Act as it was introduced applied, as we can imagine, to interstate travel; and obviously there would be some doubt whether the Commonwealth laws would be enforceable on journeys which commence and end within a State. Therefore, although the origin of this law goes back to an international agreement, and later to Hobart where it was the subject of a discussion at a conference of State Ministers, it can be said that there is a necessity, if all Australia is to participate in the objectives of the international agreement, for State laws to be made.

The Australian Transport Advisory Council—that is the council representing the Commonwealth and States—agreed that all States should introduce a Bill similar to the one now before us. This Bill refers, particularly in clause 5, to part IV of the Commonwealth Act; and part IV of that Act takes in sections 26 to 41 inclusive. According to our Bill, certain of these clauses are excepted; and, on reference, the reasons are clearly shown. For example, the exception of clause 41 and the regulations made thereunder is understandable, because they refer to air-borne cargoes as distinct from passengers.

We find, too, in an examination of our own Bill that in almost every clause there is a reference to some section of the Commonwealth law; and I think—and this is merely a personal view as a Western Australian parliamentarian—that it would have been better for many reasons if the appropriate sections of the Commonwealth law which are to be imposed as a law here had been lifted from the Commonwealth law and introduced as a whole in a Bill. There are other references on that point which I will make in a few moments.

The Minister referred in the course of his speech to the agreement reached at Hobart, and this was that legislative effect should be given by the States to the decisions reached at that conference. I am wondering whether the Minister has any idea whether any other State so far has acted in accordance with that agreement.

The Hon. A. F. Griffith: No; but I will find out for you.

The Hon. F. J. S. WISE: I have gone to a lot of trouble today to find out, and the only State which appears to have introduced such a Bill is Victoria. It is very doubtful from my inquiries whether any other State has done so. I have a copy of the Victorian Bill and also a copy of the speech made on its introduction. It is very interesting that the Victorian Bill is almost identical with our own. The only differences are minor matters of verbiage where the draftsman has introduced such words as "that is to say" and so on. The Bill, in essence, is identical.

The Hon. A. F. Griffith: Apparently they did not lift sections from the Commonwealth Act.

The Hon. F. J. S. WISE: No. Apparently there was some agreement in Hobart that a Bill should be drafted and introduced. However, that does not make it right.

The Hon. A. F. Griffith: No.

The Hon. F. J. S. WISE: I may be able to get the Minister to agree with me on a very important point which I will submit to this House shortly.

The Hon. A. F. Griffith: I do not disagree with your contention now.

The Hon. F. J. S. WISE: There must be in Victoria an authority known as the Statute Law Revision Committee. Other members who follow Victorian legislature and its enactments will know better than I do about that; but it does exist, because when this Bill was introduced on the 26th September, 1961, the Minister for Transport (Sir Arthur Warner) said—

When this Bill was considered in another place last session, it was referred to the Statute Law Revision Committee, which examined the position but has not yet made a finding on the subject-matter.

After adjourning the debate the Minister moved by leave—

That the proposals contained in the Civilian Aviation (Carriers' Liability) Bill be referred to the Statute Law Revision Committee for examination and report, and that there be referred to the committee the minutes of evidence taken by the Statute Law Revision Committee of last session in relation to the subject-matter of this Bill.

The Hon. H. K. Watson: To a committee of the whole House?

The Hon. F. J. S. WISE: No; to the Statute Law Revision Committee.

The Hon. J. G. Hislop: At the meeting of the Commonwealth Parliamentary Association, the Western Australian members were asked if we had a similar committee; we were recommended to have one.

The Hon. F. J. S. WISE: Apparently although it was referred to the committee of last session, that committee has not yet reached a finding. There is one point which quickly comes to mind, when one analyses clause 3 of this Bill, as to what the Victorian Statute Law Revision Committee thinks of clause 2 of the Victorian Bill which is identical with clause 3 of ours. The provision in clause 3 of this Bill is for the Commonwealth Act, if amended from time to time, to be hereby sanctioned and approved by this legislation. The Act as amended from time to time will be the one to which we, in this State, are to be subject. If we further examine clause 3 of this Bill we find that we are to be governed in the implementation of this Act, if it becomes an Act, by the Commonwealth regulations from time to time in force. I do not like that very much.

The Hon. H. K. Watson: It even binds the Crown.

The Hon. F. J. S. WISE: Yes; it binds the Crown. We in this House particularly, and in this Parliament generally, are very conscious of the responsibilities of all members towards their constituents and to the public in regard to regulations which are laid on the table and examined; but I suggest that with a meeting of the Commonwealth Parliament held not periodically and not regularly but frequently, with long and short sessions, it will not be within the scope of our clerks of Parliament to keep abreast of the Commonwealth laws as amended, if this is to be the principle in any interrelated legislation, Commonwealth and State.

For example, the Minister for Housing, working as he does under a very complete and thorough State law relating to housing which has within itself, completely, all the arrangements made between the Commonwealth and the States, knows exactly what his authorities are and what he may do and shall do. But if he were bound by a Bill of this kind in relation to an agreement, amendable by the Commonwealth Parliament at any time with regulations thereunder to be tabled in the Commonwealth Parliament and to become law affecting us, he could face a very difficult situation.

The Hon. A. F. Griffith: I know what my responsibilities are under the Commonwealth-State Act and what I can do with their money. But it is interesting to note that I do not administer their money. Put it this way: The administration of their money is done by a body set up under a different Act—the State Housing Act.

The Hon. F. J. S. WISE: That is so; but so far as the law is concerned, the Minister is operating under that law. But in this case we are quoting in each clause—and I do not wish to delay the House—some reference to the Commonwealth Act.

If members will look at section 4 of the Civil Aviation (Carriers' Liability) Act of the Commonwealth, they will see how involved is the responsibility. I have mentioned clauses 26 to 41 with varying provisions subject to amendment by the Commonwealth; and unless there is an arrangement of which we do not know at some prior consultation before amendment, or agreement in regard to regulations, I suggest that this measure could be extending to the Commonwealth Parliament a right which would make this Parliament subservient to it.

The Hon. A. L. Loton: It really belongs to this Parliament.

The Hon. F. J. S. WISE: I say so.

The Hon. G. C. MacKinnon: Could such an agreement bind successive Parliaments?

The Hon. A. L. Loton: It is an Act of Parliament.

The Hon. F. J. S. WISE: This is an Act of Parliament.

The Hon. G. C. MacKinnon: You referred to an agreement that might exist.

The Hon. F. J. S. WISE: The agreement reached both at The Hague and at Warsaw, and signed by our representatives—

The Hon. G. C. MacKinnon: You suggested that there might be an agreement between this State and the Commonwealth. If such an agreement existed, perhaps it could not bind future Governments.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. F. J. S. WISE: Perhaps it could not. If Parliament passes this law and it is accepted and proclaimed, and if I interpret these two definitions aright, the Commonwealth Act means the Civil Aviation (Carriers' Liability) Act of 1959. If that Act is amended from time to time, it will include the regulations made under it.

The Hon. H. K. Watson: It binds the Crown on the blind.

The Hon. F. J. S. WISE: Yes; I would think that, too. To put the matter in a few words, it seems to me that we are committing ourselves, by the way the Bill is framed, automatically to amendments that might be made in the future to part IV of the Commonwealth Act.

The Hon. A. F. Griffith: The information I have is that the Bill does not cede power permanently to the Commonwealth. There was, I believe, an argument on this point in another place.

The Hon. F. J. S. WISE: I found that out this afternoon after doing a lot of preparatory study. Indeed, I took the Bill

home last night and after reading its provisions I searched through a cupboard of documents which I have, and which one naturally has assembled over 28 years of parliamentary life, because I recalled a speech made by a very able man in public life in South Australia—The Hon. Sir Thomas Playford. In an address he gave many years ago on certain aspects of States' responsibilities and rights towards the Commonwealth, he made some interesting comments. I did not intend at this point to introduce these remarks, but perhaps it is timely to do so. Sir Thomas, in an address given as long ago as 1949 to the Australian Institute of Political Science, said this—

The people of Australia entered into an indissoluble Federal union in order that certain specified national matters should be handled by a Federal Parliament and a Federal Government. They have never agreed to change the character of the Constitution and have decisively rejected all proposals which might lead to unification.

Every unauthorised extension of Commonwealth power is a direct defiance of the expressed will of the people. Either our system of Government is a Federal system or it is a unitary system. The people have decided on a Federal system, and there is no half-way course.

Sir Thomas went on to say—

The Commonwealth Parliament has frequently broken the spirit of the union by seeking to extend its authority by unauthorised methods over matters not committed to it. It has assumed complete financial sovereignty over the States.

He concluded his address with these words—

The people of Australia have been singularly fortunate in the enjoyment of greater civil liberty than any other people in the World. It was intended that these civil liberties should be preserved for us under our system of federation, and that they should be guaranteed to us by a division of legislative power among various appropriate authorities. Are we now, through lack of interest in this most important of all of our public affairs, to drift into a system of unification, with the consequent impairment of our individual influence over the public affairs upon which our welfare so directly depends?

I suggest those are very pertinent comments in connection with something which could be allowed to intrude—initially, perhaps, unwittingly and not by design—into our affairs. In the very form in which the Bill is presented, we are innocently allowing ourselves to be subjected to decisions of the Commonwealth Parliament.

We are doing that through a measure to which we in this State are quite innocently giving approval; and the legislation contains a very valuable and important principle.

The Hon. A. F. Griffith: I am one who thinks we should hold hard to our rights. Do you think the Commonwealth is likely to amend this law; because it was introduced as the result of a conference with all the States?

The Hon. F. J. S. WISE: I think that regulations are always likely to be framed. To illustrate a point of danger: at the moment we have a Federal Government of a certain kind. In a few years—this year, next year or sometime; but not never—we will have a different sort of Government in Canberra.

The Hon. J. G. Hislop: Maybe neither of the present parties will be the Government.

The Hon. F. J. S. WISE: Maybe. With that sort of authority established, can members not visualise the potentially great danger to State Legislatures? I raise that point very earnestly as being something which we can quite legitimately give away in agreeing to all the States ratifying a principle which the Commonwealth has approved in an interstate sense.

If section 92 of the Constitution prevents the Commonwealth law from covering an accident—God forbid that there should be one!—to one of our intrastate air systems, and so makes it impossible for the victims to be compensated for loss, we must do something about it. But I raise the point that there is some doubt in my mind that we need go this far. It would be much better if all the other States could see or sense the danger in connection with the point. I would like to hear Sir Thomas Playford on this. Victoria may have some doubt about the legislation, because it has referred it to a committee.

The Hon. H. K. Watson: How many States have passed it?

The Hon. F. J. S. WISE: None. In the course of my inquiries, I rang one of the other States, and it has not introduced a Bill. It is unfortunate that private members have to spend their own money to ring other States in order to find out these things. But it struck me as being so important, if this principle is permitted, especially with a Parliament composed much differently, as Dr. Hislop said, from the parties now at Canberra, that there could be some danger to a State Legislature if some sort of overriding control were quite innocently imposed.

The Hon. H. K. Watson: The State could presumably repeal this Act.

The Hon. F. J. S. WISE: Yes; but if in the interregnum there is an air disaster we want to be tied to this Commonwealth law; we want to be tied to the provisions of the conventions of Warsaw and The

Hague. They are international in their import and their agreement. We want to see that the air services automatically have every passenger covered at any and all points of the journey.

This is only a small matter, after all. I made inquiries today from two insurers as to the cost of this, and it is only 2s. per £1,000, and 2s. 6d. per £1,000 stamp duty for any journey whether the journey is from Guildford to Rottneſt or from Guildford to Wyndham. It ſeems ſtrange, but that is the poſition: for any ſingle journey it is 2s. per £1,000 plus 2s. 6d. ſtamp duty, or a total of 4s. 6d. per £1,000. So it is not much; and if ſection 92 of the Commonwealth Conſtitution does not apply to travel within the State, the only people we are concerned with, ſo far as our domeſtic airlines are concerned are thoſe travelling within the State, as any through paſſengers to Darwin would be covered by the Commonwealth law. So we do want to be covered.

I aſk this queſtion: Is this ſafe enough to cover the principle involved? And I raiſe this point: We need to ensure that we are not going to be ſubſervient, as a Legislature, to the Commonwealth. My fears may not be well founded, but I raiſe theſe matters, becauſe it is my duty to do ſo.

I hope we can have an Act of our own, and that we can have whole ſections, where appropriate, lifted from the Commonwealth Act ſo that no amendment or regulation made by the Commonwealth will have effect; but that regulations made here, identical with Commonwealth regulations, will have the full force of law and will keep us in a paramount poſition.

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [5.58 p.m.]: The point raiſed by Mr. Wiſe was dealt with at ſome length in another place. The advice I have is that the Bill does not cede power permanently to the Commonwealth. However, I think it is worth while for me to be more certain about the matter than I am at preſent, ſo I will endeavour to find out what the poſition is.

Whilst the honourable member was ſpeaking I was ſtudying my notes. Certain legal opinions have been expreſſed. I ſhall collate thoſe opinions and ſtudy them and tell the honourable member more about the matter when the Bill is in Committee. I will not aſk members to deal with the Committee ſtage to-night.

I think it is regrettable that a member has to ſpend his own money to ring the Eaſtern States. I would ſay, in the moſt friendly way, to the honourable member that I feel ſure that at any time he or any other member deſires to have ſome information, my colleague, Mr. Logan, or I would be only too happy to try to get it for them and thus ſave them the expenſe. If members, as has been done in the paſt, would telephone us, we would endeavour to get

them whatever information they deſired, and ſave them the trouble of getting it for themſelves.

I am ſorry I cannot tell Mr. Wiſe whether the other States have yet effected legislation, but it ſeems improbable that they have, becauſe the honourable member was only able to find a report from Victoria. However, I will confer with my colleague, the Miniſter for Transport, upon this point and alſo upon the point as to whether any other State has yet introduced this legislation. There is no neceſſity for me to ſay any more at this ſtage. I will endeavour to clear up, to the ſatisfaction of the Houſe, the points that Mr. Wiſe has raiſed.

**Question put and paſſed.**

**Bill read a ſecond time.**

### **METROPOLITAN REGION IMPROVEMENT TAX ACT AMENDMENT BILL**

*Second Reading: Amendment to Motion*

Debate reſumed from the 10th October on the following motion by The Hon. L. A. Logan (Minister for Town Planning):—

That the Bill be now read a ſecond time.

*To which The Hon. H. C. Strickland (Leader of the Opposition) had moved an amendment—*

Delete all words after the word “That” and ſubſtitute the words “as it is provided that the propoſed tax will not be paid into the Consolidated Revenue Fund and thereafter appropriated as required by ſection ſixty-four and other relevant provisions of the Conſtitution Act, 1889, in the opinion of this Houſe this Bill is not proper to be given a ſecond reading.”

**THE HON. L. A. LOGAN** (Midland—Minister for Town Planning) [6.2 p.m.]: The fact that meaſures ſimilar to this have been introduced into Parliament on four occasions was ſufficient reaſon for me to have enough faith and confidence in our Crown Law Department and not to have any fears that this Bill was ever out of order. However, to aſſure members that it is in order I have a Crown Law ruling which I will now read to the Houſe. It is as follows:—

The Hon. Mr. Strickland argued in effect that the above Bill is out of order in that the relevant legislation requires certain moneys raiſed by taxation to be paid into a ſpecial fund, whereas ſection 64 of the Conſtitution Act, 1889 requires that all taxes etc. ſhall form one Consolidated Revenue Fund.

Section 73 of the Conſtitution Act, 1889 provides that “the legislature of a Colony ſhall have full power and

authority from time to time by any Act to repeal or alter any of the provisions of this Act." Prior to 1920 it was thought that so long as the Constitution Act of the State remained unaltered, any enactment inconsistent with its provisions was invalid. In 1907 the High Court of Australia had held, in *Cooper v. Commissioner of Income Tax for the State of Queensland* (4 C.L.R. 1304), that the power vested in a State legislature by its Constitution to enact constitutional alterations must be exercised by direct legislative provisions. That case stood until 1920, when the Privy Council held in *McCawley v. The King* (1920) A.C. 691, that the Constitution Act of a State possesses in law no such special constitutional quality as to preclude its amendment by the methods which are appropriate in the case of any other statute, and that in consequence, where Parliament passes an Act which is inconsistent with any provision in the Constitution Act, the latter provision is deemed to be altered so as to give effect to the later Act.

In consequence, in my opinion there is now no ground in law for considering the above Bill to be out of order on the ground mentioned by the Hon. Mr. Strickland.

Quite apart from the above, the Bill in question is designed merely to reduce a rate of tax, and therefore does not itself conflict with section 64 of the Constitution Act.

The Hon. A. L. Loton: Would you read the last paragraph again, please?

The Hon. L. A. LOGAN: Yes; it is as follows:—

Quite apart from the above, the Bill in question is designed merely to reduce a rate of tax, and therefore does not itself conflict with section 64 of the Constitution Act.

I am not concerned about that point. What concerns me is that the Privy Council has given a decision on the matter; and, so far as I am concerned, I am not prepared to argue against the opinion of such a high body, because once it has expressed an opinion, I think it is regarded as being the highest opinion that can be obtained in the world. In view of that fact, all I intend to do is to ask the House to vote against the amendment in order that we may proceed to debate the Bill itself.

Debate (on amendment to motion) adjourned, on motion by The Hon. H. K. Watson.

*Sitting suspended from 6.7 to 7.30 p.m.*

## BANK HOLIDAYS ACT AMENDMENT BILL

### *Second Reading*

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines) [7.30 p.m.]: I move—

That the Bill be now read a second time.

This measure comes to us, as do so many other Bills, from another place seeking the concurrence of the Legislative Council to a Bill for "An Act to amend the Bank Holidays Act." The Bill has been introduced for two main reasons: Firstly, to regulate to a degree the days and times during which banks will be open for business to the public; and, secondly, to make certain adjustments in respect of bank holidays with a view to bringing the statutory holidays in this State into closer uniformity with those operating in other States.

There is a third aspect also which, although not included in this Bill would, with its passing, enable the Government to give effect to the terms of its agreement with the Associated Banks in Western Australia and representatives of the bank officers, by which certain proclaimed holidays will be cancelled. Such cancellation is in accord with the amendment of the Bank Holidays Act which was passed by Parliament in 1953.

As members are undoubtedly aware, there have been strong moves in recent years, throughout Australia, for the closure of banks on Saturday mornings; and indeed there have been attempts by private members on several occasions to obtain Parliamentary sanction to the granting of Saturday morning as a Bank Holiday in the interests of those people employed in banks. The particular Bills to which I refer were introduced in the years 1952, 1955, 1956, 1957, and 1958.

The Hon. F. R. H. Lavery: Constant dripping wears away a stone.

The Hon. A. F. GRIFFITH: Each Bill was completely identical. The main body of law contained therein consisted of four words "each and every Saturday," the intention being to add those words to the schedule which sets out the statutory bank holidays provided in the parent Act.

Not one of these Bills placed any obligation on the banks to provide an alternative service to the public in lieu of the service now available on a Saturday morning; nor is it conceivable that a private member, unable to commit his Government, would be able to negotiate such a far-reaching agreement with the banks.

Consequently, these Bills had no regard for the needs of the general banking public; they sought merely to give bank employees Saturday morning off. Though

they received some support in both Houses, none was sponsored by the Government of the day, nor given Governmental blessing. It may be assumed, consequently, that all previous legislation of a nature akin in any way to the provisions of the Bill now before the House has been inadequate to meet the requirements of sound banking business.

During the years which have passed, there has, as I previously mentioned, been a concerted effort and a very successful sequence of events in other States where banking legislation has been introduced and passed, and apparently has been working reasonably well for some time. The States to which I refer are Tasmania, South Australia and Queensland.

Furthermore, as recently as the 16th August last, on the occasion of the opening of the New South Wales Parliament, the Governor of New South Wales (Sir Eric Winslow Woodward, K.C.M.G.), when reviewing the Government's legislative programme, commented that amongst other measures to which Parliament would be asked to give consideration would be a Bank Holidays (Amendment) Bill. Similar reference was made by the Lieutenant-Governor, when opening this session of Parliament.

In view of the sequence to which I have previously referred, we may assume that it is the intention in New South Wales to introduce legislation along somewhat similar lines to that now before this Chamber. To the best of my knowledge, such legislation has not yet been passed in New South Wales. I am advised, nevertheless, that with its passing, the Premier of Victoria, though he may not be completely in favour of restricting the days on which banks may remain open, would have little option, in view of the changing conditions in Australia, but to accept the general trend, as we are doing in this State, in order that banking legislation throughout the Commonwealth might be as uniform as possible.

No doubt there will be exceptions to the rule, just as at present, where it is considered good business to keep certain banking premises open for longer hours than customary. That is a special service provided by certain banks and made under arrangements which are quite outside the scope of this legislation.

I made particular mention of His Excellency's reference to the legislative programme when opening the New South Wales Parliament, and to a similar reference here in this State, to emphasise that legislation of this nature should not rightly enjoy any political background. This is borne out by the successful introduction of this type of legislation in the several other States which have Governments of varying political complexions.

The important point is that, in order to ensure satisfactory legislation being written into our statutes, it is necessary for Bills of this nature to be introduced as Government measures, if only for the practical reason that the interests of the banking public can be safeguarded. I recall having myself expressed the view during the debate on the 1957 Bill that some provision should have been made in the Bill for proper agency facilities to be available in the event of the Bank Holidays Act being extended to cover Saturday mornings. That is precisely what this Bill intends.

The provisions of the Bill regarding Saturday closing do not apply to Savings Bank agencies. I understand there are in the vicinity of 1,265 such agencies in operation in the State at the present time. It is intended that they remain open as usual on Saturdays, and of course this service is not necessarily restricted to Saturday mornings. I believe that the numbers of agencies available six days a week will increase greatly with the passing of this measure.

The Bill is a very straightforward measure, requiring, I consider, little explanation. Through the insertion of a new section 1A into the parent Act under the provisions of clause 2, the Governor may declare Saturday to be a bank holiday and be kept as a bank holiday by all banks on certain conditions. The conditions are that His Excellency will need to be satisfied that satisfactory alternative arrangements to meet the needs of the banking public have been made, and will be carried out.

The provision stipulates in detail that banks shall remain open for business until 5 o'clock on every Friday afternoon so long as the Friday is not itself a bank holiday. It is expected that this requirement could be effected with a delay of no more than a week or two after the passage of this measure; so I am informed by my colleague, the Chief Secretary. As an assurance that this service to the public will be maintained, there is provision in subsection (3) of the new section 1A for Saturday to cease being a bank holiday in the event of the late Friday business period ceasing to be available to the public.

Should the banks withdraw the late Friday banking service, the Governor is empowered to cancel the Saturday arrangement should he so desire. Paragraph (b) of clause 2 removes Coronation Day and the Prince of Wales' Birthday from the schedule of statutory holidays. The number of statutory holidays observed by bank officers throughout the other five States averages 10.8 holidays per annum. By the cancellation in Western Australia of the two holidays mentioned, there will still remain 11 statutory holidays for bank officers in this State. Consequently, they will maintain slightly more favourable conditions here than elsewhere.

The third matter to which I made reference is in regard to holidays specially proclaimed. Although not coming within the actual provisions of this Bill, the Government's arrangements could have a bearing on its acceptance by members. Consequently, I desire to let the House know what the Government's intentions are in this direction. As stated previously, the arrangement regarding special holidays granted by proclamation has been made as between the Government, the Associated Banks of Western Australia, and representatives of the bank officers.

In view of the fact that, with the passing of this Bill and its subsequent proclamation, the banks would not normally be open for business on Saturday, the granting of special bank holidays by proclamation could have a very direct bearing on the number of days which a bank would be open for business during the accepted holiday seasons of Christmas and Easter.

It is accordingly not proposed to grant the additional holidays at Christmas except when Christmas Day falls on a Saturday. The additional New Year's holiday will not be granted, except when New Year's Day falls on a Saturday or a Sunday. Furthermore, it is not intended to grant the Easter Tuesday as an additional holiday.

In submitting the Bill to members for their consideration, I do so in the belief that its provisions meet the needs of all parties concerned. Undoubtedly, bank officers themselves have long desired the benefits of a five-day working week, but up to the present time there has not been brought forward any measure which would enable this to be granted and, at the same time, meet the requirements of the banking business and—I emphasise again—those of the banking public.

This Bill provides the only assurance that all the reasonable needs of clients will be attended to. The banks, for their part, are increasing the number of night safes available at nominal cost, and it is customary to install these automatically in new main offices.

While it may be argued that the banks, by agreeing to the closure of banks on Saturdays, incline to lean too heavily on the agencies and the privately-owned armoured escort service, these are matters which I think must remain outside the scope of this legislation, though constituting essential services which will be of substantial assistance in the smooth running of banking business when State-wide Saturday closure eventuates.

**THE HON. G. E. JEFFERY** (Suburban) [7.46 p.m.]: In the last five days I have experienced two very enjoyable occasions. One was last Saturday when I visited Subiaco oval and witnessed a team very dear to my heart win the grand final. This evening was the second enjoyable occasion. It occurred when I heard the Minister

introduce the measure that will give a great deal of pleasure to the employees of banks.

The Hon. G. Bennetts: They should have had it twelve months ago.

The Hon. G. E. JEFFERY: The legislation which has just been introduced into this Chamber was introduced twice prior to my advent to the House, and on each occasion received a similar fate to the measures which on three occasions I had the privilege of introducing. Now, I am much happier than I have been in the past. Tonight I know that the Minister is on my side. The Minister and at least one other member in this Chamber changed their attitude several times, but I did not have their foresight. They must have had more confidence than I did that the Lord Mayor of the City of Perth would succeed in his attempt to get the Empire Games. Frankly, from the gymnastics on this occasion, I think they must have been training for the games.

The Bill has been introduced by the Government, but I think history will show it to be a memorial to Ted Johnson who was a member of another place and who, prior to entering politics, was a bank officer. Throughout Australia he has pioneered the move to grant to bank employees a five-day working week. According to statements made by members of the Government in this and another place, circumstances are supposed to have changed; but to my mind at least they have not changed one bit. The members in this Chamber of the party to which I have the privilege of belonging have been consistent on all occasions, and they have considered that bank officers are entitled to the privilege of a five-day week.

The Hon. C. R. Abbey: Why was it not a Government Bill?

The Hon. G. E. JEFFERY: The longer I am in Parliament the more I realise that the attitude that the Government should introduce a Bill is wrong. That is the type of thinking that persisted in the countries under Hitler and Mussolini where there was no privilege of free speech. Members will see from reading my previous speeches in *Hansard* on this subject that I have kept politics out of it.

The Hon. A. F. Griffith: You are not doing a bad job now.

The Hon. G. E. JEFFERY: The Government contends that conditions have changed. However, to my mind, they have not changed one iota since 1952 when the measure was originally introduced. And if they have changed since 1952, they have not changed in the three years since the measure was last before us. I think that, as the years roll by, bank officers will remember the work put in by one, Ted Johnson, to achieve this privilege for them.



In history, various items of legislation have earned reputations for different people. A couple that come to mind readily are: Samuel Plimsoll and his work for the safety of ships; and William Wilberforce and his work for slaves. On this occasion, we can clearly see that the work of Ted Johnson for the bank slaves is on the eve of becoming a statute. I cannot more heartily agree with the Minister in this respect. The only complaint I have is that the conditions they will enjoy could have been given some eight or nine years ago.

It is interesting to look at the position in the other States of Australia with regard to a five-day working week for bank employees. In South Australia my Labor colleague, Don Dunstan, introduced a Bill. The Premier (Sir Thomas Playford) amended it to provide for the opening of banks on Friday evening. This measure became a statute from the 1st January, 1960, and bank officers in South Australia now work a five-day week.

In Queensland, Premier Nicklin introduced the legislation—I think he is a member of the Country Party—and since the 18th March this year bank employees in that State, too, have enjoyed the privilege. Incidentally, there has been no outcry in either of those States against the closing of banks on Saturday morning; and I do not envisage there will be any outcry in the State of Western Australia. In regard to N.S.W., we are told that The Hon. Gus Kelly, who is Minister for Labour in that State Government and a member of my party, will, in the near future, introduce legislation similar to that which is before the House this evening. We are also told that the Victorian Premier is waiting for the precedent to be created in New South Wales. It seems that the greatest States—not the greatest because this is the greatest—vie with each other to achieve things; and each is jealous of the other. However, it is pleasing to know that we have the assurance that each of those States will be introducing legislation.

I think I should mention that all sorts of people from each of the political parties have been responsible for the introduction of this type of legislation. However, it boils down to the fact that in the first place it was a man in Western Australia—Ted Johnson—who was responsible for the campaign in each State. His work has been brought to fruition in two States; and it is being brought to fruition in Western Australia; and in the near future it will become an accomplished fact in the whole of the Commonwealth.

It is interesting to note some of the other countries in the world which have enjoyed a five-day banking week for some time. Some of these countries are equally prosperous with Australia and some are

not. I have a long list of countries but I will read only some of them. They are as follows:—

Our near neighbour, New Zealand.  
The United States of America.  
Canada.  
Argentina.  
Holland.  
Belgium.  
Italy.  
France.

Even the Virgin Islands, wherever they may be, have a five-day banking week.

The Minister in another place said that if the measure passed through this Chamber, it would be proclaimed within a week or two. From information supplied to me, I believe that the banks are prepared for the proclamation of the legislation, and there will be a smooth change-over. I do not intend to detain the House much further, as the sooner the legislation is passed the sooner the Government will have an opportunity of proclaiming it. The Minister said it could be proclaimed within a week or two. With this in mind, I think it could be proclaimed in the first week in November.

Before I sit down I would like to deal with one other point: the deletion of Easter Tuesday as a holiday. I believe this is something at which the Government should have another look. Quite a number of bank employees are metropolitan people; and young fellows starting off in their careers are sent to country branches. This extra day could have a large bearing on their opportunity of coming home for the long week end, or of staying in the town where they are employed.

Without further ado, it gives me much pleasure to support the Minister, and to assure him I will support the second reading.

**THE HON. R. F. HUTCHISON** (Suburban) [7.55 p.m.]: I, too, rise with considerable pleasure and satisfaction to support this Bill for a five-day working week for bank employees. I have just returned from abroad and when I went to Rome I struck the first Saturday after the five-day working week had been introduced there. Therefore, it is evidently a pretty universal thing.

I believe this is a good move. I have seen it work in Tasmania. I said when supporting a similar Bill on the first occasion it was introduced that it would be a great thing for the community, inasmuch as it would give a family man a much better opportunity of enjoying the company of his family and the amenities he should enjoy in these advanced days. With the passing of this measure, at the week-end a man will be able to spend one day, perhaps, doing his chores and another day taking his family out. I hope every man listening takes notice of that. The family day should be a very precious thing in the community.

I can remember that my father never had an opportunity to take us out, and we were a big family. He had to work shift work; and it was more or less the universal thing then to work 10 hours a day. After that, hours were reduced to eight per day; but poor old dad still wanted time to take the children out. I am hoping that this will be one of the advantages gained by women and mothers—that men will have an opportunity of taking their families out and enjoying a family day.

That was one thing that struck me in Tasmania. The people in that State made good use of their recreation reserves and took their families to those reserves and to the parks for picnics. I took particular notice of that. Tasmanians enjoyed a five-day week and the shops were closed. It is only a matter of making suitable arrangements in the house and being properly organised. A housewife will do that with pleasure if she thinks she is going to have her breadwinner home for two days at the end of the week. In Tasmania it did not cause a ripple on the water. Shopping is done on Friday night and the people have Saturday and Sunday as a holiday. I commend anybody who does not believe in this legislation to go to Tasmania and enjoy a holiday there and also see how the five-day week works.

We have reached the stage in our society when shorter hours will be a necessity because we are now living in an age of such pressure. For brain workers the pressure is very heavy. But brain work is required of the manual labourer because he has to work specialised machines. We see specialists in every walk of society. I recently saw some of our younger girls working in factories; and I am sure they would not be able to keep up that pressure hour after hour. The result will have to be shorter hours in time to come.

I would not say that we are a very advanced community in Western Australia in a lot of these matters. We would have the opportunity to be more advanced if we would only do something. We have the climate and we have the amenities; and, in fact, we have everything which points to our being able to be more advanced in our legislation than we are. Sometimes I am ashamed to think that we are so backward in some things—particularly things in which we should be leading the world, because we have the opportunity to give effect to them. We have a high standard of living, and we do not always have unemployment. I hope unemployment will not be with us for too long.

I have spoken on the banking legislation each time it has been brought before the Chamber by Labor members; and it gives me great pleasure to do so again tonight in support of the measure.

**THE HON. J. D. TEAHAN** (North-East) (7.59 p.m.): When similar measures have been before this House previously I have not cast a silent vote, but have spoken

strongly in favour of those measures. I do that again tonight. It is a good thing to know that we have advanced to the stage when those who previously spoke in opposition to such a measure are now speaking in favour of it.

**The Hon. H. C. Strickland:** Speaking or thinking?

**The Hon. J. D. TEAHAN:** Why should the majority of us who enjoy a five-day week seek to deny it to a certain few? And when bank officers receive this added advantage I hope it will mean advantages for others who work long hours and, in certain cases, seven days a week.

It has been said that we could not do without banking on Saturday morning. Neither, at one time, could we do without paying our water rates on Saturday morning; and it was said that we must pay our municipal rates on Saturday morning. I am certain that when this measure is passed we will accept it as smoothly as we have accepted other advances which have been made.

**THE HON. G. BENNETTS** (South-East) [8.1 p.m.]: I do not propose to remain seated and cast a silent vote. Only a few weeks ago I received a letter from a certain association asking me for my attitude regarding the way I intended to vote on this Bill. I marked on the bottom of the letter, "I am voting as I did previously." I am not frightened as to which way I vote in connection with this measure. If the electors wish me to carry on at the next election, they will vote for me; and if they do not, they will not vote for me; and that is my attitude regarding this measure.

It was said by one member that Mr. Johnson was responsible for bringing this measure up in another place. I am wondering whether the present Government did not support Mr. Johnson, because the matter was brought up by a Labor member. On this occasion the measure has been introduced by the Government. Of course, an election is coming up next year and there would be a lot of votes, I take it, from those members of the public who are in the gallery; and their votes might impede the Government from being returned to power.

I can see that this Bill will probably be passed. I notice, however, that not many members of the Government have been on their feet.

**The Hon. A. F. Griffith:** They have to be quick to beat you.

**The Hon. G. BENNETTS:** It looks as if the Minister is the mouthpiece for all the Government members. I think they ought to remain quiet and let Labor members have their say. I am pleased to say that I am going to support this measure. Many years ago it was said that butchers could not have a shorter working day or the weekend off. In 1900 my cousin worked

18 hours a day on Saturdays as an assistant in a butcher shop; and 12 hours on ordinary working days. Nowadays butchers start work about 8 o'clock in the morning and finish about 4 p.m.; and the public manages all right. When legislation was introduced to close shops on Saturday there was an outcry from sections of the public who wondered how they would get on for provisions. Farmers said they would be unable to get their commodities.

A member: What has that to do with banking?

The Hon. G. BENNETTS: The same situation applies with banking. Nowadays we find that farmers purchase their commodities on days when the shops are open—and I do not see that the representatives of the farming community in this House are starving. The public will be able to receive banking facilities. I cannot see that this measure will do any harm. In view of the fact that the Government has introduced this measure—a little bit of propaganda concerning the forthcoming elections may have something to do with it—I hope Government members will support it.

THE HON. S. T. J. THOMPSON (South) [8.5 p.m.]: I feel that I should rise to support the Minister on this matter. I cannot be accused of not having supported the measure on a previous occasion because I am a comparative newcomer to the House. I have realised tonight that it would be advisable for the Minister to have a gallery on future occasions when he needs the support of the Opposition. I have no hesitation in saying that had this Bill been introduced tonight in the same manner as it was introduced on a previous occasion I would have opposed it. The manner in which this measure has been introduced and worded, so far as my district is concerned, considerably alters the aspects of the Bill; and I have much pleasure in supporting it.

THE HON. J. M. A. CUNNINGHAM (South-East) [8.6 p.m.]: I propose to support the Bill, as I did on the occasion when it was first introduced. On that occasion it was not the policy of my party to support the measure as it was introduced at that time. However, now that the party is in power—

The Hon. R. F. Hutchison: It has seen the light.

The Hon. J. M. A. CUNNINGHAM: It is a Government that progresses with the times, contrary to some other Governments. It has made sufficient research, and the Bill has adequate safeguards and is something which could quite well advantage at least one section of the community.

However, it must not be thought that this measure is without opposition. Even Labor members know there is still a great deal of opposition in this State from other sections of the community. Strangely

enough, one section of that opposition comes from other wage-earners and workers who feel they are going to be inconvenienced by the introduction of this measure. Although they are workers and unionists, I am sure that having had an opportunity of enjoying the advantages of a long weekend, with the Saturday morning off, they will concede that bank employees are entitled to the same concessions as they themselves enjoy. Although they may feel at the present moment that they will be inconvenienced as a result of this measure, time will prove that this inconvenience will not materialise.

A large section of the public believes, when it sees the bank doors close during the mid-afternoon, that bank officers have finished work. That is not so. Strangely enough, there is still this belief on the part of a great number of people. They always know the other man's business better than their own. The nature of a bank officer's work is such that he needs sufficient rest on a weekend for his needs, or the opportunity to participate in whatever form of recreation he desires. I emphasise that there is still, and is likely to be more, verbal opposition to the measure—

The Hon. J. D. Teahan: There is to all measures.

The Hon. J. M. A. CUNNINGHAM: —from all sections of the community: from farmers, from people in industry, and from the workers. This opposition will not come simply from those we term the bosses. I believe all members will agree that this is a just piece of legislation. I support the measure.

THE HON. G. C. MacKINNON (South-West) [8.10 p.m.]: We have heard a variety of reasons for the introduction of this legislation. We have been told there is to be an election; forgetting that on the previous six or seven occasions when a similar Bill was introduced there were elections coming up, if not that year then the year after. Mr. Cunningham touched on an important point. Previous speakers gave the impression that the only workers in this State were the bank officers. That is far from being the truth.

Any Bill of this nature must bring in its wake some opposition. A similar Bill that was introduced previously occasioned forceful opposition, and left those who were trying to support it no grounds for saying, "We are giving with this hand, but we are taking with the other." To say that this is the same Bill that was introduced before is quite ridiculous.

The Hon. G. Bennetts: What's the difference?

The Hon. G. C. MacKINNON: The end result will be the same in that the bank officers will no longer work on Saturdays.

The Hon. A. F. Griffith: Have a look at the Bill.

**The Hon. G. C. MacKINNON:** This House spends many hours debating the finer points of constitutional law; whether a Bill is or is not in order; and then to blithely say that this is the same Bill as was introduced previously is quite difficult to understand.

**The Hon. R. F. Hutchison:** What is the main clause in the Bill?

**The Hon. G. C. MacKINNON:** The honourable member can read the Bill for herself. Anyone who reads the Bill knows that on this occasion members of the Government—the Government which is introducing this measure—can, with justice, say that bank officers have voluntarily offered to do certain things; and more power to them for doing it. Travelling about my province I have heard very little criticism of the measure. Indeed, bank officers are prepared to give in order that they might gain. That is a very worth-while and commendable attitude to adopt. It has, to a marked extent, as Mr. Syd Thompson pointed out, stopped a lot of the adverse comments; and in the interests of bank officers, banking as a whole, and general cordial relations in business, that is a good thing. This Bill has done that.

I think it is highly desirable that a Bill such as this—when previous Bills of this nature raised such conflict—should be introduced by the Government, so that the Government can take the credit on the one hand and the blame on the other. The Government has the power, as the Minister pointed out, to negotiate and to arrive at a very definite and firm understanding. It is obvious that all members are in favour of this Bill.

I am quite sure that from the very nature of their calling, bank officers have sufficient intelligence to make up their own minds how to vote at the next election; and the odd remarks made on the floor of the House tonight will influence very few indeed one way or the other. Some members of this House voted against the previous measures that were introduced, and they were returned to this House. It is obvious to the House that bank officers are sufficiently intelligent to make up their own minds.

**THE HON. F. R. H. LAVERY (West)** [8.14 p.m.]: I cannot allow the honourable member to get away with the remark that bank officers are now giving something away in order to gain something. I would remind the House that, in connection with the previous debates in this House, bank officers have always offered to give something away in order to get Saturday off. The many debates recorded in *Hansard* prove that. I merely wished to bring that fact to the attention of the honourable member.

**THE HON. A. R. JONES (Midland)** [8.15 p.m.]: I am one of those who opposed the Bill—not a similar Bill to this, but one that was introduced previously—to give holidays to bank workers on Saturdays. However, I was happy to read this Bill and to find that it is so much different to the one that was introduced previously that it will fill the needs of the people that I represent. Mr. Bennetts said something to the effect that the farmers were doing quite well and that they looked fat on it. I would remind the honourable member that it is just as well that the farmers are doing all right because if this country, which is a primary producing country, was not doing well, there would be few opportunities for anyone else.

**The Hon. G. Bennetts:** Come to the gold-fields.

**The Hon. A. R. JONES:** So it is just as well that the farmers are supposed to be doing all right. However, I think we have reached the stage where Saturday morning banking facilities would not be of much use to farmers, because they have no funds to worry about.

**The Hon. F. D. Willmott:** I am frightened to go the bank.

**The Hon. A. R. JONES:** Nevertheless there are business people in country areas who will be affected by this legislation. We have some large country towns in Western Australia, and there are many thousands of farm workers, and other workers in the rural areas who, in my opinion, need banking facilities just as much as, if not more than, city people; because on Saturdays they take the opportunity of going to town and they want the facilities made available to them. However, as under this Bill the banks are prepared to render a service by remaining open until 5 o'clock on Fridays, and as more agencies have been established—some 1,200 of them I understand—I believe the general public will have the facilities necessary for their banking needs.

However, it seems strange to me that the bank people should want a holiday on Saturday and they are not worried about having somebody else running agencies on their behalf and working on Saturdays. It seems a strange philosophy to me but one which, no doubt, they themselves understand. Nevertheless so long as the general public have the facilities made available, I suppose that is all that is necessary; and if Mrs. Somebody who runs a little post office store is prepared to conduct a bank agency, or if a chemist is prepared to conduct an agency and work on Saturday mornings and get paid for it, that is their business, even if they deprive somebody else of work which would normally be done by a bank.

I hope that when the bank officers get the holiday that they so urgently request and need, they will take advantage of the

full day provided and will not seek work elsewhere. I can remember debating this same principle on a previous occasion, and a young friend of mine was sitting in the gallery. He was a young bank officer and on the way home he said, "I didn't like your attitude tonight very much in the way you opposed the measure." I said, "That is the way I felt about it and I believe I should speak and vote the way I feel." About three weeks later I was going to the football on Saturday afternoon—a form of leisure which I enjoy—and I asked this lad's father where he was. He said, "Oh, this afternoon he is going down to get the money from the football turn-stiles. He gets £5 for it." So he did not enjoy his Saturday afternoon off when he had an opportunity of a holiday. I trust that when the bank officers get every Saturday off they will use the day as a holiday, and will not go to the trots, the races, or some other place to work on the tote or at some other occupation.

The Hon. R. F. Hutchison: You pay them enough and they will not need it.

The Hon. A. R. JONES: I have no say in that at all. I am pleased that the Government, or the Minister who negotiated with the bodies concerned to introduce this legislation, has been able to take away a couple of days which have been considered as bank holidays. I have always held the view that there is no need for bank officers to be on holidays when other members of the general public are working and are being deprived of banking facilities. In some cases, round about Easter and Christmas time particularly, the public has been deprived of banking facilities for up to five days. I am glad that that position will not obtain again.

It is nice for people to be able to enjoy holidays, and it is a pity that we could not do two days work and have five days off. Unfortunately not many of us can have even two days off out of the seven.

The Hon. W. F. Willesee: It is all right if the sheep keep going.

The Hon. A. R. JONES: Not many members in this House are able to have two days off at the weekend; there are not many of us who could leave this House on a Friday night and say that we had nothing to do until the following Monday morning. Most of us are expected to go to the country at the week-ends, and we are away from home for many week-ends during the year. So I think it behoves us to think very clearly about the matter and to ask ourselves how we can finish up if we go on as we intend doing tonight giving further holidays to different sections of the public. What about the transport workers and the shop workers? Are we going to do the same thing if they ask for Saturday mornings

off? Should they expect the same thing to apply to them as applies to some more fortunate people?

The Hon. R. Thompson: We would have to be consistent and support them if they wanted it.

The Hon. A. R. JONES: It would not worry me if the buses and trains stopped running over the weekend because I would still be able to use my car.

The Hon. H. C. Strickland: You could use your big Chrysler.

The Hon. A. R. JONES: But there are many people who do not have a car. I have my own vehicle and I would still be able to go from place to place if there were no public transport facilities available. But we have to think of the general public. I still have regrets about this measure because, as I go about I cannot help feeling that there are many people who will be inconvenienced. Nevertheless it seems to me that this is the trend and I shall content myself in the belief that I have an elastic mind and one which is prone to change.

The Hon. R. F. Hutchison: That was not possible 12 months ago.

The Hon. A. R. JONES: As the honourable member said, it was not possible 12 months ago. However, I shall support the measure.

THE HON. J. G. HISLOP (Metropolitan) [8.23 p.m.]: I am not ashamed to say that I was one who voted against the measure on a previous occasion; and in considering my vote this evening let me say at the commencement of my address that I am not going to oppose this measure. But if I had not given a pledge to my party that I would accept the decision made after considerable discussion, I might have been exercising the negative vote; and I am not ashamed to stand here and say that under different circumstances I would have done that. However, like many other people, I have no intention of whistling against the wind; that is quite useless.

I want to try to look at this matter seriously, not because I have any objection to bank officers having Saturdays off, but because I have continuously objected to the shortening of hours and the reduction of public services. I would have no objection to those reductions if it were so arranged that the individuals concerned had a five-day week, and others could carry on the services part-time, or under whatever conditions might be laid down. I am concerned about this matter because I am in love with Western Australia and I want to see this State succeed. I want to see every boy and every girl in this community able to govern their own lives as they grow to adults.

Today we sit on the edge of disaster; and I wonder whether we in the western world are adopting the right attitude for the

situation. Not one of us knows what is going to happen tomorrow; not one of us knows what is going to happen next week; and it is only because of the courage and the fortitude of a few men who are handling the affairs of the western world that we remain in the conditions which we enjoy today.

I know quite well that if we close the banks it will not be long before another section of the public says, "We deserve a five-day week. We will agree to give extra service on another day," but it shortens the hours of service to the public even though it provides more leisure for the citizens who are employed in those vocations. What is going to be the result? I admit that some members might regard me as a pessimist, because I know that the lessening of hours has not brought disaster. I can remember the time when I was a small boy and I worked until 11 o'clock at night in my father's chemist shop. I know that no disaster has befallen the chemists by their closing at 6 o'clock at night. But what I am beginning to wonder is how far we can go on limiting the hours of public services.

Let me delve a little into history for a moment and look at the present situation in relation to history. Those members who have read D. C. Somervell's abridgement of the first six volumes of Arnold J. Toynbee's *A Study of History* will realise that his ideas of history are that there is a cyclic condition, that events go around in circles, and history repeats itself in this manner. For instance Toynbee records the great civilisations of the world expanding into the various countries, sending their best citizens into new and neighbouring and even far-distant countries to bring their civilisations to those people. And what happens? When the people of those countries have reached a stage of being able to regard themselves as fit persons to govern their own countries; when they have absorbed as much as they think necessary from those who have been teaching them, they throw out the invader.

I think we have seen this in recent times in regard to the British Empire. We have sent to the far corners of the world some of our best brains and we have taken a civilisation and education to those people; yet as soon as they have acquired what they regard as the necessary status, and they no longer find it necessary to have the British among them, they look for their own self-government. So there has been a drawing back into the centre of the British people; and the only bright spot on the horizon has been that in countries like India there are more British trained scientific people now than there were British public servants before India gained her independence.

One aspect which I think we must begin to look at appears in a series of articles by E. H. Carr, one of England's great historians, who gave a series of lectures last year. In those lectures he pointed out that in his opinion there was not so much a cyclic performance of history, but that there was a rising of a nation to a peak, and when that ceased the rising of another nation to a higher peak; and when that nation which had contributed so much to civilisation grew tired, another nation took its place.

That could happen in these days, if we care to look at the progress that a people such as the Russians or the Japanese have made. It must be realised that they have, for the time being, taken the lead in the eastern part of the world. What China will do before the end of this century is possibly beyond the powers of any one of us to contemplate. It may be that our side of the world will be the one to take a rest.

I wish I could place before every man and woman in this audience the pamphlet written by Dr. Nye, a very well-known and established ophthalmologist of Brisbane, in which he adopts the same sort of outlook in regard to our future. He points out that, taking the long historical basis, there could be a time arriving when a new civilisation will arise in this world. There have been 26, and a handful remains. There could be a decline on our part, while power is taken over by the Communist civilisation.

Should we sit back and do nothing but enjoy ease and luxury? Are we prepared to work in order to maintain our position? The other day, when asked the reason for Japan making so much progress in the world at the present time, a leading Japanese citizen gave the answer that the Japanese began to realise that they lived in a great nation, and they were prepared to work and work for it. That is the only way in which a nation can succeed—by work, work, and work.

I point out again, as I have previously in this House, that four years ago the Japanese were capable of building a 48,000-ton tanker, including engine and bridge, in the Nagasaki dockyards in five months, —a project which the western world took over two years to complete. We can thus see the progress which the Japanese have made.

We have to consider where we stand as a nation. What will happen to this country if Britain joins the European Common Market? I wonder how many people in this audience have really studied what might be the impact of the European Common Market on this country of ours.

The PRESIDENT (The Hon. L. C. Diver): Will the honourable member address his remarks to the Chair.

The Hon. J. G. HISLOP: The European Common Market will have on this community an effect of which we are not fully

aware. What I am saying might turn out to be completely wrong, but I do not think so.

In my contribution to the Address-in-Reply I emphasised that Britain must exist, and that probably she must join the European Common Market to exist. We should realise that while we, in the main, are a British people, we live as a people in a part of Asia. If we cannot sell our products in Europe, in the way we used to, because of the introduction of low tariffs among the European Common Market nations, we might have to sell them in the eastern markets. I wonder what will happen then, because of the short hours and leisurely working conditions which we enjoy today? We might have to give way a little if we are to compete with others for the sale of our products to people who are not so affluent as we are and who are not able to pay the higher prices for our goods. In order to produce the goods and to maintain our standards we might have to work longer hours; and the factories might have to work three shifts a day, instead of one shift.

The Hon. R. F. Hutchison: You are off the beam.

The Hon. J. G. HISLOP: I am told that I am off the beam, but I would not like to be on the same beam as the honourable member. I am aware that what I am saying is completely antagonistic to the views held by some members around me, but I would remind everyone that the reason for the Japanese turning out a 48,000-ton tanker in five months was that the dockyards worked three shifts a day.

The Hon. H. C. Strickland: How many days a week do the banks open in Japan?

The Hon. J. G. HISLOP: I am not worried about that aspect; I am worried about the future of this country and about our general attitude. We might find that the short hours of work which we enjoy will have to be altered to enable us to compete in the eastern markets.

While I agree to this Bill, I would appeal to all the young people who are listening this evening to think seriously about the future of this country. As a nation we cannot live alone; we must live in association with the nations north of Australia.

The Hon. R. F. Hutchison: We do not have to live like the Chinese.

The Hon. J. G. HISLOP: I have not asked any Australian, not even the member sitting behind me, to live like the Chinese. I am afraid she could not even if she wanted to. I am asking that we adopt the same attitude towards Australia, and its future and security, as the attitude adopted by some of those countries I have referred to. Whilst we are continually looking for more leisure, more benefits, and shorter working hours, I wonder whether we really deserve them. I wonder

whether we are not looking too much for the material things of life, when other things mean so much more. I doubt very much whether we can continue as we are going, situated in an area where change is taking place at an enormous rate.

Mrs. Hutchison said she had visited places like Tasmania, and she invited us all to go to that State. I can assure members that if they were to visit cities like Hobart, and even the smaller towns in Tasmania, they would find the places dead on Saturdays; and they look dead. If we were to visit New Zealand, where shops, banks, and businesses close on Saturdays, we would find the towns and cities absolutely dead on those days. One has the feeling that nothing is alive in the community.

All the benefits which we are enjoying have to be paid for, and this must come as a shock to those who believe that these benefits come about without the need to pay for them. I read in this morning's newspaper that the Economic Advisory Council of New Zealand has recommended that, in order to stabilise the economy of the country, 2d. or 3d. in the pound be imposed as a tax on incomes. The people in that country are paying enough taxes today, but in order to meet the increasing benefits of leisure and pleasure, more and more is being taken from them in the way of taxation.

I want to make my position perfectly clear. I am not against anyone being granted a five-day working week, if he thoroughly believes that this country can afford to give everyone a five-day week and still progress; that every youngster today will grow into an adult retaining the right to govern his own affairs; and that we will be safe and be able to trade with the other nations of the world and meet all competition. If those things can be done, I agree that this benefit should be granted.

**THE HON. E. M. HEENAN** (North-East) [841]: There has probably been a surplus of speakers on this measure. However, on each of the former occasions when a similar Bill was before the House I spoke in the debate. So, on what seems to be the last occasion, I propose to say a few words. I am very pleased that the Government has at last adopted the principle which we have espoused for some years past; namely, that the community in general can function quite efficiently with the banks closing on Saturday mornings. That is the principle which, by and large, is accorded to in the Bill before us. Firstly, there is an obligation to the community; and on our side of the House we can give the community an assurance that we have not at any time lost sight of, or neglected, their interests.

The banking industry is in a different category from many other industries. It is somewhat analagous to the professions—to doctors, lawyers, and accountants, the

majority of whom have in recent years enjoyed a five-day week, as the business community and the people generally were able to get along quite well without their working on Saturday mornings.

If that principle has been established, as I think it has, and as the Government now believes it has, then we owe an obligation to those people to do the right thing in the banking industry. Like my colleague, Mr. Jeffery, I think it is perfectly appropriate that on this occasion, when the culmination of his efforts is now to be achieved, a tribute should be paid to Mr. Ted Johnson who was a member in another place, and who initiated this progressive step some years ago.

At that time it was regarded possibly as being extreme. A worthy member of this House honestly believed it would not be a fair thing to have a five-day banking week, and that it would not work out for the benefit of the general public. I give him credit, and I give credit to the Government for coming to the conclusion at last, perhaps upon experience, that the point of view originally espoused by Mr. Johnson is fundamentally correct.

This is in my opinion a pretty good example of how our parliamentary system operates. It is not the first time a measure has been adopted after years of struggling. In the light of experience the community should realise that the members of Parliament who represent them weigh things up carefully and analyse the pros and cons, and are honest enough to concede a point when they are convinced they have been wrong.

Therefore I congratulate the members on the Government side who supported the measure tonight. I hope it will be a blessing to the people concerned. There will undoubtedly be some inconvenience for the public, but I believe the bankers and their employees will do their best to minimise those inconveniences and discomforts and that by degrees the system will work out to the satisfaction of all concerned. I do not entirely agree with my friend Dr. Hislop. My point of view is that if a job can be done adequately and well in five days, it is foolish to spend five and a half days doing it.

As I have said, I believe the banking industry can fulfil its obligations to the community in five days. The query has been raised as to what the bank officers are going to do with the extra leisure time. Of course that is largely their own concern. In Australia we have to build up a healthy virile nation; and it does not mean that because we are not working in our office or on our farms we need be doing nothing. There are plenty of useful jobs and worthy bodies in the community needing the help and influence of us all.

I had an appointment to see a miner in Boulder on Saturday morning. He is a fairly young man with five children.

However, he rang me up to change the appointment from Saturday morning to Sunday morning because he was spending Saturday morning building a fence for the widow of a mate of his who had died a few weeks previously. That was his way of spending his Saturday morning. I support the measure.

**THE HON. J. J. GARRIGAN** (South-East) [8.49 p.m.]: I am not going to pull any punches. Every time this Bill has come before this House I have supported it; but why various members of the Government today have turned a catherine wheel I just do not know. A similar measure was introduced by a private member in another place in 1958, and the present Government members said the opposite on that occasion. I supported the Bill then and I am supporting it today.

The Hon. J. M. Thomson: This is not the same Bill, you know.

The Hon. J. J. GARRIGAN: I just heard a very good speech from Dr. Hislop who took us from Japan to Tasmania. I was in Tasmania just before last Easter, and no one was inconvenienced there because of the five-day week. Practically every business is closed there on a Saturday.

This Bill should have been passed in 1958. I have many friends, not only here but all over Australia, who are farmers, and not one of them is inconvenienced by a five-day week. I am therefore sticking to the words I said in 1958. Give the people a five-day week, and no one will be inconvenienced in any way. I will support the Government on this occasion.

**THE HON. R. C. MATTISKE** (Metropolitan) [8.51 p.m.]: During each of the first three years I was in this Parliament a measure similar to this one was introduced. By similar I mean it was going to provide freedom on Saturday mornings for bank officers. I opposed it on each of those occasions, and I make no excuse for having done so. But let us not lose sight of the words of the Minister when he introduced this measure. He said this is totally different from the ones introduced during the period from 1956 to 1958. The reason I opposed the measure in each of those years was because it was purely a political football.

The Hon. R. Thompson: What is the difference?

Several members interjected.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. C. MATTISKE: If the Government of the day thought the matter was of such consequence and that a measure really should be introduced, why did it let a private member introduce it? Why did it not take the matter up as a Government measure and do the same as the Government of today is doing?



The Hon. J. J. Garrigan: In principle there is no difference.

The Hon. R. C. MATTISKE: This is too big a matter for any private member to handle. It requires co-operation with other Governments; it requires negotiations with bank organisations and with those engaged in commerce and industry. I say it is too big a Bill for a private individual to handle.

Therefore, I commend the Government of today for doing what it has done quite fearlessly and against considerable opposition from commerce and industry. The Government has decided to give it a trial. We know there will be certain weaknesses in the measure, but the Government is prepared to give it a trial to iron out the faults and see whether a workable scheme cannot be evolved in order that very little inconvenience will be caused to commerce or industry, or to the bank officials themselves.

If the Labor Governments were such keen sponsors of the moves to introduce Saturday freedom, why did not the Queensland Government, which had a very long run of office—from memory it was approximately 30 years—introduce a Bill?

Several members interjected.

The Hon. R. C. MATTISKE: During the latter part of its regime there was no Legislative Council to throw out its legislation. Also, why, in New South Wales where the Labor Party has a majority in both Houses and has enjoyed a very long reign in office, has the Government not done something? If it were such a beneficial thing for the State, why have not those States introduced legislation and set an example for the others?

The Hon. H. C. Strickland: Had the bank officers asked for it, do you know?

The Hon. R. C. MATTISKE: The members of the Opposition know the reason full well. I regret that politics has been brought into the debate tonight, but unfortunately Mr. Jeffery did introduce certain matters and tried to eulogise Labor Governments and give the impression that it was the Labor Government's brain-child and that it was now being copied and put into effect by the Liberal-Country Party Government. I regret also that he made mention of the name of an individual who introduced the private members' Bills in previous years.

The Hon. F. R. H. Lavery: Why should you regret that?

The Hon. R. C. MATTISKE: That individual, whom I respect very much and who is here tonight—I have the very greatest of admiration for him—was absolutely fearless when he introduced the legislation. He thought that the measures he introduced were for the good of the banking people, and therefore he introduced a

measure year after year knowing full well that it could not possibly succeed, because it was not truly backed by the Labor Party.

The Hon. R. F. Hutchison: That is a lot of trash.

The Hon. R. C. MATTISKE: I say that member was fearless, but I do not say that he was wholeheartedly working for the banking people. In 1949 when the Chifley legislation regarding the nationalisation of banks was creating such a stir throughout the banking world, the bank officers were concerned for their very livelihood. There was one individual who openly stated that he was in favour of socialisation of banks, and that was the individual who submitted the Bill year after year for the Saturday closing of banks. I regret having to bring these things into the debate, but we have to be fair.

The Hon. F. J. S. Wise: You look very sorry!

The Hon. R. C. MATTISKE: This has been a political football in the past, and it is now being treated as it should be—as a Government measure. I commend the Government for taking it on and I sincerely hope it succeeds. I support the Bill.

THE HON. H. C. STRICKLAND (North) [8.57 p.m.]: There is very little left to be said except of course to examine some of the history of this Bill. When one casts one's mind back and remembers some of the speeches that have been made—

The Hon. A. F. Griffith: Did you remember them or look them up?

The Hon. H. C. STRICKLAND: I am not reading my speech as the Minister read his.

The Hon. A. F. Griffith: That is very unfair.

The Hon. H. C. STRICKLAND: I do not read mine.

The Hon. A. F. Griffith: My word you did, when you were on this side of the House.

The Hon. H. C. STRICKLAND: The Minister was led from the wrong direction that time.

The Hon. A. F. Griffith: I can take all your hand out.

The Hon. H. C. STRICKLAND: The Minister has stated that I cannot make a speech without a sheaf of newspapers in front of me. I reminded him that he read every word of his speech.

The Hon. A. F. Griffith: If you want it that way you can have it that way.

The Hon. H. C. STRICKLAND: I am not going to stand that type of interjection—

The Hon. A. F. Griffith: Well, sit down.

The Hon. H. C. STRICKLAND: —without saying something in reply. This is the fifth occasion in seven years when I have had the pleasure of supporting a measure of this kind. It is true that this Bill is

not the same as the four previous Bills which I supported. It is by no means as definite. The previous Bills were very definite ones. Members say that this one is different. It has not Ted Johnson's name on it, for one thing.

The Hon. G. Bennetts: That is about the only thing.

The Hon. H. C. STRICKLAND: But it has some strings attached to it, and Mr. Mattiske was quite correct when he truthfully described the attitude of the Government. He said the Government was prepared to give it a trial. That is what this Bill means—a trial. Anyone who has read this Bill will know very well that without bringing any legislation back to Parliament, any Government—this Government if it so desires—can by proclamation cancel the Saturday morning holidays. That is provided in this Bill. This legislation is totally different. It is not definite, and it has strings attached to it.

The Hon. R. F. Hutchison: A little bit of camouflage.

The Hon. H. C. STRICKLAND: I can quite understand now why members who opposed the previous measures very strenuously and consistently voted against them in this Chamber, have now said that they will support this measure. As I have explained, this is indefinite and has strings attached.

So I have been very amused sitting here watching the antics of some of the members who now support the measure but who previously strenuously opposed similar ones. We have travelled through Japan; have had some anthropology; and have dabbled in international affairs. In addition we have seen some contortionists. We have just heard the last speaker stretch things to the extreme, politically, while satisfying his own conscience only, I imagine, that he was not playing politics.

I join with Mr. Heenan and say that the Government is entitled to some commendation for at last introducing the measure; and one has to ask why it has introduced it. Why have these two political parties decided that they will support the measure with certain reservations and strings? Why have they decided they will give this legislation a trial at this particular time of the year?

The answer, I think, can be found in the Minister's speech, because the Minister has told us that other States have introduced similar legislation; so that more or less he is implying that it is time Western Australia stepped into line. But, of course, these progressive parties have really put Western Australia last—or near enough—with this legislation. What the bank officers should have enjoyed five years ago, they will probably enjoy next year if the Governor issues a proclamation.

We are not going to have the say here. This Parliament will authorise the Governor, who after all, is the Executive Council of the Government, to issue a proclamation; or rather the Bill will authorise the Government to ask the Governor to issue a proclamation.

The present measure does not, as the previous Bills did, provide that each Saturday shall be a holiday. But there is no doubt that between the Christmas holidays and the elections—probably before the Federal elections—the Governor will issue a proclamation and give the legislation a trial, as Mr. Mattiske suggested. He is pleased that the Government is prepared to give the contents of this Bill a trial.

Mr. Mattiske made great play on this fact, as did two other members. As a matter of fact, they did not make great play on the position, but they hid behind the fact that the Bill which was defeated on four previous occasions in this Chamber was introduced by a private member. The same private member introduced the Bill in another place in 1952 when the McLarty-Watts Government was in office; and Mr. Griffith was a member of that place at the time. But that Bill did not get any support; it did not come here.

The Hon. A. F. Griffith: What happened to it.

The Hon. H. C. STRICKLAND: It was defeated on the voices.

The Hon. A. F. Griffith: There was no division?

The Hon. H. C. STRICKLAND: Apparently not. But if the Ministers in the Government oppose a Bill in the Legislative Assembly, divisions are pretty useless.

The Hon. A. F. Griffith: Why do they have them?

The Hon. H. C. STRICKLAND: They are pretty useless.

Mr. Griffith interjected.

The Hon. H. C. STRICKLAND: The Minister says "rubbish."

The Hon. A. F. Griffith: I did not say "rubbish."

The Hon. H. C. STRICKLAND: If the Minister goes through the history of the four previous measures, he should be somewhat embarrassed at introducing the present Bill.

The Hon. A. R. Jones: Why did not your Government introduce the Bill?

The Hon. H. C. STRICKLAND: I have endeavoured to tell the reason the Government did not bring it down. It is because a private member introduced it in 1952 and kept on introducing it; and the Government supported it. The Minister also said that it did not receive Government blessing. That is really untruthful. Mr. Mattiske implied the same thing; that it did not get Government support. That is deliberately misrepresenting the

position, because as every other member of Parliament knows, every member of the Labor Party in Parliament supported Mr. Johnson's Bill on every occasion that it was presented.

The Hon. R. C. Mattiske: But what did the Government do outside to support it?

The Hon. A. R. Jones: What about speaking to the Bill?

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. H. C. STRICKLAND: We are discussing this Bill and the previous Bills. It is amusing that a Country Party member should now call upon me to stick to the Bill when we recall that we listened to a Liberal Party member roaming round the world. But, of course, Mr. Jones never questioned him.

The Hon. A. R. Jones: We heard something worth while.

The Hon. H. C. STRICKLAND: The honourable member mumbles, and I cannot hear him properly. I will have to forget him. On not one occasion in the past when a division was called for—there were four of them; but I do not think there will be one tonight—did a Country Party member support the proposal. But there have been occasions when Liberal Party members supported it. But, of course, they knew very well that their support would not push it through; they knew there were still sufficient numbers left in their ranks to ensure the defeat of the measure before they voted with the Labor members in connection with it.

It is interesting to compare the dates when these gyrations took place. I would not be bothered with this aspect, but Mr. Mattiske likes playing politics. We find that in 1955, when the measure was brought down here, two Liberal members voted in favour of the second reading: they were Mr. Cunningham and Mr. Griffith. In 1956 there was an election, of course, for the south-east province, and Mr. Cunningham was a candidate. So Mr. Cunningham was duly elected; and in 1956 he paired with the "Noes" against the Bill; and so did Mr. Griffith who was overseas. He is reported in *Hansard* as having paired with the "Noes."

In 1957, after Mr. Cunningham was elected, he voted "No" straightout. In 1958 he voted straightout "No" again. Mr. Griffith, in 1955, as I said previously, supported the second reading of the Bill; and he was paired in 1956. In 1957, the year prior to his term expiring—he was due for election in 1958—he supported the Bill with certain reservations which he explained here tonight. But he made no attempt to amend the Bill to include those reservations. In any case, whether the reservations were valid or not does not matter, the fact is he supported the Bill. Mr. Cunningham voted against it, leaving

enough members, of course, to defeat the Bill. In 1958, after Mr. Griffith was again elected, he voted straightout "No."

The Hon. R. F. Hutchison: Too right he did!

The Hon. H. C. STRICKLAND: It was exactly the same Bill. So we see there are some amusing aspects attaching to this question when we go back through the history of the actions of certain members in order to find the support they have given to it; and it is amusing to see the apologies that are contained in some of the speeches of those who have opposed the Bill. However, I am pleased that some progress has been made.

I make it quite clear and definite by saying that whichever way we read the Bill, we find it is an indefinite article. It will all depend on the Government of the day whether proclamations will be issued to create the Saturday closing of banks; and then—the Bill says so—if the Government is satisfied that everything is working all right, the position will be all right. But we find that clause 2 (3) says—

If, after a proclamation has been made pursuant to subsection (1)—

that is after the Governor has issued a proclamation—

of this section, the Governor is satisfied that the arrangements referred to in subsection (2) of this section have ceased to operate the Governor may, by proclamation, declare that as from a day specified in the proclamation Saturday shall cease to be a bank holiday.

So the Bill is quite different from the previous ones. It has strings and provisos attached to it. Nevertheless it is getting somewhere along the track, and I am pleased to see that something is being done.

As I have said before, the pressure from the Bank Officials' Association was referred to in speeches in previous years as political pressure on those who were supporting the measure; and the Bill was referred to time and again as being a political football. I can remember, with respect, you, Mr. President, referring to it as a "political stinging nettle," and so on. But the Labor members supported it to a man on each occasion—

The Hon. R. F. Hutchison: And to a woman.

The Hon. H. C. STRICKLAND: —and they had to stand up and take that sort of criticism—that they were playing political football. I remember Mr. Mattiske being horrified that the same Bill was brought down in two successive years.

The Hon. R. C. Mattiske: Three.

The Hon. H. C. STRICKLAND: Well, three successive years. He thought that was a dreadful thing to do; the man was becoming persistent. We find that when

the Government members were the Opposition here, and were in strength and controlled the Chamber, the arguments they submitted then to defeat the measure providing for the Saturday closing of banks, must now be embarrassing; and they hide behind the fact that a private member introduced the Bill. If one looks through *Hansard* one will find that every year private members introduce Bills. Mr. Mattiske played up this particular measure so that it became a colossal question—one that should be decided by the United Nations, according to him, I think. But Mr. Mattiske has introduced private members' Bills and has successfully had them passed through Parliament. Mr. MacKinnon has introduced them; and so have Mr. Griffith and Mr. Logan. I can remember Mr. Logan moving to disallow regulations.

The Hon. L. A. Logan: That is not introducing a Bill.

The Hon. H. C. STRICKLAND: I can remember a newspaper calling him "Stopper" Logan.

The Hon. L. A. Logan: That was not a Bill.

The Hon. H. C. STRICKLAND: It was a motion that the honourable member had passed; and a Bill is a motion—the same thing. Mr. Logan moved to disallow the law. The argument about a private member's Bill is just too silly and flimsy to carry any weight. I am sure that Mr. Logan will get up and tell the people that he has not changed his attitude in connection with this matter. Although he might not personally have changed, he is bound to change his vote now because, as one of the Ministers, he must support a Government measure.

However, I can recall Mr. Logan, when he used to be a private member on this side of the House, being most ferocious in his attack on a similar Bill, because he used terms such as the bank officers being selfish; that they were trying to bring the Bill forward for their own selfish ends. The next day he rose to his feet and made an apology in the House, but that was when there were no bank officers present in the gallery. He made his apology and said he did not mean what he had said the previous day. Nevertheless, I know he will get up again in the House tonight and tell us he has changed his mind. I can recall when the honourable member voted solidly against similar measures on every occasion when they were introduced in the past.

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [9.16 p.m.]: The debate on this Bill has taken an unfortunate trend, but it is not unexpected by any manner of means. When I introduced the measure I endeavoured to relate what had happened in regard to the attempt to close the banks on Saturday mornings, and I also attempted to tell the House what was different about the Bill now before us and

the measures that were introduced in previous years. However, I neglected to do one thing, which I will rectify very shortly. That was to relate the story of another attempt to amend the banking legislation of this State.

Tonight, in this House, a most unusual state of affairs has developed. During the time I have been the Minister in control of the House for a couple of sessions, my colleague, Mr. Logan, and I have both seen, as is customary, the smallest Bills being adjourned until the next sitting of the House, and adjourned for one week; and we have heard members say that they have not had time to study the legislation; that they have not had an opportunity to study the measure. One can see now how my statements are beginning to sting.

The Hon. F. R. H. Lavery: And adjourned for seven years.

The Hon. A. F. GRIFFITH: That is the sort of statement we would like to hear made, because Mr. Strickland, as Leader of the Opposition in this House, has now contributed to the debate—but not leading the members of his party. He spoke after every other member had his say; he spoke last of all for the Opposition. But when he sat on this side of the House he supported the late Mr. Gilbert Fraser's taxing Bill. Last night, however, on a similar taxing measure, he told us he did not believe in it and did not always believe in what his Cabinet did.

The PRESIDENT (The Hon. L. C. Diver): Will the Minister please keep to the Bill before the House?

The Hon. A. F. GRIFFITH: I am keeping to it, according to the example set. Mr. President, because a charge has been laid against me that I changed my mind on the banking legislation; and I did. It is only a fool who has not enough courage to change his mind and to give reasons why. So we now have the Leader of the Opposition telling us that he did not believe in what his own Government did on some other measure.

The Hon. H. C. Strickland: Be truthful; I did not say that.

The Hon. A. F. GRIFFITH: He demonstrated to us tonight that he was going to vote against the taxing measure which we not long ago discussed.

The Hon. H. C. Strickland: Show it to me in *Hansard*.

The Hon. A. F. GRIFFITH: The only thing I can point out to the honourable member, in regard to that particular instance, is that he said the Bill should not be read a second time. The point I am making is that I am not the only one who changes his mind; and I hope that I will change my mind in every case when I consider it wise to do so.

The Hon. W. F. Willesee: You might even change your mind and join the Labor Party on some future occasion.

The Hon. A. F. GRIFFITH: When I become that badly off I will let the honourable member know. In the meantime I repeat that the debate on this Bill has taken an unfortunate turn. The Opposition has seen an opportunity and grasped it. We would expect them to grasp it for obvious reasons.

The Hon. F. R. H. Lavery: You would have done the same if you had been sitting over here.

The Hon. A. F. GRIFFITH: Perhaps I would. The Opposition has seen an opportunity to commend the Government for what it is doing to bless the efforts of other people in trying to achieve the same end. That does not seem wrong, in my opinion; but then, having done that, the Opposition is trying to say to the bank officers, "You are not sure of this yet, fellows; you are only relying on the whim of this Government." That is not a proper and correct approach to this problem. It is not correct to my mind to let these people in the gallery leave the Chamber with the idea that this Government is going to turn turtle on them.

The Hon. H. C. Strickland: Who said that?

The Hon. A. F. GRIFFITH: The Leader of the Opposition quoted the concluding portion of the Bill and said, "There is a let-out for the Government. The Governor need not proclaim this Bill if he does not wish to until he is sure that the banks have carried out the conditions provided in the Bill."

The Hon. H. C. Strickland: Is not that right?

The Hon. A. F. GRIFFITH: Yes, it is, but I did not explain it in that manner.

The Hon. H. C. Strickland: Not that way.

The Hon. A. F. GRIFFITH: I did not explain it that way, and the honourable member could not have misunderstood me. The basis of this Bill was negotiated by my colleague, the Chief Secretary in another place, with both the associated banks and those people who form the Bank Officials' Association; the people who work in the banks. To the best of my knowledge and information, both the banks and the bank officers agreed on the contents of the Bill. Do not let us have statements bandied around in regard to politics, and Mrs. Hutchison joining in saying that both of us were up for election. If she only knew, I was not even up for election in 1955, but one would not expect her to realise that. My attitude in respect to this problem never changed until I saw fit to change it.

The Hon. R. F. Hutchison: You even changed your House.

The Hon. A. F. GRIFFITH: Yes; and that puts me in my beneficial position of having had experience in both the Legislative Assembly and the Legislative Council; and, with a smile, I can turn my

face to my learned friend, Mr. Wise, who has also changed his Houses but not his horses. I, too, have not changed horses.

It was not even a palatable excuse for Mr. Strickland to say that he did not want Mr. Mattiske to bring politics into this, but because he did say, "Let us have a look at what the present Minister had to say," apparently, before tonight, he had had a look at what the present Minister did say. If not, he was very quick, because he had it all written down.

I will tell the House what the present Minister did. He voted both for and against legislation such as this. If members will look at *Hansard* for the record of my speeches on this legislation, they will find I said that my sympathies have always been with the bank officers in their efforts to get a five-day working week. What would any other honourable member have said if, on the eve of an election, he was obliged to answer a question put to him in the terms that it was and when he was before an audience in a hall in which he was speaking? The question was: "What will you do in respect of the Banking Bill if you are returned?" I told them then, in 1953—and I read my statement in this House when the Bill was before us—that my sympathies had remained unchanged. However, because this question had been used as a political football I had my name featured in election pamphlets.

The Hon. H. C. Strickland: Is it still bouncing?

The Hon. A. F. GRIFFITH: No, it is not bouncing; no more than the speech made by the honourable member.

The Hon. H. C. Strickland: I meant, is the ball still bouncing?

The Hon. A. F. GRIFFITH: It is my job to reply to the debate and that is what I am going to do. I told the people then that my sympathies still remained with them and in the objective they were trying to attain. However, as I was a member of the Liberal Party I adopted the policy of my party at that time, and as its policy was not to support the legislation that was put before it, I followed suit. However, I am not ashamed of that. Would these people who are looking for a five-day working week have any respect for anyone who said one thing one day and did something else the next? Would anyone expect me to say, for the benefit of a few votes, "Yes, I will vote for the Bill"? It just so happens that I am not made that way, and I do not do that sort of thing.

This Bill is different. I have before me copies of the Bills that were introduced in the years I have already mentioned. This Bill is definitely different in its approach. As I said when introducing the second reading, the previous measures contained the words, "Each and every Saturday,"

but this Bill, supported by Mr. Strickland, is different. Nevertheless, I differ from him on only one point, namely, that the people who are to receive the benefit of this legislation, if it is passed, need have no fear in placing their confidence in this Government, because, if it says it is going to do something, it will do it.

The Bill offers protection for the people who are associated with the banking industry and those who will benefit from it. Therefore, it is a safety margin to get the banks to observe the condition that they shall remain open until 5 p.m. on Fridays and if that condition is not observed the Government may not proclaim the Bill. I talked to the bank officers from time to time before this legislation was brought before the House and they never objected to that condition. They never sought any shortening of their working week. They told me they were quite prepared to put in the extra time on the Friday. Previously, their 40-hour week was spread over five and a half days but now it will be spread over five days. I do not think the attitude of the bank officers has changed. However, as I have said on previous occasions—and members will find it in *Hansard*—the tendency in this country will not be for people to work lesser hours, but for more people to work the same number of hours.

We are going to enter into a sphere of progress in this State so that within 10 years we will not be able to recognise Western Australia when we look back on what has taken place.

The Hon. G. Bennetts: You will not be here much longer if Khrushchev gets busy on you.

The Hon. A. F. GRIFFITH: We are on the threshold of great industrial development in Western Australia; and I hope the people who are to reap the benefit of this legislation will use the extra leisure time to good advantage. I said previously I would return to one matter that I neglected to mention. Mr. Jeffery said that there had been no change; that the opposition to it was exactly the same as it was in 1953.

The Hon. G. E. Jeffery: In 1956.

The Hon. A. F. GRIFFITH: I beg the honourable member's pardon; 1956. However, there have been considerable changes since 1956, as the honourable member demonstrated himself, because he told us that in South Australia, in 1960, banking legislation had been introduced to bring in a five-day working week.

The Hon. F. J. S. Wise: He also mentioned that Swan Districts had become Premiers.

The Hon. A. F. GRIFFITH: He went on to say that legislation had been brought down by Sir Thomas Playford.

The Hon. G. E. Jeffery: No; brought down by Sir Thomas Playford's Government.

The Hon. A. F. GRIFFITH: Well, brought down by his Government. He certainly put a safety provision in the Bill he brought down. Queensland, as late as March, 1961, introduced a Bill; and we believe that New South Wales will introduce a Bill, and also that Victoria will.

So it is quite wrong to say there have not been changes; because there have. It is equally wrong to say that this has the blessing of everybody in the community; because it has not—not by a long chalk. All one has to do is to read the papers and see the letters of expression on both sides of the issue—both for and against the closing of banks on Saturday morning—to realise it is quite wrong to say that this has general approval. But it certainly looks as if it is going to have the general approval of all members of this House.

I thought that may be the bank officers would have received their five-day week sooner, had the Government of the day, previously, taken the initiative of introducing the legislation. My colleague, Mr. Logan, who is at the moment sitting on this side of the House, told us, when he was on the other side of the House, that he would vote for a five-day banking week if the legislation were introduced by the Government.

The Hon. R. F. Hutchison: That was camouflage.

The Hon. A. F. GRIFFITH: The honourable member may call it what she likes; I am not in the least bit concerned. It might interest members to know that the first Bill the previous Labor Government introduced into this House in 1953, when it came into office, was a privilege Bill. This, of course, is always the case. But do you know, Mr. President, what the privilege Bill was on that occasion? It was a Bill to amend the Bank Holidays Act. I think it is a good idea that the people who have heard all this diatribe of politics should realise that the Government of the day had the opportunity to do what the Opposition now say should be done. That Government had the opportunity, because the first Bill it introduced as a privilege Bill, was a Bill to amend the Bank Holidays Act.

The Hon. F. R. H. Lavery: That is the case with every Government.

The Hon. A. F. GRIFFITH: Do not tell me that. The privilege Bill, of course, is, in my limited experience, a Bill introduced here to assert the rights and privileges of this House to introduce legislation. Sometimes the privilege Bill is not gone on with. It goes down to the bottom of the notice paper, because it is sometimes a privilege approach to the legislation of the opening

session of Parliament. But it did not happen in the case to which I have referred. That Bill was gone on with.

It was not a Bill to give the bank officers a five-day banking week, although there was ample opportunity to have it presented; it was merely a Bill to rectify a small anomaly that was found in the Bank Holidays Act. That was all. The opportunity was there. I am not the slightest bit interested in listening to all this play-acting because we have a gallery tonight.

The Hon. F. R. H. Lavery: What about the minority of the Labor Party in this House?

The Hon. A. F. GRIFFITH: I am not in the slightest bit interested in all this play-acting because there happens to be a lot of people here who are interested in this legislation. Nor am I interested in the fact that it is a suitable time to turn this to political effect. I would give the people who are to receive the benefit of this Act sufficient credit and sufficient intelligence to see through this.

The Hon. F. R. H. Lavery: You know that for 60 years there has not been a Labor majority in this House.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. A. F. GRIFFITH: I have pleasure in moving the second reading of this Bill, and in doing so I hope it will pass.

The Hon. H. C. Strickland: That is the first time you have said that.

The Hon. A. F. GRIFFITH: I feel sure it will. That sentiment is expressed in quite a contrary manner to the fears that some people may have. I think it was Mr. Garrigan who said in furtive terms that he hoped it would pass. We think it will pass.

The Hon. R. F. Hutchison: You are certain of that.

The Hon. A. F. GRIFFITH: The honourable member should be quiet, because she might be terribly interested in the last few words I am about to utter. I move the second reading of the Bill.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

## ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban—Minister for Mines): I move—

That the House at its rising adjourn until 2.30 p.m. tomorrow (Thursday).

Question put and passed.

*House adjourned at 9.38 p.m.*

# Legislative Assembly

Wednesday, the 11th October, 1961

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