

**LEGISLATIVE COUNCIL.**

Wednesday, November 5, 1958.

The PRESIDENT (Hon. Sir Walter Duncan) took the Chair at 2.15 p.m. and read prayers.

**QUESTION.****SAFETY PRECAUTIONS ON PORT WAKEFIELD ROAD.**

The Hon. A. J. MELROSE—As so many accidents occur on the Port Wakefield Road, an apparently straight road, will the Minister of Roads take steps to have double yellow lines painted on those rather hard to see bumps and curves?

The Hon. N. L. JUDE—As I understand the honourable member he is referring to the lack of safety precautions on the Port Wakefield Road, which is not as wide as we would wish. I will take up the matter with the Highways Commissioner and furnish the honourable member with a report in due course.

**HOLIDAYS ACT AMENDMENT BILL.**

Adjourned debate on second reading.

(Continued from October 30. Page 1494.)

The Hon. C. R. STORY (Midland)—This very controversial Bill has been before the Council for several days and I secured the adjournment on Thursday last for the purpose of considering its effect upon the community as a whole. At the outset let me make myself clear with regard to my admiration of the banks and the work they do for the development of the country, and of the personnel who staff them. I have worked in close co-operation with bank officers on several issues affecting the rights of the people and this is the first occasion that I find myself thinking differently from them. The Bill as introduced in another place sought to close the banks on Saturday mornings, but it was amended so that its effect is that banks will remain open until five o'clock on Friday afternoons.

The reason given for closing on Saturday mornings is that it will enable bank officers to enjoy the same leisure as others in the community doing comparable work. That appears to be one of the main effects of the Bill. I cannot visualize much benefit from the legislation. It is conditional upon an assurance from the Bank Officials' Association that the Bill would not come into operation until

steps had been taken to open the banks to the public until five o'clock on Fridays. Subject to that proviso the Act will come into operation on proclamation and this will not be made until the Government is satisfied that arrangements which will operate generally throughout the State have been made and will be carried out for keeping the banks open until 5 p.m. on every Friday that is not a bank holiday.

Sir Frank Perry gave us a very thoughtful and, I thought, accurate assessment of what this legislation would do to the commercial and industrial life of the State, and Mr. Melrose pointed out the lack of any positive lead from the various bank boards. This is a most significant point and I will deal with it later. It is my intention at the moment to raise some points to show the effect of this legislation on country people, and in doing so I emphasize that each part of the State has problems peculiar to itself. Some districts revolve around sale day; others around Friday afternoon shopping; the majority as I know them are Saturday morning towns. In areas where industry has developed employees take advantage of the couple of hours provided on Saturday mornings to do the family business. It is customary in country areas for the small employer to pay his employees by cheque on Friday afternoon, and it is normal for those employees to change their cheques on Saturday morning and attend to the family business; a man pays his bills around the town and his wife gets her housekeeping money, and this practice has been going on for a considerable time. Although the banks do not close on Saturday mornings, from my own experience—and I am very friendly with a number of bankers and hope that this friendship will continue after today—I have never found any trouble in getting bank officers out to play various sports on Saturday. It is usual for an employee to change his cheque at the bank at which his employer does his business. Most cheques are crossed cheques, the purpose being to assist the employer when compiling his income tax returns. He simply hands his cheque book heels to his taxation expert and does not have to produce receipts.

The Hon. S. C. Bevan—But the local trader will change those cheques.

The Hon. C. R. STORY—I am coming to that. A number of these people have ordinary trading bank accounts. The significant thing in this legislation is that no provision has been made for the Savings Banks to remain open on Saturday mornings. If the trading banks close under the provisions of this legislation, so

will the Savings Banks. Why should a depositor have to entrust his banking business to someone else and have money paid in by someone else or an order given to get money out? Everyone is entitled to do his own banking business. I do not know how other people arrange the domestic side of their lives, but surely a man is entitled to have a banking account to operate entirely on his own? He does not want other people going to the banks and doing that type of business for him. That is something that will be taken away from people who work until 5 o'clock on Fridays.

In industries that I know men still work until 5 o'clock on Fridays. If banks are closed on Saturday mornings the grocer, the butcher or some other business man will be called upon to become the money exchange for the district—a role he should not be forced to undertake. It will be necessary for him to carry overnight large sums of cash to change cheques on Saturday morning and provide a service that normally would be provided by a bank. The onus will be on the small trader to decide whether the credit position of the drawer of the cheque is satisfactory, a function that would be much more safely left in the hands of a competent banker. The closing of banks on Saturdays will not help this position one bit. In discussions on this legislation it has been freely stated that it is in conformity with the Opposition's desire for a 5-day week of 35 hours for all employees.

The Hon. S. C. Bevan—How do you make that out?

The Hon. C. R. STORY—It has been stated in this Chamber.

The Hon. A. J. Shard—By a Liberal member.

The Hon. C. R. STORY—A perusal of *Hansard* will prove that that was stated in the form of an interjection by the honourable member himself when Sir Frank Perry was reading from a document he used in his speech, and it went a little further than that. There was a second interjection to back up the first in case a mistake had been made.

The Hon. A. J. Shard—That is our policy.

The Hon. C. R. STORY—If that is so, I am happy to have my impression confirmed. People realize that that is the ultimate goal. Some have gone further than a 5-day week of 40 hours and are now talking of a 30-hour week. I consider that a vote in favour of the Bill will be the signal for the banks and associated financial organizations throughout Australia to press for similar conditions, to be closely followed by the shop assistants.

The Hon. A. J. Shard—Hear, hear!

The Hon. C. R. STORY—That only confirms my earlier point.

The Hon. A. J. Shard—Your speech could be termed the dead hand on progress.

The Hon. C. R. STORY—I would rather be accused of being the dead hand on progress than be accused of killing the goose that laid the golden egg. The shops and banks having been closed on Saturday mornings, the industrial organizations will then press for a 30-hour week to enable those in industry to do their banking and shopping, and eventually we will finish up with an ever decreasing circle; and if any honourable member does not know what happens at the end of a circle, I will tell him outside the Chamber.

We have been extremely lucky in Australia, far luckier than we deserved. The 40-hour week was introduced at a time when more by good luck than good judgment our primary produce started to rise in value on overseas markets. The country has been blessed with 10 bountiful seasons; secondary industries have been established and in the main they are flourishing. It is to be regretted that the subject of working hours should have come before Parliament. It is a matter for a properly constituted tribunal set up under our arbitration system.

The Hon. K. E. J. Bardolph—The bank officers had no alternative but to come to Parliament.

The Hon. C. R. STORY—If the honourable member reads what I have said at various times in this Chamber he will realize that I am being consistent. It was Parliament in another State that passed legislation for a 40-hour week.

The Hon. S. C. Bevan—It was a Labor Government.

The Hon. C. R. STORY—Yes, but the responsibility for this legislation rests with this Parliament, and it is the duty of members to vote according to their convictions. I oppose the Bill in its present form, and if it gets into Committee I will endeavour to amend it by providing that there should be at least some service to the public on Friday evenings to enable them to do at least some of their banking business. I think that is the least we can do. I sincerely hope that this Chamber will accept my amendment.

The Hon. E. H. EDMONDS (Northern)—In explaining the Bill, Mr. Condon expressed the opinion that it was a very important measure. With that I entirely agree. My realization of the importance of the matter

led me to make a very careful investigation and follow every line of inquiry available to me in order to satisfy myself as to the pros and cons and the justification or otherwise for the introduction of this measure and for the end it seeks to attain. I have simplified the position in three main points:—

(1) Should banking hours be brought into line with those of some other industries and the ruling 40-hour week be worked in five days?

(2) Is the business of banking of such a nature that it can be dissociated from retail business that operates on Saturday mornings?

(3) Is Parliament justified in making a decision on the evidence that has been made available?

I agree with Sir Frank Perry that Parliament should not be asked to decide such an important matter without a more complete inquiry and on the meagre information furnished to it. With due deference to the Bank Officials Association, we have heard practically only one side of the case. Such other information as we have been able to gather here and there seems to indicate the presence of no organized opinion anywhere else on this matter. Therefore, we are to be excused if we do not appreciate some aspects of this issue. It is only because of the meagre information available to us.

As Mr. Story has said, there is a most elaborate conciliation and arbitration system in Australia, more elaborate than anywhere else in the world, where these matters can be dealt with by constituted tribunals. In this case, the Bank Officials' Association is debarred because of the Commonwealth Act, but has any combined effort been made to remove that obstacle and amend the relevant Act with a view to having the Bank Officials' Association's case brought to the notice of the Arbitration Court or a similar set-up? Admittedly, this matter is beyond the resources of, say, one State organization, but has anything been done to try to get similar organizations in other States to co-operate so that they can all speak with one voice?

In this connection, South Australia is not alone in endeavouring to bring about these working conditions in the banking industry but, here again, nobody has given any indication that an effort has been made to get together to remove the one obstacle I have mentioned. Another alternative is that there could be, so far as I am aware, under our existing State legislation, an inquiry set up within the State to deal with intra-State matters. There is nothing new in having commit-

tees of inquiry and commissions to inquire into various aspects of matters that come up for consideration from time to time. A notable case that readily springs to mind is the acquisition of the Adelaide Electric Supply Company's business. That matter was brought in the first instance to Parliament and was rejected because members wanted more information about it. As a result of that desire for more information, a commission was set up, whose findings and recommendations played a big part in swaying the opinion of some members even here and subsequently bringing about the setting up of the South Australian Electricity Trust, which, incidentally, has been a most successful undertaking.

I will deal with my points (1) and (2) a little later. I want now to refer to a little brochure that has been issued to us setting out the bank officers' case for a five-day week. This, by the way, is about the extent of the information available to me. I believe very little more has been made available to other members. Therefore, I may take it that this is the case that has to be answered, and I will try to answer it as it is set out here.

First of all, there is the heading "Justification." This is the justification leading to the application being made to Parliament:—

In Tasmania, New Zealand, New York and many other parts of U.S.A., and in Canada, banks are closed on Saturday mornings. If it can work on Wall Street, why not here in South Australia?

I do not know anything about Wall Street; I don't even know whether it works or how it works. They do not tell me anything about that here. It is just a bald statement, leaving me to form my own conclusions. It does not help me form a definite conclusion. It goes on:—

Workers in almost every field of commerce and industry and in Government departments enjoy a five-day week. Why not the bank officer?—

I will refer to that later—

Achievement: The matter is beyond the jurisdiction of the courts. Because of the provisions of the Federal Bills of Exchange Act, it can be attained only by amending the Holidays Act to declare Saturdays bank holidays—

I have already answered that—

Effect on the national economy—nil.

That seems to be an astounding statement coming from people connected with the financial institutions of this country. It goes on to say, in justification of that assertion:—

Banks provide an essential service to the community but do not contribute directly to the nation's productivity.

If by that they mean they do not make boots or shoes or something else out of the raw material, I suppose it could apply, but am I to understand that the financial institutions of any country, and of this State in particular, have nothing to do with production? It seems to me to be the very basis of the institutions that finance production in many cases. How many big business concerns are acting under their own financial resources and without recourse to bank loans, overdrafts and that kind of thing? There, I am afraid, the claim falls short of my conception of being good argument.

Effect on business houses—nil. Present Saturday banking facilities are rarely used. Night safe services provide adequate safe custody for cash deposits. Most business organizations also have their own safes. For several years even city retail establishments have not publicly opposed the five-day week proposals.

What evidence have we of that? That is just another bald statement. No evidence has been produced to show that retail establishments have expressed any views about it. That is one of my complaints. I notice, throughout this claim, repeated references to deposits. It is put from the point of view of the deposits, but in many business transactions, deposits are not the main feature. For instance, I go to the bank more often than not to withdraw. Business people may often find it necessary on a Saturday morning to consult the bank manager about their next week's financial business, or something of that nature. Therefore, the claim that the deposits are the main feature does not carry much weight.

Effect on the banks—beneficial. The five and a half day week has placed the banks at a grave disadvantage in staff recruiting, and has necessarily resulted in a serious lowering of standards.

Later, it says something about lower efficiency. From my experience over many years, I say that the bank officials are just as efficient, keen and capable as ever they were. From the many years I have been doing business with banks I cannot see any evidence that there has been any deterioration in that direction. Regarding the alleged difficulty in finding recruits, I think the answer is probably that young people leaving school nowadays can go out and get a wage which to me, even in my heyday, would have been fantastic. Here again the bank officers do not say just what the difficulty is.

The Hon. Sir Frank Perry—That applies to every industry; not only the banks suffer from that.

The Hon. E. H. EDMONDS—Yes; a boy of 16 can get up to £10 a week. I do not know

what wages the young bank officers get, but that probably would be partly the answer to their difficulty. At the conclusion of that paragraph the statement says:—

It is significant that the banks do not oppose the claim for a five-day week.

Here again the banks—and I presume they mean the directors or managers, and probably the shareholders—have not voiced any opinion and, as far as I am aware, they are still not taking any active part for or against the proposals. The next point deals with the effects on the banks' agencies. In its assertion that the proposal will be beneficial, the statement says:—

The 700 private agencies throughout the State are paid commission on business transacted and the agents therefore stand to gain financially as a result of Saturday closing.

The banks, especially savings banks, have established branches in many country towns. In these centres there is, of course, no necessity for bank agencies, and therefore in those towns when the bank is closed the means of transacting business is denied people. I fully agree with the opinion expressed by Mr. Story that country people will be seriously affected in this connection. The statement claims that it will be beneficial for the agencies to have the banks closed because they will have the advantage of the extra business that will accrue to them because of their greater commission earning capacity, but I am not sure about that. I know the claim is made that because the people of the district find it necessary to go to the storekeeper-bank agency to transact their banking business it is an inducement for those people to do other business with the agent. Again, knowing something of the people who are engaged in that sort of business in country districts, I say that probably they would find it a disadvantage to have to attend to other matters on busy Saturday mornings, as Saturday mornings often are in the country. They would not want to set somebody aside, or go themselves, to do banking business on behalf of a bank that had closed.

The Hon. Sir Collier Cudmore—Won't this push business to the Commonwealth Savings Banks?

The Hon. E. H. EDMONDS—That is another point I am not clear on.

The Hon. Sir Collier Cudmore—Every post office is a Commonwealth Savings Bank agency, and it will go on getting business.

The Hon. E. H. EDMONDS—That is probably so, but that does not apply in every

country town. The next point in the statement is the "effect on the general public." On this very important aspect the claim states:—

Trading banks do little business on Saturdays. If savings banks opened on Sunday afternoons, no doubt many depositors would find it convenient and essential to bank on Sundays. Savings bank depositors need not bank on Saturdays.

Here again is a repetition of the "depositor" aspect. It goes on:—

They are amply catered for by agencies throughout the suburbs and country towns . . . Depositors of one bank average less than one transaction per month, and very few depositors bank regularly on Saturdays.

Frankly, I cannot quite work that one out, and I think that assertion is based on wrong premises. Any time I happen to go into a bank on a Saturday there always seem to be quite a few people transacting business. I may only go to a bank on an average of once a fortnight or once a month. Let me state a hypothetical case: I go into a city bank on a Monday and there are 40, 50 or perhaps 100 people doing business; on Tuesday our place is taken by another 40, 50, or 100 people, and those people may not come back again for another fortnight or another month. One cannot use that point as an argument. The statement goes on:—

The general public readily became adjusted to the closing of the Motor Vehicles Department, E. & W.S. Department, and many other Government departments.

I point out that the business done by these departments is entirely different from the business done by banks. In the departments mentioned the business would be mainly the payment of monthly or yearly accounts; it may be that on a rare occasion a person wishes to make a general inquiry, but there is usually no question of wanting to see the manager or having an important discussion on financial affairs. One goes to the Motor Vehicles Department only to renew a registration or a driving licence, and if a person cannot go there all he needs is an envelope and a fourpenny stamp.

I do not see that that is a very important aspect of the matter. The next point dealt with is "Effect on the bank officers." I have the greatest respect for bank officers, who are doing a very good job. I also have much sympathy for them. They claim that this Bill will result in improved health and morale and that greater efficiency will develop even better service to clients. I do not think a better service to clients could be provided than is being provided by the present

personnel of the banking institutions. They go on to claim:—

Additional leisure would enable bank officers to give even greater service to the community, *e.g.*, Rotary, Apex, R.S.L., religious bodies, etc. I am sure we all praise those very laudable sentiments.

Another aspect that causes me a good deal of concern has been engendered during the course of this debate. I have very serious misgivings regarding the motive behind the support for this Bill. The member introducing the Bill in another place said that the 5-day week was the policy of the Party, and that has been reiterated during the debate in this Council today. We have evidence that a 35-hour week is also being discussed. I wonder if this Bill is being sponsored merely to bolster up a case for still shorter working hours generally. Certain interjections were made when Sir Frank Perry was speaking on the Bill, and these have been mentioned today by Mr. Story. Sir Frank Perry at the time was quoting a letter from the Central Traders Association as follows:—

Banking is a service that should be available to the public when shops are open for trade.

Mr. Shard interjected:—

Close the shops on Saturday and there will be no argument.

The Hon. A. J. Shard—That is correct.

The Hon. E. H. EDMONDS—Quoting further, Sir Frank said:—

We fear that the closing of banks on Saturday morning will lead to a demand for the closing of shops on Saturdays, followed by demands for a 4½-day working week in industry.

Mr. Shard then said "Hear! hear!"

The Hon. A. J. Shard—Hear! hear! again.

The Hon. E. H. EDMONDS—Am I justified in my suspicion that there is something more behind that interjection than appears on the surface? I say emphatically that I do not associate the Bank Officials' Association with those remarks in any way. Those are my reactions to the Bill. I do not agree with it, and I will vote against the second reading. I feel that I am not in a position to make an adequate cover of the whole case, because we have had so little information from sources from which, I think, we should have had it.

The Hon. Sir ARTHUR RYMILL (Central No. 2)—The question before us is not whether the banks are to close on Saturdays but whether the banks shall be empowered to do so if they so determine. The Australian banks are highly responsible bodies, and I believe they can properly be entrusted with this power to conduct their own affairs. I have no doubt

whatever that in deciding whether or not they should close on Saturdays the banks will fully consider the interests of all concerned and the extent of the public needs for Saturday banking. I support the Bill.

The Hon. L. H. DENSLEY (Southern)—I feel that it is desirable that I should at least mention my opinion on this matter. This Bill was introduced in another place by a member of the Labor Party at the request of the bank employees. I do not think there was any idea of suggesting that this was done in any way at the request of the general public or in their interests. I believe that if it had been thought that this Bill would be in the best interests of the general public and the State generally, the Government itself would have been prepared to bring in a Bill to provide for these conditions. That the Government did not do so is evidence that it did not consider it in the best interests of South Australia. It has been said that there are political implications in the Bill. We have heard so much about the four and a half day week, and so many interjections when the matter has been discussed, that the obvious implication is that it provides an opening for the application of a four and a half day week. If this Bill is passed I feel sure we will have an application from industry in the near future for a four and a half day week.

I think we can say that the skids have been pretty fairly placed under this Bill in another place so that we can expect that it will not operate as many people believe it will. Very obviously, if this Bill comes into force it will apply to all banking institutions. We cannot imagine that it will apply to trading banks and not to savings banks. In many country towns the Bank of Adelaide is the agent for the Savings Bank, and as it would be closed under this legislation Savings Bank depositors would lose a facility they now enjoy. Another point that was brought out very strongly was that this is South Australia, and I claim to be a South Australian first and a citizen of the Commonwealth, perhaps, second. The Commonwealth Savings Bank has an agency in every post office, and obviously it will therefore be able to operate at times when the Bank of Adelaide will not be able to perform its function as an agent of the Savings Bank of South Australia. That would be most undesirable from every aspect. We must think of our own institutions first.

Upon this Bill becoming law we will probably have an early application from shop employees for an alteration of hours. Those who have elected to work in shops are called upon to work on Saturday mornings, and those who work in transport and many other industries are called upon to work in staggered shifts for seven days a week, and it seems to me quite realistic that banking institutions, that also have a very important part to play in our commercial life, should find it possible to arrange staggered shifts so as to have staff available on Saturday mornings and give them half a day off on some other day. That seems to me to be a very reasonable approach, if bank officers are so very anxious to have this extra half day off. The first of the bank officers who spoke to me on this subject pointed out how very anxious they were to have Saturday mornings off, but he threw upon me, as a member of Parliament, the responsibility of taking into consideration the interests of all other sections in making my decision, and I have tried to look at the requirements of the State generally rather than merely the point of view of bank officials.

In the first place, I do not think that this State can afford a four and a half day week at this stage, and I believe that that is the implication we can expect from the passing of this Bill. Can the State continue to develop at the rate it has developed in recent years on the basis of a four and a half day week? I do not think it possible. I point out that the extreme prosperity of Australia has evolved largely from the high returns from wool, wheat, barley and other primary products. They have been responsible for the great amount of money that has been available and the consequent prosperity of the people. Now we are faced throughout all the primary industries with falling prices. Wool is down to a third or a half of what it was a few years ago and the prices of all other primary products are much lower than they have been for some years. Consequently, I believe that industry will be called upon more and more to produce at an economic level, so as to be able to compete with industries overseas, if we are to maintain our prosperity. That would not be possible with the added cost of production involved in a four and a half day week.

What does the public want in this matter? That was put to me by the first bank officer who spoke to me. I have had quite a number

of communications from country people and many others have spoken to me on this question. I quote from a letter I received from one country person as follows:—

The stupid idea of opening until 5 p.m. on Fridays is no compensation for being deprived of Saturday morning facilities: it might suit some Savings Bank depositors but is just too ridiculous for the business community. The trading banks in the country are busier on Saturdays than most other days, and for us business people the prospect is most frustrating. If the community sits down needlessly for an extra half day a week, it is not likely to make for efficiency, or help in carrying the heavy burden of debt that hangs over the State.

I have had many communications from primary producers, and not a single constituent of mine has suggested that I support this Bill. Many primary producers have said that it would surely lead to a four and a half day week. At present, farmers, pastoralists and the like are working a five-day week wherever possible, and employees and principals of the properties come into town on Saturday mornings to do their shopping and banking, and they stay in for the afternoon's sport. It is felt by many that were the banks to close on Saturday mornings—quite apart from the almost certain possibility that the stores would want to close also—their employees would soon want to come into the town on Friday afternoons in order to go to the bank, and the primary industries cannot afford a four and a half day week. So I say very definitely that this extra half day's bank holiday would not be in the best interests of my constituents and the business people in the country, and I very much question whether it would be to the interests of the State as a whole.

Mr. Edmonds, in his remarks, freely used the brochure sent out by the bank officers, and my thoughts run on much the same lines as his. I do not quarrel with the bank officers' saying that they do not contribute directly to the nation's productivity. If they feel that way I am sorry, but it has been my experience that it is very essential to be able to get finance for developmental purposes, and I feel that the banks have so much interest in the productivity of the country that I am rather surprised at their making that statement.

They refer to the effect on the business of the community. As far as I know country banks, Saturday morning has always been the busiest morning in the week. I have lived in the country for a long time and I have always observed that Saturday morning is the busiest business morning of the week; sometimes it is

difficult to get into a bank at all. I have noticed that in the city also that Savings Bank branches are crowded on Saturday mornings.

We know that Australians are a very adaptable people. Probably if we asked them to work day and night they would still find time to do something else, but whether they should be asked to provide additional leisure for the bank officials I very much doubt. The bank officers have made much of the difficulty in obtaining staff. I did not think there was any industry, three or four years ago, that was not in difficulties regarding young fellows coming on to take over responsible positions, and the banks may have suffered a little during that period. However, throughout my life I have noticed that the highest ambition of boys about to leave school centres on getting a position in a bank if possible, and I believe that still obtains. Boys must have certain academic qualifications before they can obtain appointments in banks and, possibly with the progress of electronics, we will find that a tertiary education is availed of to a far greater extent, and people with academic qualifications will probably turn to electronics and other associated fields. Consequently, it may become a little more difficult, but certainly the number of youths coming along today from our secondary schools has never been available before, and I have no doubt that there will be ample available for the banks. An appointment in a bank has always been regarded as a pinnacle of employment.

So much has been said about the bank officers having such a good case and that the case has been so well put forward that I came to doubt whether I had read it correctly. It seems to me that the case for the bank officers cannot be substantiated in the general interests of the State and, as one of the custodians of the prosperity of the State, I believe that, if it is not to be curtailed by a probable four and a half day week which would be the inevitable conclusion of a lessening of the banking week, I must oppose the Bill.

The Hon. Sir COLLIER CUDMORE (Central No. 2)—I feel that I should say a few words to give my point of view on this Bill. Everyone knows that I am a Federationist and not a Unificationist, but we cannot get away from the fact that under our Federal Constitution the Commonwealth Parliament is given power over banking. Banking is done under licence from the Commonwealth: it is in its hands. This matter cannot be considered by the Arbitration Court because the Bills of Exchange Act places an obligation on the banks to satisfy the banking requirements of the public. I

regard this Bill as an attempt to do something through a State Parliament—as it were through the back door. It should not be done by a State Parliament, as it is a Federal matter. The Bill was introduced purely for Party advantage, and that was the only reason that I can see. A Labor man introduced it in both Houses. I am sorry that Mr. Bardolph is not here at the moment, because he would immediately say, as he has already done in the course of the debate, “Why bring politics into it”? I should like him to have a look at the dictionary and then he would realize that everything we discuss is politics, and must be politics. I think what he usually means is that it is bringing Party into it. It would be fitting if I referred to the fact that today is not only Guy Fawkes Day but also the twentieth anniversary of the Hon. Sir Thomas Playford as Premier of the State. It is a wonderful performance. We are heavily indebted to him and I should like placed on record our appreciation of the great work he has done for South Australia.

The Premier did a very proper thing when he said that the question to be settled was the convenience of the public. What does the public require and who will look after their interests if Parliament does not? In spite of the amendment that has been made in another place by the Government it is wrong for us to be in it, and therefore I will vote against the second reading. However, I think that the Premier did a very proper thing as Premier in pointing out that the convenience of the public who use the banks should be considered. It should not be forgotten that banks are not like ordinary shops that someone can open when he likes. They act under licence from the Commonwealth Government and they are obliged, under the Bills of Exchange Act, to see that the banking requirements of the public are satisfied. Therefore, I think it is wrong for us to interfere in the matter at all, and I oppose the second reading.

The Hon. E. ANTHONY (Central No. 2) —I do not want to give a silent vote on this question. I deplore the fact that the bank executives have not provided us with any information. We have been supplied with only one side of the question. I do not know whether the bank executives approve of the legislation or not, and we have had no information of the attitude of the public on the question. Their convenience has not been considered at all. If an amendment on the file is carried, Parliament will be able to be supplied with the information it should have

before arriving at a decision. In order that that amendment may be considered, I will vote for the second reading.

The Council divided on the second reading:—

Noes (6).—The Hons. Sir Collier Cudmore, L. H. Densley, E. H. Edmonds, A. J. Melrose, Sir Frank Perry (teller), and C. R. Story.

Ayes (13).—The Hons. E. Anthony, K. E. J. Bardolph, S. C. Bevan, J. L. S. Bice, F. J. Condon (teller), J. L. Cowan, N. L. Jude, Sir Lyell McEwin, W. W. Robinson, C. D. Rowe, Sir Arthur Rymill, A. J. Shard, and R. R. Wilson.

Majority of 7 for the Ayes.

Second reading thus carried.

In Committee.

Clause 1 passed.

Clause 2—“Commencement of Act.”

The Hon. Sir FRANK PERRY—I move—

To strike out all the words after “satisfied” and insert the following:—after receiving and considering a report from the President of the Industrial Court, that it is desirable and convenient and not contrary to the interests of the public that banks should be closed on Saturday morning.

(2) The President shall as soon as practicable after the passing of this Act conduct an inquiry on the question whether it is desirable and convenient and not contrary to the interests of the public that banks should be closed on Saturday morning, and present his report to the Governor.

(3) For the purpose of making the inquiry the President shall be a commission of inquiry consisting of a sole Commissioner, and the Royal Commissions Act, 1917, shall apply in relation to the inquiry and all matters incidental thereto.

We have not had presented to us sufficient facts to enable us to give a sensible decision. As I understand the clause, the responsibility will be on the directors of the trading banks to decide whether banks should or should not be closed on Saturday mornings. Because of their silence, I am doubtful whether the banks want to make up their minds or intend to do so. As the banks are giving a service to the community, someone other than the banks should have a say. My amendment takes away from the banks the authority to close the banks or to leave them open. As I see it, they do not ask for Saturday morning closing, or even want it. My amendment gives the President of the Industrial Court, acting as a Royal Commissioner, authority to make an inquiry and report to the Governor, and then Parliament, acting on the President's recommendation, could enact



legislation. I consider that to be the correct course to adopt. I heard Sir Arthur Rymill make a statement on the position this afternoon, but unfortunately I do not write shorthand, nor have we a copy of his statement before us; consequently I am unable to say much about it. However, if according to Sir Arthur the banks are prepared to accept the responsibility, we should have been told so earlier.

The Hon. Sir Arthur Rymill—I was speaking as a member of Parliament.

The Hon. Sir FRANK PERRY—I was not sure whether the honourable member spoke as a bank director or as a member of this Chamber. As I cannot for the moment examine the statement, I am still unable to say. However, the indication seemed to be that, whatever the result of this Bill might be, the banks would accept the responsibility of deciding, after strict inquiry, whether closing on Saturday mornings was justified or not. The purpose of my amendment is simply to give a commission, headed by the President of the Industrial Court, authority to make a recommendation, which, if approved, the Governor can implement by proclamation.

The Hon. F. J. CONDON—I ask honourable members to reject this amendment because it is an attempt to destroy the Bill. Similar opposition was offered on an amendment to the Early Closing Act, but was unsuccessful. I cannot understand why honourable members who opposed the second reading want to delegate their powers to an outside body. They are trying to "pass the buck" to somebody else, for we are asked to pass the responsibility to an outside commission. The bank officials would not be here had they not been forced to come. As soon as they apply to this Council for consideration, they are brushed aside and something foreign to the legislation is introduced. The four-and-a-half days working week has been used as an argument against this Bill, but that is a side issue.

Sir Collier Cudmore referred to the Premier's record in South Australia. I support his remarks. Would it not show more confidence in the Premier if we passed this legislation? It is for the courts to decide on a shorter working week. Sir Frank Perry said that full inquiry should be made into the possible effects of Saturday morning closing before Parliament passed this legislation, but it is our responsibility to do that, for Parliament is supreme and it is lowering the prestige of this Council to pass this responsibility on to any commission or individual. I have not

been approached by any bank official on this, although I have received the same statement of the case as have other honourable members. The bank officials have their rights and it is for them to make the proper approach. Sir Frank Perry said earlier that we should make up our own minds about this Bill. Let us do that. It has been said that the five-day banking week would be detrimental to the city's trade, but the suburbs must be considered as well as the city. The passing of this Bill will mean much to the suburbs. Mr. Story said that it was not very nice for a person to be asked to withdraw another man's money, but does that not happen every day?

The bank officials were compelled to come to Parliament because they could not go elsewhere, but the moment they come here they are told they have no right to come here. Surely they have the same rights as anybody else. All the talk about a four-and-a-half day week has been a red herring. I oppose the amendment.

The Hon. Sir FRANK PERRY—If ever a speech showed clearly the need for some other authority to decide this matter, it is the speech we have just heard. Under the Bill we are not deciding anything: we are passing authority on to somebody else to do it. I am suggesting it is a choice between the Industrial Court, sitting as a commission, and the banks. We are not shirking our responsibilities.

The Hon. A. J. MELROSE—The amendment before us deserves much more appreciation than the gallery might have been led to believe during Mr. Condon's speech.

The CHAIRMAN—Order! The honourable member must not refer to the gallery.

The Hon. A. J. MELROSE—The part of his remarks that I object to concerns his insinuation that this matter now before us has not been given proper consideration. He said, in effect, that because the bank officers have nowhere else to go and have been forced to come here, whatever they have asked for must be granted. That seems to be a very one-sided sort of arbitration. His other remark, that we were going to brush this aside without giving it consideration, will give the wrong impression to anyone who hears it or reads it.

Some extremely thoughtful speeches have been made in this debate, and between those speeches the whole subject has been thoroughly covered. The impression left in the minds of all who have open minds is that not sufficient

evidence of the effect of this proposed legislation has been placed before us. One side of the case is based largely on bald statements that are not supported by statistical evidence. The amendment is that this matter be referred to a commissioner who will report to the Council on at least the other side of the question in addition to the side that has been presented. If this Chamber is to maintain its dignity and prestige, we should not be afraid to refer this matter to an outside commissioner who could inquire into the whole question more thoroughly than we could.

The Hon. K. E. J. BARDOLPH—I oppose the amendment, because its effect can be achieved by passing the measure as introduced. The difference between the amendment and the Bill before us is that under the Bill the banks may, after consultation with the Bank Officials' Association, make the necessary arrangements for the closing of banks on Saturday mornings, whereas Sir Frank Perry's amendment is more specific and provides that an outside authority shall determine the matter in consultation with the Bank Officials' Association and the banks.

The Hon. Sir Frank Perry—And the public.

The Hon. K. E. J. BARDOLPH—"The public" is always a very good whipping horse; it is brought in on these issues where it is given no representation at all. If Sir Frank Perry desires to include "the public," then I submit that the amendment should define the personnel other than the President of the Industrial Court. The amendment is wide and vague. I am not attempting to cast any aspersions upon the President of the court, who is known to me as a friend, and I do not think any honourable member would attempt to cast any aspersions upon his probity in connection with the administration of his high office, but this is not an occasion on which we should call him in.

I support the Leader of the Opposition when he says that Parliament is supreme. This Bill would not have been introduced had other avenues been open whereby the bank officers could have presented their claims and had an award made. Every honourable member who has spoken against this measure will admit that it was brought here because certain legislation prevented it being determined by the State Industrial Court or the Commonwealth Arbitration Court. The effect of the proposed amendment is that on the one hand Saturday morning closing has to be convenient to the banks and on the other hand it has to be convenient to the public. I oppose the

amendment because it will defeat the purpose of the Bill.

The Committee divided on the amendment:—

Ayes (5).—The Hons. E. Anthoney, E. H. Edmonds, A. J. Melrose, Sir Frank Perry (teller), and C. R. Story.

Noes (14).—The Hons. K. E. J. Bardolph, S. C. Bevan, J. L. S. Bice, F. J. Condon (teller), J. L. Cowan, Sir Collier Cudmore, L. H. Densley, N. L. Jude, Sir Lyell McEwin, W. W. Robinson, C. D. Rowe, Sir Arthur Rymill, A. J. Shard, and R. R. Wilson.

Majority of 9 for the Noes.

Amendment thus negatived.

The Hon. Sir FRANK PERRY—I move—

In subclause (2) to delete "5" and insert "7.30".

This matter has been raised in debate perhaps more than any other single aspect. The amendment, in effect, seeks to study the general public who have work and occupations that take up their time during the times the banks are open. The employee in industry is now able to transact his financial business on Saturday morning. This Bill does not necessarily prescribe Saturday closing, but if by some means the banks decide to close on Saturday mornings another period of time should be made available for the people wishing to transact banking business rather than forcing them to lose time to attend the bank. It would also be convenient for people depositing money and traders and shops would benefit. I do not know how the provision for 5 o'clock closing came to be in the Bill, but it does not seem to me to be of any advantage to the trading public.

The Hon. Sir Collier Cudmore—It was to make up the same number of hours the banks now work when they are open on Saturday mornings.

The Hon. Sir FRANK PERRY—I do not know that remaining open until 5 o'clock will provide service to the community.

The Hon. F. J. CONDON (Leader of the Opposition)—This Bill has been fully debated and I do not desire to delay the Committee. I ask members to reject the amendment.

The Hon. E. H. EDMONDS—In view of what I have previously stated I cannot support this amendment which seems to me to be of little use to the public. Five o'clock closing is bad enough, but I cannot imagine people banking until 7.30 p.m. by which time the majority have gone home and are preparing for their evening's entertainment.

Amendment negatived; clause passed.

Remaining clauses (3 to 5) and title passed. Bill read a third time and passed.

## WRONGS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 29. Page 1430.)

The Hon. Sir ARTHUR RYMILL (Central No. 2)—I think that this Bill is slightly like the curate's egg in as much as it is good in parts. However, unlike the curate's egg, it is not altogether bad in the other parts. It really has two facets. The first is regulated by clause 3, which is an amendment of subsection (2aa) of section 20 of the principal Act, and it is interesting to note that that amending Act was introduced as recently as 1956. Its tenor was to direct that the courts should not take into account certain sums payable by way of life insurance, mainly in respect of death, in assessing damages. In other words, Parliament adopted the principle that those who were provident in looking after their own affairs should not be put at a disadvantage as opposed to those who were improvident and neglected to do so. The Bill before us adds additional categories to those which are not to be taken into account by the courts, namely:—

- (a) any sum paid on the death of the deceased person in respect of a gratuity;
- (b) any superannuation or benefits consequent on the death of the deceased person;
- (c) any sum paid on death from any contributory medical, hospital, death or funeral benefits scheme;
- (d) any sum paid as social service benefit or pension.

That is the part of the Bill that I think is good because it adds proper categories to the one established in 1956. In other words, having established a principle in 1956 that certain sums were not to be taken into account in respect of damages, these other categories have been added as an extension of that principle. They are not quite in the same line in all respects as the principle established in 1956, because that amending legislation referred to assurances contracted by private individuals on their own account, whereas these refer partly to any entitlement to sums which come as a result of various schemes that bestow benefits, whether or not the deceased or his beneficiaries had elected to come under them. In other instances the amendment protects the person who has been provident, and thus is directly within the principle established in 1956. I have carefully scrutinized all these categories and think it logical that they should

be included now that this principle has been established, and I support that part of the measure.

The courts over the years, in assessing damages, have always adopted the view that benefits as a result of death have to be deducted from damages and that a person should get only one set of damages, in effect. If Parliament desired otherwise it has been necessary to amend the legislation and provide for the compensation which it desired. It has been done and we are asked to embark upon it again today. It is largely a question of one's individual approach to what should be done, but I have always felt sympathy for the person who endeavoured to look after his own affairs properly and that he should not be penalized for doing so.

The other part of the Bill I have found a little more difficult. Clause 4 raises from £300 to £500 what is described in the subtitle of the clause as "liability to parents of person wrongfully killed" and clause 5 increases from £500 to £700 what is described as "liability to survivors of person wrongfully killed." When the Bill was introduced in another place the sums provided were substantially higher and I do not think I could have supported in conscience the amounts named. The principal Act terms these amounts, which are maximum amounts, "*Solatium* for suffering" of the spouse or parents of the deceased person.

I have not delved closely into this question recently because it has not been necessary for my argument to do so, but *solatium* has never been regarded as a proper part of a claim for damages at common law, and I do not think it was capable of being included in damages in this State until the amendment of the Wrongs Act in 1940 when the sums it is now proposed to amend were initially inserted in the Act. I have never felt that it is a very happy thing to endeavour to assess the value of human life in terms of pounds, shillings, and pence, nor have I ever thought that it was a very happy thing to endeavour to express the cost or compensation—whatever you choose to call it—for suffering in hard cash terms. However, it seems to have become a sort of principle in various parts of the world in comparatively recent years and it is not for me to say that this principle is wrong. Rather it is for me to say whether or not the figure should be a static one, or whether it should be capable of increase in relation to the changing values of money. As I pointed out briefly, these money values of £300 and £500 respectively, were inserted in

the Act as long ago as 1940, and money values have vastly changed since then to a greater extent than these proposed increases, although I think to a quite considerably lesser extent than the figures included in the Bill when it was initially presented in another place.

These figures of necessity have to be more or less arbitrary; it cannot be a question of accurate assessment, for I do not think anyone could possibly do that. Apparently it is supposed to be some sort of money solace to the near relatives for the loss of a loved person. I suppose anything that can be done to help people in these circumstances must be advantageous, although I doubt whether in the case of many decent people the idea of a money compensation looms very largely in their reckoning in such circumstances. However, it is a world-wide trend and the figures presented to us are by no means out of proportion in relation to the changes in money values, and thus are not out of proportion to the principles established when *solatium* was first introduced into the Wrongs Act. For these reasons, although not wildly enthusiastic about clauses 4 and 5, I support them because it is some rough sort of attempt to do justice. I have pointed out that it is not possible to do exact justice or to assess in any precise way compensation of this nature, but the amounts mentioned are maxima and thus it is left to the courts to exercise discretion. For those reasons I support the second reading.

The Hon. C. D. ROWE (Attorney-General)—I have an amendment on the files that deals with the problem of the assessment of damages in fatal accident cases. Decisions made by the courts indicate that the basis of damage is the net pecuniary loss to the person for whose benefit the action has been brought. The problem that the courts had to consider has been purely a legal one—what is the correct way to ascertain the true loss that the widow or other dependants concerned suffer? Apart from this Statute the courts have not had to consider whether it is right or just in a moral sense that any particular deduction should be made in the assessment of damages. Because of that fact, I introduced a Bill in 1957 that had the effect of excluding any benefit a dependant might have received under a life assurance policy in determining the amount of damages to be paid to the party concerned. At the time I indicated that that probably did not represent the total benefits that could be excluded in determining the damages that could be paid. I think I then indicated that

in due course it would be well for us to look at this provision of the Act to see whether any other benefits should be excluded.

Now we are confronted with this Bill introduced by an honourable member in another place which provides that the four benefits mentioned in clause 3 shall also be excluded by the courts in determining the damages to be awarded. I see no objection to that, but I consider it desirable that the Bill should have no retrospective effect. I have therefore had placed on the files the following new clause:—

6. This Act shall apply only in relation to deaths occurring after the passing of this Act. This will ensure that the amended provision will apply only in respect of deaths that occur after assent is given to the Bill. No doubt a number of cases are in the course of being settled under the present law, and I think it would be inconvenient and unfair to apply the amended legislation to them. I feel that my amendment is necessary to avoid retrospectivity and so as not to interfere with negotiations for the settlement of claims now proceeding.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

#### WHEAT INDUSTRY STABILIZATION BILL.

Read a third time and passed.

#### LAND SETTLEMENT ACT AMENDMENT BILL.

Read a third time and passed.

#### STATUTES AMENDMENT (LONG SERVICE LEAVE) BILL.

Second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

*That this Bill be now read a second time.*

The Bill, which deals with the long service leave entitlements of public servants and teachers, has been introduced by the Government after giving full consideration to a request that the entitlements should be extended to allow officers to accumulate long service leave over a longer period of continuous service than is at present provided in the Public Service Act and the Education Act. A study of the relevant provisions in other States has revealed that the maximum amounts of long service leave should be increased to allow public servants and teachers who render long service to obtain similar advantages to those enjoyed by their counterparts in the other States.

Clause 3 deals with the long service leave rights of Government employees, other than teachers. At present the maximum amount of long service leave for any such employee is 365 days, which can be earned by 41 years' service. When a man has qualified by 10 years' service, each of the first 40 years of his service counts for nine days leave and the 41st year earns the extra five days. Service in excess of 41 years does not give any right to additional leave. In this respect South Australia is not in line with the general Australian standard under which service above 40 years earns rights to long leave. It is proposed by clause 3 to provide that the maximum amount of leave will be increased from 365 days to 450 days. This will mean that service up to 50 years may be taken into account in computing the period of long service leave at the rate of nine days leave for each complete year of service.

Clause 4 proposes improvements in the conditions of long service leave for teachers. Under the present law a teacher qualifies for long service leave by 15 years continuous service; and when a teacher has so qualified he becomes entitled to 90 days for the first 15 years of service and if he completes 10 additional years of service he becomes entitled to another 90 days. Under this scheme there is no *pro rata* leave, that is to say, unless a teacher serves for the full 10 additional years after he becomes qualified for leave he does not get any additional rights. It is proposed in the Bill to make two alterations in the system of leave for teachers. The first is that if a teacher is qualified for long leave by 15 years service he will become entitled to additional *pro rata* leave for each additional year of service, subject, of course, to the prescribed maximum. Secondly, the maximum amount of leave for a teacher will be increased from 180 days to 270 days. This will mean that the amount of service which can be taken into account for computing leave rights will be increased from 25 years to 35 years.

The Hon. F. J. CONDON secured the adjournment of the debate.

#### INDUSTRIAL CODE AMENDMENT BILL.

Second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

*That this Bill be now read a second time.*

This Bill has been introduced to increase the salaries of the President and Deputy-President of the Industrial Court. After giving con-

sideration to this question the Government is satisfied that in comparison with increases in the general level of public salaries both in South Australia and other States the salaries of President and Deputy-President should be increased. The last increase in respect of these offices was granted by Parliament in 1955 in the Statutes Amendment (Public Salaries) Act, 1955, when the President's salary was increased from £2,500 to £3,250 a year and the Deputy-President's salary was increased from £2,100 to £2,750 per year.

Since then the salaries of public servants including special magistrates and legal officers have been increased with the result that the established margins in favour of the President and Deputy-President have been substantially reduced. After full consideration of all relevant facts the Government is of the opinion that the salaries should be increased to £3,750 a year for the President and £3,150 a year for the Deputy-President. Clause 3 provides for these increases. Clause 4 provides that the new rates will operate from July 1, 1958. The reasons for making the Bill retrospective to that date are that representations in support of an increase were made about that time and the Judges' Salaries Bill now before Parliament contains a similar provision.

The Hon. A. J. SHARD secured the adjournment of the debate.

#### EXPLOSIVES ACT AMENDMENT BILL.

Second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

*That this Bill be now read a second time.*

This Bill proposes a small extension of the scope of the controls contained in the Explosives Act. It is rendered necessary by a new method of blasting which is coming into use. Until recently blasting was carried out by explosives which were manufactured before being brought on to the site of the blasting. Under the new method two substances, neither of which taken separately is an explosive, are blended either in a hole bored in the material to be blasted, or immediately before being placed in the hole. The substances used so far are ammonium nitrate and fuel oil or carbon black. As the law now stands the Explosives Act does not apply to this method of blasting. The Act provides for the regulation of the manufacture of explosives, but the mixing of those two substances together at the site of the blasting is not manufacture, nor

does the Act at present provide for regulating the use of explosives. It is limited to manufacture, storage and carriage.

There is no doubt that it is necessary in the interests of public safety to have some laws or regulations prescribing the safety precautions to be taken in connection with the new method of blasting. The precautions required are not onerous, but there is no guarantee that they will be taken unless steps are taken to promulgate and enforce them. The duty of doing this falls on the Government which has undertaken the administration of a system of laws for ensuring that explosives will be handled with a minimum of risk. The Bill therefore provides that regulations may be made regulating or restricting the mixing of substances which, when mixed, form a product which can be used for blasting, and for regulating or restricting the use of such product for blasting.

For the purpose of administering any such regulations it is necessary that the inspectors of explosives should have wider powers than they have at present to enter premises and make inspections. Under the present law, inspectors may enter magazines, licensed premises or places where explosives may be found. However, as the new substances are not in themselves explosives, the power of entry would not necessarily extend to places where they are kept or used for blasting. It is therefore proposed to amend the principal Act so as to provide that inspectors can enter and inspect any place which it is necessary or convenient to enter and inspect for the purpose of securing due administration and enforcement of the Act.

The Hon. S. C. BEVAN secured the adjournment of the debate.

#### SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL.

Second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

*That this Bill be now read a second time.*

It has been introduced, at the request of the trustees of the Savings Bank, to make some alterations of the law relating to that bank. The explanation of the clauses is as follows:—

Clause 3 enables the trustees to arrange for a superannuation fund for employees of the bank. It is complementary to a clause in the Superannuation Bill which enables the superannuation Board to enter into arrangements for granting superannuation pensions to employees of public authorities. The Savings Bank Act

at present contains no provisions for pensions but provides that allowances based on salary will be payable to employees on retirement, or to the representatives of employees who die before retirement. This system is probably not so suitable for employees as a pension scheme of the kind applicable to the Public Service, because it does not provide the same cover for the wife and children of an employee during the early years of his service. It is possible that the trustees may desire to make an arrangement with the Superannuation Board for bringing employees of the bank into the Government Superannuation Fund, and in the event of such an arrangement being made it would be necessary to provide that rights under the superannuation scheme would in future be substituted for rights to retiring allowances. It is not proposed to require any present employees of the bank to enter the superannuation scheme, which, in general, would apply only to employees appointed after a future date determined by the trustees. It is, however, necessary to amend the Savings Bank Act to provide that the rights to retiring allowances will be modified or excluded for officers who come into the Superannuation Fund, and amendments for this purpose are included in clauses 3 and 4 of the Bill.

Clauses 5 and 7 deal with the maximum amount of money that may be deposited in any one account at the bank. This was fixed at £2,000 in 1947. The trustees have asked that the limit should be removed. Such limits are of no particular significance today. They were first imposed in the early days of Savings Banks, probably for the purpose of restricting the growth of such banks. However, the Commonwealth Savings Bank is not now restricted by any limit nor is the Savings Bank of Victoria. If the general limit on deposits is removed as proposed, it will be open to the trustees to fix the interest-bearing limit at any amount they deem appropriate from time to time. There is no sound reason why State law should restrict the trustees' discretion in this matter. The removal of the limit applies both to ordinary deposits and to the amount of deposit stock which may be issued to a depositor.

Clause 7 also alters the notice required for the withdrawal of money represented by deposit stock. This matter is dealt with in section 60a of the Act. This empowers the bank to issue transferable deposit stock to depositors and provides that money represented by deposit stock may be withdrawn on

giving notice. The notice varies from one week to six months according to the amount involved. It is proposed to abolish these different periods of notice and to provide that any amount of deposit stock may be withdrawn on one month's notice.

Clause 6 deals with the power of the trustees of the Savings Bank to pay balances in depositors' accounts to widows or widowers of depositors or other persons entitled in cases where a depositor dies without leaving a will, or where there is a will but it is not intended to take out probate. The maximum amount which can be paid without probate or letters of administration at present is £200. This amount was fixed in 1942. In order to allow for the decreased purchasing power of money, it is proposed to increase the amount to £600.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

#### PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 4. Page 1516.)

The Hon. Sir ARTHUR RYMILL (Central No. 2)—I think I have spoken in opposition to our price control legislation about five times since I have been a member of this House, although there have been only two Bills for extending this legislation during that period. Feeling as strongly against this legislation as I do, I have taken the opportunity to refer to it extensively in general debate as well as on the Bills introduced to extend the operation of the Prices Act. Consequently, I do not propose to weary honourable members with a repetition of my arguments but should like to assure the House, if indeed such assurance is needed, that I have not changed my mind one iota. On the contrary, I am, if possible, even more firmly opposed today to price control than I ever was. I say "if possible" because I do not think I could have been more opposed to price control at any time. As time goes on and the war gets further and further behind us—for, after all, price control was introduced only because of the war; it would never have been tolerated otherwise—the Act becomes more and more obsolete. That is why, if anything, I could be said to be even more opposed than previously to price control, profit control, or whatever you care to call it.

Of course, it is no longer price control because, as far as I know, no attempt is made to compare prices of goods here with prices in other places. There is no criterion for such

comparison within the State itself because prices have been fixed for so long that any previous prices are out-of-date, so that today it is purely, simply and undeniably profit control, as I know from my knowledge of this Act.

I am not criticising honourable members for their attitude—because we are all entitled to our own opinions and, provided his opinion was genuine, I would not admire a man who expressed himself otherwise—but I feel that they will not change their vote on this matter. We all have our own opinions on this Act, which we have expressed from time to time. I have observed no change of attitude in any honourable member and thus, as I have said, I shall debate this Bill not in the particular but in general and, if any honourable member wishes to have my opinion on any particular aspect of it, if he cares to look at *Hansard* over the past two or three years, he will find expressions from me on almost every angle. So I have no hope of persuading honourable members this afternoon to my way of thinking.

In the comparatively near future the House will be differently composed: we shall have some new members who may be amenable to listening to any arguments that I may put forward and I give notice to the Government and all concerned that, when those new members are present, I shall once again debate this subject to the fullest extent in an endeavour to make them see the light, if indeed they need any persuasion on my part because at this stage I do not know their attitude or what it is likely to be. That is something that we shall see.

I want now to make one or two small general observations in addition to those I have just made. The Prices Act may have had, and probably has had, some small effect on the level of the C series index. I do not doubt that that is so because I feel that, had it not been so, surely it must have gone by the board a long time ago, as indeed it has under the Labor Governments in other States, although I may say that members of the Party opposite in this House religiously support this legislation.

The cost to the Government was referred to from time to time, I think, in the second reading explanation by the Minister. Apparently, that angle has been the only one in the minds of those supporting this legislation because one of my criticisms all along has been that a proper general survey of effective price control has never been made. I know that the cost, although a large sum to the State itself, is not tremendous or one that we cannot afford,

but what about the cost to commerce and industry? What has it been costing them over all these years to have staff busily engaged whole-time on these matters, getting out information for the Prices Commissioner, scrutinizing everything and taking out all the figures and so on regularly from day to day, which otherwise would not be needed in an ordinary business?

Then what about the cost in frustration and time to these businesses employing people to do these non-productive jobs for the purpose of reducing prices? I feel that redundant staff is much more likely to increase than to reduce the price content of goods. The more non-productive people are engaged, the more the labour content must count in assessing the prices of goods. So the cost to the Government is by no means the only factor involved in costs.

Local traders have told me this time and time again. Only at lunchtime today, with no prompting from me and not knowing I was to speak this afternoon, a large trader told me of the tremendous disadvantage he suffered under price control compared with his interstate competitors, and how completely fed up he was with the whole business. I said last time, and I repeat, that the overall effects of price control have never been assessed and, indeed (which I regard as worse still), no attempt, as far as I know, has ever been made to give a thought to even trying to make an overall assessment of the cost of price control.

This seems to me to be a penny wise pound foolish attitude: we are trying to save pennies and are not assessing what pounds we are losing in doing so. I can see no logic in this legislation, and my instincts are all against it as well. I have never had any faith in legislation of this nature; I still have none, and thus the Bill has my wholehearted opposition.

The Hon. L. H. DENSLEY (Southern)—It was with some regret that I heard Sir Arthur Rymill say that he hoped he would have the opportunity to test the attitude of new members on price control. My reason for saying that is that I hope by that time the Government will have seen the light and done away with price control altogether. I have always felt that the Government pays a premium on initiative in most things, but it seems that with price control the Government feels there is no necessity or advantage in encouraging initiative. I feel that price control puts a premium on inefficiency. The Prices Commissioner studies the cost of produc-

tion and the profit basis before making a determination; basically, that is the position regarding price control, and it is no good people saying otherwise. I think the answer is that the more efficient a person is the more likely he is to get into trouble because of price control.

Over the years we have had a rather peculiar type of price control on meat. For a period most meat was under control; then lamb was lifted from control, but mutton and beef remained under control. The butchers had a bad time trying to make up their minds what they were going to pay. If a lamb were a big one a doubt arose as to its category, and if a sheep were a small one they immediately thought of it as a large lamb and fixed the price accordingly. When the Premier announced that he expected to be able to lift price control on meat by mid-September, we found that the protagonist of price control, the Leader in another place, said he hoped the Premier would lift control immediately and not wait the six weeks until mid-September, the time at which the Premier had promised to do so. If the history of the control of meat prices is the criterion of efficiency and the basis upon which price control is fixed, it is no wonder that many people have no faith in this legislation.

A tremendous slump in prices had been expected because of the dry year. Of course, if the poor old cocky were forced to market everything he could there would be little need for price control. However, as soon as we get a shower of rain we find that the same people who had been hoping that price control would be taken off want to reinstate price control on meat. I think that attitude is a very bad one for all concerned and for the State as a whole, and I shall be pleased when the Government gives up the supposed virtues of price control and leaves decisions of purchase and sale to the initiative of the people of this State. I do not think all the industry has gone out of people, but I believe that if we retain these controls long enough we can expect a very adverse effect on the minds and souls of people. I think this is a bad thing generally. The cost to firms must be tremendous, and they must be seriously inconvenienced. I oppose the measure, and sincerely hope that the Government will be able to review the position by next year and see its way clear to abandoning price control altogether.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.



BROKEN HILL PROPRIETARY  
COMPANY'S STEELWORKS  
INDENTURE BILL.

Adjourned debate on second reading.

(Continued from November 4. Page 1523.)

The Hon. K. E. J. BARDOLPH (Central No. 1)—I do not propose to traverse the whole of the Bill and the Indenture. At the outset I compliment the Government and the Broken Hill Proprietary Company on bringing in this legislation, which is on all fours with the policy of the Australian Labor Party. The Opposition prints its policy so that all can read it and see what that policy is regarding State enterprises. It is often said by its opponents that when it gets into power it attempts to break down instead of build up, but paragraph 7 of its policy on State enterprises refutes that. It is as follows:—

Unless a satisfactory undertaking is given by the Broken Hill Proprietary Company Limited, to set up steelworks in South Australia, then the resumption of iron ore leases and the nationalization of its iron ore production plant and equipment.

I compliment the B.H.P. Company on its attitude. I am not one who in a time of crisis will use such a great organization as the B.H.P., and when the crisis is over attempt to break it down and take control from it. The Labor movement has no desire to do that, either.

The Hon. C. R. Story—Are you speaking for the Party or as an individual?

The Hon. K. E. J. BARDOLPH—I am speaking of the policy of the Party, which the honourable member can see and read for himself. During the dark days of the war I had the privilege of serving as the chairman of the Manpower Committee. I pay a tribute to Mr. Essington Lewis, the War-time Commonwealth Director of Munitions, who volunteered to place at the disposal of the people of this country all the company's technical resources and know-how for the purpose of assisting Australia to defend its national heritage, the Australian way of life. The Labor Party recognizes that. The *Advertiser* of May 8, 1943, contained the following report of a statement made by Mr. Norman Makin, then Minister for Munitions and the Navy, who subsequently became Australia's first ambassador overseas:—

Praise for Work of B.H.P.—Tribute by Minister for Munitions.—Canberra, May 7.—Thanking the Broken Hill Proprietary Company for its great services to Australia, the Minister for Munitions and the Navy (Mr. Makin) said today that he had come into close contact with

the B.H.P. and felt particularly fitted to speak of the B.H.P.'s work. "Millions of tons of steel have been made available at prices below that bought by other countries," he said. "For our munition factories and the equipment of the fighting forces steel has been supplied at cost price." This patriotic gesture by the company has been withheld from the public too long. Mr. Makin said that when the Government failed in its efforts to obtain a formula and supply for certain armour plating, the company placed the best of its men at the department's disposal. A right formula was discovered and armour plate was being obtained at one-sixth of the cost at which it could be bought from overseas. He had been in close association with Mr. Essington Lewis (the managing director of the B.H.P. who is also Director-General of Munitions) and he honoured him for the great merit of his work for Australia. "No man had served his nation more worthily or with greater ability," Mr. Makin said. "I am glad to pay a tribute to one who so deserves it."

That was a tribute to the Broken Hill Proprietary Company, and it is symbolic of Labor policy in giving credit where it is due. I think we can all march along as one united army on these proposals. Most of the capital in the Broken Hill Proprietary Company is Australian capital. That company does not attempt to evade awards, and sometimes it provides conditions over and above those which awards provide. The Labor Party considers that it would be unfair to attempt to break down something that has been established and has played its part in a time of crisis. Sir Frank Perry knows from his association with munitions that some manufacturers waxed fat during the war on the prices charged for war equipment.

We must go back nearly 6,000 years to discover man's first use of iron and the only iron then known was extracted from meteorites. That is probably why in ancient times people called iron "metal from heaven." The origin of man-made iron and steel is lost in antiquity. All we know is that the Egyptians must have had iron implements to build the pyramids and that long prior to the Christian era the art of converting iron into steel was known to the peoples of India. Before and after the Roman Empire, Spain was famous for its steel but Toledo lost to Sheffield when the English rediscovered the forgotten secret of producing a better and purer metal: crucible steel. The next big step forward taken by the steel industry was due to the Bessemer converter, 1855.

Until then steel had been available by the pound, but the Bessemer process, followed by the invention of the open-hearth furnace, made steel available by thousands of tons.

The world steel industry today has long passed its pre-war levels. In Europe, the steel mills show signs of immensely increased vitality. In Australia production has greatly expanded in the last decade, and the modern plant now proposed under this Bill will substantially contribute to the industrialization of the continent. True, criticism of this measure in parts may be made, but the only point I make is in regard to clause 4, which reads:—

- (1) The Indenture is hereby ratified and approved and shall notwithstanding any other act or law be carried out and take effect as though the provisions thereof had been expressly enacted in this Act.

The community, however, is protected by the provisions of clause 6, which stipulate that the parties to the Indenture may by agreement in writing vary the terms of the Indenture but that any such agreement shall be laid before Parliament for seven sitting days.

Provision is made for a sliding scale of royalties and this I fully support. They are fixed on a base rate of £21 a ton for pig iron, with provision for varying the scale in the event of overseas prices falling. For second grade quality ore the company will pay 6d. a ton, and pay for the cost of proving other deposits in the ranges. I think that the provision is good and although some may object to the length of lease I point out that under the Mining Act a 21 years lease is given with the right of renewal subject to a specified amount of developmental and exploratory work being carried out. I can see no difficulty in supporting this measure and the Australian Labor Party wholly supports it. I compliment the B.H.P. on agreeing to establish these works within a specified number of years and, as the Government has fully accepted this section of our Party's platform, I have pleasure in supporting the second reading.

Bill read a second time and taken through Committee without amendment; Committee's report adopted.

#### ADVANCES TO SETTLERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 30. Page 1493.)

The Hon. F. J. CONDON (Leader of the Opposition)—This Act is administered by the State Bank and makes provision for advances from funds provided by the State to settlers upon the security of first mortgage. Interest is paid on advances at rates fixed by the Trea-

surer from time to time. The rate applicable for the year 1957-58 was six per cent, subject to a rebate of half per cent if the instalment was paid within 14 days of due date. In 1944 the maximum amount was set down at £1,750; the Bill before us raises it to £3,500, just double, but there is no alteration in the percentage of advance.

The revenue account under this item showed a surplus of £1,034 for the last year, an improvement of £126 on the previous year. Increased earnings as a result of additional advances more than offset the increase in administration expenses and Treasury interest charges. During the year ended June 30, 1958, advances amounting to £50,418 were made and repayments totalled £4,635. The amount outstanding of advances as at June 30 was £205,742, of which £35 was due and payable. The amount of interest due and payable was £614. I support the Bill.

The Hon. L. H. DENSLEY secured the adjournment of the debate.

#### SUPREME COURT ACT AMENDMENT BILL.

Received from House of Assembly and read a first time.

The Hon. Sir LYELL McEWIN (Chief Secretary)—I move—

*That this Bill be now read a second time.*

It has been introduced to increase the salaries of the Judges of the Supreme Court. The Government has recently given consideration to this matter and is satisfied that owing to recent movements in the general level of public salaries both in South Australia and other States the judges have a just claim to an increase. Before the war the salary of the Chief Justice was £2,500 and each of the other judges received £2,000. Since then these rates have been increased to £4,750 and £4,000 respectively. Thus the increase is of the order of 100 per cent. Most other rates of pay have increased by more than this. Although the decision of the Federal Arbitration Court increasing margins of wage earners to two and a half times the 1937 rates did not apply to the higher professional salaries, most of these salaries have, in fact, been increased by something like 150 per cent. It is clear, therefore, that the judges have not yet received the full benefit of the higher standards generally prevailing.

Upon due consideration of the relevant facts the Government has formed the opinion that an increase of £1,000 is clearly justified. The Bill therefore provides for this. The existing

difference of £750 between the salary of the Chief Justice and those of the other judges is maintained. Clause 4 provides that the new rates will operate from July 1 last. The reasons for making the Bill retrospective to this extent are that representations in support of an increase were made to the Government some months ago, and that increases in other comparable salaries had already been granted at that time.

The Hon. F. J. CONDON secured the adjournment of the debate.

#### MENTAL DEFECTIVES ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Minister of Health), having obtained leave, introduced a Bill for an Act to amend and alter the title of the Mental Defectives Act, 1935-1953. Read a first time.

#### ADJOURNMENT.

At 5.15 p.m. the Council adjourned until Thursday, November 6, at 2.15 p.m.