

Queensland



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Legislative Council

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LEGISLATIVE COUNCIL.

Thursday, 24 October, 1867.

Civil List Amendment Bill.—Customs Regulation Amendment Act.

CIVIL LIST AMENDMENT BILL.

The POSTMASTER-GENERAL moved the second reading of the Civil List Amendment Bill. He said it might, perhaps, appear strange that Ministers should bring in a Bill to reduce their own salaries. However, retrenchment was necessary, and the Government proposed to retrench in every possible way; and to shew that they were in earnest, they thought the best thing they could do was to set the example themselves. It was not because they considered the sum of £1,000 too much for the pay of a Minister, for he thought every honorable member would admit that it was not; and, perhaps, hereafter it might be desirable to attach a still higher salary to the office; but, in consequence of the state of the country, and the necessity for economy, he hoped honorable members would take the Bill in the spirit in which it was introduced, and pass it through its second reading.

The Hon. H. B. FITZ said that no doubt every one would give the Government credit for their good intentions in bringing forward such a measure, as it shewed that they were really sincere in their views of retrenchment. But the Ministers should not lose sight of the fact, that they were legislating, not only for themselves, but for their successors. The proposed reduction would not have the effect of relieving the country from its embarrass-

ments, and he thought that, for a gentleman who chose to give up his whole time to undertake the duties of a Minister, one thousand a year was little enough. He should oppose the motion. The amounts were fixed by Act of Parliament, and if any member of the Ministry chose, he could draw £800 instead of £1,000, and so save £200 to the country. He believed that the Government had not only intended to reduce their own salaries, but also those of the President and Speaker. Now, he would take the opportunity of reading an extract which had reference to the practice in the Imperial Parliament:—

“The House of Lords furnishes no detailed statement of the staff employed in the various offices dependent upon it. With the exception of the Chairman of Committees, who is a peer, with a salary of £2,500, the counsel to ditto (salary, £1,500), and the Sergeant-at-Arms (salary, £1,500), they are all paid out of a free fund, which is regulated and managed by the House itself, and does not enter into the public accounts. The balance over and above the produce of this fund required for the payment of the salaries, is annually voted by the House of Commons in a gross sum, as the House of Lords carry the maintenance of their privileges so far, as not even to furnish the Lower House with any particulars of the demand every session made upon them. The House of Commons acquiesce in this, and vote money, as it were, in the dark, out of courtesy to the other branch of the Legislature, and in order to avoid the appearance of claiming in any way a sort of surveillance over an equal and co-ordinate power in the State.”

He would only add that, should the salary of the President of the Legislative Council, or that of the Speaker of the Legislative Assembly, or the salary of any officer of the Parliament, be reduced, the Council would be entitled to interfere, and to prevent the passing of the Appropriation Act.

The Hon. E. I. C. BROWNE said it would be time to consider the last question raised by the honorable member, when the President's salary came before the House, if the Ministry should attempt to reduce it. He quite concurred with the honorable gentleman, Mr. Fitz; but he would point out that if the other branch of the Legislature attempted any such reduction—and he knew it was their intention to do so—and the Council should interfere with the Appropriation Act, the result would be that legislation would be brought to a dead-lock. It would, therefore, be much better to deal with the question at once, than to allow such a crisis to take place. He was willing to give the Ministry credit for their good intentions, but he did not think any such cheese-paring economy would get them out of their difficulties. He would not detain the House any longer, but would at once move,—

That the Bill be read a second time this day six months.

The Hon. W. THORNTON said he must confess he had some slight difficulty in deter-

mining which way he should vote. The measure had been introduced by the Government; and if they, in a genuine and laudable manner, consented to sacrifice a portion of their salaries to benefit the country, and as it was the first time that patriotism had taken such a practical form in Brisbane, it might be ungracious to refuse assent to their proposal. But he believed the object of the Bill might be met in another way. It would be quite competent for Ministers to draw £200 a year less from the Treasury for their own salaries, and let the balance fall into the general revenue of the country. They could resume their full pay when the difficulties were over. But he thought the Bill was unnecessary, and that honorable members would agree with him. The statute book was already encumbered with too many Acts, the result of hasty legislation, which it was the special duty of the Upper House to guard against. He did not consider the circumstances of the colony were in such a state as to call for this step. Events had recently occurred which promised better things. Intelligence had recently been received from the gold fields, which, if it were confirmed, would do much to place the country in a better position. If the Bill were passed, it would probably have to be repealed next session; and, as he had stated, the statute book was already overloaded with repealing Acts. He did not believe the colony expected the Ministers to make the sacrifice they contemplated. Some of the members of the Ministry were engaged in pastoral pursuits, and he believed that, even with a salary of £1,000 a year, they were worse off than they would be if they attended to their private interests. No one could imagine either that the Attorney-General was a gainer by giving up his time to fulfil the duties of his office. The colony abounded in resources, and it was very probable that before long there would be a large influx of population to share the debt. He did not conceive that the measure was required, and he should, therefore, support the amendment.

The Hon. W. WOOD said the Bill before the House was not in any degree a Government measure; he was sure the honorable the Postmaster-General did not consider it in that light, and, therefore, if it were thrown out, the Ministry need not look upon it as a defeat, otherwise he should be loth to oppose it, which he intended to do. He considered that the Bill had been, as it were, forced upon the Government, and that they were pledged to introduce it. It was hardly necessary, after what had been said, for him to go into the whole question as to whether £1,000 a year was too much or too little for a Minister of the Crown. He thought the honorable member, Mr. Thornton, was quite correct in his remarks in reference to the Attorney-General; for he felt sure that any barrister who took that office must lose £1,000 a year. The measure had been

introduced, he believed, because the Ministry very properly thought if there was to be any reduction in the Civil Service, it should begin with themselves. It was impossible to begin with the Governor, and therefore they commenced with themselves as the heads of the Civil Service. But he contended that there was not one single civil servant whose salary the Ministry could reduce. They could reduce the number of officers, and that, he thought, would be the wisest course; and they could reduce the departments, but they could not alter the salaries of a civil servant by one halfpenny—or, if they did, the civil servant could bring an action against them. The increases could be done away with, because, unless they were recommended, according to the Act, they need not be given. With regard to the officers of the Parliament, of course the Parliament would look after its own officers; and he felt convinced that, if any action were taken in reference to those officers, the Council would never be, as it never had been, found wanting. Another course had been suggested, by which the object of the Bill could be easily attained. He recollected a case where a salary, voted by Parliament for a certain person, was never drawn, but invariably returned. That was the case of Prince Leopold, the King of the Belgians, who married Princess Charlotte. There was nothing to prevent the Ministers from drawing only £800 of their salaries if they choose, and leaving the other £200 in the Treasury. He hoped the honorable Postmaster-General, seeing the feeling of the House, would withdraw the motion, and leave it to the Ministers to act according to circumstances, and either to draw their salaries or not. Their intention was laudable, but the reduction would be lost; and he did not think the sacrifice was required.

The POSTMASTER-GENERAL said he could not agree with the honorable member who proposed that £1,000 should be voted, and a Minister should only draw £800. He must say that, if a sum of money were placed to his credit for salary, he should consider that he had a right to draw the whole of it. It was not because the salaries of Ministers were too high, that the measure was introduced, but in order to set a good example to the country. He must decline to withdraw the Bill, but would let the question go to a division, though, if it were negatived, he should not look upon it as a defeat; on the contrary, the Ministers might possibly consider it a compliment.

The Hon. G. HARRIS said he should have been much better pleased if the honorable gentleman had withdrawn the motion, as he was sure the present salary was little enough for a Minister of the Crown, if he properly performed the duties which devolved upon him. Besides, the Ministers could, if they chose, as had been observed, draw only £800, and leave the balance in the Treasury; and no doubt the officers in the Civil Service

would follow their example. He should oppose the motion, if it were pressed to a division.

The original question was then put, and a division being called for, the Postmaster-General was found alone on the side of the ayes.

The amendment was then put and passed.

CUSTOMS REGULATION AMENDMENT ACT.

The Hon. W. THORNTON moved the second reading of a Bill to amend the Act ninth Victoria number fifteen intituled an "Act to provide for the General Regulation of the Customs in New South Wales." He would briefly state that his object in bringing forward this measure was to remove a great and unnecessary hindrance to business, a great loss of time and money to importers of dutiable goods, and a great expense in printing to the Government, by repealing the sixty-sixth section of the Act 9 Victoria, No. 15, which enacted:—

"That upon entry of any goods to be warehoused the importer of such goods instead of paying down the duties due thereon shall give bond with one or more sufficient surety or sureties to be approved of by the collector or other principal officer in double the amount of duties payable on such goods with condition for the safe depositing of such in the warehouse mentioned in such entry and for the payment of all duties due upon such goods or for the exportation thereof and with further condition that no part thereof shall be taken out of such warehouse until cleared from thence upon due entry and payment of duty or upon the due entry for exportation and if after such bond shall have been given the goods or any part thereof shall be sold or disposed of so that the original bond shall be no longer interested in or have control over the same it shall be lawful for the collector or other principal officer to admit fresh security to be given by the bond of the new proprietor or other person having control over such goods with one sufficient surety and to cancel the bond given by the original bond of such goods or to exonerate him to the extent of the fresh security so given."

That Act was in force in New South Wales at the time of Separation, and not having been repealed, still remained law in this colony. It was passed in New South Wales in November, 1845, when the customs were handed over from the Imperial Treasury to the Government of that colony. But although the sixty-sixth clause of the Act in question might be very useful in carrying out the bonded arrangements in the mother country, it was not of the slightest use here. It had been found equally inapplicable in Victoria, South Australia, and he believed also in Tasmania. It was useless, for this reason, that a person who entered into a bond for the security of goods in a bonded store had no control whatever over them, and could not even enter the store in which they were warehoused. It would operate in this way: A merchant, for instance, in Too-

woomba, imported, say, 100 hogsheads of rum; he would write down to his agent to have them entered in a bonded store in Brisbane. The agent would fill up a form of bond and hand it in to the Custom House. That bond made the importer or agent liable for some hundreds of pounds, and was of no use whatever. Those bonds were very costly to the Government in printing, and very oppressive upon the people; and it was in consequence of his urgent representations on the subject, that he had introduced this measure, which he hoped the House would pass. It provided, however, that the proprietor of a bonded store—

"Should give a bond with one or more sufficient surety or sureties to be approved by the collector or other principal officer in such amount as may be fixed and determined by such collector or other principal officer with condition for the payment of all duties which may become due and payable on all goods which may from time to time be warehoused in such bonded warehouse and no goods shall be warehoused in such bonded warehouse until such bond as aforesaid has been duly given by the proprietor or occupier thereof."

The proprietor had joint charge with the customs, and from his position had every facility for removing the goods from the store and tampering with them, which the importer could not have, and therefore it was but right that the former should give some security against such possible malpractices. Instances had occurred, not in this country, but in New South Wales, where the proprietors of bonded stores had removed the goods and smuggled to a great extent. In one instance, especially, the revenue was defrauded to a large amount by the proprietor of a bonded store, who had a private store on the upper floor just over it. He gained access to the bonded store and drew off a quantity of spirits, which he replaced with water, and the revenue suffered a very serious loss. But no instance had occurred in this colony in which the importer had had any such opportunity of defrauding the revenue. In fact, the clause in the Act which he now sought to repeal was nothing but a hindrance to trade and a nuisance to the public. He hoped, therefore, there would be no opposition to the Bill before the House.

The question was put and passed, and the Bill read a second time.