

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 23 JULY 1885

Electronic reproduction of original hardcopy

LEGISLATIVE COUNCIL.

Thursday, 23 July, 1885.

New Member.—Police Officers Relief Bill—second reading.—Rabbit Bill—committee.

The PRESIDENT took the chair at 4 o'clock.

NEW MEMBER.

The Hon. Frederick Hurrell Holberton, having been introduced and sworn, subscribed the roll and took his seat.

POLICE OFFICERS RELIEF BILL—
SECOND READING.

The POSTMASTER-GENERAL (Hon. T. Macdonald-Paterson) said: Hon. gentlemen,—Doubtless you have already recognised in this Bill the fact that it may be regarded as a mere formal piece of legislation, in order to perform justice to several officers in the Civil Service of the colony. I do not think I need take up our time in explaining its provisions, because the Bill itself discloses its purport very clearly, and is intended practically to give relief to those officers who entered the Police Force, some of them anterior to Separation and some as late as 1866. When certain officers were transferred from the Police Force to the Civil Service they understood they had certain rights in regard to the Police Superannuation Fund. Some having these rights in doubt gave up their contributions; on the other hand, others continued their contributions in the same way as they would have done had they remained in the force. It has been felt by successive Governments that it would be proper to put the matter on a clear and legal footing, and that is evidenced by the fact that several Governments have endeavoured, by Executive minute, to restore these rights to the parties entitled to the allowance after a certain term of service in virtue of the contributions being made by them. I may mention that when certain officers were transferred the Civil Service Act of 1863 had been repealed; and under the circumstances, and in order to remove all doubt and place the matter on a sound and clear footing, and do these officers what I may term a tardy piece of justice, this Bill has been brought forward. The 20th section of the Police Act throws some light upon the matter, and it is to the following effect:—

“There shall be deducted from the pay and salary of the several members of the Police Force under this Act the sum of two pounds per centum per annum, and so ratable from any pay or salary of whatever amount, which sums so deducted shall be invested in such manner as may be directed by the Governor with the advice of the Executive Council, and the interest and dividends thereof, or so much of the same as shall not be required for the purposes hereinafter mentioned, shall be invested in like manner, and accumulate so as to form a fund to be called the ‘Police Superannuation Fund,’ and to be applied as occasion may require for the payment of such

superannuation or retiring allowances or gratuities as may be ordered or appointed by the Governor under the powers hereinafter given to him, to be charged on the said fund or payable thereat.”

Practically, therefore, the Bill is to enable those officers to have the same position in regard to their original rights as if they had continued in the Police Force from the start. I do not anticipate any opposition to this measure, it being, as I previously stated, a mere formal matter. I therefore beg to move the second reading of the Bill.

The Hon. T. L. MURRAY-PRIOR said: Hon. gentlemen,—I do not rise with the intention of opposing the Bill, but to ask the Postmaster-General if, when the Bill comes to be considered in committee, he will be good enough to furnish a list of the names of Civil servants who will be entitled to come under its provisions, also those who have and those who have not paid the amount they should have paid.

Question put and passed, and committal of the Bill made an Order of the Day for Thursday next.

RABBIT BILL—COMMITTEE.

On the motion of the POSTMASTER-GENERAL, the House went into Committee to consider the Bill in detail.

On clause 1, as follows:—

“From and after the passing of this Act no live rabbit shall be introduced into the colony of Queensland, by sea or land; and any master of any vessel, or driver or person in charge of any conveyance by land, or any other person, who carries or brings, or allows to be carried or brought, any live rabbit into the colony, by any such vessel or conveyance, or by any other means, shall be guilty of an offence against this Act.”

The Hon. T. L. MURRAY-PRIOR said he fully agreed with the remarks which fell from hon. gentlemen on the second reading; and he trusted that, the present measure being passed, the Government would use every means in their power to bring forward a comprehensive Bill dealing with the rabbit question as early as possible.

The Hon. A. C. GREGORY said the clause provided that rabbits should not be brought into the colony; but it was well known that numbers of rabbits already existed on certain islands along the coast, and as the Bill stood there was nothing to prevent rabbits being brought to the mainland from those islands.

The POSTMASTER-GENERAL said that such cases were provided for in clauses 2 and 4. Clause 2 made it an offence for any person to have a live rabbit in his possession, and clause 4 provided against turning rabbits loose. A person could not bring a rabbit from one of those islands without having it in his possession; nor could he turn it loose without committing the offence named in clause 4. He might add that clause 5 gave the Governor in Council authority to employ any person to destroy rabbits, and he could assure hon. gentlemen that the Government would not be slow to employ persons to destroy rabbits wherever they were known to exist in the colony.

The Hon. A. C. GREGORY said he was satisfied with the explanation given by the Postmaster-General.

Clause 2—“No live rabbits to be kept”—passed as printed.

On clause 3, as follows:—

“It shall be lawful for any person to destroy any live rabbit found at any place within the colony; and the owner of any rabbits so destroyed shall not be entitled to recover any compensation for any loss or damage that he sustains by the destruction of such rabbit.”

The Hon. F. T. GREGORY said that the Postmaster-General remarked yesterday, in reply to him, that when the Bill came to be discussed in committee it would be shown that there was nothing inconsistent in clauses 3 and 5; but it struck him that clause 3 was either supererogatory or unnecessary, or else it had some specific meaning which he could not grasp. If the clause gave "any person" power to destroy "any rabbit" it gave people power to destroy rabbits on private property without any authority but the Act. He was under the impression, however, that it was only under certain conditions private parties could enter private property for such a purpose. Having provided for the destruction of rabbits by authorised persons in clause 5, he did not see any necessity for clause 3.

The Hon. Sir A. H. PALMER said he did not agree with the hon. gentleman that the clauses were inconsistent. Clause 3 referred to any person accidentally coming across stray rabbits, and gave such person authority to knock them on the head; the 5th clause provided that the Government might authorise persons to perform the special duty of rooting-out and killing rabbits wherever they were known to exist. There was an absolute necessity for clause 5, because the Government would stand in a curious position unless they could make provision for destroying the rabbits on Woody Island. The Government being in possession of that island would be responsible under the Act for the damages caused by the rabbits. Both clauses were absolutely necessary, and the Postmaster-General should point out to his colleagues very forcibly what was mentioned by hon. members yesterday. It was notorious that Woody Island had been for years stocked with rabbits, and he believed that was the case with some other islands along the coast. When he was at Woody Island some years ago, the lighthouse-keepers told him that they could not grow a single thing owing to everything being eaten up by the rabbits.

The Hon. F. T. GREGORY said the view taken by the Hon. Sir A. H. Palmer might very fairly be taken, and he should offer no further opposition to the clause.

The POSTMASTER-GENERAL said that in addition to what had just been stated by the Hon. Sir A. H. Palmer he might make a few observations. Suppose "A" had a number of rabbits, and he was surrounded by friendly neighbours who did not care whether he kept a dozen or a hundred rabbits; those persons not taking any interest, or not being aware of the enormous danger to the country, might take no trouble to kill the rabbits. In such a case the Government, hearing of their existence, were very properly authorised to take the necessary steps for the destruction of those rabbits. It was requisite that clause 3 should subsist for the reason explained by the Hon. Sir A. H. Palmer; and it must be patent to hon. members that clause 5 was essential—they must give the Government authority to have rabbits extirpated wherever found in the colony.

Clause put and passed.

Clauses 4 to 9, inclusive, passed as printed.

On the motion of the POSTMASTER-GENERAL, the House resumed, and the CHAIRMAN reported the Bill without amendment.

The report was adopted, and the third reading of the Bill made an Order of the Day for Wednesday next.

The House adjourned at twenty-eight minutes to 5 o'clock.