

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 27 AUGUST 1889

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LEGISLATIVE COUNCIL.

Tuesday, 27 August, 1889.

New Member.—Diseases in Sheep Act of 1867 Amendment Bill—first reading.—Rabbit Act Amendment Bill—second reading.—Civil Service Bill—second reading.—Message from the Legislative Assembly—Companies Act Amendment Bill.—Adjournment.

The PRESIDENT took the chair at 4 o'clock.

NEW MEMBER.

The HON. J. DEAN, having been introduced and sworn, subscribed the roll, and took his seat.

DISEASES IN SHEEP ACT OF 1867
AMENDMENT BILL.

FIRST READING.

The MINISTER OF JUSTICE (Hon. A. J. Thynne) presented a Bill to further amend the Diseases in Sheep Act of 1867; and moved that it be read a first time.

Question put and passed; and the second reading of the Bill made an Order of the Day for Tuesday next.

RABBIT ACT AMENDMENT BILL.

SECOND READING.

The MINISTER OF JUSTICE said: Hon. gentlemen,—In 1885 Parliament passed a Bill for the prevention of the danger threatened from an invasion of rabbits. That danger is one which has in no way become less terrible than it was four years ago, and every effort has to be made by the colony to prevent the incalculable injury which will be sustained from an inroad of the rabbits to any extent. The Act of 1885 has done some good service, yet it is not considered sufficient to protect the colony to the extent necessary. The country has incurred a great deal of expense in the way of fencing and in other works, for the purpose of keeping out rabbits; but, unfortunately, we have not to contend altogether with the travelling powers of the rabbit itself, as we have had two or three instances in which the officers of the Government, in charge of the subject in the inland districts, have felt confident that rabbits have been introduced into the colony in a very disgraceful and discreditable manner. In January, 1887, some rabbits were found near Curriwillinghi, which had undoubtedly been brought there by people who wished to create an occupation for themselves; an occupation which, in some of the other colonies, has been found a very remunerative one indeed. Again, in the year 1888, rabbits were found at a place called Murweh, which was then at least 100 miles distant from any known infested country. The only conclusion to be arrived at, is that some men have brought the rabbits there for the purpose of establishing an occupation for themselves. There are other instances of the same kind, and it has become evident that the penalties provided by the Act of 1885 for the introduction of rabbits are quite inadequate to meet such cases as these. The penalties provided by the Act of 1885 are a maximum fine of £50, with a minimum fine of £10. The Government have been desirous of offering a reward for the conviction of offenders against the Rabbit Act, but there is the evident consequence that, if there is only a small fine of from £10 to £50 to be imposed upon offenders, it will still pay parties of rabbiters in this colony to inform against each other and receive the reward, which will be very much larger than the penalty imposed upon one of the party. The Government, after considering the matter very carefully, wish to

impose a more severe penalty upon the introduction of rabbits, and make it a misdemeanour, with a penalty of £100, in addition to imprisonment for a term not exceeding two years. That punishment may seem at first sight very severe, but I think, upon consideration of the seriousness of the question of keeping out rabbits from this colony, it will appear to be only a reasonable punishment to impose upon men who would injure the colony so much. The 5th and 6th clauses of the Bill are intended to meet another phase of the question. There are in the country several natural enemies of the rabbit, and in some portions of the other colonies rabbiters have been known to trap and destroy those animals, sometimes, of course, unwittingly, but often intentionally, so as to keep up the supply of rabbits. Those clauses to which I have referred prohibit the destruction of animals which are natural enemies to the rabbit. The 7th clause merely repeals the 4th clause of the principal Act, which provides that any person introducing rabbits into the colony shall be responsible for any damages which any person may sustain in consequence. The amount of damage is so indefinite and so uncertain, that the clause is practically unworkable. I do not think I need say anything further on the subject of this Bill, which I feel sure will receive every attention from hon. members in this House, and I therefore move that it be now read a second time.

Question—That the Bill be now read a second time—put and passed.

On the motion of the MINISTER OF JUSTICE, the committal of the Bill was made an Order of the Day for Thursday next.

CIVIL SERVICE BILL.

SECOND READING.

The MINISTER OF JUSTICE said: Hon. gentlemen,—In moving the second reading of this Bill, I may say that, as its title indicates, it is a Bill to make better provision for the regulation of the Civil Service, the classification of officers, and to provide retiring allowances for officers, in certain cases. The question of dealing with the Civil Service of this colony is one of very great importance. The objects to be desired in connection with the management of the Civil Service are—1st, to secure a good class of men; 2nd, to see that they are fairly treated; 3rd, that after they have done their work there should be a sufficient retiring allowance for them to rest upon, at the end of their term of service. The Bill now before the House is intended to apply to the general body of the service, excluding, however, certain officers who are not considered of a class desirable to be brought within the general provisions of the Bill. These are, first of all, the officers appointed by the Governor alone; then the judges of the courts; the officers of Parliament; the Auditor-General; the Land Board; the Railway Commissioners; Crown prosecutors; and the police force, who, by the way, have a scheme of superannuation of their own; the officers and employes under the Railway Act of 1888; members of the Defence Force, and men whose whole time is, not required to be engaged in the Public Service, or whose services are merely of a temporary character. Power is reserved by the Bill to exclude from its operations any class of officers which the Governor in Council may desire to exempt. The second part of the Bill provides for the classification of officers into two divisions, the professional and the ordinary, the former including those persons whose offices require special skill, and the latter division, of course, including the remainder. I need not trouble the House with the details of

classification, beyond stating that there are five classes, arranged according to the emoluments they receive from the public revenue. There is also a probationary class, including all persons first admitted into the service, and not included in any of the other five classes. A different mode of classification has had to be adopted in regard to State school teachers. There is an important difference in the mode which has to be adopted in their classification, but, nevertheless, they come under the superannuation provisions of the Bill, and, in other respects, are regarded as members of the Civil Service. The first step towards the management of the service is the appointment of a board, called the Civil Service Board, which consists of three members, holding office for a period of seven years, and who are restricted from outside business occupation, and obliged to devote the whole of their attention to their work in connection with the Civil Service. We have had a little experience of one board, which has been regarded, I think, as a very successful institution—I refer to the Land Board—and Parliament, in the last session, made provision for the establishment of a Railway Board; now it is proposed to create a Civil Service Board. In establishing boards of that character it is, of course, very necessary that their powers should be, to a certain extent, under the control of Parliament, but not in such a way as to leave open to members of Parliament an opportunity of using improper political influence, or, on the other hand, exposing them to the continual trouble to which members of the popular branch of the legislature, especially, are exposed, in dealing with constituents who are applying for positions for themselves or their friends in the Government service. The sooner the Civil Service is removed from political control the better it will be, both for the service and for members of both Houses of Parliament. When members of the Civil Service are inclined to regard their best prospects of promotion or success in the service as those coming through political influence, their services will not be so efficient as when their promotion is entirely dependent upon their good work. Of course a great deal will depend upon the selection of the members of the board, and, in making that selection, if this Bill becomes law, the Government will undoubtedly do the best they can. The remuneration to members of the board as proposed, is on a liberal scale, the chairman receiving £1,000 a year, and each of the others £800 a year, so that they will be removed from the danger of other pecuniary inducements in the administration of their functions. I need not refer to the clauses concerning the vacation of offices. Clause 9 provides that the board may meet in Brisbane, or elsewhere, as may be required. The secretary is to be appointed by the Governor in Council immediately after the passing of the Bill, but it is not intended, as hon. members will see by clause 86, that the Act shall be completely administered until the first day of the month succeeding the date of the notification in the *Gazette* of the appointment of the first board. The next question to be dealt with is, what are to be the duties of the board? The duties are imposed upon them of making a strict inquiry into the whole service, and of classifying the officers according to the work which they are called upon to perform, and of determining whether in any department there is a surplussage or a deficiency of officers for the work which is required to be done. The board may make recommendations to the Governor in Council from time to time upon any of these subjects, and naturally their recommendations will receive a more than ordinary amount of consideration and respect. The board will also

have to regulate the salaries which the different officers are to receive. Provision is also made for the transfer of officers who are in receipt of more salary than their work is worth, into other departments, or if the officer is found to be unfit to be transferred, the board may reduce his salary to a proper amount. Then we come to the question of the appointment of officers, and in regard to that the Bill provides for the holding of examinations for the admission of candidates, and that the physical fitness of the candidate is also to be taken into consideration, and his amount of colonial experience. The board also prescribe the subjects upon which the education of the candidate is to be tested. Clause 20 provides that examiners may be appointed, and it is also provided that the board may accept examinations held by some duly constituted examining authority in lieu of their own examination, if they should think proper to do so—that is to say, examinations which are passed in connection with exhibitions to universities in the other colonies, or in the future, I hope, to a university of our own. Provision is also made for the holding of examinations in country places for the convenience of candidates residing away from Brisbane. After a candidate has passed the required scrutiny he may be appointed. He is first of all appointed as a probationer for a period of at least six months, and all appointments to the fifth class are to be made from the probationary class, or from persons who, on the 6th of June, 1889, were employed in connection with the Public Service. At the present time there are in many departments clerks who have been employed there for a long period, and yet have not been put on the staff—that is, have not been gazetted officers of the Public Service, and it is considered that these men, many of whom have had considerable experience in the departments in which they have been employed ought to receive some consideration in connection with the filling up of future vacancies. New appointments are not to be made except on the request of the head of a department to the Minister, and then upon the concurrence by the board who have to certify that such appointments are required. The board will nominate the persons entitled to appointment, and the Governor in Council may appoint the persons so nominated on probation for a period of six months. When a vacancy occurs in any department and the board considers it necessary to fill such vacancy, the board are to submit to the Governor in Council the name of the officer whom they recommend for promotion, and if the Governor in Council does not approve the recommendation he may remit it to the board for reconsideration, submitting his reasons for doubting the propriety of the first selection. Power is reserved to the Governor in Council to make appointments in special cases where there is no person in the service available for filling particular appointments. Clause 29, which reserves that power, is intended to meet the case of specialists, some of whom have been introduced into the colonies of late years, and more of whom, I hope, will be introduced from time to time as opportunity offers. A very serious question to members of the Civil Service is that of increases to salaries. By this Bill, increases of salary are declared to be dependent on the efficiency, diligence, and good conduct of the officers themselves. An increase has to be recommended by the board, and approved of by the Governor in Council, and any proposed increase to the salary of an officer of the first class must be recommended to Parliament by the Governor. The first class includes the under secretaries and all such officers receiving a salary of not less than £600 per annum as may be placed in the

first class by the Governor in Council. The board are to have power to make regulations for the classification of officers, specifying their duties, the hours of attendance, the conditions on which leave of absence may be granted, the amount of security to be given for the fidelity of officers, the nature and extent of special allowances, and all other matters connected with the remuneration and appointment of officers both in the metropolis and in distant parts of the colony. These regulations are to be laid before Parliament after having been accepted and approved by the Governor in Council. Clauses 33, 34, 35, 36, and 37 contain provisions respecting the suspension, removal, or dismissal of officers for unfitness, or incompetency, or neglect of duty. The penalties which may be imposed for neglect of duty, or improper conduct, are specified by clause 36, and the scale rises from a mere reprimand up to dismissal. There is power given under clause 40 to impose for trivial offences a small penalty not exceeding £5, subject to appeal to the board. Clause 42 provides for the days which are to be observed as public holidays in the Public Service. The clauses which I have so far referred to deal generally with the discipline and management of the service as a whole. The next part of the Bill provides for "retirement—superannuation allowances and gratuities." Any person who has attained the age of sixty years may, if he choose, retire from the service, and the Governor in Council may call upon any officer to retire when he has attained that age, if the board so recommend. Provision is made for the retirement of any officer who has not attained the age of sixty years, but who is desirous to retire on account of some mental or bodily infirmity which is likely to be permanent. The board are to examine all these cases, and an officer who so retires will be entitled under clause 47 to the superannuation allowance or gratuity, as the case may be, respectively applicable to his term of service and particular case. The scale of the superannuation allowance is defined in clause 48. A minimum service of fifteen years is required for a superannuation allowance, and an officer who has served for that period will be entitled to an allowance equal to one-fourth of his annual salary, with an addition of one-sixtieth part of his salary for each additional year of service; but the maximum allowance is not to exceed two-thirds of his annual salary. The superannuation allowance will be computed upon the average annual amount of salary received by the officer during the whole period of his service. In similar legislation in this colony before, and in other places, a mistake has been made in basing the amount of superannuation allowance upon the salary which the officer had been receiving at the time of his retirement, or during the three years immediately preceding his retirement; and his contributions to the superannuation fund in those cases was calculated upon the average amount of salary he received during the term of his service. It is quite easy to comprehend that a superannuation fund established upon that basis could not be successful, as the amount of superannuation allowance would be out of proportion to the amount of contributions received from each officer during the whole period of service. In New South Wales, at the present time, the superannuation allowance is, I believe, calculated upon the average annual salary for the last three years of service. By the scheme proposed in this Bill it is provided that the whole of the superannuation fund is to be contributed by the Civil servants, and the State is not called upon to contribute more than the amount of the salaries paid to its servants. Very careful calculations have been made, and

the greatest scrutiny has been given to the scheme of superannuation allowances here provided for, and the Government, and all the officers consulted on the subject, are of opinion that the scale of contribution proposed will be quite sufficient to meet all demands that may be made on the fund under the provisions of the Bill. I will not trouble hon. gentlemen with the details of the calculations made upon this subject. I am afraid it would occupy a very long time to go into the figures, and figures are a very dry subject indeed. I shall therefore content myself with saying that, after the most careful consideration, the Government have come to the conclusion that the superannuation fund proposed to be established by the Bill will be a sound and safe institution, and one which will work for years without any difficulty or danger of failure. With regard to officers who are at present in the service, they are entitled to have their past service immediately preceding the commencement of the Bill counted towards their superannuation allowance; but the maximum period for which they are to be entitled to that consideration is ten years. The present officers may either commence their contributions from the present year, or they may pay up, according to a scale specified in the Bill, for the last ten years, or any less period they may choose, and at the end of a further period of five years they will be entitled to retire on a superannuation allowance, if the circumstances are such as to warrant their retirement, and they have fulfilled all necessary conditions. The payment of arrears may be made either in one sum, or by five or less instalments, with interest at the rate of 5 per cent. from the passing of this Bill. Upon such payment being made, those Civil servants, upon retirement from the service, if all other necessary conditions have been fulfilled, will be entitled to a superannuation allowance, or gratuity, as provided by the Bill. If an officer should die before having completed the payments mentioned, the instalments which have been paid may be refunded to his personal representative, or to his widow or children if no will be proved or letters of administration taken out within three months from his death. That is adopting the same rule as has been adopted in many cases where there are small intestate estates. Officers who have to retire from ill health, or whose services are dispensed with through no fault of their own, will be entitled to a gratuity, not exceeding in any case the amount of one month's pay for each year's service, computed upon the average annual amount of salary received during the whole period of service, but the amount shall in no case be more than one year's salary at the rate payable at the time of retirement. Provision is also made for officers receiving injuries in the Public Service, incapacitating them from a further discharge of their duties. In such cases they will be entitled, on retirement, to a gratuity not exceeding two months' pay for each year of service, computed upon the average annual amount of salary received during the whole period of service; the same limit of one year's salary is imposed as in the case of persons retiring from ill-health. Power is given to pay to the widow or children of an officer who dies in consequence of injury received in the discharge of his public duties, a gratuity of not more than one year's salary of such officer. This gratuity may be paid in the same manner as under clause 49, to the widow or children, or the nearest relative, if no probate or letters of administration be taken out. Under clause 54, if an officer die while in the service leaving a widow or children, the Governor in Council may grant out of the superannuation account to his widow, or children under sixteen years of age, the gratuity to which such

officer would have been entitled had he retired under clause 50—that is, a gratuity not exceeding one year's salary payable to the officer at the time of his death. By clause 55, if a person receiving a superannuation allowance should die leaving a widow or children, the widow or children will receive out of the superannuation account a gratuity equal to the sum which they would have been entitled to under the last preceding section if the husband or father had died while in the service, less such amount as may have been drawn by him from the superannuation account since his retirement. The superannuation allowances under the Bill are rendered non-transferable; they are not to be charged with or mortgaged for the payment of any debts; they are put on the same footing in this respect as Imperial pensions in the military service. Clauses 59 and 60 provide that the money which is now paid by the Government for the guarantee of the fidelity of public officers, which amounts to a very considerable sum, shall in future be paid into the superannuation account. The amount of the fidelity bond for each office is to be prescribed by the board, and the premium, which is to be fixed by the Governor in Council, and not to be more than 10s. per cent., is to be paid out of the consolidated revenue. Up to the present time the amount which has been paid for premiums on fidelity bonds has very largely exceeded the total amount of defalcations in the Public Service, and a very considerable profit must have ensued to the companies who have taken the risk, a profit which the Civil servants would be very glad to gain for their own superannuation fund, instead of having the money paid away, as at present, to companies for their private advantage. This superannuation fund being based on the contributions of Civil servants themselves, without any payment from the consolidated revenue, it naturally follows that they have the largest interest in its administration, and it is proposed by this Bill to constitute a board to superintend and manage the investment of the funds which they have in hand. Life insurance companies and other institutions have, with great advantage to themselves, invested large portions of their funds upon choice freehold security, in this colony and elsewhere, and they have thereby gained a much larger rate of interest for their policy holders and shareholders than they could possibly have expected to obtain under other circumstances. To assist the ordinary members of the Civil Service Board, it is proposed to appoint two additional members to form an investment board, the object being to secure, in addition to the knowledge and experience of the Civil Service Board, the assistance of men who have had a business experience, and who have judgment in connection with the selection of proper securities. Provision is made for the periodical investigation of the accounts by actuaries, and if, at the end of each successive five years, or any period of five years, it is found that the superannuation account does not require a contribution from officers equal to the rate of 4 per cent., then the rate of contribution may be reduced. Part V. of the Bill contains a series of general provisions, and one of them—clause 70—is a provision which will be acceptable to a great many people outside the Government Service. Complaint has been made from time to time that members of the service have entered into unfair competition with artists and accountants, who are employed outside the service, and who are entirely dependent for their living upon the occupation which they may gain in that way, and it is considered that officers in the Public Service, who are expected to do a fair day's work, and who receive fair remuneration for their services, ought not to trespass beyond the bounds of their official duties and compete

with men who have a great difficulty to make a living at their occupation outside the service. Clause 78 gives power to the board to make regulations with respect to the purchase, inspection, and delivery of stores to the several departments. By clause 81 the control of Parliament with regard to the salaries to be paid to officers in the service is preserved, inasmuch as it is provided that "nothing in this Act shall authorise the expenditure of any greater sum out of the consolidated revenue, by way of payment of salaries or otherwise, than is from time to time appropriated by Parliament." The remainder of the Bill is formal. One clause preserves existing claims. Clause 84 provides that the acceptance of office as a Railway Commissioner shall not prejudice the right of the officer to the benefits and advantages which he is entitled to under the Civil Service Act of 1863. I have now gone through the Bill, rather tediously, I am afraid; but in considering it in detail hon. gentlemen will have seen that the Bill is one which will tend very much to the benefit both of the Public Service and the colony generally. It is one which I am particularly anxious to see become law in this colony. It is a Bill which, for very many years, I have looked forward to with the utmost anxiety, knowing, as I have done, the feeling which prevails in many departments of the Public Service. There is a want of confidence, or want of assurance, among Civil servants that their services are not properly appreciated, and that members of the service do not receive inducement to devote their best energies to the work which they have in hand. I speak from practical experience of some years ago, when I happened myself to be in the Government Service. One of the reasons which induced me to leave it was the general impression which then prevailed that, without political influence, there was no hope of reasonable promotion in any branch of the public service. That political influence I did not possess, and had not the means of obtaining at that time, but if I had been in possession of it I would not have used it. I have, therefore, looked with great anxiety and interest for the time when a Bill of this character would be introduced, and become the law of the colony, and when Government servants, who form a very large proportion of our population, would have fair prospects of making their way by their own merit. I move that the Bill be now read a second time.

The HON. T. MACDONALD-PATERSON said: Hon. gentlemen,—I have not received a copy of this Bill since it left the other Chamber. For some reason or other my papers have gone wrong the last two or three weeks, but if I had received this Bill I would not have had time to look into it, because I have made it a rule recently not to look into a Bill until it has passed the other Chamber. I only rise on this occasion to say that I will not make any observations with respect to the provisions of this measure except to state that I thoroughly approve of the establishment of a Civil Service Board. I shall go no further than that this afternoon.

The HON. T. L. MURRAY-PRIOR said: Hon. gentlemen,—I do not like to see a Bill of this sort pass without some remarks from the members of this House. What appears to me the most hazardous part of the Bill is exactly what the Hon. T. Macdonald-Paterson approves of so much—that is, the proposal to appoint a Civil Service Board. There is no doubt that the Land Board, as stated by the Minister of Justice, has worked very well. But, although as a rule I approve of boards, yet I am doubtful whether, in a colony like ours where we have so few people, we can afford to have so many boards.

In former days we had a Civil Service Act which was certainly a very good one for the Civil servants. Why it was repealed I do not know, but it was repealed. The Civil servants were perhaps too much looked after in that Act, but I think that with very little alteration it might have been made a very good Act. At that time, when any Civil servant was aggrieved or in default he could appeal to a Civil Service Board constituted by heads of departments other than that in which he was employed, and I believe justice was always properly administered without any very great expense. The Civil Service Board proposed by this Bill will be a costly affair—the total salaries of the members will amount to £2,600 per annum. There are also a secretary and two auditors, and the total sum will, I have little doubt, very nearly approach the salaries of the Ministers of the Crown we have now. There is no doubt that the Bill will cause many improvements. One is that a man will enter the service in the probationary class and rise gradually. There is no doubt, as the Minister of Justice has said, that the "plums" have been too frequently given to those who have been able to command interest, to the great injury of the service. In regard to the superannuation scheme, I think the Bill goes hardly far enough. My hon. friend said that for certain reasons, which he described, he had left the service. I think it was certainly the luckiest day he ever had when he left that service, as I have always looked upon Civil servants as very ill-paid as compared with others, and especially lately I have come to look upon that service as a sort of refuge for the destitute—a refuge for those who cannot get a living anywhere else. There is one thing in which the board will be a great advantage, and that is, that they will be able to clear out those who are unfit for service, and also see that each department has only sufficient men for the needs of that department. I think most hon. gentlemen will concede that in a business where there is one man short, the other men do a great deal better work than where there are two or three men too many. At the time I was in the service I tried all I could to bring in good officers, and I think I succeeded in a great measure. I always put men upon probation for a little while until they had learnt the duties of their offices, so that when they received their appointments they could do their work much better than persons who had not undergone that period of probation. Hon. gentlemen will understand me when I spoke about the board; any objection I may have to it is entirely a matter of whether we can afford the expenditure. On the other hand, if the board be properly constituted, it may recoup its own cost to the colony, and the country be in a better position than if that money had not been expended. But that remains to be shown.

The HON. T. MACDONALD-PATERSON: If you don't establish a board, you will require more Ministers shortly.

The HON. T. L. MURRAY-PRIOR: That may be so. I think I understood the Minister of Justice to say that fidelity bonds will be taken up by the Government, which will be a very good thing indeed. It seems that when an officer retires before he arrives at the age of sixty years, he cannot get more than is equivalent to one year's salary at the rate he is then receiving. It struck me, when I was reading over this clause, that the pensions are very small indeed. For instance, supposing that a man received an average of £250 per annum for ten years. That would amount on the whole to the sum of £2,500, which at 5 per cent. would produce £125. Therefore, at that scale, a person would have to pay £125,

and when he reached the age of sixty years he would receive £62 10s. as an allowance. I am led to suppose that by what has happened before, under a former Act. When that Act was repealed a number of persons were allowed to receive back the payments they had already made, with 5 per cent. per annum added. Several persons received that small sum of money, and gave up all the advantages they would have received, which would have been very great, as they only paid 2 per cent. per annum into the fund. I do not think it at all probable that any person will pay up at the rate of 4 per cent. per annum for ten years for what he is likely to get out of the fund. I have said what I have more for the purpose of not allowing the Bill to pass its second reading without discussion, and I hope some information will be elicited from other hon. gentlemen.

The HON. E. B. FORREST said: Hon. gentlemen,—I am very sorry that my friend, the Hon. Mr. Macdonald-Paterson, is not prepared to review the provisions of this Bill, because his views would probably be opposed to those of the Minister of Justice, and we could have had an opportunity of perhaps understanding the measure better than we do at present. Therefore, I am very sorry that hon. gentleman is not prepared to enlighten us. However, I am disposed to think that most people will agree with the Minister of Justice when he says that this Bill has been a necessity for some years, and I also think most people will believe that, with two or three exceptions, the measure is a good one. The weak point to my mind of the whole Bill is the part relating to superannuation allowances. I have listened to everything that has been said in favour of the clauses inserted into this Bill, and I have read all the correspondence that has appeared on the subject, and I confess that I am far from satisfied with those clauses as they stand. I say at once that I prefer compulsory life assurances upon the endowment principle. Whether any efforts will be made here or not to effect any change in the Bill in that direction I do not know; I do not suppose there will. So far as I am concerned, I shall certainly support any amendment made in the direction I have indicated. It will be observed that there are two most important departments left out of this Bill, the Police Department is one and the Education Department is the other. As regards the Police Department, I am told that it is the intention of the Government to introduce a special Bill, and possibly that may be the best way of dealing with it; but there is no doubt whatever that legislation of some kind in connection with the police force will be forced upon the country very soon. The Police Superannuation Fund at the present time is in what may be called a hopeless state of insolvency. Hon. members are possibly aware that the pensions now amount to something over £5,000 a year, while the contributions are not more than £2,000, and it does not require much calculation to work out the problem as to what will occur in a very short space of time. The other department that has been left out is, as I have said, the Education Department. The teachers first of all disappear from the classification clauses. The concluding paragraph of clause 3 says:—

“The provisions of this section shall not apply to officers employed as teachers in State schools, but such officers shall nevertheless rank with other officers of the Civil Service as of the class indicated by the salaries received by them.”

They again disappear from Part III. Clause 32 says:—

“The provisions of the fourteen last preceding sections shall not apply to officers employed as teachers in State schools or Provisional schools.”

That, in point of fact, excludes them from the examination for appointment and for promotion as provided for in the Bill; but they come in again in the clauses relating to retirement, superannuation allowances, and gratuities; but, even in those clauses, female teachers are excepted. Clause 68 says:—

“The provisions of Part IV. of this Act shall not apply to female officers, and they shall not be entitled to any superannuation allowance or gratuity under this Act or be required to contribute to the superannuation fund.”

So that really, with the exception of the superannuation clauses, the Bill is absolutely a blank, so far as teachers are concerned, and I have heard no reason why the Education Department should have been omitted. If anybody took the trouble to read the evidence given before the commission which sat last year, he could see that the teachers laboured under very great grievances. Some of the teachers have stated in detail what they have to complain of. They have stated over and over again that they are dissatisfied with the present administration, and, so far as my judgment goes, it is a great mistake to leave them out of the present Bill. If there is any attempt made to put them into it, I shall give it all the support I can, and if we get that far in committee I shall give hon. members the benefit of the evidence that was given before the commission to which I referred, and possibly upon that occasion I shall also take the opportunity of replying to a letter that has been sent by Mr. J. G. Anderson, addressed to the Minister for Education, in reply to some strictures passed upon him by the Civil Service Commission. I have no doubt when we get into committee we will reach that letter, and if we do I shall refer to it, possibly in no complimentary terms to Mr. Anderson. The next clauses that strike one's attention are clauses 13 and 14, which give power to the board to determine classes and recommend the number of persons required in each department, and give power to the board also to increase or diminish the number of officers. There are in the service many glaring inequalities, and it certainly is not too soon to give power to somebody to regulate those matters. Clauses 16 and 17 refer to the same thing. Clauses 25 and 26 give effect to one of the recommendations of the Civil Service Commission in making proper provision for supernumeraries. At present those supernumeraries do not appear on the Estimates, and they do not appear on the staff. They are employed there, and many have been so for years, and I think it is a great abuse that they do not appear anywhere, and one that the sooner it is rectified the better. I am, therefore, glad to see that clauses 25 and 26 will give the board power to remedy that injustice. Clause 27 leaves promotions in the hands of the board, without reference to the heads of the different departments, and clause 31 gives the board the same power in regard to salaries. There will be a larger field for selection of officers; in fact, the selections for promotion will be from the whole service and not restricted to any particular department of it. Everybody will be prepared to admit that this is a change of the right sort. We come now to the superannuation clauses, and I am not going to say any more about them than I have said already. I do not believe in them a little bit, and would very much sooner see compulsory life assurance on the endowment principle, which would be more satisfactory to the country and more satisfactory to the Civil servants. However, the principle has been passed in another place as it stands, and I am disposed to think it will so stand to the end. I am sure everybody will agree with

me in saying that clause 70 is a good clause. Many complaints have been made from time to time of officers in the Civil Service doing improper work, and anything that will stop that must be regarded with favour. Clause 78 gives power to the board to introduce system into one or two departments where system is greatly needed.

"Notwithstanding anything contained in the Audit Act of 1874 the board may, with the approval of the Governor in Council, make regulations as to the mode of procuring stores and for the inspection of all stores and other material required in the various departments of the Public Service."

There is room for a great deal of improvement in that direction. When the board gets in full swing it will be able to place matters on a great deal better footing than they are at present. There are one or two other matters that may be introduced into the Bill in committee, but they are hardly worth referring to now. I hope that several improvements will be made in it before it is sent back to the other House.

The HON. A. C. GREGORY said: Hon. gentlemen,—I think the position of the Civil Service is a matter of very great importance. At an earlier period in the history of Queensland we had a Civil Service Act, but it was not a success. There were two causes for the failure: the first being that the amount of contribution under the superannuation clauses was not sufficient to cover all the liabilities that accrued, being only 2 per cent., and the other, and much more important, being that the important part relating to the classification and promotion of Civil servants was systematically evaded by all who had to administer the Act. There was a great amount of dissatisfaction with the manner in which officers were promoted and salaries regulated, and the provisions of the Act were never carried out. There has been a great deal of discussion as to whether the contribution proposed by this Bill will be sufficient to cover the liabilities of the superannuation fund, and we have heard a great deal about what insurance companies do; but the two cases are quite distinct. All we can do is to carefully inquire into the working of the superannuation clauses of the Civil Service Act of 1863 during the short period that Act was in existence. We find that although that fund at first showed a surplus, it gradually began to show a deficiency. It has been shown also that the scheme in the present Bill cannot be reduced to any scale of life assurance. It was proposed that there should be compulsory life assurance—that each officer should be obliged to assure his life; but the premium a Civil servant would have to pay for a gratuity would be a very heavy charge upon that officer's salary, and most of those officers could not bear it. I know that a strong feeling has been raised against this superannuation scheme by the insurance companies, because it is likely to withdraw a certain number of assurers from the public companies. The two kinds of assurance are so utterly distinct that they cannot be placed in the same category. There are some points in the Bill which will doubtless be capable of great improvements when we go into committee. Possibly there may be cases of hardship at present where certain officers are placed in peculiar positions. There is one officer in an important department, who receives a total salary of £700 a year, but he only received £200 of that from the consolidated revenue, and during the time that he has been receiving the other £500 a year from another source, for the purposes of this Bill he will only be considered to have been receiving the £200 a year; so that that is a case which deserves consideration, and the appointment of a board to deal with such cases would be a great advantage. Then, as

regards the transfer of officers, hon. gentlemen are perfectly well aware that some officers do not suit the offices they have been put into; and it is to be hoped that in dealing with promotions the board will be more impartial in their administration than it is possible for any Minister to be. In regard to the investment of funds, I trust that such provision will be made that, while a higher rate of interest will be obtained, no greater risk will be incurred. I really cannot see why clause 78, which refers to the inspection of stores, should have been introduced into the Bill. In what way are these stores to be inspected, and who is to have the power of inquiring into their quality?

The HON. E. B. FORREST: The board.

The HON. A. C. GREGORY: I think it can hardly be considered the duty of the board to say whether such stores are suitable or not. Hitherto that department has been conducted with a considerable amount of irregularity. It is time some regularity was introduced into that particular department of the Public Service, but it certainly does not appear to me to come within the category of those matters which should be included in a Civil Service Bill. However, the subject can be discussed in committee, when we can ascertain what object the Government had in view in introducing it into this Bill. Then, as regards the schedule, we find that among the days fixed as public holidays are included, "all days which may from time to time be appointed by Her Majesty's proclamation, or the Governor's proclamation, of solemn fast or public thanksgiving." I think that, in addition, the board itself should have power to appoint public holidays under special circumstances. On the whole, the Bill is a very desirable one to pass, but we should very carefully consider its details when we go into committee, with the view of making it as perfect as possible.

The HON. J. THORNELOE SMITH said: Hon. gentlemen,—I cannot allow this Bill to pass without some few observations. I quite concur with those hon. gentlemen who say that the Bill is a good one, and that it has been long wanted by the Civil servants. I myself have reason to say that with some emphasis. In looking over the characteristics of the Bill I quite approve of the manner in which it is proposed to carry out the objects of the measure. The classification of officers is, of course, very necessary. A Bill introduced for the purpose for which this measure has been introduced, must necessarily undertake to classify officers, and place them in such a position that the effect of the Bill itself will be easy of definition. The appointment of a board, as proposed, will satisfy a great many wants, and do away with evils which exist at present, and which have existed for some years past. I believe myself that Civil servants look forward to the establishment of a board of this character with some degree of satisfaction. In times past they have been labouring under the difficulties which arose from a very partial kind of administration. The Civil Service Board, however, will be able to carry out the duties of their office satisfactorily, and the Civil servants themselves will discover that they will get impartial treatment. It has been stated over and over again, that political considerations and favouritism go very much into the administration of the Civil Service. I think that goes without saying. For twenty or twenty-five years, in fact ever since we have had a Civil Service, we have found that to be a kind of thing which has prevailed and operated to the disadvantage of Civil servants, and the evil has been crying out for removal, or

for some alteration such as is proposed to be made by this Bill. In this board we have a means of overcoming this very serious difficulty in the administration of the service. One cannot blame those who have the patronage in their hands of a vast system, such as we have, for using their own sense of kindness and favouritism in the interest of friends, though in some degree it might operate to the disadvantage of the service, and to the inefficiency of the work. This system of dealing, by a board, with appointments, classifications, increases of salary, suspension from office, dismissals, and so on, is one which will probably insure all those things being done on an equitable basis. Officers in the service will see that whatever they do, or however they may conduct themselves, they will not be unfairly or unjustly treated through the abuses of political patronage, and that is a very great consideration. Consequently I approve of the principle which has been imported into the Bill to appoint a Civil Service Board. The gentlemen who will compose this board will have numerous and important duties to perform, requiring the exercise of a great amount of care, and I have no doubt they will be quite ready to do their duty in that respect. The punishments for offences are arranged under satisfactory heads. There are many things which occur amongst members of the Civil Service, which may require the treatment indicated in clause 36, which specifies various punishments and penalties for neglect of duty and improper conduct. The great question in connection with this measure, which has caused so much debate, is that of superannuation allowances. It is a question surrounded with a certain amount of difficulty. I have read the debates on the subject, and I really cannot get anything like sufficient data to come to a conclusion as to either of the principles advocated; that is to say, the principle of superannuation allowances, or the principle of life assurance and annuities. But, for my own part, I adhere with some satisfaction to the superannuation scheme, and I do it for this reason: I think the country owes something to the members of the Civil Service. It seems to me that it has come to be too much the habit to decry Civil servants, and say, "Oh! these men are appointed under certain circumstances. They have a very comfortable billet, and are altogether outside the general community." I do not regard it in that light. If I were to make a comparison, I believe I should be right in saying that 98 per cent. of the Civil servants are men who perform their duties well and energetically. If this scheme, with a 4 per cent. contribution, is not sufficient for the purpose of providing the necessary funds for the superannuation allowances and gratuities, as proposed in this measure, I do not see why, in that event, the State should not come to the relief of the fund. It is a very remarkable circumstance that the Imperial Government have experienced some difficulty with regard to this very matter. They have tried various schemes. They have tried to introduce percentages on salaries for the purpose of providing funds sufficient to meet the exigencies of superannuation allowances, but in almost every case they have failed. There appears to have been some difficulty in the matter. Either the superannuation allowance has been too much, or there has been some special circumstance where allowances have been given outside the superannuation allowances, and the scheme has proved a failure. The Imperial Government has had a wide experience, having a very large number of Civil servants under their control, and they have come back to the acknowledgment that the State must pay for the superannuation of Civil servants. Their experience appears to me to

be of some value to us, should we find that this 4 per cent. contribution is insufficient. It may be sufficient. As the Hon. A. C. Gregory has stated, there may be some method of coming to a conclusion as to its sufficiency or otherwise, by calculating what a 2 per cent. contribution may have done in the past, and comparing that with what may be expected from a 4 per cent. contribution. But if in future it should be found insufficient, I say the country should do something for the Civil servants, and deal with them patriotically. I have had experience myself which really tends to make me think that it is time the country stepped in to do something that is equitable and just towards Civil servants. Some hon. members have stated that they have been in the Civil Service. So have I, and I have done a lot of work and done it patriotically, never flinching from my duty. With regard to this very question, I was not favourably situated. Unfortunately for me, the circumstances which arose in the early history of the colony when the Civil Service Act of 1863 was passed, prevented my taking advantage of that Act. I was asked to place my name on the Civil Service roll, but when the matter came to be investigated it was found that I could not be enrolled because my salary at that time was paid out of the loan account. During twenty years afterwards I was paid sometimes from loan and sometimes from revenue, just as it suited the exigencies of the department. What was the result? I was prepared to be enrolled on the list of Civil servants, but I could not be because the country required my services in other respects, and I say, though not boastfully, I did my work well, and have the asseverations of men well able to judge for saying so. Time passed on and the exigencies of the department came to this, that my office was abolished and I had to leave the service, receiving no compensation in any shape or form for loss of office or pension, simply because I had been kept off the Civil Service roll in consequence of the advantages which the State derived from my services being paid for from both loan and revenue. That was an injustice; but it does not matter to me now. I only mention this personal matter to show how injustice may be done to Civil servants, who look forward to a Bill of this kind which will prevent any such things occurring in the future. I support the Bill with very much pleasure, and if I can suggest anything for its improvement I shall be glad to render any assistance in my power.

Question—That the Bill be now read a second time—put and passed.

On the motion of the MINISTER OF JUSTICE, the committal of the Bill was made an Order of the Day for Tuesday next.

MESSAGE FROM THE LEGISLATIVE ASSEMBLY.

COMPANIES ACT AMENDMENT BILL.

The PRESIDENT announced that he had received a message from the Legislative Assembly, returning a Bill to further amend the Companies Act of 1863 with amendments indicated by the accompanying schedule, in which amendments the Assembly requested the concurrence of the Legislative Council.

On the motion of the MINISTER OF JUSTICE, the consideration of the message was made an Order of the Day for Thursday next.

ADJOURNMENT.

The MINISTER OF JUSTICE moved that the House do now adjourn.

Question put and passed.

The House adjourned at ten minutes to 6 o'clock.