Queensland

# Parliamentary Debates
[Hansard]

## Legislative Assembly

**THURSDAY, 28 SEPTEMBER 1922**

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## THURSDAY, 23 SEPTEMBER, 1922.

The SPEAKER (Hon. W. Bertram, *Maree*) took the chair at 11 a.m.

## HEALTH ACTS AMENDMENT BILL.

### SECOND READING.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): Although this is a very important Bill I do not intend to engage the time of the House at any great length in moving the second reading. The Bill is essentially a Committee Bill, and to do justice to it in a second reading speech one would need to deal with the clauses seriatim. I do not propose to do that for two reasons. In the first place it would be distinctly out of order; and, as it is a Bill that can be dealt with clause by clause in Committee I think that the discussion—if there need be any—should be deferred until we reach the Committee stage. The Bill is not in any way contentious. It has been my happy lot this session to introduce Bills which call for little or no opposition. A day or two ago I introduced a Bill which made it much easier for women to have children. To-day I am dealing with a Bill which will make it easier to live and which will improve the health of the people. Next week I will introduce a Bill which will make it just as easy for a woman to get rid of a bad bargain as it is to-day for a man to get rid of a bad bargain.

This Bill deals with the preservation of health by paying scrupulous attention to cleanliness and by extreme care in the use of foods and drugs. The most important features of the Bill may be classified under six headings—

Sewerage and Drainage, and Sanitary;
Food and Drugs;
Restriction of White Lead in Paint;
Footwear;
Venereal Diseases; and
Registration of Nurses.

These are the more important features of the Bill. With regard to sewerage and drainage generally, powers are being given to the Commissioner of Public Health and the Governor in Council, which they will exercise even when the sewerage scheme is completed. Under the Health Act of 1911, house drainage could be drained into any open channel in the street, and under the same Act a sewer was held to be any watertable or water-channel in the street, and drainage was permitted into open straight-cut earthern water channels. The Act of 1911 purported to prohibit such draining into water channels, but was not enforced, probably for the reason that no other provision existed and it may have been safer to allow house drains to empty into that kind of channel in the absence of any such better provision. I remember very well the amending Bill of 1916 going through the Legislative Council, where it was mutilated to such an extent as to bring about again the conditions which existed prior to 1911. We desired as a Government that house drainage should go only into properly constructed concrete channels, but that object was somewhat frustrated. Under this Bill drainage into earthen channels is prohibited, and house drainage will be permitted to flow only into properly constructed channels, such for example as concrete channels or by subsurface irrigation—if the ground is suitable—or, if the ground is unsuitable for that method, into some covered place. Provision is made that that enactment shall not be burdensome to the ratepayers, as it would be if the amendment of the Act in the direction proposed were made without any qualification. However, full consideration can be given to that question when the House is in Committee.

That matter naturally brings up the question of the nuisance at Breakfast Creek which was raised when the Home Secretary's Estimates were before the Committee, particularly by the leader of the Nationalist party, the hon. member for Enoggera, and the hon. member for Nundah. The question presents two aspects—on the one hand, the nuisance caused by the discharge of drain waters into Breakfast Creek, which is a tidal creek, and on the other, the nuisance caused by noxious trades, such as the woolscours and the fellmongery in the town of Ithaca. Under the Local Authority Acts a local authority has no jurisdiction over drainage into tidal streams—that is dealt with by the Harbours and Rivers Department; but I maintain my previous contention, as expressed on the Home Secretary's Estimates, that the local authority has power to prevent a noxious trade from being established, and power to deal with noxious trades already established sufficiently to prevent a nuisance. Under subsections (6) and (7) of section 91 of the Health Act, a local authority has power to define noxious trade areas and to regulate and license noxious trades. If there is any doubt on that point, I say quite unhesitatingly that some authority should have clear and definite powers. We might insert in Committee an amendment to give local authorities greater power. Probably it

would not be wise to give them power to prevent the drainage of waters from noxious trades into all tidal creeks; but, where a tidal creek is in the heart of the city and it is proved that the drainage from a noxious trade into that tidal creek is detrimental to the health of the people, we can certainly deal with that nuisance. Surely with our joint intelligence we ought to be able to devise some means to give some authority—the Governor in Council, the local authority, or the Commissioner of Public Health—power to deal with a nuisance if it is as bad as the Breakfast Creek nuisance is stated to be by the hon. member for Enoggera—and I believe it is pretty bad. I shall endeavour, when the Bill is in Committee, to insert an amendment to give the local authorities power regarding the Breakfast Creek nuisance.

The Bill also contains provisions relating to foods and drugs. I draw the attention of hon. members to clause 13. The main purpose of the food and drug provisions is to secure purity of foods and drugs for the use of man. The definition of "article" has been deleted entirely as applying to the food and drug section; we deal separately with additional matters in this Bill. For instance, clause 30 deals with footwear; clause 23 deals with surgical appliances; and clause 29 with the use of white lead in paints.

Mr. MOOBE: Under which clause are soaps dealt with?

The SECRETARY FOR MINES: I hope that the hon. member will not harass me with a lot of questions on the second reading. I know very well what the hon. member is referring to, and I shall be pleased to give the information in Committee.

The Bill also deals with the question of guarantees. Under section 126 of the principal Act, when any person is prosecuted for the sale of adulterated food or of falsely described articles of food, he may be discharged from the prosecution by providing a guarantee from the person from whom he has purchased the goods. A serial number is allotted by the Commissioner of Public Health to the person who gives the guarantee, and the goods are labelled "Guaranteed under the Health Acts." We propose to abolish this general guarantee, because it misleads the public, and a great many people are under the impression that the labelling of the article carries with it a Government analysis of the article and approval by the Government, whereas the original section had as its object the defence of the person who buys the article from the manufacturer, who probably has been guilty of the adulteration. A simple form of guarantee will now be all that is necessary. There are some important provisions dealing with footwear.

The matter of having uniform laws with regard to footwear has been discussed more than once at the Premiers' Conferences, and uniform laws have been adopted in some of the other States. The Bill provides, briefly, that all boots and shoes the soles of which are not entirely composed of leather shall have stamped on the waist of the sole a statement setting out what the material is composed of.

Mr. PETRIE: Does bad footwear affect the health?

The SECRETARY FOR MINES: The health authorities say that it does.

Mr. KIRWAN: We would be doing something sensible if we prevented the wearing of high-heeled footwear.

The SECRETARY FOR MINES: The boot manufacturers are not opposed to the provisions in the Bill. Power is given to the Commissioner to make certain regulations. Power is also given to prevent the use of adulterants in the manufacture of leather. Barium is largely used as an adulterant; and I am informed that it is also used in the manufacture of paint. Strong representations have been made to the Government to prohibit the use of white lead in paint, and clause 29 of the Bill provides that paint containing more than 5 per cent. of soluble white lead shall not be used within 4 feet of the floor or ground. The Commonwealth Government have informed this Government that they propose to institute an inquiry by their health authorities into the question of the use of white lead in paint. We feel that it is our duty as a Government to allow that investigation to be made, and, consequently, it is provided that these provisions in this Bill shall not come into operation except by proclamation, and then not earlier than 1st July, 1923. Closely related to these provisions is a provision to empower the local authorities to make by-laws requiring the washing down and cleansing of walls.

The Bill also deals with the question of venereal disease. Hon. gentlemen will observe that clauses 43 to 52 deal with this very important subject. I might say that there have been several Interstate Conferences on the matter, and Queensland was the first to adopt the compulsory notification conditions. Since then Victoria, Western Australia, and, I think, South Australia have also adopted the compulsory notification conditions.

Mr. BEBBINGTON: Are they carried out?

The SECRETARY FOR MINES: Yes, as far as they possibly can be. Queensland, in tightening up the health regulations and administration, leads the way in regard to health. This Bill tightens up the existing provisions. Subclause (9) of clause 49 deals with the issue of certificates of cure or apparent freedom from disease; it prohibits the issue of these certificates to prostitutes, and will prevent the use of certificates for the purpose of prostitution. A very wide difference of opinion exists between medical men as to whether a definite certificate can be given, particularly in regard to certain diseases, as to whether the person is cured of it or not, especially in the case of women. Clause 52 prohibits the sale of certain instruments capable of being used to bring about abortion; and provision is made in the Bill for the notification of infectious diseases. In that subdivision of the Act the word "phthisis" is to be imported into certain sections of the Act to give the local authorities power to deal with phthisis cases in some instances. I believe they have power in regard to the removal of persons from certain houses which are infected with a certain disease.

Mr. MAXWELL: Are you putting the responsibility on the local authorities of dealing with phthisis?

The SECRETARY FOR MINES: Not wholly so, because, if we did that, it would be too big a responsibility, and the responsibility of providing sanatoria for that particular disease would need to be carried out

then by the local authorities. Under this Bill we do not propose to place the whole of the responsibilities regarding phthisis on the local authorities. The Commissioner will have power to make regulations for the prevention of the spread of infectious diseases. Rats, mosquitoes, and other disease-carrying insects are also dealt with. The Bill also deals with the regulation of nurses.

I do not propose to say any more at this stage. I have given a brief summary of the Bill, and I shall be very pleased to give all the information I possess when the Bill is in Committee, and as much information as I can gain from the Commissioner of Public Health and the other officers who are administering this department. I again repeat that it is a most important Bill—any Bill which seeks to improve the health of the community must be regarded as an important measure. One of the first functions of any Government should be to endeavour to improve the health of the community and to prevent the spread of disease, especially some kinds of disease.

Hon. W. H. BARNES: Are you dealing with chemical preventives at all?

The SECRETARY FOR MINES: No, I think not, unless it is covered by certain powers which we intend to give the Commissioner of Public Health under the Bill. The Commissioner will have greater powers under this Bill, one of which additional powers may go in the direction indicated by the hon. member for Bulimba. In the absence of the Home Secretary I again repeat that I have much pleasure in taking charge of this Bill. To my own personal knowledge the Home Secretary had been continuously working on the Bill up to the time he was taken seriously ill, and had its provisions at his finger ends so to speak; and probably it would have been better if the hon. gentleman had been in his place to-day to deal with the measure. However, in Committee, I will give as much information as I possibly can regarding the Bill, which I have studied for some little time. Further than that, I shall have further amendments to move in Committee, such as the one I referred to in connection with the Breakfast Creek nuisance. While not inviting any hostile amendments, I shall be prepared to consider any amendments of a reasonable character. I have much pleasure in moving—

"That the Bill be now read a second time."

Mr. MOORE (*Aubigny*): I quite recognise that to a great extent this Bill is one for Committee, but there are some principles in it which we are entitled to speak upon on the second reading. The local authorities have to assist the Department of Public Health in the carrying out of the provisions of the Bill, and we want to make it as easy as possible for the local authorities to carry out their duties, and not place hindrances in their way and cause increased expense without any advantage therefrom. There are provisions in the Bill which will place tremendous liabilities upon local authorities. First, there is the one in regard to the Breakfast Creek nuisance. The Bill does not give the local authorities any opportunity to put their side of the case, and to ask for the position to be made clear. If an Order in Council is issued, it is quite possible that the local authority may have to make sewers and drains to carry off all the drainage which at the present time is going into tidal streams like Breakfast Creek, without the local authority being given an opportunity to submit its side of the case. It is only reasonable that the local authority should have opportunity in a case like that to protect the ratepayers, especially when it is known that the sewer is being constructed, although they do not know when it will be finished.

In country districts, as hon. members know, there are small towns scattered throughout the areas which require to have sanitary systems. Some of them, I am quite prepared to say, are primitive and difficult to carry out. The Minister knows how difficult it is to secure sanitary contractors in small areas. The Home Secretary told me of a case in the North where they had such difficulty that the cost of carrying on the sanitary service ran into something like 4s 6d. a service. The only possible way to carry these services out is to give the contractors full control. The first thing we come across in the Bill is the provision to compel local authorities to collect the fees, and not allow the contractor to do it, but the contractor is the only person who can do it economically. He goes round every week and knows whether the people are there or not. The local authority cannot be expected to put on an inspector to go out in three or four towns in a country area and collect sanitary fees.

Mr. GLEDSON: Could they not put it on the rate notice and collect it annually?

Mr. MOORE: No; we cannot put it on the rate notice. I can mention one case which the hon. member should know very well—that is Balgowan—where many of the people are not ratepayers; they have not got allotments of land. We do not know them at all as ratepayers because they are not on our books. They are electors.

The SECRETARY FOR MINES: What title have they got?

Mr. MOORE: They live on the company's ground, and sometimes on ground belonging to private individuals. At Yarraman they live on Crown lands, particularly in reserves, and that is one of the greatest difficulties we have to contend with. I cannot see any provision for alleviating what we have to contend with in places like that.

The local authorities have to contend with many difficulties in regard to infectious diseases. The whole responsibility of paying for the infectious diseases is thrown upon the local authority if the disease breaks out in that area. The local authority [11.30 a.m.] is not given adequate powers to protect itself from the source of the infection. The case of Yeppoon was mentioned, and other places where people live in tents on Crown land. We have no hope of compelling them to go in for proper sanitation there.

Mr. HARTLEY: Every precaution is taken at Yeppoon.

Mr. MOORE: They may adopt every precaution at Yeppoon, but I know one area in my district where we had an outbreak of typhoid simply because the people were camped in tents on the township reserve. As soon as they were served with a notice they just took down the tents and moved to another place. We know that, when people camp like that and heavy rain comes, everything is washed down from the low-lying

places, with the result that we have an outbreak of typhoid fever. I notice in the definition of the word "house" that "tent" is included, so we may be able to get round it in that way. I take it that the clause will also apply to railway construction works.

The SECRETARY FOR MINES: That was the object of widening the definition and including tents.

Mr. MOORE: The local authority will now be able to enforce proper sanitary conditions in railway camps or in other places where tents are used for camping. Under the present conditions we cannot do that. I know where several councils have been landed in heavy financial responsibilities through dealing with an outbreak of typhoid over which they had no control whatever. We had the same trouble when the Cooyar railway was being constructed, and we had no power to enforce proper sanitary conditions. We entered a protest, but the Railway Department took no notice whatever of that protest. I hope the Minister will recognise that this Bill applies to the whole of Queensland, and not only to those areas where the local authorities have inspectors. It is all right in the big centres for inspectors to be sent round at different periods, but we have to recognise that this Bill applies to the whole of Queensland, and we know the difficult position the country local authorities will be in if they are called upon to send out inspectors. The provision in the old Act relating to inspection has been cut out and a new provision substituted. The local authorities are to be compelled now to send out inspectors, and it is going to impose a heavy burden on the country councils, who have enough to carry now. I notice that clause 42 deals with disinfection, and makes provision for disinfection stations. Apparently there is to be no limit to the disinfection. The council has to provide a disinfecting station, and anyone can bring his clothes there and have them disinfected free of charge. Surely it should be limited to those who live within the area. The local authority should not be called upon to disinfect the clothes of an infectious case coming from an outside area.

I am quite in accord with the provision relating to venereal diseases, although I am certain that it is going to result in an enormous amount of expense. For instance, it says in clause 54—

> "(4) Every person detained in a lock-up or police gaol or prison shall, on admission, be examined for venereal disease by the visiting surgeon."

If you are going to insist on the examination medically of every "drunk" who is locked up over night to see if he is suffering from venereal disease, then it is going to entail a lot of expense; and I do not know that it is going to do much good. If it is confined to the examination of a certain class of persons, I can quite understand it; but to insist that every person who is locked up shall be medically examined is certainly going to cost a lot of money.

Mr. KIRWAN: You will have to give him a bath first.

Mr. MOORE: I can take the hon. member for Brisbane to some parts of his own electorate, and it will open his eyes to see what goes on in Brisbane at nights.

Mr. KIRWAN: Did you go there?

Mr. MOORE: Yes, I have to pass these places every night, and it is an object-lesson to see what goes on in places like Brisbane in spite of the Health Act.

Mr. KIRWAN: You should take Dr. Moore there—not me. I am not the Commissioner of Public Health.

Mr. MOORE: I would like to take the hon. member for Brisbane, because he is the right person to take

The Minister slurred over the position to a great extent when he was talking about the local authorities not being placed in an awkward position in regard to infectious diseases. I can see tremendous difficulties in the way. In the case of a person suffering from phthisis, a certificate of a medical officer has to be obtained, and, if the patient cannot afford to pay himself, then the cost is to be borne by the local authority. Take the position of places like Dalby, Roma, and other places where the climatic conditions are suitable for that class of patient. I can see that a big expense is going to be placed on the local authorities of those areas. If a patient suffering from phthisis goes into a hotel, the hotelkeeper has to disinfect the room thoroughly and go to a great deal of expense before he allows anyone else to occupy that room. It is going to be very hard on patients suffering from phthisis, because they will be unable to secure a room in places where the climatic conditions are suitable for the treatment of their ailment. In the early stages of the disease it is beneficial to patients to go to places where the climatic conditions are suitable; but under this Bill it will be difficult for them to secure accommodation. They can go to the Sanatorium, but it will be hard for them to get other places to go to. The more obstacles we place in the way of patients going to suitable parts of the State where the climate is good, the harder we are going to make it for them. These provisions are drastic, and I can see that a heavy burden is going to be placed on the local authorities in the districts where patients reside. The local authorities are liable for the cost of keeping these patients in the hospital. It should not be done at the expense of the local authority at all, because it is not people who live in that local authority area who contract the disease. The patients are generally strangers who come from other parts, and it is not a fair burden to put on the local authority. The burdens of local authorities are becoming increasingly heavy. At every Local Authorities' Conference the members of local authorities complain of the enormous burdens being put upon them. We know that typhoid and diphtheria carriers go into a district and are a frequent source of infection. It is difficult to locate them. I recognise the advantage of putting these people into our hospitals in order to protect the community, but there are many patients who can afford to pay and who are prepared to pay for their treatment in a hospital. It is not a fair thing that an individual who is in a position to pay, and is known to be in a position to pay, should not be allowed to contribute if he wants to.

I do not suppose that boot manufacturers will take very much objection to the provisions regarding the weighting of leather, although it is an extraordinary thing that the responsibility should be placed upon the manufacturer of boots. The weighting of leather takes place in the tannery, and the tannery people should have the responsibility

of seeing that it is not weighted, and not the unfortunate man who buys the leather and manufactures it afterwards.

I am not quite sure that all these regulations which are aimed at the purity of foods and drugs are going to be workable. It is quite possible that there will be some difficulty with regard to the question of true labels and imitation labels. For instance, there is a drink known as "champagne," but everybody knows it is not champagne; yet it is so labelled as to delude persons into believing that it is what it is not. We know also that there are several medicines put up by proprietary companies from ingredients which before the war used to be obtained from Germany. When the war began they could not get them, and similar medicines were made and called by names as near as possible to those used on the goods that used to come from Germany. There is no reason why those articles should not continue to be sold under those names, so far as I can see. They may possibly deceive people into buying them for the other articles, but there can be no harm if the public secure goods that are made with the same constituents and having the same beneficial effect on the patient. I do not see why any restriction should be placed on manufacturers and dealers such as chemists in the sale of things which they have been forced to use owing to their inability to secure certain things during the war.

There is one other matter I want to deal with. I mentioned it yesterday. I hope that the provisions of the Bill with regard to the registration of nurses will not be administered too stringently in country districts. In country places many small lying-in hospitals are kept by competent nurses, although there may not be sufficient work there to keep a certificated nurse going. I think this was mentioned when the present Secretary for Public Instruction was Home Secretary, and he agreed that such women very often do very useful work.

The SECRETARY FOR PUBLIC INSTRUCTION: I agree now.

Mr. MOORE: I am very pleased to think that the hon. member does, because there are places in which it would be impossible to secure certificated nurses and occupy their full time, and these establishments provide conveniences for the people where otherwise they would have no accommodation whatever. I trust, therefore, that the regulations, though they may go into the Act, will not be carried out according to the strict letter of the law.

Exactly the same observations apply to the regulations framed for the purpose of mosquito prevention or rat destruction. The regulations are framed as if they were meant only for Brisbane. Not very long ago a notice was sent out requiring us to drain all the surface water in the shire for the purpose of preventing the breeding of mosquitoes. Hon. members can imagine for themselves the council inspector going out to the farm of a man who had sunk a tank to water his stock and asking him to drain it. The whole thing is ridiculous, and cannot be carried out. Such regulations should be applied only to districts where it is possible to comply with them. I think that state of things should be rectified, because there are areas in which it would be beneficial to carry out such regulations, and there are other areas where it would be absolutely hopeless.

I am also glad to see that the Minister is of opinion that local authorities should have some opportunity to object to the establishment of noxious trades in places where they are likely to be a nuisance. Not only in Brisbane but also in outside districts woolscours are established on running creeks into which the drainage runs and spoils the water for ever afterwards. I think power should be given to the councils to say where they are to be built, and where the drainage is to go, instead of having to wait until they are established and then tell them to get rid of the nuisance at an expenditure of a great deal of money.

There are many things in the Bill on which I would like to get more information in Committee, because many of the provisions place undue burdens on local authorities where there is no occasion. My only desire is that the Act should be framed in such a way that the caring for the health of the people shall be made as easy as possible for the local authorities, and that they should not be hindered in their endeavours in that direction. Every power that can possibly be given to protect the people when outbreaks of epidemics occur should be given, but at the same time no undue burdens should be placed upon them.

Mr. TAYLOR (*Windsor*): By and large the Bill we are considering must commend itself to the careful consideration of all hon. members. It has been found necessary, of course, to make stringent regulations of recent years with reference to the health of the people. It is a most remarkable thing that in quite a number of directions such legislation is necessary, and that many persons in the community are absolutely careless about the very first prinicples of hygiene and health: and the consequence is that the Government have found it absolutely essential to take precautions to preserve the health of the whole body of the people as far as possible. In the large cities it is probably not quite so difficult as in the smaller centres and more scattered parts of the State to carry out the regulations. I was very much struck, while I was detained in Sydney a year or two ago during the influenza epidemic, at seeing the watercart service of the city council being utilised for the purpose of spraying the streets once or twice a day with disinfectant. It would be an excellent thing if disinfection of the streets were carried out by means of watercarts in all the large centres of population; it would certainly be in the best interest of the health of the community. If it were necessary to do that in order to cope with the outbreak of influenza in Sydney, is it not also necessary to take such steps with a view to preventing an outbreak here?

Quite a lot of the provisions in this Bill must commend themselves to every hon. member. We know that, for many years, there was no check on food adulteration, and many diseases were very often caused by such adulteration. The object of the person who carries out the adulteration is to put on the market something which is cheaply produced, which will appeal to the palate, and for which he can get a good price. No consideration is given to the effect which such preparations are going to have on the internal organs of consumers. So long as there is a pleasing taste in the mouth while people are partaking of those foods, that is all that is considered necessary. Very great strides have been made in recent years to see that only pure foods

shall be prepared so that the health of the people shall be preserved as far as possible.

A noxious trade is not always an unhealthy trade. It may be very unpleasant to live alongside a woolscour or a hide and skin store, but it does not necessarily mean that it is unhealthy. If ordinary cleanliness is observed by the people who are engaged in those trades, the risk of ill-health is very considerably diminished. During a visit which I made a year or two ago to South Australia I was struck with the cleanliness observed in the Adelaide abattoirs. The clothing which every man wears is cleansed for him every night and put through an artificial dryer; and, when he takes up his work next morning, he puts on clean clothes.

Mr. KIRWAN: They are the best abattoirs in Australia for cleanliness.

Mr. TAYLOR: They are an object lesson. A man to-day is engaged in slaughtering cattle, working amongst blood and grease —not an inviting occupation—and when he comes to take up his duties next morning he finds in his locker a clean suit of overalls. That is a splendid idea, and one which must tend to improve the health of the people engaged in that industry and of the general public. People require a lot of education in regard to personal cleanliness. It is remarkable that so many people do not choose of their own volition to observe personal cleanliness in connection with the whole of their habits. If the health authorities made an inspection of the whole of the back premises in the metropolitan area of Brisbane to-morrow, they would not find 10 per cent. with suitable satisfactory covers on the sanitary conveniences. That should not be; we should certainly have better attention paid to the matter than that. One reason is that it is not compulsory; or, if it is compulsory, it is not carried out. There is no such thing as a hinged lid—simply a hole cut in the seat, with the lid off more often than on—and, when it is on, there are gaps all round it, and flies and other pests have a free run. That badly requires alteration. I am speaking with a fairly good personal knowledge of the conditions that exist in regard to that particular matter. We are bringing in this Bill in order to remedy a number of these things. Noxious trades are a difficult matter with which to deal. I suppose that most hon. members in this House have been to Melbourne. They probably have been to Flemington Racecourse, adjacent to which is the suburb of Footscray.

The SECRETARY FOR PUBLIC LANDS: You can find it out a long distance away, can't you?

Mr. TAYLOR: You can cut the smell with a knife. That is adjacent to the city of Melbourne. In that area nearly all the noxious trades are gathered together—the factories for the making of fertilisers, and other factories of that kind, are congregated. The people who live in that area are fairly healthy, although it is not pleasant to live there. So, although a trade may be noxious, it does not necessarily follow that it is unhealthy. Our object should be to see that these noxious trades and the effluent they discharge are made innocuous as far as possible, so that they will not result in ill-health and be a danger to the community. We must have these businesses, and they have to be situated where there is a plentiful supply of water. In Queensland people have built houses round about where these businesses have been established in certain areas; quite a number of them were established before there were many residences in the locality. Trades connected with the cattle and sheep industry are absolutely necessary and vital to the success of that industry, and we have to see that we do not place upon them embargoes of such a nature as to cause them to be unprofitable, having in view the fact that the health of the community must be the paramount consideration.

The question of discharging waste water from the houses into the roadways where drains have not been constructed has been mentioned. I do not know how we can get over that difficulty until proper watercourses are constructed in the metropolitan area.

The local authorities have been [12 noon] working in that direction for a number of years. Earth drains are certainly unsatisfactory, and that position wants remedying as soon as it can possibly be done. It is all a question of how soon the local authorities can collect sufficient money from the people in their areas to enable that work to be carried out. The hon. member for Aubigny suggested that there should be an inspection of every person who is arrested. I do not see how you can make any distinction. If an inspection of all those people who may be arrested for any offence is carried out in the lockup, it does not necessarily say that the man who is clad in rags will be suffering from any particular disease any more than a man who is dressed in broadcloth.

The SECRETARY FOR MINES: All prisoners are examined now under the Act. We want to make provision for the examination of those who may be locked up.

Mr. TAYLOR: The Bill should set out how the examination is to be carried out.

It is gratifying to know that provision is going to be made with regard to venereal diseases and the sale of certain instruments. I am sorry that there is no provision dealing with the sale of certain preventives, as was mentioned by the hon. member for Bulimba. That is one thing that really needs attention. We find these things being advertised quite openly throughout the whole State. There is no disguise whatever. We all know, as men of the world, that incalculable injury and harm have been done to thousands of womenfolk by the unrestricted sale of these particular drugs to which I am referring. This is not a very pleasant subject to talk about, but in dealing with the health of the community one must deal with the unpleasant as well as with the pleasant aspects. If anything could be done in that direction, I think it should be done. We have read within the last few days where four or five men and women in Sydney have been committed for trial for doing certain things in connection with this business. We know that no legislation will prevent or prohibit those things being done; but we want to make it as difficult as we can for anyone to make money by practices which are injurious to the health and the morals of the men and women in the community. We want to see that every protection is given to our men and womenfolk so that they will have an opportunity of becoming strong and virile. We do not want to see decay in the national physique. We have introduced a system of shorter working days, and there is now ample opportunity

for the young people to get the recreation which is necessary to develop their bodies; and we want to see that anything that we are doing in that direction is not being undermined by people being able to resort to the practices such as are dealt with in the Bill and to which I have referred.

The SECRETARY FOR MINES: What does the hon. member suggest in the way of preventing these practices?

Mr. TAYLOR: If a person satisfies a thoroughly qualified medical practitioner that a certain prescription is necessary, he should have power to prescribe; but no other person should have that power. I think it is time that we altered this system of the unrestricted sale of the drugs to which I have referred.

I understand an investigation is going to be made into the question of the use of white lead in paint, and we shall then be able to ascertain whether it is as great an evil to the community as is suggested. The Federal authorities are going to make an investigation into the matter, and they will set the matter beyond all reasonable doubt. We shall have to abide by any decision that is arrived at as a result of that investigation. If white lead is detrimental to the health of the children in the community, let us place the matter beyond the pale of controversy by having a thorough investigation. If the result of the inquiry proves that white lead is doing great injury to the boys and girls of this country, then we shall have to prevent its use in paint. I suggest to the Minister that the scope of the inquiry should not be limited to investigation into the prohibition of the use of white lead, but that inquiry should also be made to ascertain whether white lead cannot be made innocuous. The manufacture of white lead and paints is a very large industry in Australia at the present time, and we should endeavour to find some means of making white lead innocuous. Surely our scientific authorities can find out some means of doing that.

Mr. KING (*Logan*): As this Bill has to do with the health of the community, we should deal with it in a non-party spirit. I was pleased to hear the Minister say that he was going to accept any reasonable amendments, and that he considered the Bill was really a Committee Bill. I think in Committee we shall be able to discuss the Bill more intelligently than it is possible to do on the second reading. Perhaps it is a good deal more difficult to deal with the Bill generally than to deal with the specific section which it is proposed to amend or the clause which it is proposed to add.

I am glad to say that most of us have been taught to extend sympathy and help to the sick and afflicted, who are the cause of considerable anxiety to us all. At the same time, there are responsibilities on the community generally, and those responsibilities are passed on from the community to the community's representatives in the shape of local authorities. Individually, it is our duty to keep ourselves in good health, and it is our moral duty to refrain from unduly taxing the patience, the sympathy, and the pockets of our relatives and the community generally, if we can avoid doing so. If a person has perfect health, he has one of the greatest gifts or benefits that Providence can bestow on him. It has been said, and rightly so, that intellectual and moral superiority follows in the wake of health. The health of the nation or of the community depends upon the health of the units which compose it. If every individual did his duty in the matter of health, the matter of health would largely be in our own hands, and we would no longer run the risk from infection or inheritance which we run at the present time. No argument is necessary to show that the first and highest duty of every individual is to keep himself physically fit and as healthy as possible. If he succeeds in doing that, he will be going a long way towards performing his duty to the community generally, and more particularly to himself. Carelessness, apathy, and neglect on the part of the individual necessitate that duty being cast upon the community. We are too ready to give over our individual responsibilities to public bodies and allow rates to take the place of morals. It is difficult to say what right a man has to think he is at liberty to be absolutely filthy in his habits and in regard to his premises, and then call upon someone to cleanse his premises and have such cleansing done at the expense of a rate which too often falls more heavily upon his neighbour than it does upon himself personally. Hence it is owing, to a large extent, to the neglect of the individual that the duty is cast upon the community, which is the local authority so far as the State of Queensland is concerned. It is generally recognised that the local authority is and should be the health authority for the community, and the trend of the legislation in this State is to confirm this; but in the execution of these duties the local authorities deserve and require sympathetic treatment from the Government. They want every encouragement and every sympathy, and they do not want to be interfered with by harassing regulations, or harassed in all directions by the head of the Health Department. The local authorities have proved in the past that they have always been prepared to do their duty, and, so far as the health of the community is concerned, the local authorities have never failed to carry out the duties imposed upon them. We have only to instance the way in which the local authorities combined together in the past and carried out their duties in regard to the treatment and care of those suffering from influenza during that very bad epidemic we had throughout Queensland a few years ago. In that instance the local authorities did their duty well, and they relieved the Government of a tremendous amount of responsibility. During that particular epidemic the Government attempted to take over the control, but they found they could not do so, and they then called in their first lieutenants to do the work, and they did it splendidly.

The SECRETARY FOR MINES: I think the Government have always recognised that.

Mr. KING: The Government have recognised it, and the people of Queensland generally recognise that fact. To a great extent the public health has been delegated by the State to the local authorities with certain obligations and limited powers of taxation. The powers are in many instances subject to veto, and the Commissioner and the Governor in Council have overriding and compelling powers. The Commissioner of Public Health has very great powers indeed —one might say too much so—and he is liable

to interfere too much with the local authorities in the carrying out of their duties. The Commissioner has almost unlimited power in the making of regulations. His power is so great that, by the making and issuing of regulations, he can almost impose a new Health Act on the community. He may make regulations for the suppression of infectious diseases, or in connection with sanitation and in connection with other matters, and these regulations may override or set aside any regulations or by-laws made by the local authorities in the exercise of the powers conferred upon them. Some time ago I had the opportunity of reading a very interesting paper written by Mr. Chuter, the Assistant Under Secretary to the Home Department, in which he sets out the relationship of the Commissioner and the Governor in Council with regard to local authorities generally. He summarised the position thus—

> "1. The Health Act and regulations vest in and impose on the local authorities—
>
> (*a*) Duties and obligations;
>
> (*b*) Discretionary powers, the exercise of which become duties by order of the Commissioner;
>
> (*c*) Discretionary powers.
>
> "2. The Commissioner stands over the local authorities. He can—
>
> (*a*) Require the local authority to superintend, enforce, and execute his regulations.
>
> (*b*) In case of default by the local authority, perform duties or exercise powers at its expense.
>
> "3. The Home Secretary and the Governor in Council stand over the Commissioner in that his orders must be confirmed by the Home Secretary and the regulations approved by the Governor in Council."

These remarks are simply made with the intention of showing the duties of the local authorities in connection with the carrying out of the health laws of the State.

The SECRETARY FOR MINES: What would you suggest with regard to the dismissal of inspectors?

Mr. KING: Under the present Act any appointment of a medical officer must be made with the approval of the Commissioner, which I have no great objection to, and, perhaps, the same might apply to the appointment of an inspector; but the dismissal of an inspector should be entirely in the hands of the local authority.

I notice the Bill makes provision for amending the definition of "sewer," which is a most important provision in this Bill. Under the 1911 Act "Sewer" was defined as—

> "Any sewer or underground channel vested in or under the control of a local authority which is not a drain as herein defined; the term does not include—
>
> (*a*) Any natural watercourse or natural stream into which sewage is received or discharged, or in which sewage flows; or
>
> (*b*) Any open water-channel or watertable in or upon any road; or
>
> (*c*) Any open or underground channel vested in the local authority and intended to be used for carrying off storm water only."

In the 1917 Act that definition was materially altered. It read—

> "'Sewer' includes sewers and drains of every description, except drains to which the word 'Drain' as above defined applies, also water-channels constructed of stone, brick, or concrete, the property of a local authority."

That was a very important alteration. It was generally accepted as meaning that every drain or watertable made of brick, concrete, or wood—any water-channel of any description whatever—became a sewer. That was naturally very burdensome to the local authorities, because it gave the occupier of premises the right to drain his foul water from his premises into the drain on the road in front of the property. When once he had the right to do that it became the duty of the local authority to get rid of any nuisance which existed in the sewer, and it was utterly impossible for the local authority to carry out its functions in that respect. The Bill provides, in the interpretation clause, that the word "sewer" does not include a "spade-cut unformed street water channel," and I hope the Minister will accept a further amendment in connection with that interpretation, whereby drains of every description, whether paved, unpaved, made of wood or otherwise, in fact, any water-channel on the side of a road however formed, will be excluded from the interpretation of the word "sewer."

The SECRETARY FOR MINES: What would you do with the drainage?

Mr. KING: Carry out the provisions of this amending Bill. If there is no sewer within 300 feet, the duty rests upon the householder of getting rid of the drainage on his own property. Provision is made under the Bill whereby it can be done by means of a covered-in receptacle.

The SECRETARY FOR MINES: You would allow no drainage into a water-channel at all?

Mr. KING: Not if you can possibly do without it.

The SECRETARY FOR MINES: Under this Bill the Commissioner would have power to regulate that.

Mr. KING: I know that there is power to regulate it, but that power of regulation should not be given to the Commissioner. No person should be allowed to drain foul water into a water-channel. If that is prevented from being done, it will materially help the local authorities in the execution of their duties.

The SECRETARY FOR MINES: You want to get back to the 1911 Act.

Mr. KING: The present system is imposing very great hardships on local authorities, making it almost impossible for them to get rid of the sewage which is brought out on to the public thoroughfares. It is far better to try and get rid of it on the premises than to make it a public nuisance by bringing it outside; in other words, it is far better to be a nuisance to the individual than a nuisance to the public.

I notice also another very important provision in the Bill dealing with the erection of buildings on swampy land. I would like to see that provision extended further to the case of buildings on low-lying lands which are incapable of being drained. I would

even like to go further than that—although I do not know whether it can be done under this Bill—and prohibit the erection of new residential buildings on areas of less than 32 perches.

Mr. GLEDSON: That would come under the Local Authorities Act.

Mr. KING: Either the Local Authorities Act or the Undue Subdivision of Land Act. But, although under the Undue Subdivision of Land Act the cutting up of an estate in certain areas is prohibited, there is no power under the Act to limit the erection of tenements on those areas. The only way you could limit the number of tenements on a certain area would be to bring it under the provisions of the Health Act. I do not know that you could get it in anywhere else.

The SECRETARY FOR MINES: You might bring it under the Local Authorities Act.

Mr. KING: That would be a good way of dealing with the matter.

The SECRETARY FOR MINES: Do not misunderstand me; it is not in the present Local Authorities Act.

Mr. KING: I know that. I am sorry we are not having an amendment of the Local Authorities Act brought before us before the House rises, because we certainly want a new and comprehensive Act. The local authorities have added powers in connection with the passing of by-laws in relation to other matters, such as the disinfection and ventilation of theatres, the cleansing of public baths, and providing clean water therefor. I do not know that it is necessary to include those powers in this Bill, as I think certain regulations already make provision for them. Building by-laws and things of that sort deal with these particular matters, and I do not know that it is necessary to bring them in here.

The SECRETARY FOR MINES: There are the rat regulations.

Mr. KING: I was going to refer to that later on. There is also provision made in connection with food and drugs, which has already been mentioned, and the word "articles" is being deleted. If it were retained, it would give the Commissioner a very wide discretion as to what articles might be included in the regulations. I think this part of the Bill as it has been rearranged is, on the whole, better than before. I think that the amendments and provisions in this part of the Bill will be fair and reasonable, with some amendments which we hope to secure in the Committee stage.

I notice that here is a provision in the Bill which gives power to officers to go into a bakery to weigh bread without warrant, and there is an additional provision that there must be scales on some part of the baking premises for weighing dough. That seems to be a new provision. Then there is the provision dealing with the use of lead paint. I do not propose to go into the matter at any length. It is an important provision. I notice there is a restriction on the use of white lead in painting premises at a less height than 4 feet from the ground or floor on the outside of buildings, to which children of tender years have access, and also on veranda railings. I notice that this provision will not come into operation until a date to be fixed by the Governor in Council. Evidently, this is inserted to minimise the terrible scourge of white lead poisoning which is so prevalent amongst young children. It is heartbreaking to see some of the youngsters who have been stricken down by this fearful disease. If some method can be devised which will minimise lead [12.30 p.m.] poisoning, we ought to be heart and soul behind the Government. We are, to a certain extent, in the dark as to the efficacy of the suggestions made. It is a matter for expert opinion, and I hope the Government will take very precaution to see that the expert opinion that is given will bring about the desired result.

There is a provision in the Bill dealing with footwear, and there are also very important provisions dealing with infectious diseases. I would like to refer, in this connection, to the report of the Commissioner, which has a pleasing reference to communicable diseases. He says—

> "During the year 3,176 cases were notified, and this number, in contrast with that for the preceding twelve months—i.e., 4,787, shows a very healthy comparison as outlined in the following table."

I am not going to read the particulars, but it is a pleasing feature indeed to know that the number of communicable diseases has decreased by over 1,500 during the year. We know that the provisions of the Health Acts impose very serious duties on the local authorities regarding infectious diseases. I mention this to emphasise that it seems very hard on local authorities that they should have to bear the whole cost of the treatment of patients suffering from infectious diseases. Why should not the local authority be able to charge those patients? If the patient is in a financial position to pay the cost of his upkeep in the hospital, he should be made to pay. Why should the local authority be compelled to pay? Why make it a charge on the community? I know it is a plank of the platform of the Labour party, and it is also their policy not to enforce payment against the patients. The local authority representatives all over Queensland have from time to time passed the same old resolution asking that the local authority should be at liberty to make a charge upon those patients who can pay, at any rate, to the extent of their upkeep in the hospital. Surely to goodness the patient does not wish to be kept at the expense of the general community, when he is in a position to pay himself! We all recognise that the patients are not there for their own enjoyment, but for the benefit of the community generally. Still, they are bound to be under some expense for their keep wherever they are, and they should certainly pay for the cost of their keep in the hospital while they are being treated. Many duties are cast upon the local authorities in regard to providing hospitals for infectious diseases. They can come to an agreement with the management of any hospital for the treatment of cases, but these agreements are subject to the Commissioner. They may contract for the use of a hospital, or they may erect hospitals, and the duty is on the local authority to prevent the spread of disease by the cleansing and disinfection of houses.

There is an alteration in the Bill as compared with the provision that was made in connection with this matter in the 1917 Act. Under the Bill now before us the cost will be placed on the person whose place has been disinfected, but in cases of poverty the local authority will pay the cost.

There is also provision dealing with venereal diseases. It is rather an unsavoury

subject, and I do not propose to deal with it at any length. I recognise that the provisions are introduced to cure and prevent the spread of venereal diseases and also to regulate the so-called cures. There is nothing worse in the world than for any young fellow affected in this way to go to a quack to be treated. He has not got much chance of getting over it if he goes to a quack, because, in most cases, the quack will make all he can out of him, and the patient's chances of recovery are, therefore, a good deal jeopardised. There is a reference in the report of the Commissioner which is very refreshing, as it shows that in regard to venereal disease we are improving as we go on. In the last report of the Commissioner a summary is given of the patients notified from the department's male and female clinics in Brisbane during the past two years. In 1920-1921 there were 507 males notified, and in 1921-1922 the number of males notified is given as 313. That is a very material decrease, and it is very satisfactory to note it. There were seventy-four females notified in 1920-1921, and in 1921-1922 the number dropped to twenty-four.

The Minister referred to the flea and plague regulations. There is a provision in this Bill which validates those regulations, so that one can only conclude that the regulations which were issued by the Commissioner must have been ultra vires, otherwise they would not require this validating clause. It shows that the powers of the Commissioner should be distinctly defined in regard to any regulations he may make. Taking the Bill as a whole, I am inclined to think that it contains many good and wise provisions, and these amendments are certainly a move in the right direction. I intend to support the second reading, but when we get to the Committee stage, I trust the Minister will accept reasonable amendments so that we can make it a very useful measure indeed.

Mr. SWAYNE (*Mirani*): I am rather disappointed with this Bill, because I was hoping that it would contain some provision for dealing with the question which I raised when the Health Estimates were before us, that is, in relation to a certain illness which has broken out in my electorate, and which, apparently, has broken out at different times in different parts of the North. It is a new disease, the diagnosis of which has not always been correct, and, unfortunately, it does not, by any means, appear in only one area. It is fairly prevalent in the North; and that being the case, it becomes rather an important matter, because, after all, it bears upon the settlement of our Northern areas and, therefore, is a national question. It concerns the whole of Queensland—I might say the whole of Australia. Unfortunately, it appears that the whole burden of the investigation which is now being undertaken—the bacteriological examinations, and so on—has to be borne by one small local authority. I think it is acknowledged now that there has been no fault on the part of that local authority in the matter. It is very difficult to get at the cause of the disease, and until the cause can be determined it is impossible to say really what the conditions are from which it arises. I think it is a fair contention that in such matters as this the charges incurred in dealing with it—in ascertaining exactly what it is and discovering the proper method of dealing with it—should be borne by the whole community. I had hoped that this Bill would give relief in that respect. I think it is unfair that a small number of ratepayers should have to bear the whole responsibility of an investigation into the matter, which concerns everybody in the community, and I wish to make a protest against compelling them to do so.

Under this Bill we are providing that additional burdens shall be placed on the ratepayers generally. We are now considering the principles of the measure on the second reading, and it seems to me that the Bill is a clear illustration of a principle which underlies most of the legislation of this Government. Their enactments, one by one, are insidious steps towards the confiscation of land values. Every possible burden is thrown on the man who, through his saving, his industry, and his sobriety, has acquired a bit of land and built a home upon it. For instance, I understand that, if a man has contracted phthisis, or if through his vicious habits he has contracted—possibly in another State—another disease which I shall not name, and if he happens to drift into a local authority in Queensland to-day and requires treatment there, to-morrow he will be a charge on the ratepayers and have to be treated at their expense. On behalf of the saving portion of the community, whom this Government seem to be out to persecute—but who, as the result of the qualities I have mentioned, are so necessary to the welfare of any community—I protest against the continual increases in the responsibilities which are laid upon them. I think it is up to everyone who has their interests at heart upon every occasion when these new liabilities are thrust on their shoulders to get up and make his protest, and I take this opportunity of making mine.

Hon. W. H. BARNES (*Bulimba*): I would like to make a few comments on a Bill which has in it a very great deal that is worthy of serious consideration. I have followed very carefully the speech of the Minister, and I agree in the main with what he has said, though I do not quite agree with him in his remarks as to the definition of "sewer." I can quite understand the importance of seeing that every house makes provision for dealing with its own refuse. That is easy enough where the necessary sewerage is provided. My fear is that where that does not exist the householder will not make proper provision for dealing with it himself, because you cannot possibly make some people clean. I am afraid that we shall find round some homes a breeding-ground for disease, and, objectionable as it is, it would perhaps be very much better for the local authority to have to deal with it in the open where it is before their eyes. I am quite prepared to admit that it is one of those subjects on which there can be a great variety of opinion, and it seems to me that one of the ways out of the difficulty is to see that local authorities go in for proper concrete watertabling as far as possible.

If I may touch upon a very unsavoury subject, as an illustration of how difficult it is to make people observe the rules of health, I venture to say that in the earth-closet system you would have to follow some persons round all the time in order to be certain that they carried out the simple little duty of using earth. It is our duty, so far as is humanly possible, to provide that the health of the community shall be conserved.

The SECRETARY FOR MINES: The Bill only allows the discharge of sewage into the street if the watertables are concreted.

HON. W. H. BARNES: The hon. gentleman was perfectly clear in his speech, because he referred to the open cut. The hon. member for Logan thinks that no one should be allowed to drain into the watertable, but that everybody should be compelled to deal with his own drainage.

No member can deal fully with this Bill in detail, because it is humanly impossible for us to follow Bills just as they are introduced, but I suppose there are primarily three questions with which this measure deals. It deals with matters of smaller concern, such as footwear, and then with matters pertaining to the purity of food, and then—more important still—with diseases that are rampant, not only in Queensland, but throughout Australia. We are looking after our own State in that particular regard. I am prepared to admit that it is very important that we should see that, even down to the footwear of the individual, everything is done to exercise proper protection—there can be no shirking of our duty in that matter.

Matters pertaining to the purity of food are part and parcel of any Health Bill. You can forgive a man who does a thing ignorantly—who does not know that what he is selling is not a pure commodity—but we have had in Queensland people who have sold things that absolutely reeked with disease. Everything should be done to prevent that. The Department of Public Health will only be doing its duty if it sees that no loophole is left for practices of that kind to be carried on. It is said by the medical profession that some of our diseases are caused by the consumption of diseased meat. Take that most [illegible] on the increase in Queensland and Australia. Should we not take every step to prevent the sale of any diseased food which results in such a disease as that. We have to take every precaution to see that the children of the State have every chance of having healthy bodies. An individual who is not physically fit is not able to tackle many of the difficulties with which he is confronted in life. I am thankful to have had a good constitution and to have kept physically fit. A man may be willing to work, he may want work, but he may find himself physically unable to do it.

The SECRETARY FOR MINES: Good health is the best asset one can have.

HON. W. H. BARNES: It is the best asset. We have to see that the foundation is well laid, and should be thankful for anything done in that direction in the past, because it has been in the interests of the community. I know that every hon. member feels alike on this subject. There are waifs—not many, I am thankful to be able to say—in Queensland. Have we not noticed sometimes children going through refuse tins trying to fish out something? I am not saying that their parents are responsible. That sort of thing happens, and it is our duty to see that those who are least able to look after themselves are protected in every possible way. If I know anything of men generally, it is that, whatever their political views may be, very rarely do we find that they have not a very soft spot in their hearts for children. So everything should be done to protect child life.

I want to deal now with certain diseases which are rampant in Australia. I think the leader of the Nationalist party said it is not a very savoury subject. I notice that quite recently Dr. Arthur, of Sydney, has been up against the Fuller Government, because he says this disease is getting a serious hold of New South Wales, and the Fuller Government are not tackling it in the way in which, according to his judgment, it should be tackled. I do not say that Dr. Arthur is right in his criticism. In the Ministerial room attached to this Chamber, since the Labour Government took office, a member of the Victorian Parliament addressed Ministers and others, and drew our attention to what was happening. He said that venereal disease was getting hold of the people to an alarming extent in Australia. My experience has very often been that the man who is dressed the best and has been reaping a profit in life is the greatest danger to the community in this respect. I have seen that over and over again. Men who have been able to preserve themselves by reason of £ s. d. have been the greatest danger to the community. I do not say that every man who is in gaol deserves to be there; but, if a man does find himself there, he has no right to object to being examined, as some other people are. The authorities should not hesitate about taking such action.

The SECRETARY FOR MINES: There also the question of examination before marriage.

HON. W. H. BARNES: That is so. If this disease affected only our males or our adult females it would not so much matter. One of Australia's needs to-day is increased population; and our young population should not be handicapped in their growth. No man should hesitate about saying that we should do what we can to keep out of the community that which is hurting and destroying it. I do not know whether this House realises the position. We put men and women on Peel Island because they have leprosy. I do not say that they should not be put there, though it is a terrible hardship to be isolated. But there are worse diseases than leprosy, and they are being left practically untouched. It is our duty to deal with venereal disease in a drastic manner, in the interest of the children who are coming on. A man who will not be a clean man should be punished. Why should we protect the man who is not clean, and who does not carry out the ordinary obligations which are laid upon men to make homes for themselves? The pity is that even some men who have undertaken that obligation have not observed it to the extent that they ought.

The Minister may or may not have been in the Minister's room when we had that visit from a public man in Victoria—I forget his name. That gentleman drew attention to just two matters. One matter was the venereal diseases about which I [2 p.m.] have been speaking, and the other was the alarming increase in the sale of certain preventive drugs in Victoria. I do not say that that is so in Queensland, but I suspect that such drugs are largely sold in Queensland for the sake of safeguarding people who follow immoral practices. The new heaven and the new earth are going to meet. My friend the hon. member for Brisbane has courteously handed to me the Bill in which he points out that clause 52 deals with the matter.

He may be right in saying that it does. The Minister did not answer my interjection. It may be that, having only temporarily taken over the department, he is not quite able to answer. I take no exception to that. The gentleman to whom I referred addressed the Ministers and other persons in that room and drew attention to the fact—I think it is a public matter—that there was pursued a certain course with a view to saving certain consequences as a result of immoral practices. I am not going to sit on the rail in connection with this matter. The Minister asked the leader of the Nationalist party how the matter would be remedied. I should say that, if any chemist stocked or sold certain things that are used for that purpose, "he Commissioner of Public Health should have power to go in and say, "These things are not going to be sold." I know some people who will take very strong exception to what I am saying, but I make no apology. Some people may say that I am putting down every person in the community as immoral. I am not doing that. This practice has two effects. It stimulates these immoral practices, and it prevents—if I am any judge of human character—many young people from getting married who otherwise would get married.

The SECRETARY FOR MINES: I was present at the meeting the hon. gentleman mentioned.

HON. W. H. BARNES: The meeting was held so long ago that I thought the Minister might have forgotten it. I did not want to connect him with a meeting that he had not attended. I believe every man at that meeting was impressed with the matter, and it just seems to me there might be many a happy home but for the sale of these things. There are certain people in the community who say it is easier to do wrong than accept the responsibilities of married life. That is against the best interests of the community, and I have no hesitation in saying that if you want to have a good community, you must have a clean community—clean morally. If this Bill does not cover it, I hope the Minister, in his reply, will say that he will deal with it so that Queensland will lead the way in that direction.

The SECRETARY FOR MINES: That is to prevent the sale of preventives?

HON. W. H. BARNES: That is so.

The SECRETARY FOR MINES: It opens up a very deep question.

HON. W. H. BARNES: I quite recognise that; but the Minister will agree with me that, if it is made easy for people to do wrong, then very often they do it with impunity. Very often the consequences of wrong are a preventative against doing wrong. I am here, not as representing this side of the House or any portion of it, but as representing my own honest convictions, and in my judgment every door should be closed that assists in the direction of immorality, because it is against the very foundations of our community.

Mr. WALKER: Don't you think it would be wise to impose a check on the medical profession as well?

HON. W. H. BARNES: I recognise that I should be treading on very delicate ground if I dealt with that matter. Someone might ask me if I know whether the medical profession have been assisting in practices of that kind? From my own knowledge I do not know, but if the medical profession are part and parcel of it, then we cannot lay down one law for the chemist and another law for the doctor. We have to deal with the whole lot. I notice the Bill makes it illegal to use certain instruments.

The SECRETARY FOR MINES: Or to sell them.

HON. W. H. BARNES: I am absolutely in accord with that provision, and perhaps, when the hon. gentleman is making provision for that, he will find there are some very common instruments used that are quite outside chemists' shops which will have to be included, because some of us have followed the evidence that has been given again and again in the courts; and the evidence has gone in the direction of indicating something which is used in every household as one of the instruments which are used to bring about certain things. I am anxious in the interests of the community itself. I believe in child life; I believe that this State wants a virile child life and an increased child life, and every avenue that opens the door to escape should be closed. I say that emphatically.

I desire to say something now in regard to the rat, flea, and mosquito regulations already in existence. I can speak with some little knowledge on these matters. I am not saying that the men who have gone round cleaning up have always done the best, but I have every right to say that I believe they have endeavoured to do their best, and that they have helped to clean up the city of Brisbane. I have a right to say that in the presence of Dr. Moore. Sometimes it has been a matter of very great inconvenience; but all the same, if you are going to clean up a city, you must clean it up as best you can, because it is in the interests of the city to do it.

Mr. KIRWAN: And having cleaned it up, to keep it clean.

HON. W. H. BARNES: I would not be surprised if some day the hon. member for Brisbane and myself were in the same camp. (Laughter.) I believe these gangs have helped to clean the city. Like the leader of the Nationalist party, I believe that greater care requires to be taken in connection with the conveniences not only in the city but elsewhere. I have made a note of what I have seen—I spoke about it previously this session. Some of the conveniences, especially a little way out of the city, are a disgrace to the places that have them.

Mr. KIRWAN: And some in the city.

HON. W. H. BARNES: If the hon. member for Brisbane says so, it must be true. The fact remains that there are some people who do not seem to have the faintest idea of decency in that regard. I do not know whether it is right to deal with the matter under this Bill, but I would like to see the doctor who is placed in charge of public health given ample power to send men round to the various conveniences to see that they are put into a proper condition. At the seaside they are not ample in any way for the people who visit those places at holiday times, where they find places where you cannot even close the door. I am not up against the man who has a license, because he serves what I have availed myself of from year to year; but I say that, if people are running either boarding or public houses, they should make provision for that which is

so needful and which, after all, is one of the first essentials in regard to health. Places are so full at times that you can scarcely get into them, and generally they are in a disgraceful condition. They ought to be put out of the way, and the health authorities ought to see that they are removed. After all, it is a matter which relates to the good of the State. I am sure hon. members generally will not think I have done an unfair thing in referring to this matter.

I notice that there is a provision in the Bill requiring the washing out of theatres and public places, which is quite right, but there is another matter in connection with such places to which I wish to refer. I am not a very frequent visitor at those places, but sometimes in connection with our theatres, and, perhaps, other public places of entertainment, tickets are sold far in excess of the number of people which the place will accommodate. There is an element of very great danger in case of fire.

Mr. KIRWAN: My word, there is. The Fire Brigade has complained about that.

HON. W. H. BARNES: Sometimes people cannot get standing room. I may be reminded that is a matter more for the local authorities to deal with, and, if it is, I hope that they will move in this direction. Any one who is running a theatre or other place of public resort has no right, if the place is full, to sell tickets to people who cannot get comfortably seated. We complain about over-loading the trams, but overloading does not only take place in the trams; it frequently occurs in the places I have mentioned. These are matters of public importance. If some night a fire should take place in these buildings——

Mr. WILSON: You have the power to deal with it now.

HON. W. H. BARNES: I am sorry to say that, if we have the power, it is not being exercised. These things should be attended to in a growing city like Brisbane, and, if we have the power and it is not being availed of, it is our clear duty to deal with the matter.

Coming to clause 51—I know you will not allow me to attempt to read it, Mr. Speaker—I could not do so.

Mr. KIRWAN: You could not read line 15. (Laughter.)

HON. W. H. BARNES: I cannot read it now, but in Committee I might move an amendment so as to get the Chairman to read it. (Laughter.) At any rate, we shall want the medical profession near at hand when we get to that clause.

Generally speaking, I think we have got to admit that a Bill which is brought in to make the community sweeter and purer should have the support of every member in the House.

Mr. BULCOCK (*Barcoo*): This is one of the few occasions that we have during the session of discussing a question that is of paramount importance so far as the well-being of our community is concerned. I take it that at a time like this we would be wanting in our duty if we did not survey some of the activities of the Health Department and allied departments so that we could bring matters forward that we regard as being of urgent public necessity. Generally speaking, I welcome a Bill of this nature. I do not propose to dwell at any length on the Bill, nor do I propose to canvass the merits of many of the clauses in the Bill. I heartily endorse most of the things contained in the Bill, and I hope that, when it comes into operation, it will be for the wellbeing of the community generally. I want to direct my remarks this afternoon more particularly to the question of milk. There are some proposed amendments in this Bill which deal with milk, and will give us the opportunity of securing a cleaner, purer, and better milk supply. In that we are all at one. More particularly do I want to discuss this question, because a matter of vital importance has arisen in our community of recent date. I am taking this opportunity of bringing the matter I desire to discuss under the notice of the House and the people generally. We have at the present time in our community unfortunately an outbreak amongst dairy cattle of the disease known as contagious abortion. Unfortunately, our veterinarians in Australia have not given the consideration that should be given to this very grave matter. I do not propose to attack or criticise any individual, but I speak generally. This is of great importance to the wellbeing and the health of the community. In other countries of the world, particularly in the United States of America and in England, this question, on account of its public consequences, has received a great deal of public consideration. I suppose that the section of animal husbandry in the United States has given more consideration to this question of contagious abortion amongst cattle and other domestic animals than any other institution that I know of. Certain very valuable facts have been laid down and certain valuable data have been accumulated with respect to this question. We find that this disease—which has reached what I hope is the zenith of its devastation in certain old countries of the world—is one of very great importance, as it is a menace to the health of any community. It is a disease that is not only confined to dairy cattle, but has spread to domestic animals, and also to the guinea pig and rat. Some veterinary authorities consider that it may also be pathogenic to human beings. We have no positive knowledge that it is pathogenic in that direction, but on the other hand we have no positive knowledge that it is not. But research at the present time indicates that it is. I think we must be prepared to accept the verdict of some of the veterinarians on the other side of the world who have given time and attention to the matter. If it is pathogenic to the human female, then it will be at once apparent to everybody who gives the subject any consideration that it is a question of very grave moment to our community.

The hon. member for Bulimba was discussing the preservation and protection of child life. With many of the sentiments which he expressed I am heartily in accord, and it is because this menace concerns us that I am raising the question this afternoon. We know that the bacillus abortus affects a wide range of animals. Assuming for the sake of argument that the contention of eminent veterinarians is correct that this disease is pathogenic to the human female, there is very great reason for asking that the disease be brought under the notice of the Health

Department and the Department of Agriculture and Stock whenever it occurs; because, even though it may not cause abortion in the human female, yet it has been proven by individuals of merit that the bacillus may be transmitted to human beings. We have one Australian, Mr. H. R. Seddon, a graduate of the Melbourne University Veterinary School, who has conducted some experiments which have resulted in the isolation of the bacillus abortus in milk; that is to say, any cow affected by this disease transmits to her milk a great number of the bacilli responsible for the disease. That milk is consumed by all classes of the community. That milk, as matters stand at the present time, is going into human consumption in every town in the Commonwealth, so far as I know. Fortunately or unfortunately—it depends upon the angle from which we view it—the incidence of this disease is comparatively new in Australia, and we have not given to it the consideration which has been devoted to it in other countries, but it is abundantly established by such authorities as Sir Stewart Stockman and other authorities of the English Veterinary Department and certain American veterinarians associated with animal husbandry that certain untoward circumstances do follow the use of milk, the product of a cow which is an aborter. We find that gastritis in children is responsible for a good deal of infantile mortality in our midst, not only in Brisbane, but right throughout the Commonwealth, and that this disease is one of the direct and proven results of consuming such milk. We find that adults in indifferent health who use such milk are affected in the same way, with disturbances of the alimentary canal and the digestive tract, the consequences of which are in many cases fatal to the well-being of the individual who is obliged to use that milk. I think that in canvassing the vexed question of whether this disease is pathogenic to the human female, we can accept the dictum of qualified and eminent veterinarians who say that these consequences do follow, so far as child life is concerned, the obligation to use milk from a cow that is proved to be an aborter. We have in the Principal Act a provision in section 105 that certain diseases shall fall within the ambit of the activities of the Department of Public Health and the Department of Agriculture and Stock, and that no beast suffering from those diseases shall go into human consumption; but it appears to me that on account of the vexed nature of this question, the consideration has not been given to it which it warrants, and I am going to suggest that that section 105 and the clauses in this Bill relating to the subjects dealt with in that section should be so tightened up as to include this disease amongst notifiable diseases, and that power be given to the Department of Public Health to go into the question with a view to dealing with it in a satisfactory manner.

I am perfectly convinced that at the present time it is not being dealt with in a satisfactory manner. As the incidence of this disease is one which tends to become more widespread as the years go on, it is up to us to take action in the initial stages of the outbreak, with a view to coping with it. I plead for more reciprocity between the Department of Public Health and the Department of Agriculture and Stock. It may not appear at first glance that there is very much in common between the two, but when we are discussing a disease of this nature, the consequences of which are so important and may become so deleterious to the wellbeing of our State, it is obvious that the utmost possible harmony should exist between the operations of the Department of Public Health on the one hand and those of the Department of Agriculture and Stock on the other. At the present time contagious abortion is not a notifiable disease. Unfortunately, too, we have not got—or we did not have some little time ago—the pure cultures of the bacillus abortus to determine whether we had this disease present in our midst, and we had to send samples to Melbourne for that purpose. The results proved conclusively that we had it in our midst. As this is not a notifiable disease, it is obvious that the Department of Public Health, handling, as it should, the milk from the source of production right up to the consumer, and not from any intermediate stage between the source of production and the consumer, must be very vitally interested.

I think the time has arrived when the Department of Public Health should have placed at its disposal the services of one or more qualified veterinarians. We have them in our Department of Agriculture and Stock at the present time. I cannot see how the officers of the veterinary staff of the Department of Agriculture and Stock can actively employ all their time in the duties which they are performing at the present time. I think the time has arrived when, in the interests of the people generally, the veterinary staff of the Department of Agriculture and Stock should co-operate with the Department of Public Health in connection with questions of this nature. If that were done, I venture to say that the consequences which arise from the use of milk that is contaminated from this source would largely disappear. I know that Dr. Moore is in complete accord with any scheme that will give him more adequate supervision over the fresh milk supply of our community. It may be argued that this is not a matter of great consequence. It is. Every country in the world, including Denmark and the United States, has taken up this question and has recognised the gravity of it. I ask that the regulations governing the sale of milk shall be so tightened up as to include contagious abortion in the list of diseases that are notifiable; further, that where you have an outbreak of contagious abortion in any herd, that milk should not be allowed to go into human consumption in a fresh form. That would not affect in any way the dairy industry so far as its cheese and butter activities are concerned, because, in the majority of cases, pasteurisation is necessary. The milk is raised to a temperature somewhere in the neighbourhood of 130 degrees or 140 degrees Fahrenheit; the cream is raised to a corresponding temperature, and at that temperature the bacillus which is responsible for this disease is destroyed. So we must concern ourselves with the question essentially in its application to and its bearing on the fresh milk supply of our community.

In passing, I might say that every indication at the present time amply confirms the evidence that we have that this disease is transmitted to the human family in the form of germ-laden milk, and the consequences of that are serious to our community. We are discussing in this Bill the protection and preservation of infant life. This is a direc-

tion in which we might well move; it is a direction in which the State, as a State, owes a duty to the infants within the community. Who shall say that any morning the milkman who comes round may not serve his customers with milk that has been derived from a cow which is suffering from contagious abortion? Unless abortion is made a notifiable disease, it will be impossible to deal adequately with this question, for the reason that there are two forms of abortion—one the mechanical and the other the contagious form. The time has arrived when it should be compulsory for every dairy farmer to notify the Department of Agriculture and Stock or the Department of Public Health—or both for preference—that abortion has appeared in his herd, so that the Department of Public Health, through Dr. Moore, might send a veterinary officer to make the necessary test to determine whether the cow in question was a contagious aborter or that merely mechanical abortion was present. I am quite sincere in expressing the hope that the regulations shall be so tightened up and the administration of the Act so improved as to make it impossible for milk contaminated in this way to be distributed for human consumption. It is absolutely unfit for human consumption and dangerous to certain individuals in our community. Complete supervision will have to be exercised over the herds in which this disease is present.

HONOURABLE MEMBERS: Hear, hear!

Mr. PETRIE (*Toombul*): I listened with a great deal of interest to the speech of the hon. member for Barcoo, and I think there is a great deal in his contention. I think that the Health Department has already taken pretty active measures in connection with our milk supply, and the report by the Commissioner for Public Health shows that that work has been of great benefit in connection with infantile life. We all welcome a Bill of this nature, and we welcome any Bill that will make the conditions of the people in the city better and healthier. Many things have been said against the Health Department, but for all that it has done splendid work. I read with pleasure the Commissioner's report. Anyone who reads that report will see that not only in the direction of infantile life, but in many other ways, which were mentioned this morning, they have done excellent work. It is difficult for us as laymen to follow the amendments in the Bill in their relation to the principal Act. This Bill contains no less than fifty-five amendments. The hon. member for Logan, who possesses legal knowledge, was able this morning to set out in a very clear and concise way the effect that the amendments in the Bill will have on the principal Act. The Commissioner, in his report dealing with infantile life, states— [2.30 p.m.]

> "Queensland still holds a favourable position in respect to the crude birth rate per thousand of the estimated mean population, which amounted to 764,665 persons for 1921."

He further states—

> "The improved record in the infantile mortality rate is most pleasing, and is largely due to the good effects attained through the active steps taken by the Government in providing baby clinics, as well as propaganda in educating young mothers in the care and upbringing of infants. This has naturally brought about a marked saving in infant life, and which can be traced to a better knowledge of hygiene, infant feeding, as well as advisory precautions taken by expectant mothers."

He then goes on to set out the following table with regard to the rate of infantile mortality per thousand births in various countries:—

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| Queensland ... ... | 54.1 |
| New South Wales ... | 62.9 |
| Victoria ... ... | 72.7 |
| South Australia ... ... | 65.4 |
| Western Australia ... | 78.3 |
| Tasmania ... ... | 78.4 |
| Netherlands ... ... | 50.0 |
| Scotland ... ... | 102.0 |
| England and Wales ... | 89.0 |
| Quebec ... ... ... | 142.0 |

Those figures show that excellent work in that direction has been done in Queensland. I agree with the hon. member for Barcoo that we should tighten up the Act with regard to our milk supplies, so that we shall get nothing but pure milk. I desire to refer to the good work done by the Health Department, in conjunction with the local authorities, in connection with the destruction of rats. When an epidemic overtakes us there is naturally a scare, and it is necessary to have a big clean up of all the places in and around the cities and towns of Queensland. Wholesale destruction of the rodent then goes on. The Health Department has done excellent work in that direction, and has no doubt prevented a lot of infection that would have otherwise occurred. When plague or any other epidemic is supposed to have passed away the good work should be continued. We should continue to see that the premises in and around the cities are carefully looked after, that they are kept clean, and that all the rodents are destroyed. The work should be carried on in the same way as when the epidemic was prevalent. The trouble is that, where you get one person who will keep his yard clean and tidy, his next door neighbour will be just the opposite. No doubt the Government and the local authorities have sufficient money to pay the required number of inspectors to see that the work is properly carried out.

The Commissioner, in his report, shows that, through the activities of his department, there has been a considerable decrease in the scourge of venereal disease. The Commissioner cannot get sufficient power to deal with this trouble. I hope that sufficient power will be given to him to enable him to handle that scourge which has been so bad, not only in Queensland, but in other parts of the Commonwealth. The Commissioner, in his report, further states—

> "It must be recognised that Public Health administration cannot be expected to produce revenue or be self-supporting, but, on the other hand, it is often regarded as an expensive and irksome burden on the taxpayer. However, the economic aspect must not be lost sight of, inasmuch as it is recognised as a sound axiom that a nation's most valued asset is the good health of its people."

Every hon. member will agree with the Commissioner in that respect. The report continues—

> "A sickly community, on the other

> hand, invariably entails loss of production by the worker, loss of wages earned, as well as additional taxation in maintaining the sick and convalescent without any benefit to the community. Money spent in preventing an outbreak of disease is seldom or never recognised by the taxpayer in its true light—prevention is better than cure—but, unfortunately, this aspect of the question not infrequently leads local authorities, who should be the true custodians of public health, to practise false economy at the expense of introducing efficient and up-to-date sanitary improvements."

We hope that, when the sewerage system is completed, many of the troubles that the Health Department and local authorities are confronted with now will disappear. I am also glad to know that the Minister, in his remarks on the second reading of this Bill, stated that he is going to introduce an amendment in Committee which will deal with the trouble at Breakfast Creek which has been referred to by several hon. members, and notably by the leader of the Nationalist party and the hon. member for Enoggera. I shall have a few words to say on that matter when we go into Committee. I hope that whatever is done will be effective, because there is no doubt that that nuisance has been a source of serious trouble for some time past. Nobody seems to be responsible.

This is purely a Committee Bill, and it is very difficult to make a second reading speech on a measure of this kind, particularly when there are so many amendments involved. I hope that the next time we are dealing with the question of public health we shall have a consolidating Act introduced so that we can thoroughly understand what we are doing. The Health Department is a very important department, although it is not revenue-producing. I should like to see a separate department established with a Minister for Health in charge. However, when we are talking economy, probably it is not the time to move in this direction. The department under the direction of the Commissioner, Dr. Moore, and the officers under him, has done its best towards making Queensland clean and up to date.

Mr. KERR (*Enoggera*): One cannot help but appreciate the introduction of a Bill that deals with the health of the community. When speaking some little time ago this session in regard to the administration of health generally, I argued that there was not sufficient co-ordination between the various sub-departments which have to do with health, and because of that fact, health is a very difficult problem to deal with. The hon. member for Barcoo demonstrated that there should be closer co-operation between the Department of Agriculture and the Department of Public Health, and my contention was that health seemed to be dealt with by every department of the State. For instance, many reports in regard to health are submitted by inspectors and superintendents of the various institutions to the Under Secretary of the Home Department, and I would like to know whether, when those reports are submitted to the Under Secretary, they are pigeon-holed after being laid on the table of the House, and die a sudden death. These reports should be submitted to the Health Commissioner, who should have greater administrative authority than he has at the present time, and various sections of the Department of Public Instruction, the Department of Agriculture, the Home Secretary's Department, and other departments should come under the jurisdiction of the Commissioner of Public Health.

One of the principal things dealt with in the Bill is the question of sewage. I do not wish to say anything about the Breakfast Creek trouble now, other than to say that the Minister has confirmed his assurance that an amendment will be introduced to deal with that trouble. Without waiting to see what the amendment is, I hope it will go a little further than merely giving the local authority power to deal with the matter. At present the Commissioner of Public Health can force the local authorities to do certain things in case of emergency. This Bill goes beyond that and lays it down definitely that the local authorities or some other body must proceed with that work. That is what I want to see. I want to see that this trouble at Breakfast Creek is remedied.

There is a very important amendment dealing with water channels, and that is a very difficult problem, too. Under the present Act a person is permitted to run any waste water or slops on to the main streets of the town. It would appear that that can be stopped; but then again there are certain lands that cannot be drained by septic tanks. What are the people going to do in cases like that? I know several instances within the metropolitan area where a good deal of expense has been incurred by householders in installing septic tanks, and they have found after a few months that the earth rises, and later on the drainage comes through. There are certain lands that will not drain the waste water coming from the house. Their only alternative is to allow the water to run on to the main street where it forms pools, and becomes nothing less than stinkpots. Within 3 or 4 miles of the General Post Office I have seen ducks swimming in ponds that have been formed from sink water and bath water. The other alternative is to spread the waste water on the surface of the earth. In my own house I have tried both systems. I tried a septic tank, but, owing to the clayey nature of the soil, it was not successful, and the only thing I could possibly do from a health point of view was to catch the water in tubs and regularly spread that water over the surface of the yard each morning. That is something that possibly every person would not bother about doing. That is essential in some instances, and I am pleased to know that under this Bill people will be given the privilege of doing something of that nature. It will be left to themselves as to what they do, but they must not take it into the water-channel. A water-channel was never intended for that purpose. I would recommend to those who can afford to do so to arrange for the water to go through some mechanical process before being spread on the earth, in order to take out the disease-carrying properties.

The SECRETARY FOR MINES: I think your speech will be a great deal more effective in Committee.

Mr. KERR: I am not going to say much more at this stage. With regard to dwellings on low-lying land, we know that it has been

a great deal of expense to the local authorities to drain those areas. The cost of water channelling has been tremendous, and there has been a severe tax imposed on the ratepayers. I understand that there is no minimum area of land fixed on which a house can be built in such areas, and I hope that in Committee we shall be able to fix a minimum area.

Mr. CORSER (*Burnett*): After hearing the hon. member for Barcoo, one is impressed with regard to the possibility of more diseases than one being transmitted through our stock. The hon. member dealt with the possibility of contagious abortion, and there are cases at the present time which would bear out such an argument. Disease is carried through the organs of beasts, and that is where we expect to cure it. There is a disease to which we do not perhaps give the attention it deserves; that is, the tubercular trouble in our milking herds supplying milk to cities and towns. I refer particularly to small areas. We know that, if cattle are subjected to a tubercular test, a startling proportion of them will react to tuberculosis. The testing of the Gatton College herd was a revelation in this direction. A proportion of these stock had disease of the udder. When you have tuberculosis present in the udder, it is a most dangerous thing to give the milk therefrom either to children or adults. The health authorities have for years been reminded of a duty to subject dairy cattle supplying milk to our towns and cities to the tuberculin test. There is more than one disease of the mammary glands, and there is just as much danger of one disease being transmitted as another. I would impress upon the Government the necessity of going to any length to have all dairy cows supplying cities with milk tested, to see that they are free from consumption of the udder. I brought this matter up several years ago, and I was confirmed in what I said by veterinary surgeons. That state of things has continued to exist, and no doubt we have to-day in Queensland and other States an amount of milk coming from diseased udders which is supplied to hospitals and homes. We must attend primarily to the health of the community, and anything that we can do to bring about a better state of affairs in that respect will secure the support of the Opposition. I would not like to add to the alarm which may be caused by the remarks of the hon. member for Barcoo. I think our veterinary surgeons and other experts can testify that it is only a theory that contagious abortion can be carried other than through the organs of beasts, and that, if a beast has had contagious abortion, it is through coming in contact with another beast.

Mr. KIRWAN (*Brisbane*): It must be gratifying to the Minister to find that the Bill has been discussed entirely apart from any political bias. I want to make particular reference to the matter which the hon. member for Bulimba referred to, and which he stressed the importance of—that is the question of venereal disease. I think it is our duty as public men to call attention to the ravages and the unfortunate spread of this terrible scourge. It is only of late that we have dared to discuss it in public, or that people have written about it in the Press; but it is one of those matters to which we can close our eyes no longer, particularly in regard to the awful consequences—not so much the consequences to the guilty but to the innocent; and it is from this standpoint that I am going to discuss the matter to-day. Doubtless hon. members saw the statement made by Dr. Thomas Barrett, of Victoria, when speaking to a luncheon audience in Sydney a few weeks ago, when he made the startling statement that 50 per cent. of the children born in the Melbourne hospital were syphilitic. That statement alone goes to show the terrible ravages of this awful scourge, and the necessity for the Department of Public Health and public men and religious bodies doing something to stop the spread of this terrible disease. As mentioned by the hon. member for Bulimba, Dr. Arthur made reference to the spread of the disease in New South Wales. In reading the report of the Commissioner of Public Health, we seem to gain the comforting assurance that the disease is on the wane in Queensland. Let us hope that these figures are reliable—not that I wish to infer that the Commissioner of Public Health has not given the facts of the case. He is only able to give the figures as far as they are collected by his officials; but it would appear that the disease is certainly on the wane in Queensland. We had evidence during the war of the spread of this scourge. I think it is a historical fact that, as far as the white races are concerned, this terrible scourge arrived in Europe shortly after the Crusades. I would advise hon. members to read the book in the Parliamentary Library, entitled "The Prevention of Venereal Disease," by Dr. Archdall Reid, which is a most important work, and one which should be read by those who are anxious to get a thorough grasp of the ravages of this disease. To show the extent to which it was prevalent during the war, and to show that it was almost responsible for a national calamity, I will read an extract from that work. After dealing with the want of proper methods to prevent the spread of this disease in the army, he made this startling statement—

> "Now, consider the consequences. On the 21st of March, 1918, the German offensive, so long foreshadowed, opened. A British army was defeated, with enormous loss in dead and wounded. Nearly 100,000 British soldiers went into captivity. Thousands of guns, immense stores of material, and fifty miles of territory, which many valiant men had died to gain had to be abandoned. Henceforth, for months, the troops fought 'with their backs to the wall.' A quarter of a million immature boys and elderly half-trained men, mostly married, were hurried from England to the front, there to perish, many of them. The black draperies of mothers and widows suddenly multiplied in our streets. Men spoke to each other with twisting faces. The Allied cause was brought to the verge of ruin. The war was prolonged, and thousands of millions were added to the national debt. And, at that time there were in the venereal diseases hospitals of the Allies, or in depôts, convalescent from venereal diseases, enough officers and men, fully-trained soldiers, to have furnished, not one army corps or two, but a great army complete from almost General Officer Commanding to trumpter.
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> "But the chicanery and the humbug, the uncourageous fanaticism, the

treachery to the army and the nation, the flood of useless misery and disease, the slaughter of the innocents—these, I think, will not be forgotten, but will stink in the nostrils of the nation for evermore."

There you see what this terrible scourge was responsible for in the last war. It goes to show the dangers that have come to the Commonwealth as the result of that great war. One medical authority states that 50,000 Australian soldiers were admitted into hospitals suffering from this awful scourge.

Members of this House, whatever party they belong to, will be prepared to back up the Home Secretary and the Health Department in taking any measures to prevent the spread of such a terrible scourge.

[3 p.m.]

Hon. members have made brief reference to the necessity of dealing with the question of a pure milk supply for this city. That is one of the matters that the Health Department has to deal with. While we may create Health Departments and man them with efficient officers from the Commissioner to the humblest inspector, and while we may spend money from the consolidated revenue to protect the health of the community, there is a great deal more to be done, as the hon. member for Bulimba points out, and we can do more ourselves by practising habits of cleanliness, personally and generally, throughout the community. We know that police patrol of the streets is not for the purpose of dealing with the average citizen, but for the purpose of dealing with those people who will not behave themselves. Unfortunately, we must have a Health Department for people who will not observe the ordinary habits of cleanliness, and who will not cultivate those habits. In connection with our milk supply, it is rather important because of the fact that it is the chief food of our infants. We know the terrible mortality there is, so far as infants are concerned. I want to call attention to what is done in New York in connection with the milk supply, because what is possible in New York with a population of 5,000,000, ought to be possible in Brisbane. First, let me say that the only city in the whole of Australasia—and in that I include New Zealand—that has made any attempt to deal with the question of a pure milk supply is Wellington, in New Zealand. Recently they made an attempt to deal with the milk supply by controlling the whole of the milk and guaranteeing that every pint of milk that goes into consumption in the city is pure, and can be taken by infant or adult without any possibility of serious consequences. An article appeared in the Melbourne "Age" recently, in reference to the milk supply of New York. It said—

> "In New York every pint of milk that goes into the city passes through the public testing station, and is distributed with a guarantee of its bacteriological purity. In Germany and in England the same system is being adopted in all large cities, and nearer home, the Municipal Council of Wellington is about to establish a milk station 'for testing, treating, and distributing the milk supply of the city.'"

Such a system might well be established here. The Minister stated that a consolidated Local Authorities Act Amendment Bill will be introduced next session, and we shall all be pleased to see such a measure. Just to bear out the reference made by the hon. member for Bulimba to the necessity of clean habits, this article in the Melbourne "Age" points out that the average householder does a great deal to spread disease. The extract to which I refer reads—

> "The ordinary housewife usually considers that she has done her duty by the milk jug when she has washed it with the rest of the dishes, including, perhaps, those which have been used by a tubercular member of the family. She may, if she happens to think of it, and as a concession to modern cranks, rinse it out with a little cold Yan Yean from the tap after washing. The jug is then dried, inside as well as outside, with a more or less (usually less) clean tea towel, and placed on the kitchen dresser to take its share of whatever may be going in the domestic atmosphere in the way of 'common colds,' influenza, or such like calamities. At night the housewife puts it out for the milkman with—honest soul!—the filthy coppers of commerce placed inside it if she be of those who pay 'spot cash.' Said copers may have spent the day cheek by jowl with a sputum-laden handkerchief in a tubercular patient's pocket or have been held for a few moments between a syphiltic's teeth. What the eye has not seen the head need not worry about.
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> "Jug and coppers spend the night collecting whatever dust may blow upon them, and in the dim, grey dawn the pure, sweet, chilled milk is poured from the immaculate milk-can by the hands of the spotless milkman, into the hotbed of bacteria prepared by maternal ignorance for its reception. Milkmen are early birds, and there would still be a few hours for the milk itself to receive contributions before the careful mother takes it in. Flies, we all know, are early birds, and need breakfast just as anyone else.
>
> "The milk jug, when brought in, is probably deposited in the kitchen, and it would not be considered an exaggeration to say that very many kitchens are in a stuffy and unventilated condition in the morning, and may even have been used as a drying-ground for the boots and clothes which were wet by last night's rain, or for the baby's washing. In the kitchen, it may, perhaps, be covered with a saucer, when the presence of a couple of flies in it seems to indicate that some such precaution would be advisable."

That goes to show the necessity, not only of establishing a Public Health Department, but to endeavour to instil into the minds of the public generally ordinary habits of cleanliness, and to let everyone know that prevention is better than cure. When our Public Health Department tries to instil these habits into the people they do a great deal towards stalling off disease. I have much pleasure in supporting the Bill, and I congratulate the Home Secretary on the comprehensive nature of the measure he has introduced.

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

*Mr. Kirwan.*]

COMMITTEE.

(*Mr. Kirwan, Brisbane, in the chair.*)

Clauses 1 and 2 put and passed.

Clause 3—"*Interpretation*"—

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I move the insertion of the following new paragraph to follow line 9:—

"The definition of 'Prostitute' is repealed."

Amendment agreed to.

Mr. KING (*Logan*): I move the insertion, after the word "water-channel," on line 15, page 2, of the words—

"or any watertable, paved or unpaved, constructed by a local authority in any road."

That excludes all water-channels from the definition of the word "sewer." I do not think it is necessary to say anything more now than I said on the second reading. What I wish to do is to prevent water-channels from being used as sewers."

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I cannot accept the amendment. As stated in my second reading speech, we propose to restrict drainage into a street to properly constructed water-channels. The hon. member has a very considerable experience of local authority matters, and he knows that if all drainage on to the streets were prohibited, some other better provision would have to be made. The amendment, if accepted, would defeat the object of the Bill, and I hope the hon. member will not insist on it. The clause is certainly a vast improvement on the principal Act, but to require all channels to be concreted or some better provision to be made would inflict considerable burdens on the ratepayers.

Mr. MOORE (*Aubigny*): I would like to point how this clause may affect country towns, where, perhaps, you have a water-channel at one side of the road. We have no water supply with which to flush the channels—it is quite impossible to get it. We are always having trouble where people run their bath water and soapsuds out into the street.

The SECRETARY FOR MINES: The Commissioner has power, under clause 8, to apply the provision only to certain areas.

Mr. MOORE: The Bill applies to the whole State, and when you come to apply the Bill to country districts and towns as well as to large cities such as Rockhampton and Brisbane, you immediately get into difficulties. We have in my electorate four or five towns where the people run their ordinary drainage into the street, where it becomes a breeding-ground for disease. At the present time we have stopped that. If people are going to have the right under the Act to run water into the streets, we are going to be in a very awkward position. If the Commissioner has power to exempt certain areas I am satisfied; but it has to be remembered that we have not the facilities or opportunities to prevent disease from spreading in these areas, and the Minister should recognise that the conditions in all parts of Queensland are not the same. He knows that it is impossible to get water to flush the channels, and in many cases the channels do not even go the full length of the road or run into any proper sewer; they just run into a gully at the side of the road. The term "sewer" is very definite, but I should like to know whether there is power in clause 8 to exempt certain areas.

The SECRETARY FOR MINES: Yes.

Mr. KERR (*Enoggera*): I sincerely hope that the Minister will accept the amendment. I have already pointed out that some households discharge all their filth on to the street at the present time, and we must take some precautions to stop the practice. If it is stopped, other means will be found by the people for disposing of their drainage. In fact, it has been common knowledge in the metropolitan area for some considerable time that this nuisance would cease when this Bill became law. I have noticed these pools of stagnant water, green with age, dozens of times; but now, when we have the opportunity of making the law definite, the Minister will not accept the necessary amendment. Too much latitude is allowed under the Bill. I am referring more particularly to the metropolitan area, but I learn that water is drained on to the streets in country districts also, and the local authorities are put to a great deal of trouble. They have not got the water to wash them out with, nor can they sweep them out, unless they go to a great deal of expense in employing men for the purpose. It is not a great thing that we are asking for, and I am sure, if the amendment is accepted, the local authorities will, with the assistance of the Commissioner—just as water finds its own level—be upon a way out of the difficulty.

Mr. GREEN (*Townsville*): I agree with the Minister. It would be too stringent altogether to have such a restriction in the Bill. For ratepayers to be compelled, where there is no proper sewerage system, to get rid of the drainage in their backyards, would be a far bigger danger to the community than running it into properly constructed concrete water-channels. It is different where it is run on to the natural road or into a spade-cut drain; the soil absorbs the water, and a danger to the health of the community exists. Where it is run into a water-channel provided by the local authority, the local authority should keep it clean.

Mr. KING (*Logan*): I regret that the Minister cannot accept the amendment. Supposing that concrete water-channeling is to be allowed to remain as a sewer, we can easily conceive a case where a local authority had carried out a certain length—say, 100 feet—of water-channelling into which would be drained the water from the premises abutting on that channeling, and when it reaches the end of the channelling it cannot get away and is planted right in front of the residence of a man who has not been fortunate enough to have had water-channelling laid past his property. That should not be tolerated. It is going to add very greatly to the troubles of the unfortunate householder who has not water-channelling in front of his property.

The SECRETARY FOR MINES: We would have power to deal with a case like that.

Mr. KING: The local authority would have to deal with it; but it is increasing the burden of the local authority.

The SECRETARY FOR MINES: What are they for if they do not have responsibilities?

Mr. KING: It is only right that there should be some responsibility on the householder, and that he should recognise that

he has that responsibility. The Minister says that, if this exemption is granted, we shall go back to the position that existed when the 1911 Act was passed. That is not quite correct. Under the present Bill there was an amendment by which the sewage could be disposed of without bringing it on to the street. If a householder goes the right way about it, he can very easily get rid of his foul water on his own premises by subsurface irrigation. If the nature of the soil will not admit of that, he has to get rid of it by putting it into a covered sump not underneath the house. After that, there is no further responsibility on him to get it away; it rests with the local authority. Instead of making the nuisance a public nuisance by bringing all the sewage on to the roadway, the idea should be to restrict the nuisance as far as possible to the premises where it arises. If the Minister cannot accept this amendment, I hope he will make provision whereby the householder must adopt some method for making the sewage innocuous before it gets on to the street.

The SECRETARY FOR MINES: Under this Bill we can order it to be done.

Mr. KING: I hope the Minister will reconsider this matter, because it is adding a good deal to the troubles of some householders, and allowing others to be relieved of their liability. I do not see why one householder should be penalised and others be allowed to get rid of their sewage.

Mr. WEIR (*Maryborough*): I am glad to hear that the Minister does not intend to accept the amendment. The hon. member for Townsville expressed a view that appeals to me; it bears a similarity to the Minister's view. It strikes me that the argument really is based on the question of who will accept responsibility—whether the responsibility for keeping the home yard clean rests with the council or with the occupier. I am not dealing with the viewpoint of the hon. member for Aubigny, because his and mine are different owing to the altered circumstances. I believe that there is a lot in his contention, in regard to places where no water-channelling is formed. In cities where the watertable is properly formed, the duty of the council begins at the gates of the occupier's premises. Councils in the main are disposed to throw the onus on the man inside; they want to get rid of their responsibility, and throw it on the small man. If the amendment is accepted, it will mean that the whole of the responsibility will be placed on the shoulders of the man inside the fence. The hon. member for Logan said that water may collect at a certain point in front of the residence of one person. The hon. member ought to suggest to the man who suffers that inconvenience that he should get on the council. In most country towns you can follow the water-channels round and find where the residences of the councillors are. I suggest again that the gentleman suffering that inconvenience should get on the council.

Mr. COSTELLO: Would you vote for him?

Mr. WEIR: My people look after the residents, not after themselves. The reason that I am concerned about who carries the responsibility is because of the experience we have had in cleansing cities generally. I want the onus to be thrown on the shoulders of the council—not on the shoulders of the man inside the fence. We are told that under clause 6 certain powers are given to compel a council to do certain things. I do not want the Committee to forget that all the efforts of this State had to be brought to bear to compel the council of the city of Brisbane to carry out its share of the responsibility for cleansing its own city. Everybody knows perfectly well that, had it not been for the strength of the Department of Public Health, that council would not have got rid of its rats. Neither will it carry out its responsibility under this Bill if it can throw it on the shoulders of the man who owns property. I am glad that the Minister will not accept the amendment. I am satisfied that in my city this will not be any disability, but will rather be of assistance. The people fully realise that the city belongs to them, and they keep it reasonably clean. We want other cities to be placed in the same position, and to mind their own business.

Mr. MOORE (*Aubigny*): I thought the Commissioner was to be given power to grant exemption in certain areas, but it appears to be necessary to obtain an Order in Council. If you have water-channelling laid in the business portion of a town only, the water-channels in other portions being spade-cut, are you going to allow sewage to run into the concrete channel and thence into the spade-cut channel? The people have a perfect right to do it. Unless the Governor in Council makes an order in respect of every small place, it is no use. If you could go to the Commissioner, and he could grant exemption in cases where it is pointed out that this as a menace to public health, it would be a very different thing. The Governor in Council would not have time to be always framing these orders.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): The deputy leader of the Opposition did not read the whole clause. I am forced to the conclusion that the hon. member for Logan is not so much opposed to the clause dealing with drainage into street water-channels as he is opposed to the power of placing the responsibility on the local authorities. Clause 6 of the Bill reads—

> "The following proviso is added to section thirty-six of the principal Act:—
>
> "Provided that the Governor in Council may, by Order in Council, prohibit in any area or part of an area any drainage, or such drainage as may be specified in the Order, into—
>
> (*a*) A natural watercourse or natural stream; or
>
> (*b*) Any stream or watercourse already receiving household drainage or trade waste water or drainage; or
>
> (*c*) Any open water-channel or water-table in or upon any street; or
>
> (*d*) Any open or underground channel vested in the local authority and intended to be used for carrying off storm water only;
>
> and thereupon it shall be the duty of the local authority to cause to be made such other provision as is specified in the Order for the effectual sewerage and drainage of the area or part of the area concerned.
>
> "Every such Order shall be read as one with this Act, and be of equal validity therewith."

We shall have power to prevent any nuisance that may be caused by house drainage going into the street. Clause 6 is [3.30 p.m.] particularly worded to have that effect. I hope the Committee will accept my view. If the amendment is accepted, it will destroy one of the principles of the Bill.

Amendment (*Mr. King*) put and negatived.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move the omission, on line 19, of the word "not." An error was made in drafting the Bill. We want the clause to read—

> "'Shoes' does include the articles usually sold as slippers or sandals."

Amendment agreed to.

Clause 3, as amended, put and passed.

Clause 4—"*Amendment of section 20—Power of Commissioner to act in emergencies*"—put and passed.

Clause 5—"*Amendment of section 29—Appointment, remuneration, and duties of officers of local authorities*"—

Mr. WEIR (*Maryborough*): I beg to move the addition to the clause of the words—

> "No such appointment shall be cancelled, nor shall the medical officer of health or public analyst or public expert or inspector be removed from his office or have his salary reduced, without the approval of the Commissioner."

The reason of the amendment is obvious. It will strengthen the position of a local inspector who is fearless in carrying out his duty in the interests of the health of the people. In these days men have to be skilled in this line of work. They have to pass examinations. The examinations that are set down now are getting severe. They should be severe when the health of the people is concerned. A man, after going through an examination, finds that his powers are limited when he comes to look after the health of the people. In other words, in pursuing his occupation he finds that certain drastic steps have to be taken, and it is reasonably possible in cleaning up a particular area that he comes into conflict with one of the members of the body who are responsible for his bread and butter. It is not an unheard of thing that men have been stopped in carrying out their duties, simply because that duty interfered with somebody's property. That is not a good thing, nor is it a fair thing.

Mr. KERR: Who would "sack" him?

Mr. WEIR: The local authorities. I want to make provision that no local authority can "sack" him without the approval of the Commissioner, and I am not afraid of this having any boomerang effect. No Commissioner will refuse to endorse the "sacking" of a man who needs the "sack." I am satisfied that no Commissioner will be stupid enough wilfully to keep a man on who is not performing his duty. The Commissioner is the authority on all health matters. If a council put a case to the Commissioner of a man who was not fulfilling the duty for which he was paid, it is only reasonable to expect that no Commissioner would refrain from endorsing the discharge of such a man. No man should be subject to local influence. He should be given every protection. There are towns in Queensland where men are subject to local influence. I have previously referred to a case at Winton. Because an individual was strong enough to interfere with circumstances that were responsible for typhoid he was skull-dragged. In my own city we had to get the Government to take certain strong measures in order to enforce the building of a sewer in the main street. If there had been any local interest involved in connection with that sewer—everyone knows that there are local interests involved in such cases—it is reasonably possible that an inspector would not have condemned the old sewer. It was the strong hand of the Health Department that ordered that that sewer should be built. As the representative of that city, I asked the Health Department to send up a duly qualified inspector to inspect the sewer, which was done, and, as a result, it has been built for the benefit of the people of Maryborough. There can be no reasonable ground for the contention that a man is not entitled to every protection when he is fearlessly discharging his duties. There can be no reasonable ground for the contention that a man should not be removed from all political influence. Hon. members opposite have been harping about that for "donkey's years." If they do not believe in political influence, then they should not believe in local influence preventing a man from doing his duty.

Mr. J. H. C. ROBERTS: Will your amendment prevent local influence?

Mr. WEIR: I think so. If a man knows that he cannot be "sacked" without the endorsement of the Commissioner, or, in other words, that he has the Commissioner as a final court of appeal, it will give him a stronger hand in the execution of his duty. Nobody is going to question the fact of whether the man has the credentials. He passes a qualifying examination and obtains the credentials.

Mr. MAXWELL (*Toowong*): I hope the amendment will not be accepted. There seems to be a tendency on the part of the Government to have so much confidence in the local authorities as to extend their powers and to give them more work to do. While the Government desire to give additional powers to the local authorities, the amendment proposes to refuse to the local authorities the right to discharge officers they may have appointed. The hon. member for Maryborough may have had some bitter experience in this connection, but during my fifteen years' experience in local government not one case such as the hon. member has mentioned came under my observation; but I do know of a case where a person associated with municipal government had the courage to take on one of our local authority men, and he backed up his opinion in a case before the court. That goes to show that the undue influence that is supposed to permeate our local authorities did not bear any fruit in that connection. My experience has led me to believe that it would be a wrong thing to make this provision. The local authorities are given power to do certain things, and this amendment is practically going to take the power out of the hands of the local authorities to discharge an inefficient officer.

The SECRETARY FOR MINES: Even without this amendment the Health Commissioner can discharge an inspector.

Mr. MAXWELL: Then there is no need for the amendment.

The SECRETARY FOR MINES: Yes there is.

Mr. MAXWELL: Not on the lines laid down.

The SECRETARY FOR MINES: We want the other power to prevent an inspector being discharged without the authority of the Commissioner.

Mr. MAXWELL: The Commissioner has quite sufficient power to deal with a matter such as this without saying to the local authorities, "You shall not do certain things in this connection. It is only the Commissioner of Public Health who has power to discharge." We might have an officer of a local authority flouting the instructions that are given by the local authority. I hope the amendment will not be passed.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I cannot allow the arguments of the hon. member to go unchallenged. I say unhesitatingly that we have no desire in this Bill to come into conflict with the local authority.

Mr. MAXWELL: We are dealing with the amendment.

The SECRETARY FOR MINES: I accept the amendment. We have no desire to whittle away the powers of the local authorities. As a matter of fact, I have an amendment to give them greater powers. Under the present Act the Commissioner of Health may discharge any inspector, and all we want now is to give him power to prevent the discharge of an inspector because he does his duty according to the instructions of the Health Department.

Mr. GREEN (*Townsville*): I am sorry the Minister has accepted this amendment, as it is an absolute reflection on the local authorities who are now elected on a universal franchise. The local authorities, in the majority of cases, are composed of from nine to twelve individuals resident in different parts of the area, and to say that, merely because an inspector may tread on the corns of one of those individuals and order something to be done, the rest of the council are going to discharge that man for doing his duty is a sad reflection on the local authorities.

The SECRETARY FOR MINES: It is likewise a reflection on the Commissioner.

Mr. GREEN: The amendment is not necessary, and I am sorry for that reason that the hon. member for Maryborough has moved it. If the thing was necessary, or if there were any glaring cases of local authorities not carrying out their duties or of penalising their servants in this way, then the Commissioner should have this authority. But I do not think the Commissioner desires that, and I certainly think, now that the local authorities are elected upon a universal franchise, that they can be trusted in the matter of getting rid of their own servants.

The SECRETARY FOR MINES: You must remember this is a Health Bill and not a Local Authorities Act Amendment Bill.

Mr. GREEN: It is a Health Bill, and, while it is under the direct control of the Commissioner, the carrying out of its provisions is largely in the hands of the local authorities and of their officers. If you look at last year's report of the Commissioner you will see that certain inspectors of the Department of Public Health proceeded against certain individuals for the adulteration of certain articles of food, and those individuals were fined, but subsequently those fines were remitted by the department. The hon. member for Maryborough pointed out an individual case where an injustice has been done. In the case referred to in the Commissioner's report an inspector carried out his duty and then the fines were remitted.

The SECRETARY FOR MINES: Under the present Act the Commissioner has power to discharge an inspector. Is that not a reflection on the local authorities?

Mr. GREEN: Personally, I do not think he should have that right. All I ask is for fair consideration, and everyone is going to get a fair deal from the local authorities.

Mr. F. A. COOPER (*Bremer*): There is another aspect of this amendment that hon. members on the other side have not particularly noticed, and that is that it removes from the local authorities any suspicion that might attach to their dismissal of an inspector. It might be all the better for the aldermen to know that they cannot take any action that will be detrimental to the inspector. We do not allow judges to hear cases in which they are personally concerned, and in other cases we have similar protection for the heads of departments; and we may protect aldermen in this way by saying they shall not be held responsible for the discharge of an employee who they may think is not doing his duty. They must report the matter to the Commissioner and he will do the discharging. On the other hand, if the Commissioner considers the inspector is being unjustly discharged, he can retain him in his position. That is a protection to the aldermen. I hope the Committee will agree to the amendment, because I think it is very necessary. There are quite a few health inspectors in this State, and it is a fact that a great majority of them have asked for this amendment. If there were no necessity for the amendment, why would the health inspectors ask for it? They have asked for it because it is a very necessary thing. The amendment is necessary to secure a better regulation of health matters, in some of the cities, at any rate. It is well known, as the hon. member for Maryborough has pointed out, that there have been cases where inspectors have been prevented from doing their duty simply because those in authority wished them not to do it. It is a shocking thing if the health of a town is to be endangered because of the whim of some person on the health committee of a local authority. I say that no inspector ought to be subjected to such influence as that. The amendment removes the inspectors from any fear of political control. I think it is a splendid thing, and a council which wants to be reckoned as being above suspicion will welcome such an amendment.

Mr. VOWLES (*Dalby*): If the health inspectors have asked for this protection, it seems to me peculiar that it was not included in the original draft of the Bill. It appears to be an after-thought. The Bill deals with so many important principles that minor matters like this are apt to be overlooked; but, if this amendment has been practically demanded by men who have been victimised because they have been doing their duty in the past, and have suffered some injustice, it is a peculiar thing that the Government did not make it a feature in the original draft of the Bill. Hon. members opposite have been speaking from the point of view of the city, and not of the country. The procedure in existence

is for the Commissioner of Public Health to ask the local authorities to do certain things, and, if the local authorities think fit, they comply with the demand, but not if they do not agree with it; in fact, it is honoured in the breach. The Commissioner has the right to approve of the inspectors appointed, and he does so. I quite agree with that, because, if he as head of the department is responsible for the officers who do the work which he requires to be done, he must be satisfied that those officers have the capacity to carry out the work. Is it not a commentary on local government to think that recent cases have occurred—and they must be recent, because hon. members opposite are dealing with existing grievances—that under our local authorities, as now constituted under adult franchise, intimidation still exists, and employees of local authorities are afraid to do their duty because they are going to be victimised? Can you imagine many instances in remote places? Do they not all appear to exist from a Queen street or city point of view? In a country district you can imagine how everything would be hung up if the local authority was not able to deal with an inspector, and had to observe red-tape regulations with regard to communicating with the Commissioner for Public Health? A lot of time would be lost in communicating with headquarters in Brisbane; everything would be hung up in the meantime, and a state of chaos would ensue. The conditions which apply to the city do not apply to the country. The hon. member for Maryborough referred to Maryborough, where everything in the garden may be lovely.

Mr. WEIR: It is not.

Mr. VOWLES: At any rate, there are other places, far removed from the seat of Government, with less political pull, where the conditions I have outlined may arise under some circumstances. While we were wasting out time in the country in getting reports and coming to a conclusion, goodness knows what would happen. My own experience as a member of a local authority is that there is a strong inclination on the part of local authority members not to take too much notice of the directions of the Commissioner for Public Health, but to use their own discretion. When they use their own discretion they generally hear nothing more about it. The local authorities understand the conditions in the country a great deal better than they are understood at headquarters in Brisbane. The local authorities should be recognised by us—just the same as we expect to be recognised by the public—as being capable of shouldering responsibility; and, if they are prepared to do what they think is right, they should do it, even if a remedy is given at common law to the individual affected.

Mr. KING (*Logan*): I was surprised to hear the statement by the hon. member for Bremer that this amendment is the outcome of a general wish expressed by health inspectors that it should be included in the Bill. I ask the Minister if he has had an application from the general body of health inspectors throughout Queensland for the inclusion of this amendment in the Bill? If he has, I will accept his assurance; if he does not give the assurance, then I will take the statements of the hon. member for Bremer in that connection with a grain of salt. The present Government did not trust the local authorities when they were elected on a restricted franchise, and thought that there would be a different feeling when the adult franchise was adopted: but it appears to me that the feeling does not exist which they think should exist. The local authorities are going to be hampered by such a provision in the Bill, which assumes that the local authorities are going to be guilty of victimisation. This is one of the pin-pricks which are not going to make for harmonious working between the local authorities and the Government. It is not right that such a provision should be put in the Bill, because the local authorities will be deprived of the right to dismiss men if they think fit to do so. Surely men who are elected by the people for the purpose of carrying out most important duties and dealing with large sums of money are not going to descend to a petty piece of victimisation! If they do, then, when they face the electors—who are their masters—at the election, they will very soon be put out of office. I hope that the Minister will think better of it, and not cast a reflection on the local authorities by saying that they are likely to be guilty of victimisation.

Mr. GLEDSON (*Ipswich*): The hon. member for Logan accused the hon. member for Bremer of making a statement, which, to say the least, is not correct.

Mr. KING: I did not say anything of the kind.

Mr. GLEDSON: You said that you would take the hon. member's statement with a grain of salt.

Mr. KING: So I will, until I get the Minister's assurance.

Mr. GLEDSON: I took the hon. member to mean that the statement of the hon. member for Bremer was not correct. If I said I would take an hon. member's statement with a grain of salt, the hon. member for Logan would come to the conclusion that the statement was not correct. I take it that he thought the statement of the hon. member for Bremer was not correct. Why deny it?

Mr. KING: I have not denied it. I deny having used the words that you put into my mouth.

Mr. GLEDSON: I am going to back up the hon. member for Bremer, as I know certain inspectors who have been to myself, the hon. member for Bremer, and other hon. members, in connection with this matter. I think hon. members opposite are taking a wrong view of the amendment altogether. The view they are taking is that it is a reflection on the members of the local authorities. I take the opposite view. No reflection on members of local authorities [4 p.m.] is intended at all. Supposing a health inspector came to my place and noticed that something was wrong. Knowing that I was a member of a local authority, he would be very dubious about prosecuting me, because he would know that, in my position as a member of that council, I have a voice in fixing his salary every year. I have also a voice in saying whether he shall be appointed for the following year. He knows that, and probably it will prevent him from prosecuting me. The natural thing for that inspector to do is to overlook anything wrong that he may see at my place and not prosecute me for a breach of the

Health Act. It also applies to other members of local authorities, but it is no reflection on them at all. The inspector will know that the member of the local authority might do something that will be of disadvantage to him if he issues a prosecution, and probably will not do his duty. There is nothing wrong with the amendment. As a member of a local authority, I do not object to it at all. I think there should be something inserted to prevent any local authority members showing any spite against an inspector.

Mr. J. H. C. ROBERTS (*Pittsworth*): It appears to me, in connection with this amendment, that if you are going to put the local authorities in this position, they will not be able to dismiss an inspector without first referring the matter to the Commissioner of Public Health. Suppose a local authority decides to dismiss an inspector, and it is referred to the Commissioner, and he will not carry out the recommendation of the council, what is the position then?

The SECRETARY FOR MINES: The local authority will be able to give some good reason why he should be dismissed.

Mr. J. H. C. ROBERTS: Before a man is dismissed by a council, a majority of the members have got to be in favour of his dismissal.

Mr. GLEDSON: But one man's vote on the council may do it.

Mr. J. H. C. ROBERTS: Suppose a majority of the councillors decide to dismiss a man, and the Commissioner refuses to accept that recommendation, what is going to happen then? The man may give his reasons to the council why he should not be dismissed; but if the majority decide on his dismissal and the Commissioner refuses to approve of the council's decision, then there is something wrong with having this provision in the Bill. When the council recommend the dismissal of a man and the Commissioner will not accept that recommendation, who is going to decide between the Commissioner and the council?

Mr. WEIR: That is what happens in the Arbitration Court at the present time.

Mr. J. H. C. ROBERTS: The Arbitration Court has nothing to do with the question of whether a man is to be dismissed or not. Does the hon. member for Maryborough think the time will come when the health authorities will be brought under the Arbitration Court? If they are, then the Commissioner will not be able to dismiss a man at all. Is that what I understand the hon. member to say? There is one thing that the Arbitration Court does not take into consideration, and that is the efficiency of the man. Who is to be the judge of efficiency? Is it to be the shire council, the Commissioner, or the Arbitration Court?

Mr. WEIR: The Commissioner of Public Health.

Mr. J. H. C. ROBERTS: I do not say that you cannot get a medical practitioner equally as able as the Commissioner of Public Health. With this amendment we give a certain right to the Commissioner, and we are taking away a certain right from the local authorities. I contend that the local authority should be considered in this matter.

Mr. WEIR: They might act unfairly.

Mr. J. H. C. ROBERTS: I do not admit that the local authority would act unfairly.

Mr. WEIR: I know one that did.

Mr. J. H. C. ROBERTS: The hon. gentleman might as well go outside, and, because he sees one man who is a cut-throat, he might as well say that all the men standing about are cut-throats as well. That is just the same as saying that, because one shire council has done something wrong, every other shire council also does wrong. We are going to have the spectacle of the Commissioner falling foul of the shire councils. If the Commissioner is a man of commonsense he will act on the recommendation of the local authorities and dismiss any man that they ask to be dismissed. This amendment is an interference with the duties of the members of local authorities elected by the people, as they are not to be able to appoint or "sack" their own officers.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Peddington*): I may state that several inspectors have asked for this amendment.

Mr. KING: One or two casually.

The SECRETARY FOR MINES: Only one has approached me personally, but several have approached the Commissioner of Public Health, and have asked for the amendment. When this Bill is going through the House, these people have the right to approach members on both sides, and to express their views with a view to making the measure better. I do not object to anyone approaching me in regard to a measure before the House. The inspector who approached me said he spoke for several others. Hon. members opposite are making too much out of this amendment. I have already pointed out that the Commissioner of Public Health has power to dismiss inspectors if he so desires, and he also has power to approve of a health inspector. If a local authority wishes to dismiss an inspector, you will find that, in ninety-nine cases out of a hundred, the Commissioner of Public Health will approve of it. But there may be one case of victimisation, and the Commissioner of Public Health may consider that that man did his duty. We therefore want the right to protect that man. It is no reflection on the local authorities at all.

HON. W. H. BARNES (*Bulimba*): I think the Minister gave abundant reason why the amendment should not be inserted, because he clearly pointed out that one person had approached him.

The SECRETARY FOR MINES: Several others have approached the Commissioner.

HON. W. H. BARNES: Are the local authorities to be mere puppets?

The SECRETARY FOR MINES: I am backing up the statement of the hon. member for Bremer.

HON. W. H. BARNES: That seems to be the kernel of the whole business. An hon. member behind the Government has made a suggestion, and the Minister now is backing it up. I am not suggesting that he is not speaking the truth. Here we are asked to agree to an amendment which says to a number of intelligent men on a local authority that another power is going to supersede them. If that is the attitude of the Government towards local authorities, why do they not get rid of them altogether?

Why do they not have one "Pooh Bah" to manage the whole business? In other directions the local authorities have been treated as if they are not capable of carrying out their business, and this amendment seems to be a tremendous reflection upon them. The Minister and his Government recently put into effect their ideas as to the local authority franchise, and now they say that the men whom the people have put into power are not competent to conduct their own affairs. Anybody who heard my remarks on the second reading will know that I have the fullest confidence in the Commissioner of Public Health, but surely there is a limit at which the Government are going to stop interfering with local authorities elected by the people! Do the people make so many mistakes that the Government will not trust them? This amendment seems to be an absolute indication that they have lost confidence in the people.

The SECRETARY FOR MINES: Why do they not object to the Commissioner having power to guide them in matters now?

Hon. W. H. BARNES: It is no use for the Minister to try to draw a red herring across the trail. Apparently, the amendment is accepted, not because it commends itself to the Minister, but because it comes from a man of the right brand. We know that every member on that side of the House is saving the Government, and the Government dare not turn down an amendment from any one of them.

Mr. HARTLEY (*Fitzroy*): The hon. member for Bulimba simply talked all round the amendment with the object of obscuring the real motive with which it was moved. To any sincere man it is plain that the intention is to protect inspectors from being unduly interfered with or penalised for carrying out their duties fairly and without fear or favour. It is no use for hon. members opposite to say that we wish to cast a slur on the honour and good reputation of members of the local authorities. As a general rule, local authorities are composed of first-class men—men of good reputation and standing—but, at the same time, everybody knows that some men get elected to those bodies who use their positions for the benefit of themselves and their friends. An inspector often has to carry out his duties against the interests of very influential people, and if they can bring influence to bear on the local authority to get rid of him, a lot of people are not above doing it; in fact, have done it in times past. I know of an inspector who condemned certain goods in a grocer's shop. The grocer complained to the wholesaler, and it was not very long before word reached that inspector asking him why he was interfering with that man, although the goods were not fit for consumption. Other cases have been brought under my notice where attempts have been made to influence or frighten inspectors against interfering with certain interests, particularly in regard to food lines, by people who thought they had enough pull with officials to have them restrained from carrying out the Act in its entirety. I hope the Committee will show that they are thoroughly alive to the necessity of protecting the interests of the public by saying that every officer who administers the Act properly, with the one aim and object of safeguarding the public health, shall be entitled to the fullest protection against undue interference or coercion we can give him.

Mr. KERR (*Enoggera*): Another aspect of the question is the impracticability of carrying out the amendment. Very often, particularly in the country districts, the health inspector is also foreman of works, and is known as such, and in some cases he carries out many other duties. How is the Minister going to get over the difficulty which would arise in a case where incompetency was disclosed in a matter not affecting health? Is it essential that his dismissal should be referred to the Commissioner of Public Health? That is a contingency for which provision must be made. It also affects the efficiency of the council's work. If certain powers are going to be taken away from them in respect of their officers, whether they be foremen of works or health inspectors, the efficiency which is so necessary is going to be lessened, and the powers of the council are going to be nullified. It must not be forgotten that it is not only one man who is handling this situation. Any dismissal must be confirmed by the whole of the council. The whole atmosphere of the Bill is that health matters generally are in the jurisdiction of the local authorities, commanded, as it were, by the Commissioner of Public Health. If that is so, why should not the local authorities have the power to tell the inspectors to do exactly what they like? I do not say for a moment that any inspector, knowing that he had a certain protection, would decline to do certain work, but the possibility is there.

Mr. F. A. COOPER (*Bremer*): I was out of the Chamber when the hon. member for Logan referred to a statement of mine with reference to inspectors, and said that, unless he had some substantiation of the statement I made, he would have to take it with a grain of salt. I am not at all surprised at a remark like that coming from the hon. member for Logan. His long association with old-time municipal authorities has so narrowed his ordinarily narrow vision that a narrow, mean, and contemptible statement like that is only to be expected from him. As soon as I heard that the statement had been made, I consulted one of the members of the association governing the health inspectors of Queensland, and he assured me that the health inspectors had discussed this matter, and that they entirely approved of the amendment. I did not speak without a knowledge of what I was saying.

Mr. KERR: Then you could not have been sure when you made the statement.

Mr. F. A. COOPER: I wanted to confirm it, because I could not get hold of the inspector who told me about it, as he is some considerable distance away. I have since confirmed it by telephone. The inspectors do desire this amendment. That being so, I think I have a right now to claim the vote of the hon. member for Logan for this amendment. I am astonished that he would not accept my word in the matter. I shall take every care in the future to be suspicious of any remark made by a member of this Committee who is suspicious regarding my statements. If he is in the habit of making false statements in the hope that they will be taken without being questioned, I want to advise him that I do not make statements of that kind, nor am I in the habit of making statements which cannot be verified. The hon. member for Logan is quite a young member in this House. I trust that, if he stays here, he will learn that it is

the proper and dignified thing to accept the statements of hon. members in this House.

Mr. WEIR (*Maryborough*): I have occasion to rise on account of the sneering remark of the hon. member for Bulimba, who asked what right the Minister had to accept the amendment which I had moved. The hon. member for Bulimba is one of those good Christians who applauds Ministers on this side when they accept his amendments. Why has not the Minister the right to accept an amendment that I move? I am not one of those members who drag amendments around here. This is the first time that I have moved an amendment since I have been in the House, yet the hon. member for Bulimba asks what right the Minister has to accept my amendment. I have as much right to have an amendment accepted as the hon. member for Bulimba. Why all this fuss? These people are quite concerned because we are asking that the right of appeal to the Commissioner of Public Health shall be given to the men who are working for the councils in the various centres. Do these people not protect their own friends? Are not these the people who passed legislation so that the Commissioner for Railways could not be sacked without the approval of both Houses of Parliament? Both Houses of Parliament for their friends, but no right of appeal for my friends! Why not? What is there in the Commissioner of Public Health? I do not know him, except from meeting him casually. What is there in Dr. Moore, or his successor, that I should be afraid to put the question of my bread and butter in the hands of such a man, who knows his business? Has not the railway inspector at Cairns, Charters Towers, and Winton the right to submit the question of his bread and butter to a court of appeal? The hon. member for Enoggera wants a court of appeal for the tramway workers or some other people who are friends of his, yet he blames me for asking for a court of appeal for the health inspectors. What is wrong with the logic of giving these men a court of appeal? The peculiar aspect of it is, that nobody has raved about the fact that under our present statute the Commissioner of Public Health has the power to sack these people who are employed by the councils. The hon. member for Toowong has not jumped up in his ire and said, "How dare this man sack an employee of our council?" The hon. member for Logan did not go mad over that aspect, although, with his knowledge of law, I have heard him say that he knew that the Commissioner of Public Health had the power to sack these people. Where is the difference? This amendment proposes to give power to stop the sacking of these men if they are not getting a fair go. Who can object to that? If a man is getting a fair go, why submit to the Commissioner of Public Health? Would the Commissioner bother his head if a man were getting a fair go, or stop a council from sacking a man who was not doing his duty properly? We want to stop the sacking of a man who is doing his duty properly. No one can, in decency, object to that. I am glad that the Minister has taken the matter as he has. As for the statement of the hon. member for Bremer, I was sorry that the hon. member for Logan so far forgot himself as to throw out that insinuation. I have had the same experience as the hon. member for Bremer. Men have approached me and asked me to do what I could to get this amendment agreed to. The Commissioner of Public Health has made the statement that he has been approached. The Minister has made the statement in the House that he was approached on one occasion. Why all this fuss because the hon. member for Bremer claims that he has been approached? I believe that the hon. member for Kurilpa also has been approached. We have all been approached, because the bread and butter of these men depends on this amendment. I hope that, after all the argument, we will do the fair thing to men who are only asking for the right to appeal.

Mr. KING (*Logan*): I am sorry that the hon. member for Bremer has taken up the attitude he has. I am quite sure that hon. members will recognise that, while I have been in this House, it has not been my habit to impute motives or to suggest that anybody has stated an untruth. I have not done that so far, and I do not intend to do it. When the hon. member for Bremer made the statement that the general body of health inspectors throughout Queensland had applied to be brought under the Bill, I could not understand it, and I asked the Minister if he would give me that assurance, and, if he would do so, I would accept it. I did not do that because I doubted the statement of the hon. member for Bremer. I said that, if the Minister did not give me his assurance, I would take the statement of the hon. member for Bremer with a grain of salt—that is, I would not place as much value on it as he would like us to place. He said the request was general, and I wanted to find out just what had taken place. I did not place much value on the argument he was using; but I never suggested for a moment that I disbelieved him, and I do not do so now. I hope that the hon. member for Bremer will accept this explanation.

Mr. F. A. COOPER: I accept it.

Mr. MOORE (*Aubigny*): I do not agree with this principle at all. I do not see why employees should have the right to go outside the local authority in regard to their employment. The hon. member for Bremer said that the councils would be very pleased to get rid of the responsibility of having to look after these men. I do not think that any council wants to shirk its responsibilities at all. We have to remember also that if the health inspector is not under the control of the council, but can go to the Commissioner, he is not so likely to be as keen in regard to his duty as he would be if he knew he had the council dealing with him. The council is responsible; and, if you allow employees to go to somebody outside, you are going to have other employees wanting the same right of appeal. The councils have to carry out the work. If they do not do it, they have to get out and somebody else has to come in. I do not think it is right that they should have this authority taken from them and given to somebody else.

Mr. WEIR: Why did you sit down under the provision in the principal Act giving the Commissioner power to sack these men?

Mr. MOORE: The Commissioner is not in the least likely to come in and interfere.

Mr. WEIR: Then, why object to this?

Mr. MOORE: You are going to have a disgruntled employee going to the Commis-

sioner on every occasion when he thinks there is anything wrong. It is not a question of the Commissioner pointing out that he does not want a man sacked. The principle is, that the council should have jurisdiction over its own employees. If those employees are not going to work properly, the council should have the power to sack them, or to do what it likes with them. That power should not be given to somebody else outside the local authority, and so upset the authority of the council. The council carries out the work, and should take the responsibility. If the Minister is not prepared to give that responsibility, let him take out of the hands of the council the question of public health.

Amendment (*Mr. Weir*) agreed to.

Clause 5, as amended, put and passed.

At 4.30 p.m.,

The CHAIRMAN: Under the provisions of Standing Order No. 307, and of the Sessional Order agreed to by the House on 30th August, I shall now leave the chair and make my report to the House.

The House resumed.

The CHAIRMAN reported progress.

The resumption of the Committee was made an Order of the Day for a later hour of the sitting.

## QUESTIONS.

EXPENDITURE OF COMMONWEALTH GRANT OF £35,000 TO RELIEVE UNEMPLOYMENT AMONG RETURNED SOLDIERS.

Mr. CORSER (*Burnett*), in the absence of Mr. Walker (*Cooroora*), asked the Premier—

"Referring to the grant by the Commonwealth Government of £35,000 to Queensland, which, with the State contribution of £35,000, making a total of £70,000, is to be used for the purpose of relieving unemployment amongst returned soldiers—

(*a*) How much of this amount is it proposed to expend on the construction of road works?

(*b*) Is it proposed to expend £15,000 of this money within the Eacham shire—i.e., within the electorate of the Honourable the Secretary for Agriculture and Stock?

(*c*) Is he prepared to receive suggestions from members of the Opposition relative to the expenditure of portion of this money on the construction of roads required by soldier settlers?"

The PREMIER (Hon. E. G. Theodore, *Chillagoe*) replied—

"(*a*), (*b*), and (*c*). The money in question is to be expended upon road works, particulars of which have been published in the public Press. The schedule of the work to be undertaken was drawn up and settled solely by the Main Roads Board, and not by the Cabinet. The only instruction given to the Board was to ensure as wide a distribution as possible in the expenditure of the money, and to include the three divisions of the State in the proposals. The Secretary for Agriculture and Stock was, until the publication of the schedule, unaware that his electorate was being considered as a district in which portion of the money would be expended, although representations were made by the Tinaroo Shire Council to have the Boonjee and Cairns Range works included in the scheme. The following particulars of the districts favoured by the proposed expenditure of the money will show the gross unfairness of the innuendo contained in the hon. member's questions:—

| Electorates. | Amount to be expended. |
|---|---|
| | £ |
| Albert ... ... ... | 8,000 |
| Murrumba and Nundah ... | 12,000 |
| Nanango ... ... ... | 6,000 |
| Eacham ... ... ... | 10,000 |
| Eacham ... ... ... | 5,000 |
| Mirani ... ... ... | 8,000 |
| Keppel ... ... ... | 2,000 |
| Port Curtis ... ... ... | 2,000 |
| Nundah ... ... ... | 3,000 |
| Drayton ... ... ... | 1,000 |
| Rosewood ... ... ... | 2,000 |
| Murrumba ... ... ... | 6,000 |
| Stanley ... ... ... | 5,000 |

It will thus be seen that a total of £51,000 is proposed to be spent in the electoral districts represented by hon. members opposite, and only £19,000 in the electorates represented by Government members. Regarding the £15,000 specifically referred to by the hon. member, £10,000 of this is to be spent on the Cairns Range road, which is of vital importance to the various local authorities concerned, assisting as it will to open up a short route from the coast to the Cairns hinterland and tableland. The remaining £5,000 is proposed to be spent on the road towards the Boonjee lands, which is urgently required to open up a new settlement in this district, and to fit in with the work already in hand by the Public Estate Improvement Fund."

SUGGESTED REDUCTION OF RAILWAY FREIGHTS ON HORSES FOR EXPORT.

Mr. VOWLES (*Dalby*) asked the Secretary for Railways—

"In order to encourage the breeding of horses in this State and to afford relief to persons engaged in that industry, is he prepared to make a reduction in the freights charged for conveyance on the Queensland railways of horses for export?"

The SECRETARY FOR RAILWAYS (Hon. J. Larcombe, *Keppel*) replied—

"Apparently, the honourable member is quite willing to assist the railway deficit. Freight charges on horses in Queensland are the lowest in the Commonwealth, and are designed to afford relief to the persons engaged in the industry and to assist export trade. The following comparison shows the rates for 100 miles in the respective States mentioned (rates for other distances bear a similar relation):—

| | Per head. |
|---|---|
| | *s.* *d.* |
| New South Wales ... ... | 10 11.7 |
| South Australia ... ... | 10 9.75 |
| Victoria ... ... ... | 11 1.2 |
| Western Australia ... ... | 12 6 |
| Tasmania ... ... ... | 9 7.51 |
| Queensland ... ... ... | 8 2,29" |

CLOSURE OF POLICE COURT IN SOUTH BRISBANE.

Mr. FERRICKS (*South Brisbane*), without notice, asked the Attorney-General—

"Is he yet in a position to reply to the question asked by me some time ago regarding the closure of the South Brisbane Police Court?"

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*) replied—

"The information is being obtained. If it is not available when the House adjourns, I will communicate with the hon. gentleman."

MINISTERIAL TRAVELLING EXPENSES.

Mr. MORGAN (*Murilla*), without notice, asked the Premier—

"Have the figures in respect of Ministerial travelling expenses in accordance with the motion carried unanimously by this House yet been prepared?

"If so, does the hon. gentleman intend to give the information to the House?"

The PREMIER (Hon. E. G. Theodore, *Chillagoe*) replied—

"The information has not yet been supplied to me. When the motion was passed instructions were given to the Auditor-General, and officers were put on to compile the information, but the figures have not yet been received."

## PAPERS.

The following papers were laid on the table, and ordered to be printed:—

Report of the Royal Commission appointed to inquire into and report upon the facts relating to and the circumstances surrounding the collection, vesting, management, and disposal of the funds raised from wheatgrowers, etc.

Report of the Royal Commission on Public Works on the proposed railway extension from Belmont, Sunnybank, or Cleveland to Redland Bay.

Despatch giving permission to Mr. Patrick Real to retain the title of "Honourable."

Report of the Director of Labour and Chief Inspector of Factories and Shops for the year ended 30th June, 1922.

## HEALTH ACTS AMENDMENT BILL.

RESUMPTION OF COMMITTEE.

(*Mr. Kirwan, Brisbane, in the chair.*)

Clause 6—"*Amendment of section* 36—*Maintenance and making of sewers.*"

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move the insertion after the word "stream" on line 43, page 2, of the words—

"whether subject to tidal influence or not."

This amendment will fulfil the promise I made this morning on the second reading of the Bill that I would insert an amendment giving the local authorities power to deal with the Breakfast Creek nuisance or any other similar nuisance that may occur. Immediately this amendment is carried I will move a consequential amendment in the same clause.

Mr. TAYLOR (*Windsor*): I am very pleased to know that the Minister has moved this amendment, and I hope it will get over the difficulty which prevails in connection with Breakfast Creek. If similar difficulties prevail in other areas, of course it will apply to them too. Notwithstanding that the Minister may think the local authorities have the power, according to all the legal advice they could get they were absolutely powerless to do anything at all. One of the troubles was that the woolscour which was credited with being the cause of the nuisance was situated outside the areas of one or two of the local authorities that Breakfast Creek runs through. That made the position worse. I am very pleased that the Minister has fulfilled his promise.

Amendment (*Mr. A. J. Jones*) agreed to.

The SECRETARY FOR MINES: I beg to move the addition to the clause of the following new subclause—

"A local authority shall have power to institute proceedings in respect of any act or omission whereby or in consequence of which a nuisance arises (whether subject to tidal influence or not) by the pollution of any river or watercourse within or passing through its area, or passing along the boundaries thereof, against any other local authority or person, whether such pollution arises within or without the area of such first-mentioned local authority, and may take such steps as are deemed necessary to abate such nuisance, and may recover the expenses incurred in so doing from the local authority or person from whose act or omission such nuisance has been occasioned.

"A local authority or local authorities may, with the approval of the Governor in Council, carry out such work in any river or watercourse, whether subject to tidal influence or not, within or passing through the area of such local authority or local authorities, or passing along the boundaries thereof, for the purpose of preventing or removing the pollution of any such river or watercourse or of abating any nuisance arising therefrom. For this purpose, the provisions of Part XVI. of the Local Authorities Acts, 1902-1920 or any Act in substitution or amendment thereof shall be applied"

We have given some consideration to the difficulty in which we find ourselves regarding the nuisance at Breakfast Creek or a similar nuisance that may be created in any other tidal creek within a town area, and I think this amendment will get over the difficulty. Hon. members will observe that the Governor in Council may give the local authorities power to deal with this matter. This is consequential on the amendment just agreed to.

Mr. KERR (*Enoggera*): I want to make sure whether, if the local authorities decline to carry out this work, an Order in Council may be issued compelling them to do so?

The SECRETARY FOR MINES: Under another clause of the Act we shall have that power.

Amendment (*Mr. A. J. Jones*) agreed to.

Mr. KING (*Logan*): I beg to move the insertion, after line 55, page 2, of the following new subclause:—

"No Order in Council under this section shall be made until the local authority

shall first have been given at least one month's notice of the intention to make such order, so as to enable the said local authority to make representations to the Minister in reference to the proposal."

The CHAIRMAN: I would like to point out to the hon. gentleman that he should have risen before the Minister moved his amendment. As an amendment has been accepted at the end of the clause on page 3, the hon. member cannot now move his amendment, as it is not competent for the Committee to go back. He can now only get his amendment accepted by getting the Minister to recommit the clause.

Mr. KING: That being so, I move the insertion of the subclause to follow the new subclause inserted by the Minister.

The SECRETARY FOR MINES: I do not see any necessity for the amendment, as the notice proposed is given now. The amendment is not unacceptable, and, if the hon. member thinks there is any doubt about the matter, I am willing to accept it.

Mr. KING: If there is any doubt about the matter, will you accept it?

The SECRETARY FOR MINES: Yes.

Amendment (*Mr. King*) agreed to.

Clause 6, as amended, put and passed.

Clause 7—"*Amendment of section* 41—*Local authority may enforce drainage of undrained houses*"—put and passed.

Clause 8—"*Regulation of drainage in covered places, etc.*"—

Mr. KING (*Logan*): I move the insertion, after the word "Order," on line 52, of the words—

"which such Order in Council shall not be made until after the expiration of one month's notice is given to the local authority."

The SECRETARY FOR MINES: I will accept that.

Amendment (*Mr. King*) agreed to.

Clause, as amended, put and passed.

Clauses 9 and 10 put and passed.

Clause 11—"*Amendment of sections* 63, 64, 65, 66"—

Mr. KING (*Logan*): I notice that the word "house" is to be deleted from section 63 of the principal Act. It seems to me that, if you leave out the word "house," it is going to conflict with section 241 of the Local Authorities Act, which gives power to strike a cleansing rate, which shall be applied to the payment for the sanitary service, and the section specifically mentions "house refuse." The section states—

"Except as herein otherwise provided, when a local authority undertakes or contracts for the removal of house refuse,"

etc. It is going to conflict with any contract which is made in connection with the sanitary services. I do not see why the word "house" should be struck out of section 63 of the principal Act.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): The deletion of the word "house" gives the section a wider meaning. The hon. member only needs to read the section to see that. That is the only reason for deleting the word. Under the Act refuse may be removed only from a house, and we wish to be able to deal with any refuse. If it comes into conflict with the Local Authorities Acts, we will make an amendment in the Local Authorities Acts Amendment Bill next week to bring it into conformity with the Local Authorities Acts, if the hon. member will allow this clause to go through.

Mr. KING: Certainly.

The SECRETARY FOR MINES: I move the insertion, after line 26, of the words—

"unless with the permission of the Commissioner of Public Health."

The clause will then read—

"The Local Authority shall itself collect all sums levied or charged by it in respect of special rates or charges for sanitary services, and shall not delegate the duty of doing so to any sanitary contractor, unless with the permission of the Commissioner of Public Health."

I think that removes the objection which was raised to this clause this morning, and meets the wishes of the hon. member for Aubigny in the matter.

Amendment (*Mr. A. J. Jones*) agreed to.

Clause 11, as amended, put and passed.

Clauses 12 and 13 put and passed.

Clause 14—"*Amendment of section* 75: *Penalty for erecting buildings on ground filled up with offensive matter*"—

Mr. KING (*Logan*): I move the insertion, after the word "land," on line 51, of the words "or land which is incapable of being drained." I think this amendment ought to meet with the approval of the Committee. We know that many parts in residential areas are totally unfit for residence, not only from a health point of view, but from the point of view of giving people reasonable opportunities of drainage; therefore people should be prohibited from building on such areas. I would ask the Minister to accept the amendment and prohibit building on such low-lying ground.

The SECRETARY FOR MINES: I propose to accept the amendment.

Amendment (*Mr. King*) agreed to.

Mr. KERR (*Enoggera*): I beg to move the insertion, after line 57, page 4, of the following new paragraph—

"(2.) No person shall erect any new building for residential purposes on any ground less than 32 perches in area."

There is no need for me to say any more. The amendment speaks for itself.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I would rather the hon. member would withdraw the amendment at this stage. I do not want to argue against the amendment, [5 p.m.] but I do not want it inserted in this Bill, because I do not think this is the proper place for it. We propose to amend the Local Authorities Acts, as the hon. member for Logan knows, and that will be done very shortly. In the amending Bill, in which we intend to repeal the Undue Subdivision of Land Prevention Act, we will provide the minimum area for building purposes. It may be 32 perches, or less, or more. I cannot say that I am in favour of allowing

eight or ten buildings on an acre of land. I am opposed to small allotments. That is a matter that has been considered by the department and also by the Home Secretary.

Mr. KERR (*Enoggera*): I am quite willing to withdraw the amendment if the Minister will give an assurance that I can include it in the Local Authorities Acts Amendment Bill to be dealt with this session. I understand that that will be the correct place to insert this amendment. This Bill provides for amending the Health Acts in certain particulars, and I think it could be dealt with here.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I cannot give the hon. member an assurance that his amendment can be inserted in the amending Local Authorities Bill to be dealt with this session, but I oppose the amendment being introduced into this Bill because it is not the proper place for it. It opens up a big question. There is not likely to be much harm done now by waiting until we meet again next year, when the Local Authorities Acts Amendment Bill will be introduced.

Mr. TAYLOR (*Windsor*): I do not agree that we should fix a minimum of 32 perches as a general thing. I would like the Minister to consider if it is not possible to bring this amendment forward in the amending Local Authorities Bill which is to be considered this session. Personally, I would favour 24 perches being fixed as the limit, and we could also have a specification that all buildings to be erected shall be a certain distance from each other. That will get over the difficulty. Anyone going out to the Exhibition cannot help noticing the large houses that are erected on 16-perch allotments. The people in those houses can shake hands with each other from one place to the other. They are beautiful sites and lovely blocks of land, but they are spoilt by putting large houses on small areas. We ought to be able to prevent that. There is no necessity for overcrowding in Brisbane, because we have got plenty of land.

HON. W. H. BARNES (*Bulimba*): I would like the Minister to give some assurance that the amendment will be dealt with at the earliest opportunity. The Minister said he was sympathetic to the amendment without giving a guarantee that the minimum area would be 32 perches.

The SECRETARY FOR MINES: That is right.

HON. W. H. BARNES: I admit that there are several ways of looking at it. It depends on the location: but I certainly think it is a disgrace to allow residences to be put up on 16-perch allotments. Of course, there is the other aspect to be considered, that persons may be prevented from building homes because the area of land is too large; but from the point of view of health and the preservation of child life, 16 perches is too small. I am in sympathy with any movement to increase the area, and I would like the Minister to give an assurance that the matter will be dealt with at the first opportunity.

The SECRETARY FOR MINES: I will give you that assurance.

Amendment (*Mr. Kerr*), by leave, withdrawn.

Clause 14, as amended, put and passed.

Clauses 15 and 16 put and passed.

Clause 17—"*Amendment of section* 91—*By-laws—Swine*"—

Mr. MOORE (*Aubigny*): This clause reads—

> "In paragraph (1) of section ninety-one of the principal Act, after the word 'pigsty' the words 'cowshed, byre, or dairy' are inserted."

We do not want to have a dairy farm in the town, but there is a large number of people who have one cow, and they should not be debarred under this Bill from keeping that cow for domestic purposes. The council would be quite justified in preventing people keeping pigs, but there is no need to prevent people keeping one cow. We have the power now to prevent people keeping pigs.

The SECRETARY FOR MINES: This refers to keeping cows on a 16-perch allotment.

Mr. MOORE: No dairy is allowed on less than 1 acre of land under the Health Act at the present time. It does not say anything about 16 perches.

The SECRETARY FOR MINES: It is only a permissive power.

Mr. MOORE: They are all put in one clause.

Mr. GLEDSON (*Ipswich*): I think it is very necessary to have this provision, because I know that the local authority with which I am connected has been dealing with a case in which a man kept a cow in a bail directly under the window of his neighbour, who was sick. The calf was bleating all night, and the council and the dairy inspector had no power to get the bail shifted.

Clause 17 put and passed.

Clauses 18 to 22, both inclusive, put and passed.

Clause 23—"*Use of catheters, etc.*"

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I move the insertion, after line 47, page 7, of the following words:—

> "Provided that this section shall not apply to a wholesale firm supplying a medical practitioner or registered pharmaceutical chemist or to any public hospital or charitable institution."

As hon. members know, the clause is directed against the sale, hire, or exchange of any instrument for a certain purpose, and the amendment merely provides for wholesale firms supplying medical men, chemists, or certain institutions with articles required to carry out their proper functions.

Mr. KING (*Logan*): I would like to ask the Minister how this affects the sale of knitting needles. (Laughter.)

Amendment (*Mr. A. J. Jones*) agreed to.

Clause 23, as amended, put and passed.

Clauses 24 to 27, both inclusive, put and passed.

Clause 28—"*Amendment of section* 113—*Substances prohibited in toys, etc.*"

Mr. MOORE (*Aubigny*): I would like to ask the Minister why the clause prohibits the sale of a mattress by any particular name denoting that it contains a certain substance unless it is packed entirely with that substance and yet does not make a similar provision with reference to the sale of quilts. Very often quilts are sold as eider-down

quilts when they are packed with kapok or something of that sort.

The SECRETARY FOR MINES: You can move their inclusion.

Mr. MOORE: I move the insertion, after the word "mattress," in line 15, page 8, of the words, "or quilt."

Amendment (*Mr. Moore*) agreed to.

Clause 28, as amended, put and passed.

Clause 29—"*Restriction on use of lead in paints.*"

Mr. GREEN (*Townsville*): Is there any intention to leave this provision in the Act even though the report of the Commonwealth Commission which is to investigate the effect of white lead in paints reports that it is not injurious to children? Will the clause be subject absolutely to the report of the Commission?

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): The provisions of the section will not come into operation except by proclamation, and not earlier than the 1st July next.

Mr. GREEN: It is subject to the investigation of the Commission?

The SECRETARY FOR MINES: I think so. The Commonwealth Commission will make an early investigation, and we intend to wait until we hear the result.

Hon. W. H. BARNES: I take it you will be guided by the decision.

The SECRETARY FOR MINES: We shall want to know what the decision is.

Mr. GREEN (*Townsville*): I ask the question, because I think that white lead in paints has a great deal to do with the lead poisoning of children.

The PREMIER: There can be no objection to an investigation.

Mr. GREEN: I do not object to an investigation: but, if a majority of the Commission who make the investigation say that lead poisoning is not caused by lead paint, will the Government abide by that decision?

The PREMIER: No doubt we shall have to be guided by what the Commission discloses.

Mr. GREEN: We know that lead in paint has a bearing on the health of children, more particularly in the North.

Hon. W. FORGAN SMITH: All over the State.

Mr. GREEN: Yes. I would prefer to see this put into force as experimental legislation as the health of our children continues to be endangered. Personally, I have no doubt that lead in paints has a lot to do with the lead poisoning of children, and that is also the opinion of medical men with whom I have spoken, and if we can save any of the sufferers by being careful we should do so.

The SECRETARY FOR MINES: You think we should not wait until the decision of the Commonwealth Commission?

Mr. GREEN: I think it is sidetracking the question to a certain extent.

Hon. W. H. BARNES (*Bulimba*): There seems to be a desire on the part of the Minister not to make a mistake in any decision he may come to. I take it that that is the paramount consideration in his mind. In this matter there are other forces which will require some consideration. One force is, that at the present time in Australia there is an industry which deals with white lead and lead generally. Then there is the bigger question raised by the hon. member for Townsville. The Committee should be decided on the point that, if it is proved that child life is suffering as a result of lead, whatever the inconvenience may be, lead must go. I approve of the action of the Minister in accepting the inquiry which has been proposed. But I would like to have an assurance that, if it is found, after inquiry, that this evil is the result of white lead in paint, immediate action will be taken to see that white lead is not further used.

The SECRETARY FOR MINES: I can gladly give you that assurance.

Hon. W. H. BARNES: I am very glad to hear the Minister say that. That should be the paramount consideration in a matter of this kind. On the other hand, if it is found that that is not the reason, naturally the Minister will take no action. If there is any doubt at all, I think that the Minister should take action in the direction indicated by the medical profession in order to save child life.

Clause 29 put and passed.

Clause 30—"*Subdivision III.—Footwear*"—

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move the insertion, after subclause (3), of the following subclause:—

"Where any person is prosecuted under this Act for the sale of any leather or boots or shoes the soles of which consist of leather having an admixture of any weighting substance as aforesaid, he shall be entitled to be discharged from such prosecution upon proving—

(i.) That he has received from the person from whom he purchased such boots or shoes or his duly authorised agent, a guarantee in writing that the articles are constituted and marked in accordance with the requirements of the Queensland Health Acts; and

(ii.) That he had no reason to believe that the said articles were mixed, composed, constituted, or marked in contravention of the said Acts; and

(iii.) That he sold the articles in the same state as when he purchased them.

Subject, however, to the following conditions:—

(*a*) The person giving the guarantee must be resident in Queensland, or, if a company or firm, must have a registered office in Queensland.

(*b*) The guarantee must state the name and the place of business of the guarantor, and the name under which he trades, and must specifically identify the articles to which it relates.

"Any tanner or other person who manufactures or sells or supplies or keeps for sale or use in Queensland any leather having an admixture of any weighting substance specified in the regulations and which is intended for or capable of being used in the making of soles for boots or shoes shall be liable to a penalty not exceeding twenty pounds."

Hon. members will see that the amendment is necessary to secure conformity with the guarantee principle in regard to other articles.

Mr. KING: Are those provisions taken from any other statute?

The SECRETARY FOR MINES: Yes.

Mr. TAYLOR (*Windsor*): Does the definition of "sole" include the heel of a shoe? (Laughter.) A lot of ladies' footwear has heels of celluloid and wood covered with a piece of leather.

The PREMIER: "Sole" is defined in clause 3.

Mr. GLEDSON (*Ipswich*): This deals with the manufacture of boots. Can boots which are below the mark be brought from other places and take the place of those made here under these conditions?

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): This clause has the approval of both the manufacturers and the retail trade. They are awaiting the passage of the Bill before submitting further orders. The trade itself may regulate the difficulty which the hon. member for Ipswich foresees.

Mr. PETRIE (*Toombul*): Can the Minister tell me whether this is going to improve the condition of people's feet? I was astonished to find so many people in the city suffering with their feet. I hope that the restrictions put into this Bill will be the means of doing away with that trouble. Some people attribute it to tight boots and high-heeled shoes, but I do not go that far.

The SECRETARY FOR MINES: It certainly is going to improve the health of the people.

Mr. MOORE (*Aubigny*): There does not seem to be anything in the clause to protect the manufacturer when he buys leather from a tanner. He does not know whether it is weighted or not, and he puts it into boots in good faith. The only man who can tell him is the man who tans it. In order to protect the manufacturers and retailers, it is necessary to go to the source of supply and commence with the tanner, who is wholly responsible for the ingredients employed in the manufacture of the leather. If the manufacturers are to be compelled to use pure leather, then the tanners must be compelled by law to supply only pure leather. If the Government will set out the various tanning formulæ the tanners are to use and undertake to see by analysis or some other method that such formulæ are adhered to, the object of Parliament in seeing that the public have pure leather footwear will be solved so far as Queensland-made boots and shoes are concerned. If the tanner is prohibited from purchasing or holding stocks of such material as is prohibited by this clause, the object in view will be attained.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): There is something in the contention of the hon. member, and with the permission of the Committee I move the insertion of the word "leather" after the word "such" in paragraph (i.) of the amendment, making it read—

> "That he has received from the person from whom he purchased such leather, boots, or shoes."

That will overcome the difficulty.

Mr. MORGAN (*Murilla*): I would like to know whether there is any provision in this Bill for reducing the price of boots and shoes. There does not appear to be anything to stop those who are engaged in the industry from charging us exorbitant prices. The prices are now so high that it is almost impossible to buy boots and shoes.

The CHAIRMAN: Order! I am afraid that the hon. member will not be in order in dealing with that aspect of the question.

Mr. MORGAN: Perhaps the Minister will take the necessary steps in connection with some measure to see that people [5.30 p.m.] can get boots and shoes at a reasonable price. This Bill is going to increase the price.

Amendment (*Mr. A. J. Jones*) agreed to.

New subclause (*Mr. A. J. Jones*), as amended, agreed to.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I beg to move the omission, on page 9, of the first two paragraphs of subclause (5), reading—

> "(5.) Any State inspector may enter any place where boots or shoes are manufactured or sold or kept for sale, or any place where he has reason to believe that boots or shoes are manufactured, or sold, or kept for sale, and inspect any articles therein; but he shall, at the request of any person apparently in charge of such place or of any work carried on therein, produce his authority as inspector.
>
> "He may also in any such place take any boots or shoes, whether manufactured or partly manufactured, paying a just price for the same"—

with a view to inserting the following:—

> "(5.) Any State inspector may enter any place where boots or shoes or leather are manufactured or sold or kept for sale, or any place where he has reason to believe that boots or shoes or leather are manufactured or sold or kept for sale, and inspect any articles therein; but he shall at the request of any person apparently in charge of such place or of any work carried on therein, produce his authority as inspector.
>
> "He may also in any such place take any boots or shoes or leather, whether manufactured or partly manufactured, paying a just price for the same."

The subclause is self-explanatory.

Amendment (*Mr. A. J. Jones*) agreed to.

Clause 30, as amended, put and passed.

Clause 31—"*Amendment of section* 116—*Entry and inspection*"—put and passed.

Clause 23—"*Amendment of section* 118—*Manner in which sample may be dealt with*"—put and passed.

Clause 33—"*Amendment of section* 120—*Duty of analyst, etc*"—put and passed.

Clause 34—"*Amendment of section* 121—*Obstruction of officer, etc.*"—put and passed.

Clause 35—"*Guarantee when a defence*"—put and passed.

Clause 36—"*Amendment of section* 129—*Proceedings for offences*"—put and passed.

Clause 37—"*Amendment of section* 131—*Court may order independent analysis to be made*"—put and passed.

Clause 38—"*Amendment of section* 136—*Publication of names of offenders*"—put and passed.

Clause 39—"*Regulations; Standards*"—

Mr. MORGAN: (*Murilla*): I think, from the point of view of the health of the community, we should allow brandy, whisky, rum, and gin to be "broken down" to a greater extent than is set out in the Bill. We should look at the matter not only from the point of view of adulteration but from the point of view of the strength of the drink. I think it would be advisable to compel hotelkeepers to sell brandy, whisky, rum, and gin at 50 degrees under proof. At present we must admit that these spirits do a considerable amount of harm. Is the Minister prepared to accept an amendment compelling hotelkeepers to sell these spirits 50 degrees under proof?

Hon. W. FORGAN SMITH: That would not be adulteration; it would be "breaking down."

The SECRETARY FOR MINES: This standard is in conformity with the Commonwealth standard, and I cannot accept an amendment.

Clause 39 put and passed.

Clause 40—"*Amendment of section* 138—*Suggested names for articles of food*"—put and passed.

Clause 41—"*Amendment of section* 139—*Saving as to proprietary foods*"—

Mr. KING (*Logan*): Will this clause do away with the protection now given with regard to disclosing the formulæ of proprietary medicines? Section 139 of the principal Act states—

> "Nothing in this Act shall be construed as requiring proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulae except in so far as this Act may require to secure freedom from adulteration or false description."

Section 137 of the principal Act provides—

> ". . . . but no regulation under this Act shall provide that the owners or proprietors of proprietary medicines shall deposit, disclose, or publish the formulae or ingredients of any such proprietary medicines."

Does this Bill do away with that protection?

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): This clause gives additional protection.

Mr. KING: It appears to me that that clause does interfere with the existing privileges of proprietors.

The SECRETARY FOR MINES: I am advised that it does not.

Clause 41 put and passed.

Clause 42—"*Cleansing and disinfection of houses, etc*"—

Mr. MOORE (*Aubigny*): Subclause (3) of subclause (4) states—

> "The local authority may—
>
> * * * *
>
> (3) Provide a proper place, with all necessary apparatus and attendance, for the disinfection of bedding, clothing, or other articles which have become infected; and cause any articles brought for disinfection to be disinfected free of charge."

That is an extraordinary provision. I beg to move the omission from that subclause of the words—

> "and cause any articles brought for disinfection to be disinfected free of charge."

Any second-hand clothes dealer could come from Toowoomba or Ipswich to Brisbane and have his articles of clothing disinfected free of charge, and the Brisbane City Council could not object. They would have to keep a place open for anyone who liked to come along. The subsection in the principal Act reads—

> "Provide a proper place, with all necessary apparatus and attendance for the disinfection of bedding, clothing, or other articles which have become infected."

That gives the opportunity to the local authority, in a time of emergency, to do it free of charge, but it does not make it compulsory.

Mr. GLEDSON: This clause does not make it compulsory. It says the local authority "may provide."

Hon. W. H. BARNES: Does not "may" mean "shall"?

Mr. MOORE: The clause says that the local authority has to provide a proper place and then, if anybody brings along any articles for disinfection, they must be disinfected free of charge. If they provide a proper place for this disinfection, they have no option at all. It is not a fair thing that the local authorities should have to shoulder a burden such as that.

HON. W. H. BARNES (*Bulimba*): I think the hon. member for Ipswich is wrong in saying that the local authorities have the option of doing these things, because subclause (4) says—

> "The local authority shall enforce the provisions of this section."

And then this subclause says—

> "The local authority may."

In this case, the word "may" really means "shall." Generally speaking, that is so when a clause is framed in that way.

The PREMIER: I think it is optional.

HON. W. H. BARNES: There may be a difference of opinion, but my view is that it is not optional, and it appears to me that the local authorities will have to do this, and for that reason I hope the Minister will accept the amendment.

Mr. GLEDSON (*Ipswich*): I would ask the hon. member for Aubigny to withdraw the amendment. Even if it is compulsory, it is necessary in regard to phthisis cases. When a phthisis case has to be declared infectious the case is very bad indeed, and we should not take out of the Bill a clause providing that the disinfection shall be done free of cost to those suffering from phthisis. We do not want to put any burden on the shoulders of the men and women who have this dreadful complaint in their homes. It is quite enough for them to have it in their homes without attempting to saddle them with the cost of disinfection, which is done for the purpose of preventing the spread of the disease. Any cases of phthisis which have come under my observation have not been infectious. In many instances, these

people are attended by their families and there has never been any infection; but if it is found necessary to disinfect the home, we should not saddle any of the cost on to the people who suffer.

Mr. MOORE (*Aubigny*): The clause does not only refer to phthisis cases. Subclause (1) says—

> "When a local authority is satisfied, on the report of its medical officer of health or of any medical practitioner, that the cleansing and disinfecting of any house or part thereof in the area"——

The SECRETARY FOR MINES: We want that power to remain in the Bill. We may want to disinfect some homes where the people are not able to pay.

Mr. MOORE: The Bill ought to give the local authorities the option, when stuff is brought to them, of disinfecting it free of charge.

The SECRETARY FOR MINES: We have considered this very carefully.

Mr. MOORE: That is all very fine. The hon. gentleman looks at it from the Government point of view and not from the local authority point of view.

The SECRETARY FOR MINES: The local authorities are getting a very fair deal under this Bill.

Mr. MOORE: They have enormous responsibilities and very definite charges thrust on them, and they should be protected in cases such as I have referred to. The clause provides that any stuff that needs to be disinfected can be brought to them and it must be disinfected free of charge.

Mr. TAYLOR (*Windsor*): I do not see much to complain of in the clause as it stands. Subclause (3) reads—

> "When the owner or occupier of any such house or part thereof is, from poverty or otherwise, unable, in the opinion of the local authority, effectually to carry out the requirements of this section, the local authority may cleanse or disinfect such house or part thereof or articles, and itself defray the expenses of so doing."

Then subclause (4) says—

> "The local authority may—
>
> (3.) Provide a proper place, with all necessary apparatus and attendance, for the disinfection of bedding, clothing, or other articles which have become infected; and cause any articles brought for disinfection to be disinfected free of charge;"

If they can afford to pay for the disinfection of these articles, they will be charged for it. The clause really provides that the local authority, if it does not want to destroy a man's house, can say to him, if he has got the money, "You will have to do it." It is simply giving the local authority discretionary power to decide whether it will do the work itself or whether it will allow the owner of the house to do it. The local authorities are charged with carrying out the Act in regard to infectious diseases, and they can please themselves in what way they do it, so long as the Act is carried out as it should be.

Amendment (*Mr. Moore*) put and negatived.

HON. W. H. BARNES (*Bulimba*): Subclause 4 says—

> "The local authority may—
>
> * * * * * *
>
> Provide and maintain vehicles and vessels suitable for" &c.

I would like to ask the Minister if that means that every local authority has to maintain a vehicle for a specific purpose. It may be possible for a large local authority to provide necessary vehicles and maintain them, but there are cases where other local authorities who had to maintain vehicles for a specific purpose would find themselves saddled with a great financial burden.

The SECRETARY FOR MINES: It is entirely in their own discretion.

HON. W. H. BARNES: There is no doubt as to the interpretation of the word "may"; it seems to me that it would be safer to strike out that word. I quite agree that they should provide vehicles in case of need, but I suggest that the words "and maintain" should be struck out.

The SECRETARY FOR MINES: The same provision is in the principal Act.

HON. W. H. BARNES: It may be something that should not have been in the principal Act. It seems to me that some local authorities which have to maintain vehicles will be placed in a very awkward position. If the Minister gives an assurance that the word "maintain" will not be compulsory, I shall be quite satisfied.

The SECRETARY FOR MINES: It is quite optional.

Clause 42 put and passed.

Clauses 43 to 50, both inclusive, put and passed.

Clause 51—"*Amendment of Section* 161—*Venereal diseases—Compulsory examination and treatment*"—

Mr. KING (*Logan*): I should be glad if the Minister could give us some explanation of the meaning of line 15. (Laughter.)

The SECRETARY FOR MINES: The amendment is required by the Crown Law Office.

Mr. KING: Perhaps the word "bartholine," on line 16, should be spelt with a capital "B," as I understand that that is the name of a scientist.

The SECRETARY FOR MINES: Yes.

HON. W. H. BARNES (*Bulimba*): No one will suggest that the ordinary layman understands the meaning of the clause.

The SECRETARY FOR MINES: Read it.

HON. W. H. BARNES: No. (Laughter.) It would be well if the Minister would explain the clause in a general way.

Clause put and passed.

Clauses 52 and 53 put and passed.

Clause 54—"*Amendment of Section* 164; *Prostitutes, &c.*"—

Mr. VOWLES (*Dalby*): This is a rather remarkable clause, to my mind. We are dealing here with prostitutes. It seems to me that the amendment is more far-reaching than is intended. I can understand that in a city lock-up drunken women who come in for the night should be subjected to examination to see whether they

are suffering from the disease mentioned in the clause, but the clause says—

> "Every person detained in a lock-up or police station or prison shall on admission, be examined . . . by the visiting surgeon;"

Just imagine what would happen in a country district, such as my own, for instance. Suppose in a place thirty miles from Dalby a man is locked up for being drunk, which is the only likely charge you can make against him, and he has a sore head in the morning. You will have to send a doctor from Dalby to examine the man and see whether he is suffering from venereal disease.

The SECRETARY FOR MINES: You need not do so.

Mr. VOWLES: Is the police officer qualified to make the examination? This is not only going to cause a great deal of inconvenience, but also expense.

The SECRETARY FOR MINES: If there is no doctor, the man cannot be examined.

Mr. VOWLES: In Dalby there is a medical officer who goes to the Sanatorium to examine the patients, and he also goes to the hospitals; and to say that he will have to go every morning to the ordinary lock-up to see whether drunks are suffering from venereal diseases is altogether too stupid. You can deal here with your own lock-up cases of dissolute women who are notorious and have a bad record of convictions against them. This sub-
[7 p.m.] clause will work out harshly. It simply states that every person detained in a lock-up or police station shall be examined by the visiting surgeon.

The SECRETARY FOR MINES: I will suggest an amendment.

Mr. VOWLES: Very well, I will hear the Minister's amendment.

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*): I move the omission of the words "lock-up or" on line 20. It will then read—

> "Every person detained in a police gaol or prison shall . . . be examined," &c.

The examination will then be confined to persons in gaol or prison.

Mr. VOWLES: That will do.

Amendment (*Mr. A. J. Jones*) agreed to.

Clause 54, as amended, put and passed.

Clauses 55 to 67, both inclusive, put and passed.

Clause 68—"*Limitation of time for proceedings to be initiated*"—

Mr. KERR (*Enoggera*): I move the insertion, on line 27, of the words "or local authority" after the word "Commissioner." This clause provides that proceedings may be taken within six months.

The SECRETARY FOR MINES: I will accept that amendment.

Amendment (*Mr. Kerr*) agreed to.

Mr. KERR (*Enoggera*): As a consequential amendment, I move the insertion, after the word "Commissioner," on line 28, of the words "or by the chairman or clerk of the local authority."

Amendment (*Mr. Kerr*) agreed to.

Clause 68, as amended, put and passed.

Clause 69—"*Amendment of section 237—Power to local authorities to borrow for certain works*"—

Mr. MOORE (*Aubigny*): This clause gives the local authorities power to borrow by the sale of debentures. I would like to know whether the power is restricted to cases where the Government have not sufficient money available, or whether they can borrow by debentures whenever they please. In many cases local authorities have preferred to borrow in that way because they could get better terms.

The SECRETARY FOR MINES: In every case under the Local Authorities Acts they have to come to the Minister for an Order in Council for permission to borrow by debentures, and this amendment brings this Bill into line. It gives them wider powers than they have now.

Clause 69 put and passed.

Clause 70—"*Ratification*"—

Mr. KING (*Logan*): I should like to know what the object of this clause is. It provides for the ratification of the constitution of the Joint Health Board and the regulations for the destruction of rats, which, apparently, were ultra vires. Otherwise, I do not know what the necessity for the clause is.

The SECRETARY FOR MINES: The clause simply puts beyond doubt the validity of the rat destruction regulations, which were framed under section 165. That section is being repealed by clause 55 of this Bill.

Clause 70 put and passed.

Clause 71—"*Reprinting Act*"—put and passed.

The House resumed.

The CHAIRMAN reported the Bill with amendments.

The third reading of the Bill was made an Order of the Day for to-morrow.

## PUBLIC SERVICE BILL.

### SECOND READING.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): This Bill consolidates the existing Public Service Acts. The original Act dates back many years, and there have been a number of amendments since. Consequent upon the experience of the system under a Public Service Commissioner, it is thought desirable now to consolidate the measure and improve the general machinery of the law relating to the public service, at the same time more clearly defining the powers of the Commissioner, and setting out his duties and authority.

The Bill takes occasion to make a more effective classification of the public service. It will be found that five divisions are being created in place of the existing two professional divisions and one general division. We are creating under this Bill an administrative division, which will embrace all the permanent heads of the various departments; a professional division, the qualifications for which are laid down; a clerical division, an educational division, and a general division. That is a more convenient form than that which we have in force at the present time.

The Bill also definitely defines the rights of the public service in the matter of access

to the Arbitration Court. The present system is somewhat unsatisfactory, because it depends to some extent upon the action of the Administration in including or excluding members of the public service by the mere issue of an Order in Council. Admittedly, that has brought about a feeling of unrest amongst public servants, who do not know each year to what extent they will be subject to the Arbitration Court and entitled to its benefits, or in what way an Order in Council may be issued excluding them. Therefore, those who now, under the existing Order in Council, are entitled to have access to the court will have access provided by this Bill. It will apply to all officers in receipt of salaries not exceeding £300 in the Southern division and £325 in the Northern division. Those officers will have a statutory right to go to the court without being dependent upon the will of the Administration. It might be argued that the amount should be higher. It has been very carefully considered, and it has been decided by the Government that this is a fair limitation, and that officers in receipt of more than that amount should have their salaries appropriated and reviewed by Parliament. Although the limitation is only £300, in effect it amounts to more than that, because the classification made by the court increasing or decreasing salaries under £300 naturally influences those getting over £300. If increases are given to those receiving under £300, it would not follow automatically, but certainly it would necessitate the Administration increasing the salaries of those receiving over £300, and would necessarily go right up the whole range of salaries. The Arbitration Court exists primarily for the purpose of regulating wages and small salaries, and I think it cannot be argued that it is necessary for the purpose of classifying the salaries of permanent heads of departments and other highly-paid officers.

Mr. KERR: That has not been the experience of the public service of recent years; they have not gone up because those receiving under £300 have gone up.

The PREMIER: I think the hon. member has misconstrued the position. A decision of the court affecting those under £300 invariably has had an effect on those over £300. That has been my experience. In 1920 it had the effect of altering practically the whole classification up to £600. But it cannot be said that it is necessary for the higher-paid officers to go to the court; they will always get justice at the hands of the Administration and of this House.

Mr. KERR: Do you say that those who are lower paid would not get justice?

The PREMIER: There may be more temptation on the part of the Treasurer, on account of the large number concerned and consequently the large aggregate amount of salaries and wages involved, to withhold just increases which the court might give. It is quite evident to my mind that no one can argue that the general body of employees who are working for something near the level of the basic wage, the minimum wage, or whatever it may be called, should not have the same right that is possessed by outside employees to go to the court. I think it can be equally strongly argued that the higher class of public servants—the men in charge of departments getting £500 and £600 a year—have not the same claim in the fixation of salary. I suppose 95 per cent. of the employees in the public service will have access to the Arbitration Court; only a small section will not. Perhaps my percentage is not quite correct, but it is somewhere near the mark. The main body of public servants are in receipt of under £6 a week. Although the question of whether certain men should have access and certain other men should not have access to the court is not arguable, it may be open to argument whether the limitation in the Bill for those who may approach the court is the correct one.

The Bill also provides for a new code of provisions relating to the employment of temporary officers. Each time when there has been a general consolidation of the law the Government have found it necessary to make provision for bringing into the public service a certain number of officers who were originally appointed as temporary officers and who became permanent employees in the various Government departments. This action is no exception to the general rule. There are officers in the public service who were originally engaged as temporary officers, and whose services were found to be useful in the particular departments, and they were continued in the department for some years —in some cases for a great many years. They have no status under the Public Service Act, and it is only a common measure of justice to bring them under the Act so long as they are reported by the Public Service Commissioner to be efficient and to be entitled to that consideration. Provision is made for a slight alteration with regard to appointments to the public service. Appointments to vacancies must be made on promotion from within the service, unless the vacancy is in an office for which there is no one in the public service capable of satisfactorily filling that position, and upon a certificate of the Public Service Commissioner an outside appointment may be made. Normally, appointments must be made by promotion. There is the right of appeal for an aggrieved officer who feels that he has been passed over unjustly in making those appointments. Provision is made also for the advertising of vacancies. That feature was introduced for the first time in the 1920 Act, and has worked very satisfactorily. That gives officers, whether they are located in Brisbane or outside Brisbane, an opportunity of having their claims considered before an appointment is actually made.

Mr. VOWLES: The Bill provides that vacancies shall be advertised as prescribed.

The PREMIER: When we get into Committee I will quote certain cases on that point. In certain cases that clause cannot apply. It will not apply to administrative officials.

Mr. ELPHINSTONE: Can any person in the public service compete for positions in any department?

The PREMIER: Yes. Anyone in the public service can apply; but in the case of a grievance, the right of appeal is only given to the persons in the department concerned. The reason for that ought to be perfectly obvious. The person who has a grievance, as a consequence of being passed over in the matter of an appointment, is usually the man immediately below the position filled, and one of the officers of the department is more likely to be aggrieved than an outside officer. Three or four public service associations who are concerned in this Bill waited upon me

last week and suggested certain amendments, and this is one of the matters that they referred to. They considered that it might work all right generally, but in the case of an officer acting as mining registrar and clerk of petty sessions, who is controlled by two departments, there might be a grievance. There might be a grievance in the case of the position of clerk of petty sessions being filled by a mining registrar or vice versâ. In cases of that kind I am quite prepared to consider an amendment in Committee, because we do not want to shut out anyone who has a just claim for appeal in cases for promotion of that kind.

Mr. KERR: What is the object of allowing an employee to approach the Commissioner direct instead of the head of his department?

The PREMIER: It is to make the position of the Commissioner more effective. Considerable latitude and elasticity have been applied in practice to enable the Commissioner to keep in touch with the work of the various departments. It is not so much to enable an officer to approach the Commissioner—the Commissioner has weekly meetings with the various Public Service Associations, at which most grievances and troubles are brought before his notice—as to enable the Commissioner to go to the officer without having to go through the ordinary channel. The Commissioner recognises the necessity of keeping up the proper system of communication and will not do anything that will tend to break that down; but there may be a matter which requires the Commissioner to consult, say, the Superintendent of Asylums, and, at present, under the regulations he would be required to communicate with him through the Under Secretary of the Home Department. In conducting business normally that is the proper channel, but the Public Service Commissioner may require to bring the issue to a head or decide it as quickly as possible, and the usual circumlocution only results in delay, therefore the Bill gives him the right to go direct to the officer concerned. That is the justification for that clause. It gives the right to the officer to go to the Commissioner, but the Commissioner usually, in matters affecting the general body of public servants, deals with the association concerned: and, fortunately, the Commissioner has worked very amicably, not only with the heads of the departments, but also with the officers of the various associations.

In cases of promotion, the heads of the different branches are always consulted, and they are able, in most cases, to advise as to the actual qualifications of the men under their control.

Mr. VOWLES: The Commissioner has power to delegate authority.

The PREMIER: That is in the existing Act. He can delegate authority to the departmental heads. One can understand that in the matter of engaging, say, a messenger, or making appointments to positions of that nature, the Commissioner does not keep all the details in his own hands, and he delegates his authority to the permanent head. Everybody will admit that the system of a Public Service Commissioner controlling the public service has been a good thing, and although no one questions the integrity or honesty of the permanent heads, it is necessary to have co-ordination between all the departments, and that is why the authority is vested in a single officer. The officer exercising those functions is the Public Service Commissioner, who consults with the permanent head in matters affecting a particular department. That system has been found to work very amicably. There has been very little friction between the Public Service Commissioner and the departments under his control so far as the staff is concerned.

Hon. W. H. BARNES: May not any Under Secretary concerned feel that he has lost hold of his department?

The PREMIER: Some of the permanent heads may have thought that when the position of Public Service Commissioner was created originally. I think some viewed the system with misgiving, but that is no reason why the system should not be established. It may be an argument, but not one that outweighs the advantages in favour of a Public Service Commissioner. What happened before the Commissioner was appointed? The public service nominally was under the Public Service Board, which consisted of Ministers. The Public Service Board comprised all the Ministers, but only two or three could regularly attend the meetings of the Public Service Board.

Hon. W. H. BARNES: That is not so.

The PREMIER: I am giving my own experience, and I understand the same thing applied to the previous Administration.

Hon. W. H. BARNES: No.

The PREMIER: I know that since 1915 it was seldom that the Public Service Board consisted of more than four members, and very frequently it consisted of only two members. Any two constituted a quorum, and frequently it was not the same two Ministers who formed the quorum at successive meetings, and therefore it was almost impossible for Ministers to keep in touch with the service. One can easily understand that. In view of the ramifications of the service, Ministers were not in a position to decide upon the relative qualifications of officers. They knew about the officers with whom they came into direct contact in their own departments, but they could not be expected to take a general survey of the whole of the service, for it was not their business. They perhaps had not had any experience in the public service before or in connection with the administration of the departments, and therefore the Public Service Board system was not satisfactory. I am speaking from my own experience in the matter. As a matter of fact, it devolved upon the Under Secretary of the department concerned to make the recommendations to the Public Service Board in each case, and almost without exception the recommendations went through. That meant that the public servants were actually under the control of the individual Under Secretaries, and there was no uniformity. What one department would do in regard to the control of officers and classification another department might not consider to be correct, and each would adopt its own system, and the Public Service Board would register its approval. Hence there was chaos, and there was no proper classification in the service until Mr. Story was appointed in 1919 to reclassify the whole service. The necessity of having a more efficient classification was recognised. In fact, in the Commonwealth and in every State in the Commonwealth, and also in New Zealand, the public service is under the

control of Public Service Commissioners. In some cases, it is true, they are under more than one Commissioner, but we have only one Commissioner in Queensland, and a very satisfactory one. (Hear, hear!) It is true also—and I do not mind frankly admitting it—that to a large extent the success of such a system depends upon the qualifications of the officer occupying the position.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: Queensland is fortunate in having a gentleman occupying that position whose training has given him a comprehensive knowledge of the service, and one whose fairness to the service and to the departments, and whose integrity are well recognised. Queensland is exceptionally fortunate in that regard. It might not work quite satisfactorily if we had a man whose temperament and qualifications were not so well established as Mr. Story's.

Mr. ELPHINSTONE: Everything depends on the man.

The PREMIER: There is no doubt that everything depends on the Commissioner. Whatever Administration is in office when the time arrives—I hope it will be many years hence—for a successor to be appointed to Mr. Story, the Administration will have to exercise a great deal of discretion if it wants to get a man as good as the present occupant of the office. (Hear, hear!)

The Bill also makes some alteration regarding the discipline of the public service. It becomes the duty of the authority controlling the public service to deal firmly with breaches of duty or offences, many of which are set out in the Bill. Fortunately, in the Queensland public service, considering the large number of departments and the great number of officers employed, they are not very frequent, but they have to be attended to. The present system is not, I think, as satisfactory as the one we are providing in the Bill. Minor offences can be dealt with summarily by the heads of departments who know the facts, and will thus save individual officers from unpleasant experiences, and yet not allow to go unnoticed offences or derelictions of duty that ought to be noticed. Where an offence is very grave, a charge has to be formulated, and in that case the officer will be dealt with as provided in the Bill, and will have the right of access to the Appeal Board, upon which his association will be represented to see that he gets a fair deal.

I think I have touched upon the most outstanding features and the changes in the law. Of course, the majority of these proposals, if not identical in phraseology, are at any rate the same in principle as the sections in the existing Public Service Act. There are not many changes, but what changes are made will be a distinct improvement to the present Public Service Act, and the public servants themselves will, I feel sure, welcome the Bill. As I have already mentioned, they have made suggestions for amendments, one or two of which will be a distinct improvement, and, if they are not proposed by the Opposition, I will propose them myself in order to have them embodied in the Bill. I have now much pleasure in moving—

> "That the Bill be now read a second time."

Mr. VOWLES (*Dalby*): This is a Bill for the consolidation of the law dealing with public servants, and repeals the existing Acts, with the saving clause—

> "But save as hereinafter provided nothing in this Act shall affect any rights accrued, or anything done or contracted to be done, under those Acts."

In dealing with the measure, it would be just as well to show the conditions which obtain under the existing Acts, and what is proposed to be substituted in the future. Under the present Act, salaried officers only of the professional or ordinary divisions—not including the Education Department—and there are certain exceptions, such as judges, railway employees, police, &c.—are included under the definition of "public servants." Under this Bill we have included all Government employees, whether paid salaries or wages, and whether classified [7.30 p.m.] or unclassified. There are now to be five divisions of the service, namely, the administrative, professional, clerical, educational, and general. There are also other branches of the service connected with the State Enterprises and the Main Roads Board. Then there are quite a number of Government employees who come under various Acts of Parliament who are excluded from the Public Service Act. There are such employees as those connected with the State sawmills, the Bureau of Central Sugar Mills, and the State Advances Corporation.

The PREMIER: In each of those cases they have their own Acts.

Mr. VOWLES: You would not regard them as public servants?

The PREMIER: Not under this Bill. With regard to the State sawmills, the employees have not got their own Act.

Mr. VOWLES: They are not regarded as public servants.

The PREMIER: I think the members of the Forestry Branch are included under this Bill.

Mr. VOWLES: It is provided in the Bill that, unless otherwise provided, there shall not be included therein officers appointed by the Governor alone, judges of the Supreme Court and Arbitration Court, associates to the judges, any officer of Parliament, the Agent-General, the Auditor-General, the members of the Land Court, the Railway Commissioner or officers or employees of the Railway Department, the Commissioner for Trade or managers, officers, clerks, or other employees in the State Trade Office, or managers, officers, clerks, or other employees engaged in connection with any State enterprises under the State Enterprises Act of 1918, or in connection with any State mines, the members of the Main Roads Board or officers or employees of the board, Crown Prosecutors, the Police Force, honorary officers, and persons temporarily employed. It does not include all those. I would like to know if those engaged at the State sawmills are specially exempted, or if they come under any Act?

The PREMIER: They are specially exempted. We do not want to bring wages employees under the Public Service Act.

Mr. VOWLES: The Bill starts off by saying that it includes all Government employees, whether they are paid a salary or wages, or whether they are classified or

unclassified, and the hon. gentleman immediately starts off by naming one section who are neither fish, flesh, nor good red herring, and who are not public servants in the strict acceptation of the term. I would like to know where they come in, and why they are excluded from the Public Service Act. The control of the Public Service must in all cases be subject to the Ministers and the Governor in Council. With this reservation the changes made are in the present Act. Nominally, and on a strict interpretation of the Act, control is vested in the Commissioner in respect of matters affecting classified "salaried" officers only, but in reality much wider powers have been allotted to him by Cabinet. The control of wages employees, however, is vested practically in the permanent head of each department. Under this Bill the Commissioner is placed in full control of matters relating to all sections of Government employees, including teachers, covered by the Bill. He has power, subject to the approval of the Minister, to delegate his powers. The important thing in connection with the public service is how individuals are to become members of that service. Under the present Act provision is made that a person shall not, except as provided, be admitted into the public service unless he successfully passes the prescribed examination. In specific cases persons may be appointed without examination upon a certificate from the Commissioner stating that there is no person in the service available and qualified for such appointment. Under the Bill the alternative arrangement is that the Commissioner may, with the approval of the Governor in Council, make regulations instituting entrance examination. That is not defined, but it is left to the Commissioner's own discretion whether he will do it or not. In special cases persons may be appointed without examination on the certificate of the Commissioner that there is no person in the service available for such appointment who is capable of filling the office. The question then arises, "Will it now be necessary to secure a certificate in order to appoint persons to the general division, to include messengers, lift attendants, lavatory attendants, rangers, etc.? Under the present Act it is provided that in all cases where these special appointments are made a report shall be laid before Parliament. That has not been done in the past. I asked recently in this House whether any such appointment had been made during the last financial year, and I was told that there were no such appointments, and that was the reason why no report was laid on the table of the House. With all due deference to the reply that was given, I am informed on pretty good authority that there are certain cases where entrance has been granted to the public service under that provision. I would like to know from the Minister at a later stage if that is so, and more particularly I would like to know, if it is true, why was I given an evasive answer?

The PREMIER: If you were given that answer, it was correct.

Mr. VOWLES: There may have been some misunderstanding with regard to my question, but I am informed that there have been three cases within the last three years where entrance was made into the public service under that principle. When we get into Committee we shall have an opportunity of getting some more information about these appointments, and also about the salary, classification, and allowances before we get on to the subject of the Industrial Arbitration Act. Various matters were debated in the earlier part of this session, when we found that a certain class of privileged employees, both men and women, who were in receipt of salaries in the Southern division of not more than £300, and in the Northern division of not more than £325 have special powers and privileges over those who receive higher salaries. We know from experience that a good deal of injustice has been done to certain individuals in the public service in that respect. We know that men have been compelled to join political unions. They are called industrial unions, but in order to receive certain benefits under the Public Service Act public servants have been compelled to join a union. All those public servants who receive over £300 do not get any benefit from the union at all. Why should they be compelled to join a union when they are debarred at the same time from all privileges under the Arbitration Act? You take the money from these men to join the union, yet you discriminate between the man getting under £300 a year and the man getting over that amount. There are certain men in the public service, one of whom I met myself, who are conscientious objectors, and they refuse to join a union. One man I know belongs to the Department of Public Instruction. He told me he was being victimised, as he was being deprived of certain increase which he was entitled to as a public servant merely owing to the fact that he refused to become a member of a union. Why should that be so, and why should there be any discrimination?

The PREMIER: It is a strange attitude for any individual to take up.

Mr. VOWLES: It is not a matter of what attitude he took up. He is honest and conscientious, and why should he be deprived of his privileges?

Mr. FERRICKS: You did not have much time for the conscientious objector during the war.

Mr. VOWLES: I am dealing with cases that arise under this particular clause. I would like to know how the officers getting less than £300 a year are situated, who have, for private reasons, declined to become members of the organisation. They are still deprived of their rights—their automatic increases and allowances, as the case may be. Those getting over £300 per annum are compelled to join a union; but why should they not receive the same privileges as any other member of the service is entitled to receive? Clause 17 is the one to which I am referring. It reads—

> "The classifications, salaries, fees, and allowances of officers employed under this Act shall be determined by the Governor in Council on the recommendation of the Commissioner."

But all employees receiving less than £300 per annum are to be deemed to be employees within the meaning of the Arbitration Act. Later on, power is given to the Commissioner of fixation or recommendation in respect of the following:—Remuneration of temporary employees——

The PREMIER: Not under £300.

Mr. VOWLES: They still will be subject to recommendation. Clause 17 says distinctly that they are subject to the Arbitration Court, but subsequent clauses confer certain powers on the Commissioner.

The PREMIER: We are not overriding the Arbitration Court.

Mr. VOWLES: I do not know. The Bill distinctly says that power is given to the Commissioner of fixation or recommendation with respect to the following:—Remuneration of temporary employees, the stoppage of increases, the raising or lowering of classifications, deduction for board, quarters, fuel, light, or uniform, rates of salary for females, travelling and other expenses, and sustenance allowances. I would like to impress on the Premier again that there are professional men outside the public service—for instance, in the service of the Metropolitan Water Supply and Sewerage Board, which the hon. member for Fortitude Valley knows all about—who are doing exactly the same class of work as men in the public service, but who are receiving in almost every instance considerably more than the latter, because the Arbitration Court privileges extend to them and not to the public servants.

The PREMIER: They have their wages, in some respects, fixed by the Arbitration Court.

Mr. VOWLES: Which ones?

The PREMIER: The whole lot of them.

Mr. VOWLES: When we were discussing the reduction of public service salaries by 5 per cent., I gave a comparative table showing the salaries outside the service and those inside the service. I do not happen to have that table with me, but you will find that the professional man in the service is receiving considerably less than the man outside, merely because of the fact that the latter is entitled to go to the Arbitration Court and have his remuneration settled, whilst the other man, by an Act of Parliament, which is varied from time to time, according as the political barometer rises or falls, is debarred from going to the Arbitration Court. At one time the embargo was fixed at £300; it was raised to £500 immediately before an election, and then dropped to £300 again immediately after the election. His rate of salary is practically dependent on the political barometer, whilst the salary of the other man is dependent on what he is entitled to get as a right under an award of the court. I say that is an injustice and should be removed if we want to have a satisfied and efficient public service. We must pay the equivalent rate of wages, or we cannot expect to have the same quality of work as outside offices.

Clause 18 makes provision with regard to the appointment of unclassified employees. Persons who have been employed for at least three years, but who at present are not classified officers, may be appointed to any division of the public service. A similar provision was made in 1905. At present, officers who are not classified are debarred, except upon the issue of a special certificate under section 36, from appointment to positions usually held only by classified officers. Clause 15 proposes to wipe out all "class distinctions." There will be only one class, with five divisions. That seems to be very desirable. It seems an awful farce that, in our public service, we have been building up various departments in which men are classed as specialists. In my opinion the majority should be clerks, from the senior clerk to the lowest clerk, and they should be capable—from the very fact that they are clerks—of being transferred from one department to another. No man, unless he is really a specialist, should be in a position to say, "I am a specialist in one department, and I am liable to do only that work." Under the proposed new system there will be a better interchange amongst these officers, which, from what I can see, will do a great deal of good.

The most important matter affecting the public servant is, perhaps, the right which he has in the case of injustice or hardship, whether real or imaginary, to appeal. I find that the 1920 Act constituted an Appeal Board to deal with appeals against appointments, promotions, etc., and an Appeal Board to deal with appeals against punishments, dismissals, etc. The Bill creates one board for both kinds of appeal. There is no appeal in respect of matters referred to in clauses 26 to 29—in which it is not desirable that the right of appeal should be granted. Appeals with respect to promotions are restricted by clause 23, and, in any case, the appeal is from Caesar to Caesar—that is, from the decision of the Governor in Council to the Governor in Council. Unclassified officers and teachers will now have a right of appeal, which they did not have before. Since the institution of Appeal Boards, I think there has been only one case where the Board has upheld an appeal against a promotion. That was a case in Rockhampton, in which a man named Ffrench appealed, but the recommendation was not accepted by the Governor in Council. Although the Appeal Board upheld the appeal and recommended that it be granted, the Governor in Council did not accept that finding.

The PREMIER: There were very good reasons.

Mr. VOWLES: Why were there very good reasons? The Board came to a certain conclusion. They had the privilege of hearing the evidence and seeing the witnesses. They came to a finding, and the Governor in Council turned it down, although it was the only case in which an appeal had been successful. It goes to show that the public servants have very little hope of getting anything from the Governor in Council. What is the good of having an Appeal Board if their decisions are going to be treated like that?

The PREMIER: You cannot say that, because the Governor in Council exercised his right or prerogative.

Mr. VOWLES: Quite recently the power of going beyond the Appeal Board was taken away from public servants, and that provision is in this Bill. I say that every man who considers that an injustice has been done to him should have the same right as the individual outside to go to the very highest tribunal there is in the community.

The PREMIER: In matters of appointments and promotions outside their own departments, officers have no right of appeal.

Mr. VOWLES: When you find cases occurring such as I have quoted—when an Appeal Board recommends something and it is turned down by the Governor in Council, I say that such an individual should have the

same right as the man outside the service of going as far as he likes to prosecute his appeal.

Provision is made in the Bill by which an officer of one department may be transferred to another department; yet under those conditions persons who feel aggrieved on the question of promotion or seniority are debarred of their right of appeal unless they are officers of the department in which the promotion is made. I think that hon. members will remember one case in particular which appeared to everyone as a very glaring instance of a man being put over the heads of other people for no reason that we could see other than the fact that he was a political partisan. I will mention the man's name, because it has been mentioned in this House before. It is the case of a police magistrate named Dunlop, who was a member of a certain Commission in connection with electoral matters. Every police magistrate who to-day is in an inferior position in the service to that man has a grievance. That man was warden at Chillagoe, and he was appointed to the position of warden and police magistrate at Cloncurry under the Mines Department. There are many police magistrates in Queensland who were senior to Dunlop, but they were in the Department of Justice, and as a result they had no appeal.

The PREMIER: He was a warden.

Mr. VOWLES: That is the very point—because he happened to be a warden. How many police magistrates are not wardens?

The PREMIER: A good many have had no experience whatever.

Mr. VOWLES: It does not matter whether they have had experience or not, if they happen to get into a district which is, or was, or is alleged to be a mining area, they will be proclaimed wardens because of the fact that it is a mining district. Mr. Dunlop, who happened to be in one of those districts, was placed above men who had done many years' faithful service in their department. Because he was a warden the Government were able to take advantage of the position and deprive those other magistrates of any right of objection. The same position will obtain under this Bill.

The PREMIER: Do you say that senior magistrates were passed over?

Mr. VOWLES: Both as regards seniority and salary, he was placed over the heads of other men in the back country.

The PREMIER: As a warden?

Mr. VOWLES: That is the excuse. Many of those men in the back country had done warden's work as long as twenty years ago. I could name some of them myself.

The PREMIER: I should like to hear the names.

Mr. VOWLES: You need only go to Roma, and you will find there a police magistrate who has done warden's work.

The PREMIER: Who is the police magistrate there?

Mr. VOWLES: Mr. Burne.

The PREMIER: Is he senior to Dunlop?

Mr. VOWLES: He was senior to Dunlop. A lot of other police magistrates were senior to Dunlop.

The PREMIER: Was Mr. Burne willing to go to Cloncurry?

Mr. VOWLES: I do not know. Was he asked? The Government have brought that man from a lower grade and put him above these other police magistrates. When the next reshuffle takes place I know where these other people will be. They will be left in the backblocks and Dunlop and the friends of the Government will be brought down to Brisbane.

Then there is the question of advertising vacancies. At present vacant positions are advertised. Under the Bill only such positions as may be prescribed are to be advertised. The Premier has given us an explanation as to what "as may be prescribed" is to mean. I sincerely trust that it is correct. I will go further into the matter when we get into Committee.

We have to realise that outside the public service there are probably very few—laymen, parliamentarians, or anybody else—who even know or worry about what the effect of the Public Service Act is. When we have a consolidation or an amendment of the Act we want to know all about it. The criticisms I am making to-night I ask the Premier to take in the spirit in which they are given. We are putting on record on our statute-book something which is not merely for the present, but which is supposed to carry on for the future. I admit that we are all satisfied with the gentleman who at present occupies the position of Public Service Commissioner; but it would appear to to me that too much power has been given to him and too much authority is being taken away from the heads of the various departments. You cannot expect the Commissioner to be in immediate touch with the staffs of these departments like the Under Secretaries are. Once the authority has gone from the head of the department, to some extent the feeling of respect towards the head will be less, and once respect is gone you must expect that efficiency will start to go to. There is nothing like having a man on the spot in any department put in charge of the staff to let them know that to a great extent they are under his control, and that, whoever the Commissioner or the Government may be, his opinions will be taken into consideration so far as they are concerned.

The PREMIER: That will be the case.

Mr. VOWLES: I trust that it will be so. I cannot imagine how you will have efficiency otherwise. It would be better to have as Commissioner a gentleman like Mr. Story, who has been through the mill and knows the thing from beginning to end, than to have a slipshod Public Service Board, the members of which meet occasionally—probably not the same individuals on every occasion—who are not altogether interested, who have not made a study of the business as Mr. Story has, and who—although they may be doing their best and acting conscientiously—are not thoroughly in touch with their subject. From that point of view it is a good thing to have the Commissioner vested with certain powers. It would be a good thing if, from time to time, he deputed the heads of the various departments to be his delegates with restricted power, so that the feeling will exist between the head and his employees that the head of the department is the one to whom they have to look to represent their case one way or the other to the Commissioner. If that is done, a better

feeling will be brought about; there will be better control; and, if you have that control, you will get efficiency—which, I regret to say, is very badly needed in some departments. I do not throw any bouquets at the public servant—I know too much about some of the departments. I know that many of them watch the clock a great deal more than they watch their work. I do not say that that is so at present, but that has been my experience in the past.

Mr. POLLOCK: That is not peculiar to the public servant.

Mr. VOWLES: Probably it is not peculiar to Parliament. It is only human nature. It is high time that our public servants were shaken up, though we are getting more work out of the public servants at present than we did some months ago and their salaries are less. I complained in this House against the treatment they received. I have done that on principle, because it has been stated here—it was stated at election time, and it was stated quite recently—that there was going to be no interference with the rights of these people. The least the Government can do is to carry out its contract with those individuals. But they are privileged individuals. He is a happy man who is in a billet to-day and knows that at the end of every month he is going to receive his cheque. He knows where he is; he can cut his cloth according to his measure. There are some public servants who do not realise to the full what an advantage it is to be a public servant and to get the regular pay.

The PREMIER: It is a great advantage.

Mr. VOWLES: There are many men walking the streets who would be very glad to change places with some of them and do the work they are doing.

I do not see much in the Bill to which objection can be taken. The main point to which I object is that men who are receiving over £300 are refused the advantages which those under £300 get. There is also the question of appeals, which is the main thing that public servants have to look to. So long as everything is going well, there is no need to worry very much, but, as soon as trouble starts they have to see what rights they have. If their rights in the way of appeal are restricted, we are putting on them something that we should not put on them. They should have the right of going as far as they possibly can, just as though we were dealing with them, not as public servants, but as ordinary civilians.

Mr. FLETCHER (*Port Curtis*): The appointment of the Public Service Commissioner was a very wise step, as it placed the administration of the public service on a sound foundation, with the Com-
[8 p.m.] missioner's office as the base from which the Commissioner could supervise the administrative work of the various departments far better than if each department was administered solely by its own departmental head. I would like to deal with the correspondence of the public service. There seems to be a habit with Government departments, both Federal and State, to delay correspondence far more than is done in private business. I do not wish to mention any department in particular. The officers are most courteous and punctilious in attending to their duty, but they have a habit of deferring the correspondence. They do not answer the letters immediately they are received, but hold them over for three or four days. That seems to be the general practice throughout the service. I think it would be very much more effective if the practice was to answer correspondence immediately.

Mr. POLLOCK: There are very many letters received by the different departments.

Mr. FLETCHER: I do not mean that the letters should be answered before the work in hand enables an effective answer to be given. A letter cannot always be answered the day it is received, but it is not necessary to delay them for a week. If they were answered immediately it would tend to more efficient working, and would be far more satisfactory to the correspondents. A farmer may write to the Department of Public Lands on some matter, and he will have to wait some considerable time before he gets a reply. The department may write to one of its inspectors, and the same delay occurs. The inspector may have to go and inspect several blocks of country, and then he has to come back to his base and then correspond with his department. Probably week after week elapses before the department gets a reply from him, and then probably a considerable time elapses before the department writes to the correspondent. This occurs day in and day out throughout the public service, and it makes much more work. It makes the officers feel that they have more work to do than they really have when they hold the correspondence over. If the Public Service Commissioner was to change that practice to one of having correspondence dealt with promptly and effectively, I think that there would be very much more efficiency and economy. I believe in time it would be possible to reduce the staffs very considerably. If a lot of letters are not answered immediately, that must mean an inefficient service. I do not think there is really very much to discuss in the Bill; it is merely machinery for the working of the department. Queensland is very fortunate in having a man like the present Commissioner. There is no question that he has a first-class grip of the administrative affairs of the State. I think that the work is done more effectually now than if it was conducted by each Under Secretary, as you have co-ordination of effort. There is no interference with the Under Secretary's work. The Commissioner has sufficient discretion in handling matters to avoid clashing with the work of the Under Secretaries. The matter of the correspondence has come under my personal observation, and I have had it in mind for some time as a weakness in the administration of the departments.

Mr. TAYLOR (*Windsor*): This Bill, which is intended for the more harmonious working of the public service, and provides for the appointment of a responsible officer independent of the head of the departments, commends itself to us all. The present Commissioner has the confidence of all sections of the community. The success of this measure depends almost entirely on one individual, and it is not always that you can get an individual like the present Commissioner to administer a Bill like this.

I do not think anyone will deny that such an officer is necessary, and has been necessary for quite a long time. We know that there is a considerable amount of talk with

regard to public servants, about their efficiency, and about the way they can carry out their various duties. The fact that the Bill provides for the appointment of an officer who has a knowledge of all the departments, and who will be in close personal touch with, and will exercise close supervision over all the various officers, must have a very good effect on the public service generally. I regard the public service in this way: that if I had a hundred children, I would not put one of them into the public service. I think the task which the Commissioner has in front of him is a very difficult one, and he requires all the assistance that the Ministers and the various Under Secretaries can give him. I think that the provision in the Bill allowing an officer to communicate direct with the Commissioner, and the Commissioner direct with an officer, is a very good one. I take it that in connection with such correspondence it will rest entirely with the Commissioner as to whether he will disclose it to the Under Secretaries or the Minister in charge of the department or not. He can use his own discretion. That provision is really necessary. It does not matter how the head of a department may attempt to play the game, there are occasions when he may not feel inclined to take the case of a certain man to the Commissioner. He may think that the matter is too trivial. I think the Commissioner is a better man than the Under Secretary or the Minister to say whether a matter is trivial or not. The Premier pointed out that the meetings of the Public Service Board—which Board had been in existence for several years, and which was constituted by members of the Cabinet—were very often only attended by two Ministers, and that very rarely were there more than four present.

Of course, Ministers have quite a lot of work to do to administer their departments. If they administer their departments efficiently, they do not want to bother about departmental appointments, and they have a man in the Public Service Commissioner who is capable of carrying out the work which has been delegated to him in the best interests of the public service and in the best interests of the public of Queensland. The measure is one that should have our favourable consideration. The provisions which are made for promotions and transfers are fair and equitable, and they give a public servant, if he feels he has not been justly dealth with, an opportunity of appeal in certain cases. The powers given to the Commissioner are large, as they necessarily must be. You cannot hamstring a man occupying the position of Public Service Commissioner or curtail his powers in the way some people would like to do. He must have wide powers, and, if he exercises them as I believe they will be exercised by the present Commissioner, we shall have a better service and we shall get a better return for our money. The supervision of the various departments by the Commissioner must tend to greater efficiency in the whole of the public service.

HON. W. H. BARNES (*Bulimba*): I am sure the Premier will not expect hon. members on this side of the House to discuss intelligently Bills which have been rushed in the way in which Bills have been during the last few days.

The PREMIER: This is quite a reasonable Bill.

HON. W. H. BARNES: The hon. gentleman finds everything reasonable. To use one of his own similes, in nearly every case in these reasonable Bills you find there is a "nigger in the woodpile."

The PREMIER: Surely you would not call the Commissioner a nigger?

HON. W. H. BARNES: No, and I would not even call the hon. gentleman that, because it would be entirely unparliamentary and wrong. The fact remains, and I want to emphasise it again and again, that Bills are placed in our hands and almost immediately after hon. members are expected to discuss them intelligently, which is impossible in the short time allowed us. Here we have a Bill dealing with the publice service, and, when one remembers the large number of men and women who are employed in the public service, is it fair to them, is it fair to the House, is it fair to the community generally, that we have to take this Bill and practically pass it without giving it reasonable discussion? I say advisedly it would be very much better if members of the Opposition said, "It does not matter. The Government have decided on a certain course; there is no chance of getting an intelligent discussion, and there is no chance of getting anything like serious amendments accepted; we throw the whole responsibility for the measure on the Government."

Having said that, I want to make one or two remarks in connection with the Bill as the result of a very cursory glance. First of all, I want to say that I was associated with Mr. Story in connection with my own administrative life in the Government, and any man who has been associated with Mr. Story must admit that in any work he undertakes he is absolutely capable and fully competent.

The PREMIER: Hear, hear!

HON. W. H. BARNES: I found him keen, alert, and absolutely just. After all, that is one of the most important essentials in connection with a gentleman occupying such a position.

Mr. GLEDSON: You would not expect us to appoint a man who was other than just.

HON. W. H. BARNES: I venture to say that, if hon. members knew what was going on, they would find that Mr. Story was harassed by the powers that be trying to direct him in certain directions.

The PREMIER: You have not the slightest justification for making that statement.

HON. W. H. BARNES: I say that deliberately. Let me refer to an officer of the Department of Public Instruction, Mr. Exley. He was connected with the department when I was a member of the Government, and was one of the most capable men that it was possible to be associated with in any department. First of all, he was a man of character; and from an educational point of view he set high ideals in connection with the department. What happened? Because he represented the public service in certain directions and stood up for them he was victimised. Victimisation was practised on that man because he had the courage of his convictions.

The PREMIER: Do you say the recommendation of Mr. Story was set aside in that case?

HON. W. H. BARNES: The Premier, as usual, is trying to sidetrack.

The PREMIER: You said that Mr. Story was harassed by the Government.

HON. W. H. BARNES: The fact remains that Mr. Exley was treated disgracefully.

The PREMIER: It is disgraceful to make an assertion which you cannot prove.

HON. W. H. BARNES: I can prove, at any rate, that Mr. Exley received an Irishman's promotion because he had the courage of his convictions.

Mr. KIRWAN: What did your Government do in 1912 with men who had the courage of their convictions?

HON. W. H. BARNES: They said "Do your duty and we will put you back again," and we put them back again. That is what happened in 1912. Here is a Bill introduced by the Government, and we find in its clauses openings for the Government to do certain things if they so desire. I venture to say that, if the records of the Government of this State were analysed as far as appointments are concerned, it would be found that some men—it may be women too—have been put on who were unclassified, and then, after they had been on for a little while, they were appointed to permanent positions and classified because they were the political servants of the Government. The Premier knows that is the position.

Mr. GLEDSON: There have been no political appointments.

HON. W. H. BARNES: The Premier cannot deny that political appointments have been made.

The PREMIER: You pitchforked a lot of men into the service.

HON. W. H. BARNES: Suppose that is true—and it is not—is that an argument why an ideal Government—a Government claiming to have all the virtues that it is possible for human beings to have—should follow the example of another Government who did the wrong thing? We know that these appointments have been made again and again.

Mr. GLEDSON: Wrong again.

HON. W. H. BARNES: We know there have been failures with regard to certain men; the Government have found positions for them. All that was necessary was to get an assurance that they were good political supporters, and then they got positions.

Mr. ELPHINSTONE: Like the late member for Bulimba.

HON. W. H. BARNES: It would be very bad taste for me to refer to anyone who was an opponent of mine at any time, and the hon. member for Oxley is giving an argument which I am not using. Here we have a Bill which is supposed to try and assuage the men who are engaged in the public service, and if the truth is to be told, and if the rumours are correct, there is a feeling of unrest in the public service by reason of the fact that the loopholes to which I have referred have been used to the fullest extent, because, when the Government have had anyone they wanted to put into the public service, then, of course, there has been no one suitable in the department. Someone outside has been appointed to the position. That is the attitude the Government have taken up.

Mr. POLLOCK: You are speaking of rumours. What about that rumour of the election in October?

HON. W. H. BARNES: It is a good job for the hon. member that there is not likely to be an election in October, because he would have his emoluments for a little less time in that event. What other things have transpired which are a discredit to the Government? The leader of the Opposition referred incidentally to it. I have known people in the Education Department who have been asked to join a certain union, and because they have not joined their salaries have been kept down. If I may incidentally mention it as I pass along, they have been subjected to some of that harshness which you yourself, Mr. Speaker, have been subjected to in your high and honourable position in another direction.

The PREMIER: Do you say their salaries have been cut down?

HON. W. H. BARNES: I do not say salaries were cut down, but when salaries were raised the salaries of these people were kept stationary. A father, whose daughter was in the Education Department, and who lived at Kelvin Grove, came to me and said, "My daughter is told that unless she joins the union she cannot get the increase which is being given at the present time." I told him to get his daughter to join the union, because I take it that you can join a union and still hold your own convictions. What is the position? This Government are penalising and victimising. It used to be written in their platform, "No more victimisation" in the largest letters possible. But if the Government who bring in this Bill can claim one thing in connection with the public service of Queensland, it is that they have been a Government who have governed by victimisation.

The PREMIER: They will not join a union because it is against their conscience?

HON. W. H. BARNES: The hon. gentleman would try by any turn he possibly could to prevent people from getting their just rights. Here is a Bill which is brought in to organise the public service. What is the position to-day in the public service? Some public servants are afraid, when they have to do with the affairs of the public service, lest someone by some mistake should get under a table or something of that kind. They are afraid of a "nigger in the woodpile" in that way. They are afraid that, when they go to see some of their superiors, there may be a dictaphone recording their remarks.

The PREMIER: There is a gramophone here.

HON. W. H. BARNES: Yes, and a gramophone that does not lie. In connection with the public servants, I met a leading supporter of the Government who was formerly in the Upper House, and he said, speaking of the public service, "It is one of the greatest reflections on the Premier of this State that he should have descended to the tactics which he did in connection with dictaphones and with people being secreted under a table."

The PREMIER: You are hard up for argument.

HON. W. H. BARNES: Dealing with the Bill, I want to say that members on this

side are out legitimately to help the public servants. They are out to do a fair thing, as they always have done by the public service. They are out to see that the public servants do not get more than they are entitled to. They are out to protect the interests of Queensland, realising that a contented service, dealt justly by and controlled by Ministers who have consciences, is going to be a service in the best interests of the State.

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

MOTION FOR COMMITTAL.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): Mr. Speaker, I beg to move—

"That you do now leave the chair, and the House resolve itself into a Committee of the Whole to consider the Bill in detail."

HON. W. H. BARNES (*Bulimba*): Before you leave the chair, Mr. Speaker, I want to ask if this is the kind of thing which is going to be carried on. We are asked to go into Committee straight away on a Bill of this description.

The PREMIER: It is purely a Committee Bill.

HON. W. H. BARNES: That is the old story. The Government want to get into recess as quickly as possible.

Mr. MORGAN (*Murilla*): I wish to protest against going into Committee straight away on this important Bill. The Committee stage might well be left until to-morrow. There is plenty of other business to go on with to-night.

The PREMIER: Are there any amendments to propose in the Bill?

Mr. MORGAN: There may be several amendments. Having heard the speeches of the Premier, the leader of the Opposition, and the leader of the Nationalist party, we would like time to consider the Bill, and I certainly think the Opposition are deserving of some consideration from the Premier, especially as there is the second reading of the Land Acts Amendment Bill to go on with.

The PREMIER: If the hon. member wants to go on with that Bill, we will do so.

Mr. MORGAN: I say that it is not right to go on immediately with the Committee stage of this Bill, as we require time to prepare amendments.

The PREMIER: Have you any amendments to suggest?

Mr. MORGAN: On principle, I object to the Committee stage of the Bill being taken immediately after the second reading.

Question put and passed.

COMMITTEE.

(*Mr. Kirwan, Brisbane, in the chair.*)

Clauses 1 to 3, both inclusive, put and passed.

Clause 4—"*Public service defined*"—

Mr. VOWLES (*Dalby*): I would like to know why employees such as the State sawmill employees are not included in the public service. The clause states—

"Notwithstanding any action taken under the Acts hereby repealed or any of them, or any exception of any officer or class of officers from the operation of those Acts, and notwithstanding anything to the contrary in any other Act, the public service of Queensland shall, save as next hereinafter provided, comprise all persons employed for the time being in any capacity in the public service of the State of Queensland."

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): At present a number of employees in State sawmills, State coalmines, and operations of that kind are excluded from the operation of the Public Service Act. It is intended still to exclude those officers. Hon. members will understand that many of the employees in the State sawmills are casual employees. If they were appointed under the Public Service Act, they could not be removed. That class of employees, the same as certain employees in the Harbours and Rivers Department, are specifically excluded, either by regulation or by Order in Council.

Clause put and passed.

Clause 5 put and passed.

Clause 6—"*Salary of Commissioner.*"—

HON. W. H. BARNES (*Bulimba*): What is the intention with regard to the salary of the Commissioner? The clause states—

"(1). There shall be payable to the Commissioner, as remuneration for his services, such annual salary not exceeding one thousand five hundred pounds, as the Governor in Council may determine.

"(2) Such salary shall be a charge upon and be paid out of the Consolidated Revenue, which is hereby permanently appropriated for that purpose."

The Committee have a right to know what the intention of the Government is with regard to the salary in connection with this particular office. I think that I ought, in all fairness, to state that on one occasion when I was a Minister of the Crown and public service salaries were being dealt with, the present Commissioner, who was then Under Secretary for Public Instruction, refused to take an advance in salary because other officers in the service were not getting an advance. I think we have a [8.30 p.m.] right to know what his salary is likely to be. I understand that the Commissioner's present salary is £1,250.

The PREMIER: Yes.

HON. W. H. BARNES: I am not opposed to the present Commissioner, but I recognise the fact that recently there has been a reduction in the salaries of the public servants. Without sitting on a fence, I want to say that I certainly think the maximum salary provided in this Bill should not be paid. I would like to know if it is intended to pay £1,500. I think it would be wrong to do that while men in the service getting smaller salaries have had to suffer reductions. I take that stand as a matter of principle, and I would like to know the intentions of the Government in the matter.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): The existing Act provides for a salary of £1,500. Mr. Story would have been entitled to that salary now, but he himself declined to accept an increase owing to the exigencies of the times.

Hon. W. H. BARNES: I am not surprised to hear that.

The PREMIER: That will not prevent the Government from considering an increase when times are more propitious. The present intention is to continue the existing salary and not to alter the provision of the Act.

Clause 6 put and passed.

Clauses 7 to 11, both inclusive, put and passed.

Clause 12—"*Inspectors*"—

Mr. G. P. BARNES (*Warwick*): I would like to refer to the enormous increase taking place in the expenditure, which is largely made up of salaries of public servants. One can realise the very onerous nature of the position held by the Commissioner in this respect. It will emphasise the strides we are making in regard to expenditure. It is impossible to arrive at the actual amount of salaries in the various departments, but we know that it is about time we cried halt. We can gather figures in some directions to guide us. We are not privileged to have the Auditor-General's report for last year, but we have the report for the year before.

The PREMIER: Are you not dealing with the wrong clause? This clause applies only to inspectors.

Mr. G. P. BARNES: The hon. gentleman is right. I will reserve my remarks for another clause.

Hon. W. H. BARNES (*Bulimba*): I would like to know whether it is expected to appoint a number of new inspectors.

The PREMIER: No more than there are at present.

Hon. W. H. BARNES: Subclause (4) reads—

> "(4.) The Commissioner may, with the approval of the Minister, from time to time authorise or depute any person (whether such person is an officer of the public service or not) to exercise and perform all or any of the powers, duties, and authorities of inspectors in connection with the inspection of any specified department or departments."

What is the primary object of this subclause? It gives the Commissioner power to appoint inspectors from outside the service.

The PREMIER: That might be necessary; it has always been done.

Hon. W. H. BARNES: I take the stand that the reliable officers who have graduated in the service would be the best to perform the duties of inspectors.

The PREMIER: The Commissioner sometimes recommends the appointment of someone from the University.

Hon. W. H. BARNES: Without reflecting on the University, I know that at times a teacher may have high qualifications in regard to degrees, yet he may not be the best teacher. Of course that may be the exception rather than the rule. There should be some inducement for men in the service to get promotion and do inspection work. They will do it better than anyone outside the service, even if he comes from the University.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): It would be a fair thing, as a rule, to get inspectors from inside the service, but at times the Commissioner uses his discretion in engaging anyone with special qualifications from outside the service. He would not limit his choice to the service if he could get a better inspector outside. On one occasion he engaged one of the staff of the University as an inspector. It is only in cases like that that the Commissioner would go outside the service.

Clause 12 put and passed.

Clause 13—"*Commissioner to cause departments to be inspected*"—put and passed.

Clause 14—"*Commissioner to propose changes of officers, or rearrangement of work*"—

Hon. W. H. BARNES (*Bulimba*): The marginal note reads—

> "Commissioner to propose changes of officers, or rearrangement of work."

I can understand the reason for grouping the work and for co-ordination and reorganisation, but the sting of this clause seems to be in subclause (2). The clause provides—

> "14. (1.) The Commissioner may, from time to time, make recommendations to the Governor in Council which appear to the Commissioner necessary or expedient with respect to—
>
> (*a*) The grouping or regrouping of subdepartments or branches or sections controlled by the various departments;
>
> (*b*) The co-ordination of the work of the various departments;
>
> (*c*) The control, reorganisation, or readjustment of any departments or parts thereof;
>
> (*d*) The retirement from the public service of any persons in consequence of any such reorganisation or readjustment;
>
> (*e*) Any disposition of officers and offices;"

And so on. Then we have subclause (2) which reads—

> "(2.) Any recommendation so made shall be considered and dealt with by the Governor in Council."

The Commissioner may go to infinite trouble and make a certain recommendation, but there may be some political pull, and the powers outside may defeat the desires of the Commissioner. There may be a pull from the Trades Hall or from someone else outside. I would like the Premier to say if he will adopt the recommendations of the Commissioner.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): The Government, of course, will adopt the recommendations of the Public Service Commissioner. Ministers are not so prone to take on responsibility and unnecessary duties in order to go against the Commissioner. The Commissioner may be asked to make a recommendation with regard to the regrouping of departments, for instance. There are three or four sections in the existing Bill dealing with these powers in slightly different language, but in each case the Governor in Council has the ultimate responsibility. There is no change of principle.

Clause 14 put and passed.

Clauses 15 and 16 put and passed.

Clause 17—"*Application of Industrial Arbitration Act*"—

Mr. SWAYNE (*Mirani*): I move the insertion, before the word "The" in line 31, page 9, of the words "Subject to the provisions of the Industrial Arbitration Act of 1916," with a view to the omission of subclause (2) of the clause. The clause would then read—

> "Subject to the provisions of the Industrial Arbitration Act of 1916, the classifications, salaries, fees, and allowances of officers employed under this Act shall be determined by the Governor in Council on the recommendation of the Commissioner."

It seems to me that the clause as it now stands is simply a continuation of what has been a distinct injustice. Take the case of two officers, one of whom was on a salary of £295. His salary is brought up to £310 by the annual increment; but, by the reduction of £10 which is being made all round I understand, it is brought back to £300. The other officer was on a salary of £315, or £20 more than his fellow officer. We must assume that he was getting that extra £20 because he was a more efficient and valuable public servant. Under the present method he is not only deprived of the access to the Industrial Arbitration Court which the man on £295 enjoys, but he is also mulct of 5 per cent. of his salary, which brings him back to the level of the man who was previously receiving £20 less than he. That is not right. Leaving out altogether the wide question whether the public service should come under the Industrial Arbitration Act, I utterly fail to see that it is right that some public servants should have the right to go to the Industrial Arbitration Court, whilst others have not. I cannot understand why the Government should stop arbitrarily at the sum of £300. Furthermore, let me say that peculiar circumstances have surrounded this embargo. My information is that it was first imposed in 1917. In 1920, not very long before an election, it was lifted. One must assume that it was lifted for some good reason, but I understand that it was only lifted two or three months before an election, and that shortly after the election, when the Government had got the votes because it had been lifted —certainly, under false pretences—it was reimposed. I do not know why there should be this arbitrary discrimination. I have always understood that in the eyes of the party opposite all men had equal rights. Possibly, the man who had £300 a year or more was a capitalist; as the hon. member for Murilla suggests, he may be one of the idle rich. I have some knowledge of the public service, and they are a very fine body of men, whether in the high grades or the low grades, and in the higher grades we have some most capable men—men who compare favourably with any other public officers in Australia. It seems to me that the system which is now coming into existence is a deterrent to efficiency. I know from my own observation that there is in our public service a feeling that competency does not get its reward, and that some of our best men are contemplating leaving the service. I understand that some have gone to other States. That is not a good thing for Queensland, and I think this is a most opportune time to rectify this injustice. I do not think it would cost the country much in cash; but if it did, any extra expense would be recouped by the increased efficiency which would result.

Before I sit down I would like to draw attention to the anomaly that employees of private persons outside who are in receipt of far higher salaries than men in the service come within the scope of the Industrial Arbitration Court. I find that under the Bank Officers' Award, accountants of branches employing six hands receive a minimum of £350, managers of small branches receive from £350 to £400, with annual increases of £10, and managers of branches with six hands a minimum of £500 per annum. In the service of the Metropolitan Water Supply and Sewerage Board the salary of the senior survey draftsman is £375 to £475. Engineering surveyors and designing draftsmen and engineers also get similar salaries. Engineering supervisors receive from £450 to £600. All these come within the jurisdiction of the court. Why not public servants of similar calibre? It seems most peculiar that a Government who make the professions which this Government make exclude their own employees from the court which they have set up. I find also that the architects, draftsmen, engineers, and surveyors' award provides a minimum salary for draftsmen of £290, increasing to £375. All these men come within the scope of the Arbitration Court, so long as they are not working for the Government. So soon as they begin to work for the Government they are excluded. Certainly, that is not democratic, and I hope that the Premier will see his way to accept the amendment, or, at any rate, make some alteration in the provision.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): This is one of the matters with which I dealt on the second reading, when I stated the Government's policy on this question. What the hon. member is proposing would have the effect of bringing all public servants within the jurisdiction of the Arbitration Court. It seems to me to be a very inconsistent attitude for the Opposition to adopt. Under Secretaries, the Commissioner for Railways, the Engineer for Harbours and Rivers, the Public Service Commissioner himself would have the right to go to the Arbitration Court and get an award fixing, not only their salaries, but their conditions of employment, their leave—everything bearing upon their conditions as employees of the Government. Surely the hon. member does not intend the amendment to be so sweeping as that! The thing seems to me to be wholly illogical. Surely whatever Administration is in office must have control of the matters to which I have referred in regard to these high officers of State! The Arbitration Court was established for a specific purpose—to protect wage-earners and salary-earners, who, without some institution of that kind, would not be protected from the rapacity of possibly greedy employers. To strain the arbitration principle to such an extent as to bring in men who are getting £2,000 or £2,500 a year seems to me to be quite beyond reason and logic. I could understand the hon. member if he argued in favour of increasing the limit to some extent. It is impossible to accept an amendment to knock out all limit.

Mr. VOWLES (*Dalby*): The Premier stressed the words "wage-earner." Under the Workers' Compensation Act, "wage-earner" means a man who earns up to £10 per week. Why should there be a distinction so far as the public servant is concerned?

Why should not the man who is receiving £10 per week come within the jurisdiction of the Arbitration Court?

The PREMIER: They are not likely to suffer any disadvantage.

Mr. VOWLES: Why prove the rule by the exception—by the Commissioner for Railways and the Public Service Commissioner?

The PREMIER: Because they would come under the jurisdiction of the court.

Mr. VOWLES: They would under that amendment; but they are the exceptions. Think of the hundreds of men who are suffering a disability and who at one time came within the scope of the Arbitration Act previous to an election. If it is good enough in one case to regard as a wage-earner a man earning £10 per week, why not make the same limit apply to a public servant? Earlier in the session, when dealing with the reduction of salaries, I referred to the anomalies which existed in regard to men doing the same class of work outside the public service. I referred to "Hansard," pages 894-5, to many of the cases which were referred to just now by the hon. member for Mirani. It goes further than that. These men outside are not only receiving a higher rate of wages for the same class of work as is done within the service, but their automatic increases are fixed by the court. In the "Industrial Gazette," volume 5, page 861, it will be found that in the Metropolitan Water Supply and Sewerage Board award the minimum salaries, exclusive of allowances, have been fixed thus—

Senior survey draftsman—£375 to £475.

Engineering surveyors—£375 to £475.

Designing draftsmen and engineers—£375 to £475.

Engineering supervisors—£450 to £600.

Engineer for sewerage reticulation—£425 to £525.

Superintendent of water supply—£415 to £515, etc., etc.

Increments—

Salaries up to £300—£15 per annum.

Salaries in excess of £300—£20 per annum.

The same thing obtains in regard to architects and other professional men.

The PREMIER: The positions of those men will come to an end as soon as the sewerage scheme is finished.

Mr. VOWLES: All men are supposed to have the right to work. I suppose the professional worker has the same right to work as the labourer. The Arbitration Court fixes their salaries. They are not seasonal, and their rates are not fixed by the court on that score.

The PREMIER: They have not a permanency the same as the public servants.

Mr. VOWLES: They are getting very near to a permanency in the service of the Metropolitan Water Supply and Sewerage Board. Even in the public service there is no such thing as permanency. We have heard of such a thing as deflation. A man might consider he is in his billet for life. He may be a suitable officer, but for some unknown reason the Governor in Council may decide that the particular class of work he is doing is unnecessary. They do not even find a place for him in another department, and the unfortunate individual is "deflated." If we are going to deal with the public servants, let us deal with them as a body, and deal with them on the same lines as we deal with ordinary workers—give them the same privilege of going to the Arbitration Court. If it is going to affect the position of Under Secretaries, the Commissioner for Railways, and so on, specially exclude them; but give the big bulk of the public servants—those who are receiving from £300 to £500 or £600—the same rights as are given to those who are receiving under £300.

There is no need to stress the matter. I have pointed out on other occasions that the man who receives over £300 is suffering disabilities. He did not receive a proportionate increase; in fact, if anything, he received a reduction in proportion. The man receiving over £300 suffered all the inconvenience during the time of the high cost of living. What reward did he get? He was one of those who was reduced in his salary by 5 per cent. We are told that the living wage affected the man under £300 in the same way. That may be so; but you will find that in the majority of cases the men under £300 have less responsibilities than those receiving over £300.

Mr. COLLINS: They have wives and families to keep, all the same.

Mr. VOWLES: Some of them have.

Mr. COLLINS: They do not live in mansions.

Mr. VOWLES: The public servant who is getting £350 does not live in a mansion. If you compare the lot of the public servant on £350 a year who has a family with that of a junior clerk who has been twelve months in the same department, you will find it works out strongly in favour of the junior clerk. I know that many who are receiving between £300 and £400 a year are merely on the bread line. The man with a family to-day who is getting £400 a year has not much money to throw about. We ought to give them all the protection they are entitled to. I do not see why there should be any class discrimination. It would lead one to believe that the Government have been out to give the benefits of the Arbitration Act only to the junior members of the service, whose votes they attempt to control. They know that mature consideration and experience turn the public servant and every other individual who is placed in a position of responsibility against the ideas and the practices of the Government. Therefore the Government are out simply to cater for the lower-paid individuals, where the bulk of the votes are. That is demonstrated by the fact that, previous to an election, they agreed to increase the range of officers who could approach the Arbitration Court so as to include those who were receiving up to £500; and, as soon as the election was over, they took away that right.

The PREMIER: The hon. member is wrong in stating that.

Mr. VOWLES: The figures speak for themselves.

The PREMIER: Do you mean prior to the last election?

Mr. VOWLES: No; prior to an election. That is on record. That is an absolute fact. I referred to the matter when discussing the Salaries Bill.

Mr. SWAYNE (*Mirani*): The Premier quoted extreme cases of men in receipt of £1,000 and £2,000 per annum. [9 p.m.] Is he prepared to accept a modification of the amendment and fix a reasonable limit? I have been looking at the Industrial Arbitration Act, and I think there is a limit placed upon those who have the right of access to the court.

The PREMIER: No.

Mr. SWAYNE: The present system needs some alteration. When a young man pushes on in a Government employment and reaches the £300 mark, he is faced with the position that he will not be much better off, perhaps worse off in some respects, with a salary in excess of £300 than with a salary just under £300. I quoted the case of a person in receipt of a salary of £295. That must have a detrimental effect on the public service. It does not matter how you study or make yourself efficient, you cannot get far beyond the £300 mark. A person can always say, "As long as I am under the £300 mark I can go to the Arbitration Court on all matters." If it is fair for the private employee to be able to go to the court, then why should the public servant receiving exactly the same wage be debarred that privilege? I pointed out a case where a person in receipt of £495 in outside employment could have recourse to the court. If it is fair that he can have access to the court, then it is just as fair to extend the same privilege to the public servants.

Amendment (*Mr. Swayne*) put and negatived.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the omission, on line 48, of the words "twenty-five" with a view to inserting the words "twenty-six." That will bring it into conformity with the Northern parity.

Amendment agreed to.

Mr. G. P. BARNES (*Warwick*): The determination of salaries and emoluments will have to receive the fullest consideration by the Commissioner. It is quite evident that his best powers will have to be called forward if the country is to be saved from the appalling consequences of further increases in the salaries and in the expenditure in connection with the administration of government affairs. Whilst it is not possible to cut out the ordinary expenditure in connection with the staffs and the expenditure generally, it is quite possible for the Commissioner to curtail the appalling growth of the ordinary expenditure. Let me take the expenditure in connection with the Railway Department.

The CHAIRMAN: Order! I hope the hon. gentleman is not going to discuss the Railway Department.

Mr. G. P. BARNES: No. We are dealing with the determination and the classification of salaries, and I think I have full liberty to discuss the appalling increases which have taken place in the departments. Many of the salaries affected in the Railway Department will come under the control of the Commissioner.

The PREMIER: No.

Mr. G. P. BARNES: There has been an increase in expenditure of £4,000,000 or more between the year 1914-1915 and the year 1920-1921. A very considerable portion of that has been due to an increase in the cost of management. That emphasises the fact that very great importance is attached to the duties of Commissioner. In some of the departments the emoluments which are paid are altogether in excess—not only of what they should be—but in excess of what they need be. If extra service is required, let there be an increase of the staff rather than that the emoluments should be paid at a very much higher rate. In connection with some departments the sum is a very huge one. In one department no less than £127,000 was paid in connection with overtime, maintenance, and other emoluments. What is going on in one department is going on in another. Seeing that the expenditure in connection with the management of our affairs is so great, it is certainly pertinent to emphasise the position which the Commissioner holds in connection with his need to keep a tight hand upon matters in relation to salaries and emoluments. I mention these matters so that they may be kept in mind.

Clause 17, as amended, put and passed.

Clause 18—"*Appointments to public service generally.*"

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the omission of the word "as," on line 55, paragraph (iv.), page 11. When that amendment is agreed to it will be necessary to omit all the words after the word "made" on line 57.

Amendment agreed to.

The PREMIER: I beg to move the omission, after the word "made," on line 57, page 11, of the words—

> "as the person proposed to be appointed."

Amendment agreed to.

Clause, as amended, put and passed.

Clauses 19 to 22, both inclusive, put and passed.

Clause 23—"*Appeal by officer against promotion of another.*"

Mr. VOWLES (*Dalby*): I beg to move the omission, on lines 52 to 54, page 13, of the words—

> "who has been recommended for such vacancy or new office by the Commissioner."

If those words are omitted, the clause will read—

> "Save as next hereinafter provided, if a vacancy in or a new office created in a department is filled by the promotion (whether with or without transfer) of an officer of that or another department, any officer employed in the department in which such vacancy occurred."

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I see what the hon. member is driving at, but I am afraid I cannot accept the amendment in that form. This has reference to the subject the hon. gentleman referred to when speaking on the second reading, and I promised that I would agree to an amendment allowing for an appeal, in certain cases, by mining registrars, clerks of petty sessions, mining wardens, and police magistrates. These were the classes of officers referred to by the Public Service Association

when we went through the Bill a few days ago. The amendment I have to move will meet all the requirements of the public service.

Mr. VOWLES (*Dalby*): That being so, with the consent of the Committee, I will withdraw my amendment.

Amendment, by leave, withdrawn.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the insertion, after the word "Provided," on line 5, page 14, of the following:—

"that with respect to promotions in the office of police magistrate, every warden and mining registrar shall have a right of appeal in respect of such promotions, and that in respect of promotions in the office of clerk of petty sessions, every mining registrar shall have a right of appeal in that regard.

"Provided further that with respect to promotions in the office of warden, every police magistrate and clerk of petty sessions shall have a right of appeal in respect of such promotions, and that in respect of promotions in the office of mining registrar, every clerk of petty sessions shall have a right of appeal in that regard."

Amendment agreed to.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): Now that that amendment has been agreed to, it will be necessary to amend the next line. I therefore move the insertion, after the word "Provided," on line 6, page 14, of the word "further." That is a consequential amendment.

Amendment agreed to.

Mr. VOWLES (*Dalby*): I would like to know the reason for paragraph (*a*). The clause reads—

"Provided further that an appeal shall not lie—

(*a*) In respect of a promotion made to an office in the Administrative Division."

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): That refers to the administrative heads, like the Under Secretaries and Commissioners who are at the heads of departments or branches. When an appointment in those cases is made no appeal will lie. That is following the practice of the Commonwealth and New Zealand public services.

Mr. VOWLES (*Dalby*): The last proviso reads—

"Provided further that in all cases any appeal which, in the opinion of the Governor in Council, is frivolous or vexatious may be dismissed by the Governor in Council without referring such appeal to the Appeal Board."

Why should the Governor in Council be the judge in a case like that? The Appeal Board should have a right to decide the appeal.

The PREMIER: The Appeal Board is not a continuous body, and it would have to be called together to consider whether the appeal was frivolous or not.

Mr. VOWLES: I think we should repose every confidence in the Appeal Board in connection with appeals in the public service, as the board should be the judge, and not the Governor in Council. There might be an appeal against a decision in which to some extent the Governor in Council might be interested. I would like the proviso to read—

"Provided further than in a case where, in the opinion of the Appeal Board, an appeal is frivolous and vexatious, the board shall have power to inflict upon the appellant a penalty not exceeding five pounds."

I would like the Premier to take that suggested amendment into consideration.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I will adopt the suggestion if it can be conveniently done. The various associations interested have a right to representation on the Appeal Board if one of their officers or members is concerned in the appeal; therefore, the body is not a continuous one. An appeal might be made, and the Appeal Board might have to be constituted to decide whether the appeal was frivolous or not. It is not likely that the Governor in Council is going to interfere in these matters. It is only in a case of outstanding frivolity that the Governor in Council would be justified in interfering.

Clause 23, as amended, put and passed.

Clauses 24 to 31, both inclusive, put and passed.

Clause 32—"*Offences*"—

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I move the omission, after the word "conduct," on lines 33 and 34, page 16, of the words—

"either in his official capacity or otherwise."

Amendment agreed to.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I move the omission, in subclause (3) (vii.), page 18, of the words—

"If the punishment imposed by the Commissioner be caution or reprimand or deprivation of leave, or deduction from salary of a sum not exceeding five pounds, the decision of the Commissioner shall be final and without appeal;

In all other cases."

Amendment agreed to.

Clause 32, as amended, put and passed.

Clauses 33 and 34 put and passed.

Clause 35—"*Constitution of Appeal Board*"—

Mr. VOWLES (*Dalby*): I move the omission, after the word "there," on line 45, of the word "is," and the insertion of the word "be" in place thereof.

Amendment agreed to.

Clause, as amended, put and passed.

Clause 36—"*Lodging and hearing of appeal*"—

Mr. VOWLES (*Dalby*): I move the insertion, after the word "against," on line 38, page 20, of the words—

"appointment or."

The wording will then be—

"In the case of an appeal against appointment or promotion."

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I am afraid that, if the amendment were carried, it would conflict with clauses we have already passed. We have already made provision, in certain cases, for appointments from outside the service, upon the recommendation of the Public Service Commissioner, if there is no one in

the service eligible for the position. We have also passed a clause which enables the Government to make appointments in that way in regard to Under Secretaries, and it would be contrary to those provisions to insert the words which the hon. member wants to put in here.

[9.30 p.m.]

Amendment (*Mr. Vowles*) put and negatived.

Mr. VOWLES: I have another amendment to follow line 45. This deals with seniority, and I would like to suggest an amendment to preserve the seniority of returned soldiers from the date of their enlistment to the date of their return. The new paragraph I suggest reads—

> "In dealing with the question of the seniority of appellants against promotion, where the officers concerned include returned soldiers and non-returned soldiers, the seniority of the returned soldiers at date of enlistment shall be considered in order that they be not detrimentally affected in regard to seniority by reason of any promotion which a non-returned soldier may have received during the soldier's absence on military duty."

It is not fair that the men who went away should lose their seniority.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): The Commissioner informs me that that suggestion will be embodied in the regulations. He is quite willing to do as the hon. gentleman suggests.

Clause 36 put and passed.

Clauses 37 to 50, both inclusive, put and passed.

Clause 51—"*Females*"—

The PREMIER: I beg to move the omission of lines 53 and 54, page 25, reading—

> "(iii.) The rates of salaries for females employed in the public service."

Mr. VOWLES (*Dalby*): I would like to know the reason for omitting those lines.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): The Public Service Association pointed out that this seems to give the Commissioner the right to fix lower salaries for females than the Arbitration Court awards. That is not the intention. In order to remove any misapprehension, we will omit those words.

Amendment (*Mr. Theodore*) agreed to.

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I move the insertion of the following new paragraph after line 18, page 28—

> "The holding of periodical conferences between accredited representatives of unions referred to in the Act and the Commissioner."

This amendment has been suggested by the unions to give authorisation to the Commissioner to continue the weekly conferences.

Amendment (*Mr. Theodore*) agreed to.

Clause 51, as amended, put and passed.

The House resumed.

The CHAIRMAN reported the Bill with amendments.

The third reading of the Bill was made an Order of the Day for to-morrow.

The House adjourned at 9.40 p.m.