

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**FRIDAY, 29 SEPTEMBER 1922**

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FRIDAY, 29 SEPTEMBER, 1922.

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

AUDITOR-GENERAL'S REPORT.

PUBLIC ACCOUNTS.

The SPEAKER announced the receipt from the Auditor-General of his report on the Public Accounts for the financial year 1921-22.

OPPOSITION MEMBERS: Hear, hear!

Ordered to be printed.

INCOME TAX ACT AMENDMENT BILL.

COMMITTEE.

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

The CHAIRMAN: Before I proceed to put clause 1, I should like to say that the "Hansard" staff have appealed to me to suggest to hon. members that, when preparing amendments which have not been printed, they should make three or more copies of them, so that one copy may be provided for the Minister in charge of the Bill under discussion, one for the Clerk, and one for the "Hansard" staff. Hon. members will recognise that the officers of the House and "Hansard" staff have to make a correct record of the proceedings of Parliament, and I make this appeal to them that, where possible, they may assist them to carry out their duties.

HONOURABLE MEMBERS: Hear, hear!

Clause 1—"Short title and construction of Act"—put and passed.

Clause 2—"Amendment of section 3—Interpretation"—

Mr. KERR (*Enoggera*): I move the insertion, after the word "persons" in line 3, page 2, of the words—

"(not being a partnership under the provisions of the Partnership Act of 1891, or in connection with a joint venture").

The clause refers to the definition of "company" and adds a provision that the term includes "any body or association of persons which is not a body corporate." That means that the Bill contains a principle which departs from the principle of the Partnership Act of 1891. The principal Income Tax Act defines "company" as including—

"every body corporate, howsoever incorporated, and whether under the laws of Queensland or elsewhere, and wherever its head or principal office or principal place of business may be."

That means that it may be a private company or a joint stock company. In support of my amendment I wish to point out the difference between the profits of a company and the profits of a partnership for the purposes of taxation. In the first place, a company is taxed on its net profits. In a partnership it may be the same, but the income is distributed over, perhaps, two or more persons. The Partnership Act provides that an ordinary partnership may consist, in the case of a company, of not more than twenty persons and, in the case of banking companies, of not more than ten persons. Why consideration should be given to a partnership is that the property is the property of the individual members. In the

case of a company, it is the property of the shareholders. Creditors have no rights against the members of a company, but they have every right, even down to the personal property, in the case of a partnership. If the members of a partnership incur any liability, the partnership must bear the responsibility. That does not apply to shareholders in a company. I can, therefore, see no reason why a partnership should have to pay as high a rate of tax on its profits as a company. The Act already provides that the Commissioner has power to assess as those of an individual the profits of a firm if the net income exceeds £2,500. There is also provision in the existing Act for taxing at a higher rate the profits of a business run by a family. This is an interference with the partnership laws of this State, and its only object is to increase the rate of tax and the amount paid to the State by a number of persons who carry on business as a partnership or as a joint venture. I mention "joint venture" specially, because very often—possibly for the advancement of the State as well as in order to secure personal profit—a number of people with a certain amount of money combine in a certain venture. At present, under the Partnership Act, that is considered as a partnership, and the profits are distributed among those concerned in the venture. Under the interpretation of "company" it is proposed to treat such profits as the profits of one individual and make them bear a higher rate of tax. I do not think that is equitable; I think it is unjust. I understood the Treasurer to say, by interjection, that a partnership was not affected by this clause. If it is not intended to apply to a partnership, then the clause should be amended to make the position quite clear.

The TREASURER (Hon. E. G. Theodore, *Chillogoe*): This clause is not intended to apply to partnerships, but only to such bodies of persons and syndicates as, through their ingenuity in managing their business, escape the full effect of the taxation rate applying to companies. I think the hon. member might give way to the amendment which has been circulated by the hon. member for Oxley, which will meet the situation better than his own amendment.

Mr. KERR (*Enoggera*): I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. ELPHINSTONE (*Oxley*): I am pleased that the Treasurer is prepared to accept my amendment. I beg to move the insertion in line 5, page 2, after the word "applicable," of the words—

"but this shall not apply to any bona fide partnership."

Amendment agreed to.

Clause 2, as amended, put and passed.

Clause 3—"Amendment of section 7—*Nature and Incidence of the Taxation*"—

Mr. KERR (*Enoggera*): I beg to move the omission of subclause (1), reading—

"The following subparagraph is added to paragraph (iv.) of subsection 1:—

(c) For the purposes of this paragraph the amount of a taxpayer's income which is exempt from tax under paragraph (vii.) of section 12 of this Act (less the expense of earning such exempt income) shall be taken into consideration in determining the amount of exemption to be allowed to the taxpayer."

Paragraph (vii.) of section 12 of the principal Act reads—

"The following incomes, revenues, and funds shall be exempt from income tax:—

Income derived as dividends from any company which has paid in Queensland income tax on the profits of the company from which such dividends are paid."

According to the clause in the Bill it is not intended that such dividends shall be exempt from taxation. A person in receipt of a salary of £205 per annum is at present allowed an exemption of £200. If he receives £204, he is allowed an exemption of £199, and for every £4 increase in income over that amount the exemption is decreased by £1 until the income reaches £1,000, when there is no exemption allowed at all. If a person is in receipt of an income of £700, he can claim an exemption of £75. If he was to receive in addition to the £700 another £300 by way of dividends, which would ordinarily be exempt from taxation, he will receive no exemption at all. He will lose that exemption of £75 and will have to pay income tax on a higher income, which means that the taxable income will be rated at an increased rate. I do not think that it is the intention of the Government to provide that, once tax has been paid on dividends, the individual receiving those dividends is to be compelled to include them in his total taxable income and thus lose the exemption under the Act that he would otherwise be entitled to. That means that the Government are going to claim double taxation. It may be pointed out that no taxation is claimed on those dividends, but those dividends have the effect of increasing the amount of taxable income, and consequently lessen the amount of exemption to which the taxpayer is entitled. If a man is in receipt of a salary of £300 and receives dividends amounting to £100, his amount of exemption is decreased by £1 for every £4 over £204—not up to £300, but up to £400. That means that there is a less amount of exemption, consequently the income tax is paid at an increased rate. The loss on an income of £300 is £25, which means that the exemption is £25 less. It also means that you are paying income tax on £25 which you should not pay. I want also to refer to the High Court decision on this matter. We know perfectly well that the income derived from Commonwealth bonds, etc., is not taxable, yet under this Bill it is possible to tax such income in the way I have explained. Let me take a taxable income of £1,000. If the taxpayer has also an income from dividends received from companies of £500 and an income from Commonwealth bonds of £400, the total income is £1,900. The previous amending Act provided that dividends and the income from Commonwealth bonds should be exempt, yet on that £1,000 taxable income the taxpayer has to pay under this clause at the rate applicable to an income of £1,900.

The TREASURER: The hon. member is wrong.

Mr. KERR: I have received expert opinion on this clause.

The TREASURER: You are absolutely wrong.

Mr. KERR: The hon. member for Merthyr has given this matter considerable attention, and he interprets the clause to mean what I say. I have gone to taxation experts

*Mr. Kerr.*]

myself, and they can see no other interpretation of this clause

The TREASURER: This clause does not affect the rate of tax except so far as it is affected by the primary exemption on the income you mentioned. On an income of £1,900 there would be no primary exemption allowed.

Mr. KERR: There are two distinct principles contained in this clause; one is the exemption, and, where there is a greater taxable income, by reducing the exemption there is further taxation.

The TREASURER: This only refers to the one paragraph.

Mr. KERR: I acknowledge that what the Premier says is correct so far as this particular paragraph is concerned; but you cannot read this clause by itself; and, if the hon. gentleman takes the clause in conjunction with subclause (12) of this clause, he will find that my contention is absolutely correct. It goes further than that; it provides a little more income tax. There is a certain amount allowed as deduction for the production of that income. I acknowledge it is only a small amount, and on dividends amounting to £900 it would be £50. Under the Income Tax Act that amount is allowed to be deducted; but in the subclause I have mentioned that privilege is also taken away, so extra taxation is possible. It is just as well to get the interpretation of Parliament on this clause. If the Treasurer gives us the assurance that what he says is correct and that it is to be allowed as a deduction, then he should accept my amendment. This subclause should be cut out of the Bill, as there should be no double taxation and the exemption should not be reduced by this means, more especially after the High Court decision in regard to income from Commonwealth bonds. It amounts to a breach of faith, and the Treasurer must acknowledge that that is so. I go so far as to say that there is a little bit of underhand business to get at these incomes, and it is not in the interests of the State to depart from certain principles laid down. I ask the Treasurer to consider the question whether dividends already taxed should again come into consideration in any shape or form. I have much pleasure in trying to carry out my resolution by moving this amendment.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): The hon. member for Enoggera seems to misunderstand the amending provision in the clause. It has nothing to do with most of the things that he has referred to. It does not affect the rate of tax on the balance of a man's income as affected by the dividends he receives or interest on war loans. It is not a tax on the balance of the income in any sense. It only abolishes the discrimination which now exists in regard to the primary exemption between those whose incomes are wholly derived from personal exertion and those whose incomes are derived partly from personal exertion and partly from dividends. The amendment relates only to paragraph (c)—

“For the purposes of this paragraph the amount of a taxpayer's income which is exempt from tax under paragraph (vii.) of section twelve of this Act (less the expense of earning such exempt income) shall be taken into consideration in determining the amount of exemption to be allowed to the taxpayer.”

[*Mr. Kerr.*]

Mr. KERR: It will be taken into consideration—that is what I say.

The TREASURER: Taken into consideration for the purpose only of arriving at the primary exemption. I am trying to point out where the hon. member is wrong. I will take a hypothetical case. Take two men, one of whom has an income of £700 from personal exertion by way of salary, and he gets an exemption of £75. Another man who gets £700, of which £500 is from personal exertion and £200 from dividends, gets a greater exemption. We are trying to abolish the difference in that case, where the incomes are both £700. The man who gets an income partly from property ought not to get a greater advantage than the man who gets the whole of his income from personal exertion. That is what the clause provides.

Mr. KERR: I admit that, but part of those profits is taxed if it comes from dividends.

The TREASURER: The company pay tax on dividends, and it will not bear tax under this clause. It will only determine for that individual the amount of primary exemption he will be allowed. It will be something less by way of primary exemption under this clause. It does not affect the rating power. It really only refers to paragraph (vii.) of section 12 of the Act, which only relates to dividends. The hon. member can see that there is no intention to get round the High Court decision; it would be futile to try to do so. That has been accepted, but there is no reason why those who receive part of their incomes from dividends should get a greater advantage from primary exemption than those who receive the whole of their incomes from personal exertion.

Mr. ELPHINSTONE (*Orley*): On the basis of making things fair for those men who have incomes of less than £1,000 a year, some of which are derived wholly from personal exertion, and some partly from personal exertion and partly from dividends, I can quite realise the equity of this amendment. Paragraph (vii.) of section 12 deals expressly with dividends, and the question as to whether war loan interest is involved in the proposal the Commissioner has in view does not influence the question at all. The point I wish to make in this direction is that the innovation dealt with in the amendment applies only to incomes of less than £1,000 per annum. Therefore it means that any taxpayer who is in receipt of a total income of less than £1,000 per annum who derives any of that income from dividends, under this provision is called upon to pay more in taxation than he has hitherto done; or, in other words, the income which in the past he has derived from dividends has not been taken into consideration in arriving at the exemption which he is to be allowed. It is now to be used for the purpose of deducting from the primary exemption to which the taxpayer is entitled. Therefore it means, as I illustrated in my second reading speech, that the man who is in receipt of an income of less than £1,000, when part of his income is drawn from dividends, will be called upon to pay a higher tax for the simple reason that the exemption is reduced by the amount of the dividends. There is no gainsaying that.

The TREASURER: That is admitted, but it is equitable.

Mr. ELPHINSTONE: It is equitable, because the position of income earners of less than £1,000, when part of their income is derived from dividends, is at present advantageous to the position of those who receive all their incomes from personal exertion. Under this provision a farmer who gets an income from a co-operative company and also receives an income from his farm, if he is one of those farmers who are fortunate enough to make enough income to come within the taxable realm, will have his exemption reduced by the amount of the dividends he receives from the co-operative company, and he would therefore pay on the higher rate.

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

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the insertion of the word "second" after the word "The," on line 43, page 2.

Amendment agreed to.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the omission, on lines 50 to 52, page 3, of the words—

"except where otherwise provided in paragraph (viii.) of this subsection, the rate of tax shall be the rate that would apply"—

with a view to inserting the words—  
"at the rate which applies."

Mr. ELPHINSTONE (*Oxley*): The clause which it is proposed to amend is a most conflicting one. On reading the whole clause through, it will be seen that it applies to foreign companies with the object, no doubt, of clearly defining the rate of tax they are liable for. Line 40, on page 3, refers to "the taxable income of other foreign companies." My reading of the schedule on page 3, together with the paragraph I have just referred to, deals with the whole situation of foreign companies. Will the Treasurer inform us what companies are intended to come within the scope of this clause to which the amendment applies?

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): The hon. gentleman will see that we cannot apply the ordinary principle that we apply to local companies. Sub-clause (6) shows how the taxable incomes of foreign companies shall be assessed, and the amendment makes it a little clearer. It may prove to be surplusage, but, if there are any companies that come under that rate, then it is just as well to have some provision in the clause for dealing with them.

Amendment (*Mr. Theodore*) agreed to.

Mr. J. H. C. ROBERTS (*Pittsworth*): I move the omission, on lines 21 to 50, page 4, of the words—

"(i.) Paid up in cash or value on all shares actually issued by the company; and

"(ii.) Of all reserves invested in the business which have been created out of profits—

(a) On which the additional tax that would be chargeable under subsection five of this section on their distribution has been paid; or

(b) On which the full amount of tax applicable to the income of the year during which those profits were earned has been paid;

as was, during the year in which the profits were earned, invested in the assets of the business and used for the purpose of producing the profits of the company liable to tax under this Act; but in arriving at such average, where tax has been paid as aforesaid on any such reserves during the year in which the profits were earned, such reserves shall not be taken as invested and used as aforesaid until the date on which tax thereon has been so paid:

"Provided that—

(a) If a company has written down its capital the Commissioner may treat as paid-up capital payments by any shareholder holding shares during the year in which the profits were earned who held shares at the time the writing off took place to the extent of the amount paid by him which was written off on any of his existing shares"—

with a view to inserting—

"paid up in money or kind, together with all accumulated profits invested in the business with the addition or subtraction of balances brought forward from previous years to the credit or debit, respectively, of profit and loss account:—  
"Provided that."

That is the definition of "capital" in the War Time Profits Act, and I think, in asking the Premier to accept it here, we are only asking for a reasonable thing. Under the amendment it will be possible for companies to take money from reserves and use it as capital without having to pay income tax on it, whereas under the part of the clause which I propose to strike out, before reserves can be looked upon as capital, income tax must be paid on them. Many companies are building up reserves in order to enable them to stabilise their dividends or provide for losses which they may incur in bad times. Many of the pastoral companies and the smaller companies interested in primary production are subject to drought conditions. Fortunately, for the last few years we have not had an extended period of drought, but up to 1902 there was a considerable period of drought, and, if men and companies had not a certain amount of reserves at their backs, the position was very acute. I take it that you can never look upon reserves as profits if they are utilised for the purpose of making up losses—for instance, if they are used to save a man from absolute ruin. Profits distributed as dividends are subject to tax, and I take it that in that way the Government get their pound of flesh, whereas, if they are utilised for the purpose of making up losses incurred during a dry period—if, for the sake of example, a man has to restock his property or find money to enable him to carry on—they cannot by any means be looked upon as profits. I hold that the Premier should give serious consideration to the amendment.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I cannot accept the amendment. I would like to direct the attention of the hon. member to the section of the principal Act, which has been arrived at as the definition of "capital" after years of experience, and gives the most equitable method for determining it for the purpose of arriving at the rate of dividend for taxing purposes. It is almost singular to Queensland, because we have a different system of assessing company profits for taxation purposes

*Hon. E. G. Theodore.]*

from any other State, and I am convinced that it is the most equitable of any in the Commonwealth. For seven or eight years we have been gradually evolving the most equitable system, and the representatives of the Taxation Standing Committee, who are thoroughly au fait with company operations and well versed in the law relating to them, waited on me and suggested the amendment which I have embodied in the Bill. It allows reserves to be taken into consideration in computing capital, provided that income tax has been paid on them, and I have agreed to it, because I am satisfied that, so long as such profits pay the tax and are retained really for capital purposes, it is quite equitable that they should be computed with the ordinary subscribed capital in calculating the percentage of profit. To allow the amendment to go in would practically destroy the whole basis of arriving at company profits, and, in any case, I would put it to the hon. member that companies have the remedy in their own hands. If they have an accumulation of funds to the credit of profit and loss account or transferred to reserves which they want to use as capital to tide them over lean years or to assist persons dependent upon them, they can have it treated as capital by transferring it to capital account and paying income tax on it.

Mr. J. H. C. ROBERTS: If that is so and those reserves are afterwards distributed, do they not pay double tax on it?

The TREASURER: No. The company pays tax for the purpose of allowing it to be transferred, and, if some time later they distribute it, it does not carry another tax. I think we have evolved the most equitable system of taxing company profits. It avoids hardship, because it does not matter how big the profits are, so long as they are only 6 per cent. on capital, the company pays the minimum rate. In New Zealand they take almost the opposite course. So long as the profits of a company exceed £10,000, that company pays the maximum rate, I think of 8s. 9d. in the £1. That means that a small company which makes a profit of £10,000 and a big company whose profits amount to £10,000, but whose return on capital is only 1 per cent. on capital, both pay the maximum rate.

Mr. J. H. C. ROBERTS: Would you be prepared to differentiate between the small and the big companies?

The TREASURER: No. It is fairer to differentiate between the rates. The Mount Morgan Company is a huge company, but, if it makes a profit of only 1 per cent., why should it pay a heavy rate of tax simply because the aggregate amount of its profits is a certain sum—for instance, £50,000? Such a profit comes under the minimum rate under this clause, and I think that is the most equitable system.

Mr. ELPHINSTONE (*Opp.*): The amendment of the hon. member for Pittsworth is taken almost entirely from the definition in the War Time Profits Act, so that there is nothing extraordinary in the wording of his proposal. If I understand the situation, the reserves of a company are not now considered for the purpose of calculating or arriving at the amount of capital used by the company for the purpose of ascertaining the rate of profit earned on its capital, and the concession proposed to be granted by this Bill is that such reserves as have paid income tax can be considered as capital

[*Hon. E. G. Theodore.*

in arriving at the rate of profit which the company has earned during the twelve months. I suppose one would be quite safe in saying that the majority of companies operating have three distinct sources of capital or money which they utilise for the purpose of conducting their businesses; first of all there is the subscribed capital used in it, secondly there is the amount of reserve which has been built up, and thirdly there is the amount of undistributed profit which they may keep for the purpose of an emergency. It is quite conceivable that a company may be conducting a business from which it does not get a regular profit every year, and, instead of distributing the whole of its profits in the one year, it pays a dividend of a reasonable amount and carries forward a certain amount of money as undistributed profit. That is not buried; it is utilised in the conduct of that business; therefore it is money which helps to create the company's profits. You are saying to the companies, "If you transfer this undistributed profit to the reserve account, you can take it into consideration in arriving at the amount of capital utilised in this business." That is quite all right; in future years the company will no doubt do that; but what is to happen for the current year, when it is too late for that to be done? It means that the Commissioner acknowledges that this principle is correct, but that he is not prepared in this particular year to extend the provision to permit of those companies taking this undistributed profit as capital.

The TREASURER: It will apply to this year.

Mr. ELPHINSTONE: There are companies which cannot now take advantage of that provision. The agitation is for the Commissioner to permit the consideration of the inclusion of undistributed profits as capital for the purpose of arriving at the basis upon which they are going to pay that tax. That is all there is in the amendment. I cannot see why such a song should be made about it. The Commissioner says it is equivalent to what he is going to do, so why should not the concession be granted?

Amendment (*Mr. J. H. C. Roberts*) put and negatived.

Mr. KERR (*Enoggera*): I beg to move the omission of the following words on lines 8 to 12, page 6:—

"For the purposes of this Act when any of the assets held in Queensland of any company trading in Queensland are written up in value in the books of the company the increase in value shall be taken to be profits made in the year in which the writing-up takes place."

Amendment agreed to.

Mr. KERR (*Enoggera*): I beg to move the omission of subclause (12), reading—

"In subsection (12), the words 'but notwithstanding the provisions of paragraph (i.) of subsection (1) of section 13 of this Act, he shall be entitled for the purposes of any deductions allowable under this Act to treat the amount so exempted as if it were part of his taxable income' are repealed."

The Act provides that any money spent in the obtaining of certain income shall be allowed to be deducted from the taxable income. This subclause proposes to wipe that out.

The TREASURER (*Hon. E. G. Theodore, Chillagoe*): This refers to taking the net

income received from dividends into account instead of the gross exempt income in determining the rate of tax to be charged on taxable income. It makes no difference to the application of the Act.

Mr. KERR (*Enoggera*): This subclause repeals the following provision in subsection (12) of section 7 of the principal Act:—

“But notwithstanding the provisions of paragraph (i.) of subsection (1) of section 13 of this Act, he shall be entitled for the purposes of any deduction allowable under this Act to treat the amount so exempted as if it were part of this taxable income.”

Section 12 of the principal Act refers to the exemption of certain incomes. Paragraph (vii.) reads:—

“Income derived as dividends from any company which has paid in Queensland income tax on the profits of the company from which such dividends are paid.”

Paragraph (viii.) reads:—

“Income arising or accruing from debentures, stock, bonds, certificates, or Treasury bills issued by the Government of Queensland or the Commonwealth of Australia.”

Paragraph (ix.) reads:—

“War gratuities granted by the Government of the Commonwealth in respect of service on active service abroad during war.”

Certain expenses are incurred in getting that income, and the principal Act allowed those expenses to be deducted. Now this clause proposes that they shall not be deductible from the taxable income.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): The hon. member does not follow the trend of the clause. This is a direct concession. If we allowed the original Act to stand, the Commissioner could demand that the deduction should be taken off the gross income, and that would deprive the taxpayer of the full advantage of the deduction. This enables the deduction to be made from the net income, and so the taxpayer gets the full advantage of the deduction.

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

Clause 3, as amended, put and passed.

Clause 4—“*Tax on Cash Prize in a Drawing*” —

Mr. KERR (*Enoggera*): I beg to move the insertion of the following new subclause after line 24:—

“There shall be charged, levied, collected, and paid under and subject to the provisions of the Stamp Act, 1918, and to form part of the Consolidated Revenue Fund, a duty for and in respect of every betting ticket issued by or on behalf of a bookmaker, as follows:—

Where such ticket is issued in the saddling paddock of any racecourse, the amount of the duty shall be one penny;

Where such ticket is issued in any part of any racecourse, except the saddling paddock, the amount of the tax shall be one halfpenny.”

Recently in this House I asked the Premier the following question—

“Will he investigate the question of taxation connected with the sporting public who utilise the enumerating

machines or totalisators as against the same public who pay no taxation when operating per medium of the book maker?”

In reply the Premier said—

“The intentions of the Government will be disclosed in due course.”

This is the opportunity to have those intentions disclosed. In New South Wales a tax is levied on bookmakers' tickets of 3d. in the one case and 1d. in the other; also they have to pay an admission tax, the levy being 2d., 10d., and 3s. respectively in the outer paddock, the leger, and the saddling paddock. This brings Queensland into line. I want to enable the State to get the revenue which would follow the acceptance of this amendment. Last year in New South Wales 15,138,104 tickets were issued stamped under the Stamp Act, which brought in a revenue of £117,820. In Queensland, in my opinion, the revenue from that tax would be approximately £50,000. If my amendment is agreed to, it will be necessary to define the meaning of “bookmaker.” I would suggest that it read—

“‘Bookmaker’ shall mean any person who carries on the business of or acts as a bookmaker or turf commission agent, or gains or endeavours to gain his livelihood wholly or partly by betting or making wagers.”

That clause will have the effect of stopping agents operating, not only in private businesses but in Government departments. There are many agents running “doubles” day after day and week after week in the Government departments and private places. This amendment would not only have the effect of producing just revenue, but it would have some effect on the control of those persons. That practice became a menace in New South Wales, and a provision similar to my amendment was enacted in New South Wales in 1915, and was to continue in force for only two years, but at the end of that time it was made permanent. The first Act passed in 1915 made provision for the payment of 1d. and ½d. on each ticket; in 1917 it was increased to 2d. and 1d.; and in 1920 the rates were 3d. and 1d. The Commissioner will be able to regulate credit bets. In New South Wales these persons are requested to furnish returns to the Commissioner setting out all their credit bets. New South Wales receives £96,000 annually in revenue through that source. I anticipate that it would mean revenue amounting to £20,000 in Queensland. I believe that the result will be that the total amount of revenue will be about £80,000 per annum, and the imposition of the tax will do no harm to anybody.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I do not think that what the hon. member is advocating can be attempted under the Bill. I am quite willing to admit that what he is advocating should be done. I do not think the duty that he has stated is sufficient. It should be dealt with in a measure dealing generally with the taxation of bookmakers and the duty on totalisators and general matters of that kind. We might be justified also in making provision for the payment of license fees by the bookmakers as well as having a tax on the tickets.

Mr. KERR: They pay a fee now.

The TREASURER: This amendment only covers tickets actually issued to cash bettors,

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and has nothing to do with book bets. I think book bets can be covered also. I believe it is done in the Southern States. This matter should be the subject of separate legislation. It cannot be done this session. In my opinion the amendment is out of order, and I would ask your ruling, Mr. Chairman. The right to charge, levy, or collect additional duties or additional taxes can only be done after the matter has been initiated by a Committee of Ways and Means.

The CHAIRMAN: I would point out to the hon. member for Enoggera that it is a generally accepted principle with a Bill of this kind that any amendment to increase taxation cannot be accepted. I would also like to draw his attention to "May," twelfth edition, page 462—

"The principle that the sanction of the Crown must be given to every grant of money drawn from the public revenue applies equally to the taxation levied to provide that revenue. No motion can, therefore, be made to impose a tax, save by a Minister of the Crown, unless such tax be in substitution, by way of equivalent, for taxation at that moment submitted to the consideration of Parliament; nor can the amount of a tax proposed on behalf of the Crown be augmented, nor any alteration made in the area of imposition. In like manner, no increase can be considered either of an existing or of a new or temporary tax for the service of the year, except on the initiative of a Minister, acting on behalf of the Crown; nor can a member other than a Minister move for the introduction of a Bill framed to effect a reduction of duties which would incidentally affect the increase of an existing duty or the imposition of a new tax, although the aggregate amount of imposition would be diminished by the provisions of the Bill."

The objection taken by the Treasurer is correct. The amendment is out of order.

Mr. KERR (*Enoggera*): I asked the Treasurer a question with regard to this matter some time ago, and he said that his intentions would be disclosed in due course, and I was given the assurance this morning that legislation was going to be introduced to deal with this matter.

The TREASURER: I hope the hon. member will support it when it is introduced.

Clause 4 put and passed.

Clause 5—"Amendment of Section 8—*Super tax*."—

Mr. FLETCHER (*Port Curtis*): I think this clause deals with the imposition of the super tax. The Treasurer, in his second reading speech, inferred that in the future we might expect a reduction in super tax. The inference was so pronounced that one of the leading newspapers displayed on its poster—"Premier foreshadows reduction in taxation."

The TREASURER: I hope the hon. member will not suggest that I am responsible for what appears in newspapers, or on their posters.

Mr. FLETCHER: The hon. gentleman's inference was so pronounced that he led the paper to believe that there was likely to be a reduction. It is nothing more than an electioneering stunt.

[*Hon. E. G. Theodore.*]

The TREASURER: Surely the hon. gentleman is not so superstitious as to believe that there will be an election in October?

Mr. FLETCHER: No, but the hon. gentleman may next year say that, owing to his brilliant administration, a reduction might be possible, and point to the newspaper to support his argument. There is no possible hope of having a reduction of the super tax. It is no use hoodwinking the people in that way. The Treasurer knows that there will be no reduction in the near future.

The TREASURER: I still think that is likely.

Mr. FLETCHER: I would like the hon. gentleman to give me his reasons for thinking that.

The TREASURER: I do not think that it will take place this financial year.

Mr. FLETCHER: Nor the next, nor the one after that.

The TREASURER: The hon. gentleman's predictions have proved wrong so often.

Mr. FLETCHER: When a person takes the risk of predicting, he is bound to make some mistakes; but, if the hon. gentleman will follow my predictions, he will see that I am generally right. The hon. gentleman suggests that there will be a reduction in costs, materials, etc. When he deals with Chillagoe and Mount Morgan he talks about the increasing costs. When it suits the Treasurer to talk about an increase he uses that argument and when it is to his advantage to use the reverse argument he does not hesitate to do so. Our interest bill is mounting up year after year and we are not getting the natural increase in revenue to meet it, and we can only do that when our loan money becomes reproductive. If the cotton industry is going to be the success that we hope, we might get out of some of our difficulties in the course of years. It will be some years before we feel the benefit of that. It has to be borne in mind that the cultivators of cotton will be in a small way, and they will not pay very much taxation. On the other hand, if

[12 noon] there is a big revival in the cattle industry it might help, but as the cattle industry stands to-day there should certainly be a reduction, and that will not help the removal of the super tax. Of course there is likely to be an increase in the railway revenue as a result of the development of the cotton industry, but what revenue we receive from railways from the carriage of cotton and other materials will be swallowed up in the increased cost of running some of these new lines. There is a huge expenditure of loan money going on which must of necessity very greatly increase the interest bill of this State, and there is not the slightest chance of any reduction in the super tax being brought about for some time, and no one knows it better than the Treasurer.

The TREASURER: There is likely to be a big railway revenue as a result of the success of the cotton industry.

Mr. FLETCHER: What revenue we receive from railways from the carriage of cotton and other materials will be swallowed up in the increased cost of running some of these new lines. There is a huge expenditure of loan money going on which must of necessity very greatly increase the interest bill of this State, and there is not the

slightest chance of any reduction in the super tax being brought about.

Clause put and passed.

Clause 6—"Amendment of section 12—Exemption of certain incomes"—put and passed.

Clause 7—"Exemption of section 12A—Specific classes of incomes liable to tax"—

Mr. J. H. C. ROBERTS (*Pittsworth*): I beg to move the insertion, after the word "repealed" on line 18, of the words—

"and the following proviso is inserted in lieu thereof:—

(b) Nothing in this subsection one shall apply to a general farming or dairying property which has been carried on by the seller as such for not less than two years prior to the sale and where the consideration for the sale thereof does not exceed £2,500."

As I pointed out to the Treasurer yesterday, a man generally does not buy a farming property with the idea of selling it the next day or the next year.

The TREASURER: If he does, he is probably a speculator.

Mr. J. H. C. ROBERTS: He may be a speculator, but I am not going to admit that he is a speculator. In accepting the amendment the Treasurer would be doing justice to those people who buy a property, improve it very considerably, and then sell it. Probably in nine cases out of ten a man with a family who buys a farming property, renovates the buildings and does an enormous amount of work for which he gets no consideration in the nature of a deduction when he comes to sell it.

The TREASURER: He is allowed to deduct the value of improvements which have been paid for.

Mr. J. H. C. ROBERTS: He is only allowed to deduct the value of the actual improvements that can be seen, and he is not allowed to deduct anything—unless he pays wages and thereby gets an allowance in his income tax from year to year—with regard to stumping, and cleaning up the property generally. He is not allowed anything if he does the improvements himself, and I would like the Treasurer to appreciate the fact that, after a man has held a property for six or seven years, if he finds that, with the aid of his children, he can go on a bigger property and he sells his old property at a profit, due consideration should be given to him. All I am asking for is that this concession be granted in regard to properties of a minimum value of £2,500. That is the improved value and not the unimproved value, and I feel that I am not asking for anything more than what is reasonable. It is all very well for the Treasurer to say that the farmer gets an allowance for improvements that are put on his farm. He does not get any allowance for the hard toil that he puts on himself or for the hard toil that his sons put on. My experience is that a man who will buy a property of this value will be a man without sufficient capital to employ a large amount of labour.

The TREASURER (Hon. E. G. Theodore, *Chillogoo*): I am afraid I cannot accept the amendment. The clause itself makes a very considerable concession in regard to casual profits derived from the sale of properties. Under this clause the profits will not be

taxable if a property has been held for more than seven years, while in the existing Act, no matter how long the property may have been held before sale, the profits are taxable. It would be very undesirable to make an exception in the direction the hon. member suggests. The hon. member suggests that, if a man has a farm, and he holds it for two, three, or four years and sells it at a profit of £1,000, he should not be compelled to include that profit in his taxation return. That is very undesirable, as it would be making an exception in favour of those in the habit of dealing in properties for speculative purposes.

Mr. J. H. C. ROBERTS: The amendment provides that it must be held for two years prior to sale.

The TREASURER: It may be held two and a-half, three, or four years, and still come within the realm of speculation. A man may be in the habit of buying one property after another, improving them slightly and then selling them at a profit. The hon. member is drawing a picture that is not at all likely when he says the Commissioner does not allow for improvements on properties of this kind, and therefore a man is taxed on his industry. That is not so. If a man buys a property and sells it for £500 more than he gave for it, and in the meantime effects £500 worth of improvements which he has paid for, he pays no taxation. It is true that, if the improvements are effected as a result of his own labour, there is no deduction, because he is then placed on the same basis as the man who is earning his income from personal exertion. He does not get exemption for the whole amount earned by his own labour.

Mr. EDWARDS: You cannot say that is just.

The TREASURER: It may or may not be just to tax income from personal exertion. There is no desire to harass or get at the man who makes a bonâ fide sale for the purpose of going to another district or entering upon some other business.

Mr. J. H. C. ROBERTS: When a man makes a loss, will you be prepared to carry that loss on to the property he buys?

The TREASURER: If a man makes a loss, it is a set-off against his other property.

Mr. J. H. C. ROBERTS (*Pittsworth*): The Treasurer says I drew a picture which is not altogether correct; but I can tell him of instances where men bought properties in 1912, 1913, and 1914 and sold them in 1920 and 1921 at a considerable loss as compared with the price paid in 1913 and 1914, yet because they were returned at a certain value in 1915 they were told that they had made a profit and are being taxed. Will the Treasurer give these cases consideration and make a refund?

The TREASURER: The Bill now gives relief in all these cases.

Mr. J. H. C. ROBERTS: It seems to me that the Treasurer is not prepared to accept this amendment because, he says, men are dabbling in these farms. They are not dabbling in these farms. I say that there is no man who goes on a farm and improves it with his own labour, putting in hours of toil, who is getting justice to-day in regard to the actual profit he makes on the farm in the event of a sale. Every practical man knows that when a small farmer goes on a farm he has no idea of making it a specu-

Mr. J. H. C. Roberts.]

lation. He buys it, first of all, as a home for himself and his wife and young children. As time goes on he finds out that, as the children grow up, he needs a bigger profit and he sells the original farm. No one can value the improvements that the man put on the farm by his own personal exertion. Hundreds of pounds of work is done on the farm for which the man is not allowed anything. If I were to ask for a £2,500 unimproved value, the Treasurer would have a right to refuse it; but what does £2,500 improved value amount to? It is only a small farm. Surely the Treasurer can see his way to give that concession to these men! I do not know that there is one man in any district who is dealing with the small farms in the way the Treasurer would suggest. A man has to be on the farm for two years before he can resell. If he resells in a period of twelve or eighteen months he is taxable, but if he lives on it for two years he is not taxable. I would be prepared to meet the Treasurer by providing that a man should be on the farm for three years. I ask the Treasurer to give the matter consideration. There are dozens of men who to-day are working their farms and are getting no consideration for the labour they put in. It is not a matter of working eight hours, but of working twelve or thirteen hours a day. If the Treasurer is not satisfied with two years, will he make it three years? So long as he can give us some concession we shall be glad. I would ask the hon. gentleman to reconsider the proposal before he turns it down.

Mr. BEBBINGTON (*Drayton*): I think that the only remedy for this extreme taxation is proper bookkeeping by farmers, if we can only get them to understand what that means, and they should charge the whole of their labour and that of their wives and children. Every hour which is put in in improving the farm should be charged for at the same rate as men are getting in the city.

Mr. J. H. C. ROBERTS: Two shillings and sixpence an hour. That is what we have to pay in the wheat belt, and time and a-half for overtime.

Mr. BEBBINGTON: I would like to know whether a farmer will be allowed to charge the same for overtime as people in towns, and put it down in the expenses. A farmer is only allowed to charge £1 a week for the keep of his boys. There is a particular case I want to deal with. In connection with a farm where there were four sons, the eldest son went to the war, and he came back, and the four sons are still on the farm. They have been working on the farm all their lives, without wages and helping to improve the farm. I can give the names if necessary. When the father died, the whole of the improvements were practically charged as income. The amount of the transfer fees has been something enormous. Notwithstanding that those boys were expecting to get a fair share of the value of the farm, a big proportion of its value has been absorbed in paying income tax and succession duty. The boys have been helping all their lives to improve the farm, and the Commissioner of Taxes takes in taxation what they ought to have had for their life's work. I would ask the Treasurer if he intends to deal with the matter of the difference of treatment between a transfer of land and a transfer of the lease of a hotel. If land is sold and there is a profit on it, the whole of the profits are charged

[*Mr. J. H. C. Roberts.*

on the first year, although, if the time-payments extend over ten years, a lot of the payments may never be received. In the case of the lease of a hotel, where the payments extend over ten years, the profits are only charged proportionately each year as the vendor gets the money in. There is no justice in that; the two cases should be treated on the same line.

Mr. ELPHINSTONE (*Oxley*): In speaking to this amendment of the hon. member for Pittsworth, I think it would be just as well to read to the Treasurer, if he is not acquainted with it, that portion of the New South Wales Act which deals expressly with this particular feature with regard to gains from sales of property.

The TREASURER: I have read it.

Mr. ELPHINSTONE: Section 4 of the New South Wales Act reads—

“Any gains or profits accruing to a taxpayer on the sale by him during the year of income—

- (i.) Of any estate or interest in land within the State, including a lease of such land, and including the goodwill of any business carried on on the land, where such estate or interest was bought by him, or the land was leased to him during such year or the four years next prior thereto;
- (ii.) Of shares in any company bought by him during such year or the two years next prior thereto; or
- (iii.) Of any personal property of what kind soever, and of the value of fifty pounds or upwards, bought by him during such year,

where the buying or selling of such estate or interest or of such shares or property or the leasing of the land was not in the course of the business of the taxpayer, shall be deemed to be income derived during the year of income from a source in the State:

“Provided that in assessing such gains or profits deductions may be made of any losses incurred during the year of income on the sale by the taxpayer during such year of any such estates or interests, shares or property bought or of any such lease granted as aforesaid.”

It seems to me that, if the professions by the Government of sympathy for the farmer are based upon a real foundation, here is an opportunity of giving expression to them. I think that the proposal of the hon. member for Pittsworth is most reasonable, in that the property must be held for two years. That is really the sum and substance of it. It robs the transaction of the element of speculation, and it becomes a form of investment. Why should that not be granted in view of the Government's expressed appreciation of the farmer?

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): The hon. member for Pittsworth asks the Government to give concessions to the farmers, and we have done so, but we cannot afford to make many concessions. This is a very material concession. The amendment not only proposes to give a concession to the farmer who is carrying on the farm, but to the seller of a farm who has ceased to be a farmer.

Mr. J. H. C. ROBERTS: I do not ask for that.

The TREASURER: The concession should only be given to a man who sells his farm

and intends to buy another farm and carry it on.

Mr. J. H. C. ROBERTS: That is what the amendment says.

The TREASURER: When a man is working his land he has no concession on the value of the profits of his land unless he sells the farm. The hon. member for Drayton blamed us for not giving some consideration in the case of land sold upon the time-payment system. What happens under this system is this: If the sale ultimately falls through an adjustment is always made, and a refund is made if the man is entitled to it. He does not pay income tax on the whole amount realised by the sale of the property. He gets a deposit in the year in which the sale is made of, perhaps, 10 per cent., which is quite sufficient to pay taxation obligations, and if the sale falls through, he gets a refund. There may be individual cases of hardship, but that cannot be avoided sometimes.

Mr. BEBBINGTON: Why not treat hotel-keepers in the same way?

The TREASURER: The incomes received from the sale of the lease have always been recognised on the same basis by the State and Commonwealth. The income is calculated over the number of years mentioned in the lease, and the amount is apportioned over the years still to run. That is a well established practice in the Taxation Department in dealing with that type of casual income.

Mr. J. H. C. ROBERTS (*Pittsworth*): I understood the Treasurer to say that he would consider the question of making it five years. I would be perfectly willing to alter the amendment from "two" to "three," and I hope the Treasurer will make that concession. I am not considering anything in connection with a land speculator at all. I am only interested in getting the concession for the bona fide farmer.

The TREASURER: But your amendment will equally oblige the speculator.

Mr. J. H. C. ROBERTS: I ask the Premier to make it three years.

The TREASURER: I cannot accept an amendment to make it three years. The hon. member does not appreciate the amount of concession he is asking for.

Mr. J. H. C. ROBERTS: I do appreciate it. Will the Treasurer stand by the suggestion he made that he would accept five years. I will toss the Treasurer to see whether it should be three or five years. (Laughter.)

The CHAIRMAN: Order!

Mr. J. H. C. ROBERTS: It is worth a gamble. If the Premier wins, we will make it five years, and, if I win, we will make it three years. (Laughter.)

The TREASURER: I am afraid I cannot agree to that.

Mr. J. H. C. ROBERTS: Will you make it five years? You said you would make it five years.

The TREASURER: No, I said that it was five years in New South Wales.

Mr. J. H. C. ROBERTS: Will you make it five years, instead of two?

The TREASURER: I am afraid I cannot. Amendment (*Mr. J. H. C. Roberts*) put and negatived.

Mr. T. R. ROBERTS (*East Toowoomba*): I notice that this clause provides for the

insertion in section 12A of the principal Act of the words—

"Where such real property was purchased or acquired by him during the year in which the sale took place or the six years prior thereto."

A property might be acquired by trustees in 1916 and held till 1922, and then disposed of. It might be a compulsory sale, and the trustee does not become the possessor in his own interest, but for someone else. I would like to know if the profits would be taxed in that instance.

The TREASURER: He will not be taxed on property acquired in 1916 and sold in 1922.

Mr. ELPHINSTONE (*Oxley*): I beg to move the insertion on line 44, page 8, after the word "Act," of the words—

"(less the expense of earning such exempt income)."

The department generally allows exemption in connection with the costs incurred by a taxpayer in earning exempt income.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): The Commissioner says that those words are unnecessary. What the hon. gentleman requires will be done by the Commissioner without inserting those words.

Mr. ELPHINSTONE (*Oxley*): With the consent of the Committee, I will withdraw my amendment.

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

Mr. ELPHINSTONE (*Oxley*): I have an amendment to insert the same words in line 4 at the top of page 9. I suppose the same answer will apply there?

The TREASURER: Yes.

Mr. ELPHINSTONE: Then I need not propose my amendment.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the insertion of the word "beche-de-mer," before the word "pearls," on line 13, page 9. This applies to the income derived from the sale of beche-de-mer.

Mr. GREEN (*Townsville*): Will it also apply to those who derive income from the sale of trochus shell?

The TREASURER: Yes.

Amendment (*Mr. Theodore*) agreed to.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the insertion, after the word "aforesaid," on line 36, of the words—

"are inserted in lieu thereof."

Amendment agreed to.

Mr. ELPHINSTONE (*Oxley*): I beg to move the omission on lines 53 to 55, page 9, of the words—

"but not exceeding the amount of the consideration so received by him."

This has reference to the sale of a lease. A man buys a lease for a hotel extending over five years for which he pays £10,000. The Commissioner allows him a deduction of £2,000 a year in regard to his income tax returns. After he has been in business for two years the lease is cancelled or sold. That man has £6,000 standing in his books to the debit of rent account. Assuming that he sells the balance of the lease for £7,000 the Commissioner taxes him on that £1,000

*Mr. Elphinstone.]*

profit. But assuming that the circumstances are such as to cause the leaseholder to sell the balance of the lease for £5,000, I understand that, if the words I propose to omit are left in the clause, the leaseholder will get no consideration for that loss of £1,000. If my deduction is correct, then I press for the amendment I have outlined.

[12.30 p.m.]

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): If the words which the hon. member proposes to strike out were omitted, it would not meet the case cited by the hon. member.

Mr. ELPHINSTONE: Would such a case arise that the taxpayer would have to pay income tax on a profit and not be allowed to return a loss?

The TREASURER: The case could not arise that a man who actually made a loss had to pay income tax on the gross profit. The actual amount he lost would be allowed.

Mr. ELPHINSTONE (*Oxley*): Under those circumstances I ask leave to withdraw the amendment.

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

Mr. ELPHINSTONE (*Oxley*): I would like to ask the Treasurer whether the amendment which I have circulated, to insert, after the word "Act" in line 38, page 10, the words, "(less the expense of earning such exempt income)" is considered necessary.

The TREASURER: The Commissioner says it is quite unnecessary.

Clause 7, as amended, put and passed.

Clause 8—"Amendment of section 13—Deductions"—

Mr. GREEN (*Townsville*): I move the insertion, after the word "capital" in line 5, page 11, of the words—

"but excluding all losses by fire, flood, cyclone, accident, robbery or embezzlement which are proved to have occurred and to be irrecoverable either directly or by way of insurance at a reasonable premium."

This clause deals with losses which have occurred in the production of revenue, and proposes to exclude from the allowable deductions any outgoings which are in the nature of losses and outgoings of capital. I want to exclude from that limitation all losses which have occurred in the way I have enumerated in the amendment. The amendment, practically, is drafted from the War Time Profits Act. Speaking on the second reading, I referred particularly to the losses occasioned by cyclones, which appeared to me as affecting North Queensland especially.

Mr. WEIR: Can they not insure against such losses?

Mr. GREEN: There is practically no insurance. One or two companies brought out insurance proposals, but the premiums were so heavy that it would not pay to take out policies. I have spoken of the matter time and again to the Attorney-General so that the State Insurance Office might propose a policy that would be suitable, but so far they have not found it possible to do so. Everyone must agree that where capital is destroyed by act of God, as in the case of losses by cyclone, and cannot be restored by means of insurance, the con-

cession should be allowed. If the Treasurer does not feel like accepting the amendment including the losses by other means, I am prepared to omit them.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): The section, as amended by the Bill, will read—

"In estimating the income subject to the tax, there should be deducted from the gross income of every person—

(i.) All losses and outgoings (not being in the nature of losses and outgoings of capital) actually incurred in Queensland by him in production of that part of his income which is not exempted from tax."

If you insert the amendment of the hon. member for Townsville, you do not make it clear that the section includes all these losses.

Mr. GREEN: What about including cyclone losses, if you cut out the others? I am content to accept that.

The TREASURER: There is no possibility of legislating for occurrences which are inevitable. Unfortunately, cyclones frequently occur in North Queensland.

Mr. GREEN: Do you not think then that the amendment is reasonable?

The TREASURER: There have been frequent visitations of cyclones at Mackay, Townsville, Inisfail, and numerous other places in North Queensland, and the Commissioner applies to such cases the section which deals with hardships occasioned by visitations of Providence, so that the insertion of the amendment actually makes no difference. It would simply remove the power of making allowance from one section to another.

Mr. GREEN: Why not accept it?

The TREASURER: I do not mind, but there is this point to be considered—that we would have to make special provision to ensure that the taxpayer must prove his actual loss.

Mr. GREEN: Certainly.

Mr. ELPHINSTONE: Would not those words at the end of the amendment cover that?

The TREASURER: If the hon. member will omit the words referring to losses other than those caused by cyclones, I will accept the amendment.

Mr. GREEN (*Townsville*): I will do that. I beg to move the insertion, after the word "capital" in line 5, page 11, of the following words:—

"Excluding all losses by cyclone which are proved to the satisfaction of the Commissioner to have occurred and to be irrecoverable either directly or by way of insurance at a reasonable premium."

Mr. WEIR (*Maryborough*): We have the assurance of the Premier that in innumerable cases claims made on account of losses sustained by cyclone have been allowed by the Commissioner. If that is so, it would be decidedly unwise to include it in a specific clause now. The most serious loss from cyclone is not the immediate loss in the replacing of the building, but that occasioned by the loss of business, which might be carried over a number of months. A provision of this kind could easily be abused.

[*Mr. Elphinstone.*]

While the Commissioner is taking the reasonable view and making allowance for immediate loss such as the loss of the building, he is treating these cases decently. The hardship clause covers all that is required, and any other clause would be dangerous in the extreme.

Amendment (*Mr. Green*) agreed to.

Mr. ELPHINSTONE (*Ozley*): Paragraph (xvi.) reads—

“Contributions in money to any bona fide industrial union, trade association, or agricultural society approved of by the Commissioner, but not exceeding ten pounds to each respectively.”

I beg to move the omission of the word “trade” with a view to inserting the words “professional, trade, or commercial.” I believe the Treasurer on the second reading of the Bill foreshadowed that he would accept an amendment somewhat on these lines. The idea, of course, is that contributions which professional men make to their associations should also be deductible.

The TREASURER: To whom is the word “commercial” meant to apply?

Mr. ELPHINSTONE: It would apply to Chambers of Commerce.

The TREASURER: Why not insert “Chambers of Commerce?”

Mr. ELPHINSTONE: Would not the Merchants' Association also be affected? If the Treasurer can assure me that Chambers of Commerce and the Brisbane Merchants' Association come within the category of “trade association,” I shall be quite satisfied.

The TREASURER: The Commissioner assures me that that is so.

Mr. ELPHINSTONE: Then I move the insertion in line 38, page 12, of the words “or professional” after the word “trade.”

Amendment agreed to.

Mr. ELPHINSTONE: I beg to move the omission, in line 40, page 12, of the word “pounds,” with a view to inserting the word “guineas.” There are two associations that I know of where the membership fee is ten guineas, and we might embrace those.

The TREASURER: It would be a pretty aristocratic association that would have a fee of ten guineas.

Mr. ELPHINSTONE: I know several hon. members in this House who would like to mix with the aristocracy. (Laughter.)

Amendment (*Mr. Elphinstone*) agreed to.

Mr. T. R. ROBERTS (*East Toowoomba*): Later in the day we shall be dealing with the Unemployed Workers Insurance Bill, and I would like the Treasurer to make it clear that payments made to the Unemployed Workers Insurance Fund will be allowed to be deducted.

The TREASURER: They will be so allowed.

Mr. J. JONES (*Kennedy*): I beg to move the insertion, after paragraph (9) (xix.), page 13, of the following new paragraph:—

“(xx.) Expenses incurred by a taxpayer in educating his children under sixteen years of age where it is proved to the satisfaction of the Commissioner that suitable educational facilities are

not provided by the State within a reasonable daily travelling distance of the place of residence of the taxpayer.”

This is a very fair amendment, which, I am sure, the Treasurer will accept. It is only asking for consideration for those people who are too far away from school and have to provide education for their children.

Mr. WEIR: Is this primary or secondary education?

Mr. J. JONES: Primary.

Mr. DUNSTAN: What about the case where a mother teaches her children herself?

Mr. J. JONES: I am only asking for this in cases where expense is incurred in having a tutor or governess.

The TREASURER: It will benefit the rich man.

Mr. J. JONES: It is very hard on the struggling selector. It does not hurt the men who have money; it simply reduces their bank balances. It takes the struggling selector all his time to pay his way.

The TREASURER: He would not be subject to taxation.

Mr. J. JONES: He might have an income of a couple of hundred pounds, and it would take £100 to provide education for his children.

The TREASURER: He would not be taxed if his income amounted only to £200.

Mr. J. JONES: Education is supposed to be free. It is to the people who are living in the towns; but these people are so situated that they cannot afford to send their children to town schools because it is too big an expense. The least the Government might do is to allow the cost of that education to be exempt from taxation. There is nothing unreasonable about the amendment. It is in the interests of the State to give those people in the West some encouragement. I hope the Treasurer will accept the amendment.

Mr. BEBBINGTON (*Drayton*): I have very much pleasure in supporting the amendment, and I believe that, when the Treasurer thoroughly understands it, he will have pleasure in accepting it. The Treasurer seems to think that this will afford some relief to the rich people, but the rich people send their children to the schools in Rockhampton, Brisbane, Sydney, and other Southern towns. A very large proportion of the children of the rich only live in the West during a short period of the year. This is only to provide for a selector who has to pay for the education of his children and cannot afford to send his wife and children away from the West. This man has to contribute indirectly to the education of the people in the cities in addition to educating his own children. He has to pay for a governess for the latter purpose. The selector should benefit under the amendment in such cases where he is some reasonable distance away from a school. These people do not go out there to live for the pleasure of it. Every man who can afford to do so gets away from there. Every assistance should be given to the people in the Western country.

Mr. J. H. C. ROBERTS (*Pittsworth*): I hope the Treasurer will accept the amendment, which is intended to give assistance to those whose children are unable to take advantage of the educational facilities

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afforded by the Department of Public Instruction. The Treasurer knows that there are hundreds of persons in the outback places whose children find it impossible to participate in the free education given by the State in the centres of population. The Treasurer talks about the rich people sending their children away to school. We know that they do; but I do not believe that the hon. member for Kennedy suggests that those people should be given the concession proposed in the amendment. The Treasurer spoke about a man in receipt of £200 per annum not having to pay any income tax. We know that he does not pay income tax; but we also know that he finds it very difficult to get his children educated, because of the fact that he is living far removed from centres of population.

Mr. DUNSTAN: If he does not pay any income tax, what is the use of granting him an exemption?

Mr. J. H. C. ROBERTS: That is not the question. He should be allowed to claim an exemption for the cost of education. He should be allowed to claim exemption for that facility which he does not obtain from the State. The Government definitely state that education is free to the children. I think the hon. member for Gympie asked a question about exemption for a man who pays for a tutor, and what was going to happen in the case of the mother who educated her own children. They are entitled to the same consideration. This amendment is intended to grant a concession to the small landowner who is not in a strong enough financial position to be able to send his children to a fashionable boarding school. A man on a salary of £400 per annum finds it difficult to educate his children even when there is a school available. We have passed this session the Maternity Bill, which is intended to give greater facilities for medical attention to women in outback country districts. The hon. member for Kennedy only intends to go a step further and to give further assistance to those women who go out and pioneer the districts and have to live 30 and 40 miles removed from what you would call civilisation and there become mothers of families. When the children reach that age when they should be attending school, the parents find that there are no schools in the district.

The TREASURER: I have not heard all the hon. gentleman's argument, but I will accept the amendment.

Mr. J. H. C. ROBERTS: If the Treasurer will give me an assurance that he will accept the amendment before 1 o'clock I will sit down immediately.

The TREASURER: I will accept the amendment.

Amendment (Mr. J. Jones) agreed to.

Clause 8, as amended, put and passed.

Clause 9—Amendment of section 16—“For what matters no deduction to be allowed”—

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the omission, in line 13, of the words “proviso is,” with a view to inserting the words “two provisos are.”

Amendment (Mr. Theodore) agreed to.

Mr. T. R. ROBERTS (*East Toowoomba*): This clause repeals paragraph (i.) of section 15 of the principal Act. That paragraph deals with the question of repairs to

machinery and premises, and provides for a deduction of one-third of the cost of such repairs. I would like to [2 p.m.] know from the Treasurer whether it is intended in future to allow the full cost of repairs to machinery, etc., as a deduction.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): There are several paragraphs relating to this question. Section 13, paragraph (viii.), of the principal Act reads—

“Sums expended by the owner for repairs to or on that part of any property occupied by him or a tenant for the purpose of producing income (including any residence owned and occupied by the taxpayer, or occupied by him rent free) and for the repair of machinery, implements, utensils, rolling-stock, and articles used by such owner for the purpose of producing income.”

The paragraph which it is now proposed to repeal was therefore a duplication.

Clause 9, as amended, put and passed.

Clause 10—“*Repeal of Sections 17 and 18*”—

Mr. ELPHINSTONE (*Oxley*): I beg to move the insertion, after the word “taxation,” on line 28, of the words—

“under paragraph (vii.) of section 12 of this Act (less the expense of earning such exempt income).”

This opens up the constitutional question of the rights that the Government may possess to interfere with the conditions under which people invested money in Commonwealth war loans. When referring to this question during the second reading debate I made the statement that the Government had made two attempts to circumvent the understanding which surrounded investments in Commonwealth war loans in the matter of payment of income tax, and the Premier twitted me with not being able to cite those two attempts offhand. I have since gone to some considerable trouble to look up previous speeches in “*Hansard*,” so as to remind the hon. gentleman exactly what those two instances were. This is a most important question, and one which involves the credit of the State, and it is one of those instances which aggravate the feeling of distrust which is engendered in most people's minds outside Queensland. On page 2632 of “*Hansard*,” volume cxxxiv., for 1920, the Treasurer dealt with an instance which I had raised in the Committee stage of the Income Tax Act Amendment Bill. This was the first occasion on which we had the necessity to call attention to the attempt of the Government to make inroads into the Commonwealth war loan proposition. I propose just to read the hon. gentleman's own remarks—

“The PREMIER: In the case cited by the hon. member for Oxley, the income of £2,000 derived from war bonds will be exempt from income tax, as it is income derived from investments in State or Commonwealth securities. In such a case as that the rate of the tax will be arrived at by taking into account the exempt portion of the income, so that the rate of taxation on the £3,000 will be the rate chargeable in respect of an income of £5,000; but the tax will only be payable on the £3,000.”

The result of that was that, although the investor in Commonwealth war loans did

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not pay actual direct taxation to the State on the amount which he derived from interest on Commonwealth war loans, yet the interest which he received under that particular loan was utilised for the purpose of being added to the remainder of his income and thus forcing his being charged tax at a higher rate.

The TREASURER: What you are reading there is all right.

Mr. ELPHINSTONE: I would not have read this extract had it not been for the fact that, obviously with the object of bluffing during the second reading, I was twitted with not being able to quote two instances.

The TREASURER: You were not able to quote them then.

Mr. ELPHINSTONE: The Treasurer admits in that remark of his that I was right in my deduction that the income derived from investments in Commonwealth war loans was being utilised to arrive at the basis of taxation upon which the income taxpayer was assessed.

The next episode in this matter was during the closing days of last session, when a number of undignified things happened in this House, and when we were being rushed with legislation and were hardly given time to breathe. I then made the following remarks, which are very important, and I wish to read them, to show the second episode in regard to this matter—

“Mr. ELPHINSTONE (*Oxley*): A very important principle is involved in clause 3, which was ‘gagged’ through last night.

“The SPEAKER: Order! The hon. member is not in order in reflecting on the Chair, either in Committee or in the House.

“Mr. ELPHINSTONE: I will withdraw the reflection, so long as I can get an opportunity of expressing my opinion. In clause 3 there is revived a very objectionable feature which interferes with the privileges which investors in the Commonwealth war loans have been led to believe they enjoy.

“Mr. GLEPSON: I rise to a point of order. The Bill was recommitted to deal with clauses 4 and 6. Is the hon. member in order in dealing with clause 3?

“The SPEAKER: The hon. member is not in order in dealing with any clause of the Bill. He would be in order in protesting against the passage of the Bill.

“Mr. ELPHINSTONE: I protest against the passage of a measure which has as one of its main objects the interference with the rights which investors in war loans were led to believe they enjoyed when subscriptions were invited.”

The TREASURER: The hon. member has no need to read that.

Mr. ELPHINSTONE: As I have been twitted with having misstated the position, I thought it better to read it. I hope I may claim the indulgence of the Committee while I am stating my case. It may be unpleasant reading, and unpleasant hearing, for the Treasurer, but I contend that my statement of two days ago that this matter was referred to on two distinct occasions was quite correct. I am not doing this

for the purpose of venting any spleen, but because it is an important constitutional point.

The TREASURER: To save wasting any more time over the matter I am quite agreeable to negative the clause.

Mr. ELPHINSTONE: If the Treasurer is agreeable to negative the clause and is willing to admit that my statement was correct, I will sit down.

The TREASURER: You said that it was referred to on two distinct occasions, but you could not cite those occasions when you were challenged.

Mr. ELPHINSTONE: Will the hon. gentleman admit that I have proved to-day that there were two distinct occasions when the matter was referred to?

The TREASURER: I admit that you are better informed to-day.

Mr. ELPHINSTONE: This matter has been before the House on two distinct occasions and this is the third occasion. You admit that?

The TREASURER: No, I do not.

Mr. ELPHINSTONE: Then, there is nothing else for it but for me to go on and prove my case.

The TREASURER: I am sorry if an interjection of mine has caused the hon. gentleman so much worry.

Mr. ELPHINSTONE: Will you admit now that what I said was correct? I am glad to revive my memory in this regard. I stated that the matter was referred to on two occasions, and I have proved to-day that what I said was correct. This is the third occasion on which the question has arisen. If the Treasurer will admit that what I said was correct and will agree to negative the clause, I will sit down.

The TREASURER: I will agree to the clause being negatived.

Mr. ELPHINSTONE: This is the third instance when we have had this question of attempting to circumvent the Commonwealth authorities in this matter before the House.

The TREASURER: If it will stop the hon. gentleman from making long speeches, I will admit that he is correct.

Mr. ELPHINSTONE: You will admit that what I said a day or two ago was correct?

The TREASURER: I will admit anything. (Laughter.)

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

Clause 10 put and negatived.

Clause 11—“Amendment of section 20—Profits converted into stock.”—

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I beg to move the insertion, on line 36, after the word “occurs,” of the following words:—

“but the rate of tax shall be arrived at by dividing the amount of profit by the number of years (not exceeding seven years) during which the assets were owned prior to the writing-up; and the amount so arrived at shall be added to the taxpayer’s other taxable income, and there shall be charged on each and every pound of the taxpayer’s taxable income the rate that would be chargeable if the

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amount so ascertained together with any income derived as mentioned in paragraph (vii.) of section twelve of this Act were the taxpayer's total taxable income. In any such case, an extension of time for paying the tax may be allowed by the Commissioner without penalty."

Amendment (*Mr. Theodore*) agreed to.

Clause 11, as amended, put and passed.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I move the insertion of the following new clause to follow clause 11:—

"The following amendment is made in section 20A of the principal Act:—

"After the last proviso add—

Provided further that the Commissioner may exempt persons who do not own more than one hundred head of full-grown live stock from returning such live stock as on hand at the beginning and end of a year, but such persons shall return as income the proceeds of any sales of live stock made by them."

Mr. EDWARDS (*Nanango*): I am very pleased indeed to see that the Treasurer is coming to have some consideration for the primary producers, whose interests hon. members on this side represent. After all, although the provisions will affect the farmers particularly, I suppose it will make very little difference in the amount payable as income tax, and that being so, the Treasurer would do well to make the number of head 150 instead of 100, which, after all, is not a great many. The number I suggest will include a dairyman's cows and horses, and I think that the Treasurer's proviso does not quite get over the difficulty. If the number were increased, the primary producer—the dairyman in particular—would be saved a good deal of worry and trouble in making out his income tax return.

Mr. W. COOPER: For dairy cattle 100 is a good many.

The TREASURER: I think what I have moved is a very fair compromise, and the hon. member ought to accept it.

Mr. EDWARDS: I agree that the Treasurer has tried to meet us, but, after all, we are here in the interests of the smaller men, and we are well aware that at the present time hundreds of dairy farmers have more than 100 head of full-grown stock. They have not been able to market them; many of them are of no market value whatever; in fact, they have not been worth the price of their hides. The Treasurer would do well to make the number 150 head.

Mr. BEBBINGTON (*Drayton*): This is not much of a concession. We are not asking for this amendment because of the amount of tax involved. It will relieve the Taxation Department as much as the stockowner. I am quite sure that the Commissioner will agree that nine out of ten stock returns are filled up wrongly. A farmer, as a rule, forgets the number of stock he had last year or the year before. This has caused him more worry than anything else. I believe that under the Act, any beast which is branded is regarded as a full-grown beast. One hundred head of branded stock were only worth £5 a short time ago. I know a man who invested £5 and got 100 head. I would not have had them at that price; they were absolutely of no value. Quite

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probably someone got rid of them in order to save payment of the tax.

The TREASURER: I am not encouraged to accept amendments when you talk like this after I have accepted one. Only 197 persons made returns.

Mr. BEBBINGTON: If the Treasurer made it 150 head, it would save these people the worry of making out the forms and the Taxation Department the worry of altering them.

Mr. J. H. C. ROBERTS (*Pittsworth*): What is the definition of "grown stock?"

The TREASURER: Stock that is full-grown.

Mr. J. H. C. ROBERTS: The Commissioner is entitled to tax upon all branded or earmarked stock. A lamb three months old, directly it is earmarked, becomes taxable value. Under this amendment there will be a great deal of argument as to what constitutes grown stock. We have to include in our stock returns calves that are branded at four months and lambs at three months. If the Treasurer will give us the assurance that cattle under fifteen months old and horses under two years old will not be counted, we shall be only too pleased to accept the amendment and thank him for it.

The TREASURER: Then I move the omission of the words "one hundred head of full grown," with a view to inserting the words "one hundred and fifty head of."

Amendment (*Mr. Theodore*) agreed to.

New clause put and passed.

Clause 12—"Amendment of section 31—Assessment of income of foreign companies."

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): I have an amendment which I think will meet the case mentioned by the hon. member for Oxley the other day. I move the insertion, after the word "Act," in line 47, page 13, of the word—

"and where the company actually pays away any portion of any premiums by way of reinsurance effected with any other company which does not carry on business in Queensland, the first-named company shall for the purposes of this Act be deemed to be the agent of the last-named company so receiving such portion of such premiums, and before paying away such portion may pay to the Commissioner income tax, together with super tax if any, on the amount at the rate of two pounds ten shillings per centum, and may deduct from such portion of premium the amount of tax thereon; and only such portion of premium upon which the tax has been so paid shall be an allowable deduction as aforesaid."

That will enable the company to pay away its premiums in reinsurance and claim it as a deduction, provided that tax has been paid on it at the rate of £2 10s. per centum.

Mr. BURNHSTONE (*Oxley*): It is impossible to follow the meaning embraced in this amendment without careful study; but, if the Treasurer assures me that it meets the case that I quoted the other day and meets what I am proposing by way of my amendment, I am quite satisfied. The only difference that I can see is that what I proposed to put in about eight words the Treasurer has put in about eight lines.

The TREASURER: According to the hon. gentleman's amendment the foreign companies

would get the premiums and would not pay tax. We must make provision for taxes to be paid on those premiums.

Amendment (*Mr. Theodore*) agreed to.

Clause 12, as amended, put and passed.

Clauses 13 to 16, both inclusive, put and passed.

Clause 17—*Registration of tax agents.*”

Mr. VOWLES (*Dalby*): This clause requires the registration of agents. I would like to know whether it is the intention to require members of the legal profession to register as agents.

The TREASURER: Any persons carrying on the business of taxation experts and the making up of income tax returns must register.

Mr. VOWLES: That creates a very difficult position. When solicitors and barristers are admitted they have to pay certain fees, and then they have the right to carry on any legal business they like. This clause is a little more far-reaching than the Treasurer imagines. Subclause (1) says—

“It shall not be lawful for any person to charge or receive any fee for or in relation to the preparation of any income tax returns for a taxpayer. . . .”

If it stopped at that, the legal profession might be included in the definition of “agent,” but the clause continues—

“ . . . or for or in relation to the transaction of any business on behalf of the taxpayer in income tax matters unless he is registered as a tax agent with the Commissioner.”

That simply means that a barrister would be debarred, under this clause, from going into court and appearing in taxation [2.30 p.m.] appeal cases unless he was registered as an agent. I do not think that is intended, and I have an amendment which I think will meet the case. I move the insertion, after the word “matters” on line 7, of the words—

“other than a solicitor or barrister appearing in court.”

The TREASURER: I agree to that.

Amendment (*Mr. Vowles*) agreed to.

Mr. ELPHINSTONE (*Oxley*): I beg to move the omission of the following words in lines 9 to 15:—

“Provided that the Commissioner may in his discretion exempt any person from the provisions of this section upon being satisfied that the total income of such person derived as a tax agent does not exceed ten pounds per annum, and may grant to such person a certificate of exemption in that behalf which shall have a currency of one year, but may be annually renewed.”

Later on I intend to move an amendment reducing the fee considerably, because I think it is understood that this fee is not imposed for the purpose of getting revenue, but is imposed with a view to giving protection, and as the Board which is proposed under this Bill will have complete power over these taxation agents, there is no need to exact an undue fee for registration, and it is quite unnecessary to give the Commissioner power to exempt anyone from taking out a license to prepare taxation returns. It is proposed, on the one hand, under this

Bill to charge a fee of £10 to permit a professional man to prepare taxation returns, and power is also given to the Commissioner to grant exemptions. For the life of me I do not see why these exemptions should be granted. It seems to me the situation would be much better if we made the fee sufficiently small to permit of anyone who so desires obtaining a license to prepare taxation returns.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): There is not very much in the paragraph itself, which was inserted on the suggestion of the Commissioner to meet cases that everyone knows must happen. Country residents who have to make returns and who have not much experience in such matters, find it very difficult to make out their returns, and they often go to some friend—it may be the local school teacher, the local storekeeper or a commission agent—who does not do this work as a business, but does it as a convenience for his neighbour; and on account of the trouble involved in some cases he may receive a couple of guineas for the trouble he has gone to. He does not advertise himself as a taxing agent; he is not making his livelihood at the work, and he does not look for the business. It is true the Commissioner can overlook cases of that kind and not insist on registration if the clause is omitted.

Mr. ELPHINSTONE: Are you prepared to reduce the fee to one guinea?

The TREASURER: I will consider it.

Mr. WEIR (*Maryborough*): I hope the Treasurer will not accept the suggestion. There is one aspect that I would like to see dealt with broadly by the Commissioner, and that is the question of street pedlars. In most country towns you will find an old-age pensioner or a wounded soldier who does little odd jobs, and amongst those jobs he may include the preparation of income tax returns. I hope the Commissioner will not pounce on those people, because, after all, they are not a menace. The menace is the man to whom the leader of the Opposition referred—that is, the legal luminary who does not understand taxation matters at all. If we took the trouble to look into the Taxation Department, it would be found that the greatest number of mistakes in connection with the preparation of returns are made by legal luminaries, and this provision is absolutely necessary so that the Commissioner will have the right to restrict them or cancel their certificates or permits if necessary. There will be no trouble about getting a permit on the part of those who are competent to make out returns. The Taxation Department welcomes these people, because it relieves it of an undue amount of inconvenience when it knows the returns are properly made out. A lot of trouble is caused owing to the fact that returns are not properly made out, and this provision will help materially to encourage reputable firms to engage in this business. After all, what is a fee of ten guineas to such men? These men will pay this willingly for the protection afforded.

Mr. TAYLOR (*Windsor*): I think the amendment is a reasonable one, and I hope the registration fee will be reduced.

Mr. ELPHINSTONE: The Treasurer has agreed to make it one guinea.

The TREASURER: I am prepared to make it two guineas.

*Mr. Taylor.]*

Mr. ELPHINSTONE: That being so, I ask permission to withdraw my amendment.

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

Mr. ELPHINSTONE (*Oxley*): The clause provides that the Commissioner may, in his discretion, exempt any person whose total income—

“Derived as a tax agent does not exceed £10 per annum.”

If the Treasurer is going to reduce the fee paid by the agent, must not that be altered?

The TREASURER: Not necessarily, because it is in the discretion of the Commissioner.

Mr. ELPHINSTONE: I understood that the object in view was that, where a man preparing income tax forms is not getting sufficient therefrom to cover the registration fee, he is to be exempt. If that is a right deduction to draw, I contend that the words “ten pounds” should be amended.

The TREASURER: It does not require amendment.

Mr. J. H. C. ROBERTS (*Pittsworth*): I move the omission in subclause (2), lines 17 and 18, of the words—

“the Under Secretary to the Treasurer, and the Commissioner”—

with a view to inserting the words—

“the Public Service Commissioner and a public accountant appointed by the Governor in Council.”

Mr. WEIR: The Public Service Commissioner is not an accountant.

Mr. J. H. C. ROBERTS: He is just as much an accountant as the Under Secretary to the Treasury.

The TREASURER: No.

Mr. J. H. C. ROBERTS: It is in no spirit of antagonism to the Under Secretary to the Treasury that I am moving the amendment. He is, after all, only the Under Secretary to a department, and I feel that a Board should be as independent as we can possibly make it. I trust the Treasurer will see his way clear to accept the suggested amendment. I feel that the Public Service Commissioner is going to hold a very big position in the service.

The TREASURER (*Hon. E. G. Theodore, Chillagoe*): The hon. member's amendment will prevent me from moving an amendment which I wish to insert. I do not agree with the hon. member's contention with regard to the Under Secretary to the Treasury, who must obviously be an accountant and have a knowledge of those matters second only to the Commissioner himself, and who would be a very suitable member of the Board. It is not as if he will sit on the Board in the capacity of a Government representative; he will sit and use his discretion and impartiality as a member of the Board. Cases will not arise in which the Government will direct their officers on the Board to come to a certain decision, and, therefore, there is a necessity for a public officer to be on it. I agree with the suggestion that the Commissioner should not be on the Board, and, if the hon. member will accept it, I will move the omission on line 15 of the word “Commissioner.” with a view to inserting the words—“a public accountant appointed by the Governor in Council.”

[*Mr. Elphinstone.*

Mr. J. H. C. ROBERTS: Yes. In view of the Treasurer's statement. I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

The TREASURER (*Hon. E. G. Theodore, Chillagoe*): I move the omission, on line 18, of the word “Commissioner,” with a view to inserting the words—

“a public accountant appointed by the Governor in Council.”

Amendment (*Mr. Theodore*) agreed to.

The TREASURER (*Hon. E. G. Theodore, Chillagoe*): I move the omission, on line 30, of the words “ten pounds,” with the view to inserting the words “two guineas.” We have just decided to have an accountant on the Board, and, as he will be the representative of the Taxpayers' Association, no fees will be paid to that officer. No fees will be paid to the Government representatives, and I do not think any fees should be paid to the representatives of the Taxpayers' Association.

Amendment (*Mr. Theodore*) agreed to.

The TREASURER (*Hon. E. G. Theodore, Chillagoe*): I move the omission, on line 32, of the words “five pounds,” with a view to inserting the words “one guinea.”

Amendment agreed to.

Mr. KERR (*Enoggera*): I would like to ask the Treasurer if it is intended that the lower rate of one guinea shall merge into the higher rate of two guineas. The subclause provides for—

“An annual fee of two pounds if carrying on business within the petty sessions district of Brisbane, or of one guinea if carrying on business elsewhere within the State.”

Will the agent who pays a fee of two guineas in Brisbane have to pay an additional fee of one guinea if he travels in the country?

The TREASURER: No. If he pays a fee of two guineas, he will be entitled to practise anywhere in the State.

Mr. J. H. C. ROBERTS (*Pittsworth*): I move the omission of subclause 6—

“A registered tax agent may appeal to the Treasurer against any decision of the Board with respect to the cancellation of a registration or refusal to renew a registration, and the Treasurer's decision shall be final.”

As the Board is constituted by the Auditor-General, the Under Secretary to the Treasury, and an outside qualified accountant, the Board should have the power to say whether a man has done something absolutely wrong, and in that case to cancel the registration. I ask for the deletion of this subclause so that there shall be no possibility of any control being exercised over the Board.

The TREASURER: If you desire to deprive me of this great privilege of hearing appeals, I have no objection to the amendment. (Laughter.)

Amendment (*Mr. J. H. C. Roberts*) agreed to.

Mr. KERR (*Enoggera*): I would like to ask if it is proposed to hold an examination for accountants at present practising as income tax agents. There appears to be no provision in the clause for that. In the case

of an accountant having been in practice for two years, will he be exempt, and will he receive a certificate?

The TREASURER: All these agents will have to satisfy the Board as to their qualifications.

Mr. KERR: Will those that are practising at the present time be granted a certificate?

The TREASURER: If they are regarded as competent, they will get certificates.

Mr. KERR: There should be some indication as to whether a general examination will be held or not.

The TREASURER: There is no intention of instituting an examination now, but later on an examination will have to be held to find out the qualifications of the agents.

Clause 17, as amended, put and passed.

Clauses 18 to 25, both inclusive, put and passed.

Clause 26—"Amendment of section 70—Time limited for applications for refund."

Mr. ELPHINSTONE (*Oxley*): It was proposed to move the insertion of the following clause:—

"No application for a refund of an over-payment of tax shall be entertained by the Commissioner unless made within three years after the thirtieth day of June of the year of assessment in connection with which the over-payment was made."

Occasion may arise when the Commissioner is late in making his assessment, and, if the three years' limit is rigorously applied, it may result in a penalty being inflicted, when, perhaps, the delay was caused in issuing the assessment.

The TREASURER: Perhaps the lateness of the assessment is caused by the lateness of the lodgment of the return.

Mr. ELPHINSTONE: I do not intend to move an amendment. It might prove that three years is long enough.

The TREASURER (Hon. E. G. Theodore, *Chillagoe*): If there is a delay caused through any fault of the department, no penalty will be charged, and any application for a refund will be entertained.

Mr. T. R. ROBERTS (*East Toowoomba*): We have been asking a lot of questions lately about taxing the man on the land. It has been explained that the man on the land can set off his income tax against his land tax. How will he be affected by this three years' provision?

The TREASURER: This will not affect him at all.

Clause 26 put and passed.

Clauses 27 to 30, both inclusive, 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 Tuesday next.

## UNEMPLOYED WORKERS INSURANCE BILL.

### COMMITTEE.

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

Clause 1—"Short title and commencement of Act"—put and passed.

### Clause 2—"Interpretation"—

Mr. KERR (*Enoggera*): I beg to move the insertion, on line 50, page 1, after the word "employing" where it occurs the second time, of the words "more than four." The definition will then read—

"Employer—Any person, company, firm, or association employing or usually employing more than four workers,"

etc. I do not see why an employer of only four persons or less should be compelled to go on with certain work. The employer has no appeal to the police magistrate in regard to work, although he has the right of appeal in regard to contributions. In the previous Bill introduced by the Government the employer of four persons and less was exempt. I would like to know why that has been departed from?

Hon. W. FORGAN SMITH (*Mackay*): I am afraid the amendment cannot be accepted. The hon. gentleman knows that only insured persons would be entitled to the benefits that accrue under this scheme. If we exempted employers of less than five persons, their employees would be deprived of any benefits under the Act.

Mr. KERR (*Enoggera*): Will the Minister be prepared to exempt these small employers of labour from any compulsion to carry out work? They may just be starting business, and they should not be called upon to carry out works involving the expenditure of a lot of money.

Hon. W. FORGAN SMITH: I have an amendment dealing with that in clause 7.

Mr. KERR: Very well, I will withdraw my amendment.

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

Mr. VOWLES (*Dalby*): I notice that the definition of "employer" includes—

"Any person, company, firm, or association employing or usually employing workers."

Does that include hospital committees?

Hon. W. FORGAN SMITH: Yes, in so far as they employ anyone under the provisions of industrial awards.

Mr. KERR (*Enoggera*): I move the omission in the definition of "worker," on lines 29 to 33, page 2, of the words—

"the term also includes every person whilst employed by the Crown or any Minister of the Crown or any corporation or officer representing or acting as the agent of the Crown."

I take it that any person who is in a secure position, whose chances of dismissal are restricted, and who is provided for by a superannuation scheme would not be brought under a Bill such as this. A job in the public service is looked upon as a job for life, unless dismissal takes place for neglect of duty—and, in that case, a person would not come under this Bill anyhow—

[3 p.m.] and my contention is that such a person, with a secure job and a retiring allowance, should not be compelled to contribute for a great number of years to a scheme of unemployment insurance.

Hon. W. FORGAN SMITH (*Mackay*): I cannot accept the amendment. It would mean that all employees of the Crown would be exempt from the provisions of the Act.

*Hon. W. Forgan Smith.*]

The Crown is a very extensive employer in railway construction, main roads making, and other work. My own department, for instance, employs carpenters and other tradesmen when they are required, and those men are paid off when the work ceases. It would be a great injustice if those men were precluded from the benefits of the Bill. I have an amendment dealing with employees in the public service proper. I propose to give power to the Unemployment Council to exempt employees who are in employment where provision is made for their superannuation and where they can be dismissed only for personal misconduct.

Mr. KERR (*Enoggera*): In that case, I will withdraw the amendment.

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

Mr. MAXWELL (*Toowong*): I desire to draw the attention of the Minister to lines 55 to 57, page 2—

“Moreover, the term does not include any aboriginal alien native of Asia, Africa, or the Pacific Islands.”

I suggest the inclusion of American negroes.

Hon. W. FORGAN SMITH (*Mackay*): I would point out to the hon. member that there is a constitutional objection to the alteration, as American negroes have certain rights as American citizens.

Mr. MAXWELL (*Toowong*): I would like to ask the Minister what rights they have over and above the other people mentioned.

Hon. W. FORGAN SMITH (*Mackay*): American negroes have the rights of American citizenship, consequently, we cannot exclude them from the operations of this measure if, for the time being, they are working in the State. As a matter of fact, I do not suppose there are half a dozen American negroes in Queensland.

Mr. KERR (*Enoggera*): I move the insertion, after line 5, page 3, of the following new paragraph in the subclause dealing with contractors:—

“(iii.) Provided that such person shall not be liable for two contributions.”

Hon. W. FORGAN SMITH: I accept that.

Amendment (*Mr. Kerr*), agreed to.

Clause 2, as amended, put and passed.

Clause 3—“Unemployment Council”—

Mr. VOWLES (*Dalby*): I took exception, on the second reading, to the constitution of the Unemployment Council. I cannot see why the Minister should be a member or be associated with it at all, more particularly since the Government have two representatives on it in the Registrar of Friendly Societies and the Director of Labour. It seems to be the general opinion that the Unemployment Council should consist of three persons—a Ministerial representative in the person of the Director of Labour or Registrar of Friendly Societies, whichever is thought fit, a representative of the employers, and a representative of the employees. I would like to ask the opinion of the Minister on the point, because it may be possible to avoid the moving of an amendment.

Hon. W. FORGAN SMITH (*Mackay*): I do not think any Minister wishes to be placed in the position of chairman of the Council, because it only means extra work, and from that point of view the hon. member's suggestion is an attractive one. Under

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the Bill the Governor in Council may be called upon to exercise very important functions; that is to say, on the recommendation of the Unemployment Council the Governor in Council may do certain things. The reason why the Minister is to be called upon to act as chairman is so that he shall have absolute knowledge of all facts leading up to a recommendation by the Unemployment Council, and exercise his influence accordingly. In practice, Orders in Council are granted on the recommendation of various Ministers. Supposing a Minister were excluded from the position of chairman of the Unemployment Council, the Council would still have to go to the Secretary for Public Works and advance reasons why its recommendation should be accepted. That would involve a good deal of circumlocution which is not necessary. As chairman the Minister would be able to direct the policy of the Council, and indicate whether any recommendation that might be suggested would or would not be acceptable to the Governor in Council. Sitting by itself, the Unemployment Council might decide to make a recommendation which the Minister might not regard as satisfactory, and he would not accept it. If he were in the chair, he could indicate what chances there were of certain things being done, and save a good deal of time. I think it is necessary, therefore, that this provision should be retained in the Bill.

Mr. VOWLES (*Dalby*): I did not make the suggestion with any idea of casting a reflection on the Minister.

Hon. W. FORGAN SMITH: I did not take it so.

Mr. VOWLES: The desire lately appears to have been to burden Ministers with all sorts of unnecessary offices and duties. We have been told that it is necessary to increase the number of Ministers on account of the exceptionally large amount of work which they have to do compared with previous Ministers. If the work is still increasing, why should the Minister desire to be put on a Council such as this, especially when you consider its functions and powers. It is only on exceptional occasions that important matters, such as the Minister has spoken about, will be under consideration. In those cases the recommendation will go from the Council to the Minister in charge of the department, and from him to the Governor in Council. He will be thoroughly in touch with the intentions of the Council, and have at his fingers' ends all the information, without having to go to meetings of the Council and waste his time there. The powers and duties of the Council are set out in clause 4. Subclause (2) says—

“The Council may—

(a) Inquire into the causes and extent of unemployment within the State or any part thereof.”

Why does the Minister want to waste his time on a matter of that kind? Then the subclause says—

“(b) Inquire into and consider what are the most effective measures to be taken for temporarily or permanently reducing or eliminating unemployment within the State or any part thereof.”

I admit that that is a most important matter; but that will be reported on by the Council to the Minister, and by the

Minister to the Governor in Council. Then it says—

“(c) Obtain and disseminate information on all matters connected with industrial occupations and the callings of workers, with a view to improving the industrial relationship between workers and employers, and lessening the evils of unemployment.”

Why should a Minister have to go to a meeting such as that, and waste his time in taking part in discussions on matters of that nature? The next is—

“(d) Consider and report to the Governor in Council upon the industrial efficiency of the community, the organisation of the labour market and opportunities of employment, and all matters and questions relating to unemployment.”

That is purely departmental. The information will be gathered far and wide, and will come through its natural channels to the Bureau of Labour, and in the ordinary course of affairs will go through the head of the department to the Minister. Then the Council has to—

“(e) Consider and report to the Governor in Council upon the working of the State labour exchanges, and make any recommendation deemed necessary for their improvement and extension.”

What cause is there for the Minister to waste his time on those deliberations? Then it says—

“(f) With the approval of the Governor in Council, make rules to give effect to their powers under this Act.”

It seems to me that the Minister ought to be grateful to the Opposition for trying to relieve him of these duties.

Hon. W. FORGAN SMITH: That is why I said your suggestion was attractive.

Mr. VOWLES: We are looking ahead to the time when, after the next general election, the successor of the hon. gentleman will have to shoulder these onerous burdens. If the Minister is not going to accept this, there is no use continuing the debate.

Mr. KERR (*Enoggera*): Had the Minister accepted the suggestion of the leader of the Opposition, I would not have proposed an amendment. From the point of equity and fairness the clause should be amended in regard to the number of members of the Council. I beg to move the omission, on line 13, paragraph (d) of the word “A,” with a view to inserting the word “Three.” That will make provision for three workers’ representatives. I propose to move a similar amendment later on to provide for three representatives of the employers. Financially, one-third of the cost is to be borne by the Government, one-third by the employers, and one-third by the employees. Each of those sections, therefore, should have equal representation. The English Act is administered by the Board of Trade, and I think the various sections have the same representation.

Hon. W. FORGAN SMITH: The Minister is all-powerful.

Mr. KERR: So far as I can see, the Minister is all-powerful here—more so than I like. This will make a better Council. There will be more chance of a quorum, and a greater quantity of brain power brought to bear in elucidating the problem. This is a very difficult problem to tackle.

Mr. MAXWELL (*Toowong*): I think that the amendment is a reasonable one. The Government will be represented on the Council by the Minister, the Registrar of Friendly Societies, and the Director of Labour. There are three Government representatives, as against one each of the workers and the employers. If there is going to be a fair deal, let us have equal representation.

Mr. L’ETRIE (*Toombul*): I hope that the Minister will be reasonable in this. When the Government are represented by three representatives, the workers and the employers also should have a representation of three members.

Hon. W. FORGAN SMITH (*Mackay*): I do not propose to accept the amendment. I think that the number proposed under the Bill is ample. One recognises that in a Council of this kind there will not be warring factions each seeking to obtain advantage. The question is to carry out efficiently the purposes of the Act. The powers and duties of the Unemployment Council are laid down in the Bill. The powers of the employers’ representatives and the employees’ representatives are limited under the Bill. It is only a question of setting up the machinery to operate smoothly and carry out the purposes of the Bill. If we had three employers’ representatives, three employees’ representatives, and three representatives of the Government, the Council would be very large indeed. The Government are charged with the effective administration of the Bill, and the Director of Labour and the Registrar of Friendly Societies will have very important functions to perform. The Government officials will carry out certain work under the Bill during their ordinary working time apart from the meetings of the Council. The Unemployment Council will lay down the policy to be pursued in carrying out the purposes of the Bill, and the officers of the Government will be charged with the responsibility of giving effect to that policy. That is why only five representatives are to constitute the Unemployment Council.

Mr. WARREN (*Murrumbidgee*): Nine members constitute an ordinary board of directors for a small butter factory. It is unreasonable for the Minister to argue against the appointment of less than nine members of this Council. There seems to me to be safety in numbers up to a certain limit. The majority of persons who will be represented will be the employers and employees, but the Minister desires to have a sufficient number of Government representatives to outweigh the influence of that majority. It seems unwise to have three representatives of the Government and only two representatives of the employers and employees if we intend to make this a reasonable and democratic measure. The Minister should show his good faith. He has good business capacity in some ways, and he should bring it to bear on a matter of this description. We want to see this measure a success. I believe the unemployed workers’ insurance is going to do something good if it is carried out in a fair and sensible spirit. The amendment will not mean extra expense, and I ask the Minister to reconsider his decision.

Mr. T. R. ROBERTS (*East Toowoomba*): Perhaps the Minister can tell us whether it is intended to pay the representatives of the employers and the representatives of the employees. I am prepared to pin my faith

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on the Director of Labour and the Registrar of Friendly Societies doing the fair thing. I am in favour of the clause as it stands. The smaller the number, the better. We incur far too much expenditure in having our business done by boards.

Mr. TAYLOR (*Windsor*): While I do not feel inclined to favour the appointment of three employers and three employees' representatives, I think the Minister should consider the appointment of two each of these representatives. Possibly the Unemployment Council may have to do a lot of work—though we hope there will be sufficient employment and that their services will not be required—and one of the members might be laid aside with illness for two or three months. There is no provision in the Bill to meet that case, although there is a provision dealing with vacancies created by resignation or death. The employees' representative or the employers' representative, or both, might be laid aside with illness, and might not be able to attend any meeting for some time. To a certain extent the work of the Council would be abortive unless there was a full meeting on all occasions. I think the Minister should accept my suggestion, because I think it is vital to the success of the whole scheme.

HON. W. FORGAN SMITH (*Mackay*): I would point out to the leader of the Nationalist party that he must disabuse his mind of the idea that this is going to be a factional Council. Under the Bill the Council will have certain duties placed upon it. There will not be one section of the Council fighting against another section for the immediate advantage of those they represent. It will be the duty of the Council to frame regulations to give effect to the purposes of the Bill. The general administration will be carried on by the Department of Labour—the Registrar of Friendly Societies will control all financial matters—and consequently to increase the number of representatives would make the board unduly cumbersome. For the information of the hon. member for East Toowoomba, I would state that it is proposed to pay fees to the representatives for their attendance, in the same way as is provided in connection with the Council of Agriculture. I think that is a fair thing. Probably for the first six months at least of the operations of this Bill the Unemployment Council will have to meet pretty often to lay down the basis of policy to enable this Bill to be equitably carried out. It is only right that, when men give up a certain amount of their time to carry out these services, they should be paid for the time they put into the work. From that point of view the amendment is out of order, because it will make an additional charge which was not provided for in the message from His Excellency the Governor. I did not raise that point before, because I do not desire to take advantage of it. It is not intended to set up a partisan Council where there will be sectional members fighting one another. It is hoped that the employers' representative and the employees' representative will be capable men, and men earnest in their desire to see the provisions of the Bill carried out in a way that will meet the best interests of the whole of the community.

Mr. KERR (*Enoggera*): It is no use the Minister trying to dodge the issue. This is a very important Bill, and the people are going to be called upon to pay pretty big amounts before it is finished with. It is no

use saying the Council will be cumbersome and things like that. The contribution by the Government is fixed by the Bill at £15,000, and we know who is [3.30 p.m.] going to contribute to it. What are the functions of this Unemployment Council? I do not mean to say that the members of the Council are going to cross swords across the table when they meet; but what is the good of the Council at all if its recommendations are not going to be taken notice of? Clause 4 says—

“The Council may—

(b) Inquire into and consider what are the most effective measures to be taken for temporarily or permanently reducing or eliminating unemployment within the State or any part thereof.”

If this was merely an insurance Bill providing for men out of work, there would be nothing to be said against it.

The CHAIRMAN: Order! I hope the hon. member is not going to make a second reading speech. He must direct his remarks to the amendment before the Committee.

Mr. KERR: It is my amendment, and I am directing my remarks to it. I want more representation on the Council by the workers and the employers, because the Council has power to compel local authorities to borrow money and construct works, and it can make private business concerns go on with works.

The CHAIRMAN: Order! I would point out to the hon. member that his amendment to appoint two additional representatives of the employees—I presume he intends to provide for a similar number of representatives for the employers—will increase the amount of the appropriation provided in His Excellency's message. I would refer hon. members to clause 20, paragraph (iii.) on page 13, which provides for the fees, allowances, and travelling expenses which may be paid to members of the Council. As the hon. member's amendment would increase the appropriation provided in His Excellency's message, I must rule the amendment out of order.

Mr. KERR (*Enoggera*): I would point out that the sum of £15,000 is to be allocated out of the consolidated revenue for that purpose. We could easily get over the difficulty by making the additional members of the Council honorary members, and I am sure they would be quite prepared to act in that capacity. It is not a question of increasing the appropriation at all. I am quite prepared to accept the suggestion of the leader of the Nationalist party.

The CHAIRMAN: The hon. member cannot even do that, as that would be increasing the charge on the revenue.

Mr. KERR: What charge?

Mr. KING: Provision is made in the Bill in clause 5, subclause (11.).

The CHAIRMAN: Any amendment that will increase the appropriation provided for in His Excellency's message is out of order. That is my ruling. If the hon. member will look into the matter, he will admit that the appointment of two additional representatives on the Unemployment Council must increase the appropriation provided for in His Excellency's message, and, therefore, it is out of order.

[Mr. T. R. Roberts.

Mr. KING (*Logan*): With all due respect to you, Mr. Chairman, it does not increase the appropriation.

The CHAIRMAN: Does the hon. member intend to move that my ruling be disagreed to?

Mr. KING: Yes. The amendment may increase the charge, but it does not increase the appropriation.

The CHAIRMAN: The hon. member must put his motion in writing and state his reason.

Mr. KING: My reason is that the amendment does not increase the appropriation provided for in His Excellency's message, and I beg to move—

“That your ruling be disagreed to.”

Mr. FLETCHER (*Port Curtis*): I would point out that clause 8 provides for an annual grant of £15,000 out of consolidated revenue. Would that amount not provide the funds required?

Question—That the Chairman's ruling be disagreed to—put and negatived.

Mr. T. R. ROBERTS (*East Toowoomba*): If the Director of Labour is ill, I assume that his deputy will take his place on the Unemployment Council, but, so far as I can see, there is no provision in the Bill for anyone to take the place of the employers' representative or the employees' representative in like circumstances. If a provision were inserted allowing the employers, when they are making their selection, to appoint a deputy to take his place when absent through illness or other cause, and a similar provision with regard to the employees, it would meet the position.

HON. W. FORGAN SMITH (*Mackay*): I would like to draw the hon. member's attention to the definition of “Director of Labour,” which reads—

“The Director of Labour appointed under ‘The Labour Exchanges Act of 1915’: the term, where necessary, includes any labour agent for the time being deputed under the said Act to act for the Director of Labour.”

That Act provides that the Director of Labour can appoint a deputy for the time being, who accepts all the responsibilities of that office. The same thing will apply to the other representatives. I would draw the hon. member's attention to a paragraph in subclause (2) which reads—

“Provided that the executives respectively electing such representative may at any time terminate his office, whereupon a casual vacancy shall be deemed to have arisen.

“Casual vacancies arising from any cause whatsoever shall be filled as they arise by the appointment of a representative on the like election to hold the office of the representative who has vacated office.”

That provides ample machinery. If a man is sick, necessitating his absence for a considerable time from the meetings of this Council, the executive of the unions or of the Employers' Federation can take action to appoint another member.

Mr. TAYLOR (*Windsor*): It is quite true that they can appoint fresh representatives, but what employees or employers' organisations would care to take action of this kind

if they have a good man on the Council who has been carrying out his duty faithfully and well? If such representative happens to be laid aside by sickness, some provision should be made to permit of someone taking his place while he is ill. It is all very well for the Minister to say that the members of the Council will not be at cross purposes. We hope that that will not be so; but there will be quite a number of contentious matters coming before the Council on which there will be great differences of opinion, or else the Council will be quite different to any other similar council ever constituted. The powers of the Unemployment Council will be very wide. For instance, the Council can take into consideration the condition of the fund, and, if it chooses, can reduce the amount to be employed. That would be a very contentious subject for the Council to discuss. For all these reasons, I am sorry the amendment of the hon. member for Eooggera was not accepted by the Minister, or, at all events, the compromise I suggested. I think there should be a provision inserted in the Bill under which a deputy should be appointed to take the place for the time being of any representative who may not be able to attend through illness. If the Council is going to do its work effectively, we should safeguard matters in every way we can. We are not infringing the vital principles of the Bill; we are simply trying to make it more workable by the appointment of a deputy to act in case of either the employers or employees' representative not being able to attend.

Mr. DASH (*Mundingburra*): The appointment of the representatives is entirely in the hands of the Employers' Association and the industrial unions. When they elect their permanent member of the council they can elect a deputy at the same time. They can give an instruction by minute to the secretary of the association that, in the event of the representative not being able to attend a meeting, a deputy shall be sent along instead. It is not a question for the Unemployment Council, but for each organisation which has a representative on the Council. You could select a man for three years, and by a resolution of your own organisation you could shift him at any time. Suppose an organisation sends a man to the Unemployment Council who does quite the opposite to what the organisation wants—is it going to keep him there for three years? You can remove him at any time, as the clause prescribes that he must be elected under the rules of the organisation. A deputy can be appointed by minute to take the place of the representative if he is not able to attend.

Mr. MAXWELL (*Toowoong*): It would be all right if the position were as described by the hon. member for Mundingburra. The representative to the Unemployment Council is to be appointed for a definite period of three years, and his organisation has no right to appoint a deputy temporarily to take his position. The organisation has the right to have the representative removed and to appoint someone else if he contravenes his instructions, but it has not the right to appoint a deputy in case of the representative's absence through illness.

Mr. DASH: Yes.

Mr. MAXWELL: No; the Bill is explicit on the point. It says that certain things shall be done. The representative is

*Mr. Maxwell.]*

appointed for a definite period, subject, of course, to the rules of his organisation. A representative may be perfectly loyal to his organisation; but if he is taken ill, his organisation is deprived of representation for the time being.

HON. W. FORGAN SMITH (*Mackay*): I can see what is in the minds of hon. members opposite. I do not object to accepting an amendment in the direction indicated, if it is necessary; but the clause makes such an amendment quite unnecessary. In clause 20, which provides for the making of regulations, there is ample provision for carrying on the scheme effectively if a representative is absent from the Unemployment Council through illness.

Mr. MAXWELL: If that is so, then it will be all right.

Mr. PETRIE (*Toombul*): If the amendment were to be carried, the Minister might just as well have accepted two representatives from employers and employees respectively.

The SECRETARY FOR PUBLIC LANDS: If one of them were ill, there would be the same position.

Mr. PETRIE: I would draw the Minister's attention to that part of the clause which states—

“Casual vacancies arising from any cause whatsoever shall be filled as they arise by the appointment of a representative on the like election to hold the office of the representative who has vacated office.”

If the Minister would alter the clause so as to provide for any emergency which might arise through a representative of either employers or employees being ill, it would make the position definite.

HON. W. FORGAN SMITH: You can do that by regulation.

Mr. PETRIE: If you can do it by regulation, of course I have nothing further to say.

Mr. MAXWELL (*Toowoong*): I move the insertion, after line 24, of the following new subclause:—

“(f) A local authority representative elected in that behalf as prescribed by regulation by the executive of the Local Authorities' Association.”

The local authorities are entitled to some consideration under such a measure as this, and certainly should have representation on the Unemployment Council. I am aware of what has already been done in connection with a previous amendment. It is possible for the Unemployment Council to conduct its business on such lines that it will be impossible for it to exceed the grant of £15,000 which is being made by the Government. I take it that the allocation of fees can be arranged. What is the good of bringing such a clause as this before the Committee if it is not possible for us to submit what we think desirable amendments and are told that they are out of order?

Mr. DASH: Don't move foolish amendments.

Mr. MAXWELL: The hon. member may be a judge of anything foolish, but he does not understand the seriousness of this measure. I know what it means, but the hon. member does not. Seeing that the

[*Mr. Maxwell.*

Government have such faith in the local authorities, which are assisting the Government without emolument of any kind, the least the Government can do is to give them representation on the Unemployment Council.

The CHAIRMAN: I must point out to the hon. member for Toowoong that, in accordance with parliamentary procedure, I must rule the amendment out of order. It involves an extra charge which is not provided for in the message. That is a principle which has always been distinctly laid down by Chairmen of Committees in connection with amendments of this nature.

Mr. MAXWELL: Would it not be possible, with a view to arriving at a proper form of representation, for the Minister to appoint the officials? I would suggest that the clause be remodelled and the local authorities be given an opportunity of having representation on the Board. That is a fair proposition, and it is a good way to overcome the difficulty that has arisen.

Mr. G. P. BARNES (*Warwick*): I consider that the amendment is of the utmost importance.

The CHAIRMAN: Order! I hope the hon. gentleman is not going to speak on the question that I just ruled out of order.

Mr. G. P. BARNES: I think the whole matter might be reconsidered. In the interests of the people, the Bill should be recommitted. Nobody will have so much to do in finding work for the unemployed as the local authorities, and it is only fair that they should have representation on the Board. The people behind the local authorities are the people who have to pay the piper to carry out this work, and they should be considered.

Mr. T. R. ROBERTS (*East Toowoomba*): There is a provision in the Bill to grant £15,000 from the consolidated revenue towards this scheme. I do not think it will be necessary to increase the amount, therefore the extra appointment can be made.

The CHAIRMAN: Order! I have given my ruling, and I hope the hon. gentleman is not going to review it.

The SECRETARY FOR PUBLIC LANDS: We are bound by the message from the Governor. The appropriation cannot be exceeded.

Mr. T. R. ROBERTS: I do not see anything to show that the expenditure is going to be exceeded.

The CHAIRMAN: Order! I would like to point out to the hon. gentleman that he cannot discuss the question on which I have already given a ruling. If he continues to discuss it, that is a suggestion that my ruling is not correct. The hon. gentleman has been a member of this House for a long time, and he knows that the ruling I have given is the generally accepted ruling. When an amendment is proposed which involves an increased appropriation, it is always ruled out of order.

Mr. PETRIE (*Toombul*): I do not disagree with the ruling, because I believe it is correct, but I would like to ask the Minister if the Bill cannot be recommitted, so as to make provision for representation by the local authorities.

HON. W. FORGAN SMITH (*Mackay*): The matter of representation by the local authorities is one which I have already

considered. The reason why they are not provided for in the Bill is this: Every local authority employs a certain number of men for whom they will be called upon to pay contributions in the ordinary way; so that they can only be regarded as employers for the purposes of the Act. If the local authorities were given representation, it would only be increasing the representation of the employers on the council. In Switzerland the local authorities have to find a large proportion of the funds necessary to carry out the Act. They are not called upon to do that here. They are only called upon to insure their employees, just the same as any other employer. One might as well ask that the Mount Morgan Gold Mining Company, or some other large concern employing a large number of men, should have representation. A large number of the local authorities in Queensland are members of the Employers' Federation, and in cases before the Arbitration Court the local authorities contribute to the funds of the Employers' Federation. I cannot accept the amendment. The Chairman has already ruled the amendment out of order, and the Committee has upheld that ruling.

HON. W. H. BARNES (*Buimba*): The Minister said that members of local authorities belong to the Employers' Federation. I have belonged to a local authority for many years, but I am not a member of the Employers' Federation. The Minister, therefore, is making a statement that is not correct. I do not know one member of the local authority I belong to who is a member of the Employers' Federation.

HON. W. FORGAN SMITH: I was not referring to individual members of local authorities. I was referring to local authorities as a body.

HON. W. H. BARNES: There may be some local authorities that are members. The Local Authorities' Association may or may not belong to the Employers' Federation, and they can accept their own responsibility; but the Minister's statement is incorrect. It is quite true that 93 per cent. of the local authorities are linked up with the Local Authorities' Organisation.

HON. W. FORGAN SMITH: For the purpose of this Act, the local authorities may be regarded as employers.

Mr. SIZER (*Yundah*): I listened to the reply of the Minister—

Mr. WINSTANLEY (*Queenton*): I rise to a point of order. Is the hon. member for Nundah in order in discussing this question after the ruling you have given?

The CHAIRMAN: I hope hon. members are not going to proceed any further with this discussion. The amendment has been ruled out of order. I hope the hon. member will confine his remarks to the clause.

Mr. SIZER: The clause as it stands is most defective, because the local authorities are not represented. You ruled the amendment out of order, Mr. Kirwan.

HON. W. FORGAN SMITH: Yes, and the Committee upheld the ruling, so it is not competent for you to discuss it.

The CHAIRMAN: I hope the hon. member is not going to raise that question.

Mr. SIZER: We want to rectify that position. You have held, Mr. Kirwan, that we

were out of order in the method we were following, and I want to suggest—and move, if need be—that the clause or the Bill be deferred until such time as we get a further message from the Governor recommending the appropriation of further moneys, and so allowing us to amend the clause in the direction we propose. I know that you have no desire to rule us out of order, except so far as you are justified by the Standing Orders, but the local authorities are an integral part of the machinery, and there is no means by which they can be represented.

HON. W. FORGAN SMITH: You will have to discharge the Bill from the business-sheet in order to defer it.

Mr. SIZER: That can be done by mutual arrangement. If the Minister says that, because a clause is defective it is necessary to wreck the whole Bill, he may do so. We say that the clause is defective, and the difficulty can be overcome by simply deferring the clause till a later date. That is not wrecking the Bill in any shape or form. I move—

“That the clause be deferred until a further message has been obtained from the Governor covering an additional appropriation.”

The CHAIRMAN: I would point out to the hon. member that his amendment is not in order. The usual practice in such a case as this is for a member to consult the Minister, with a view to recommending the Bill. The hon. member cannot move that motion at this stage. He must vote either for or against the clause.

Mr. SIZER: I think that your ruling is quite sound, Mr. Kirwan, but it makes the position of the Opposition practically hopeless. I do not think we should be deprived of the opportunity to make the machinery effective. The Minister could agree, if he liked to be reasonable, but the

[4 p.m.] recommittal of the Bill would not overcome the difficulty unless we got a further message covering additional appropriation. If we omitted the clause we would have no machinery for the establishment of the Unemployment Council whatever. I hope that you, Mr. Kirwan, will permit the amendment to be moved.

The CHAIRMAN: I have already given my ruling, and the hon. member must know that the Minister is in charge of the Bill, and cannot allow a private member to move an amendment postponing the clause. I do not think the hon. member realises the position.

Mr. KERR (*Enoggera*): I hope the Minister will assist us and agree to recommit the Bill. He seems to realise that it is necessary to have a representative of the local authorities on the Unemployment Council, although he qualified his statement somewhat by stating that the local authorities were representatives of the employers.

The CHAIRMAN: Order! The hon. member cannot discuss a matter already decided. Again, I would respectfully point out to hon. members that if they wish the clause to be recommitted, they will not be prevented by allowing it to go through now.

Mr. KERR: Is the Minister prepared to recommit the Bill?

Mr. KING (*Logan*): Discussing the clause, I should like to point out that the Minister

*Mr. King.]*

just now would not accept the amendment because it would give the employers greater representation. I say that the Bill does not provide sufficient representation of the employers. I think that I am quite in order in discussing that aspect of the question at this stage.

The CHAIRMAN: Order! An amendment has already been dealt with which provided for additional representation of employers. That was ruled out of order, and I hope the hon. member will not raise the question again.

Mr. KING: I am discussing the whole clause.

The CHAIRMAN: I hope the hon. member is not going to try to get behind my ruling.

Mr. KING: I do not wish to do that. I wish to discuss the clause.

The CHAIRMAN: The hon. member can discuss reasons why there should be less representation of employers, but he can hardly show that there should be more.

Mr. KING: I know that I cannot go back, but I can advance reasons why there should be fewer representatives of the Government or the employees.

The CHAIRMAN: The hon. member will be in order in doing that.

Mr. KING: That would give the employers proportionately greater representation than the Bill provides. The Bill purports to give equal representation to the employers and the employees, but places on the employers very heavy financial difficulties and burdens. They have to pay to the general revenue in land tax, income tax, workers' compensation premiums, they contribute to the revenue in other ways, and in addition they are called upon to contribute their quota under the Bill. They pay twice over. They pay their own quota and the quota of the Government, which, to a large extent, is made up by taxation of the employers. The representation under the Bill is not fair.

Hon. W. H. BARNES (*Bulimba*): I would like to deal with the constitution of the Council, which appears to be overloaded with Government influence. There are three representatives who are practically controlled, or may be controlled, by the Minister, so that straightaway there is a majority which will in effect wipe out the other representation. The Minister, by virtue of his office, must carry very considerable weight as chairman of the Council.

Hon. W. FORGAN SMITH: He would, too, in his position as a member of the Executive Council.

Hon. W. H. BARNES: Generally speaking, a chairman has a casting vote. As chairman, the Minister will have near to him the Registrar of Friendly Societies and the Director of Labour. The Director of Labour is directly under the supervision of the Secretary for Public Works.

Hon. W. FORGAN SMITH: That is so.

Hon. W. H. BARNES: If the Secretary for Public Works desired that a certain course should be followed, do you mean to tell me that the Director of Labour would go against him?

Hon. W. FORGAN SMITH: Yes, if he wanted to.

[*Mr. King.*

Hon. W. H. BARNES: There is not a hope of it. If he did, his name would be "Johnny Walker"—and not "going strong" either. Have you ever heard the name Exley? Of course they would not victimise. The Government hold the key of the position and can practically say, "This is what we want; hang the employers' representatives, hang the employees' representatives!" One of these Government representatives should be deleted from the clause. By allowing such representation we are placing in the hands of the Minister a handle which can be used to the detriment of those who are contributing outside the Government. Is that fair? The hon. member for Logan pointed out how certain people will have a double bill to pay. This clause practically says to the Minister that he can do just what he likes. What applies to the Director of Labour would to a certain extent apply to the Registrar of Friendly Societies. Bearing in mind that, under a later clause, certain people will have to contribute 50 per cent. in the event of there being a shortage, it is a monstrous proposition that we should place this power in the hands of the Government.

Mr. MAXWELL (*Toowong*): I desire to contradict the statement made by the Minister that local authorities generally belong to the Employers' Federation. There might be five or six, at the very outside, associated with the Employers' Federation. It is most unjust to debar the local authorities from representation upon such an important Council.

The CHAIRMAN: Order! I have allowed the hon. member to reply to a definite statement by the Minister, but I cannot allow him to discuss the merits of an amendment that I have ruled out of order.

Mr. MAXWELL: I suggest to the Minister the desirability of eliminating from this clause the Registrar of Friendly Societies. That officer will be in a position to furnish the necessary statistics without being on the Council. The Unemployment Council, if constituted in the manner we are suggesting, would be able to command the production of such information. The Director of Labour has a right to be on the Council, but I do not think the Minister has. I view the matter in the same light as the hon. member for Bulimba. Imagine the Secretary for Public Works, the head of the department, having associated with him an officer who is under him! It stands to reason that, if the Minister desires to do a certain thing, it is not likely that the officer will flout his suggestion. We know what the result might be. It is a most unfair position in which to place that officer.

Mr. DASH: If you were in that position, you might do the same.

Mr. MAXWELL: I have not, as an employer, done the dirty things which some hon. members on the other side have done. It is no good for the hon. member for Mundingburra to talk like that; I am not going to stand it. I am here to see that every side gets a fair deal. The Government have no right to get a better deal than the employer or the employee.

Mr. DASH: You tried to pass reflections on the Director of Labour.

Mr. MAXWELL: I did not; the hon. member is trying to distort what I said. I said I considered that the Director of Labour should be on this Unemployment Council, so

how can the hon. member infer that I was trying to cast any aspersions on that gentleman? There is a way of overcoming the difficulty, and that is by removing the Registrar of Friendly Societies—if the Minister desires to retain his own position—and giving representation to the local authorities. I can understand the Minister desiring to retain the position, because I realise that the Government will be contributors to this fund and are therefore entitled to have representation. But they are not entitled to have three representatives. The Minister ought to know that the local authorities have appointed an Advisory Board to conduct their business before the Arbitration Court. One member is Alderman Down and the other Councillor Stimpson. The Local Authorities' Association is not affiliated with the Employers' Federation. Why penalise an association like that unless the employers are going to have too much representation? How is it possible for the employers to have too much representation, when the ratio is practically four to one against them? It is a fair proposition that the Minister should eliminate the Registrar of Friendly Societies. Do I understand, Mr. Chairman, that you have ruled out of order the amendment in connection with local authorities which I have submitted?

The CHAIRMAN: Certainly.

Mr. MAXWELL: Very well. I move the omission, on line 11, of the following words:—

“The Registrar of Friendly Societies.” with a view to inserting the words—

“a local authority representative elected in that behalf, as prescribed by regulation, by the executive of the Local Authorities' Association.”

HON. W. FORGAN SMITH (*Mackay*): I do not propose to accept the amendment. That would very largely destroy the value of the Council that it is proposed to establish. The Bill will be a fairly heavy one to administer. The Director of Labour, as a representative, will be called upon to carry out very important functions in connection with the successful operation of the Bill. There will be a considerable amount of preliminary work to be done in the direction of drawing up effective regulations, scales of contributions, etc. The Registrar of Friendly Societies, by virtue of his experience generally, and the fact that he possesses special knowledge in various directions, will be a very valuable member of the Council. To deprive the Council of the value of his services would be a very serious matter. It is necessary to have both the Director of Labour and the Registrar of Friendly Societies on this Unemployment Council so that the Bill may be administered in a successful manner.

Mr. SIZER (*Yundah*): We now come to a new phase of the argument. The Minister says that the Registrar of Friendly Societies is needed on the Council. That may be so, but he is no more needed than a representative from the local authorities. The Minister says that the Registrar can assist in arranging the rates of contribution. He could do that under any circumstances. The Council could call on the Registrar for any assistance that is needed without making him become a permanent representative. According to the Minister, once he has drawn up the rates of contributions, his duties will be finished to a great extent; but he will always be available when he is required. I do not see why he should be elected to the Council.

Mr. TAYLOR (*Windsor*): The Council will be given very wide powers in connection with its duty towards local authorities. The local authorities generally strike their rates in March or April for the ensuing year, and they estimate what amount of revenue they are likely to receive so that they can prepare a schedule of the work that is proposed to be carried out during that year. Now we are creating another authority which will have power to say to the local authorities, “We shall compel you to do certain works, and if you do not carry out our instructions and do the work that we say must be done, we will raise a loan from the Treasurer without taking a ballot of the ratepayers to carry out the work that we say you have to do.” After the local authority has drawn up a programme of the work for the year, the Council has power to say, “You shall not do that work at the present time; you will have to put it off until October, November, or December.” The Council can prescribe the time when the local authority shall do certain work. The Council will not have any regard to the fact that it may inconvenience the local authority, or that the work the local authority wants to carry out may be urgently required.

HON. W. FORGAN SMITH: Urgent works can be carried out straightaway.

Mr. TAYLOR: All local authority works are urgent works. They deal mostly with the health of the community and with drainage. The local authorities recognise that it is a most difficult matter to carry out all the work that is necessary to maintain the area in the condition that they would like it to be in. The Council has the power to come along and dictate to the local authorities what their policy shall be. It can actually prescribe the work that the local authorities have to do and which the local authorities might have some special reason for objecting to. Considering that those burdens can, and may, be thrust upon the local authorities, the amendment is a fair and legitimate one. I do not see any special reason why the Registrar of Friendly Societies should be on the Council. He undoubtedly has qualifications, the same as many other ordinary laymen, in connection with general public matters. It cannot be claimed that he would have a better knowledge than a properly accredited representative of the local authorities of what is necessary to be done. A representative of the local authorities, working in conjunction with the other two Government representatives on that Council, would be able to do very good work, and he would prove himself a valuable man. The local authorities are doing, and have been doing, excellent work in Queensland for many years. They have been entrusted with the expenditure of millions of Government money. One has only to look at the Auditor-General's reports to see that the amount in arrears for interest and redemption in comparison with the amount of loans that have been advanced to the various local authorities in Queensland, amounting to millions of pounds, is only a negligible quantity. The amendment does not vitiate or impair the power of the Council in any way. It is a splendid amendment, which will improve the personnel of the Council and will enable the work to be carried out more efficiently than if the Registrar of Friendly Societies were appointed a member. I think the Minister should have no hesitation in accepting it.

*Mr. Taylor.*]

Mr. WARREN (*Murrumba*): I support the amendment. At a time when there is a considerable amount of unemployment, the Government have power under the Bill to say what work shall be carried out to relieve that unemployment. If the Government wished, they could find urgent work almost anywhere. In my own electorate there are at least 2,000 miles of road that need attention. Along that stretch of the North Coast between Petrie and Gympie there is always a heavy rainfall, and consequently the roads are always in a bad condition. Unless we can get properly made roads, we shall be always up against those difficulties. The local authorities should certainly have a representative on the Council. We hear a lot of talk about the mistakes made by the local authorities. If the Government made no more mistakes than the local authorities, we should not be in the terrible position we are in to-day. While mistakes are sometimes made by local authorities, those men are good business men, and they carry out their work very well—in some cases under Government supervision. I hope the Minister will see the necessity for allowing the appointment of a representative from this very big body—the local authorities. I have nothing to say about the Registrar of Friendly Societies. I believe he is a very good man, but he cannot be compared with a representative of the local authorities. The local authorities are taking a bigger place in the public eye in the administration of the State than they have ever done before.

At 4.30 p.m.,

The CHAIRMAN: Under the provisions of Standing Order No. 307 and of 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.

INQUIRY BY WHEAT COMMISSION RELATIVE TO LEVY OF 1D. PER BUSHEL.

Mr. COSTELLO (*Carnarvon*) asked the Premier—

“1. Has the report of the Wheat Commission, which recently held an inquiry in Toowoomba relative to ‘the 1d. per bushel levy,’ yet been finalised?”

“2. Will members be supplied with a copy of such report upon application?”

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

“The report was laid on the table yesterday.”

PUPIL-TEACHERS APPOINTED SINCE 1ST JULY, 1921.

Mr. WARREN (*Murrumba*) asked the Secretary for Public Instruction—

“How many pupil-teachers have been appointed in Queensland since 1st January, 1921?”

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. J. Huxham, *Buranda*) replied—

“Twenty-seven. These appointments were approved before the beginning of the school year, 1921.”

[*Mr. Warren.*]

ALLEGED DISCREPANCIES IN ANSWERS TO QUESTIONS RELATING TO LOAN EXPENDITURE ON RAILWAY CONSTRUCTION.

Mr. SWAYNE (*Mirani*) asked the Secretary for Railways—

“Will he explain these apparent discrepancies early this session (see ‘Votes and Proceedings,’ 5th July). He, in reply to a question, informed me that the expenditure of loan money on railway construction by his department since 1st July, 1915, to 30th June, 1922, was, approximately, £5,548,000. ‘Votes and Proceedings,’ 20th July, show that, in reply to a question from the hon. member for Warwick (Mr. G. P. Barnes), he stated the amount spent from loan on railway construction, 30th June, 1915, to be £37,332,930, and on 30th June of the present year the amount to be £48,500,000, indicating an expenditure of £11,167,070 for the same period as my question referred to. On this subject, the tables relating to the Treasurer’s Financial Statement for the years 1915-16, 1916-17, 1917-18, 1918-19, 1919-20, 1920-21, and 1921-22 show the railway loan expenditure for those years, which are synonymous with the years mentioned in the foregoing questions, to be, excluding rolling-stock and additional telegraphs, £9,491,157. Which of these amounts is correct, or what is the reason for the differences?”

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

“The amounts quoted on 7th July to the hon. member for Mirani and on 20th July to the hon. member for Warwick are both correct. The sum spent on the construction of new lines between 1st July, 1915, and 30th June, 1922, was £5,548,000, while the capital invested on the same dates amounted to £37,332,930 and £48,500,000 (approximate—since ascertained as £48,545,990). These latter figures include capital expenditure under all headings, and agree with Treasury tables ‘N’ (1915-16) and ‘L’ (1922-23); they include not only the building of new lines which have been opened for traffic, but those partly constructed, and also the acquisition of private lines, and all improvements on the older railways, new buildings, telegraph lines, land, rolling-stock, surveys, stores, and depreciation on loans. The figures given in Treasury Table ‘E2’ for the seven years mentioned total £11,063,228, and the difference between that sum and the Railway Department’s figure of £11,167,070 is accounted for by depreciation and repayments.”

ALLEGED LEGAL ADVICE OBTAINED FROM CROWN LAW OFFICERS BY GOVERNMENT MEMBER.

Mr. WARREN asked the Attorney-General—

“Will he ascertain and advise whether a certain member on the Government side of this House recently obtained from Crown Law Officers legal advice relative to statements concerning his farming adventures, made by the questioner in this House? If so, has he been charged a fee for such advice at the legal rates?”

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

“No such advice was obtained from the Crown Law Officers.”

CONSTRUCTION OF MATERNITY HOSPITALS OF CONCRETE.

Mr. J. H. C. ROBERTS (*Pittsworth*), in the absence of Mr. Bebbington (*Drayton*), asked the Home Secretary—

“1. Have the Government decided to build all hospitals under the Maternity Hospitals Act of concrete?”

“2. Is he aware that this decision will either be a great waste of money at many places in the interior or prevent places long distances from railway communication getting such a privilege?”

“3. Is he aware that, near many inland townships, good building timber is available, and hospitals can be built at reasonable prices?”

“4. Is he aware of the delays and expenditure of putting up a concrete building at a place, say, 250 miles from rail, where timber may be available near the township?”

“5. Is he aware that in the past big mistakes have been made in sending building material inland from Brisbane, while suitable material could have been secured locally at much reduced rates, and given employment locally?”

“6. Will he consider local conditions of timber and employment in all cases?”

The SECRETARY FOR MINES (Hon. A. J. Jones, *Paddington*), in the absence of the Home Secretary (Hon. W. McCormack, *Cairns*), replied—

“1. No.

“2 to 5. See answer to No. 1.

“6. Yes.”

STEAMER SERVICE BETWEEN PAPUA AND AUSTRALIAN PORTS—SUBSIDY AND FREIGHTS.

Mr. GREEN (*Townsville*) asked the Premier—

“1. Is he aware that the steamer service of the Burns, Philip Company between Papua and Australian ports is subsidised to the extent of £50,000 per annum under an agreement with the Commonwealth Government?”

“2. Is he also aware that the same fares and freights are charged from Brisbane to Papua as from Sydney, and that the service between Papua and Queensland ports is generally very unsatisfactory, resulting in loss of trade to Queensland and much inconvenience to passengers?”

“3. Will he have inquiries made into these matters with a view of securing an arrangement of this steamer service more beneficial to this State?”

The PREMIER replied—

“1. Yes. I have observed that in the Federal Budget for the year ending 30th June, 1923, there is an estimated expenditure of £50,200 for a mail service to Papua, Solomon Islands, and New Hebrides.

“2 and 3. I shall make inquiries of the Commonwealth Prime Minister.”

NUMBER OF MEN EMPLOYED ON BURNETT RAILWAY CONSTRUCTION.

Mr. FERRICKS (*South Brisbane*) asked the Secretary for Railways—

“1. What is the number of men who were employed on the railway construction works being carried on in connection with the Burnett scheme on 30th June last?”

“2. What is the number of men who are employed on these construction works at the present time?”

The SECRETARY FOR RAILWAYS replied—

“1. 959.

“2. 1,217.”

STATE FUNERALS.

Mr. KERR (*Enoggera*) asked the Premier—

“Referring to the question asked on 17th August regarding to whom State funerals were conceded, the date, and cost of each since 1908, can he state when this information will be available?”

The PREMIER replied—

“I now table the information asked for, but trust that it will not be made public.”

PRICES OF MEAT AT STATE BUTCHERIES, 1918 TO 1922.

Mr. FLETCHER (*Port Curtis*) asked the Minister in charge of State Enterprises—

“What was the selling price per lb. of sirloin, rib roast, rump steak, corned round, and brisket in the State butchers' shops in Brisbane on the fifteenth day of each month for each of the years 1918, 1919, 1920, 1921, and 1922?”

Hon. W. FORGAN SMITH (*Mackay*) replied—

“On the fifteenth day of each month in the years mentioned by the honourable member—excepting where that date fell on a Sunday or a holiday—the State butchers' shops were selling the cuts of meat mentioned at the lowest retail prices in Brisbane. I might add that to supply the figures would mean publishing 255 prices (viz., five cuts of meat for fifty-one months). This statement excludes the remaining three months of this year and the days when the fifteenth of the month fell on a Sunday.”

Mr. FLETCHER: I hardly thought you would give it. It would not suit you. I have got it, all the same.

Hon. W. FORGAN SMITH: Then why ask me for it?

QUANTITY OF WHEAT HANDLED BY WHEAT BOARD.

Mr. T. R. ROBERTS (*East Toowoomba*) asked the Secretary for Agriculture and Stock—

“1. What was the total quantity of wheat received by the Wheat Board, 1921-1922 harvest?”

“2. What quantity of wheat has been exported?”

“3. What quantity of wheat has been sold in Queensland?”

The SECRETARY FOR AGRICULTURE (Hon. W. N. Gillies, *Eacham*) replied—

"1. 2,373,807 bushels.

"2. 981,000 bushels.

"3. 1,662,000 bushels have been sold to Queensland millers. Balance sold or held for seed or feed or sold in Roma Street Market."

#### PAPERS.

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

Annual report of the Department of Public Lands for the year 1921.

Sixth annual report of the State Government Insurance Office for the year ended 30th June, 1922.

#### UNEMPLOYED WORKERS INSURANCE BILL.

##### RESUMPTION OF COMMITTEE.

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

Clause 3—"Unemployment Council"—

Mr. WARREN (*Murrumba*): When the Chairman reported progress I was dealing with the question of the representation of the local authorities on the Unemployment Council. The local authorities are representatives of the people; they are elected on a universal franchise, and their duties are becoming greater every year. Their sphere of action is enlarging, and it is reasonable to ask that they should have representation on the Council. We try to put the best men we possibly can on our municipal and shire councils, and I ask for representation particularly in the interests of the shire councils. The work of the Unemployment Council will have such far-reaching effects that it will be wise to have representatives upon it of as many big concerns as possible. To leave out the local authorities would be almost as bad as leaving out the Government. I feel sure that the Minister will meet us in this desire if he can possibly do so, though he does not seem to be in a giving humour to-day. It will bring about a better feeling and give the local authorities more assistance in their work. We know that the Government to-day are courting the farmers. (Opposition laughter.) They are wooing the farmers, and throwing out seeds of kindness on the one hand and on the other hand grabbing them by the throat. The Government have a great opportunity of forwarding the interests of the local authorities by giving them representation on the Unemployment Council. The amendment will bring about the more harmonious working of the Council.

Mr. PETRIE (*Toombul*): I think this amendment to delete the Registrar of Friendly Societies and substitute in his place a representative of the local authorities is a very reasonable one. It is not that we have any objection to the Registrar of Friendly Societies, as he would be a very excellent man to have on the Council. If the Minister will accept the amendment, the Council will have the opportunity of consulting with the Registrar of Friendly Societies and getting any information which will enable it to carry out the provisions of the Bill. It has been pointed out that the Minister is not in a giving humour.

Hon. W. FORGAN SMITH: I feel quite jovial. (Laughter.)

[*Mr. Warren.*]

Mr. PETRIE: Then I hope the Minister will accept the amendment. We are all anxious for something to be done in the direction of unemployment insurance, but we want the Bill to be on just lines, and to see that all parties are properly represented on the Unemployment Council.

Hon. W. FORGAN SMITH: If you give the local authorities representation on the Unemployment Council, it means that the employers will have two representatives as against the employees' one representative.

Mr. PETRIE: I do not think that remark applies.

At 4.45 p.m.,

Mr. POLLOCK (*Gregory*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

Hon. W. H. BARNES (*Bulimba*): I think the Minister is wrong in his contention with regard to the amendment. The hon. member for Toombul made reference to the fact that the Government would have a preponderance of representation.

Hon. W. FORGAN SMITH: That is not the point. Local authorities come within the scope of the definition of "employer." To grant them special representation would mean that the employers, as defined by the Bill, would have twice the representation of the employees.

Hon. W. H. BARNES: I think that the Minister is altogether wrong. Following up the argument he has used, I ask him if, on the other hand, the Bill in its present form is not providing a preponderance of Government representation? What applies in one case must apply in the other. If the argument of the Minister is correct, he must admit that, with the Minister and two Government officers, the Government are going to have a preponderance of representation. Is that fair? One of the Government representatives will also be the chairman of the Council. I think the amendment is very desirable, because it is going to give the Local Authorities' Association a representative in place of the Registrar of Friendly Societies. I hope that the Minister, after further considering the matter, will consent to the amendment.

Mr. CLAYTON (*Wide Bay*): I wish to support the amendment. As the local authorities are elected by the people, it is only right that they should have representation on the Unemployment Council. The Minister said that, if they have representation, it will amount to another employer having a seat on the Council; but I understand that local authorities will be forced under the Bill to raise loans to provide for unemployment. The individual local authorities belong to the Local Authorities' Association, but it is the Association itself that will have representation on the Board. I hope the Minister will support such a request, coming from a democratic party like the Country party.

Mr. KERR (*Enoggera*): I also support this amendment.

Hon. W. FORGAN SMITH: You have already spoken on this clause.

Mr. KERR: This is the first time I have spoken on the amendment. Clause 4 reads—

"1. It shall be the duty of the Council to obtain all available information as to

the condition of the labour market, and for that purpose the Council shall be entitled to require the Department of Labour or any other Government department, or local authority or other local governing body, to furnish to the Council any statistics and data in their or its possession relating to this matter."

The question to be decided is whether the local authorities should have a representative, or whether the Registrar of Friendly Societies shall be a member of the Council. It is better to have a local authority representative, because the Council can get any statistics or data they require from an actuarial point of view from the Registrar of Friendly Societies.

Hon. W. FORGAN SMITH: You want to give the employers twice as much representation as the employees. That is the effect of the amendment.

Mr. KERR: No, if the Minister were honest in this matter—

Hon. W. FORGAN SMITH: Do you suggest that I am dishonest?

Mr. KERR: No.

Hon. W. FORGAN SMITH: You had better not.

Mr. KERR: It is not a matter of "better not" at all. I do not suggest that you are dishonest, because it is not parliamentary.

The CHAIRMAN: Order!

Mr. KERR: We know that the local authorities and the employers are to carry out the different provisions of this Act, and it is only right that provision should be made for representation by the local authorities. Clause 9 makes provision for relief work. The local authorities, by Order in Council, can be compelled to create certain jobs, and they may stop certain jobs just as the Order in Council dictates. The sugar season may start and the Government may step in and stop certain works which are carried out by the local authorities. The ratepayers have to foot the Bill, and that is a good reason why local authorities should have representation on the Council. Certain provisions in the Local Authorities Act in regard to loan expenditure are wiped out, so that the local authorities will have to bear the whole burden of this clause. It is not employers' representation that is asked for but representation by the local authorities. As a matter of fact, the local authority representative will be a workers' representative, because under the adult franchise the workers are now the electors of the local authorities.

Mr. GREEN (*Townsville*): I think sufficient time has been taken up on the clause. I do not agree with the Minister that the selection of the local authority representative means another employers' representative. If we look at the definition of "employer," we see that it includes "the Crown or any Minister of the Crown." The Crown are represented on the Council, and, as they are in the same category as the local authorities, the local authorities should have representation on the Council too. There is no doubt that all this extra legislation is throwing a greater burden on the local authorities. The local authorities are in a different category to other employers, because they can be forced to take loans to carry out work. Under the circumstances, the local authorities should have representation on the Council.

Mr. CATTERMULL (*Musgrave*): I support the amendment. The Minister should agree to the local authorities being represented on the Council, because they are going to be called upon to bear most of the burden. They have to decide how the money is to be spent. You will get far better results by having a local authority representative on the Council instead of the Registrar of Friendly Societies.

Mr. J. H. C. ROBERTS (*Pittsworth*): I think the Minister should agree to allow the local authorities to be represented on the Council. The local authorities are responsible for the advancement of civilisation in the outback districts. They are absolutely responsible for the building of our roads, and they have great responsibilities cast upon them at the present time. This Bill puts greater responsibilities on them, yet they are to have no representation on the Council. I do not understand why the Minister objects to the local authorities being represented. When we see the enormous powers the Council will have, it is only right that the local authorities should be represented. It is all very fine for the Minister to say that it only means another employers' representative. It is not going to give the

employers an extra representative. [5 p.m.] I give, in my humble opinion, because I take it that he will be elected by the Local Authorities' Association, who represent people of all shades of opinion, not only in local government, but also in politics. There is no absolute certainty that the employers are going to have an extra representative. When you realise the powers that are given to the Council under clauses 7 and 16, it is only fair that the local authorities, as the bodies who will be called upon to employ a large number of unemployed in what we might call pioneering work or road making, are fully entitled to representation. The Minister, I take it, will be on the Council for the purpose of administering the policy of the Government. Then the Registrar of Friendly Societies is a public servant, and not in any way likely to take up an attitude of antagonism to the Government, because we know very well what happens to any officer who takes up such an attitude towards the present Government. He also is there practically as a representative of the Government of whom he is a servant and under the control of the Minister. The third member of the Council is the Director of Labour, and he is not going to take any chances by adopting an attitude antagonistic to the Minister. We heard the hon. member for Maryborough and one or two others talking yesterday on the Health Acts Amendment Bill about strong men, and it was suggested that the power to dismiss certain inspectors should be taken away from the local authorities.

The TEMPORARY CHAIRMAN: Order!

Mr. J. H. C. ROBERTS: I connect my remarks up in this way—that the Government are now imposing responsibilities upon the local authorities without giving them any representation whatever on the Council. In the case of the Health Acts Amendment Bill the Government took a power away from them and gave it to somebody else, and to-day they propose to give to a Council of five men almost incredible powers—powers which one could not possibly believe any Government would give to such a Council.

*Mr. J. H. C. Roberts.]*

They are going to be autocratic, all-powerful. They are going to be able to dictate to local authorities as to what work they shall carry out; yet the Minister absolutely refuses seriously to consider the question of giving them that representation which they should have, because, after all, they are carrying out enormous work and are responsible to the people who have to pay for it in the end. Why refuse representation, through the local authorities, to those thousands of people who are ratepayers in Brisbane and in areas outside Brisbane? The contention of the Minister that we are going to give extra representation to the employers is not in accordance with fact, because the local authorities may even elect a Labour representative returned at the last election. I know that there are very few of them, but one of those few might be chosen.

Mr. BEBBINGTON (*Drayton*): The Government will have at least three members out of five on the Council, which will give them every opportunity of using the Unemployment Insurance Fund to carry out their socialisation-of-industry scheme.

The TEMPORARY CHAIRMAN: Order! The hon. member will not be in order in discussing that phase of the question.

Mr. BEBBINGTON: The Government should give way on this important principle. They have too much voice in the matter altogether. In my opinion, not sufficient has been done by all parties to prevent unemployment. I want to show what a gentleman who has just arrived in Australia says has been done in England to prevent unemployment.

The TEMPORARY CHAIRMAN: Order!

Mr. BEBBINGTON: I want to show that we should have more representation of employers of labour rather than so much Government representation, and in doing that I want to show what is being done in England. They were very near revolution there, and the first thing they did was to get sixty employers to meet sixty representatives of unions. They did not put sixty Government representatives on the Council to outvote the others. We are told on very good authority that, on the introduction of that system, the number of unemployed in the country was reduced by one-half. If there had been half Government representation they would not have solved the question at all—there would have been too much politics connected with it. That is what we are going to have. There will be two Government servants under the direction of the Minister as chairman, and the other two representatives might as well not be there.

Hon. W. FORGAN SMITH: In England, the Minister is all-powerful; there is no Council at all.

Mr. BEBBINGTON: We do not need to be reminded of that. Every Government is all-powerful, and above the law. The Government are everything. We have seen quite enough lately of the Government going above the law and practically putting it on one side to suit their own purposes. I am against the principle of the Government having greater representation than the workers and employers combined. This will be a political Council, the same as the Council of Agriculture.

Mr. EDWARDS (*Nanango*): I think that the amendment is fair and reasonable. It

is generally realised that the greater the responsibility imposed by the Government on local authorities the greater is the representation to which they are entitled, and the greater should be their power in deciding what amount of money shall be expended. The local authorities are becoming burdened with heavier responsibilities year by year. The Minister would be acting wisely in accepting this amendment. It is not a question of giving greater representation to employers who may be forced, on occasions, to institute works and accept money to carry out those works. The ratepayers to-day are carrying heavy taxation in regard to the rates of local authorities. It does not seem a fair, a reasonable, or a democratic thing to ask them to be responsible for the carrying out of works to assist in relieving unemployment or in developing the State and not give them any representation. It is not a question only of giving them the representation to which they are justly entitled but of giving confidence to the local authorities and to the people generally.

Mr. G. P. BARNES (*Warwick*): Supposing it is admitted that the employers will gain an extra representative on the Council—which I do not admit—who will that representative really represent? He will represent not only the ratepayers but the electors. The electors are made up very largely of the workers in the State. No one can possibly argue, therefore, that the representation is as stated by the Minister. As a matter of fact, we would be doubling the strength of that particular portion of the people. A more democratic effort to give to them the power which they should enjoy could scarcely be put forward. Being a party who claim to represent the workers, hon. members opposite should see that true representation is provided for the workers on this Unemployment Council. Much could be said in favour of this additional representation, but not a word can be said against it. The local authorities will have to find the money and deal with the organisation. It should be a simple matter for the Minister to accept the amendment.

Mr. SWAYNE (*Mirani*): I protest against the exclusion of the local authorities who, under this measure, will have very heavy liabilities—they will have to carry the greater part of the burden. There should not be taxation without representation. Here we have a body which is liable to have imposed upon it heavy financial burdens, and no direct representation is provided for it. For that reason, it is unjust. We should see that it has some say on the Council, which may largely encroach upon its revenues. This is another of those injustices that find a place in every measure in which the ratepayers, the thrifty portion of the community, are concerned. These people seem to be the victims of extortion on the part of the Government.

Mr. TAYLOR (*Windsor*): I make a further appeal to the Minister to consider this amendment favourably. The arguments that have been brought forward should be sufficient to convince the Minister that it is reasonable and will make for the greater efficiency of the Unemployment Council. That is the most important point that has been made during the discussion. I could understand the Minister objecting to local authorities having representation if they were elected on the franchise which existed a year or two ago; but considering that they are

[Mr. J. H. C. Roberts.

ected on the adult franchise, that difficulty has disappeared. There is every reason to ask that the best representatives possible should be placed on the Council. I am prepared to admit that the Registrar of Friendly Societies is a very good officer; but in regard to employment and unemployment, the man who is moving about amongst the people—especially if he be associated with local authority work—has the advantage of gaining knowledge which, probably, the Registrar of Friendly Societies would not possess. Any knowledge which the Registrar might possess, by virtue of his occupying a certain office, is always available to the Unemployment Council. It is specifically stated in the Bill that this Council can get any information or data of any kind in the possession of any Government Department which will be of some assistance to the Council. By getting in a local authority representative, who moves about amongst the people outside, the Board will get knowledge that the Registrar may not possess. Seeing that we are unable to get an increase in the number of representatives of employers and employees, we should be allowed to have a local authority representative.

HON. W. FORGAN SMITH (*Markey*): I do not propose to accept the amendment. The tenor of the speeches leads one to believe that the Opposition desire that the Unemployment Council will be composed of various contending factions which will fight for their own sectional interests. Nothing is further from the purpose of the Bill than that. Certain duties are laid down in the Bill with regard to the Council. The Council will have to carry out those duties according to the powers conferred on it. It is necessary for the Government to have a preponderance of representation, because the Government representatives will be charged with the effective administration of the policy of the Unemployment Council, and will be called upon to undertake and carry out duties altogether apart from attending the meetings of the Council. It must be remembered that local authorities, within the meaning of this Act, are employers to the extent that they employ men. They come within the ambit of the Arbitration Court in the same way as any other employer, and if the suggestion of hon. members opposite was adopted, we would be doubling the representation of the employers as against the employees. It has been argued that unless the amendment is accepted the local authorities will not have representation. I pointed out earlier that a number of the local authorities in this State are members of the Employers' Association. That has been denied by some hon. members opposite.

Mr. GREEN: That is quite true.

HON. W. FORGAN SMITH: As members of the Employers' Association they would have votes. I am quite prepared to meet hon. members opposite. I do not propose to allow a special representative, but in order to ensure that the local authorities shall have a definite say in the election of an employers' representative, I am prepared to meet hon. members opposite. Subclause (2) of the clause of the Bill provides—

“For the purpose of the election of a workers' representative and an employers' representative, respectively, each union, association, or organisation of workers or employers, respectively, shall by its executive have votes proportionate

to the respective number of members of such association, union, or organisation at the date of the voting.”

If hon. members so desire, I am prepared to add to that provision the following:—

“Provided that in respect of the election of an employers' representative, the Local Authorities' Association shall have the right to nominate a person for such election, and for that purpose such Local Authorities' Association shall be deemed an association of employers within the meaning of this subsection.”

Mr. MAXWELL: That is no good. We want a local authorities' representative.

HON. W. FORGAN SMITH: You want double representation.

Mr. MAXWELL: No.

HON. W. FORGAN SMITH: If the local authorities want a definite say in the selection of an employers' representative, and it is contended by hon. members opposite that under the Bill they will not have that definite say, I am prepared to move the amendment I have suggested.

Mr. G. P. BARNES: We want to have the people represented.

HON. W. FORGAN SMITH: If they do not desire to accept my proposed amendment, I can only assume that they want double representation for the employers.

Mr. TAYLOR (*Windsor*): We do not want that. We do not wish that at all.

Mr. FRY: If the Minister moves it, we will vote against it.

Mr. TAYLOR: Does the Minister really contend that the majority of the persons who elect the members of the local authorities are employers?

HON. W. FORGAN SMITH: The local authorities are employers within the meaning of the Bill. To give them a special representative would be to double the employers' representation.

Mr. TAYLOR: The Minister has stated that members of the local authorities are members of the Employers' Association. That is true only to a very limited extent.

HON. W. FORGAN SMITH: Why not accept my proposed amendment?

Mr. TAYLOR: The Minister's suggestion is not an amendment at all. It will simply complicate the position and make it worse. We have only asked for direct representation of the local authorities on the Council. The Minister has not been able to show in any way how that would impair the efficiency of the Council. He said that there would be greater representation than is afforded to the others associated with the Council. He says that the Government should have greater representation because they are charged with certain acts of administration in connection with the Bill. But the Government are not going to contribute any more than the employers. In fact, beyond a certain limit of expenditure the employers will be called upon to double their contributions, whilst the Government and the employees will be called upon to contribute less. This Bill is simply confiscatory in a lot of its clauses.

HON. W. FORGAN SMITH: Why not state that you are opposed to everything in the Bill?

Mr. TAYLOR: I am not opposed to it—I am opposed to certain clauses. I am asking

*Mr. Taylor.]*

that the local authorities, who are very vitally concerned, shall have adequate and fair representation. Although the Registrar of Friendly Societies may be a very good man, I contend that the Council will be improved by the election of a local authority representative, who will be a representative of the whole State. They have their Association and their Executive. They can elect a man with a wide and extensive knowledge. Any knowledge that the Registrar of Friendly Societies may possess which would be of use to the Council is there for the use of the Council in exactly the same way as if he was not a Government representative. If the local authorities were allowed to have a representative, I claim that there would be greater efficiency on the Council.

Mr. FRY (*Kurilpa*): I think the Minister is inclined to lead the Committee astray. He knows as well as anybody else that giving the local authorities representation does not increase the representation of the employers. Who are the local authorities? They are the direct representatives of the people. They are elected on the adult suffrage.

Mr. DASH: Why do they join the Employers' Federation?

Mr. KING: They do not.

Mr. FRY: Anybody who possesses any "nous" at all will say that the argument put forward by the Minister is worth nothing. His talk is all "hot air." It is purely a quibble. The local authorities should have representation. In my electorate there are about 4,000 people who go out every morning to work, and part of their wages has to be paid in rates to the local authorities, and the local authorities really represent those individuals. If the Minister continues his present line of argument, he will find that he is walking on a footpath of [5.30 p.m.] broken bottles, and he will be very much cut about when he is finished. The local authorities are not employers in the same sense as the Employers' Association. They are a distinct body, separated by the greatest width possible.

Mr. SWAYNE (*Mirani*): There is one point that was missed by the hon. gentleman in charge of this Bill in connection with local authorities. The hon. gentleman said that the local authorities were employers in the ordinary sense of the term, and therefore they were entitled to share in the appointment of an employers' representative on the Unemployment Council. The local authorities are interested in another way. They are in the position of being liable to have loans forced on them for which the rateable property in their areas is surety. That is not an obligation cast on the ordinary employers, and it puts the local authorities in a different category altogether. Furthermore, as has already been stated, the local authorities to a large extent represent the employees. For that reason alone even if we have to sacrifice one of the other members of the Council, the local authorities should have the right, through their association, to appoint a representative on the Unemployment Council.

Question—That the words proposed to be omitted (*Mr. Maxwell's amendment*) stand part of the clause—put, and the Committee divided.

[*Mr. Taylor.*

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Jones, A. J.
" Bertram	" Kirwan
" Brennan	" Land
" Bulcock	" Laycombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Sheridan
" Dash	" Ryan
" Ferricks	" Smith
" Foley	" Stoptord
" Forde	" Theedare
" Gillies	" Werr
" Hartley	" Wellington
" Huxham	" Winstanley
Tellers: Mr. Brennan and Mr. W. Cooper.	

NOES, 27.

Mr. Barnes, G. P.	Mr. King
" Barnes, W. H.	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Peterson
" Clayton	" Petrie
" Corser	" Roberts, J. H. C.
" Costello	" Roberts, T. R.
" Edwards	" Sizer
" Fletcher	" Swayne
" Fry	" Taylor
" Green	" Vowles
" Jones, J.	" Warren
" Kerr	

Tellers: Mr. Bell and Mr. Kerr.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 3 put and passed.

Clause 4—"Powers and duties of Council"—

Mr. FLETCHER (*Port Curtis*): Subclause (2) (c) reads—

"The Council may—

Obtain and disseminate information on all matters connected with industrial occupations and the callings of workers, with a view to improving the industrial relationship between workers and employers and lessening the evils of unemployment."

I take it that the idea of this subclause is to create a better feeling between the employers and the employees, and that is a most laudable object. It would create more efficiency in all industries and avoid as much as possible all thought of class-consciousness and class hatred and bring about a better understanding between the employers and the employees. That is what we want to aim at, and we should do more in that direction. We want to pave the way for profit sharing and such like, and, unless you have a friendly feeling between employer and employee, that is not going to be brought about. I should like to know whether the Minister interprets the subclause in the same way that I do?

Hon. W. FORGAN SMITH: The subclause means exactly what it says.

Mr. FLETCHER: Exactly. I merely enlarge upon it, and show what is intended. Unionists who come under the operation of Arbitration Court awards are affected by the operations of the Bill. I notice that one of the leading organisers of the Australian Labour party, Mr. J. S. Collings, has lately returned from a five months' tour through Queensland. In the Brisbane "Daily Standard" the other day there was an

article by Mr. Collings, entitled "Agitator? Yes," the last part of which states—

"Gentlemen, I am ready for your verdict. But, before you record it, let me say to you that nothing shall deter me from continuing to be an agitator, a rebel, a maker of strife, a preacher of the only gospel worth while—the gospel of a divine and noble discontent. You will tell me, I know, that this is a Christian land, that we live in an age of civilisation, and I answer you 'That is a foul lie.' This social fabric of yours is misnamed. It is a tantalising delusion, a conspicuous fraud, a shameless horror. It must and shall be destroyed. With such language as my tongue may command, with such thoughts as my pen may write, I will appeal to all who have eyes to see, ears to hear, and hearts to feel, to aid me in the work of a 'rebel.'"

This Unemployment Council is intended to bring about a better feeling between employers and employees, and to create happiness and contentment for the families of the workers; but how can that state of things be brought about when we have leading organisers of the Australian Labour Party going through the country preaching the doctrine of class-consciousness? Such an organiser is far more in touch with the mass of the workers than the Unemployment Council can be. Unless the members of the Labour party are going to preach a gospel more in consonance with the provisions of this subclause, I cannot see how improvement is going to be secured. It is a pity that there is not more of the spirit expressed in the subclause practised by the members of the Labour party. The Labour party should stop these organisers from preaching these pernicious doctrines throughout the country, as they will undo any good which it is intended to bring about under this Bill. I trust that hon. members opposite will try and create a better feeling between employers and employees in all industries. We should then not have the strife which we have now, and conditions generally would improve. But while one class is always fighting the other, no progress can be made.

Clause 4 put and passed.

Clause 5—"Unemployment Insurance Fund"—

Mr. KERR (*Enoggera*): I move the insertion, after the word "Labour," on line 29, page 5, of the words—

"subject to sustenance in each case being first assented to by the Council."

The subclause will then read—

"The fund shall be administered by the Director of Labour, subject to sustenance in each case being first assented to by the Council, and shall be audited from time to time by officers of the Department of the Auditor-General."

Hon. W. FORGAN SMITH: You want the Unemployment Council to meet in continuous session.

Mr. KERR: No, but I want it, before it meets, to have a list of those receiving sustenance allowance. There must be certain information placed before the Council, and I want to know whether it can place the unemployed men before the sustenance is

granted. I take it that the Council will meet at least once a week, and the sustenance allowance can be assented to by the Council, which will be able to judge whether there are any vacancies. I think the amendment will be a safeguard to the Bill.

Hon. W. FORGAN SMITH (*Mackay*): I have no intention of accepting this amendment. It is not intended that the Unemployment Council shall meet in continuous session. If the amendment were inserted in the Bill, it would mean that the Unemployment Council would have to sit indefinitely in connection with applications for sustenance allowance, which would be absurd. Queensland is a very large State. The local Labour Agent in each centre of population will administer the Unemployment Insurance Fund under the Act, and according to the regulations prescribed by the Unemployment Council. Each insured person claiming sustenance will have to produce evidence that he is an insured person. That will be a simple matter. He will produce his book showing for what period he has contributed towards the fund. On presentation of that evidence, and all the requirements of the Act being fulfilled, the local labour agent will be empowered to pay the sustenance allowance. But the amendment of the hon. member for Enoggera requires that all applications must be submitted to the Unemployment Council in Brisbane, or else the Council will have to travel to the places where application is made.

Mr. KERR: Are we to understand that the Minister is not prepared to accept this very reasonable amendment?

Hon. W. FORGAN SMITH: Do you think that any application for relief, say, in Townsville, should be submitted to the Council in Brisbane?

Mr. KERR: I think so.

Hon. W. FORGAN SMITH: And have the applicants starving in the meantime!

Mr. KERR: What is the use of the Council if it is not going to carry out its functions and see where work is available? Why should people not be brought from Townsville to Brisbane by the Council, if necessary, to give them work here? How is the local labour agent in Townsville to know whether there is work in Brisbane or not? The Minister should study clause 4, to ascertain what the functions of the Council are. You are going to take away this function from the people who are mainly concerned—the unemployed—who must go to the Council to find out what work is going on. It is useless to leave the clause as it is, because it is simply the same as the State relief. There is no necessity for the Bill at all. All they will have to do is to go to an office in a different street to that to which they go now. That is all it means. There is no reason why the Council should not meet every week and peruse every application for sustenance. If a man is unemployed there is no reason why he should not go to a job if he is sent by the Council. The Council consists of an employers' representative, an employees' representative, and Government representatives. The Council should say whether a person is to be granted a sustenance allowance indefinitely. It is quite right that all these things should be reviewed. It is

*Mr. Kerr.]*

no use sapping the energy of these people by granting sustenance if it is not necessary.

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

*Mr. KERR (Enoggera)*: I have another amendment in this clause. I move the insertion, on line 40, after the word "directions," of the words "as herein prescribed." That part of the clause will then read—

"The Governor in Council may, by Order in Council published in the 'Gazette,' give such directions as herein prescribed."

It is a protection clause.

*HON. W. FORGAN SMITH (Mackay)*: I do not propose to accept the amendment. This amendment is intended to make preparation for another amendment to be moved on line 45 by the leader of the Opposition. If that amendment were carried, perhaps something of this kind would be necessary.

*Mr. VOWLES*: It has nothing to do with my amendment.

*Mr. TAYLOR (Windsor)*: I cannot understand the Minister being opposed to such a vital amendment as this. He says it is preparing the way for an amendment on line 45. The fund may become insufficient to meet the obligations, and the Council may not have sufficient money to pay the demands made on it. The employers will then be further penalised to make up half the deficiency that will be created. Why should that be introduced into this clause? Is there any justification why those who are endeavouring to find employment should be penalised in that way. They are the people who pay the rates and taxes and find employment. They are groaning under heavy taxation now, and this proposal puts further burdens on them.

The TEMPORARY CHAIRMAN: We are now dealing with an amendment on line 40. I do not think the hon. member is dealing with it.

*Mr. TAYLOR*: I think the amendment is a reasonable one and one which might well be accepted.

*Mr. KING (Logan)*: I think the amendment is a perfectly reasonable one, and one which ought to be accepted by the Government. The object is to limit the contribution "as herein prescribed." Those words really apply to subclause 8 which fixes the basis of contribution at one-third each. The amendment we are dealing with now must be taken in conjunction with a subsequent amendment. We must refer to the subsequent amendment to discuss it intelligently.

The TEMPORARY CHAIRMAN: Order! The hon. gentleman will not be in order in dealing with a subsequent amendment at this stage.

*Mr. KING*: Well, I will deal with a prior amendment.

The TEMPORARY CHAIRMAN: The hon. gentleman will not be in order in dealing with a prior amendment.

*Mr. KING*: Well, the amendment cannot be discussed intelligently without referring to a subsequent amendment. I have no doubt your ruling is right, but I want to explain the amendment intelligently.

*HON. W. FORGAN SMITH*: This amendment is unnecessary if the Committee agrees to the amendment of the leader of the Opposition to be moved later on.

[*Mr. Kerr.*]

*Mr. KERR*: Will you accept the amendment of the leader of the Opposition?

*HON. W. FORGAN SMITH*: I do not intend to accept this amendment.

*Mr. KING*: Then why should we lose our rights to introduce an amendment at this stage?

*Mr. J. H. C. ROBERTS*: Ask the Minister if he intends to accept the amendment of the leader of the Opposition.

*HON. W. FORGAN SMITH*: I do not intend to accept it.

*Mr. KING*: If we delete the proviso at the end of paragraph (11) and alter the basis of contribution, then you can see that this amendment is intelligent, because it states that the amount to be paid out of the fund shall be "as herein prescribed." The amount prescribed will then be on the basis of one-third each.

*HON. W. FORGAN SMITH*: I will explain that fully to you.

*Mr. KING*: The Government are inconsistent. They should accept the basis of contribution as one-third each, but later on it looks as if the employers will have to pay the double dose of contribution provided in the Bill. That does not seem to be fair.

*HON. W. FORGAN SMITH*: This amendment is quite unnecessary in the face of the later amendment to be moved by the leader of the Opposition.

*Mr. KING*: But you will not accept that amendment, therefore we must debate the amendment now before the Committee.

At 7 p.m.,

The CHAIRMAN resumed the chair.

*Mr. KERR (Enoggera)*: There seems to be a misunderstanding about my amendment which I would like to clear up. It is not aimed at the proportion of the contributions by the Government, the employers, and the employees. The clause lays down that if the fund is insufficient the Governor in Council may, by Order in Council published in the "Gazette," give such directions as will, in his judgment, ensure its sufficiency. My amendment proposes to add, after the word "directions," the words "as herein prescribed." The Bill prescribes that the fund is to be subscribed in equal thirds by the three parties, and, unless the clause is limited in this way, there is nothing to stop the Minister from making a levy on anyone. He may see that the local authorities are in a good financial position and think that they are a good mark. I do not say he is going to do that.

*HON. W. FORGAN SMITH*: There is no power to do that. He can only levy on the three parties.

*Mr. KERR*: The clause says that if the fund is insufficient the Governor in Council may give such directions "as will in his judgment ensure the sufficiency of the fund."

*HON. W. FORGAN SMITH*: And then it goes on to say that any increase in the rates of contribution shall be on the basis that one-half part of the total of the increase shall be made by the employers, one-fourth part by the workers, and one-fourth part by the State.

*Mr. KERR*: That does not get over the difficulty. Surely the Minister may accept the inclusion of the words I suggested to

protect the clause and make the Bill complete. I am not here for purposes of obstruction. I circulated the amendment more than a week ago, and I hope the Minister will accept it, so that the contributions will be limited to those persons who subscribe ordinarily to the fund, and that under no circumstances may the Minister take advantage of the clause to do something never intended by Parliament.

HON. W. FORGAN SMITH (*Mackay*): It seems to me that the hon. member for Enoggera is one of those persons who dream dreams. He has put upon the clause an interpretation which I am sure no reasonable persons would place upon it. The clause has to be read as a whole. It is absolute nonsense for anyone to suggest that it gives the Governor in Council power to levy on any person other than the three contributing parties to the fund. The hon. member should have enough knowledge of Acts of Parliament to know that each section must be read in conjunction with the other sections of the same Act. There is no power to do anything of the kind. The argument of the hon. member for Enoggera is the most far-fetched that I have heard during my experience in Parliament. If I thought there was a scintilla of doubt in the direction indicated by him, I would make the matter certain.

HON. W. H. BARNES: I think that the Committee owes a great deal to the hon. member for Enoggera.

OPPOSITION MEMBERS: Hear, hear!

HON. W. FORGAN SMITH: Power is given to levy a contribution on three parties—the employers, the employees, and the Government. The clause sets out the proportion in which that shall be paid, and goes on to provide that if at any time the solvency of the fund is affected through any disaster which may overtake Queensland, causing a large amount of unemployment and consequently an abnormal drain upon the fund, the Governor in Council has power to make such temporary provision as may be necessary to guarantee the solvency of the fund. It is only a temporary provision. In this we are following the practice adopted by the British Act. Hon. members opposite have said a good deal about the British Act from time to time. The basis of contribution under that Act is in regard to a man eighteen years of age and over—from the employer 8d., the employee 7d., and the State 2½d. That is what we are following. The English Act prescribes what we are prescribing—a one-third contribution from each of the contributing parties—and provision is made that when there is any drain upon the fund the Minister may from time to time make such provision as he deems necessary to guarantee the solvency of the fund. If we were to accept the amendment it would mean that, if the amendment of the leader of the Opposition later on is negatived, the words the hon. member for Enoggera proposes to insert would be absurd.

HON. W. H. BARNES (*Bulimba*): I do not think that the Minister has been fair to the hon. member for Enoggera. One of the charges he made against that hon. member was that he dreams dreams. I do not wonder at anyone dreaming dreams in regard to this Government. I think it is rather in the hon. member's favour if he does dream dreams with regard to this Government. Does the Minister use that as an argument

why he should not accept the amendment? We have all been in the position of dreaming dreams—some of them very uncomfortable.

HON. W. FORGAN SMITH: Some of us wake up in time. (Laughter.)

HON. W. H. BARNES: I do not wonder if the hon. gentleman dreams a great deal, because, if the sins of the Government cause anyone to dream, he ought to dream a great deal. In pointing out this matter, the hon. member for Enoggera has been dreaming well. I would like to follow in his steps and dream upon the same lines, because then I should not make any mistake. The hon. member asks that certain safeguards shall be put into this Bill to prevent any mistakes or any injustice being done at a later period. I take it that the refusal of the Minister to accept this amendment means that this is not a Government of justice. The Minister does not always go to the old country in search of arguments. He practically stated, "This is in the English Act. Please take it because of that fact." I want to congratulate him on the fact that, at any rate, he is proceeding along safe lines in this case—he wants to be particularly conservative, especially when in so doing the Government are protected. Notwithstanding the Minister's bad associations, and notwithstanding that he tells us that what the hon. member for Enoggera says is nonsense, I am hoping that, in the absence of the other Cabinet Ministers—except the Secretary for Railways, who is some distance from him—some good influence may prevail, and that the hon. gentleman will see his way clear to accept a reasonable and essential amendment moved by someone who has dreamed dreams.

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

Mr. KERR (*Enoggera*): I beg to move the omission, on line 40, page 5, of the word "an," with a view to inserting the words "a pro rata." It is provided in the Bill that a sum of £15,000 is to be provided out of the consolidated revenue. It is also provided that the employers shall contribute one-third of the total contributions, and that the employees shall contribute one-third of the total contributions, making the total contributions £45,000. It is also provided that, in the event of the fund not being sufficient to meet the necessary payments, the employers will be compelled to contribute 50 per cent. of the total contributions, the employees 25 per cent., and the Government 25 per cent. That was the principle agreed to during the second reading of the Bill. The Government now propose that when that sum of £45,000 is exhausted the amount of the employers' contributions shall be increased, whilst the contributions from the employees and the Government shall be decreased.

HON. W. FORGAN SMITH (*Mackay*): I do not propose to accept the amendment, for the reasons given when discussing a previous amendment. There will be a levy of 3d. per contributor, which will be 9d. in all. I feel sure that that will be ample to meet ordinary requirements under the Bill. If we experience devastating droughts, floods, or a slump in overseas markets, which may cause a temporary abnormal drain on the fund, and it is found necessary to increase the fund temporarily, provision is made in the Bill whereby the employers will contribute 50 per cent., the employees 25 per cent., and the Government 25 per cent. In laying

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down that basis, we have closely followed the English Act. We recognise that a person's subsistence should be a charge on the industry in which he is engaged. That is a sound proposition, which cannot be combated on any economic ground. We know that the employers build up reserves on which they draw during periods of trade depression. These funds come from industry, and, of course, the worker draws on these funds also. I have quoted from the British Act which lays down this principle. In fact, our proposal is much more advantageous in some respects, as we as a Government pay a higher proportion than is paid by the Government under the British Act. The Government's proportion will be one-third, and if during an abnormal period it is necessary to increase the assessment by, say, 2d., that will mean 1d. from the employer and 1d. each from the Government and the employees. That would be a fair proportion. It is not intended that that contribution shall be permanent. It is only a temporary measure during a time of depression. If it is found that 3d. is not enough to meet requirements, and the fund requires a permanent increase, then the increased contributions will be made on the basis laid down.

The hon. member for Enoggera also referred to the amount of £15,000 which is to be provided by the Government to start the proposal. He apparently regards that as being the Government's one-third for the year. He is wrong if he assumes that. We have to make some provision in the Bill to put the machinery in motion and have a fund to work on. If the hon. member estimates the contribution on the basis of about 90,000 employees, he will find that the Government's proportion will be much greater than £15,000. When the levy assessed on the employers and employees is being collected, the Government will contribute their third also, whatever it may be. If it is £50,000 or £60,000, the Government will have to find that proportion. In addition to that amount, they will find their proportion as employers of the number of men whom they employ. Consequently the Government will be the greatest contributor to the fund. Under the British Act the State is the smallest contributor and the employer is the greatest. If any extra levy of a temporary nature has to be levied, the extra amount—not the total amount—will be on a basis of 50 per cent., 25 per cent., and 25 per cent. However, I am satisfied the fund will be sufficient on the basis of a contribution of 9d. per employee set out on the basis I have quoted.

Mr. TAYLOR (*Windsor*): I cannot follow the line of reasoning of the Minister in this matter. I fail to see that he has shown any justification or any sufficient reason why in an abnormal period which he speaks about—I hope it will not come about—the employers should be asked to bear the extra burden. One reason is this: The Government's contribution is one-third, and the employers and employees each contribute one-third. Who are the biggest contributors to the one-third which the Government are going to find? The Minister knows quite well that it is the employing class which will be indirectly the biggest contributor to that one-third contribution with which the Government are going to endow the fund. Further, if there happens to be a deficiency in the fund, the employers are going to be asked to contribute again and take half the additional responsibility. If

depression comes about, I fail to see that the employers will be in any better position to contribute than the employees. We have also to consider that there is no similar measure to this in operation in any other part of Australia. The very fact that such a measure is in existence in Queensland and not in the other States will have a tendency to bring a large number of people to Queensland, as they will know that, if they are out of work, they will be provided with sustenance.

Hon. W. FORGAN SMITH: They will not get sustenance until they have become insured persons.

Mr. TAYLOR: I know that they have to be here for a certain period in order to come under the provisions of the Act. I do not see why employers should be penalised by having to find the extra amount required if the money in hand is insufficient to meet the demands upon it. I understand that the Unemployment Council has the power either to raise or lower the rate of sustenance in order to get over a difficulty of that kind. But if the measure is to be of any benefit at all, there should not be imposed upon the employers a burden more than they can reasonably be expected to carry. This Bill will have a tendency rather to increase unemployment than otherwise. It will discourage men who are endeavouring to carry out their obligations in every direction.

Hon. W. FORGAN SMITH: You may as well argue that fire insurance causes more fires.

Mr. TAYLOR: I do not see any analogy between the two things. We are just as anxious on this side as hon. members opposite to see unemployment put an end to. There is no business man who does not realise that the more people there are employed the better it is for the whole of the community. We want to see the industrial and manufacturing activities of the State at the highest possible pitch of efficiency; but, if we are to have a sword of Damocles hanging over the heads of the employing class through the possibility that the employers will have to contribute one-half of the extra money required if there is an insufficiency of funds, it is not going to tend to increase employment or to get men to engage in industry. We are continually talking in Queensland about the lack of secondary industries, and, unfortunately, our secondary industries are not expanding as we should like to see them do. In several of the Southern States secondary industries are being established at a much greater rate than they are in Queensland. We cannot compliment ourselves as Queenslanders on what we have been doing as a manufacturing State. I know that our possibilities are limited. But everyone in the State desires to eliminate unemployment, and the greater production we have and the greater wealth created, the better for the State. There will be a greater distribution of taxation throughout the State if we go in for more production and more manufacturing. We are not asking anything unreasonable in this amendment. It is only right and fair for the people of Queensland, and I hope the Minister will favourably consider it. It is not vitiating the principle of the Bill at all. In one case it says that one-third shall be provided by each contributor, and in another case it says that, if the fund is not sufficient, then one section of the community will have to find three-fourths of the money. At any rate, they will have to

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find considerably more than one-half. That will not tend to encourage industry and manufacture in Queensland.

Mr. VOWLES (*Dalby*): I have an amendment to move later on, and the arguments in favour of that will be similar to those used on this amendment.

Hon. W. FORGAN SMITH: Take the two together.

Mr. VOWLES: It would be just as well.

Hon. W. H. BARNES: I understood the Minister was going to accept the other amendment.

Mr. VOWLES: The sum of £15,000 is provided in this Bill, and I quite agree with the Minister that that will be inadequate for the purpose for which it is required. We shall have to establish a fund, and that fund will have to be replenished from time to time. Subclause (11) reads—

“If at any time the Governor in Council is satisfied that the moneys to the credit of the fund or from time to time payable to the credit thereof are or are likely to be or become insufficient to meet the sustenance allowances and other expenditure under this Act payable out of the fund, the Governor in Council may, by Order in Council published in the ‘Gazette,’ give such directions (including, if deemed necessary, an increase in the rates of contribution during a specified period) as will in his judgment ensure the sufficiency of the fund for the purposes aforesaid.”

The Minister has not fixed the basis on which the contribution shall be made.

Hon. W. FORGAN SMITH: It works out at 9d. a week from each contributor.

Mr. VOWLES: I understood the Minister to say that something in the vicinity of £50,000 per annum would be required from each contributing body. Last year the sum of £177,000 was paid in outdoor relief. We can arrive at the amount that will be required if we know the number of contributors.

Hon. W. FORGAN SMITH: There are 95,000 workers in Queensland who will come under the Act.

Mr. VOWLES: The allowances which will be paid under this scheme will be much higher than the amount of money paid out in doles to persons in necessitous circumstances last year. We paid out £177,000 last year, and that was for dealing with only one portion of the scheme. Under this Bill provision will have to be made for providing farms for unemployed persons. Those farms have to be got ready, stock has to be purchased, and money will have to be paid out in the early years of the undertaking. With regard to seasonal workers in a district under the Bill, provision is made for an Order in Council to be issued calling upon the local authorities to undertake certain work. You cannot expect to get the best results from the workers employed in that way, because they will not be accustomed to the work, and there is bound to be a loss.

Hon. W. FORGAN SMITH: Yes, but do you not recognise that the loss in that direction will be less than it would be if each of the workers went on the fund?

Mr. VOWLES: I say these things have to be taken into consideration in calculating what may happen. The Governor in Council

may anticipate that a certain number of persons will be unemployed, and [7.30 p.m.] that under ordinary conditions the expenditure will not exceed a certain amount. They are conservative in their estimate, and immediately the requirements exceed the fund, the whole basis of contribution is to be altered. Instead of each party paying one-third, the employers will pay 50 per cent. and the Crown and the employees 25 per cent. each.

Hon. W. FORGAN SMITH: That is after the first fund is established.

Mr. VOWLES: After the amount which the Governor in Council considers will be sufficient under normal conditions has been exceeded, I cannot see why there should be any discrimination. Why not carry on on the same basis? We are told that this is in the British Act. It is rather a pity that we do not follow the principles of the British Act in other directions, and not merely when it suits the Government. The Minister says that the British Act—which is taken from the German Act—is the basis of this Bill. The reasons given by the hon. gentleman for this power were that floods, droughts, and other extraordinary circumstances may occur. We know that droughts do not occur in Great Britain as they do in Queensland, and we must remember that some of the droughts we have had have extended over several years. In fact, I think it would be safe to say that every year some portion of Queensland is suffering from drought. Is the employer during a drought, when he is losing his cattle and is deprived of his income, in a better position to contribute a larger sum than under normal conditions? Should not employees realise that in times of flood, when they are losing their employment, their employers are suffering losses much greater than they? They are losing their capital and their earning power, and often they are not sufficiently strong financially to recoup themselves, and put themselves back in the position from which the flood has dislodged them. I say, therefore, that the conditions in Great Britain cannot be held out as an indication for what we should do in Queensland, where the greatest sufferer in times of drought and flood is the employer. I quite agree with the leader of the Nationalist party that some of the provisions of legislation such as this are more likely to bring about unemployment than otherwise. We are told that labour conditions are so attractive in Queensland that people are packing their swags and crossing the border to come into this sunny land. Those men, after they have been here six months—and, if we can believe the statements that have been made during the last few months, many of them must be in a position already to qualify as Queenslanders—will be able to come upon the Unemployment Insurance Fund in the early part of next year, so soon as they have been out of work for a fortnight.

Hon. W. FORGAN SMITH: The contributions must accumulate for six months.

Mr. VOWLES: Well, what will happen after six months. When does the Act come into operation?

Hon. W. FORGAN SMITH: When it is proclaimed.

Mr. VOWLES: There are some very good principles in the Bill and some very bad principles, but I want to know why any

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discrimination should take place. I say that we are going to create unemployment by some of the provisions of this Bill.

Hon. W. FORGAN SMITH: You might as well say that insurance against accident creates unemployment.

Mr. VOWLES: It does not, and it does not create accident either, because in accident there is bodily suffering; but once a man has the opportunity of getting upon a fund from which he can receive payment without working—without any bodily suffering, from our experience in Queensland already we know that men will do it. If they will do it with the smaller amounts which are paid to-day, how much more will they do it when the amount gets nearer to a living wage? Is it going to create a position of security? Is it going to encourage or discourage the investment of capital? I do not wish to go into the question of the disability under which ordinary industries carry on in Queensland, because I would have to bring up the question of taxation; but we know that all sorts of burdens are put on industry in Queensland, and when we have discouragement of the creation of industries and the spending of capital, if we are going to put the people of Queensland in a worse position than men carrying on the same classes of business in other States who compete against them, is it not only natural that Queensland should lose the benefit of industries and that industries are being actually taken away to other States, and the worker is losing the corresponding employment?

Mr. COLLINS: That is not so.

Mr. VOWLES: It is perfectly correct. I can prove it in various directions. My idea is to move the omission of the proviso which alters the proportions of the contributions—that would have the same effect as the amendment before the Committee—and I would go a little farther and limit the maximum liability of both employer and employee to 6d. per head each throughout the whole year.

Hon. W. FORGAN SMITH: Eighteen pence altogether?

Mr. VOWLES: There is nothing like having a maximum which cannot be exceeded. The general taxpayer may have to foot the bill, but it is far better that we should have to do that in order that justice may be done to industry and individuals, than that we should prevent those industries from carrying on here, or, at all events, that we should discourage people from coming to Queensland to carry on such activities.

Mr. BRENNAN: What industries have left Queensland?

Mr. VOWLES: I can give this Committee the example of an industry in which an hon. member sitting on this side of the House—Mr. Sizer—is interested. He has been carrying on a certain class of work in South Brisbane, and he is sending away his plant to Victoria, because the conditions over there are better for the business than they are in Queensland. That is happening in other directions, too, and it is well known to hon. members opposite. It is not my intention to move the amendment I have circulated. The Minister has no intention of accepting it and I do not want to waste the time of the Committee.

Mr. SIZER (*Nundah*): I support this amendment, for the reason that we established

on the second reading the principle that the contribution to such a fund should be on the basis of one-third each. That principle is admitted generally to be sound. I fail to see how any argument can be put forward for the violation of that principle. The Minister used only two arguments, one being that of a devastating drought or other conditions leaving the workers in such a position that there would be a large number of drawers on the fund. No employer likes discharging his employees. If he did discharge them it would only be because he was unable to pay them. Employers will be faced with the same condition of straitened circumstances, and will be in as difficult a position in regard to meeting contributions to the fund. The only other argument used was that the British Act contained a similar provision. There was no reason why we should follow that precedent in this case. We have disregarded many of the cardinal features of the Imperial Act. Had they been included they would have improved this Bill very considerably.

Then we come to the question of one of the parties having to find 50 per cent. of the contributions. On the basis of 95,000 employees, the fund would be in the region of £185,000 a year. That would mean that the employers would have to pay approximately £62,000 and the Government £62,000. The big part of the contribution of the Government will come from the same employers, and additional taxation will probably have to be levied to meet it; so that, generally speaking, the same people will actually be carrying two-thirds of the burden, because the Government raise their revenue from the people in the State, and we know from the taxation returns that the employers contribute nine-tenths of the taxation. Our financial position is not such as to allow us to have a surplus of £62,000, and we can only anticipate that, in order to meet that contribution, further taxation will have to be levied. If such is the case, we can reasonably argue that the employers will be paying practically two-thirds of the money to this fund—or a total of £124,000 out of £185,000—as against the one-third found by the employees. Immediately that fund becomes exhausted—if it does—the same class have to put their hands in their pockets again and find 50 per cent. of any additional amount required. When the figures reach such dimensions it is an unreasonable burden, and not nearly so generous as the original scheme might appear. It is diametrically opposed to the principle we established on the second reading, and is going to be a serious handicap if the fund ever exceeds £185,000. I would like to know from the Minister if he has made any arrangements, or whether arrangements are being made, towards providing the Government contribution to this fund, and whether it will be necessary for new taxation to be levied. Unless some miracle is going to happen—unless we are going to economise or get a windfall—I can see no hope of there being any surplus at the end of the year which could be utilised for this purpose. Will the Minister tell us whether a man who comes under this scheme will lose his rights and privileges in regard to State rations?

Hon. W. FORGAN SMITH: Anyone obtaining benefits under this fund will not be entitled to participate in benefits from any other.

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Mr. SIZER: Under those circumstances, practically speaking, the State Relief Department will be done away with.

Hon. W. FORGAN SMITH: So far as the relief of unemployment is concerned.

Mr. SIZER: I am glad to know that. I commend to the Minister the argument that we should maintain the pro rata basis. The success of this scheme depends upon the amicable working together of those who contribute to it. The making of discrimination in the finding of this additional amount is liable to bring about friction in the administration of the fund. It is only natural that, if we strike hard times and the fund is likely to run out, the employers' representative and the Government representatives will to a great extent endeavour to keep the fund down and be careful regarding who shall derive sustenance. Naturally, the employers will know that, if they carry on in the liberal way suggested, they are going to be called upon for another 50 per cent. tax, and their interests will be in the direction of trying to keep within those bounds. That will probably cause friction between the representatives on the Council, and it may not work as smoothly as possible. If the pro rata basis is established, neither will have an advantage over the other. If the fund has to be increased, they will increase it, and all will bear their share. If the amendment is adopted, it will not affect any vital principle of the Bill. We on this side have considered the Bill in the spirit of making the insurance scheme a success. Any criticism we have offered in connection with the insurance portion of the scheme is only offered to make it a success. I ask the Minister to consider the removal of the 50 per cent. proviso.

Mr. MAXWELL (*Toowong*): The Minister, in the course of his remarks, stressed the point that industry should bear the greater part of the strain. During the whole of Queensland's history, industry has always borne most of the burden. The Government really have industries of their own to deal with. The Minister is inconsistent in his attitude. He wants to adopt a principle whereby the employers will be compelled to pay half the contributions, yet the Government, who are an employing class, only want to pay one-quarter of the contributions.

Hon. W. FORGAN SMITH: The State, as an employer, would have to pay the same increased assessment as any other employer.

Mr. MAXWELL: The Government have the State sawmills, the State tannery, the State butcher shops and State stations. They are employers of labour. They compete with other employers in industry. They control building operations so far as they affect Government buildings. The hon. gentleman says that a levy of 9d. per week on all parties will be sufficient. He may be right, but I am not prepared to accept that as a positive fact unless the hon. gentleman assures me that an actuary has been at work and is satisfied that that levy will be sufficient.

Hon. W. FORGAN SMITH: That is the levy that we intend to strike.

Mr. MAXWELL: That may be all right. If we consider the amount spent on relief last year—£177,000—I venture to say that it will not be sufficient. What the hon. gentleman proposes to levy and what is

necessary for the purposes of the fund are two different things. The hon. gentleman must go very slow in connection with this matter. If he does not, he will find that it is the last straw that breaks the camel's back. Many of the industries are near breaking point at the present time. Only the other day the Chamber of Commerce—I take it that that is a body of competent gentlemen, and it is not a political organisation—wrote to the hon. gentleman saying—

"Sir,—I have the honour, by direction, to bring under your notice the attached report of this Chamber, which met to consider the provisions of the Unemployed Workers' Insurance Bill at present before the House.

"I am directed to urge the Government to consider very seriously the position which will be brought about with regard to manufacturers and large contractors at present engaged on works, if the provisions of this Bill are made to apply to them."

They are referring to this particular clause.

The CHAIRMAN: Order! The hon. gentleman must realise that he cannot make a second reading speech on an amendment. The hon. gentleman will be in order in connecting his argument with the method of contribution only.

Mr. MAXWELL: A Chamber of Commerce, such as this, representing the mercantile community, has done a lot for the advancement of this community.

Mr. COLLINS: Self-elected persons.

Mr. MAXWELL: They are the men who are bearing the taxation to-day, and when the Government get behind with their finance, they go, cap in hand, to them and say, "For God's sake, help us." The letter continues—

"It is known to many of my members that large building contracts were under consideration, but this Bill will cause considerable hesitation before going on with any further works."

Mr. RIORDAN: I remember the Chamber of Commerce saying that when black labour was being driven off the cane-fields.

Mr. MAXWELL: The Chamber of Commerce take up the same attitude as I did on the second reading of the Bill—that this is a matter for the Commonwealth. I am hoping that even at this late hour wiser counsels will prevail with the hon. gentleman in his unwisdom of persistently taxing people who cannot bear taxes any longer. In New South Wales a forty-eight-hour week has been established.

Mr. COLLINS: It is a disgrace to Australia. We had a forty-eight-hour week fifty years ago.

Mr. MAXWELL: The weekly working hours in Queensland are forty-four, yet Queensland has to compete with New South Wales where the hours are forty-eight.

Hon. W. FORGAN SMITH: Do you want a fifty-six-hour week?

Mr. MAXWELL: No. I am not like the hon. gentleman; I do not want a thirty-hour week. I do not believe in nigger driving. I believe in a fair deal to everybody. I believe the whole of the community should be considered when you have legislation like this on the stocks. It is our duty to point

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out to hon. members opposite—I do not say this disrespectfully, but in all sincerity—that they have had no business training like a number of our business people have had, and they do not understand the conditions of affairs as they exist to-day. It is all very well for the red-ragging or militant section to say that they want socialisation of industry.

The CHAIRMAN: Order! I have patiently waited for the hon. gentleman to connect his remarks with the amendment, but I must confess that I fail to see where he is doing it. I would point out to the hon. gentleman that the original clause provided for the employers to contribute 50 per cent. of the special contributions and for the other contributing parties to contribute 25 per cent. each. The amendment is in favour of fixing the contributions on a pro rata basis. I hope the hon. gentleman will confine his remarks to the question of a pro rata basis as against a 50 per cent. basis.

Mr. MAXWELL: I was dealing with the amendment moved by the leader of the Opposition—

The CHAIRMAN: Order! The leader of the Opposition has not moved any amendment so far as I am aware. The amendment before the Committee was moved by the hon. member for Enoggera.

Mr. MAXWELL: I wish to show that, if the Committee accept the clause as it stands, they are going to tax the industries of Queensland, and even at the rate of 9d. per employee per week it will be impossible for them to compete with Southern manufacturers. At the present time I am informed by one of our leading manufacturers that the competition between New South Wales and Queensland on the forty-four-hour week as against the forty-eight-hour week means 12 per cent. That is a serious thing. Take the position when Victoria, New South Wales, and Queensland were on the one footing. What happened? Victoria got a bold [8 p.m.] in New South Wales, but now that New South Wales has a forty-four-hour week it is in the ascendant. Instead of the Government trying to assist our secondary industries and helping them all they possibly can they are strangling them by bringing in such a measure as this. If it is part of the scheme of the socialisation of industry, we know where we are, and it is just as well that the people outside should know where they are.

Mr. BRENNAN: Where are we?

Mr. MAXWELL: On the brink of a precipice. It is all very well for hon. members who are drawing their parliamentary salaries, but what of the unfortunate men outside who cannot create new industries in this wonderful State of ours owing to the harassing and hindering circumstances that are imposed on them by hon. members on the other side? We hear a lot from hon. members opposite about what is occurring in other parts of the world, and we have heard what the Minister told us of the conditions obtaining in England in connection with this matter, but he does not tell us about the British Act, for the simple reason under that Act every week the employee pays 2½d. and the employer pays 2½d.

Hon. W. FORGAN SMITH: No. Your figures are wrong.

[Mr. Maxwell.]

Mr. MAXWELL: That is the information I have. At any rate, they do not pay 9d. If we are to be guided by the amount of relief that has been distributed during the year that has just closed, goodness knows where we are going to be. The Government are faced with big responsibilities. Every session we hear of the money distributed in charity, and they think the best way to get out of the difficulty is by creating a position such as this. We are asking for a fair deal for the individuals represented on the Unemployment Council, for the Government are employers, and they cannot disguise the fact that they are employers in competition with manufacturers to-day. The only difference between them and the outside employers is that they get better opportunities than the outside employers, because the unfortunate employers outside are subject to the high taxation that the Government have put on them. I sincerely hope that the Minister will accept the amendment. I understand the burden of taxation as it exists to-day, and I realise the amount of unemployment which exists to-day, and, if this kind of legislation is to be passed, then unemployment is going to increase instead of decrease.

Mr. G. P. BARNES (Warnick): It is a pity that the equal contributions which are referred to in the early part of this clause should be departed from. That departure is going to make for unemployment in our midst instead of helping employment. The eminently fair proposal of equal contributions has been accepted by all sides of the House, and I cannot understand why the Minister should have departed from that principle. Surely the Government must give some consideration to the people who are going to bear this tax. These are the men who will have to compete with the more favoured States of the Commonwealth, and those who are acquainted with the conditions that obtain know that when you come into competition with the other States you have to meet a very much fiercer condition of things than you would if you were living in the other States and competing with your fellows in the other States, simply because the other fellow's market is always made the dumping ground for any surplus. There is another unfair aspect of this proposal; and that is that the men of enterprise and industry are the people who have to bear the burden. How is it that the Government have not hit upon a scheme that will reach the man who simply finds some means of investment for his capital and looks on while others do the warfare of life in connection with business? A very large proportion of the community escape entirely in connection with matters of this kind. I do not wish hon. members to think for a moment that I object to the equal contributions that are being levied. For years I have advocated that something like this should be done. It is a very fine principle to establish, but why make a departure from the principle of equal contributions? You are not going to help the manhood of our community by a proposal such as this. By making the workers contribute equally with the employers the worker will realise that he is only getting his own back if he is thrown out of employment, but in the other directions it becomes largely a matter of charity. You have to remember that the very men who will meet this extra obligation have to meet

it in a twofold way. Who are the taxpayers of the City of Brisbane? They are the merchants, manufacturers, and others. In that sense they pay; and in the other sense they are paying double, to say nothing of the other contingencies and obligations which later on in the Bill are going to be made to apply to them in a specific way. It is our duty to relieve as far as possible those who are building up the State, those who are carrying on industries and finding employment for the people. In doing that, they are serving the interests of the men whom the Government profess to have some idea of serving. The fact is that the amount required for doles is going to be increased rather than decreased by the impositions I have referred to. I strongly urge that in the interests of the country the pro rata proposal contained in the amendment should be accepted.

Mr. PETRIE (*Toombul*): As an employer of labour, I have no hesitation in saying that I agree with an Unemployed Workers Insurance Bill, and I think that the amendment is a very fair proposal. I take it that, if the Minister was an employer of labour, he would see the matter in the same light as we do on this side. I do not mind the contribution at all, but I think it should be equally distributed.

Hon. W. FORGAN SMITH: That is the intention.

Mr. PETRIE: But you require employers to pay an undue proportion if, through a depression, the fund has to be augmented.

Hon. W. FORGAN SMITH: That would not be a permanent condition.

Mr. PETRIE: In that case you put one-half on the employer and only one-quarter each on the Government and the employees. I would like to see a special scheme provided under the Bill for Unemployment Insurance, leaving it open for any firm of employers, if they so desire, to have an unemployment insurance scheme of their own.

Hon. W. FORGAN SMITH: I am making provision for that later on in the Bill.

Mr. PETRIE: I did not know that. You are, I presume, taking it from the British Act.

Hon. W. FORGAN SMITH: I have an amendment to move later on.

Mr. PETRIE: There is no doubt that our industries are being crippled in every direction. We have to compete against the other States, which have great advantages over us. We only want fair play. Although we are called upon as employers to pay one-third to the fund, we are indirectly called upon in other ways to pay heavy taxation to the Government, so that we do not know where we shall be after a while. Instead of assisting our secondary industries, we are crippling them and closing up all avenues of extension for private enterprise. We have been fair in our attitude towards the Bill, and I hope the Minister will accept the amendment, because he must admit that it is reasonable, and by so doing he will serve the interests of the community generally.

Mr. TAYLOR (*Windsor*): There are two or three points which have been raised by other speakers since I spoke last which are worth amplifying a little. The Minister is

aware that in the Southern States—New South Wales in particular—the hours of work have been increased and wages reduced, and that it is not to the advantage of secondary industries in Queensland. Anyone who is conversant with our secondary industries knows that our manufacturers have a hard enough row to hoe without any disadvantage, as compared with other States, in hours and wages.

The SECRETARY FOR MINES: Why do you not get a proper form of protection from the Federal Government?

Mr. TAYLOR: I do not know why the Minister asks me why I do not get it. I would ask him why he does not get it; he should have more power than I have in that direction. Take, for instance, the condition of the boot industry in Queensland. Instead of exporting boots to the Southern States as we ought to be doing, we have been importing probably 95 per cent. of our boots from Victoria and New South Wales, made out of Queensland leather. By the proposals being introduced by the Government we are penalising industry and preventing the expansion of employment. That is the position on every hand in connection with our secondary industries. We are importing into the State every week tens of thousands of pounds of stuff that we ought to be producing here. We are now going through a partial drought, and I would like the Secretary for Railways to supply the figures with regard to the amount of produce which has come through Wallangarra into this State on account of the dry conditions which have prevailed during the last two years. The figures would be simply staggering. If the Government realised the position, they would hold their hands in regard to the introduction of legislation such as this. There are many people in Queensland who do not employ a single individual, and yet they are getting bigger incomes than men engaged in industry, and are not being asked to contribute a penny towards this Unemployment Insurance Fund.

Hon. W. FORGAN SMITH: They contribute to the consolidated revenue.

Mr. TAYLOR: So does the employer. You are getting at him just the same through the income tax in proportion to his earnings. A man employing half a dozen or more hands, and making an income of £1,000 or £1,500 a year, has to pay a tax in order to provide employment under this Bill, and there are any number of people in Queensland in receipt of good incomes who are not employing a single individual directly who are not asked to pay a penny.

Hon. W. FORGAN SMITH: Where do they draw their incomes from?

Mr. TAYLOR: From investments in Commonwealth war bonds, and in treasury bills issued by the Government. The incidence of this taxation is unfair to those who are employing labour, and, if the Government want to see employment increased, they will not penalise employers in the way they are doing. It is no credit to the Government if they go on with legislation such as this. If they do, the consolidated revenue, instead of increasing will become less and less, until industries will be practically driven out of the State. It is all very well for hon. members opposite to moan and groan. The moaning and groaning is going to come later on.

*Mr. Taylor.]*

Instead of the outdoor relief being decreased, it is going to increase. I hope the Minister will see that this clause is going to further penalise those who are endeavouring to carry out industries in Queensland to-day.

Mr. BRENNAN (*Toowoomba*): I think it is a great pity that this debate is going on in its present form.

Mr. J. H. C. ROBERTS: You never employed a man in your life.

Mr. BRENNAN: The hon. member for Windsor talked about moaning and groaning and about industries being driven out of the State. That is not a fair thing to say about this. It is a great reflection on Queensland. When we come forward with a scheme whereby in future we can make an experiment to deal with the unemployment our opponents say that we want to drive industries out of the State. They condemned our system of outdoor relief and said that we should do away with it, and, as soon as we propose to do away with it and put a measure on the statute-book to deal with the question of unemployment, we are told that there will be moaning and groaning, and that industries will be driven out of the State. When we try to put something else in its place they complain just the same. I think the Bill is one of the finest little Bills ever inaugurated by any Government.

Mr. FRY (*Kurilpa*): We all agree that the State is in need of capital to develop its vast resources, and naturally ask the question where the capital is going to come from. We know that the Government are large borrowers at the present time and cannot stand the strain of financing with borrowed money the industries which are so badly needed. We produce raw material in the State sufficient to keep large factories going at full speed; but, instead of manufacturing the finished article, we export the raw material to other States and to other lands and bring back the manufactured article, paying for it at an enhanced price, and the people of the State are the poorer for this insane policy. We should manufacture everything ourselves.

The CHAIRMAN: Order! The hon. gentleman must deal with the amendment before the Committee, which is to omit the word "an" in line 40, with a view to inserting the words "a pro rata."

Mr. FRY: The Government's policy is to destroy the capitalistic system and to destroy private industry. Is that a wise policy to pursue at the present time? That is the position that we have got to consider in dealing with the amendment. Quite recently we saw an article published in the "Daily Standard" for which £7 10s. was paid, stating that millions of men were required in the State.

The CHAIRMAN: Order! I again ask the hon. gentleman to confine his remarks to the amendment. I am certainly not going to allow a second reading speech to be delivered by any member in Committee.

Mr. FRY: Any legislation which is unfair will prevent the introduction of capital and will impose charges which are out of all proportion. It is unfair to prevent industries being established in Queensland. Parliament should do its best to encourage the establishment of industries here. We should do all we can to absorb the unemployed. This Bill is an attempt in that direction. The State cannot provide the money, so it must come from private industry. We want to establish

[*Mr. Taylor.*

new industries. We want to introduce immigrants to open up the vast resources of Queensland.

The CHAIRMAN: The hon. gentleman is not obeying my ruling.

Mr. FRY: I think the amendment is a fair one, and I hope it will be carried.

Mr. KERR (*Enoggera*): I listened very carefully to what the Minister had to say against the amendment. He said that something unforeseen may happen such as floods and cyclones. I noticed in the Financial Statement of last year that the Government spent £12,000 of loan money for relief on account of floods and cyclones.

Hon. W. FORGAN SMITH: Not for the unemployed.

Mr. KERR: There are 95,000 employees in Queensland, so that £185,000 per annum will be needed. That means £62,000 to be contributed by the Government and a similar amount by the employer and employees. It is not the man who has bought Treasury bonds over the counter who will have to pay, but the struggling business man with a small business. Instead of paying one-third he will have to pay 50 per cent. The Government have been relieved of their ration deposit, and they are only going to contribute 25 per cent. That is not a fair thing. It is best to make the contributions equal, because the employers, the employees, and the Government will all have their representatives, and there will be more efficiency in looking after the fund. The amendment is acceptable to the Opposition and should be agreed to. There should be equity all round. The amendment would make the Bill a satisfactory one so far as contributions to the insurance fund are concerned.

Mr. EDWARDS (*Nanango*): I really believe that the Minister is not doing justice to the Opposition. Hon. members on this side have pointed out, in the first place, that unemployment is going to be caused by this clause. Little by little people employing men are losing confidence, and I am sure it is not the intention of the Government to bring that about under any consideration. I can quite understand their motives for bringing this measure forward, but I can assure them that they do not feel the [8.30 p.m.] undesirableness of unemployment any more than members on this

side. Seeing that this is largely experimental legislation, we need to be very careful about making it too harsh in the beginning. It is quite an easy thing to pass legislation, but it is quite another thing to carry it out successfully. If the Government apply drastic conditions such as this Bill provides for, it will have a tendency throughout the length and the breadth of the State to create the very state of affairs we want to avoid. Under drought conditions—and goodness knows that in the last three years many parts of Queensland have suffered from such conditions—the working man is the man who is hit, because the producer cannot go on paying wages. In 1918-19 hundreds of people in the country districts had to get rid of men whom they had employed for years. I think the Minister will be well advised to put the employers on the same footing as the employees and the Government. After all, the employer in this State is a thrifty man, even though in some cases he may happen to be a big man. He develops the State, and every encouragement should be given to him.

The SECRETARY FOR MINES: Do you think that he employs men simply for the sake of giving employment or to make profits?

Mr. EDWARDS: I know many men who have employed workers and never made a sixpence out of them. They have kept them on at unprofitable work waiting for better times.

Mr. J. H. C. ROBERTS (*Pittsworth*): I am certainly going to support the amendment. I look upon the clause as another means by which the Government hope to penalise the employer, no matter how large or how small he may be.

Mr. POLLOCK: I look upon this as a stone-wall.

Mr. J. H. C. ROBERTS: Nobody but an unreasonable man like the hon. member for Gregory would say that the amendment was unreasonable. We are simply asking that the employer shall be put on the same footing as the employee and the Government. It will be quite possible under the clause for the Government to impose upon employers a burden of £50,000, or £70,000, or £100,000, and nobody is going to tell me with any chance of being believed that capital is going to come to Queensland under those conditions—and there has never been a time in Queensland's history when capital was more desirable. Every producer who is trying to do his little bit as an employer is finding it most difficult to finance his undertakings, because the Government show a desire to take out of his pockets the money that should be going in to enable him to increase his activities.

Mr. COLLINS: Do not look so hard at the hon. member for Townsville. (Laughter.)

Mr. J. H. C. ROBERTS: I do not want to look at the hon. member for Bowen. I did not know that the hon. member for Townsville was here, and till just now I did not know that the hon. member for Bowen was here. If the hon. member for Bowen were true to himself and to Queensland and to his constituency, he would know very well that this clause is absolutely against the interests of all three of them. Unless the amendment is accepted, the Government will get unlimited power. It is not proposed to limit the amount that can be collected under the clause to £60,000 or £70,000.

The CHAIRMAN: Order! I hope the hon. member will discuss the amendment.

Mr. J. H. C. ROBERTS: I shall connect my remarks in this way: If a limit of £70,000 were put upon the amount to be collected, of which the employers had to find one-half and the employees and the Government one-quarter each, everybody would know where he stood. The Minister knows in his own heart that the clause is an imposition on people who are employing labour. I suppose he is aware that there are such things as co-operative butter and cheese factories, all of which will be looked upon under this Bill as employers of labour, and it is quite possible for the Minister to come along and ask everyone of them for an extra contribution under this clause. Under those conditions you cannot very well expect capital to come to Queensland.

There is no restriction on capital in any of the other States. Why should the Government go out of their way to try and hamper the employers in their efforts to carry on the industries which they are endeavouring to

build up? There is not one well-established industry in the larger industrial centres that is progressive. Go round to any of the industries in the city, and you will find that five out of every six of those employers are praying to be given the opportunity of getting down to Victoria or New South Wales. You will find that things which ought to be manufactured in Queensland are being manufactured in New South Wales or Victoria. It pays those people to pay the freight from Melbourne to Queensland, and then they can undersell the article that is made in this State. That is because of the heavy taxation which is imposed upon industry in this State. This clause simply means that we are going to place upon the shoulders of the employer an unknown liability. If the Minister were to say that out of an extra amount of £100,000 the employers were to contribute £50,000, they might face the position differently; but the amount may be £200,000.

Hon. W. FORGAN SMITH: Why not say £5,000,000 while you are at it?

Mr. J. H. C. ROBERTS: Why should the Minister say that? Do we not remember the time when the State stations were purchased, and we were told that we were going to make a fortune? What has been the result? Imagine, under this clause, employers being asked to find money to provide employment on the State stations. What sort of state would we be in? I believe that the Minister would like to see the amount £1,000,000 and the employers contributing £500,000.

Hon. W. FORGAN SMITH: I am perfectly certain that you would say anything.

Mr. J. H. C. ROBERTS: When the Minister is on his feet he often says anything; and sometimes he says nothing that is worth listening to. This clause is another means of imposing taxation on the employer, whether he be a small or a big man. Everyone will have to share the burden of this increased taxation. We had an Income Tax Bill put through to-day, which the Government claim is going to grant certain concessions. Yet on top of that this Bill comes along giving this Unemployment Council the right to impose taxation upon two sections of the community and the Government. The Government are not prepared to allow it to be on an equitable basis, each contributing one-third; the employers will have to find 50 per cent. That sort of legislation is not going to prove of any good to the State, nor will it bring prosperity. I have pleasure in supporting the amendment.

Hon. W. H. BARNES (*Bulimba*): The hon. member for Enoggera, in asking that the contributions be made equal, is asking the Minister to do a just thing. The Government themselves, being large employers of labour, ought to be prepared to accept equal responsibilities with other employers. I am satisfied that the more the Minister thinks of it the more he will realise that the proposition is a fair one. I think that hon. members on the other side will see the fairness of it. Why is the Minister adamant? Has he made up his mind not to accept any amendment from this side?

Hon. W. FORGAN SMITH: I will accept any reasonable amendment.

Hon. W. H. BARNES: We have certainly advanced a step in getting that from the Minister.

*Hon. W. H. Barnes.*]

The SECRETARY FOR PUBLIC LANDS: Don't you think that, being employers, the State will contribute a good part of that 50 per cent.?

HON. W. H. BARNES: How can they, unless they contribute pro rata?

The SECRETARY FOR PUBLIC LANDS: They would be employers as well.

HON. W. H. BARNES: Of course, they are. Will the hon. gentleman tell me that the person who pays 25 per cent. pays as much as the man who pays 50 per cent.?

The SECRETARY FOR PUBLIC LANDS: Would they not pay their share of the 50 per cent. exacted from the employers in addition to their quota?

HON. W. H. BARNES: I think the Minister is reasoning illogically.

HON. W. FORGAN SMITH: You are not stating the position correctly. The Crown as an employer will have to pay part of the amount paid by the employers; and they will pay the State contribution as well.

At 8.45 p.m.,

Mr. POLLOCK (*Gregory*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

HON. W. H. BARNES: The reasoning of the Minister is extraordinary. The Bill says that the contribution is to be quite different to that. It seems extraordinary that the Minister does not accept this reasonable amendment. Is it because the hon. member for Enoggera has been very busy in bringing forward other amendments? Surely, that should not be a reason! It is perfectly certain that this amendment is not going to be accepted by the hon. gentleman, and I regret it exceedingly.

Question—That the word proposed to be omitted (*Mr. Kerr's amendment*) stand part of the clause—put; and the Committee divided—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Kirwan
" Bulcock	" Land
" Collins	" Larcombe
" Conroy	" McCormack (proxy)
" Cooper, F.A.	" Mullin
" Cooper, W.	" Payne
" Coyne	" Pease
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stoford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. Bulcock and Mr. Foley.

NOES, 29.

Mr. Barnes, G. P.	Mr. King
" Barnes, W. H.	" Logan
" Bebbington	" Maxwell
" Bell	" Moore
" Brand	" Yorgan
" Cattermull	" Peterson
" Corser	" Petrie
" Costello	" Roberts, J. H. C.
" Edwards	" Roberts, T. R.
" Elphinstone	" Sizer
" Fletcher	" Swayne
" Fry	" Taylor
" Green	" Fowles
" Jones, J.	" Warren
" Kerr	

Tellers: Mr. W. H. Barnes and Mr. Elphinstone.

[*Hon. W. H. Barnes.*]

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.  
Resolved in the affirmative.

Clause 5 put and passed.

Clause 6—"*Contribution from employers and workers, how enforced; Remission in case of hardship*"—

Mr. KERR (*Enoggera*): I beg to move the omission, on line 2, page 6, of the word "Minister" with a view to inserting the word "Council." Subclause (2) of clause 6 reads—

"2. Notwithstanding anything herein contained, in any case in which the Minister is satisfied that it would be a hardship on an employer or worker to enforce from him payment in full of any contribution the Minister may, in favour of such employer or worker, remit the whole or such part of such contribution as he in his discretion thinks proper."

I think the Minister has too much control under this clause. We shall probably have political engineering.

HON. W. FORGAN SMITH: I will accept the amendment.

Amendment (*Mr. Kerr*), agreed to.

Mr. KERR (*Enoggera*): As a consequential amendment, I beg to move the omission, on line 4, of the word "Minister" with a view to inserting the word "Council."

Amendment (*Mr. Kerr*) agreed to.

Mr. VOWLES (*Dalby*): There is another consequential amendment. I beg to move the omission, on line 6, of the words "he in his" with a view to inserting the words "the Council in their."

Amendment (*Mr. Fowles*), agreed to.

HON. W. FORGAN SMITH (*Mackay*): As a further consequential amendment, I beg to move the omission, on line 7, of the word "thinks" with a view to inserting the word "think."

Amendment (*Mr. Smith*) agreed to.

Clause 6, as amended, put and passed.

Clause 7—"*Power to direct employers to take steps to remedy unemployment*"—

HON. W. FORGAN SMITH (*Mackay*): I beg to move the insertion after the word "reasonable," on line 12, of the words—

"and without just cause or excuse."

If that amendment is agreed to, I intend to move the insertion after the word "him," on line 12, of the words—

"and it is shown to the satisfaction of the said Council that unemployment is or is likely to be caused in any district owing to such failure on the part of the employers or employer to so begin or proceed with the said works."

The object of the amendment is to make the clause less drastic in its operation. If the clause is amended in this way, it will only apply to large works which are

[9 p.m.] being held up for some purpose which is effecting detrimentally the interests of the community by creating unemployment.

Mr. FLETCHER (*Port Curtis*): This is the most important clause in the Bill, or, at all events, it is the most serious one, and it is very difficult to know how far-reaching the effects may be. The fact of this clause

being on the statute-book will make people afraid to engage in enterprise. The employers will feel that they have a sword hanging over their heads, and they will never know when it will descend on them, and under such circumstances it is impossible for this State to progress. The amendment goes to show that the Minister recognises the unreasonableness of the clause, and wishes to improve it and make it a little more just; but I do not know that the words he wishes to add will have very much effect, because if an employee goes before the Council and it is proved that his reason for not working is reasonable, then he does not have to work; but in his own interests, if the circumstances were such as to make his case before the Council unreasonable, he would have undertaken the work himself without going to the Council at all, and, therefore, such a position could never have arisen. He would never go to the Council because he would work without the Council trying to make him. That is logical reasoning, so that there really is not very much in the amendment, but it points to the fact that the Minister is out to make it more just than it is. The second part of the Minister's amendment has not very much in it either. If it can be proved by any employee that the shutting down or non-commencement of a work is going to cause unemployment in any district, then the Council can instruct the employer to open those works.

Hon. W. FORGAN SMITH: It is closing down or failing to commence without just cause. The onus of proof would be on the Council to say that the works should be proceeded with.

Mr. FLETCHER: Possibly I am right in assuming that the Minister has in mind the case of the Wyreema butter factory, and I will admit that there would be some reason in a case like that to compel the works to open, but that would be a very rare occurrence. Under this clause the Unemployment Council has power to compel any works to open; it could compel meatworks or sugarworks or other works to commence operations. They are seasonal industries.

Hon. W. FORGAN SMITH: No one would ask a sugar-mill to commence operations during the off-season.

Mr. FLETCHER: It might be unreasonable, but the Council has power to do it. The Council has extreme powers, and the people will not know where they stand. If the Government had always acted equitably and justly, the people would not be afraid; but the Government have done many things which have made employers and others in the community afraid of what may happen.

Hon. W. FORGAN SMITH: Do you suggest that we would have been justified in seizing the Wyreema factory under the Sugar Acquisition Act?

Mr. FLETCHER: That was an extreme case, and such a case, probably, will never arise again. Without this Bill at all the Government have ways and means of overcoming these difficulties. I am out to make this a sound measure. I am in favour of the Bill so far as the insurance part of it is concerned. The Minister should try and assist us to improve it in every way, so that it is not going to do so much damage, and if he will agree to remove this obnoxious clause, it will very much improve the Bill and will not assist to cause more unemploy-

ment as it will at the present time. The hon. gentleman in his amendment shows that he is out to be reasonable, and my suggested amendment is framed on the same lines, only it goes a little further and makes it more definite and shows the employers exactly where they stand. As the Minister will not accept the deletion of the clause it is an alternative proposal.

Hon. W. FORGAN SMITH: What is your amendment?

Mr. FLETCHER: My proposal is to omit all the words after the word "case" on line 8, and insert the words—

"where the Council consider that any employers or employer are or is failing to begin or proceed with work of a nature usually undertaken by them or him and which they believe could reasonably be begun or proceeded with by them or him, the Council may, with the consent of the Governor in Council, call upon such employers or employer to show cause why such work should not be begun or proceeded with, and if the Council consider the reasons given to be unreasonable or inadequate, they may direct such employers or employer to proceed with such work.

"Every such order shall be complied with either forthwith or within such time as is stated in such order.

"Provided that any such employer shall first have the right to appeal to the full bench of the Industrial Arbitration Court against any such direction on the grounds that such direction would cause loss or injury to his business, either financially or otherwise, and, if the court decides that any such loss or injury is involved, then the direction of the Council need not be complied with."

If the Minister's amendment stands, I take it that, if employers are called before the Unemployment Council to show just cause why they should not commence operations at their works, and they show that the commencement of operations was going to cause financial loss or be injurious in other directions, the Council, seeing that they are out to be just, will say, "You cannot go on under such circumstances." It cannot be intended that employers should lose heavily in their businesses. The whole financial position in Queensland would break down under those circumstances. If the Minister is out to be just in his amendment, mine is in the same direction. I trust the Minister will accept the amendment, and thus specifically provide that any employer who disagrees with the Council's ruling has the right to go to the Arbitration Court and place his case before the court, and, if he can prove that he is going to be injuriously affected financially, or in any other direction, he need not proceed with the work. I have had a good deal of experience in business, and I know what the effect of interference is. A man is not going to invest his capital for, say, ten, twenty, or thirty years in business, when he sees these damaging conditions in operation. It is a jolly shame.

Mr. STOPFORD: Your speech is a jolly beastly affair altogether. (Laughter.)

Mr. FLETCHER: Your treatment of the Mount Morgan workers was not too good. You tried to get the men to go on strike.

Mr. STOPFORD: You are a liar.

*Mr. Fletcher.]*

The TEMPORARY CHAIRMAN: Order! I would ask the hon. member to confine his attention to the amendment before the Committee.

Mr. FLETCHER: Or rather you advised them not to accept work at wages which they had to accept after waiting nine months.

The TEMPORARY CHAIRMAN: Order! I would ask the hon. member to obey my call to order, otherwise I shall ask him to resume his seat. I ask him to confine his attention to the amendment.

Mr. FLETCHER: I was confining myself to the amendment until the hon. member for Mount Morgan interjected. I hope the Minister will accept my amendment, which is suggested with a view to improving the Bill. As my amendment will come before the Minister's, I would be glad if the hon. gentleman would withdraw his amendment for the time being.

HON. W. FORGAN SMITH: In order to meet the hon. member for Port Curtis, I will withdraw my amendment temporarily.

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

Mr. FLETCHER: I move the omission, after the word "case" in line 8, of the following words:—

"Where the Governor in Council is satisfied upon the report of the Council that any class of employers or any individual employers or employer are or is failing to begin or proceed with works which could reasonably"—

with a view to inserting the words—

"where the Council consider that any employers or employer are or is failing to begin or proceed with work of a nature usually undertaken by them or him and which they believe could reasonably be begun or proceeded with by them or him, the Council may, with the consent of the Governor in Council, call upon such employers or employer to show cause why such work should not be begun or proceeded with, and if the Council consider the reasons given to be unreasonable or inadequate, they may direct such employers or employer to proceed with such work.

"Every such order shall be complied with either forthwith or within such time as is stated in such order.

"Provided that any such employer shall first have the right to appeal to the full bench of the Industrial Arbitration Court against any such direction on the grounds that such direction would cause loss or injury to his business, either financially or otherwise, and, if the court decides that any such loss or injury is involved, then the direction of the Council need not be complied with."

HON. W. FORGAN SMITH (*Mackay*): It is a pity that the hon. member for Port Curtis did not let me have a copy of the amendment earlier in the evening so that I might have had an opportunity of studying it.

Mr. FLETCHER: I did not have your amendment—that is why I could not let you have mine.

HON. W. FORGAN SMITH: The amendment is practically a new clause, and it does not meet the case, in my opinion. While it modifies the existing clause, I am of opinion that my amendment will meet the case much better. My objection to the

[*Mr. Fletcher.*

clause as it stands on a review of the situation is due to the fact that it might be held that harassing tactics might be adopted by the Unemployment Council. The clause provides that the Unemployment Council may inquire into industrial operations where, in their opinion, employers are failing to commence certain works, thereby causing unemployment. It must be remembered that the Unemployment Council will be composed of reasonable men, and, further, that they would make full inquiries into the circumstances of the case and make a recommendation to the Governor in Council. The Governor in Council, no matter what Government might be in power, would not take the drastic step of issuing an Order in Council calling upon employers to do something the reasons for which could not be sustained.

Mr. MAXWELL: You have the power.

HON. W. FORGAN SMITH: It has been argued by some hon. members that, if they were so disposed, the Government could make use of this clause in harassing employers where it would not be in the interest of the community, and that is why I am going to propose my amendment. The hon. member for Port Curtis admitted that it was necessary for the Government to have power to deal with a drastic situation which might arise at any time. We have the case which has been pointed out in connection with the closing down of the Wyreema factory, where a large body of men were told that the factory was closing down within a week or fortnight. In a case like that the Governor in Council should have drastic powers to deal with the situation. The whole district was affected. The dairymen and employees were seriously affected. However, it was satisfactorily settled. We were able to make arrangements which did not give rise to the necessity for taking drastic action. My amendment provides that full inquiry must be made, and the Council must be satisfied before any action could be taken. The Council would have to investigate all the surrounding circumstances, and the onus of proof would be on the Council to convince the Governor in Council that they were justified in taking certain action. I have a further amendment to move on line 18, which provides for an appeal to an industrial magistrate. I think that my amendment meets the case fairly. It might be thought that tyrannical powers would be used by the Governor in Council, but I do not think there is any danger of that. Public opinion has a salutary effect on any actions of the Government. No Government is going to jeopardise its credit with the public by issuing an Order in Council calling upon people to start certain work unless there is good and reasonable grounds for such action. It is a drastic remedy that can only be applied to deal with a very difficult situation which would justify such drastic steps being taken. It has been argued that under this Bill a small contractor might be made to employ four carpenters instead of two. My amendment will prevent anyone believing such things. I am prepared to amend the clause in the way I have suggested, as it meets the case better than the amendment of the hon. member for Port Curtis.

Mr. VOWLES (*Dalby*): When this Bill was in its original draft I regarded this clause as highly objectionable and highly dangerous. My views have not changed much since, although some of the difficulties

have been overcome. Speaking in favour of the amendment of the hon. member for Port Curtis, I would like to make it plain that I am supporting it on the assumption that the Minister will not consent to the whole of the clause being struck out.

Hon. W. FORGAN SMITH: I have an amendment to move.

Mr. VOWLES: The amendment which has been circulated will do away with clause 7. I prefer the amendment of the hon. member for Port Curtis, because it is the lesser of two evils. We have a Council which may become a partisan Council. It is really a Government department, because there are a Minister and two public officers on it, and they will constitute a majority of the votes. The Council is the body which has to decide whether drastic measures have to be put into force. It may be the policy of the Government to decide that a certain thing shall be done, and we shall find that the Government officers will fall into line with the Government policy all the time. There will be three representatives there voting as one man. They can do as they like on the Council. We want to put in every safeguard we possibly can. We are told it might be possible in cases similar to the Wyreema case to put this into effect and debar a company with plenty of capital from doing certain things. I notice that the clause provides that there must be "just cause or excuse." Who is going to be the judge of the "just cause or excuse?" The Government and the Council will be actuated by the one idea, and that is to create employment where unemployment exists. I object to the principle of compelling people to create employment, because you are unduly interfering with a man's private business.

The TEMPORARY CHAIRMAN: The hon. gentleman is not in order in discussing the clause. The question before the Committee is the amendment moved by the hon. member for Port Curtis.

Mr. VOWLES: I am dealing with the whole question, and then I am done with it. This is an objectionable clause, and it is similar to the one we resisted in 1919. We should resist it as far as we possibly can now. However, if the Government are going to use their majority to force it through, we shall have to accept it. I am going to try and make the Bill as favourable as I can for the people who are affected.

Mr. MAXWELL (*Toowong*): I am sorry that the clause is not to be eliminated altogether. The clause is a most dangerous one, and is going to have a tendency to discourage people engaged in industry. A man may get estimates to erect a certain building. It may be anticipated that that individual has a certain amount of money, and if he does not go on with the erection of the building he may be compelled to do so. What is to prevent the Council from saying, "Here is a man who set out to spend £32,000 on a warehouse. Why can we not compel him to go on with his building?" The Council may take the matter into consideration irrespective of the man's position to go on with the work, and force him to proceed. I think it is a most dangerous clause. We should stimulate industry instead of hindering it. How can we accomplish that? I know there is a section which says we do not want to exploit industry at all. I would like to see more employers, because they will come from

the ranks of the working men, and they will help to build up this State.

The TEMPORARY CHAIRMAN: The hon. gentleman is not in order. He must deal with the amendment of the hon. member for Port Curtis.

9.30 p.m.

Mr. MAXWELL: Although I am speaking to the amendment, I would rather that the clause was eliminated altogether, and I am giving my reasons.

The TEMPORARY CHAIRMAN: The hon. member is not in order in dealing with the elimination of the clause.

Mr. MAXWELL: I am pointing out why I would prefer the Minister to withdraw the clause altogether. I would prefer him to go about the business in another way, because the position is most acute and serious. After all, even with the amendment, the Government are only bolstering up something that is wrong. Some persons are not prepared to put their financial position before a Council such as this—they are too modest—and so they say, "I will risk it and allow myself to be compelled to do this thing." It is the most painful position in which to put any business man.

Question—That the words proposed to be omitted (*Mr. Fletcher's amendment on clause 7*) stand part of the clause—put; and the Committee divided.

In division,

The PREMIER (Hon. E. G. Theodores, *Chillagoe*): I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 31.

Mr. Barber	Mr. Jones, A. J.
" Bertram	" McCormack (proxy)
" Brennan	" Kirwan
" Bulcock	" Land
" Collins	" Larcombe
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Riordan
" Dash	" Ryan
" Ferricks	" Smith
" Foley	" Stopford
" Forde	" Theodore
" Gillies	" Wellington
" Gledson	" Winslanley
" Huxham	

Tellers: Mr. Pease and Mr. Riordan.

NOES, 29.

Mr. Barnes, G. P.	Mr. King
" Barnes, W. H.	" Logan
" Bebbington	" Maxwell
" Bell	" Moore
" Brand	" Morgan
" Cattermull	" Peterson
" Corser	" Petrie
" Costello	" Roberts, J. H. C.
" Edwards	" Roberts, T. R.
" Elphinstone	" Sizer
" Fletcher	" Swayne
" Fry	" Taylor
" Green	" Yowles
" Jones, J.	" Warren
" Kerr	

Tellers: Mr. Fry and Mr. Kerr.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Hon. W. FORGAN SMITH (*Mackay*): I beg to move the insertion, after the word "reasonably," in line 12, page 6, of the word—

"and without just cause or excuse."

*Hon. W. Forgan Smith.*

Hon. W. H. BARNES (*Bulimba*): I want to make my position perfectly clear. I regard the amendment as an improvement on the clause, on the principle that half a loaf is better than no bread, but at the same time I feel it my duty to vote against the clause when it is put in its amended form. I want that to be understood, so that I shall not be considered to be facing both ways.

Amendment (*Mr. Smith*) agreed to.

Hon. W. FORGAN SMITH (*Mackay*): I beg to move the insertion, after the word "him," in line 12, of the words—

"and it is shown to the satisfaction of the said Council that unemployment is or is likely to be caused in any district owing to such failure on the part of the employers or employer to so begin or proceed with the said works."

Amendment agreed to.

Hon. W. FORGAN SMITH (*Mackay*): I beg to move the insertion, after the word "thereof," on line 18, of the following words:—

"Provided that before any Order in Council referred to in this subsection is made the employers or employer referred to in such report of the Council may appeal within a time to be prescribed to an industrial magistrate for the purpose of being heard on the findings in such report of the Council, and such industrial magistrate shall investigate such appeal and transmit the evidence taken, together with his report thereon, to the Governor in Council, for consideration. The appeal shall be heard and determined by such magistrate in accordance with the regulations."

Mr. KING (*Logan*): I was going to propose an amendment in connection with this matter, but the Minister's amendment to a certain extent meets the case. I notice that the amendment makes the Governor in Council the ultimate court of appeal. Later on it will be found that the industrial magistrate is the ultimate court of appeal.

Hon. W. FORGAN SMITH: It is only on the matter of contributions in default.

Mr. KING: Default is the only matter on which there is an appeal to the industrial magistrate. Here it is the right of appeal in the case of a man's contribution.

Hon. W. FORGAN SMITH: The Governor in Council issues an Order in Council, and it is default to comply with such order that the magistrate deals with.

Mr. KING: The only objection I have is that the Governor in Council is the ultimate court of appeal.

Amendment (*Mr. Smith*) agreed to.

Hon. W. H. BARNES (*Bulimba*): This clause is going to harass and worry in a very marked degree the employers of the State, and is going to defeat the objects which the Government had in view in introducing the Bill. It is going to damage Queensland very materially. There is only one thing the Minister should do with a clause like this, and that is to wipe it out altogether. I would not make that statement if I did not believe it. I am perfectly certain that a clause which is devised in the way in which this is devised is going to make men feel that this State is one to which they should not come to invest their capital and start industry. If there is one

thing which we should do, it is that we should develop industry, so that the workers and others may benefit. You cannot get away from the fact that every individual in the community is to some extent dependent upon the others; we are so closely knit together that where one suffers, to some extent all suffer. I very much regret that a clause like this should be put into any Bill introduced in such an Assembly as this. I do not know why the Minister should have put it in. We all know that the Premier plays the most important part of all Ministers in connection with the introduction of measures such as this. The Premier himself recently has expressed a desire to lighten the burdens of the community. When he reads this clause again he will feel that it is going to hurt the community, and very materially hurt the worker. I strongly protest against its inclusion in the Bill.

Mr. KERR (*Enoggera*): The least that can be said about this clause, irrespective of the recent amendments which have been inserted by the Minister, is that it is straight-out confiscation of private capital. No one can say that it is less. This gives power to the Government to issue an Order in Council that any person engaged in any undertaking may be compelled, under certain circumstances, to invest certain money in that particular undertaking to create employment for those who are unemployed. If that does not mean confiscation and the grabbing of people's private means, I do not know what does.

Hon. W. FORGAN SMITH: It is to prevent unemployment being caused.

Mr. KERR: This clause is to provide for the present unemployed. When this sustenance allowance is being given out, instead of 2,000 unemployed, you will dig up 5,000; there are hundreds of men who have never registered. The local authorities are going to be compelled to do work.

Hon. W. FORGAN SMITH: The local authorities are not referred to in this clause.

Mr. KERR: The Minister previously contended that local authorities came within the category of employers. He cannot have it both ways. The Government will abolish all laws under which local authorities are working, make them take a loan which they have no desire to take, and force them to carry out certain works. Who is going to pay the special levy for this work but the ratepayers? One hundred unemployed can be brought from Charleville and put in my electorate, and the ratepayers I represent will be called upon to find the money to give those men employment.

Hon. W. FORGAN SMITH: That is absolute nonsense.

Mr. KERR: It may not be going to happen; but this Bill is so open and there are so few safeguards in it that that is possible. Who is going to say where these men will come from? We know that men are taken from Brisbane and sent on to various works throughout Queensland. Will not the same thing happen under this Bill? By interfering with private enterprise the Government are going to do a great deal of harm to this community.

Hon. W. FORGAN SMITH: If you had lived a century ago, you would have opposed the introduction of factory laws and the abolition of slavery.

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Mr. KERR: That does not follow. The position which I and every reasonable man take up is that, if a man is in a business and has created a reserve, he should have the say as to when he is going to invest further money in it. It may be that the money market is tight and there is considerable unemployment. The man might be forced to obtain an overdraft at an exorbitant rate of interest to carry out the work. The right of appeal lies to an industrial magistrate, and the industrial magistrate is the servant of the State—I am not casting any reflection.

Hon. W. FORGAN SMITH: Of course you are.

Mr. KERR: I am not. There should be a superior court to deal with the matter. Anyone of common sense knows that there is a weakness in industrial magistrates' courts as compared with the superior courts. The powers in this clause are arbitrary and unlimited against private capital. Who is going to pay the expense in the long run?

The TEMPORARY CHAIRMAN: Order! I ask the hon. gentleman to connect his remarks with the clause.

Mr. KERR: The whole clause deals with the question of remedying unemployment. If the Government ascertain by income tax returns that a profit of a few pounds is made, they can order certain work to be undertaken. In certain cases they can get any evidence they desire by investigating certain businesses, and they can issue an Order in Council to force those businesses to proceed with certain work. That amounts to nothing less than Communism and the wiping out of private industry.

Mr. SWAYNE (*Mirani*): Just before the crushing season in the sugar industry, when the cane is not quite ripe, a large body of men is gathered waiting for the work to commence. The mill management might decide that they cannot cut the cane without incurring a serious loss, and the Government, notwithstanding that, could issue an Order in Council instructing all the mills throughout Queensland to commence operations. There are industrial magistrates in Cairns, Ayr, Innisfail, Mackay, and Bundaberg, and the right of appeal would lie to one of those magistrates. Would one magistrate give a decision covering the whole area, or would they each give separate decisions? I agree with the hon. member for Enoggera that there should be a superior and more embracing authority than an industrial magistrate's court.

Hon. W. FORGAN SMITH (*Mackay*): It is interesting to note the attitude of hon. members opposite who are endeavouring to mislead the people in setting out the object of this clause. This clause gives the Governor in Council certain powers to deal with any serious situation that might arise affecting the interests of the community. The hon. member for Mirani referred to a hypothetical case where certain men might be waiting to operate in that industry. He suggests that in his usual wild flights of imagination. The Governor in Council would not be foolish enough to force mills to commence operations earlier than was advisable. The hon. gentleman has not taken the trouble to read the clause. An essential part of it sets out that just cause shall be an excuse. The onus of proof lies on the Unemployment Council if an industry is closed down. If a certain body fails to commence certain public works and it is thought that will have the effect of throwing many men on the unemployed market,

and an appeal is made to the Council and the matter is thoroughly investigated, the Council after investigation makes recommendation to the Governor in Council, and, if the Governor in Council is satisfied of the rights of the case, it may take certain action, and the right of appeal from that action lies to the industrial magistrate, where the whole case can be properly inquired into and properly sifted. It is only in extreme cases of urgent public necessity that the powers in this clause will be exercised. No Government worthy of the name of a democratic Government should hesitate to exercise adjusting powers in the public interest if they are justified in doing so. The arguments used by the hon. member for Enoggera and the hon. member for Mirani are arguments that have been made against human progress throughout the ages. (Interruption.) If hon. members opposite had lived in the days of Lord Shaftesbury, they would have been found amongst the bitterest opponents of factory legislation. They are the men who would have sided

[10 p.m.] with the big cotton spinners in Lancashire who thought it necessary to continue child slavery in order to continue that industry. Had they been in the British Parliament at that time, you would have found them speaking and voting in favour of that kind of thing. In the interests of private enterprise they would have justified enslavement in the mines. The arguments used against this clause are the arguments which have been used by the Conservatives and reactionaries right down the ages; they regard that section of mankind who sell their labour in order to live as a form of inferior being. (Interruption.)

The TEMPORARY CHAIRMAN: Order!

Hon. W. FORGAN SMITH: It is in the interests of that class of people that we are passing this clause. (Interruption.)

The TEMPORARY CHAIRMAN: Order! Order!

Mr. BEBBINGTON: What has that to do with the Bill?

Hon. W. FORGAN SMITH: It has everything to do with the Bill.

Mr. BEBBINGTON: It is a lie.

The TEMPORARY CHAIRMAN: Order! Order! I ask the hon. member to withdraw that expression.

Mr. BEBBINGTON: I withdraw it, but it is true. We are not what he says we are. I say he was lying.

The TEMPORARY CHAIRMAN: I ask the hon. member again to withdraw that statement.

Mr. BEBBINGTON: In accordance with your request, I withdraw; but it is true all the same.

The TEMPORARY CHAIRMAN: When I ask the hon. member to withdraw a statement, he must not repeat it immediately he has withdrawn it. I now ask the Minister for Public Works to confine his remarks to the clause.

Hon. W. FORGAN SMITH: I am giving reasons why the clause should be passed, and I am replying to the arguments that have been used against the clause by hon. members opposite. I am indicating that their opposition to the measure and their misrepresentations of the effects of this clause are based on certain reactionary ideas held and accepted by them. The clause gives the Governor in Council power to deal with any

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situation that may develop. They are powers that the Governor in Council should have, and it is only in drastic cases that those powers would be exercised. No Governor in Council, no matter what party may be in power, is likely to take action which cannot be justified by public opinion. After all, that is the highest court that can be appealed to. That is the view I have, and that is the view I put forward in support of this clause. None of the things which hon. members opposite point out will take place. Their gloomy prognostications will never be realised. If the Bill is put into operation, this clause will be a wise power to be held in the hands of the Governor in Council. I hope it will not be necessary to put it in operation; but if it is necessary to put it in operation, I hope the Governor in Council will be prepared to do the right thing in the public interests.

Mr. MORGAN (*Murilla*): The Minister could not put forward a clause that would be more damaging to this State. To-day we are losing our secondary industries and forfeiting them to the southern States, and a measure of this sort is not only going to prevent those who are desirous of establishing secondary industries in this State, but it is also going to do considerable injury to those industries already established here. I know, speaking from a southern point of view, that, unfortunately, Queensland at the present moment stinks in the nostrils of those outside this State.

The TEMPORARY CHAIRMAN: Order! I do not intend to allow the hon. member to proceed on those lines. He must keep to the clause.

Mr. MORGAN: I am giving reasons why I object to this clause. I believe it is a blot on the Bill. Generally speaking, I do not believe in the Bill at all, but I am not opposed to a reasonable scheme that is likely to assist those who are unemployed.

I contend that clause 7 should be deleted, as it will do a great deal of injury. My reasons for opposing its retention are that it will stop capital from coming to the State for the purpose of establishing industry. Men who have capital to invest are not likely to come to the State with restrictions imposed here which are not imposed in the other States. Queensland is the first State in Australia to adopt an Unemployed Workers Insurance Bill. Let us go step by step.

Mr. G. P. BARNES: Leave it at that.

Mr. MORGAN: Why bring in a measure which is going to place us in an unfavourable position compared with our rivals in other States? We have as much to contend with in connection with our secondary industries from rivalry in the Southern States as we have from rivalry overseas. A clause of this description will place us in such an unfortunate position compared with the rest of Australia that we shall suffer severely. We will eventually only be a primary producing State. The clause will lead to the closing up of secondary industries at present in existence, and prevent other industries from being established. I hope that the Minister will not endeavour to force this clause through. It may do considerable damage to the grazing industry, as the Government may decide during periods of unemployment that graziers and companies should be compelled to go on with

work when they are not in a financial position to carry on. Instead of lessening unemployment it will cause unemployment in the way I have indicated.

Mr. SIZER (*Yundah*): I am opposed to the clause, which is probably the blot on the Bill. The Minister, in his erratic speech, gave the best evidence we could get for opposing the clause. The hon. member was in such a frame of mind that, if it was left to his judgment to use the drastic power given under the clause, I am inclined to think we should have reason to fear that the measure would be administered very drastically. If he lost his head when administering the measure as he lost it to-night, the result would be very serious. It was unfortunate that the hon. gentleman went on the way he did to-night.

The TEMPORARY CHAIRMAN: Order!

Mr. SIZER: He entirely lost his head, and referred to this side as reactionary because we are prepared to oppose a clause which practically gives to the Minister power to invade the rights of an individual, and take entirely from his control the administration of his own affairs beyond the reasonable limits within which the State should interfere. No responsible party can admit that for one moment. We should not allow any Minister to pry into people's private affairs against their will and against the best interests of all concerned. It is against the best interests of the State to allow such a thing. Who is going to arrive at the decision as to when a crisis has arisen when the Governor in Council should direct certain things to be done? Who shall say that a certain industry shall do certain things? The people engaged in the industry are best able to judge what is best to be done. Neither the Government nor any other body are as competent to form an opinion as those concerned in the industry themselves. Those who are least competent will have the right to dictate under the authoritative powers of this clause when certain things shall be done. If opposing such a clause is reactionary, then I am glad I am reactionary.

OPPOSITION MEMBERS: Hear, hear!

Mr. SIZER: It is the actions of hon. members opposite in reducing wages that I call reactionary. They are the reactionaries.

The TEMPORARY CHAIRMAN: Order! I hope the hon. member will deal with the clause.

Mr. SIZER: This clause permits the Minister to invade the rights of the individual unduly. That is not in the best interests of the State. If anything is going to break down the scheme of insurance, this clause will do it, particularly with a reactionary Minister who lost his head to-night. He would use drastic measures, and he will have ample scope under this clause to use drastic measure in a drastic way. I appeal to the Minister to let reason prevail. The success of this scheme depends upon the good feeling of those who have to carry it out. Coercion is not going to help it. Coercion is always opposed to British rule. It is repulsive in every shape and form. Here we have coercion against one section of the community. The directors of industry are to be coerced to do things which may not be in the best interests of the industry or the State. They can be put into action on the word of the Minister, who

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is not a competent judge. No Minister can be competent to deal with all the industries in the State which may come within the ambit of this Bill. It is not possible. Every branch of industry is specialised, and only those who are specialising in industry are capable of saying what should be done. The Minister may have an Order in Council issued to those directing industry. No Minister can be expected to qualify to fill such a position in the time that he occupies his Ministerial position. That is why the clause should not be in the Bill. I oppose the clause most strenuously, and I hope the Minister will see the reasonableness of our argument. I hope the Minister will agree to withdraw the clause. He has admitted that the powers given by it are far too great, and he has whittled them down to a certain extent. I suggest to him that for the success of this insurance scheme—and certain credit will be due to him if it is a success—he should drop the clause, because I honestly believe it may wreck the whole scheme.

\* Mr. SWAYNE (*Mirani*): The Minister just now accused me of not having read the clause. Unfortunately for him, I had read the clause. After all, who is the Governor in Council? Ministers like the hon. member in charge of the Bill; and we only need to witness the exhibition he has just given us to realise what we have to expect at the hands of the likes of him. We might see hundreds of men waiting in the sugar districts when an election was coming on and their votes bought by an order from the Governor in Council starting the mills, quite regardless of whether the crop was ripe or not. Do you think that the hon. member would bother very much whether it was so or not?

Hon. W. FORGAN SMITH: Do you bother about a question of paying the wages of your employees?

Mr. BEBBINGTON: You never employed anyone.

Hon. W. FORGAN SMITH: I have employed numbers of men.

Mr. SWAYNE: We can only judge by the intolerant, not to say the abusive, attitude which the hon. member adopts towards any member on this Bill who opposes him what would be the position of the unfortunate employer who came into his clutches, more especially under the condition to which I refer in the sugar districts, where hundreds of votes might be bought by the Governor in Council—in other words, by gentlemen like the hon. member—issuing instructions to the mills to start work. What do they care for the responsibilities committed to them? What weighs most with the hon. member—the chance of winning a seat or two or that justice should be done?

Mr. BEBBINGTON (*Drayton*): Mr. Pollock, if you will let me talk to the Minister for a few minutes as you let him talk to us, I shall be much obliged to you. (Laughter.) The Minister talked about the Governor in Council controlling the operation of this measure. Who is the Governor in Council but the Government, who have three representatives out of five on the Council? Is not the Minister part of the Governor in Council? Does he not represent the Government? My opinion is that the policy of the present Government and of the Labour party throughout Australia is to break up private industry, and that this clause is going to do more towards that end than anything else. Their policy is to injure the

private employer as much as they can, to cut down the values of land and of business, and here they introduce insecurity—because a man is not to be allowed to control his own industry. That is one way of reducing the value of a business and of preventing people from going into business, and will really bring about unemployment. It will really create unemployment. What is at the bottom of this clause? It is inserted to carry out the Government policy of communism. When they have reduced the value of property sufficiently, when they have discouraged industry, when they have discouraged the capitalist from coming here and starting business—as they did in 1919, when one employer in Brisbane employing 700 hands distinctly stated that, if that Bill were passed, he would have to put down £2,500 as a first deposit, and he intended closing his works, going down to Sydney, manufacturing his goods and sending them up here by boat—then they will be satisfied. That is what will happen with a clause like this. Therefore, I contend that, instead of a decrease in unemployment, there will be a creation of unemployment.

The SECRETARY FOR AGRICULTURE: No.

Mr. BEBBINGTON: Here is a Minister who only a few days ago hoisted the red flag in the Sydney Domain. (Laughter.)

The TEMPORARY CHAIRMAN: Order!

Mr. BEBBINGTON: This clause has something to do with the doctrine which that Minister preached in the Sydney Domain. It will damage industry, it will damage the employers and create lower values, so that the Government can buy the whole lot up cheaply and start communism.

OPPOSITION MEMBERS: Hear, hear! (Laughter.)

Mr. G. P. BARNES (*Warwick*): I look upon not only this clause but many of the clauses that are to follow as containing principles that will have a most serious effect upon our life. The Government of the day are out to damage the country; they are doing it deliberately. The work that they are doing is of a confiscatory nature, and is going to bring ruin upon many of our industries. What right have the Government to command or coerce any body of people to do this, that, or the other?

Mr. PEASE: Where is your sympathy for the unemployed now?

Mr. G. P. BARNES: Let the hon. member hold his tongue and employ people. My sympathy for the unemployed is demonstrated by the fact that I am connected with the employment of 500 people. The work of a Chinese pirate is a gentleman's work compared with work of this nature. The work of a brigand is the only work that can be compared with that which is being done by this Government.

The TEMPORARY CHAIRMAN: Order! I ask the hon. member to restrain himself.

Mr. G. P. BARNES: You cannot restrain yourself in a case of this kind.

The TEMPORARY CHAIRMAN: The hon. member will have to do so.

Mr. G. P. BARNES: It is most difficult to do it. I still maintain that there is no language strong enough to indicate how reprehensible any Government are who seek to interfere with the conduct of affairs in the way in which this Bill does. This is their own Unemployed Workers Bill which their

*Mr. G. P. Barnes.]*

late leader was ashamed of and cast into the wastepaper basket. If the Government pass this Bill, they are going to put a blot upon our life such as they will never remove. It may fall upon others to do so, but in the meanwhile it is going to have a disastrous effect upon our lives and upon the well-being of the community.

Mr. TAYLOR (*Windsor*): I sympathise with the hon. member for Warwick and other hon. members. It is very difficult to find words to describe adequately the pernicious effects this clause will have. It is all very well for hon. members opposite to deny what has been said regarding the effect of such a clause. During times of war and times of famine it is probably necessary for a Government to introduce drastic and extreme legislation. A Government would probably be justified in doing so. This clause is a very extreme and drastic one, and this is not the occasion to introduce it. It is a scandal and a disgrace to think that the Government have got into such a position that they find it necessary to introduce this clause, which really means the confiscation of the property of certain individuals in the community. We have a tremendous amount of work that requires to be done in this State. Is this clause going to be the means of preventing unemployment? This clause above all others should be omitted from the Bill. Who is going to remain in Queensland to carry on business when a clause like this is going to operate? Business people who come here will be fools, when they know that their time and energy can be better spent in remaining in places where such a clause does not operate. This clause simply means another form of taxation, and may mean the ruination of some industries. It will probably mean the locking up of capital. We want our primary and secondary industries to expand. Is this clause going to have that effect, or is it going to create more unemployment? From whatever angle you view this clause, no one can argue that it is going to [10.30 p.m.] improve the conditions of Queensland, and I hope the Minister even yet will see his way clear to eliminate it from the Bill. In other respects the Bill is a good one, and if this clause is taken out, the Bill will tend to create employment rather than create unemployment. If the clause had any British fair play in it at all it would contain a provision to compensate a man if he loses his capital. The Unemployment Council can compel a man to spend his money in certain directions, but there is no provision to compensate him if he loses his money.

Mr. J. H. C. ROBERTS (*Pittsworth*): The Minister by moving the amendments he has moved has shown that he is afraid of the clause as it was drafted. One cannot help thinking that this clause is a most dangerous one to apply to a State like Queensland. I have heard it said that only those workers who come under an Arbitration Court award or an industrial agreement will come under this Bill. A great deal of capital has been made out of the fact that it is not going to affect farm hands. I want to quote a clause of the Wheat Pool Act—

The TEMPORARY CHAIRMAN: Order! Order!

Mr. J. H. C. ROBERTS: I want to show that under the Wheat Pool Act there is a right to bring farm hands working in the fields under the scope of the Arbitration

Court, and so soon as you bring them under the scope of the Arbitration Court, you bring all farm labourers employed in sowing or in harvesting wheat within the provisions of this Bill. Section 27, subsection (c) of the Wheat Pool Act—

The TEMPORARY CHAIRMAN: Order! The hon. member must connect his remarks with the clause.

Mr. J. H. C. ROBERTS: I claim that the provision in the Wheat Pool Act can be referred to in support of my argument.

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

“That the question be now put.”

Question put; and the Committee divided—  
In division,

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Kirwan
„ Bulcock	„ Land
„ Collins	„ Lacombe
„ Conroy	„ McCormack (proxy)
„ Cooper, F. A.	„ Mullan
„ Cooper, W.	„ Payne
„ Coyne	„ Pease
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Ferricks.

NOES, 29.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Brand and Mr. J. H. C. Roberts.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That clause 7, as amended, stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Kirwan
„ Bulcock	„ Land
„ Collins	„ Lacombe
„ Conroy	„ McCormack (proxy)
„ Cooper, F. A.	„ Mullan
„ Cooper, W.	„ Payne
„ Coyne	„ Pease
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. Pease and Mr. Riordan.

[Mr. G. P. Barnes.

NOES, 28.

Mr. Barnes, G. P.	Mr. Logan
„ Bebbington	„ King
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Patrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Yowles
„ Kerr	„ Warren

Tellers: Mr. Fletcher and Mr. Peterson.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 8—“Annual grant”—put and passed.

Clause 9—“Relief works to reduce unemployment”—

Mr. VOWLES (*Dalby*): This clause contains an objectionable provision with regard to local authorities, and I move the omission, on lines 8 to 56, page 7, both inclusive, of the words—

“(ii.) By Order in Council direct local authorities or other local governing bodies in the said localities to commence and carry out such works as are stated in the Order for the relief of unemployment therein; and all such authorities and other bodies shall conform with such Order.

“Works of the class mentioned in this subsection are hereinafter referred to as relief work.

“An Order in Council under this subsection may prescribe the time within which relief work is to be commenced and the time allowed for the completion of the same.

“(3) For the purpose of enabling any local authority or other local governing body to conform with any such Order, it shall be entitled to obtain from the Treasurer a loan under and subject to the provisions of the Local Works Loans Acts, 1880 to 1899 and the Local Authorities Acts, 1902 to 1920, notwithstanding any limitation on its borrowing powers contained in the said Acts or any other Act, and without taking any poll of electors or obtaining their consent to the work or to the loan, and for that purpose sections 303 to 308, both inclusive (subdivisions iii. and iv. of part xiii., Loans and Local Works carried out by means of Loans) of the last-mentioned Acts and any similar provisions relating to any other local governing body shall not apply.

“(4) If the Governor in Council is satisfied that any such authority or other body has made default in conforming with such Order within the time stated therein, the Governor in Council may by a further Order in Council so declare and direct that all costs, charges, and expenses incurred by the Council in conforming with the Order shall be paid by such authority or body; and thereupon the Council, for and on behalf of the authority or body so in default, and as its irrevocable agent, may conform with such Order, and for that purpose may,

if deemed necessary, obtain a loan on behalf of such authority or body as in subsection 3 hereof is provided, and may recover from such authority or body all costs, charges, and expenses incurred.

“A copy of the Order made for the payment of such costs, charges, and expenses may be filed in the office of the Registrar of the Supreme Court, and may thereupon be enforced in the same manner as if the same were a judgment of that court; and the certificate of the Minister as to the amount of costs, charges, and expenses so incurred shall be *prima facie* evidence of such amount.”

The Governor in Council may direct local authorities to borrow money from time to time to carry out works of certain kinds, whether the local authorities want to proceed with them at that time or not. It is claimed in support of the clause that local authorities make applications for loans from the Treasury from time to time, and that the Government will act on the information obtained in that way, but the clause contains the particularly objectionable feature that, while the Governor in Council may direct them to carry on works, he may also direct them to cease work, whenever he pleases, in order to meet the convenience of seasonal workers. I think that such a principle cannot possibly be accepted by the local authorities, and, in speaking of the local authorities, we are only talking of ourselves, because it is our property which is subject to the rates, and we appoint our representatives on those local authorities, and trust them to carry on our business properly. There is also this objectionable feature in the clause, that the Government subscribe to the principle, understanding that the seasonal workers or others who may be employed are not accustomed to the work, so that, in addition to suffering the original loss, we may have to suffer a very much greater loss, because only second-class work is being done, for the reason that the men employed are unsuitable for the work.

At 10.50 p.m.,

The CHAIRMAN resumed the chair.

HON. W. FORGAN SMITH (*Mackay*): I do not propose to accept the amendment. There is nothing in the clause to which reasonable exception can be taken. The object is to provide for the relief of unemployment in certain areas. If unemployment exists in any town or locality, works can be started there. There is no power to transfer men from one town to another. The Treasurer, from time to time, is asked to make advances for local authority loan works. They are not always approved of at the time. That list can be gone through, and if there is a large amount of unemployment in any area in which the local authority has applied for a loan, the Treasurer can grant the loan and the work can be proceeded with. The local authorities will be asked to absorb only their own men, and it will not mean hardship on anyone.

Mr. KERR (*Enoggera*): This amendment does not exempt the Government from carrying out the function of providing certain work for the unemployed, or creating such a condition that employment will be available.

Mr. Kerr.]

What is going to be the end of this temporary relief work? If in a local authority area there are up to 100 men unemployed, they are going to be put on local authority work. After that work is completed and the loan money exhausted, where is further work going to come from? That local authority will be forced to take another loan, and that will go on from year to year to keep these men employed. There is no doubt that that is the policy of the Government. It is unreasonable to force relief works on the ratepayers through the local authorities. The question of the competency of the local authority to undertake such work does not enter into consideration. The local authorities are limited in their borrowing to five times the amount of the revenue they receive. It is now proposed to increase that as many times as possible to provide this extra work, without respect to the provisions of the Local Authorities Act.

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

“That the question be now put.”

Question put; and the Committee divided:—

In division,

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Land
„ Bulcock	„ Larcombe
„ Collins	„ McCormack (proxy)
„ Conroy	„ Mullan
„ Cooper, F. A.	„ Payne
„ Cooper, W.	„ Pease
„ Coyne	„ Pollock
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. Riordan and Mr. Ryan.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. King and Mr. Sizer.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

[11 p.m.]

Question—That the words proposed to be omitted (*Mr. Vowles's amendment*) stand part of clause 9—put; and the Committee divided—

In division,

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I declare that, in addition to

[*Mr. Kerr.*

voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Land
„ Bulcock	„ Larcombe
„ Collins	„ McCormack (proxy)
„ Conroy	„ Mullan
„ Cooper, F. A.	„ Payne
„ Cooper, W.	„ Pease
„ Coyne	„ Pollock
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Brand and Mr. Sizer.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That clause 9 as read stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Land
„ Bulcock	„ Larcombe
„ Collins	„ McCormack (proxy)
„ Conroy	„ Mullan
„ Cooper, F. A.	„ Payne
„ Cooper, W.	„ Pease
„ Coyne	„ Pollock
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Brand and Mr. Logan.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 10—"Power to order postponement of certain works"—

Mr. FLETCHER (*Port Curtis*): This is another most dangerous clause, as it takes control of certain works out of the hands of the local authorities.

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

"That the question be now put."

Question put; and the Committee divided:—

AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Larcombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

NOES, 28.

" Barnes, G. P.	Mr. King
" Bebbington	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Corser	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Sizer
" Fry	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren

Tellers: Mr. J. Jones and Mr. Logan.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That clause 10 as read stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Larcombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
" Bebbington	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Corser	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Sizer
" Fry	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren

Tellers: Mr. J. Jones and Mr. Logan.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 11—"Railway passes"—

Mr. VOWLES (*Dalby*): I cannot understand why the cost of railway passes should be charged to the fund. The practice when a man is sent by the Labour Bureau to work in the country is for the employer to pay his railway fare and deduct it out of his wages.

Hon. W. FORGAN SMITH: That is going to be altered, because the man is an insured person.

Mr. VOWLES: If you are going to pay the fares of men going from district to district in a seasonal occupation, it will not be a fair thing.

Hon. W. FORGAN SMITH: If they have work to go to, they should be assisted in this way.

Mr. VOWLES: They should refund the fee when they obtain work.

Mr. TAYLOR (*Windsor*): Mr. Kirwan—

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

"That the question be now put."

Question put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Larcombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

Mr. Vowles.]

NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Elphinstone and Mr. Maxwell.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That clause 11, as read, stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Land
„ Bulcock	„ Larcombe
„ Collins	„ McCormack (proxy)
„ Conroy	„ Mullan
„ Cooper, F. A.	„ Payne
„ Cooper, W.	„ Pease
„ Coyne	„ Pollock
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Fletcher and Mr. Logan.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 12—“Advertisements” —

Mr. VOWLES (*Dalby*): This clause permits unwarranted interference with the employer. If a man cannot employ whom he likes in his own business, it is a very bad state of affairs.

Mr. MAXWELL (*Toowong*): This is a clause which interferes directly with the liberty of the subject. The Unemployment Council is to be allowed to state how and in what papers employers shall advertise. I should not be surprised if the Council compels the employer to advertise in the “Daily Standard” or the “Worker.” I would like to see the clause deleted.

Mr. TAYLOR (*Windsor*): We have previously had a most drastic and pernicious clause retained in the Bill to-night, and this is a

[*Mr. Vowles.*

similar clause. If ever there was a time when we were discussing legislation gone mad, we are discussing it in this particular clause. The Unemployment Council has power to direct an employer where, when, and how to advertise; in fact, he cannot advertise at all unless he asks the Council for permission to do so. The clause is no credit to the Government which introduce it. It is a shame in a British community to discuss legislation such as this. This clause should be deleted. There was never any need to put it in the Bill, and employers will not advertise for any labour at all.

Mr. KERR (*Enoggera*): This clause fixes the conditions under which employers may publicly advertise for labour. They will have to go to the Trades Hall for any labour they desire. This clause is a serious restriction to employers, as they will be compelled to conform to certain conditions which they object to. People will not come into the

[11.30 p.m.] State to start new industries under these conditions. They will wait till a new Government comes in before they will come here. This restriction on employers should be removed, and they should be permitted to engage their own hands. We have been here fourteen or fifteen hours to-day, and this is a Government who believe in an eight-hour day. We have unemployment everywhere, and it is the unemployment which is going to put the Government out of office; yet they bring in a Bill like this.

Mr. PAYNE (*Mitchell*): It is a pity the unemployed were not here to hear the arguments of the Opposition. Why, we had to “gag” a clause which provided that the Minister could give a railway pass to any unemployed person. The Opposition have been complaining about the Government giving doles to men out of work, yet, when we make an attempt to deal with the unemployed problem by starting a scheme of insurance, members opposite condemn it. If they condemned the Bill right out and said they were opposed to the whole of it, I could understand it; but I have not heard one logical argument against any part of the Bill. I have been in Parliament eighteen years, and I never heard an Opposition put up such silly arguments against a Bill as the Opposition have done to-night.

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

“That the question be now put.”

Question put; and the Committee divided.

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Land
„ Bulcock	„ Larcombe
„ Collins	„ McCormack (proxy)
„ Conroy	„ Mullan
„ Cooper, F. A.	„ Payne
„ Cooper, W.	„ Pease
„ Coyne	„ Pollock
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 23.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Kerr and Mr. Sizer.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That clause 12 stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

## AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Land
„ Bulcock	„ Larcombe
„ Collins	„ McCormack (proxy)
„ Conroy	„ Mullan
„ Cooper, F. A.	„ Payne
„ Cooper, W.	„ Pease
„ Coyne	„ Pollock
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Kerr and Mr. Sizer.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 13—“Land may be set apart for labour farms”—

Mr. KERR (*Enoggera*): Mr. Kirwan—

The PREMIER: I beg to move—

“That the question be now put.”

(Uproar.)

Mr. SIZER (*Vundah*): Mr. Kirwan, I ask whether the question has been sufficiently debated. (Renewed uproar.)

The CHAIRMAN: Order!

Question—That the question be now put—put; and the Committee divided:—

In division,

Mr. J. H. C. ROBERTS (*Pittsworth*): It rests with you, Mr. Kirwan, to say whether the question has been sufficiently debated.

Mr. SIZER (*Vundah*): I rise to a point of order. I would like to know whether the question has been sufficiently debated. (Continued uproar.)

The CHAIRMAN: Order!

Mr. J. H. C. ROBERTS (to the Chairman): You ought to give your ruling. It rests entirely with you.

The CHAIRMAN: Order! I suggest that the hon. member study the Standing Orders.

Mr. SIZER: I want to know if the question has been sufficiently debated. (Renewed uproar.)

The CHAIRMAN: I ask the hon. member to resume his seat. The question is—That the question be now put.

Mr. SIZER (to the Chairman): I suggest that you study the Standing Orders, in view of the fact that two clauses have been put without debate at all.

Mr. J. H. C. ROBERTS: I suggest that the Speaker should give us a lecture on the Standing Orders.

Mr. MORGAN: A prostitution of the Standing Orders!

The PREMIER: I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

## AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Land
„ Bulcock	„ Larcombe
„ Collins	„ McCormack (proxy)
„ Conroy	„ Mullan
„ Cooper, F. A.	„ Payne
„ Cooper, W.	„ Pease
„ Coyne	„ Pollock
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 28.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Bell	„ Maxwell
„ Brand	„ Moore
„ Cattermull	„ Morgan
„ Corser	„ Peterson
„ Costello	„ Petrie
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Sizer
„ Fry	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ Kerr	„ Warren

Tellers: Mr. Logan and Mr. Warren.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Mr. Sizer.}

Question—That clause 13 stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Larcombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
" Bebbington	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Corser	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Sizer
" Fry	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren

Tellers: Mr. Bell and Mr. Logan.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

The CHAIRMAN: Whilst the division was being taken I heard the hon. member for Murilla make a reflection on the Chair to the effect that I had prostituted the Standing Orders. I now ask the hon. member to withdraw that statement.

12 p.m.

Mr. MORGAN (*Murilla*): I withdraw, but I still have my opinion,

The CHAIRMAN: Order! I ask the hon. member to make an unconditional withdrawal.

GOVERNMENT MEMBERS: Hear, hear!

Mr. MORGAN: Why pick on me?

The CHAIRMAN: Order!

Mr. PEASE: Have you got any more stock to shift?

Mr. MORGAN: Have you got any more sly grog to sell? (Interruption.)

The CHAIRMAN: Order! I have asked the hon. member for Murilla to withdraw, and I hope that hon. members will remain quiet and not engage in a "barney" across the Chamber.

Mr. MORGAN: All right, Mr. Kirwan, in deference to your wishes, I withdraw.

Clause 14—"Right to work"—

HON. W. FORGAN SMITH (*Mackay*): I beg to move the insertion, after line 39, of the following:—

"(c) Any person who is in receipt of a periodical payment made under or pursuant to the provisions of the Workers' Compensation Acts, 1916 to 1921."

Mr. VOWLES (*Dalby*): I beg to move—

"That the question be now put."

OPPOSITION MEMBERS: Hear, hear!

[*Hon. W. Forgan Smith.*]

Mr. SIZER (to the Chairman): Now we will see your fairness. (Uproar.)

The CHAIRMAN: Order!

HON. W. FORGAN SMITH: The object of the amendment is that no one shall receive sustenance who is in receipt of payment under the Workers' Compensation Acts.

Question—That the words proposed to be inserted (*Mr. Smith's amendment*) be so inserted—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

Mr. EDWARDS (*Nanango*): In the interests of the country, I ask you, Mr. Kirwan, to read the amendment. (Uproar.) We did not hear it. (Resumed uproar.)

The CHAIRMAN: Order: I would point out to the hon. member that the amendment has been printed and circulated. If he has a little patience, I will read it when I put the question to the Committee.

AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Larcombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

NOES, 19.

Mr. Barnes, G. P.	Mr. Maxwell
" Bebbington	" Morgan
" Bell	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, T. R.
" Elphinstone	" Sizer
" Fletcher	" Swayne
" Kerr	" Taylor
" King	" Warren
" Logan	

Tellers: Mr. Bell and Mr. Logan.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That clause 14, as amended, stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Huxham
" Bertfarn	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Larcombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 27.

Mr. Barnes, G. P.	Mr. Logan
" Bebbington	" Maxwell
" Bell	" Moore
" Brand	" Morgan
" Cattermull	" Peterson
" Corser	" Petrie
" Costello	" Roberts, J. H. C.
" Edwards	" Roberts, T. R.
" Elphinstone	" Sizer
" Fletcher	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren
" King	

Tellers: Mr. Bell and Mr. Logan.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 15—*“Technical training of worker.”*

Mr. KERR (*Enoggera*): Mr. Kirwan—

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

“That the question be now put.”

Question put; and the Committee divided:—

In division,

Mr. J. H. C. ROBERTS (*Pittsworth*): This is surely worthy of some debate. (Uproar.) I protest against this; it is neither reasonable nor fair. Give us 10 minutes on it. (Renewed uproar.)

The PREMIER (Hon. E. G. Theodore, *Chillagoe*): I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

## AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Lacombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 28.

Mr. Barnes, G. P.	Mr. King
" Bebbington	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Corser	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Sizer
" Fry	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren

Tellers: Mr. Bell and Mr. Logan.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That clause 15, as read, stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

## AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Land
" Bulcock	" Lacombe
" Collins	" McCormack (proxy)
" Conroy	" Mullan
" Cooper, F. A.	" Payne
" Cooper, W.	" Pease
" Coyne	" Pollock
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 12.

Mr. Costello	Mr. Petrie
" Elphinstone	" Roberts, J. H. C.
" Fletcher	" Roberts, T. R.
" Green	" Taylor
" Logan	" Vowles
" Maxwell	" Warren

Tellers: Mr. Fletcher and Mr. Warren.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

At 12.20 a.m.,

Mr. POLLOCK (*Gregory*), one of the panel of Temporary Chairmen, relieved the Chairman in the chair.

Clause 16—*“General powers”*—

Mr. KERR (*Enoggera*): Mr. Pollock, I have an amendment to move on this clause.

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

“That the question be now put.”

Question put and passed.

Question—That clause 16, as read, stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

## AYES, 32.

Mr. Barber	Mr. Huxham
" Bertram	" Jones, A. J.
" Brennan	" Kirwan
" Bulcock	" Land
" Collins	" Lacombe
" Conroy	" McCormack (proxy)
" Cooper, F. A.	" Mullan
" Cooper, W.	" Payne
" Coyne	" Pease
" Dash	" Riordan
" Edwards	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 20.

Mr. Barnes, G. P.	Mr. Logan
„ Bebbington	„ Maxwell
„ Corser	„ Moore
„ Costello	„ Morgan
„ Edwards	„ Roberts, J. H. C.
„ Elphinstone	„ Roberts, T. R.
„ Fletcher	„ Swayne
„ Green	„ Taylor
„ Jones, J.	„ Vowles
„ King	„ Warren

Tellers: Mr. Edwards and Mr. J. H. C. Roberts.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Clause 17—“*Publication and effect of orders*” —

Question—That clause 17, as read, stand part of the Bill—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the “Ayes” as proxy for Mr. McCormack.

## AYES, 32.

Mr. Barber	Mr. Huxham
„ Bertram	„ Jones, A. J.
„ Brennan	„ Kirwan
„ Bulcock	„ Laud
„ Collins	„ Lacombe
„ Conroy	„ McCormack (proxy)
„ Cooper, F. A.	„ Mullan
„ Cooper, W.	„ Payne
„ Coyne	„ Pease
„ Dash	„ Riordan
„ Ferricks	„ Ryan
„ Foley	„ Smith
„ Forde	„ Stopford
„ Gillies	„ Theodore
„ Gledson	„ Wellington
„ Hartley	„ Winstanley

Tellers: Mr. F. A. Cooper and Mr. Hartley.

## NOES, 22.

Mr. Barnes, G. P.	Mr. King
„ Bebbington	„ Logan
„ Brand	„ Maxwell
„ Cattermull	„ Moore
„ Corser	„ Morgan
„ Costello	„ Roberts, J. H. C.
„ Edwards	„ Roberts, T. R.
„ Elphinstone	„ Swayne
„ Fletcher	„ Taylor
„ Green	„ Vowles
„ Jones, J.	„ Warren

Tellers: Mr. Elphinstone and Mr. Green.

## PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

[12.30 a.m.]

Clause 18—“*Offence against Act*” —

Mr. TAYLOR (*Windsor*): A portion of this clause should certainly be amended. The second paragraph reads—

“Any person guilty of an offence against this Act shall, unless some other penalty is imposed in that behalf, be liable to a penalty not exceeding one hundred pounds. If such person is a company, the individual person guilty of the offence, and also the managing director or other manager in Queensland of the company, shall each of them be liable to the like punishment.”

That is a most drastic provision to put in any Bill, and it should be amended so that only the guilty person will be punished unless it can be proved that there was connivance on the part of the managing director, when, of course, both should be punished.

Mr. MOORE (*Aubigny*): Surely it is not a fair thing that a man who has had no

[*Mr. Taylor.*

opportunity of preventing an offence should be liable to be fined £100 for the offence?

HON. W. FORGAN SMITH (*Mackay*): There is something in the point raised by the hon. member, but it is a fact that in some cases firms get their employees to commit offences and then wash their hands of the offence afterwards if it is found out. However, I move the insertion after the word “company,” on line 29, of the words—

“who knowingly permits the commission of the offence.”

Amendment agreed to.

Clause, as amended, put and passed.

Clause 19—“*No action against Minister, etc.*” —

Mr. KING (*Logan*): I move the insertion after the word “Minister,” on line 36, of the words—

“or any member of a local authority”

There are provisions in the Local Authorities Act which distinctly refer to local authority members exceeding their powers so far as borrowing is concerned.

HON. W. FORGAN SMITH: That is provided for in subclause (3) of clause 9.

Mr. KING: That is not so. I have very grave doubts about the matter, and if there is any doubt about it, it is only fair that the Government should see that members of local authorities who carry out their duties under an Act of Parliament should be given that protection which it is proposed to give to the Crown, the Unemployment Council, the Minister, or any overseer of a labour farm or other officer, otherwise you are really penalising these men from carrying out a public duty.

HON. W. FORGAN SMITH: Clause 9, subclause (3) provides the protection the hon. member is referring to, but in order to put it beyond any scintilla of a doubt, I am prepared to accept an amendment to insert after the word “Minister,” on line 36, the words “or any member of a local authority while acting in his capacity as a member of the local authority.”

Mr. KING: Under those circumstances, I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

HON. W. FORGAN SMITH: I beg to move the insertion, after the word “Minister,” on line 36, of the words—

“or any member of a local authority while acting in his capacity as a member of the local authority.”

Amendment agreed to.

Clause, as amended, put and passed.

Clause 20—“*Regulations*” —

Mr. VOWLES (*Dalby*): I beg to move the omission, after the word “regulations,” on line 41, of the following words:—

“providing for all or any purposes, whether general or to meet particular cases, that may be convenient for the administration of this Act, or that may be necessary or expedient to carry out the objects and purposes of this Act, and, where there may be in this Act no provision or no sufficient provision in respect of any matter or thing necessary or expedient to give effect to this Act, providing for and supplying such omission or insufficiency” —

with a view to inserting the words—

“necessary and expedient for the proper administration of this Act.”

HON. W. FORGAN SMITH (*Mackay*): I do not propose to accept the amendment. In a measure of this kind, where nothing of this nature has been in operation before, the Governor in Council must necessarily have power to make regulations for the proper and effective carrying out of the Act, and those regulations will have to be in accordance with the tenor of the Act. It is necessary to have this power.

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

MR. KERR (*Enoggera*): I beg to move the insertion, after line 51, of the following words:—

“Issuing a certificate to any person exempting such person from contributions to the Insurance Fund who may satisfy the Council that provision for unemployment is unnecessary.”

I have just received a copy of an amendment which the Minister proposes to move, but in that amendment the exemption is limited to the superannuation fund. The principle of the amendment, however, is exactly the same as that of my amendment, and I hope the Minister will widen his amendment in the direction I have proposed. My amendment allows an exemption in the case of those in regard to whom there is no necessity to make provision for unemployment.

HON. W. FORGAN SMITH (*Mackay*): I do not propose to accept the amendment. I have circulated an amendment which covers in the fullest degree all that is necessary. The Unemployment Council cannot deal with individual cases of exemption, as it would seriously militate against the effective working of the Act; it can deal only with industries. The amendment I propose to move later on deals with the cases of persons who claim that the conditions of employment are such that they do not require to be insured. Under the Workers' Compensation Act every man engaged as an employee is subject to be insured, and that enables that measure to be administered effectively, and at a comparatively small cost. If insurance were limited to men who were most in danger of accident, the premium would be unduly high; consequently, we can deal only with industries and classes of industries.

MR. KERR (*Enoggera*): I am sorry that the Minister will not widen the scope of his amendment. I ask the Minister whether, in the case of a man who has a sufficient income to maintain him in comfort for his life, it is intended that the Act shall apply to him in regard to sustenance allowance.

HON. W. FORGAN SMITH: If he is working in an industry which is insured, he will come under the Act. You might use the same argument in regard to the Workers' Compensation Act.

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

HON. W. FORGAN SMITH (*Mackay*): I move the insertion, after line 54, of the following proviso:—

“(ii.) The exemption from the operation of this Act of any class or classes of persons in connection with any industry who make application to the Council in that behalf

and satisfy the Council that such persons are entitled to rights in a superannuation fund for the benefit of persons employed in such industry, and that such persons are not subject to dismissal except for misconduct or for neglect in the performance of or unfitness to perform their duties, and that the terms and conditions on which such persons are engaged make it unnecessary that they should be insured under this Act.”

There are certain occupations and callings where it is not necessary to insure all the men in the industry. Men who are subject to dismissal on the ground of misconduct are, naturally, not included in a measure of this kind. Such people will have the opportunity of approaching the Unemployment Council for exemption, which can be granted.

Amendment (*Mr. Smith*) agreed to.

Clause 20, as amended, put and passed.

Clause 21—“*Report to be laid before Parliament*”—put and passed.

Schedule—“*Rates of sustenance allowance for unemployed workers, etc.*”—

HON. W. FORGAN SMITH (*Mackay*): I beg to move the insertion, after line 47, page 14, of the following further proviso:—

“Provided further that the Council may, with the approval of the Governor in Council, make rules whereby a worker who has contributed to the fund for a period of not less than six months, and whose subsequent usual employment is of a kind which is not within the provisions of this Act, may nevertheless whilst unemployed be and be deemed to be a person entitled to sustenance allowance under the conditions herein provided, and that upon returning to an employment of a kind which is within the provisions of this Act the period aforesaid during which he has contributed to the fund shall be deemed a sufficient compliance with the requirement of contribution herein provided.”

The object of this provision is obvious. A man who has been paying for six months becomes entitled to the benefits of the fund. He may obtain employment in some other industry not subject to insurance, and it would be unfair to deprive him of the rights that have accrued to him. If he goes into another industry, the insurance will stand good; in other words, he will be kept financial.

Amendment (*Mr. Smith*) agreed to.

Schedule, as amended, put and passed.

[1 a.m.]

#### REPORT STAGE.

HON. W. FORGAN SMITH (*Mackay*): Mr. Pollock, I beg to move—

“That you do now leave the chair and report the Bill with amendments to the House.”

MR. VOWLES (*Dalby*): Mr. Pollock, I take exception to you leaving the chair, because we have not had an opportunity of discussing the clauses of the Bill in Committee.

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

“That the question be now put.”

*Hon. E. G. Theodore.*]

Question put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 31.

Mr. Barber	Mr. Jones, A. J.
" Brennan	" Kirwan
" Bulcock	" Land
" Collins	" Larcombe
" Conroy	" McCormack (proxy)
" Cooper, F. A.	" Mullan
" Cooper, W.	" Payne
" Coyne	" Pease
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley
" Huxham	

Tellers: Mr. Barber and Mr. Forde.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
" Bebbington	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Corser	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Sizer
" Fry	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren

Tellers: Mr. Edwards and Mr. J. H. C. Roberts.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

Question—That the Temporary Chairman leave the chair and report the Bill with amendments to the House—put; and the Committee divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 31.

Mr. Barber	Mr. Jones
" Brennan	" Kirwan
" Bulcock	" Land
" Collins	" Larcombe
" Conroy	" McCormack (proxy)
" Cooper, F. A.	" Mullan
" Cooper, W.	" Payne
" Coyne	" Pease
" Dash	" Riordan
" Ferricks	" Ryan
" Foley	" Smith
" Forde	" Stopford
" Gillies	" Theodore
" Gledson	" Wellington
" Hartley	" Winstanley
" Huxham	

Tellers: Mr. Bulcock and Mr. Foley.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
" Bebbington	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Corser	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Sizer
" Fry	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren

Tellers: Mr. Fry and Mr. Sizer.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

The House resumed.

The TEMPORARY CHAIRMAN reported the Bill with amendments.

HON. W. FORGAN SMITH (*Mackay*): I beg to move—

"That the Bill, as amended, be now taken into consideration."

Mr. SIZER (*Nundah*): Mr. Speaker—

The SPEAKER put the question and declared it in favour of the "Ayes."

Mr. VOWLES (*Dalby*): Mr. Speaker, I would like to draw your attention to the fact that the hon. member for Nundah rose and called you by name in a tone sufficiently loud for you to hear him.

Mr. SIZER: Play the game.

MOTION FOR THIRD READING.

HON. W. FORGAN SMITH (*Mackay*): I beg to move—

"That the third reading of the Bill stand an Order of the Day for Tuesday next."

Mr. VOWLES (*Dalby*): Mr. Speaker, I beg to draw your attention to the fact that you are not playing the game. (Uproar.)

Mr. WARREN: Queensland's freedom has gone for ever.

Question—That the third reading be made an Order of the Day for Tuesday next—put; and the House divided:—

In division,

The PREMIER: I declare that, in addition to voting in my own right, I vote for the "Ayes" as proxy for Mr. McCormack.

AYES, 32.

Mr. Barber	Mr. Jones, A. J.
" Brennan	" Kirwan
" Bulcock	" Land
" Collins	" Larcombe
" Conroy	" McCormack (proxy)
" Cooper, F. A.	" Mullan
" Cooper, W.	" Payne
" Coyne	" Pease
" Dash	" Pollock
" Ferricks	" Riordan
" Foley	" Ryan
" Forde	" Smith
" Gillies	" Stopford
" Gledson	" Theodore
" Hartley	" Wellington
" Huxham	" Winstanley

Tellers: Mr. F. A. Cooper and Mr. Gledson.

NOES, 28.

Mr. Barnes, G. P.	Mr. King
" Bebbington	" Logan
" Bell	" Maxwell
" Brand	" Moore
" Cattermull	" Morgan
" Corser	" Peterson
" Costello	" Petrie
" Edwards	" Roberts, J. H. C.
" Elphinstone	" Roberts, T. R.
" Fletcher	" Sizer
" Fry	" Swayne
" Green	" Taylor
" Jones, J.	" Vowles
" Kerr	" Warren

Tellers: Mr. Kerr and Mr. Warren.

PAIR.

Aye—Mr. Gilday. No—Mr. Macgregor.

Resolved in the affirmative.

The House adjourned at 1.15 a.m.