Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 27 NOVEMBER 1934

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Mr. SPEAKER (Hon. G. Pollock, *Gregory*) took the chair at 10.30 a.m.

QUESTIONS.

AUSTRALIAN AND ARGENTINE MEAT SUPPLIES DURING GREAT WAR.

Mr. W. J. COPLEY (*Bulimba*) asked the Premier—

"1. Is it a fact that in 1914 this Parliament passed a Bill to provide that all available supplies of Queensland meat be secured for the use of His Majesty's Imperial Government during the Great War, and that clause 6 subclause (1) provided that all stock and meat in any place in Queensland are and have become

and shall remain subject to this Act and shall be held for the purposes of and shall be kept for the disposal of His Majesty's Imperial Government in aid of the supplies for His Majesty's armies in the present war?

"2. Was 'The Sugar Acquisition Act of 1915' an addition to and supplemental of this Act?

"3. Did the Government of Argentine pass any such similar Act, or otherwise guarantee the whole of their export meat for the use of the British army?

"4. Can he advise the average price paid by Britain to Queensland and the Argentine for beef supplied to the Imperial armies during the currency of the Great War?"

The PREMIER (Hon. W. Forgan Smith, *Mackay*) replied—

"1. Yes. Section 6 of 'The Meat for Imperial Uses Act of 1914' provided—'It is hereby declared that all stock and meat in any place in Queensland are and have become and shall remain subject to this Act, and shall be held for the purposes of and shall be kept for the disposal of His Majesty's Imperial Government in aid of the supplies for His Majesty's armies in the present war and that forthwith upon the making of an order in writing under the hand of the Chief Secretary, or Under Secretary to the Chief Secretary, all stock and meat mentioned in such order shall cease to be the property of the then owner or owners thereof and shall become and remain the absolute property of His Majesty, freed from any mortgage, charge, lien, or other encumbrance thereon whatsoever.'

"2. Yes.

"3. I have not been able to ascertain any authentic particulars as to the nature of any contract or agreement between the Governments of the United Kingdom and Argentine relating to meat supplies during the war period.

"4. The agreement between the Queensland Government and meat export companies and meatworks provided for the following prices for beef for the period mentioned:—

"From 2nd February, 1915, to 19th April, 1916—

	Per lb. F.O.B. d.
Ox beef, approved or passed, crops and hinds	$4\frac{1}{2}$
Cow beef	$4\frac{1}{4}$

"From 19th April, 1916, to termination of agreement—

	Per lb. F.O.B. d.
Crops and Hinds—	
Ox beef, approved or passed ...	$4\frac{7}{8}$
Cow beef, approved	$4\frac{5}{8}$
Cow beef, passed	$4\frac{5}{8}$

"In both cases, free storage was provided for, for a period of twenty-eight days. Subsequent storage charges were debited to the Imperial Government.

"During the war period the following figures, published as appendix to the 'Cattle and Beef Survey' prepared by the Intelligence Branch of the Imperial Economic Committee, issued by His Majesty's Stationery Office, London, in June, 1934, are quoted to illustrate the course of wholesale prices of Argentine chilled beef in England—

Argentine Chilled.	March.	June.	September.	December.
	d.	*d.*	*d.*	*d.*
1914	..	..	$6\frac{1}{2}$	7
1915	$6\frac{3}{8}$	$8\frac{1}{8}$	7	7
1916	$7\frac{3}{4}$	$9\frac{7}{8}$	$8\frac{1}{2}$	$9\frac{3}{8}$
1917	$11\frac{3}{8}$	$12\frac{7}{8}$	$11\frac{1}{4}$	$10\frac{1}{2}$
1918	$10\frac{7}{8}$	..	..	..

"(As stated in (3), no particulars can be ascertained of the terms and conditions of any agreement or contract between the Governments concerned for beef supplies for army purposes during the war period.)"

ALLEGED DISMISSAL OF NON-UNIONIST RELIEF WORKERS.

Mr. MAHER (*West Moreton*), without notice, asked the Secretary for Labour and Industry—

"1. Is it a fact that seventeen relief workers were sacked at Coolangatta for not purchasing union tickets?

"2. What action, if any, has been taken to replace these men in their jobs?"

The SECRETARY FOR LABOUR AND INDUSTRY (Hon. M. P. Hynes, *Townsville*) replied—

"I have no advice of the occurrence mentioned by the hon. member other than what I have seen in the press."

PAPERS.

The following papers were laid on the table:—

Order in Council under "The Supreme Court Act of 1921."

Amendment to return laid upon the table of the House on 9th November, showing fees and emoluments paid to barristers and solicitors.

PERSONAL EXPLANATION.

Mr. MAHER (*West Moreton*) [10.37 a.m.], by leave: I wish to make a personal explanation. This report of part of my speech on the second reading of the Main Roads Acts Amendment Bill appears in "Hansard"—

"Mr. MAHER: In regard to the building of big main roads in competition with the railways, which appears to be the policy of the Minister, I think it would be far better if the hon. gentleman were to curtail his desire in that

direction and concentrate his attention on the building of secondary feeder roads from the principal farming and agricultural centres to the railways.

"The Secretary for Public Works: If you knew anything about the matter, you would know that has been done.

"Mr. MAHER: It has not been done. The whole State is clamouring for roads of that nature.

"The Secretary for Public Works: They are getting them every day.

"Mr. MAHER: There is evidence in every district that they are not getting them."

What is stated there does not correctly represent what I had in my mind. (Government laughter.)

The PREMIER: Do you expect the "Hansard" staff to be mind-readers?

Mr. MAHER: An Irishman is allowed to speak twice in order to make himself understood, and so I claim that an Australian should also have the right to speak twice to make himself understood. (Government laughter.) It would be quite reasonable to argue——

Mr. SPEAKER: Order! The hon. member must not debate a personal explanation.

Mr. MAHER: This is the real crux of the whole position. I intended to say that the Main Roads Commission had certainly been constructing main roads as feeders to the railway. I do not wish to do the Commission or the Minister any injustice in that respect. My criticism was that the Minister was embarking upon the construction of roads in competition with the railways, whilst at the same time sufficient roads of the main roads type were not being constructed as feeders to the railways.

The PREMIER: Would you mind telling us what you mean now?

Mr. LESCOMBE: Explain your explanation.

Mr. MAHER: I think hon. members will understand that I did not want to make any unfair criticism of the work carried out by the Commission or the Minister.

Mr. SPEAKER: Order!

ABORIGINALS PROTECTION AND RESTRICTION OF THE SALE OF OPIUM ACTS AMENDMENT BILL.

COMMITTEE.

(*Mr. Hanson, Buranda, in the chair.*)

Clauses 1 to 3, both inclusive, agreed to.

Clause 4—"*Amendment of section 3 of the Act* 61 *Vic. No.* 17—*Interpretation*"—

Mr. KENNY (*Cook*) [10.42 a.m.]: I should like some information from the Minister on this clause. He has not yet intimated what half-castes are to be brought under the Bill. Does he intend to bring all half-castes under this Bill who are at present free from the oversight of the Chief Protector of Aboriginals, or are there other bodies that he has in his mind? For instance, there is a mission for half-caste aboriginals at Hammond Island. It may be that the Minister has an intention of bringing the whole of these people under this Bill as they reach the age of twenty-one years, otherwise the occupants of this mission station will be exempt from the protection of the Chief Protector.

I should also like the Minister to inform the Committee what he really means by the words "associates with aboriginals." At Thursday Island there are a number of half-caste aborigines who are now free from the oversight of the protector, and at all times their companions are aborigines. Some of these half-castes work on the wharf, but they do have their friends amongst the people who are controlled by the protector.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [10.43 a.m.]: The definition of "half-caste," as we know it, is exactly set out in this clause. This clause does not give any power to the Chief Protector to protect these half-castes; that power is contained in a subsequent clause. The definition of a "half-caste" is a half-caste who lives as an aboriginal. We have many half-castes to-day who live in aboriginal settlements and tribes in the ordinary way. They require as much protection as the full-blooded aborigines. A half-caste also means a cross with Asiatics. Later on in the Bill power is given to the Chief Protector to deal with the half-castes who will come under the definition in the Bill.

Clause 4, as read, agreed to.

Clauses 5 to 8, both inclusive, agreed to.

Clause 9—"*Offences: carnal knowledge, etc.*"

Mr. KENNY (*Cook*) [10.45 a.m.]: This is a very dangerous clause and one that I do not think can be administered. In fact, it should not be in the Bill at all. It is a clause that cannot be amended, and, therefore, it is useless attempting to move an amendment on it. I should like the Minister to tell the Committee how he can administer it. With the knowledge I have of country districts I fail to see how the Minister can administer this clause, and I fail to see how he can amend it to enable him to do so. The Government should be able to administer all legislation they place on the statute-book.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [10.45 a.m.]: There may be difficulties in administering the clause, but that is not a reason why the Government should not attempt to do so. No one can argue that it is desirable that any white person should cohabit with or have carnal knowledge of any female aborigine or half-caste. It is not desirable also that white people should consort for immoral purposes with any female aborigine or half-caste. It it not desirable also that any male person, other than an aborigine or half-caste, should procure or induce or attempt to procure or induce any female aborigine or half-caste to have carnal knowledge either with such person or any other person, and so on. These are undesirable things, and the department is endeavouring to repress as much as possible. The fact that penalties are provided may in itself have some effect. Frequently evidence can be obtained of male persons using aboriginal women for immoral purposes or cohabiting with them, and there is now no power in the Act to deal with them.

The question of the growth of half-castes in the State is misunderstood. Frequently one hears a statement as to the immense number of half-caste people in Queensland, but figures do not bear out the alarmist assertions one hears about the growth of the half-caste population. Undoubtedly the half-caste population is growing, as the figures will show. In one settlement—Cherbourg—that is most in contact with white people and consequently would be the one in which might be expected the greatest number of cases of children born of white fathers and aboriginal mothers, the figures are—

POPULATION CHERBOURG ABORIGINAL SETTLEMENT.

Fullblood men	... ...	152
Fullblood women	... ...	112
Fullblood boys	... ...	61
Fullblood girls	... ...	47
		——372
Half-caste men	... ...	137
Half-caste women	... ...	132
Half-caste boys	... ...	115
Half-caste girls	... ...	121
		——505
Total	... ...	877

During the past four and a-half years ended June, 1934, 199 children have been born, as follows:—

Half-caste children	... ...	102
Fullblood children	... ...	86
By half-caste mothers to white fathers	... ...	11
Total	... ...	199

In the year ended June, 1934, four half-caste children were removed to the settlement. Thus, in four and a-half years the proportion of fullblooded children to adults is as 108 to 264, and in the case of half-castes is as 236 to 269. The reason of that is that these half-caste men and women have married and have their families. When the figures relating to the birth of half-caste children are published, the unthinking person is inclined to think that they are the children of a black mother and a white father, or vice versa; but the actual fact is that the great bulk of them are children of half-caste parents living on the settlement or earning their own living without any interference by the department at all.

Other figures that may be given are—

No. of illegitimate children to half-caste fathers	23
No. of children born to half-caste parents legally or tribally married	79
No. of girls sent out to service from settlement during past five years	353
No. of children born to white men from these girls	11

So that when we study the figures we must not infer that these children are the offspring of black mothers and white fathers. The great bulk of them are children of half-caste parents who have married and in most cases have large families. Still, those eleven cases should not have taken place, and the object of the department—in any case, where a white father does in any way interfere with a black woman—is to make it a punishable offence.

The hon. member for Cook suggests that it will be difficult to administer the clause, that it will not be easy to prove the parentage and punish the offender. It is also difficult at times to prove murder or burglary, but we do not for that reason propose to repeal our laws dealing with those offences. This is an honest attempt by the Chief Protector to deal with that evil, and I think the power should be given to inflict a penalty upon any white man who can be proved to have been concerned in this offence.

Mr. RUSSELL (*Hamilton*) [10.51 a.m.]: While the desire of the Minister is laudable, for the lot of the half-caste is an unenviable one, and while it may be possible to check intercourse between a white man and a lubra, what about the cohabitation of the Celestial with the lubra? How can that be checked? We know very well that the Chinese population are denied the right to import their women folk from China, and naturally certain things occur in varying parts of the State. I dare say some of our Western members have greater knowledge than I have, for in the electorate of Hamilton the percentage of half-castes is negligible, whereas in the far West a fair percentage of half-castes will be found. Does the Minister propose to prevent the cohabitation of Chinamen with lubras? The hon. gentleman talks about white men, but I think it will be found that a great number of these half-castes are the issue of a union between Chinamen and aboriginal women. Is the hon. gentleman proposing to stop that, remembering that Chinamen are denied the opportunity of importing their own kith and kin from China? Does the hon. gentleman propose to go the length of prosecuting Chinamen who have intercourse with aboriginal women, and having them sentenced to imprisonment?

The HOME SECRETARY: You have not read the clause.

Mr. RUSSELL: The Minister talks about white men. The blame is not always attributable to white men, and I mention the point because the hon. gentleman's reply seemed to indicate that the clause would apply to white men only.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [10.54 a.m.]: If the hon. member will read the clause he will see that it does not mention specifically a "white man," but provides for "any male person, other than an aboriginal or half-caste. . . ." That would include any nationality at all, other than an aborigine or half-caste. Surely the hon. gentleman is not going to suggest it would be desirable to allow Asiatics to use aboriginal women for these purposes? The meaning of the clause is quite clear.

Mr. KENNY (*Cook*) [10.55 a.m.]: I do not consider it is desirable that any of these things should happen; but we know they do happen, and we know children are not born as a result of each act; nevertheless these things are happening every day. If the Home Department thinks it can administer the law the local protectors in outlying districts of this State will be kept very busy in an attempt to do so. When I see the Chief Protector in twelve months' time after he has made an effort to administer this clause, I shall ask him what results

he has had, and I can imagine him replying, "We are not worrying about section 9."

Clause 9, as read, agreed to.

Clause 10—"*Soliciting, etc., by female aboriginal or half-caste*"—

Mr. KENNY (*Cook*) [10.56 a.m.]: This is the first clause dealing with penalties for offences by an aborigine or half-caste. Money penalties are provided in practically every clause in the Bill, and the only effect they will have is to increase the revenue of the department. Aborigines do not handle their own money, and do not appreciate its worth. If one of them had a banking account of £500 a fine of £50 would not act as a deterrent in the slightest degree. I consider that the proper punishment for an offence under this clause would be to have offenders sent to a place like Palm Island or some other isolation hospital. I take the opportunity to lodge a protest against a system of fines of from £2 to £5 for offences by aborigines and half-castes, because as a deterrent such fines are valueless, and will only be of value in increasing revenue to the department.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [10.57 a.m.]: If the hon. member reads clause 25 he will see that the Minister has power to remove to a reserve any person convicted of an offence under the Act. In order to get a conviction it is necessary to make prostitution a crime. Prostitution amongst whites is not punished by prosecution, but the conviction of an aborigine or half-caste of such an offence—apart from the Criminal Code—will enable the department to place that woman on one of the settlements, as suggested by the hon. member.

Mr. KENNY (*Cook*) [10.58 a.m.]: The Chief Protector already has that power, and it has been exercised on many occasions. Many women have been removed to Palm Island for offences, which indicates there is no necessity for this clause, but even if the argument of the Minister were correct my argument in regard to fines and penalties would still hold good.

Clause 10, as read, agreed to.

Clauses 11 to 14, both inclusive, agreed to.

Clause 15—"*Agreement to employ aboriginals*"—

Mr. KENNY (*Cook*) [10.59 a.m.]: I move the following amendment:—

> "On page 6, line 45, omit the words—
> 'A protector'
> and insert in lieu thereof the words—
> 'The Chief Protector.'"

I make no opposition to the cancellation of contracts when there is a genuine reason for it, but once a contract has been entered into between a protector and an employer with regard to the employment of an aborigine or half-caste, that agreement should not be cancelled by any other person than the Chief Protector. He would analyse the complaint from every angle, and his complete control would perhaps prevent the local protector from being subjected to criticism. There are two sides to every complaint. The local protector may put forward one argument and the station owner, who employs the aborigine, another. This clause gives the local protector full authority to adjudicate on such a complaint. A complaint should be considered on its merits, from the points of view of both the local protector and the employer, and I am quite satisfied that only the Chief Protector is qualified to judge. He could satisfactorily investigate the complaint and in that event no injustice would be done to either party and no criticism could be levelled at the local protector. The amendment could be accepted with advantage to the department.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [11.2 a.m.]: The matter mentioned by the hon. member was very carefully considered before this clause was framed. In the first part of the clause it will be noticed that it is provided that no agreement authorised by the Chief Protector shall be cancelled except by that officer or the Minister. The agreements that the local protectors will have power to cancel will be those authorised by those officers. Local protectors at Thursday Island, Cooktown, and elsewhere along the North Coast and other places make agreements for the employment of natives, and having that power thus to look after the interests of the aborigine, they should certainly be trusted to look after their interests in the matter of complaints. Obviously, delays would take place if the Chief Protector investigated personally every such case. In actual practice, the local protector would send to the Chief Protector information regarding the complaint, his report and recommendation as to what should be done, and the Chief Protector, after a delay of several weeks, would then have to act on the local protector's recommendations. If an aborigine is being ill-treated on a fishing boat, or in any other avenue of employment, is not the local protector, the man on the spot, the one who should be trusted to deal with the matter? Surely the hon. member would not suggest that an aborigine should be left for months being subject to ill-treatment while the local protector took advantage of the service of one boat a month that runs between Brisbane and Thursday Island to communicate with the Chief Protector, who then ordinarily would have to act on the recommendation of the local protector! Certainly, the Chief Protector could not be expected to run off to Thursday Island, Longreach, Quilpie, or anywhere else each time he received notice of a complaint about the treatment of an aborigine. His decision has to be based on the evidence received from the local protector. If there is complaint against the action of the local protector the latter's action can be reviewed—there is always that safeguard. Nobody would suggest that local protectors are incapable of making mistakes or of sometimes being prejudiced against an employer in a dispute. Still, the fact remains that their decisions are forwarded to the Chief Protector and, if they are wrong, any hardship inflicted can be remedied. In some instances aborigines are very cunning and will not work after agreements have been entered into with employers. Is it fair to ask such an employer to keep an aborigine who will not work while information is being forwarded to Brisbane of such aborigine's conduct and the decision of the Chief Protector is obtained thereon? If either party to an agreement has any complaint the Chief Protector can deal with it under the method adopted just as quickly as he could under the method suggested by the hon. member.

Mr. WIENHOLT (*Fassifern*) [11.6 a.m.]: The Home Secretary has raised a rather interesting point. I take it that the local protector will act as a kind of arbitration court between the employer and the native employee, and that if the employee does not abide by the finding of this court he is guilty of an offence. Speaking from memory, I believe that one Minister or an hon. member opposite spoke of the right of employees to strike, which I personally think is a basic right, although that may not be altogether a popular view to take. Apparently the half-caste is to have no right to strike at all, but must abide by the verdict of the local protector. What is to happen if the half-caste or aborigine refuses to continue to work? He is of no use to any employer, nor is anyone else who is compelled to work. I take it that the local protector is not empowered to inflict a fine, and that the only course open is to take the aborigine before the police magistrate. What is to be the final solution of the difficulty?

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [11.9 a.m.]: The wages to be paid to aborigines are not fixed by the protector at all, but either by an award or by proclamation. If an aborigine is not being properly treated, then it is the duty of the protector to withdraw the native labourer from the employer concerned, but on the other hand if the aborigine will not perform his work satisfactorily he must return to the settlement or to his island, and thereby be deprived of the means of earning money in outside employment. An aborigine employed on a fishing boat or elsewhere must carry out his work in a satisfactory manner. As a matter of fact, the majority of the natives engaged in the fishing industry are employed on their own boats, although quite a number are still working for private employers. It must be borne in mind that the Aboriginal Industries Board possesses the biggest fleet of fishing boats in Queensland, comprising twenty-eight luggers and two cutters operated by the aborigines themselves, and year by year the board will become the biggest employer of aboriginal labour, and will continue to carry out greater business from its existing co-operative store. The aborigines are expected to be obedient and to give reasonable service to their employers, just as a white man would be expected to give. As I have already stated, if the aborigine fails in this respect the protector may order him back to the settlement or to his island, and he is thus deprived of an opportunity to earn money.

Mr. KENNY (*Cook*) [11.10 a.m.]: I cannot altogether agree with the contention by the Home Secretary that if the local protector is empowered to make an agreement concerning the employment of natives, he should also have the power to cancel it. There may be some argument in favour of the contention, but the Home Secretary should realise from his knowledge of the administration that delays can be deliberately caused by the local protector. I do not claim that every employer of aborigines would treat his employees badly, but the local protector has the power to withhold the services of an aborigine whilst his case is submitted to the Chief Protector with a view either to continuing or cancelling the agreement. In some cases where the employee is alleged to have treated his employer badly there are sufficient grounds for urging that he should be returned to his former employment. The effective control of aborigines depends to a very large extent upon the firmness of his employer. Some people would claim that the treatment meted out to an aborigine amounted to cruelty, but it must be remembered that an aborigine in employment cannot be treated on the same basis as a white man. If an employer attempted to treat an aborigine on the same basis as a white man he would never be able to exercise any control over him at all. The ability to control an aborigine is determined by the firmness and tact of the employer, and whilst a newcomer from the city with no experience of controlling aborigines in employment would unhesitatingly assert that a given aborigine was being cruelly treated, it would not amount to cruelty at all. The only way to get any good out of an aborigine is to treat him firmly, and it is just possible that a new local protector without any knowledge of the ways of aborigines would, in certain circumstances, conclude that his employer was treating his employee cruelly. There are two sides to all these questions, and that is why I claim that the Chief Protector would possess the necessary knowledge that might be lacking in a local protector. Any delay that is likely to occur in deciding these questions could be overcome by giving the local protector restricted power, so that after the matter has been decided by the Chief Protector the native may be returned to his employer and the agreement continued.

Amendment (*Mr. Kenny*) negatived.

Clause 15, as read, agreed to.

Clauses 16 to 20, both inclusive, agreed to.

Clause 21—"*Uncontrollable aboriginals or half-castes*"—

Mr. KENNY (*Cook*) [11.13 a.m.]: I move the following amendment:—

> "On page 9, lines 6 to 13, omit the words—
>
> 'and include, in addition to but without limiting the generality of its ordinary meaning, any aboriginal or half-caste who—
>
> (*a*) Has been convicted of an offence included in the offences mentioned in Chapters xxii. and xxxii. of the Criminal Code; or
>
> (*b*) Is a menace to the peace, order, and proper control and management of an institution.'
>
> and insert in lieu thereof the words—
>
> 'that such aboriginal or half-caste has been convicted of an offence against a female person, not being an aboriginal or half-caste, which offence is included in Chapters xxii. and xxxii. of the Criminal Code.'"

The Minister stated that he requires this clause to deal with one particular aborigine who is at present in custody. As I said on the second reading, I should be prepared to go much further than the Minister proposes if he would agree to accept the amendment I would propose, but I know it would not be acceptable to him or this Committee.

The HOME SECRETARY: Why don't you move it then?

Mr. KENNY: The Minister has some very tender feelings, and I should not like to embarrass him. The power in this clause goes too far. Chapters xxii. and xxxii. of the Criminal Code define in all about twenty-five offences, some very serious, and others not so serious. My amendment would give power to deal with an aborigine who commits an offence against a white woman. At the same time, it would put an offence against an aboriginal or half-caste woman on the same basis as an offence against a white woman by a white man. There are a number of little girls listening to this debate which prevents me from dealing with this matter in plainer language than I feel justified in using, but the Minister will realise, after my conversation with him, that the power he is asking for is far too wide.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [11.16 a.m.]: I do not propose to accept the amendment. On the initiation of this Bill in Committee I pointed out the obvious objections to a clause of this kind, but the responsibility is on the Minister instead of the court, but none of the offences prescribed under these two sections of the Code could be treated as light offences. As a matter of fact, an aborigine guilty of repeated offences coming within the category mentioned in these chapters should certainly be put where he could not continue them. Such offences by aborigines against aborigines very rarely occur. If they do the complainants are practically consenting parties, a factor for which provision is made in these two chapters of the Code, but when white women are involved consent more or less willing is not a factor. All the offences mentioned in these two chapters of the Code are offences against women, assaults on females, and abductions. Although the powers under this clause are wide, the responsibility of taking that action is on the Minister. There are other aborigines at present undergoing sentences for similar offences in addition to the one I mentioned. With the establishment of an aboriginal gaol or reformatory it will be possible to segregate aborigines of this type so that they will not be a danger any longer. I cannot accept the amendment because many other offences than those it contemplates are included in the chapters of the Criminal Code that would justify punishment when proved to have been committed by an aborigine.

Amendment (*Mr. Kenny*) negatived.

Mr. WIENHOLT (*Fassifern*) [11.19 a.m.]: I realise that the Minister does not like this clause; he said so at the second reading stage. It really strikes at the whole principle of the writ of habeas corpus, and takes one back to the days of the Bastille, when a person could be permanently incarcerated on a lettre de cachet signed by the King. I assume that the principle of the writ of habeas corpus, which so safeguards white people, will also be applicable to the aborigines. We know how often the principle is appealed to in our courts.

I do not discuss this matter in any hostile way, but merely as a matter for debate. But the most extraordinary feature of the Minister's second reading speech was his statement that the aborigine he mentioned had been convicted for a most dreadful offence no fewer than three times. It would certainly create the greatest astonishment in other places of the world, as, for example, in the southern part of the United States, and in South Africa, if it was thought that a native could be three times convicted of such a crime and yet have to have a special clause introduced in a special Bill to deal later with him. It seems to me that the basic trouble was in the sentence of the court.

The HOME SECRETARY: Does it not show that it is obvious we should have some means of dealing with those people?

Mr. WIENHOLT: It shows that something basically must have been wrong with the sentences of the court.

The HOME SECRETARY: We cannot deal with the court.

Mr. WIENHOLT: But hon. gentlemen opposite are the Government, and this is a particularly serious matter when you apply it to white men. The records show that fearful crimes and even murders have been committed at different times in this country by persons who had previously been similarly convicted, and yet set at liberty after being given comparatively light sentences. That is the serious problem that the country has before it. I realise the Minister is in a difficult position, and I do not criticise, because I have no alternative to put forward except to draw the attention of the hon. gentleman and of the Attorney-General to the very obvious leniency and absurdity of any sentence that allows a man to be in the position to which the Minister has drawn attention.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [11.23 a.m.]: It has to be borne in mind, I suppose, that judges are no more immune from sentiment than other sections of the community—they are supposed in some quarters to be cold-blooded, hard-hearted individuals, who only assess guilt or innocence and administer justice. We know a sentimental feeling exists that the aborigine must not be expected to conform to the standards of the white man. It became quite a fashion recently for many people in Australia to point out that we should not punish aborigines for any of these offences at all, it being claimed that as they acted within the meaning of their tribal laws, they were not guilty of any offences, and white men should not inflict the penalties of the laws of the white man. Representations have been made to me repeatedly on those lines. In one case an aborigine was sent to Palm Island for stealing another aborigine's gin. The case made by the people who claimed to be friends and students of aborigines and aboriginal problems was that the aborigine was quite entitled under tribal law to take the other man's wife, and that no penalty should have been inflicted upon him. The obvious answer to that, however, is that if we allow one man to be governed by his tribal law and steal another man's wife, the aggrieved husband is entitled also to act on tribal law and kill the thief. We could not justify tribal laws being allowed to operate to-day, and we can see the difficulty that would arise if we allowed aborigines to be governed only by them. As a matter of fact, such a state of affairs would lead to a greater outcry against the administration than any against its supposed harshness in the first instance. This is an attempt to deal with a very difficult situation. As I

have said, when the money is available to establish a reformatory for aborigines, we shall have a more suitable method of dealing with these people. Ordinary imprisonment is no great punishment for an aborigine beyond the deprivation of his liberty, because he is better housed, fed, and clothed when in prison than when he is free.

Mr. KENNY: He would much prefer to have half the amount of food and his liberty.

The HOME SECRETARY: But we cannot give him his liberty and that is all we are depriving him of for the time being. No Minister could take the responsibility of letting an aborigine go free in the case referred to. The Minister might as well do what the judge would have to do in a month's time—put him back for a long time.

Mr. KENNY: The judge should have put him there for a long time in the first place.

The HOME SECRETARY: We do not control that.

Amendment (*Mr. Kenny*) negatived.

Clause 21, as read, agreed to.

Clauses 22 to 25, both inclusive, agreed to.

Clause 26—"*Regulations*"—

Mr. KENNY (*Cook*) [11.26 a.m.]: I move the following amendment:—

> "On page 11, lines 7 to 21, omit the words—
>
> 'Providing for contributions by aboriginals or half-castes whether upon a reserve or elsewhere to a fund for the general welfare and relief of aboriginals, half-castes, and other authorised inmates of reserves; the establishment, management, and control of such fund, including eligibility for and the amount of benefits therefrom; and for the payment by aboriginals, half-castes, and other authorised inmates of reserves for medical treatment and other relief (but so that no such regulation shall prevent any aboriginal or half-caste or other authorised inmate of a reserve who is unable to pay for any such treatment or relief from obtaining same).'"

Clause 4 gives the power to the Minister to take from the funds of the aborigines any funds he desires, and he is to be the judge of how much shall be taken. Suppose the Minister decided to take an amount that an aborigine considered was too great a contribution. What redress would the aboriginal have? None at all. The Minister will be in the roles of both party and judge. We know that the Minister has power to take the interest from the aborigine's banking account, but that is going into a fund supposedly for the benefit of the aborigines. When the Estimates were under discussion it was known that there was no provision as to how this interest was to be used for their benefit, although an increase in staff took place, absorbing practically the whole of the contributions. If the Minister introduced a Bill to take even the whole of the interest on Savings Bank accounts belonging to white people there would be a howl of indignation throughout the State that no Government could withstand. The Minister is now asking for power to make regulations whereby he can deduct further contributions from the money of aborigines, whether upon a reserve or elsewhere. During the second reading speech the Minister stated that they were doing it to-day. I am well aware of the island fund the Minister referred to, where contributions are made by the aborigines for the benefit of their island; but in this case the Minister is asking for power to make further extractions from the banking accounts of aborigines. That is not justified.

The vacant benches on the Government side of the House indicate the amount of interest taken by Government members in this Bill. There is only one member sitting behind the Minister.

If the Opposition were returned to power and introduced a Bill providing for the deductions of interest from the banking account of the white race, asking Parliament to grant them power to confiscate money whether in a Savings Bank account or in the form of wages, everyone would be up in arms and there would be public protest meetings in the City Hall. Because this is the case of an aborigine without a vote but with a banking account, there is no complaint. The clause should not be included in the Bill. The people of Queensland are taxed for a definite purpose, the interest on the banking account of aborigines has already been taken, and there is no occasion to "dip" into their funds any further.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [11.31 a.m.]: The hon. member is constantly whingeing about the taking of the interest of the Savings Bank accounts of aborigines. The hon. member should know that numbers of the aborigines on the Cherbourg Settlement, with fairly large accounts, have over a long period of years, at their own request, had the interest from their Savings Bank accounts paid into a fund for a special Christmas celebration for the whole of the settlement. Actually the Government are not taking the interest of the Savings Bank accounts of the aborigines, but are making an administration charge for the handling of such accounts. Charges have been made on the earnings of aborigines ever since the Aboriginals Department came into existence. The Aboriginal Provident Fund was established in 1919, and into that is paid a deduction of 5 per cent. from the earnings of single men and 2½ per cent. of married men. That has always been paid into the Provident Fund, but during the period of depression the Government who were supported by the hon. member for Cook took something over £40,000 from that fund to relieve consolidated revenue, and the Provident Fund thus went out of existence. No protest was heard from the hon. member then. That fund would have been in a good healthy condition had hon. members opposite, when they were in power, not decided to take it for the relief of consolidated revenue.

Mr. KENNY: I did not decide it.

The HOME SECRETARY: The hon. member supported the Government who did. There may be some weight in the argument that they were justified owing to the position of the finances at that time, but it becomes rather wearisome to hear the hon. member monotonously complaining because the Government of the day are endeavouring to rebuild the Aboriginal Provident Fund.

Mr. KENNY: We did not take his interest.

The HOME SECRETARY: No money was available in the Provident Fund, and consequently there was no expenditure therefrom. At the present time we have three funds in the Aboriginals Department. There are two accounts for collections, the proceeds from which are paid into the third, which is used for the purposes of expenditure. There is the Aboriginal Protected Property Account, which is made up of arrears of wages and pocket money due, the realisation of sales of property, horses, saddles, vehicles rifles, etc., unclaimed bank accounts, and other unclaimed estates, such as unclaimed money due by an employer, etc. Fifty per cent. of that account is now paid every year to the Standing Account, and the remaining 50 per cent. is kept in reserve to meet possible claims. The Provident Fund, which previously consisted of contributions from men in employment, has now paid into it 5 per cent. of the earnings of single men and 2½ per cent. of married men who are not on the reserves. The moneys received from these sources are eventually paid to Standing Account, which thus consists of 50 per cent. of the collections of the Aboriginal Protected Property Account already described, and all collections of the Provident Fund. The latter includes a deduction of 20 per cent. from the earnings of settlement natives who are working outside the settlement and have left their dependants thereon—this percentage of their earnings is taken for the maintenance of those dependants—and also the proceeds of sales of products from settlements and contributions from natives receiving treatment for venereal disease. In this connection a charge of 2s. a day is made against the banking accounts of those natives, when such account is in credit to over £20. Under no circumstances whatever is a charge made against a native when the amount of the banking account is under £20. Some of the natives have credit balances in their banking accounts up to £500 and £600, and no native with a banking account of over £500 has any right to be a charge on the white taxpayers. I say that very definitely. He has no more right to be a charge on the white taxpayers than any white person; if we treat the natives fairly, and do all that we possibly can, then we are doing all that is expected of us as a governing race. Why should the white people be taxed to maintain natives who have credit balances of over £500 in the bank? All the contributions are paid into the Standing Account, from which are deducted all charges for sickness, other aid, conduct of the settlement, etc. The charge of 5 and 2½ per cent. on native accounts has been rendered necessary by the fact that during bad financial years the Government of the day took from the Provident Fund money that should now be available for essential native services.

Mr. KENNY (*Cook*) [11.38 a.m.]: Whilst the reply by the Minister may be very interesting, nevertheless it is not correct. He insinuated that a previous Government transferred money from the Provident Fund and gave no compensating benefit to the native at all. All that the previous Government did was to close the Provident Fund and transfer the amount to one account, all expenditure on account of natives then being paid from consolidated revenue. The natives were not penalised in any way by the action taken by the Government of the day. The action of the Government in making a charge of 2½ per cent. on native accounts amounts to a penalty on the thrifty native for the benefit of the native who refuses to work. A little while ago the Minister stated that he required power to cancel agreements relating to the employment of natives so that if they refused to work they could be punished by being returned to their island, where they would have no opportunity of earning money outside. The Minister has stated in effect that the recalcitrant native will be returned to the islands where he will be provided with food and clothing paid for out of a fund built up from contributions from industrious natives. In other words, the Government are going to insist upon contributions from thrifty natives who loyally honour their agreements and utilise the fund to maintain their slothful fellows. The native who possesses a banking account of £500 or more is to receive no benefit from the Government at all, but will be compelled to contribute to the maintenance of natives who refuse to work. That practice has been followed to some extent in connection with the white race, of whom the good, hard workers must contribute for the maintenance of men who will not work. Amongst the bees, after the drone in the hive has served his purpose, the working bees sting him to death and he is no longer a charge on their colony. I do not suggest that the natives who are unwilling to work should be stung to death, but I see no reason why a charge of 2½ per cent. should be levied on the earnings of industrious natives to maintain their lazy brethren. As the credit in the banking account of the native increases, so is the levy upon his earning increased.

The HOME SECRETARY: That principle is applied to the white race, and it is quite a logical way of doing things.

Mr. KENNY: The taxation laws do not extract the whole of the interest earned by the white race, nor have we yet reached the stage in the incidence of taxation where the white race is deprived of the whole of his interest as well as the control of his capital. The native is not at liberty to operate upon his capital account. He is prohibited from buying even a pocket handkerchief without the permission of the protector. Not only do the Government control the capital of the native; they also confiscate his interest, and the Minister has endeavoured to justify the action of the Government by pointing out that a charge of 2½ per cent.——

The CHAIRMAN: Order! The hon. member must substitute some other word for the word "confiscate."

Mr. KENNY: I cannot think of an appropriate word for the moment, but I shall say "misappropriate."

The CHAIRMAN: Order! The hon. member will not be in order in using the word "misappropriate."

Mr. KENNY: I cannot think of an appropriate word just now. I can only say that the interest is transferred from the natives' banking accounts without any advantage to them, but with advantage to the Government. The statement by the Minister clearly indicates that the action taken by his Government is entirely to the advantage of his department. He failed to make any

reference to any contemplated action on the part of the Government to make commensurate contributions to the welfare of the natives.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [11.42 a.m.]: There is nothing much to add to my previous statement. If the hon. member for Cook is looking for a reason for the imposition of the charges then, as I told him before, it is because the Provident Fund has no balance. That fund had been established in 1919 for a definite purpose. When no balance remained in that fund the Government had no alternative but to provide for these contributions to keep the poor, sick, needy, and destitute aborigines. There is no more need to use the words "misappropriate" and "confiscate" with regard to the contributions made from the Savings Bank accounts of the aborigines than there was to use those words in connection with the £47,000 which the Moore Government took from their Provident Fund. These contributions will go towards building up that fund again and making provision for the aborigines I have mentioned. The charge on the State on account of the Aboriginals Department is about £42,000 per annum. That is a fairly heavy one, and it would be heavier were it not for the fact that the aborigines in the Torres Strait have been established in various industries to such purpose, and are doing such good work that they are almost self-supporting. Although the mainland aborigines have no comparable means of making themselves self-supporting, nevertheless their earnings are improving. We frequently have reports of aboriginal boys being taught trades. As a matter of fact, the Chief Protector has samples of their work with him to-day. These boys are being taught woodwork, plumbing, etc. Six aboriginal boys have been selected to attend at the works of the Port Kennedy Engineering Company to learn compression engine-driving. They have made very pleasing progress in their studies and have shown an adaptability that would fit them to take charge of this work in their own industry. We hope some day to make our mainland natives more self-supporting, but in the meantime there must be some charge to enable the Government to care for the sick, the destitute, and needy members of the race. As hon. members know, a large percentage of aborigines make no provision for themselves, and consequently we must make some provision for them.

Mr. MOORE (*Aubigny*) [11.44 a.m.]: From the point of view of the Minister his statement may be justified, but I can see no justification for placing the aborigines on the same basis as the white men. After all, they are only in the present condition because white people came into their country. The Minister said that the care of the aborigines involved a charge on revenue of £42,000 per annum. Why should that not be? The obligation is ours to see that these people are treated properly. It is certainly not on them. Had we left them in possession of their land there would have been no necessity for us to make this provision. In many cases we have placed these natives on settlements on very inferior land, with the result that they are not able to provide for themselves. The Minister said that the contributions by natives or half-castes for the general welfare and relief of aborigines, half-castes, and other authorised inmates of reserves were being made voluntarily by the inmates of one station. No one can object to that action. If they like to do so, we can only commend them for their unselfish spirit, but it is a very different thing when the Government come along and take contributions from those aborigines who are earning—and no limit is placed on those contributions—simply because they say the money is needed to assist unfortunate natives who are unable to help and keep themselves. Why are they unable to help keep themselves? Again because we have made it impossible. The obligation is not upon the aborigines who are earning money to keep their less fortunate comrades but upon the people who have taken this country from them. The principle, taken in conjunction with the fact that the white race has taken the best of their country from them, is a wrong one. The Minister should not have power to levy these contributions, especially as the amount of them is not specifically set out. I can understand contributions being made to assist them in some scheme of life assurance when they cannot work, or are unable to earn. We must recognise that it is we who have placed these aborigines in the position that they have got to be kept.

The HOME SECRETARY: You certainly placed them in the position of having no Provident Fund.

Mr. MOORE: That remark may salve the hon. gentleman's conscience, but it does not get us very far. Had we left the aborigines with proper game preserves where they would be able to live in their native state, the same obligations would not rest upon us, but we have prevented them from living in their native state; we have chased them into reserves that are very often in second or third class country and thus made it impossible for them to live under tribal laws. And then we say that some aborigines are to be taxed in order to maintain others! The obligation is upon the white race, who have made it impossible for the aborigines to live as they did before this country came under its sway. We should not throw that obligation on others. The aborigine cannot be looked at in the same light as white people. White people have votes for the election of members of Parliament; the aborigines have none. The outlook of the aborigine is entirely different. Having made it impossible for them to make a living in their natural state, we say that those aboriginals who are fortunate enough to have some money are to be taxed for the sake of keeping their less fortunate fellows. I cannot see the justification for it.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*) [11.50 a.m.]: The hon. gentleman's conscience is getting tender with age! If the hon. gentleman had had those feelings during the time that he was Leader of the Government in this State, the fund would have been solvent three years ago. The hon. gentleman says that we have no right to make a charge on aborigines for administering their accounts, and for the purpose of providing for their poor and destitute; yet when he was Leader of the Government, he considered he had the right to take £40,000 from the Aboriginal Provident Fund, and use it for consolidated revenue purposes.

Mr. MOORE: And payments were made out of consolidated revenue to them.

The HOME SECRETARY: The hon. gentleman transferred money that had been subscribed for the relief of the sick and needy amongst the aborigines and transferred it to consolidated revenue account for the relief of taxation. To-day the hon. gentleman says that it is wrong to make a charge on aborigines with property for the purpose of providing funds for the sick and needy amongst the aborigines. The collection to which he objects has been made since 1919. We deduct 5 per cent. in the case of unmarried aborigines and 2½ per cent. in the case of married aborigines. Some of the aborigines working on settlements are in good jobs, and there is no reason why they should not be compelled to contribute. Is it not advisable for us to regulate the manner in which benefits will be paid? The omission of this clause will not stop the contributions at all.

Amendment (*Mr. Kenny*) negatived.

Clause 26, as read, agreed to.

Clauses 27 to 33, both inclusive, and Schedule agreed to.

The House resumed.

The CHAIRMAN reported the Bill without amendment.

THIRD READING.

The HOME SECRETARY (Hon. E. M. Hanlon, *Ithaca*): I move—

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

Question put and passed.

LAW OF DISTRESS AND OTHER ACTS AMENDMENT BILL.

SECOND READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*) [11.55 a.m.]: I move—

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

As I outlined the contents of this Bill very fully during my speech on the initiation, there is very little for me to add. The Bill provides that the landlord cannot distrain or levy for rent except on the goods of the person owing the rent. As the law is at the present time he can distrain or levy on hire-purchase or other goods. The Bill also provides that the landlord cannot distrain or levy on the goods of a tenant without first giving him notice, and the tenant can apply to the court for relief; whereas the present law provides that a landlord or his attorney may sign a warrant to-day and the bailiff may deliver that warrant to the tenant, make an inventory, and sell the goods within five days.

I have had requests from various representative bodies for relief in the direction provided in this Bill. The Brisbane Chamber of Commerce sent me a long and very interesting letter, in which, inter alia, it stated:—

> "Under the Distress Replevin and Ejectment Act, the landlord can allow rental to accumulate for twenty years and suddenly seize under a distress warrant, not only the goods of the debtor, but any other goods that may be on the premises, and of which he is not the owner."

When the Home Secretary was in the North early this year he received a deputation which asked for relief in the direction provided under this Bill.

The hon. member for South Brisbane introduced a deputation to me last August representing the furniture warehouse people in the city, asking that the law be amended, and I will quote one paragraph from a statement made by Mr. McLuckie, representing Messrs. John Hicks and Company, as follows:—

> "I might also state here that the introduction of the Hire-purchase Agreement Act last year by your Government, while causing us a little bit of grave concern at the time, has been found to be very equitable legislation and we have no difficulty in arranging our business to comply with its requirements, but there are points in connection with the landlord's powers which at present inflict a very grave injustice on the business people. For instance, a landlord has the power to distrain personally or by getting anybody—he might go and get the first man in the street—and placing him in possession of the goods, which do not belong to him or the tenant in the house. They belong to us under a hire-purchase agreement."

The hon. member for Brisbane introduced a deputation of representatives of the musical instrument warehouses who asked for an amendment of this Act. Mr. Baynes, representing G. J. Grice Limited at that deputation, said—

> "I am very thankful, indeed, that there is a chance of legislation being introduced to give us some relief in respect of this landlord Distress, Replevin, and Ejectment Act. It is almost as old as Methusaleh, I think. The Act was introduced when hire-purchase was unknown. We suffer very much as a result of the rights and privileges enjoyed by the landlord, inasmuch as we are never sure of our property. We put property into a place at a very small deposit, and the landlord has simply to sit back, allow the arrears of rent to accumulate, and then seize the property in the possession of the tenant. The tenant gets into arrears, and as soon as you introduce a piano or player-piano, or whatever the case may be, no sooner is it in than the landlord distrains on it. We have either got to pay up the arrears owing by the tenant or lose or instrument."

A petition was received also from the whole of the retail traders of furniture, radio equipment, and musical instruments in Toowoomba. This petition was presented by the hon. member for Toowoomba, and prayed for relief.

During the initiatory stage of the Bill I outlined its main provisions, but I would point out again that it gives exclusive jurisdiction to the Magistrates Court where the amount involved does not exceed £200 and alternatively gives to the Supreme Court or Magistrates Court when the amount is £200 or more, but does not exceed £1,250, but where the amount involved is in excess of £1,250 the jurisdiction will be that of the Supreme Court only.

There can be distraint only on the goods of the tenant. For this we have precedents

in Acts that have been passed in South Australia, Tasmania, Victoria, and England. In future the landlord must give notice to the tenant of his intention to distrain, which must be forwarded to the tenant by registered letter. Within fourteen days of the receipt of such notice the tenant may apply to the court for relief. If he does not apply the landlord can proceed to distrain. In deciding whether relief shall be granted the court may take into consideration certain factors, such as unemployment of the tenant through no fault of his own, relief already granted, conduct of the tenant in respect of breaches of covenants of the lease, any hardship the court may decide might be inflicted on the landlord, or any other factors the court deems it fit and proper to consider. If the court deems fit it may grant a respite of six weeks to the tenant, subject to such conditions as it may see fit to impose. The court may refuse to grant any relief.

After hire-purchase goods are distrained the owner has to notify the landlord and set forth the amount due thereon. If there is sufficient other goods on the premises, then goods under hire-purchase agreements shall not be interfered with, but if there be not sufficient other goods then goods under hire-purchase agreements must be sold—that is, of course, when the tenant has an equity therein. The proceeds of such sale shall be applied—first, to payment of costs; secondly, to the payment of the balance due to the owner of the goods under the hire-purchase agreement; and the balance to the landlord. If there is a dispute between the hirer and the owner concerning the amount due and payable to the hirer, the matter may be decided by the court.

The landlord will be under an obligation to notify the owner of the hire-purchase goods, which may not be sold before the expiration of seven days after notice is given. The tenant is also under an obligation to notify the landlord that he is not the owner of certain goods that may be seized for rent. The landlord will be deemed to be guilty of an offence if he distrains on the goods other than in accordance with the Bill. He may also be civilly liable otherwise. The Bill also provides that no agreement purporting to contract out of the provisions of the Bill shall be valid.

Matters under the Bill may be heard in open court unless the court otherwise determines. The landlord can have resort to his other civil remedy in addition to his powers under the Bill. The Bill will be made retrospective to 1st October, 1934, so as to prevent people taking an unfair advantage of their knowledge that it was to be introduced.

Most of the other clauses in the Bill are machinery clauses, until we reach that part which seeks to amend the Hire-purchase Agreement Act. This has been rendered necessary by the fact that many firms are evading the provisions of the Hire-purchase Agreement Act. Hon. members will remember that that Act provides that if a person failed or was unable to meet his obligations to the owner of the goods the owner could not repossess them in an arbitary manner, that he would have to sell them and after satisfying his just debt repay to the owner the balance of his equity, if any. It is now found that certain firms associated with the motor car trade and other businesses have devised an agreement under which they have a perpetual interest in the goods even after the hirers have paid all the money due by them. There is a provision in the new agreements to the effect that the hirer shall, on demand, and when demanded, pay 1s. per annum. The real object of that provision is to defeat the purposes of the Hire-purchase Agreement Act. One agreement that I have before me contains this provision—

> "If the hiring is still subsisting at the expiration of the said term and the hirer shall have paid to the owner all moneys payable by him and has otherwise observed and performed all his agreements hereunder the hiring shall continue so long as the hirer shall as and when required by the owner pay to the owner the annual rental of one shilling."

That is an absurd provision in such an agreement and the owner of the goods knows that it is absurd, but its object is to defeat the provisions of the Hire-purchase Agreement Act passed last year.

Mr. TOZER: They are following the example set by the Government in providing for a perpetual leasehold tenure.

The ATTORNEY-GENERAL: Nothing of the kind; this is a different matter altogether. I do not wish to advertise the firms, but I think I should quote another agreement—

> "If I shall at all times duly comply with the terms and conditions of this instrument and duly pay all moneys which may become payable by me hereunder I may within a period of seven days after the expiration of the above term elect to purchase the goods by notifying you in writing of my election and paying the sum of one shilling, but until such election the property and the goods shall remain exclusively in you and I shall be bailee thereof only."

Here is another one—

> "That upon payment by the hirer at any time of the whole of the said rental and all other sums (if any) which may be or be liable to become due to the company from the hirer under this agreement and the further sum of one pound the company if required by the said hirer in writing will sell to the said hirer the said motor car and the same shall thereupon become the absolute property of the hirer, but until the happening of the said event the said motor car shall be and remain the sole property of the company."

I can give other illustrations of the methods that have been employed in this respect. In consequence, this amendment has been rendered necessary in order to set out clearly the definition of "hire-purchase."

There is a further amendment in the Bill dealing with procuration fees under the Money Lenders Act. Money-lenders have undoubtedly abused their privileges under the legislation passed last year, and the only remedy we find for that abuse is the entire abolition of procuration fees.

There is nothing more that I can add to the remarks I made previously as to the provisions of the Bill.

Hon. J. Mullan.]

Mr. MOORE (*Aubigny*) [12.13 a.m.]: We entirely agree with the objectives the Minister seeks under this Bill—the securing of justice to the owner of hire-purchase goods and to the tenant—but there is a further provision we look for, justice to the landlord. Throughout the Bill the landlord is looked upon as Public Enemy No. 1. He is placed in the position of a defaulter and regarded as if he were conferring no benefit on anybody, and as if he were the person who was always at fault. There are, in fact, several clauses in the Bill that, to my mind, are entirely unjust. He is placed in a most invidious position. Three or four clauses will make it extraordinarily hard for him to obtain his rights, and also make its administration difficult.

This Bill will have two very definite results. First of all, it will have the result of making it extraordinarily difficult for people with hire-purchase furniture to secure a rented home. The landlord will be particular to see what the position of the prospective tenant is before he lets the house. An individual who rents a house might purchase all sorts of things on time-payment, such as a motor car, a player piano, wireless set, or refrigerator; and thus sells himself into bondage for years to come. He may commit himself to paying away all his money, which should ordinarily go to pay the landlord, to the owner of the hire-purchase articles. The purchaser entering into such agreements leaves himself with insufficient money to pay the landlord. The landlord has no redress and is not to be able to recover anything for the liability that the tenant has incurred so far as he is concerned. This Bill will encourage shopowners of some sort—not all—who are anxious to secure business for luxury items such as player pianos, refrigerators, and wireless sets, to sell these articles to people who are not in a position to afford them. They will be able to say to them, "You are not running any risk; your landlord cannot distrain on these goods and your equity is preserved inasmuch as you will be protected as regards what you pay, but your landlord will suffer." The landlord renders a useful service to society. There are thousands of people who are not in a position to do other than rent houses. They may not be in a position to build houses; they may not be able to take advantage of the provisions of the statutes that enable others to build worker's homes or worker's dwellings; or their stay in one place may be of such a short duration that they must rent houses. The landlord fills a position of great use in the community from that particular point of view. He should receive a similar amount of justice as the owner of hire-purchase goods that have been purchased by the tenant, and as the tenant himself receives. It is only reasonable that we should expect that the provisions of this Bill should also protect the landlord.

The landlord may have been misled by the class of furniture going into his house. The Minister read out one letter which showed that an extremely small deposit had been paid on certain furniture. Apparently the tenant may look as if he is a man of substance, judged by the class of furniture he is putting into the house, and the landlord be misled accordingly. He may not know that the furniture is held under a hire-purchase agreement. Some onus should be placed on the tenant.

Mr. LLEWELYN: There is in this Bill.

Mr. MOORE: No. There is an obligation on the tenant to notify the landlord, and the latter has to notify the owner, but that action is only taken when the rent has fallen into arrears. There is no method by which the landlord will know.

The PREMIER: Provision for notification can be made.

Mr. MOORE: No such provision is in the Bill.

The PREMIER: Provision can if necessary be made.

Mr. MOORE: If such a provision is made, it will be all right. As the Bill now stands the landlord has no method of knowing until it comes to the question of a distraint, when he is notified by the tenant that such and such furniture does not belong to him, but to someone else. He cannot know until that time, because no provision has been made for registration or notification.

The PREMIER: Against that, of course, you must have regard to the rights of the real owner.

Mr. MOORE: Nothing happens until the owner gives notice of distraint. Then the tenant has to tell the landlord and the landlord has to notify the owner, but he does not know anything until that time.

The ATTORNEY-GENERAL: We will wrangle all that out in Committee.

Mr. MOORE: Several important phases have to be investigated. The principles in this Bill are all right.

The ATTORNEY-GENERAL: Having admitted that the principle is sound, it is a detail for us to fix up the matter.

Mr. MOORE: We have had experience in the past of a Minister saying in this Parliament, "Surely you can trust me or the court to administer it." I want it definitely set out.

The ATTORNEY-GENERAL: I will not ask you to trust me, because it will be a matter for the court.

Mr. MOORE: But the court will be tied down within the four corners of the Act. I admit that in the past the landlord may have had the big end of the stick, but we do not want to swing over to the other extreme, and in a Bill of this nature we should ensure that justice is meted out to all parties.

The ATTORNEY-GENERAL: That is what the Bill aims at.

Mr. MOORE: So far as I can understand from the Bill the owner of the furniture and the tenant will both know definitely, but the landlord is placed in an entirely different position, because he cannot know until the rent has fallen into arrears, when he may discover that the furniture that he thought belonged to the tenant does not belong to him at all. This clause refers not only to hire-purchase goods but also to all other goods that may be in the house in question, including furniture that may have been borrowed from some other person. No provision exists whereby the landlord will know. The tenant may allow the landlord to distrain on that furniture, and the landlord may find that he has committed

an offence in selling furniture that belonged to somebody else, although he had no means of knowing the true position.

Another most difficult part of this Bill concerns the sale of goods and chattels in settlement of moneys owing. Any moneys realised will be applied: first, in payment of costs; secondly, in payment to the owner of the amount unpaid to him; and thirdly, in satisfaction of the amount due to the landlord, any balance then remaining being paid to the hirer. Before the goods are sold, however, someone, presumably the landlord or the bailiff, has to say that the goods that are to be sold will realise sufficient to meet the costs and the amount due to the owner. It is impossible for any ordinary person to say what will be realised at a sale. Even a valuation given by expert house and property agents would be no definite guide as to the amount that would be realised at a sale, the success or otherwise of which might depend on weather conditions and the number of persons attending the sale. Thus, it would be impossible to say whether the amount realised would be sufficient to satisfy the first two items that I have mentioned, and I cannot see that a person will take the risk of starting a sale in those circumstances. Of course, the position might be all right in easy cases, but in those cases very little money would be owing, and action would, no doubt, be taken by the tenant or the hirer to raise sufficient money to discharge the debt rather than to allow a sale to proceed. That difficulty will only arise in cases where there is a considerable amount owing, and in those cases it will be impossible for the landlord to say whether the goods are likely to produce enough to meet the costs plus the amount that is owing to the owner of those goods. He may have all the trouble and difficulty connected with distraining and the goods may only realise sufficient to meet the costs and the amount due to the owner.

It seems to me this Bill is imposing conditions that are almost impossible of fulfilment, and the landlord will be placed at a considerable disadvantage by reason of them. First of all, he has to give fourteen days' notice of distraint, and there is nothing in the Bill to provide that the tenant or hirer shall not remove anything from the house after that date. Under the conditions that apply at the present time, when a bailiff is put in everything has to stop there. Fourteen days' notice are to be given, and in the meantime the tenant may take the matter to the court, and the court may grant a further extension of six weeks, during which it will make up its mind as to what conditions it will inflict upon the landlord or tenant; and in the meantime there is nothing to prevent the tenant from taking everything out of the house and going away. After he gets notice he can walk straight out and leave the hire-purchase furniture in the house and take everything else that belongs to him on which a levy could be made, and thus leave the landlord nothing. There is nothing in this Bill to provide that the furniture shall not be removed. The natural conclusion one would come to is that people in that condition, who had a large amount of hire-purchase furniture, would not wait until the expiration of the fourteen days or the six weeks during which the court would decide the matter, but would move on to another place, and the landlord would be left without anything. Provision should be made in the Bill that nothing could be removed till the court had given a decision and the judgment had been carried out. If some such provision is not made the Bill will be perfectly useless from the landlord's point of view, because he will have no opportunity to distrain.

A GOVERNMENT MEMBER: What about the butcher?

Mr. MOORE: In one way the butcher is in the same position. There should be protection all round. In this Bill the Minister has endeavoured to give protection to two sections, but he has entirely ignored the third section, which is as important—the man who provides the roof over the hire-purchase agreement furniture.

The Bill also sets out, as though by way of satire, that it does not take away the civil rights of the landlord to sue for any money. After hire-purchase goods are removed from the category of goods that may be levied upon, the landlord may find that the cost incurred in levying upon the goods left would be so great that there would be nothing left for him, and in those circumstances it is not much of a concession to say that he could still sue a person for money when he had no hope of getting it, and when it would be a case of throwing good money after bad.

Mr. O'KEEFE interjected.

Mr. MOORE: I understand there are cases in which a landlord may have a tenant who is three or four weeks or a couple of months in arrears, and a player-piano or some other valuable instrument may be brought to the house, and the landlord may not bother because he reflects that he can distrain on that article, and that if the tenant cannot pay, the owner of the article will. I am not justifying that. I am taking the position that the Government are going to give encouragement to the purchasers of these things when they realise the landlord cannot distrain on them. The landlord is entitled to justice the same as these other people. We do not want to encourage people to undertake obligations under hire-purchase agreements that they cannot afford; but this Bill will have the effect of giving that encouragement to people to spend more than they can afford, and it is going to leave the landlord in a position where he has nothing to secure him financially in regard to rent.

The ATTORNEY-GENERAL: Under the Hire-purchase Agreement Act passed last year the tenant has an equity in the goods to the extent of his payments, and the landlord is entitled to distrain on those goods.

Mr. MOORE: That is all right where the purchaser has paid quite a large amount on the goods. The Minister knows as well as I do that there are many things that become second-hand immediately after purchase. In some cases the equity in the goods may be very small. When the hire-purchaser has had the goods for some considerable time and has paid a fair amount on them, there is some equity on which the landlord can come. I am not suggesting that in such a case there is not, but I am pointing out that there are other cases where the equity of the tenant in the goods is very small. Attention was drawn to that matter in the

letter quoted by the Attorney-General. It must be remembered that goods are purchased new at a certain price, but immediately become second-hand and depreciation is great. For instance, a motor car. After delivery has been taken and the car has been driven 100 miles, it has become a second-hand car and the value depreciates by 30 or 40 per cent. The reason I do not know, but there it is. The landlord will be placed in the position of having tenants who have very little equity in certain articles and he has no means of ascertaining the amount of their equities. He has to take it for granted that the furniture and other articles that come into the house—and which are really his security—belong to his tenant. Landlords do not let houses for the purpose of allowing rents to get in arrears, but it sometimes happens that through unforeseen causes the rent becomes two or three weeks in arrears. No landlord desires to see this happen, but it does happen and before the landlord can distrain he must give notice to the tenant. The tenant has then fourteen days in which to consider whether he will apply to the court for relief. The court may then grant a further six weeks and there is a further seven days during which the landlord has to decide what action he will take. During all this time the arrears of rent may be mounting and the landlord has no remedy. He has no opportunity of securing or protecting himself.

The Bill, although its objective is to be commended is, in its incidence, of too drastic a nature as regards the landlord. If the Minister is prepared to amend it I consider it could be made quite a satisfactory Bill. As it is, it is not at all satisfactory owing to the methods adopted and the stringent clauses as regards the landlord. No doubt it was brought down to achieve a desirable end, but in aiming at this desirable end it puts one party to the agreement, the landlord, in the most invidious position of not being able to protect himself. He stands to suffer during the whole of the time that must elapse before he can at all take any action, and even when such time has elapsed he finds that the goods on which he can levy are not sufficient to meet the arrears of rent. The costs and the liabilities due to the owner of the goods purchased under hire-purchase agreement have first to come out of the amount realised and the landlord is left entirely at the mercy of the tenant, and, in all probability, has no opportunity of securing any rent whatsoever. The main objective of the Bill should be to place them all on a just footing, giving to the prospective tenant a reasonable opportunity of securing a house, to the landlord an opportunity of securing a reasonable tenant, with an opportunity of ascertaining the conditions under which the prospective tenant holds his goods; and an opportunity to the second party to a hire-purchase agreement to protect himself. Under the provisions of this Bill the only persons protected are the tenant and the owner of the goods sold under hire-purchase agreement to the tenant. Undoubtedly the landlord is omitted. I trust the Attorney-General will be prepared to accept some slight alteration in two or three clauses of the Bill, having the effect of ensuring that each side of the triangle receives justice.

The ATTORNEY-GENERAL: The principal Act aims at giving the same degree of equity to the landlord, the tenant, and the owner of hire-purchase goods.

Mr. MOORE: The Bill should be so framed as to carry out that objective, and I trust that at the proper time the Attorney-General will accept some amendments that will make the provisions reasonably equitable for all parties.

Mr. LLEWELYN (*Toowoomba*) [12.35 p.m.]: This class of legislation is long overdue. The law relating to distress dates back to the year 1867 and gives every possible consideration to the landlord, and not even the slightest degree of protection to the tenant or business people who have sold furniture and other articles to tenants on the time-payment system. It is sound reasoning that landlords have no more right to distrain on that class of goods than other persons in the business community. For those reasons I particularly welcome the Bill. The request by purchasers of furniture on the hire-purchase system for more legislative consideration and protection is warranted, and I am sure that they and other tenants will welcome the Bill also. No doubt it will be admitted that the Distress, Replevin and Ejectment Act has conferred privileges on a class and that the removal of certain disabilities under that law is consistent with democratic action. The landlord and allied interests claims that their absence of knowledge that high-class furniture admitted to a home is not paid for entitles them to levy distress regardless of the interests of the real owner of the goods. By their very arguments the landlords themselves admit that they rely on the furniture of the tenant to meet any default in the payment of rent and on their right to exercise this power regardless of the actual ownership of the goods.

The Leader of the Opposition has repeatedly stated that a landlord has no method of ascertaining the financial standing of a tenant before he is admitted to his house, but that is not correct. By the payment of a small consideration financial and commercial firms can readily ascertain the financial standing of any person in the community. As a matter of fact, people engaged in the manufacture and sale of furniture and other business people avail themselves of this method of ascertaining the financial standing and reputation of a person before he is given credit, and the landlords have exactly the same opportunity available to them. Therefore, their argument on that score cannot stand. It has been claimed that large profits are being made by furniture manufacturers and vendors, but from my personal knowledge of some of these firms in the city of Toowoomba I know that that is not so and an investigation would convincingly bear out my contention.

In dealing with the question of hire-purchase agreement and credit generally there is a tendency to group the methods adopted under this system, but I submit that there is no comparison between the person who is foolish enough to be easily persuaded to purchase an expensive motor car when he cannot afford to purchase a motor car at all, and the young married couple who sedulously endeavour to build up a home of their own. It is in the latter instance that the credit system has some virtue. It is the latter class that our furniture people have at all times endeavoured

to assist. A sinster aspect of this legislation up to the present is that the landlord has had it within his power to smash up a home beyond repair because he was impatient to get his pound of flesh before anyone else, and in that process has forced people to leave their homes and sacrifice their furniture. Had he exercised a little more patience, particularly in these times of depression, it might have happened that the furniture would have been saved to the actual owner, the home preserved to the people in the home, and the landlord himself would have received his dues.

I understand that there have been very marked alterations in this class of legislation in both Victoria and New South Wales. Most hon. members have read what occurred last year in New South Wales. The Southern press reported that the owner of a large block of flats let them to landlord No. 2. Landlord No. 2 then sublet the flats to various tenants. The tenants paid their rent to landlord No. 2, but he did not fulfil his obligations to landlord No. 1. In consequence the machinery of the law was put into operation and the furniture of all the occupants of the flats was distrained upon to meet the demands of landlord No. 1, notwithstanding that they had paid the full amount of their rent to landlord No. 2. This legislation will make such a happening in our State impossible.

Let me refer to the disadvantages of a firm that desires to repossess. It may have sold a piece of linoleum 12 feet by 12 feet, but if it repossesses it finds that the value depreciates from 50 to 80 per cent. because in laying linoleums much mutilation occurs by reason of the irregularities in the shape of rooms. That would rob the linoleum of nearly all its value. No reputable firm of furnishers would willing repossess bedding and sell it, yet many have been compelled to do so because of the avaricious nature of some landlords. I support the second reading of the Bill, which has been long overdue.

Mr. R. M. KING (*Logan*) [12.48 p.m.]: The Leader of the Opposition has covered most of the ground embraced in this Bill, but a perusal of its provisions forces one to the conclusion that it is an extremely drastic measure, ignoring the landlord altogether and absolutely taking away any rights he has hitherto possessed. The Leader of the Opposition has outlined certain amendments, which would have the effect of making the Bill quite an equitable one, but unless they are accepted it will be a very one-sided measure. It certainly would have been more straightforward if the Attorney-General had brought down a Bill to abolish distraint for rent altogether. The hon. member for Toowoomba said that the power to distrain goes back to 1867. That was the law that existed when Queensland separated from New South Wales. As a matter of fact, the law of distraint goes right back to the reign of George IV., so that it is almost of "immemorial use and custom." It has always been recognised that a landlord had certain rights in respect of a property let to a tenant. Whether those rights were properly founded or not I am not prepared to say, but the law gives certain rights and I have in mind people who happen to be landlords and who are relying on the protection of their interests the law affords. Quite a number of people have invested their savings in house properties in the hope of providing a competence for life by way of rent, and they have done so relying on the protection that the law has given. Unless the Bill is altered in some material way those people will be deprived of their rights. Of course, we know that in many instances landlords are not popular and are often looked upon as extremely harsh in their methods. Some of them have been termed "Shylocks" and no doubt in some cases have been extremely harsh in their dealings with tenants, but the fact remains that the landlord has had rights up to the present and that these rights are being withdrawn, for it is obvious that if a landlord gives a tenant fourteen days' notice of intention to enforce a distress warrant, and the tenant can apply for relief (which may be granted up to a period of six weeks), the opportunity will be afforded to and taken by some tenants illegally to remove goods and defeat the warrant for distress. Thus, the landlord's right would disappear, and, although he would have the ordinary civil remedy of suing for his rent he would not find that of much worth unless the tenant had something on which execution could be levied.

Under the present law of distress a landlord is able to take drastic action against a tenant who fraudulently or clandestinely removes goods, the landlord having the right in such case to pursue the goods for thirty days, levy on them, and sell them in that period, A landlord may even go to the extent of breaking into a place in which such goods may be stored.

The Attorney-General has stated that the object of this Bill is to see that the rights of all parties are protected, and in view of that declaration I trust that the hon. gentleman will carefully consider the two important points mentioned by the Leader of the Opposition. One is to protect the goods after notice has been given by a landlord——

Mr. SPEAKER: Order! The hon. member can deal with that at the Committee stage.

Mr. R. M. KING: I am reminding the Attorney-General of two very important principles, which I am merely outlining. One is the necessity to prevent the removal of goods, and thus give some protection to the landlord during the course of proceedings, and the other to place upon the owner of goods let out under the hire-purchase agreement the onus of giving notice to the landlord of ownership of those particular goods. I trust the Attorney-General will have those important principles embodied in the Bill. To a large extent their inclusion would obviate the objections we have at the present time.

I think the goods of lodgers should be protected; but if the lodger owes money to his immediate landlord, the lodger, to that extent he should be held liable. The tenant should have a claim against the lodger for any money owing, and that, in turn, should be passed on to the principal landlord.

I do not see any objection to the latter portions of the Bill dealing with amendments of the Hire-purchase Agreement Acts and the Money Lenders Acts. Once a law has been passed it should not be evaded, and the Government will have the support of the Opposition at all times in the matter

of tightening up the law as much as possible in order to prevent evasions.

In conclusion, I appeal to the Minister to give that consideration to reasonable amendments moved by the Opposition to which they are entitled, and which he admits will be for the protection of the three interests that he wishes to serve by this Bill, namely, the landlord, the tenant, and the owner of the goods under the hire-purchase agreement. If these amendments are embodied in the Bill it will be one worthy of approval.

Mr. TOZER (*Gympie*) [12.58 p.m.]: There are two sides to most questions, but in this Bill there are three interests to be considered—namely, those of the landlord of the property, the tenant, and the owner of goods. If the Bill made ample provision for the protection of the three interests concerned there could not be any valid objection to it; but I submit the Bill deals with only two interests. The astonishing thing is that a Bill of this nature should be introduced by a Labour Government, because it is a Bill to aid capitalists. I understood they were the enemies of Labour and the enemies of the people, and comprised a class that had no rights. This Bill indicates that the Minister has recognised that that is a fallacious argument, and that capitalists are entitled to some consideration at some times, and that their interests should be protected. There is no doubt that members of the Cabinet are really capitalistic—in fact, more capitalistic than any other hon. members in the House.

Mr. SPEAKER: Order!

Mr. TOZER: That is all I wish to refer to in that connection.

I have pointed out that three parties are affected by the provisions of the Bill—the owner, tenant, and landlord. In 1867 the Queensland Legislature recognised that the landlords had certain rights. Legislation had been passed in New South Wales, and, to a certain extent, Queensland adopted that legislation, which, in turn, New South Wales had obtained from Great Britain. Up to the present time the rights of the landlord have always received consideration, but latterly there has been a tendency to whittle them away. In this House certain measures have been passed taking certain rights from landlords, and now we have another instalment to consider. In the first place the landlord is the owner of the property. He is the person who has expended his money and erected a house, an office, or some other building. It is his property that the tenant wishes to occupy at a rental and he has a perfect right to enter into a contract suitable to himself. He is not forced to take the property, to enter into any contract, or to agree to the terms of rental asked by the landlord. He voluntarily enters into the contract. At this stage the law steps in and says to the tenant, "If you do not carry out your contract then the landlord has certain rights." That is only right and equitable, but the tendency has been to take away by legislation the full rights that the landlord had previously. When default occurs it is the tenant who is at fault, inasmuch as he has failed to carry out his part of the contract. He has fallen in arrears with his rent. The landlord does not desire it. He is relying on the receipt of his rent, which forms the interest on the money he has invested in the property. The Government have recognised that the building of property for rental to others is a reasonable form of investment, and are in the nature of a sleeping partner, inasmuch as they collect income tax on the rents received without accepting any of the liability. The landlord, then, has a perfect right to issue his distraint for rent. The Attorney-General stated that a deputation had waited upon him and mentioned a case where a landlord had allowed his tenant to get into arrears to the extent of twenty years. That must be an absolutely absurd instance, if there was ever such instance at all. No landlord would allow his tenant to run for twenty years without receiving anything at all. The landlord would require collection of some rental in order to pay the rates and insurance on the property. Naturally, he would be forced to apply the law and to distrain for rent in a very short time. Under the "Distress Replevin and Ejectment Act of 1867," when that did occur the landlord, either personally or by bailiff or agent, could issue his warrant of distress. It was made out in duplicate and the warrant handed to the tenant. A schedule of the goods levied upon was also made out in duplicate and a copy handed to the tenant. The tenant was given the right to indicate to the landlord what goods were to be sold first, which was a provision in favour of the tenant, seeing that it was the tenant and not the landlord who had defaulted. The tenant of the property then had five days in which to take any action that he considered necessary before the landlord was entitled to sell.

There was another matter which acted as an injustice to the landlord, and, to a certain extent, to the tenant, and that was the employment of a bailiff. Nearly every property-owner has to employ a bailiff to recover rent under distraint. If the amount is £2 and not exceeding £10 the landlord is entitled to charge a fee of only 5s., for a sum of £10 to £50 a fee of 10s., and for a sum in excess of £50 a fee of £1. Another hardship on the landlord is the fact that he could only charge 4s. a day for the services of a bailiff in possession, and everyone realises that it is impossible to-day to get a person to work for 4s. a day. Again, the duty is an unpleasant one and very few men will undertake it. The landlord is generally called upon to incur an expense of 10s. a day for the employment of a bailiff, so that he suffers a loss of practically 30s. by the employment of a bailiff for the prescribed period of five days. In connection with advertising the property for sale the landlord is entitled to charge the actual cost of advertising the property for sale, but he is entitled to charge only 2½ per cent. for the services of an auctioneer. In most cases an auctioneer handling a small matter would charge more than 2½ per cent., and so the balance has had to be borne by the landlord.

It has now been considered advisable to introduce a Bill to give relief in certain cases to the vendor of goods sold under the hire-purchase system. Is the vendor entitled to the consideration that it is proposed to give him? In the first place he is anxious to dispose of goods to the hirer whether they are deposited in a dwelling, warehouse, or an office. It means in effect that his goods are stored for nothing, and in the case of twenty years mentioned by the Minister,

the goods would be stored for twenty years for nothing. The vendor is not entitled to all the benefit that it is proposed to confer upon him.

Under this Bill cases involving up to £200 will be heard in the Magistrates Court. I have no objection to that proposal because the Magistrates Court is the cheapest court and it is advisable that all persons should seek the cheapest court in respect of any law suit, whether they win or lose. In many cases the winner is often out of pocket. Cases involving an amount of £200 to £1,250 may be heard in the Magistrates Court or the Supreme Court whilst cases in excess of £1,250 come within the jurisdiction of the Supreme Court alone. I hardly think that there would be many cases involving £1,250 and upwards, except, perhaps, when a big firm used a big property in Brisbane and paid a high rental. Ordinary cases for distraint for rent involve small amounts, in the majority of cases in the vicinty of £50.

The Bill limits distraint for rent to the goods and chattels of the tenant. That may be all right. What is the procedure immediately a distraint takes place? Notice of the intention to distrain is given to the tenant. That notice is absolutely absurd. You might just as well enact that a man before going duck shooting must send out a man with a gun ahead of him to warn the ducks that he is coming. When the matter has reached that point that the landlord must distrain for his rent the tenant raises barriers. Unfortunately, we have a fair number of professional tenants who know the law only too well and take advantage of it in every way to defeat the landlord after using his premises. Unfortunately, at the present time, many unemployed relief workers are occupying rented houses. The earnings of an unemployed relief worker are very limited. There are certain calls on him, and owing to the mode of his life he cannot keep every penny he earns simply for food, clothes, and rent. There are so many things that his wife and children require in addition. In the period in which we live some people consider it absolutely necessary to go to picture shows once a week and strain every effort to raise sufficient money to do so. Naturally, the creditor who "gets left" in the end is the landlord. Food and clothes have to be paid for, but in regard to the landlord the tenant says, "Oh, if he is a good sort he will let us run." We find that in many cases where he has let the tenant run the landlord cannot collect his dues. His only other course is to apply to the court for an ejectment order. No landlord desires to take that step if he can possibly avoid it. If he does do so he has to go to the expense of employing a solicitor, and then move the court. If he is fortunate enough to get the court to consider his application favourably the tenant in many cases gets thirty days' notice to look for another house. Such a tenant may not get a house at the present time. There is no doubt that owners of certain houses are not inclined to accept unemployed relief workers as tenants, because they know that they are courting trouble if they do. It does not matter how good the intention of the worker may be to pay the rent if he is in a position to do so; circumstances may be completely altered and perhaps he cannot do so. Therefore, the matter affects relief workers to that extent, and it is not the fault of the landlord when the rent gets into arrears.

Then the question arises as to the position of the hirer who sells goods on time-payment. In many cases a young couple who get married have no home of their own and have to rent one. They agree to pay a certain rental and procure their furniture and goods on time-payment. This Bill affects them to the extent that they are not forced to pay rent so long as the landlord treats them leniently and allows them to remain, but this provision will force the landlord to move. He will only give them a reasonable time because he will realise that, the furniture having been obtained on time-payment, he has little or no chance of getting his rent. His policy will be that they must pay up or get out. That is the stand that landlords will be forced to take. The majority of landlords desire to work quietly with their tenants and get their rent. Then many tenants fail to look after property as if it is their own. It deteriorates to a certain extent and a certain amount of money must be spent in painting and improvements. It is a common thing to have to replace the stove and tank in a very short time after the house becomes tenanted. All these improvements and replacements take a certain amount of money and reduce the profit the landlord makes on his property.

Immediately the landlord distrains he has to give notice. Now, in general cases of distraint the idea is to get the distraint warrants and authority to take possession and execute in such a way as will prevent a tenant from removing goods in the night time. As a matter of fact, under the "Distress, Replevin, and Ejectment Act of 1867" a landlord has the right to follow any goods fraudulently removed for a period of thirty days, but that is very seldom availed of because of the lack of benefit to be derived therefrom. At any rate, once the notice to distrain is given under this Bill, nothing can be done for fourteen days, because within that period a tenant has the right to apply to the court. Before it makes an order the court has to consider certain conditions. For example, the court has to pay regard to the economic conditions existing at the time, and hon. members will realise the difficulty of placing definite evidence before a police magistrate as to the actual financial and economic conditions at the particular time. Certainly the Industrial Court, sitting in another sphere, has taken it for granted that economic and financial conditions have improved, and acting on that assumption has given increases in wages and salaries. But the basis on which that court has proceeded may not be correct, having regard to the fact that any improvement that is now registered is due to the expenditure of borrowed money, which, whilst providing employment for so long as the money lasts, definitely adds to our national indebtedness and leaves unsolved the problem of finding permanent work for the people.

In addition to considering the economic and financial conditions, the court must also have regard to the conduct of the tenant during his tenancy and to other conditions that are mentioned. The court may refuse to make an order or may make any order it chooses, and unless the amount in respect of the distraint exceeds £100, no appeal

Mr. Tozer.]

shall lie. That may be of benefit to the capitalist friends of the Government, but it will not be of any material advantage to people in a small way, because the big majority of cases will be in respect of rent that is less than £100 in arrears. If after fourteen days no application is made to the court, the landlord has the right to proceed with the sale, and provision is made that the proceeds of any such sale shall be applied—first, to the costs incidental to the distress and sale; and, secondly, in payment to the owner of the amount still unpaid. Any balance is to be applied in satisfaction of the amount due to the landlord, and any residue thereafter to the hirer. In actual practice the amount would be fully appropriated long before that stage was reached. I do not see how anyone can possibly estimate what amount will be realised by selling certain goods. I have knowledge of one case of distraint where, after all arrangements had been made for a sale, no buyers made an appearance, and the resultant loss had to be borne by the landlord, who also, of course, was a loser in respect of the rent owing to him. This Bill assumes that somebody can estimate what the goods are likely to realise, other than the goods that are under hire-purchase agreement. In the great majority of cases they will not be of sufficient value to pay the costs and the amount due to the owner of the goods, and there would be nothing left for the landlord.

In the next place, the Bill provides that if the landlord knows that any part of the property that has been seized belongs to anybody else, it cannot be sold. I do not know how that is to be ascertained, because it is not stamped. If the landlord receives notice from the tenant of the goods and chattels he must give the owner notice, and the owner is allowed a certain time to come forward and make a claim. There is also a provision that where the hirer of the goods and the owner of the goods do not agree on the amount owing, they can approach the court; and it is a very peculiar thing that under the hire-purchase agreement the hirer very often does dispute the amount that the owner claims to be due.

These provisions, which give the right to people to go to the court, seem to be at variance with the utterances of the Attorney-General to the effect it was his desire to reduce the cost of litigation. Although the Bill may be giving certain rights and privileges to some people, a certain amount of costs will be incurred in approaching the court, and it is not to the advantage of these people to go to court if they can avoid it.

The Bill also provides that if the tenant fails to give notice he is liable to a penalty of £10, and if there is any illegal distraint —that affects the owner of the property— the penalty consists of a fine up to £100, which appears to me to be a very stringent penalty. If it happens to be a company, the managing director, manager, or any other person in authority having any knowledge of the matter is made liable. I can visualise great difficulty being experienced in proving knowledge.

I do not think it is fair to make the Bill retrospective to the 1st October, because some people may have had knowledge of the introduction of this Bill, and they may have deliberately waited. If the Bill dated from 1st December, everybody would be on an equal footing. The Government should not do anything that one side or the other can fairly describe as being unjust to them.

There are the usual dragnet clauses as to the regulations and Orders in Council. Anything that this Bill does not provide for but may be brought within the jurisdiction of this Bill can be provided for by regulation or Order in Council. If anything is provided by Order in Council, Parliament will not have the slightest information as to the matter, if not in session.

I notice that a procedure is growing up of amending in one Bill several other Bills that have practically nothing to do with the matter in question at all. The Bill under discussion deals with "The Legal Process Restriction Act of 1904," "The Fair Rents Act of 1920," "The Hire-purchase Agreement Act of 1933," "The Financial Emergency Acts of 1931," "The Financial Emergency Relief Extension Act of 1932," "The Mortgagors Relief Acts, 1931 to 1932," and "The Lessees Relief Acts, 1931 to 1932." When amendments of this nature are made in this manner in a Bill there is great difficulty in making research in the Acts amended in order to ascertain how such amendments will affect them. This is especially difficult in the case of such Acts as have been amended year after year, such as the Local Authorities Acts. On investigation one often finds that the Act by which a repeal or amendment is made has nothing whatever to do with the subject matter of the Act in regard to which research is being made. This causes a great deal of delay and inconvenience. As a specific instance, it will be remembered that the Bureau of Industry Act had tacked on to it an amendment in connection with the extension of the term of office of the Auditor-General. Reference to the index of the Statutes under the heading of "Audit" did not enlighten anyone. There was no mention therein of any term of the Auditor-General. The Act dealing with the Auditor-General was passed quite a number of years ago, but the Act dealing with the Bureau of Industry passed through this House only last year.

As regards the present Bill there is a clause which, so far as I have been able to interpret it, is defective. Provision is made that notice must be given to the tenant of intention to distrain, but this really notifies the tenant by implication that he should slip the goods away at the first available opportunity. The Bill makes no provision to prevent the tenant from acting in this manner. It does not make it an offence. I would suggest that there should be an amendment making it clear to the tenant that after receipt of notice of intention to distrain he must not remove any of the goods that were in the premises at that time: But even this would not surmount the difficulty, inasmuch as no inventory is to be taken at that time. Had one been made there would have been something to work on. The difficulty applies especially to goods that are small in bulk but high in value. Of course, every tenant is not so dishonest as to do this kind of thing, but there are some who will do it. In order to make the measure equitable to all parties interested some protection should be given to the landlord by a provision preventing a tenant from removing his goods after the receipt of the notice, and imposing a penalty for such an offence.

As I stated at the commencement of my speech, this measure is in the interests really of owners of goods sold under hire-purchase agreements. They have claimed that they have suffered a certain amount of disability and, no doubt, in some cases there have been hardships. I do not say that has not been the case, but it has been brought about by the actions of the tenant or hirer and the owner of the goods, and not by the action of the landlord. It is the hirer who has brought on to the property certain goods purchased on the time-payment system. In ordinary cases, dealing with the purchase of a horse, for instance, the maxim, "Caveat emptor," or "Let the buyer beware," operates, and why should not the same principle apply in connection with hiring agreements? The vendor of goods under the hire-purchase system makes a certain amount of profit by his sale, is naturally anxious to sell his wares, and the duty should be cast upon him to ascertain whether the tenant to whom the goods are to be sold has been a good tenant and has paid his rent regularly. If the vendor were to make these inquiries of the landlord there would probably be no difficulties afterwards. The landlord should be treated in exactly the same way and notice should be also given to him so that his equity may be protected to the same extent as the equity of the other parties dealt with in the Bill.

Mr. P. K. COPLEY (*Kurilpa*) [2.38 p.m.]: I am very pleased that the Attorney-General has introduced this Bill. I was very interested in the remarks by the hon. member for Gympie, and I can appreciate his difficulty in considering the Bill in view of his conservative outlook and particularly his desire to protect the moneyed class and property owners generally. The Bill is consistent with the emergency legislation that has been passed by this Parliament during the past few years that give a measure of relief to people who have suffered as a result of the depression.

I was particularly interested to hear the contention by the hon. member that the Bill should not be made retrospective to 1st October, 1934, and that a date some time in November should be substituted therefor. He held the view that the Government were not justified in making the Bill retrospective, because if this were not done the landlords would be deprived of certain benefits, and he claimed that the tenants in certain cases had allowed their rentals to fall into arrears so that they might obtain the benefits of this Bill. The very moment that this Bill was mooted there was almost a panic in the ranks of those landlords whose tenants were in arrears with their rent. I have with me a copy of a notice served on a tenant in accordance with the provisions of the Mortgagors Relief Act, demanding the payment of money, and if this Bill were not made retrospective to 1st October, 1934, the tenant would be unable to obtain the benefits of this Bill. This is not by any means an isolated case. During the past three or four days four or five cases in my electorate have come under my notice where tenants have received from their landlords notice of their intention to distrain for rent under the existing law.

There is some measure of justice in the contention by the Opposition in respect of that provision which sets out that fourteen days' notice must be given by the landlord of his intention to distrain for rent. It is possible for a tenant to remove his property within this prescribed time and I feel that no grave hardship would be inflicted by the acceptance of an amendment to remedy that defect.

Nor do I see that any grave wrong would be done by insisting upon the hirer notifying the landlord that certain goods were to be placed in a dwelling-house under a hire-purchase agreement. If this were done the landlord would be under no misapprehension as to the actual assets upon which he could levy in default of payment of rent.

I think it is only right that the Magistrates Court should have power to deal with certain matters up to £1,250. There have been cases involving a larger amount, but they certainly are very rare. Objection has been taken in this House by hon. members opposite to magistrates having jurisdiction even up to £200. The Magistrates Court Act is working very satisfactorily, but there are certain matters involving the ownership of property that cannot be adjudicated upon by magistrates, but they should certainly be allowed to deal with matters up to £200.

The main purpose of the Bill is to extend a measure of protection to the hirer of any goods where tenants are in arrears with their rent. These provisions are very wise ones, and they have been very carefully set out. Fourteen days' notice must be given to the person upon whom it is proposed to distrain for rent, and in order that that provision may not be misunderstood I should like to point out that the tenant must notify the landlord within fourteen days of his intention to apply to the court for relief. If that is not done then distraint is allowed to proceed forthwith. That is a very wise provision.

After hearing the point of view of members of the Opposition regarding the protection that should, in their opinion, be afforded to the landlord, I should like to refer them very specifically to clause 6 (2) where the court must take into consideration six different factors in determining whether relief against distraint by the landlord shall be granted to the tenant. Paragraph (*e*) reads—

> "Any hardship that may be inflicted upon the landlord by the making of any order of the court, taking into consideration the economic and financial conditions prevailing."

That is a definite instruction to the magistrate to see that the landlord is not penalised by any order of the court. No wider provision could be inserted to protect the interests of the people whom the Opposition desire should be protected.

Mr. R. M. KING: The power in that paragraph is only discretionary.

Mr. P. K. COPLEY: This paragraph sets out that the magistrate must take into consideration any hardship that may be inflicted upon the landlord. He must also take into consideration five other factors dealing with the matter, but it seems to me that they would be taken into consideration by any reasonable magistrate. I do not think the hon. member for Logan will seriously quarrel with the provisions of paragraph (*a*)

which sets out that the court may take into consideration—

> "The extent to which the tenant has been or is being detrimentally affected by any economic or financial conditions affecting trade or industry in Queensland."

Mr. R. M. KING: That is the very basis of the application.

Mr. P. K. COPLEY: The hon. member for Logan would not from his experience say that a magistrate would not consider paragraph (*a*) without considering paragraph (*e*). That is the one in relation to the hardship that would be inflicted on the landlord. Therefore, it is equally mandatory to take into consideration paragraph (*e*) in conjunction with paragraph (*a*). If he did not do so he would be biased and one-sided in any decision he might make. The other four provisions, (*b*), (*c*), (*d*), and (*e*), are very relevant to the matter under discussion.

The court has absolute power to impose a provision that six weeks' postponement shall take place before any order can be issued. That is a wise provision. Clause 9 shows just what notice is required, and deals with the exemptions of property under a hire-purchase agreement from any sale that may be affected by it, and the procedure required, which is that seven days' notice must be given to the owner of goods before a sale, and the distribution between the several interested parties. These are very wise provisions with which fault cannot be found.

I also like the provisions providing that a landlord must notify the persons interested in the distraint. I realise that these provisions have been very fully dealt with to day and I do not intend to delay the House by making any long observations upon them.

I particularly desire to congratulate the Attorney-General on the provision contained in clause 27 dealing with an amendment to the Money Lenders' Act. I personally feel very strongly on this matter. Hon. members may understand my feelings when I mention a case. It recently came under my notice that a man borrowed £30 from a money-lender about three years ago, and a few days subsequently borrowed a further £16. The actual amount borrowed was £46, but already he has repaid the money-lender £102 and still owes £77. Everyone must realise that cannot go on. The other day another case came under my notice. A man, whose mother was dying in Melbourne, and who expected to receive a legacy of £100 from the estate, required temporary accommodation, which he could get only from a money-lender. He expected to receive that money in four or five days time. The actual amount he received from the money-lender was £66, and at the same time he gave an order on the trustee against the estate for £100. The money-lender pointed out to him that the balance, £34, was for payment of the procuration fee and interest. When he went into the office on the first occasion he was referred to another office, which was occupied by a little girl. This girl took certain particulars from him and then asked him to return in two hours' time. What inquiry was made can be very well judged. When he interviewed the money-lender again he was told that the latter had already seen his application form and that the latter was prepared to do business with him. The fact is that this borrower was charged £34 as a procuration fee and interest for four or five days in order that he might see his mother before she passed out of this world.

It is only fair to provide for the costs of preparation of documents where those documents are prepared by a solicitor, but almost invariably those documents are stereotyped forms which require the insertion of only the names and amounts. As a matter of fact, costs are being charged on such documents at the present time, although no provision exists for the payment of these legal fees.

Mr. R. M. KING: We shall have to get the Law Society to look into that.

Mr. P. K. COPLEY: The hon. member knows as well as I do that the Law Society is not the good watch-dog it should be in these matters.

The stamp duty payable is not very great, and it is invariably the rule that although stamp duty is collected the documents are never stamped. Where furniture is included as security for a loan a valuation has, in most cases, to be made; but as a means of defeating the existing legislation on the statute-book money-lenders have been charging heavy valuation fees and justifying those heavy charges by stating that it was necessary to secure expert valuation. I am pleased that the Minister has decided that the total percentage of costs to the loan must be fixed by the Governor in Council and I shall urge the hon. gentleman, when the provisions of this Bill become operative, to see that the total amount of costs does not exceed 5 per cent.

I also think that the provision in this Bill to deal with persons or companies who endeavour to defeat the provision as to equity under "The Hire-purchase Agreement Act of 1933" is a wise one, because it will prevent people from buying furniture under perpetual leases. The hon. member for Murilla on a recent occasion interjected regarding the views of this party on perpetual leasehold, but hon. members generally will realise the difference between real property and personal property. The Bill, with possibly two of the amendments mentioned by the Opposition, will be a credit to this Parliament, but I urge the Attorney-General not to be led into accepting the amendment emanating from the Opposition benches for the insertion of "November" instead of "October," for if that amendment were accepted it would be pandering to a section of the community that has no regard for the welfare of those who would be penalised thereby.

Question—"That the Bill be now read a second time" (*Mr. Mullan's motion*)—put and passed.

COMMITTEE.

(*Mr. Hanson, Buranda, in the chair.*)

Clauses 1 to 3, both inclusive, agreed to.

Clause 4—"*Limitation of distraint*"—

Mr. TOZER (*Gympie*) [2.52 p.m.]: I move the following amendment:—

> "On page 2, after line 35, insert the following provisos—
>
> 'Provided, however, that goods and chattels of the tenant or person in possession as aforesaid which are the

subject of a hire-purchase agreement shall be deemed to be the property of such tenant or person, and shall be liable to distraint unless the person distraining or his agent has, prior to giving notice of his intention to distrain as provided in section five of this Act, received from the owner thereof written notification of such hire-purchase agreement and of the goods and chattels comprised therein. Unless notification as aforesaid has been received by the person distraining, section nine of this Act shall not apply to such goods and chattels:

'Provided further that in the case of any sale by the landlord of such goods and chattels so deemed to be the property of the tenant or person in possession as aforesaid, the proceeds of such sale shall be applied by the landlord in so far as the same extend in the manner set forth in paragraph (*b*) of subsection two of section nine of this Act, but with this variation—namely, that provision (iii.) of such paragraph shall have priority over provision (ii.) of such paragraph, and the proviso to the said paragraph (*b*) shall not apply.'"

This amendment would afford a certain amount of protection to the owner and would not interfere with the principle of the Bill. The amendment makes provision for the protection of the interests of those concerned—namely, the owner, the hirer, and the tenant.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*) [2.56 p.m.]: At the second reading stage I indicated that my only desire in introducing this measure was to provide equitable treatment for the landlord, the tenant, and the owner of the goods, and in conformity with that view I have pleasure in accepting the amendment.

Mr. MOORE: We shall put your photograph up as an example to other Ministers.

The ATTORNEY-GENERAL: I have never changed my attitude on these matters.

Amendment (*Mr. Tozer*) agreed to.

Clause 4, as amended, agreed to.

Clause 5—"*Procedure in respect of distraint*"—

Mr. R. M. KING (*Logan*) [2.58 p.m.]: I move the following amendment:—

"On page 3, after subclause (5), insert the following new subclause:—

'(6.) During the period of such notice as aforesaid and such further period (if any) as the court may order under section 7 of this Act, no person shall, without the permission of the landlord, remove any goods and chattels which would have been liable to immediate distraint by the landlord or his agent if such notice had not been required to be given under this section. Any person removing any such goods and chattels as aforesaid, without the permission of the landlord, shall be guilty of an offence. Moreover, upon conviction, the court may award the whole or any part of any penalty inflicted towards payment of the rent due to the landlord.'"

The ATTORNEY-GENERAL (Hon. J. Mullan, *Flinders*) [2.59 p.m.]: I will accept the amendment if the last sentence is deleted.

Mr. R. M. KING (*Logan*): I ask permission to amend the amendment accordingly.

Amendment, by leave, amended accordingly.

Amendment (*Mr. R. M. King*) agreed to.

Clause 5, as amended, agreed to.

Clauses 6 to 8, both inclusive, agreed to.

Clause 9—"*Power to owner where hire-purchase goods distrained to notify landlord*"—

Mr. MOORE (*Aubigny*) [3.1 p.m.]: I am not moving an amendment, but I do not know how the Attorney-General proposes to administer the proviso on page 5, reading—

"Provided that no such goods or chattels shall be sold as aforesaid under this paragraph unless the proceeds of the sale (if the same were applied for the purposes mentioned in sub-paragraphs (i.) and (ii.) of this paragraph) would be greater than the amount which would be required for those purposes."

The landlord might be quite justified in his opinion that the goods distrained on would reach the value required when put up for sale. I assume he would commit an offence and be liable to a fine nevertheless if it turned out that they did not, although there is no possible way of his knowing that the goods would not bring the value for which they are distrained.

The ATTORNEY-GENERAL: No.

Mr. MOORE: It is very difficult to appraise what goods will bring when a sale is effected. It all depends on the people at the sale and the number of them.

The ATTORNEY-GENERAL: The clause follows that of the Victorian Act. No doubt an estimate will be put on the property and there will be a reserve price.

Mr. MOORE: Generally, no reserve is put on goods at a bailiff's sale. When the Brisbane City Council sells blocks of land on which there are overdue rates, no reserve is placed on them, and they sometimes realise only 1s.

The ATTORNEY-GENERAL: That is following the Victorian Act word for word.

Mr. MOORE: It may; but in my opinion, it is a most difficult proviso to administer. As to what will happen, I have not the faintest idea.

The ATTORNEY-GENERAL: We will see how it works.

Clause 9, as read, agreed to.

Clause 10—"*Illegal distraint*"—

Mr. MOORE (*Aubigny*) [3.3 p.m.]: I move the following amendment:—

"On page 7, line 5, after the word—

'shall'

insert the words—

'if he knowingly distrains such goods.'"

The ATTORNEY-GENERAL: That will be all right.

Mr. MOORE: They may be some other person's goods not under a hire-purchase

agreement. The landlord will have no possibility of knowing the ownership, whether the goods belong to the tenant or otherwise.

The ATTORNEY-GENERAL: That is quite so. I will accept the amendment.

Amendment (*Mr. Moore*) agreed to.

Mr. R. M. KING (*Logan*) [3.5 p.m.]: I move the following amendment:—

"On page 7, line 8, omit the words—
'appointed by any court.'"

The clause as it stands applies only to those bailiffs appointed by any court; but I would point out that in many cases where distraint for rent is put into operation the landlord acts through a private bailiff. Such bailiffs are virtually the agents of the principals of the landlords. But there is this to be said also, that whilst these private bailiffs act as agents, the mere fact that a bailiff may be appointed by the court does not destroy the relationship of agency of the landlord who employs him. Although the bailiff appointed by the court is given protection, nevertheless he is just as much an agent of the landlord as any other bailiff appointed to do the work. This clause should apply to all bailiffs acting in a bona fide manner. So long as their actions were not questioned, they should not be subject to any civil or criminal proceedings.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Carpentaria*) [3.7 p.m.]: I do not consider it advisable to accept the amendment. We are specially protecting the bailiff appointed by the court, but private bailiffs are also generally protected. If private persons were specially protected there would be a tendency to appoint unsuitable and irresponsible persons who might be guilty of doing irresponsible acts. If the hon. member were to appoint a private bailiff under this Bill he would be very careful to select a capable and discreet man for the work, but if all bailiffs were to be given this protection he might be less inclined to be so careful. That is why we are drawing the distinction between the two groups of bailiffs. The bailiff appointed by the court would be responsible to the court, and if he made a mistake in carrying out his duty he would probably be dismissed. We must be particularly careful to see that suitable men are appointed to do this work. I have been very reasonable in my acceptance of amendments to this Bill moved by the Opposition where the amendments have been beneficial, but I cannot class this one in the same category, and I therefore cannot accept it.

Mr. R. M. KING (*Logan*) [3.9 p.m.]: I regret very much that the Minister cannot see his way clear to accept the amendment. It is quite true that he has been very reasonable indeed in his acceptance of amendments from the Opposition. I should like to point out to him that bailiffs appointed by the court do not do the work.

The ATTORNEY-GENERAL: They may.

Mr. R. M. KING: They may, but it does not happen very often. The clause deals only with bailiffs appointed by any court to carry out the provisions of the Bill. This provision is a useless one unless——

The ATTORNEY-GENERAL: They could avail themselves of our bailiffs.

Mr. R. M. KING: They could do so if the court bailiff is available—which is not often—but the relationship of principal and agent is immediately set up when the landlord appoints the bailiff to act for him.

The ATTORNEY-GENERAL: Our real object is to induce the landlord to appoint very capable men for the work.

Mr. R. M. KING: I can quite understand that. It does not follow that a bailiff appointed by the court will act in a more responsible way than a bailiff appointed by a private person.

The ATTORNEY-GENERAL: If the bailiff appointed by the court did anything wrong then the Department of Justice would be subject to criticism.

Mr. R. M. KING: I do not think the Department of Justice is involved. This would be a private affair between the landlord and the tenant. I look upon the clause as rather superfluous. The bailiffs who will be appointed under this clause will not act in an official capacity but in the capacity of agents for the principals who employ them to give effect to their warrants for distress.

Amendment (*Mr. R. M. King*) negatived.

Clause 10, as amended, agreed to.

Clauses 11 to 16, both inclusive, agreed to.

Clause 17—"*Special cases before commencement of this Act*"—

Mr. TOZER (*Gympie*) [3.13 p.m.]: I move the following amendment: —

"On page 8, lines 7 and 8, omit the words—
'first day of October,'
and insert in lieu thereof the words—
'twentieth day of November,'"

This clause, unless amended, will apply to agreements made before this Bill was passed. If the amendment is accepted it will simply make the clause clearer. It will not affect the principle in any way, but will be the means of improving the Bill to a certain extent.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Carpentaria*) [3.14 p.m.]: It would be unreasonable for the hon. member to insist on this amendment, because the principle adopted in the clause has been the general practice adopted for years. He knows very well that it would be possible for many people to take advantage of a Bill like this before it became law unless it operated from the date of its first introduction. Last year a similar provision was inserted in the Hire-purchase Agreement Act and the Money Lenders Act. A deputation waited on me from the musical and the furniture warehouses and pointed out to me that there was a possibility that if it became known that this legislation was going to be introduced advantage would be taken of it by certain traders. I gave the assurance then that a similar provision would be inserted as had been inserted in similar Acts, namely, that its operation would be retrospective to the date when notice of the Bill was given. It has been in fairness to everybody that this provision has been inserted, and it therefore should stand.

Amendment (*Mr. Tozer*) negatived.

Clause 17, as read, agreed to.

Clauses 18 and 19 agreed to.

Clause 20—"*Regulations*"—

Mr. R. M. KING (*Logan*) [3.16 p.m.]: I move the following amendment:—

"On page 9, lines 6 to 11, omit the words—

'and where there may be in this Act no provision or no sufficient provision in respect of any matter or thing adequate, necessary, or expedient to give effect to this Act, providing for and supplying such omission or insufficiency.'"

The words I desire to omit would give the Governor in Council power to make regulations supplying any omission in the Act. Here we have another attempt to delegate the powers of Parliament to the Governor in Council.

The ATTORNEY-GENERAL: Only to give full effect to the provisions of this Act.

Mr. R. M. KING: It is undoubtedly a delegation of the powers of Parliament to the Governor in Council to amend the provisions of the Act if it is considered advisable.

The ATTORNEY-GENERAL: To give effect to the Act. There is a distinction between a regulation making power and a power to make an Order in Council.

Mr. R. M. KING: That is all very well, but when regulations are made they have the force of law.

The ATTORNEY-GENERAL: They have the force of law until challenged. No regulation can give power beyond the Act.

Mr. R. M. KING: With all due respect, I think it goes beyond that. It gives power to supply a deficiency in the Act. I wish we could get away from what has been actually termed "The New Despotism" and get back to proper Parliamentary procedure. Let the Attorney-General resolve that henceforth no power should be given to any outside body except those conferred upon it by Parliament. The language in this clause is very plain——

The ATTORNEY-GENERAL: For the purpose of giving effect to the Act. No regulations will be superior to an Act.

Mr. R. M. KING: But the clause goes on to say—

"and where there may be in this Act no provision or no sufficient provision. . . ."

In such a case the Governor in Council may supply the deficiency in the Act. I do not want to labour the matter, but the language is so clear there should be no conflict of opinion about it.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Carpentaria*) [3.22 p.m.]: It is not intended to go beyond the limits conferred by the Act itself in inserting the regulation making power in clause 20. With all due respect to the arguments of the Deputy Leader of the Opposition, any regulation made will only be for the purpose of giving effect to the provisions of the Act. It is not proposed to exceed the powers of the Act. If that were done and the hon. member challenged the matter in a court of law he would have no difficulty in securing a decision.

Amendment (*Mr. R. M. King*) negatived.

Mr. MOORE (*Aubigny*) [3.23 p.m.]: It is provided in this clause that—

"All such regulations shall be laid before the Legislative Assembly within fourteen days after such publication if the Legislative Assembly is in session; or if not, then within fourteen days after the commencement of the next session thereof."

That might be a polite method of doing something, but it is absolutely useless, because no provision is made that Parliament will have any opportunity of discussing these regulations and annulling them if necessary. A provision to that effect has been made in previous legislation. It seems to be of very little use to lay regulations on the table of the House—because they are already published in the "Gazette"—unless there is some further provision whereby the Legislative Assembly shall have an opportunity of discussing and annulling them. If that were understood, there would be no need for the insertion of such words, but I am wondering why a different procedure has been adopted in connection with this Bill, and they have been omitted. I have never noticed any other Bill break off at that point.

The ATTORNEY-GENERAL: The same practice was followed in the Hire-purchase Agreement Act last year.

Mr. MOORE: Was there any reason for it?

The ATTORNEY-GENERAL: None that I know of.

Mr. MOORE: I do not know the object of having what may be termed a double-barrelled gun on this page, first of all regulations and then Orders in Council. The Attorney-General was particular to say that regulations were different from Orders in Council. He indicated that regulations only dealt with provisions within the four corners of this Act, whereas Orders in Council might refer to anything.

I do not know whether the Attorney-General would accept an amendment to provide for the usual concluding words to be inserted.

The ATTORNEY-GENERAL: I do not object to them at all, but they were not in the Act last year.

Mr. MOORE: I move the following amendment:—

"On page 9, after line 21, insert the words—

'If the Legislative Assembly, within the next fourteen sitting days after any regulations have been so laid before such House resolves that such regulations or any of them ought to be annulled, the same shall after the date of such resolution be of no effect, without prejudice to the validity of anything done in the meantime under such regulations or to the making of any new regulations.'"

Amendment agreed to.

Clause 20, as amended, agreed to.

Clauses 21 and 22 agreed to.

Clause 23—"*Orders in Council*"—

Mr. R. M. KING (*Logan*) [3.29 p.m.]: So far as I know, there is nothing in the Bill that refers to Orders in Council.

The ATTORNEY-GENERAL: You will notice by clause 22 that the magistrates courts and Supreme Court rules are made by Orders in Council.

Mr. R. M. KING: Sections 20 and 23 appear to deal with the same thing.

Clause 23, as read, agreed to.

Clauses 24 to 26, both inclusive, agreed to.

Clause 27—"*Amendment of 'The Money Lenders Acts, 1916 to 1933'*"—

Mr. MOORE (*Aubigny*) [3.31 p.m.]: I do not want to object to this clause, but I do desire to call attention to the matter raised by the hon. member for Gympie. This is an amendment of an entirely different nature from the amendment of the Hire-purchase Agreement Act and attention should be directed to it as an amendment of the Money Lenders Acts. It should be put down in the statute-book as an amendment of these Acts. As was pointed out by the hon. member for Gympie if one looks at the index to the statutes under the heading of "Audit Acts" one will find——

The ATTORNEY-GENERAL: It is always in the index. There is an asterisk there and reference is made to the Act amending it.

Mr. MOORE: If the hon. gentleman refers to the last of the Audit Acts in 1926, he will find that it was not done. I was looking for it and I did not see any reference made to the amendment of 1933.

The ATTORNEY-GENERAL: In the table of Acts, under "Audit," one will find the Audit Acts Amendment Act referred to. There is an asterisk and there is a special note at the bottom showing the Act amending it.

Mr. MOORE: I did not see it when I was looking for it.

The ATTORNEY-GENERAL: It does that in every case.

Clause 27, as read, agreed to.

The House resumed.

The CHAIRMAN reported the Bill with amendments.

THIRD READING.

The ATTORNEY-GENERAL (Hon. J. Mullan, *Carpentaria*): I move—

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

Question put and passed.

AUSTRALIAN MUTUAL PROVIDENT SOCIETY'S BILL.

SECOND READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) [3.35 p.m.]: I move—

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

At the second reading stage of this measure I do not think there is need that I should say more than I said at the introduction. It is, as I said, a Bill to bring the Australian Mutual Provident Society's Queensland Act into line with that under which it operates in New South Wales. The main object of the Bill is to incorporate in the schedule the consolidating Act passed by the New South Wales Parliament in 1910. It can be readily seen that a company incorporated by Act of Parliament in 1857 would have made no progress if it had required no alteration of its articles from that date to the present time. As a matter of fact, there is great need for an alteration and these alterations are now being made. The principal Act which was passed in New South Wales in 1857 and came over to Queensland at the time of separation, is therefore out of date. To show the principle need for the Bill I propose to read an extract from section 11 of "The Australian Mutual Provident Society Act of 1857"—

> "The board may (subject to the provision of the by-laws and of this Act) invest such of the funds and property of the society as to them shall seem fit either in security of mortgages or real or leasehold estates or in Government securities or in loans to members on their policies or in the building of offices and premises for the use of the society.
>
> "And it shall be lawful for the said society to take and to hold until the same can be advantageously disposed of for the purposes of reimbursement only any lands, houses, and other real estate which may be so taken by the said society in satisfaction, liquidation, or discharge of any mortgage or other debt due to the society or in security for any debt or liability and to sell, convey, assign, assure, and dispose of such lands, houses, and other real estate as occasion may require."

That section of the 1857 Act covered the financial operations of the Australian Mutual Provident Society in this State, but its ramifications to-day are ever so much greater. The second schedule to the Bill sets out in detail the financial operations now covered by the Australian Mutual Provident Society in this State. These financial operations have been carried out for very many years, but this Bill has been introduced to enable the company to operate in both States under one charter. The Second Schedule provides—

> "13. The board may (subject to the provisions of the by-laws and of this Act) invest such of the funds and property of the society as to them shall seem fit in any one or more of the following modes:—
>
> (*a*) Upon mortgages of freehold or leasehold property anywhere within the British dominions, and whether belonging to persons, corporations, or companies.
>
> (*b*) In the purchase of or advances on public or Government securities of the United Kingdom, the Commonwealth of Australia, or of any State thereof, the Dominion of New Zealand, or of any State, Colony, or possession of the British Empire, or any stocks, funds, or securities guaranteed by the British Government.
>
> (*c*) In advances on the security of policies of assurance, whether of the said society or any other society, corporation, or company.
>
> (*d*) In the purchase of premises or of land on which to build premises in whole or in part for offices for the use of the society in or out of

the State of New South Wales, and in building such premises.

(*e*) In the purchase of or at interest upon reversionary interests or life interests in funds or estates.

(*f*) In purchasing, or otherwise acquiring equities of redemption, reversions of leaseholds, or any other outstanding interests in respect of any property the subject of a security held by the society under which default has been made.

(*g*) On deposit or current account with the ordinary bankers of the society or any joint stock bank or banks.

(*h*) In repairing, adding to, building upon or otherwise improving the properties, the equities of redemption in which have been or hereafter may be acquired by foreclosure or in any other manner."

These are the important things—

"(*i*) In advances upon the security of city, municipal, shire, borough, or other rates, tolls or dues, raisable or made chargeable by or under the authority of any Act of the Parliament of the United Kingdom, or of the Commonwealth of Australia, or of any State thereof, or of the Dominion of New Zealand, or of any State, Colony, or possession of the British Empire.

(*j*) In the purchase of or advances upon bonds, debentures, mortgages, or other securities of any city, municipality, shire, borough, public commissioners or trust, public body, corporation or company, secured upon any undertakings or works, or upon the rates, tolls, dues, or revenues raisable, leviable, or obtainable therefrom: Provided that the power to carry on or construct such undertakings or works and to issue or give bonds, debentures, mortgages, or other securities in connection therewith has been duly conferred under or by virtue of any Act of the Parliament of the United Kingdom, or of the Commonwealth of Australia, or of any State thereof, or of the Dominion of New Zealand, or of any State, Colony, or possession of the British Empire: Provided further that in the case of a company registered under the Companies Act, such undertaking or works as aforesaid shall have been authorised by some express enactment extending to the company."

Comparing the very limited powers contained in the Act of 1857 with the very wide operations of the Australian Mutual Provident Society to-day, it is obvious that it is very necessary that its powers should be defined and its operations made absolutely legal by the passage of the Bill. It is not that they are likely to be questioned, but to make assurance doubly sure and to give the Australian Mutual Provident Society the standing that it should have, the society itself desires that it should have the powers set out in the Act in operation in New South Wales. This Bill has been introduced at the request of the Australian Mutual Provident Society, and the Government are taking care to see that the society gets the same effective powers that it enjoys in New South Wales.

Mr. R. M. KING (*Logan*) [3.39 p.m.]: When the Secretary for Public Instruction introduced the Bill he gave a very full explanation of the reason for its introduction, which he has enlarged upon during his second reading speech. The Opposition welcome the Bill. The Australian Mutual Provident Society is one of the finest institutions in Australia, and to it should be given every opportunity to extend its ramifications as much as possible. It has done a tremendous work for Australia in one way and another. Although the Minister has said that there is not any likelihood that the Act of 1857 will be questioned, still we make assurance doubly sure by placing the Australian Mutual Provident Society in this State on a similar footing to that which it occupies in New South Wales. The New South Wales Act was amended from time to time and eventually a new Act was passed in 1910, which I do not think has since been altered. The object of the Bill is practically to incorporate the Act of New South Wales in the Statutes of this State. In addition, the Governor in Council may, by proclamation, incorporate in the Queensland Bill any future amendment of the New South Wales Act, so that there shall be no doubt that the Australian Mutual Provident Society will be operating under one charter in New South Wales and Queensland.

The Bill also removes a doubt that may arise as to the necessity of registering the Australian Mutual Provident Society as a British company. It makes provision for its registration as a British company in Queensland upon carrying out the provisions of section 321 and 323 of the Queensland Companies Act of 1931. Section 321 provides—

"A British company desirous to be so registered shall cause to be lodged in the office of registrar of companies either—

(*a*) A certificate of incorporation under the hand of the registrar of joint stock companies or other proper officer of the company of incorporation, and under the seal of his office, together with a copy, certified by such registrar or other officer, or the memorandum and articles of association, deed of settlement, or other instrument declaring the constitution and functions of the company."

The other provision is—

"Upon such registration being made, the company named in the certificate shall, within Queensland, have and be entitled to the same rights, powers, capacities, and privileges, including the right to hold and convey land, and shall be subject to the same obligations, liabilities, and disabilities as if it had been incorporated under the laws of Queensland, subject, nevertheless, to the provisions hereinafter contained."

This Bill provides that the Australian Mutual Provident Society can be registered as a British company here and have all the advantages of such registration. The Bill is a very good one, as well as a very necessary one, and has the blessing of the Opposition.

Question—"That the Bill be now read a second time" (*Mr. Cooper's motion*)—put and passed.

COMMITTEE.

(*Mr. Hanson, Buranda, in the chair.*)

Clauses 1 to 5, both inclusive, agreed to.

"Schedules"—

Mr. WIENHOLT (*Fassifern*) [3.46 p.m.]: I desire to mention one fact in connection with clause 13 of the Second Schedule, which states that the board of directors of the society may invest its funds and property in Government securities, and so on. The Minister must know that this company is becoming a very big holder of Government securities. The hon. gentleman also knows that these securities are now all Commonwealth securities. He also knows that all such securities are immune from State taxation. I believe that this policy of issuing tax-free bonds will in the future very seriously affect and interfere with the financial position of the State, and it is as well that these insurance companies should take notice of that fact. These Government securities are freed from all State taxation, including the State unemployment relief tax —a provision that will become an ever increasing menace to the finances of the State in the future.

Schedules, as read, agreed to.

Preamble agreed to.

The House resumed.

The CHAIRMAN reported the Bill without amendment.

THIRD READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*): I move—

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

Question put and passed.

WORKERS' COMPENSATION ACTS AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) [3.49 p.m.]: I move—

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

I have very little to add to the information I gave at the introductory stages of this Bill, when I informed the House fully as to the contents of the measure.

The main object is to amend that section of the Acts dealing with compensation for parents or dependants of a worker who is killed in industry. At the present time the maximum amount payable is £600 and the minimum £300, and, according to the amount earned by the deceased worker over the three-year period preceding death, so is the compensation paid. If a man had been in employment for a full three years before his death, his dependants would get the full amount, but the dependants of the man who has, unfortunately, been out of employment, for, say, two and a-half years and had only been in employment a week when he was killed would receive a proportionate amount, in accordance with the amount of work performed. It has been felt that since the Act is a Compensation Act, the dependants of any man who is killed in industry is entitled to the full amount of compensation. Differences of opinion may arise as to whether or not that amount is sufficiently large—and certainly the amount provided is not very big—but it is the full amount that can be paid with the present premiums paid to the Workers' Compensation Fund. It is proposed to raise the compensation payable to the dependants of those unfortunate workers who have had little work in the preceding three years, and under the new legislation the maximum amount of £600 will be payable to the dependants of all workers who are killed in industry. This is a very good amendment and one that we can very well pass with very little difference of opinion.

The second amendment concerns a further matter of compensation. When the Act was first introduced many opportunities were available for the children of workers to secure employment after they had left school at the age of fourteen years. Consequently, the Act provided that dependant children up to the age of fourteen years should be taken into consideration in assessing compensation to an injured worker. In these days of difficulty in getting employment and also when the desire of most people is to keep children at school beyond the age of fourteen years, it has been decided to extend the age and provide that where children are entirely dependent upon the injured worker they shall be taken into consideration in the matter of the payment of compensation up to the age of sixteen. There can be very little quarrel with that provision, especially as we believe the Workers' Compensation Fund will be able to bear the increased payment.

A further amendment is one that I did not indicate to hon. members at the introductory stages. It is to provide for the case of a man who, when injured, is a single man, and is awarded compensation on that basis. In the event of his becoming married and having children dependent upon him he is not entitled under the present Act to compensation on the altered basis when, perhaps, the effects of the old injury recur and prejudices his health and capacity to earn. At the present time the Act provides for children, "at the time of the accident," but the omission of those words, as provided by this Bill, will allow children dependent upon the worker at any time when the effects of the accident may come against him to be reckoned in the amount of compensation payable.

Those are the three amendments the Bill makes. The payments can be made out of the funds without injury, and I have much pleasure in moving the motion.

Mr. MOORE (*Aubigny*) [3.54 p.m.]: I have no objection to this Bill; but I am unable to follow the statement made by the Minister that a man who only worked for, say, six months would be badly treated in comparison with the man who worked three years. At the present time, no matter what time a man has worked, if he is killed his widow or next of kin receives one hundred and fifty-six times the amount of his weekly wage, or £600, whichever is the greater amount. The fact that he has worked a shorter time does not make any difference to the payment of compensation.

Mr. G. C. TAYLOR: It does. If he does not work full time he only gets a payment in that ratio.

Mr. MOORE: If he is getting the fixed wage of £3 14s. per week——

Mr. G. C. TAYLOR: If he is on full time he would receive the full amount.

Mr. MOORE: One hundred and fifty-six times his weekly pay.

Mr. G. C. TAYLOR: The man on full time would receive that.

Mr. MOORE: Does this Bill deal with the man who may be only working two days a week or something like that?

The SECRETARY FOR PUBLIC INSTRUCTION: Yes.

Mr. MOORE: I thought the hon. gentleman meant the number of weeks he worked affected the amount. When the amending Bill was brought in the basic wage was £4 and then it went up to £4 5s. When the basic wage was reduced to £3 14s. the widow of the basic-wage earner who was on full time was entitled to £577 4s. instead of £600. The amount of £600, which is fixed by this Bill, represents a rise of £12 16s.; and although there was a considerable loss the year before last in this department of the State Government Insurance Office the Minister says that the fund will be able to meet the extra payment.

Clause 2 provides for the payment of 10s. for each child under sixteen years of age, which represents one-third of the difference between £2 15s. and £4 5s. The allowance for each child up to three is now 6s. 4d., a result brought about automatically through the reduction in the basic wage. The fund has benefited to that extent because the premiums have not been reduced although the benefits have been automatically reduced owing to the reductions in the basic wage. As the fund has benefited to the extent of that reduction, there is no reason why it should not be able to pay the extra amount proposed to be payable on the death of a worker.

The raising of the age from fourteen to sixteen years is quite justified under the present conditions. It is all a question of actuarial investigation to ascertain whether the fund will stand the payment without increased premiums, which would mean a further burden upon industry; and that is not desirable. It is rather difficult to gauge the actual position of the workers' compensation department of the State Government Insurance Office, because there appear to be extraordinary fluctuations. The year before last there was a loss of £93,000, and last year there was a profit of about £21,000, and it is difficult to understand the reason for such an enormous discrepancy. It is all a question of what the fund will stand, and I suppose over a period of years the actuaries can gauge the extra cost and the possibility of the fund's being able to pay the extra benefits. It is very pleasant to be in a position to give extra benefits, if one can do it without putting an extra burden on the industry that has to pay the premiums. If the fund is making a sufficient profit to enable it to meet the extra charges the extra benefits are reasonable and cannot be objected to.

Children of an age up to sixteen years are more or less dependent on their parents to-day. I look at the matter from the point of view as to whether we can afford the extra benefits, taking the position over a period of years. It is very difficult to make an estimate from the different conditions that have obtained in the Workers' Compensation Fund during the last few years. If it cannot be afforded and will mean an increase in the rate of premium to be paid, then I would draw attention to the fact that no further burden can be placed upon industry without making the position of the general employee and the public of Queensland much worse than it is to-day. We should not accentuate that position in any way whatsoever.

As regards clause 3, dealing with incapacity from industrial diseases, I assume the rates are not altered, and the extension of the age of children from fourteen to sixteen years, if it means any extra amount, will mean a very limited amount that will have to come out of the fund.

I see no very great objection to the Bill provided there has been a thorough investigation of the fund to ascertain what it is capable of bearing. I assume the Minister has had information from the Insurance Commissioner regarding the possibility or otherwise of the fund having to incur a loss by reason of the greater benefit to be given or, alternatively, the prospect of a larger profit being earned to enable the fund to give such extra benefit without an increase in the rate of premium. It all depends on that. There are two aspects that one must look at—the first being whether the fund is capable of making sufficient profit to enable premiums to be reduced, or if there is to be a loss that will be an added burden on industry; and the second being whether greater benefits can be given without larger premiums being paid. Whether it is advisable or not to grant the greater benefit hinges on the average condition of the fund and whether it will be able to withstand the extra strain imposed on it. If the actuarial decision is such that an annual loss is likely to be entailed and later on there will be an increase in premiums, then we should proceed very slowly before granting the extra benefits that are provided for under this Bill.

Mr. W. T. KING (*Maree*) [4.3 p.m.]: I cannot allow this Bill to proceed without making some comment, but I have no intention of delaying the debate. Its provisions cover principles that have appealed to me for some time. I recognise that the Act contained an anomaly. It was unfair that some dependants should receive less compensation than others. For argument's sake take the case of a person employed during the last three years of his life and earning £600 over that period. His dependants receive £600. But in the case of the unfortunate individual who may have earned only £250 during the three-year period preceding his demise the amount received by his dependants was £250 only. That was unfair, and in my opinion was favouring the man who had had constant and regular employment during that three years as against the one who worked intermittently. The idea underlying workers' compensation is that it is given for the purpose of giving to the dependants a fair and reasonable share of what would have been provided for them had their breadwinner survived.

The provisions contained in the Bill are very wise, and should have been incorporated in the Act many years ago. Instances have arisen where dependants

were able to claim only £300 or £400 by reason of the fact that during the three years preceding death only £300 or £400 was received by the wage earner. In some cases the amount earned was as low as £20, and only that sum could be claimed by way of compensation. The dependants of the wage earner receiving the higher rate of wage got the benefit of that higher rate during his lifetime, and after his death a larger amount also. On the other hand, the unfortunate individuals who had to suffer during the wage earner's lifetime by reason of his low earnings were called upon to suffer also at his death. I welcome this Bill and say that it has not been introduced before its time.

I also welcome the additional provision that will increase the benefit to children up to sixteen years of age. To-day, owing to the conditions of the times, certain people throughout Queensland require all the help they can get, and this amendment will ensure to some of them a certain measure of additional assistance. When the beneficial effects of the measure are realised they will react in favour of the Government who had the courage to crystallize the proposal into legislation.

Mr. NIMMO (*Oxley*) [4.6 p.m.]: I congratulate the Minister on introducing the Bill. I have for a long time thought that some consideration along these lines was very necessary in the interests of people who have been unemployed. A family is possibly more in need of help to-day than at any time in the history of Queensland, and it was wrong to continue the existing basis for the computation of benefits. I am glad that the Act is to be liberalised in the way that it is now proposed. I feel it will be of considerable benefit to the public generally.

Mr. RUSSELL (*Hamilton*) [4.8 p.m.]: I have no objection to the provision for the payment of a sum of £600 in all cases of death, but I feel that the time is opportune when the rates of premiums charged on the various risks should be overhauled. There is no doubt that some of the rates are excessive in the extreme. I know that it has been the policy of the department to make the good risks pay for the bad risks, but that is not altogether equitable, as I think the Commissioner himself will admit. He is receiving exorbitant premiums from good risks. Particularly have I in mind the ordinary mercantile risks in their application to typists and clerks. The claims payable to persons in these categories are trifling in the extreme. At one time the Commissioner was good enough to give rebates in respect of part of the premium by way of discount, but that practice has been discontinued, for the reason, as put forward by the Commissioner, that the claims paid in respect of some of the bad risks have exceeded the amount of premiums paid for them. It does not seem to be quite fair that because losses are made on bad risks good risks should be mulcted in the way I have indicated by the withdrawal of discounts. The bad risks should be made to pay for themselves. The premiums on bad risks should be more compatible with the claims to be paid, whilst only the bare minimum amount should be charged in connection with good risks. I can see no reason for the exorbitant rates demanded to-day in respect of clerks and typists employed in mercantile establishments, and I now put in a plea with the Minister to induce the Commissioner to reduce the rates on those risks to a much lower ratio than exists to-day.

Mr. SPEAKER: Order! I ask the hon. member to deal with the principles of the Bill.

Mr. RUSSELL: We are dealing with the Workers' Compensation Acts, and I suggest that as an amendment.

Mr. SPEAKER: Order! The hon. member is not entitled to submit amendments at this stage.

Mr. RUSSELL: I do not see that there would be very much use of submitting amendments at any other stage either, Mr. Speaker. However, I shall not persist in my argument in that direction. I urge the Minister to see that the whole system is overhauled and particularly to see that the premiums are placed on a more equitable basis.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) [4.11 p.m.]: If the Leader of the Opposition will look at the report by the Insurance Commissioner he will see that wages adjustments have been made. The wages sheet for the State for the financial year 1931-32 amounted to £26,577,000 and for the financial year 1932-33 it amounted to £28,378,000. So that with the additional payments in respect of the increased wage income together with the careful way in which the office is conducted the Commissioner was able to convert a deficit for the previous year of £89,000 to £90,000 into a small surplus.

Mr. MOORE: Variations went on before.

The SECRETARY FOR PUBLIC INSTRUCTION: The Commissioner was able to build up a reserve that allowed him to meet deficits for two years. Variations do occur over a period of years, but actuarial investigations enable the Commissioner to say what claims are likely to be charged against his fund over a period of years. If it happens that there are excessive claims over a period the law of averages insists that on succeeding business there shall be a lesser number of claims. It is on that basis that the actuarial figures are worked out.

The other matter touched on is a matter that should receive consideration, and does. To show that it does, I might mention that premiums paid on clerks and typists is 4s. per cent., while that of coalminers is 44s. 6d. per cent. I cannot deal with the situation now, as it does not come within the ambit of the Bill.

Question—"That the Bill be now read a second time" (*Mr. Cooper's motion*)—put and passed.

COMMITTEE.

(*Mr. Hanson, Burnett, in the chair.*)

Clauses 1 to 3 agreed to.

The House resumed.

The CHAIRMAN reported the Bill without amendment.

THIRD READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*): I move—

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

Question put and passed.

INSURANCE ACTS AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) [4.15 p.m.]: I move—

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

In doing so I desire to say little more than I said on the introductory stages, because I covered the ground fairly well then. "The Life Assurance Companies Act of 1901," as amended by "The Insurance Act of 1923," provides that, from and after the date of the passing of the last-mentioned Act no company shall commence to transact life assurance business within Queensland, or carry on such business within Queensland, unless such company is a company in which the net profits from time to time earned by the company are, by the constitution of the company, exclusively divisible amongst the policy-holders of the company. This Bill seeks to amend that provision by providing that a license may be issued to a company by the Governor in Council, notwithstanding that the said company does not comply with the above requirement. This will not relieve the company of any of its obligations to comply with the other requirements of the Acts so far as they are applicable. One can see that in the present state of affairs, with the Commonwealth in a position to exert its powers in the matter of insurance, the actions of the State must necessarily be circumscribed. It is desirable that the Act be so amended to admit, on the order of the Governor in Council, approved societies to do business in this State. There are a number of companies who are doing a certain amount of general and marine business in this State, and I have no doubt that if they are enabled to carry on life assurance business here, the State will be all the better for their operations within our boundaries. If they operate in the general and marine branches of the insurance business, it will be a distinct advantage to Queensland to have them operating here to the full extent. The Act passed by the Commonwealth Government prevents the State from doing certain things it was doing in accordance with the Act of this Parliament, and in order that there will be no clash it is desired to take advantage of this amending Bill to remove certain provisions from the present Act.

The present Act requires an application for a license to be accompanied by the sum of £50. The Commonwealth Insurance Act of 1932 deprives the State of the power to demand a fee or deposit. The Bill deletes the relevant words in section 7A, subsection 3, of the principal Act.

The present Act also requires an application for a license to be accompanied by a duplicate receipt under the hand of the Treasurer, showing that the company has made the deposit prescribed by section 5 (based on the total amount assured by its policies in force in Queensland). The State has no power to demand a deposit since the passing of the Commonwealth Insurance Act of 1932. The Bill therefore deletes the relevant words.

The principal Act, as amended by "The Financial Emergency Act of 1931," authorises the Treasurer to fix the rate of interest at not less than 4 per cent. per annum on deposits of cash (as distinguished from securities). Four per cent. was considered to be the ruling market rate for Government securities in 1931. The current rate may be regarded as 3 per cent. Power is required to fix the rate on cash deposits at not less than 3 per cent. per annum, if thought advisable by the Treasurer.

I have pleasure in moving the motion.

Mr. MOORE (*Aubigny*) [4.20 p.m.]: It is pleasing to notice the change of heart on the part of the Government. Anyone who listened to the speeches made by members of the Labour Government when the original Act was being discussed would never have imagined that time could bring about such a change. Experience has widened the minds of hon. members opposite and brought home to them the value of having efficiently managed companies carrying on business in Queensland. At the time I speak of, considerable antagonism was manifested to any company that was carrying on business here in competition with the State business, but the present Government are taking a reasonable view of the position of a company that has acquired an Australian-wide reputation and is doing business in this State but has not had the opportunity to open an office here.

The provision to obviate the necessity of lodging a deposit with an application is a wise one, for every inducement should be given for companies to operate in this State, and the Federal law provides adequate safeguards. In that way further employment will be created, for the opening of the door and the admission of one company may mean the employment of probably half a dozen persons. I welcome the Bill, and only hope the Government will extend their widening outlook so that people may be given an opportunity to compete with the Government and not have harassing restrictions placed upon them.

I am also glad to see that the Government have acted reasonably in reducing the interest rate. On the whole I can see considerable advantage to be gained from a reasonable opening of the door, because the more companies that operate in Queensland in this class of business the more money there will be for investment—and investment in Queensland will be for the benefit of the State. I trust that the breadth of vision displayed by the Government on this occasion will convince them of the benefit of opening the door to a similar extent in other cases, so that other companies may operate in Queensland in the development of this State.

Mr. BARNES (*Warwick*) [4.25 p.m.]: The development of life insurance in Queensland and in Australia has been most remarkable, and it behoves us to develop the activities of companies associated with that business to the greatest extent possible. The extent to which this business has developed is almost beyond conception. According to the "Australian Insurance and Banking Record" the Australian assets for 1932 amounted to £153,795,886. The following table will indicate the position of some of the securities that were referred to a short time ago by the hon. member for Fassifern. The figures relate to the year 1932:—

	£
Government and municipal securities	79,472,958
Mortgages	36,543,532
Loans on companies policies	19,814,898
Landed and house property	6,330,864

The new business in Australia in the ordinary department for 1932 amounted to £25,698,876, or an increase of £3,172,311 as compared with the previous year. The total business existing in Australia in 1932 was £355,597,930. The New Zealand total was £112,093,800, and the grand total for Australia and New Zealand was £467,691,730.

However, my real object in speaking on this matter is to suggest that insurance companies should make advances in the districts where their funds have been obtained. What would be wrong with providing that an insurance company should make a moiety of its income derived in a district available for loan in that district? I cannot imagine anything that would have a more stimulating effect on our industries, or indicate more confidence in the country. Instead of an enormous sum being sunk in Government bonds it would be much better if it were used to make advances to people in the country. I am not sure whether it is true of the present time, but in days gone by, when applications were made by country people for an advance, they were told that advances were made on city properties and not on country properties. There is a better service to be rendered in the country, and I consider it would be a step in the right direction if it were made obligatory for companies to make available a moiety of the income derived in a particular area for the purpose of loans to country people in that area. It would be beneficial if the same principle were applied to savings bank funds. A system of compulsory contributory insurance would eliminate much of the need for charity. I remember advocating a principle of compulsory contributory insurance years ago.

Mr. SPEAKER: Order!

Mr. BARNES: There is a wide sphere of activity open for companies in that regard.

The Bill should be welcomed, and we can only hope it may lead to a further development of a country that has abundant room to expand.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) [4.30 p.m.]: I particularly wish to reply to the statement made by the Leader of the Opposition regarding the change of heart on the part of the Labour Government. I hope he is not confusing the Labour Government with the Medes and Persians of old. We do occasionally change our laws.

Mr. MOORE: You do every session.

The SECRETARY FOR PUBLIC INSTRUCTION: Quite a large part of the session is occupied with the changing of other people's laws as well—I grant you that. When an opportunity to make progress arrives, we have no hesitation in making that progress; but everybody makes mistakes sometimes. I need not go on with that well-known phrase. In this matter the Leader of the Opposition will remember that it was not so much a policy of exclusion for exclusion's sake, but a policy of holding the door safely against certain mushroom—I need go so far as to say bogus—companies that were attempting to spring up in Queensland at the time the Act of 1923 was passed. We were holding the door, and the fact that we have had no companies of ill-repute operating in Queensland since the passing of that Act shows how well we held the door. There has been no reversal of policy or change of heart on the part of the Labour Government; but a recognition of the right and proper time to do certain things has always actuated the Labour Party.

I sympathise with the hon. member for Warwick, and I shall say nothing more about the point he made, other than it gives us another reason for refuting the charges that we are flooding the cities and starving the country districts. In the past the Labour Party has had to take much of the blame for that; but we now know that other influences are recognised apart from those that have been ascribed to the policy of the Labour party.

Question—"That the Bill be now read a second time" (*Mr. Cooper's motion*)—put and passed.

COMMITTEE.

(*Mr. Hanson, Buranda, in the chair.*)

Clauses 1 to 7, both inclusive, agreed to.

The House resumed.

The CHAIRMAN reported the Bill without amendment.

THIRD READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*): I move—

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

Question put and passed.

APPRENTICES AND MINORS ACT AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) [3.35 p.m.]: I move—

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

The object of the Bill is to eliminate the "junior journeyman" provision from "The Apprentices and Minors Act of 1929." That provision has had a fairly good trial over a period of at least five years and the experience of industry is that it is unnecessary. It has been to the detriment of industry rather than its assistance.

Mr. MOORE: Who gave you that experience?

The SECRETARY FOR PUBLIC INSTRUCTION: Amending legislation is not introduced unless it has been properly considered.

An OPPOSITION MEMBER: By whom?

The SECRETARY FOR PUBLIC INSTRUCTION: By the men engaged in the industry, the men who work side by side with the apprentice and the junior journeyman. Prior to the passing of "The Apprentices and Minors Act of 1929" the apprentice knew definitely that he had a course of five years to cover before he would be regarded as a competent tradesman, but after the passage of the Act of 1929 he realised that at the end of five years he was to be regarded as incompetent and with no hope of securing a job carrying adult wages. The "junior journeyman" provision was inserted ostensibly with the object of bridging an alleged gap between the finished

apprentice and his full status as a tradesman.

Mr. KENNY: To make him more proficient.

The SECRETARY FOR PUBLIC INSTRUCTION: That is the very kernel of the present proposal. After the 1929 Act the youth who was keen upon his work said, "What does it matter? I must work for one and a-half years after I serve my apprenticeship before I can get a tradesman's pay. Why should I take the trouble to make myself a competent tradesman at the end of five years when I have another one and a-half years in which to do it?" The very provision that hon. members opposite contended would help the apprentice worked entirely to his detriment. There was nothing in front of the boy except the fact that he was to serve six and a-half years at a trade before he would be considered a tradesman. Throughout the length and breadth of the world it is recognised that five years is generally sufficient in which to train the average boy to become a competent tradesman. If hon. members opposite are going to take the stand that tradesmen are to be paid according to their years of service, well and good. That is an entirely different matter and they should have voiced those opinions when the industrial law of this country was being considered by Parliament so that the Industrial Court could have utilised such a provision for its guidance. It is useless for them to say now that a man develops his experience only during a period of eighteen months after he serves his apprenticeship and not afterwards. The opinion is held in industry that a keen apprentice—a boy anxious to learn his trade—is quite competent to do a tradesman's work during the fourth and fifth year of his apprenticeship. Everybody knows that an apprentice just about out of his time is really a competent tradesman. The system of apprenticeship is not an innovation. It has been in existence right through the ages, but it was left to a Nationalist Government in Queensland to discover that something like six and a-half years were required to train a boy in any trade. I thoroughly believe that the object of the amendment of the law made by the Moore Government was to give cheap labour for a period of eighteen months that was not otherwise obtainable.

Mr. KENNY: Now you are getting down——

The SECRETARY FOR PUBLIC INSTRUCTION: I am now getting down to the real reason for the amendment that was so earnestly supported by the hon. member when he sat on this side of the House. I do not think there is any need to make any bones about it. Boys who serve an apprenticeship of five years are entitled to the wages of adults. I shall give hon. members one illustration. I quite realise that one swallow does not make a summer, and that it is wrong to argue from the particular to the general. But as a straw indicates which way the wind blows so one illustration will indicate just what can be done. In the city of Brisbane there is an industrial undertaking that has in its employ tradesmen of ten, fifteen, and twenty years' standing. There is also in its employ a leading-hand controlling and directing these men, and that leading-hand is a junior journeyman, a man who has not completed six and a-half years at the trade. To show the advantage taken of the "junior journeyman" provision, that firm did not pay the man a tradesman's wage.

Mr. MOORE: Was that the Government Printing Office?

The SECRETARY FOR PUBLIC INSTRUCTION: It was not the Government Printing Office, it was a private firm in this city. If the hon. member desires I will make the name of the firm known and everything connected with it.

Mr. MOORE: I don't mind.

The SECRETARY FOR PUBLIC INSTRUCTION: If he does not desire that, well and good. Here was a case where the leading-hand, practically the foreman of the shop, was a junior journeyman getting a junior journeyman's wage. That will illustrate how advantage can be taken of the provision in a way that should not be tolerated.

Despite the protests I believe that industry is prepared to pay the labourer and tradesman his hire. The Bill will induce the apprentice to be keener on becoming proficient in the period of five years at his disposal. The hon. member for Toowong is one of the most competent tradesman that the State has ever seen. I believe that as a boy he showed a very keen aptitude for the decorative art and he has had a long experience therein. (Laughter.) I know also that men long experienced in the trade sought his aid when he was quite a youth. That is because he had a bent in a particular direction, but at the same time he had in his youth a particular keenness to do his work, and to do it successfully.

There is another amendment I desire to explain. It relates to the matter of the apprenticeship premium. In "The Industrial Conciliation and Arbitration Act of 1929" it was enacted that the giving of a premium was wrong, and the taking of a premium was held to be wrong. Although that provision was made the employer who took the premium could contend that there was no provision in the Act whereby he must repay the premium to the person from whom he had received it. We are including a clause to ensure that he will be compelled to repay any premium he received, and are also extending the provisions to give ample time after the offence was discovered for a prosecution to take place.

A further amendment limits the period of apprenticeship to five years unless the Apprenticeship Executive otherwise determines. Hon. members will admit that in the matter of apprenticeship we have a very fine executive, which watches the position of every branch of the trade.

Mr. MOORE: Why don't you ask their advice on this Bill?

The SECRETARY FOR PUBLIC INSTRUCTION: Have they advised the hon. gentleman?

Mr. MAXWELL: You ignored them.

Mr. SPEAKER: Order!

The SECRETARY FOR PUBLIC INSTRUCTION: On the matter of the administration of this law I dare say the executive would be asked on every occasion for their advice, but in a matter of the policy of this party this party and this party only is the body that is consulted. If the hon. gentleman is in the habit of consulting outside bodies as to how his

legislation should be framed I am not prepared to follow his example. We have a very good executive, and I believe the executive will take particular care that any extension of apprenticeship will be given only in cases where such extension is absolutely necessary.

A further amendment provides that apprentices shall be entitled to two weeks' sick pay instead of one, as provided in "The Industrial Conciliation and Arbitration Act of 1929." Some Industrial Court awards go beyond two weeks' sick pay. This provision is being made not with the idea of forcing the apprentice to take two weeks' sick pay, but to make that provision for him if it is necessary for him to take advantage of it.

In another case an amendment is being made in connection with the power of the court to award "dirt money." This amendment is a very slight one. There have been cases where tradesmen working on a job have been awarded "dirt money" by the court. It has been ruled that although the court has power to allow tradesmen "dirt money" it has no power to make similar provisions in the case of the junior journeyman or apprentice. The amendment seeks to make it quite clear that apprentices are entitled to a payment of "dirt money" if the court considers it necessary. Clause 7 repeals the provision in the principal Act making provision for a junior tradesman, and inserts in lieu thereof—

> "Every apprentice shall, on completing the full period of training prescribed by his indenture, unless otherwise determined by the group committee concerned, be paid the rate prescribed for journeymen by the Industrial Award for the trade or industry in which he is engaged."

A provision has also been inserted to allow the employers and the unions directly concerned to obtain from the Apprenticeship Executive a list of the apprentices engaged in an industry. So far as I can see there will be nothing wrong with that.

The other amendments sought chiefly concern the necessary alterations to take out of the principal Act all of the provisions relating to junior journeymen. There is an additional amendment, which appears to be very necessary, clothing the industrial inspector with additional powers. It is necessary that these additional powers should be conferred on him to see that the Act is properly policed.

Mr. MOORE: There is only one omission, and that is giving the union organiser power.

The SECRETARY FOR PUBLIC INSTRUCTION: If the hon. gentleman desires to exhibit a change of heart in that regard and moves to confer powers upon the union organiser I promise him that I will consider it. This amendment is desirable in order to see that the Act is properly policed.

Mr. MAXWELL (*Toowong*) [4.48 p.m.]: Seeing that the Minister has given a testimonial as to my qualifications in industrial matters and in work of an industrial character, I presume that I am qualified to give an opinion on a Bill such as this. (Laughter.)

In the course of his explanation of the amendments contained in this Bill, the hon. gentleman stated that the experience is that the provision relating to a junior journeyman is to the detriment of industry. I propose to submit evidence this afternoon to prove the contrary of what the hon. gentleman has stated. In the first place I should like to ask the Minister how it comes that the Government have taken the control of apprenticeship matters from the Department of Labour and Industry. When the hon. member for Ipswich was Secretary for Labour and Industry I believe, from what I can hear, that that hon. gentleman said there would be no interference with the Apprenticeship Executive. A similar assurance was given by the hon. member for Sandgate, when he was the Minister during the Moore regime. I am assured by members of that executive that both these hon. members loyally kept their word. Then a deputation waited upon the Secretary for Public Instruction. Now, I have yet to learn that the Department of Public Instruction has any right to dabble in this matter, unless it may try to bring the matter under the heading of technical education. In my opinion, however, this subject belongs either to the Department of Public Works, or to the Department of Labour and Industry. The deputation to which I refer comprised members of the Master Builders' Association. Certain suggestions were made to the Minister, who was, of course, courteous to the members of the deputation. Some answer was expected to the proposals submitted, but the deputation got no further.

During the course of the Minister's speech the Leader of the Opposition interjected, "Why didn't you consult with the Apprenticeship Executive?" to which the Minister retorted, "How do you know I didn't?" Of course, the hon. gentleman wriggled. I accused the Minister of not consulting the Apprenticeship Executive and I shall submit the proof. Apparently another body is in existence controlling this concern over and above the executive.

The Minister tells us there is nothing much in this Bill, but there is more in it than meets the eye. I wish to show where this Bill, if it becomes operative, will in some ways increase the cost of production. For example, under the legislation passed by the Moore Government we have this provision—

> "An apprentice shall be paid the same allowances as are from time to time paid by the employer to journeymen in the same trade for travelling time, fares, meal money, distant jobs, and other matters, or where such allowances are proportionate to the rates of pay received by journeymen, the apprentice shall be paid only such proportion thereof as the rates of pay of the apprentice bear to such journeymen's minimum rates of pay."

In this Bill, however, we have this provision—

> "An apprentice shall be paid the same allowances as are from time to time paid by the employer to journeymen in the same trade for travelling time, fares, meal money, distant jobs, work performed under extraordinary conditions, dirt money, and other matters; or where such allowances are proportionate to the rates of pay received by journeymen, the

apprentice shall be paid only such proportion thereof as the rates of pay of the apprentice bear to such journeyman's minimum rates of pay."

The expression "dirt money" has been added. As a tradesman I could never understand this question of "dirt money" which has been tacked on not only here but also in many other avenues. You, Mr. Speaker, and those of us who have had any experience in any trade, know that you start at the bottom rung of the ladder when you learn that trade. You do your dirty work first, but when you do it you are building on a good foundation—(laughter)—because you learn your trade thoroughly.

I make the definite assertion that this Bill is detrimental to the youth of this State. What is behind it? Why did not the Minister consult the Executive, a body that has done such wonderful work in guiding the destinies of many boys in this State. Who is the power behind the throne? (Laughter.) The hon. the Minister may laugh kookaburra-like, but he and his colleagues will realise later on that this clause relating to apprentices is detrimental to the youth of this State. The Apprentices and Minors Act introduced by the Moore Government was a good measure, because it is not right that a youth in receipt of £3 10s. a week should be jumped up to £5 a week. I say unhesitatingly that in some instances the degree of a boy's efficiency cannot be judged by the number of years he has served at a trade. There are some who are peculiarly fitted for a trade and quickly become excellent tradesmen, and there are others who would be far from satisfactory from a skilled tradesman's point of view after even ten years of experience.

I think the contention of the Minister in regard to the attitude of the apprentice is ridiculous, because if a boy at the termination of his five years' apprenticeship is a competent tradesman he can command the award rate, and would not need to wait for another eighteen months to do so. It is not practicable to take a youth who has just served his apprenticeship and put him on the same basis as men who have worked at the trade for many years. I know where it is going to end, and I am backed up in this regard by the opinion of men who have done much for the youths of this State.

Why has this Bill been introduced at the tail end of the session? For what purpose? To placate some of the "guns" at the Trades Hall.

Mr. WATERS: That is untrue.

Mr. MAXWELL: It is not untrue. I know there are a number of unionists who do not believe in training apprentices at all. What is to be done if there is a dearth of tradesmen in this country? Are we going to import them from overseas? The attitude adopted by the Government and the Minister will not encourage the training of apprentices.

In this matter I will quote the opinions of men who have been associated with industry for a long time. I first of all quote the opinion of Mr. Forster, a member of the central executive of the Ironmasters' Association, and one of the first men called to serve on the Apprenticeship Executive. I know from my own knowledge the good opinion the late Chief Justice McCawley had of Mr. Forster. I am aware of the work he did and the sacrifices he made in an endeavour to make tradesmen of a number of youths. In the "Telegraph" of the 24th November, 1934, the following report of an interview with Mr. Forster appears:—

"'The number of boys affected by the amendment of the Act will equal some hundreds,' said Mr. T. M. Forster, a member of the central executive of the Ironmasters' Association, 'and the alteration will have a far-reaching effect on the standards of work in the future. The matter is of considerably more importance than it might appear to be at first sight, involving as it does not only the question of the future of youths in the engineering and other trades but also that of the capability of workers in some of the most skilled trades in the community.'

"Mr. Forster said that the Minister in charge of the amendments had never consulted the central executive as to the changes which the Government proposed to make and he had even refused to see a deputation from the executive which had gone to call upon him as soon as it had heard of the proposals. When Mr. Sizer had been the Minister in charge of that particular Act he had given an emphatic assurance that no alterations would ever be made unless the executive of the association was first consulted."

At 5 p.m.,

The CHAIRMAN OF COMMITTEES (Mr. Hanson, *Buranda*) relieved Mr. Speaker in the chair.

Mr. MAXWELL: As witness No. 2, I submit the evidence of Mr. Nixon—and a statement made in this report is different from that made by the Minister regarding the reductions in wages. It must be pointed out that the gentlemen I refer to speak with knowledge and authority. I now read from the Brisbane "Telegraph" of 24th instant—

"STANDARD OF WORK.

"APPRENTICE SCHEME CHANGE.

"*Serious Effect Feared.*

"Far-reaching effects of a disastrous nature to the labour market, so far as young apprentices just finishing the period of their indentures are concerned, are likely to result from the Government's action in amending 'The Apprentices and Minors Act of 1929' so as to remove the provision allowing apprentices to continue in employment at reduced rates for eighteen months after the termination of their apprenticeship, said leaders of various industries to-day in commenting upon the Bill now before the Legislative Assembly.

"It was explained by Mr. F. O. Nixon, secretary of the Brisbane Timber Merchants' Association, that apprentices in the different timber industries had derived great benefit from the clause in particular, which had been introduced in 1929 by the Moore Government as an offset to the then rapidly growing unemployment. Its chief provision was that apprentices who had finished their time might be retained, by agreement with their employers, for eighteen months longer as 'young journeymen' at rates of pay which equalled 70 per cent. of the full award rate for the first six

months, 80 per cent. for the second six months, and 90 per cent. for the third.

"Experience had shown over and over again that in the more skilled trades a boy certainly could not be looked upon as a trained and finished tradesman at the end of a period of apprenticeship extending over five years, or four and a-half years when all holidays and allowances of time had been deducted. It took a further period of varying length to complete his training and make him a first-class worker."

As I have already pointed out, the first of these two gentlemen was a member of the Apprenticeship Executive, and the second is secretary of the Timber Merchants' Association. I also know this——

Mr. W. J. COPLEY: What do you know?

Mr. MAXWELL: I know too much for you.

Mr. W. J. COPLEY: What do you know?

Mr. DEPUTY SPEAKER: Order!

Mr. MAXWELL: I know that not only have these gentlemen, who are qualified to express an opinion, pointed out the disaster that is likely to occur; we have also the comments that have been made in the press. The Brisbane "Courier-Mail" of 23rd instant——

Mr. W. J. COPLEY: Is that your Bible?

Mr. DEPUTY SPEAKER: Order!

Mr. MAXWELL: It is sometimes the Bible of hon. members opposite when it suits them. I am perfectly justified in quoting this article, and I intend to do so. It reads—

"TAKING WORK FROM YOUTH.

"Offering only the most perfunctory excuse for doing so, the Minister for Public Instruction, Mr. Cooper, introduced into Parliament yesterday a Bill to amend 'The Apprentices and Minors Act of 1929.' Almost the sole purpose of this measure is to abolish the existing provision for 'young journeymen.' The 1929 Act, which established a system of apprenticeship that has won high praise beyond the State, provided that an apprentice, on completing his indentures, might continue in his trade and calling, and under the employer with whom he was indentured, as a 'young journeyman' for a term of eighteen months. During the first six months he might be paid 70 per cent. of the wage prescribed for a journeyman in his trade; during the second six months 80 per cent., and during the third six months 90 per cent. This arrangement was not compulsory; it was intended both to assist employers to keep apprentices in employment after the completion of their indentures, and to help young men to retain employment while adding to their experience and worth as craftsmen. According to Mr. Cooper, the provision has brought no benefit to apprentices, and therefore it is to be scrapped. As a consequence an apprentice on completing his term will be forbidden by law to continue in his trade unless he can convince an employer that his services have at once become worth an experienced journeyman's full rate of pay, meaning in some instances an immediate increase of £2 10s. a week.

"It is inevitable that under these conditions more youths will be thrown upon the labour market. Employers cannot reasonably be expected to pay wages for work not worth them merely in order to retain apprentices, and an employer will not take on a fully-qualified journeyman until he is convinced that he can make profitable use of his services. It is also manifestly unfair to require that a youth of twenty or twenty-one years, only just emerged from his apprenticeship, should have to compete for work on the same terms against older men of longer and wider experience in his trade. The probationary 'young journeyman' period allowed under the 1929 Act enabled an apprentice to continue his training, enlarge his experience, and prove his worth as a fully-fledged journeyman to his employer. The amending measure proposed by the present Government will threaten him with a term of unemployment, making it all the more difficult to establish his competence in his craft. One of the most surprising features about this strange move by the Government is that it has been undertaken without consulting the Apprenticeship Executive. Yet this executive, consisting of two Government representatives and three representatives each of employers and unions, has had constant oversight of the working of the apprenticeship system in the last five years, and was formed expressly to advise the Minister. It looks as though the Government were following advice, or even obeying orders, from some other source which has small concern for protecting apprenticeship as an avenue to employment for the youth of the State."

That is the opinion of a prominent morning newspaper, a journal that has at times patted the Government on the back. This Bill is of vital importance, because it will have the effect of throwing many young people out of work. We have only to realise the number of people thrown out of employment on attaining manhood because of the wages prescribed in the awards to appreciate its importance. Why is this done?

Mr. WATERS: The employers want cheap labour.

Mr. MAXWELL: The employers do not want anything of the kind, and the hon. member would be too dear at any price. The employers want men of ability. Hon. members opposite know that this Bill will have a serious effect, but they are being driven by the power behind the throne. If an employer cannot obtain the work to do at a payable price then what is going to happen to his employees? When that occurs hon. members opposite come whining to the employers and to the moneyed men saying, "Come and help us by placing these men, women, and boys in positions." Look at the political hypocrisy reflected in this Bill! Hon. members opposite will frantically call, "Come and help us," but on every occasion they stab the employers in the back. We know very well what they mean when they say these things, but they put the knife into the private employer every time. It is Government policy to do it, and they are doing it daily. I warn

them that they cannot pass a Bill of this kind and then expect to be able to go to the employers, saying, "Help us, help us to place these boys." They are strangling the industrial prospects of these boys by this class of legislation.

Section 39 is to be amended by providing for two weeks' sick pay instead of one, whereas the awards limit sick pay to one week. Many of the awards provide for the termination of the employment after one week, so the Bill is not consistent in that respect. Clause 6 provides for a new section 42:—

> "An apprentice shall be paid the same allowances as are from time to time paid by the employer to journeymen in the same trade for travelling time, fares, meal money, distant jobs, work performed under extraordinary conditions, dirt money, and other matters; or where such allowances are proportionate to the rates of pay received by journeymen, the apprentice shall be paid only such proportion thereof as the rates of pay of the apprentice bear to such journeyman's minimum rates of pay."

The amendments sought to be made in the Act are not consistent. Whilst clause 6 asks for equality for apprentices and tradesmen clause 5 asks for something more for apprentices than for tradesmen.

Mr. WATERS: That is the brief of the Employers' Federation.

Mr. MAXWELL: In reply to the hon. member for Kelvin Grove I claim that I am a greater authority on these matters than he is because I have been both an employee and an employer. I would refer him to the testimonial given to me by the Secretary for Public Instruction. He says that I am a competent tradesman, and I know my work. I have given the House the opinion of the "Courier-Mail" on this Bill, and I now propose to offer some observations by the "Telegraph" of 23rd instant:—

> "The latest piece of mischief is contained in amendments to the Apprentices and Minors Act. Under this enactment it has been possible for apprentices in the building trade to earn for a period following the expiry of their indentures very decent wages whereas otherwise they would have been out of work. It is provided in the Act now under process of emasculation that a young man on completing his term of apprenticeship may continue for eighteen months as a 'young journeyman,' the wages being for the first six months seven-tenths, for the second six months eight-tenths, and for the third six months nine-tenths of the pay of a journeyman. This is now to be abolished, so that after the indenture period the youth must get full journeyman's wages—or none at all.
>
> "Now, it can hardly be denied that all learners are not a hundred per cent. competent in their capacity, or even their willingness, to learn, and that an experienced artisan is generally preferable to a raw journeyman just out of his apprenticeship. Moreover, these young men have not the same family responsibilities as their elders in the trade, nor the same needs. They are neither worth as much nor do they require as much pay. Further, the building trade has been one of the heaviest sufferers in the time of depression and consequently one of those meriting sympathetic consideration."

I have already quoted what Mr. Nixon has said in connection with the building trade and what the writer in the "Telegraph" said. The article emphasises—

> "The building trade has been one of the heaviest sufferers in the time of depression and consequently one of those meriting sympathetic consideration."

I claim they are authorities on a question such as this. It continues—

> "It may be said not 'without fear of contradiction' but without any departure from the truth that 'The Apprentices and Minors Act of 1929' has been the means of securing to numerous young fellows continuity of employment, at very fair wages, and opportunity to improve their knowledge and usefulness, while had it not been for this Act many of them would have been compelled to reinforce the army of unemployed.
>
> "The Minister for Public Instruction, in whose department is the machinery covering apprenticeship, declares that after five years' experience the provision referred to in the foregoing must be condemned and abolished. The discovery seems to have been reached rather suddenly. We have read the annual reports of the departmental officers and have seen no unfavourable criticism of this transitional stage; but we have read pages and pages on 'the boy problem' and the difficulty of getting the rising generation into employment, with various suggestions, including an extension of the school age in order to relieve the congestion of applications for jobs. We apprehend that the removal of this stepping-stone for apprentices is going to increase the number of workless and wageless young people which already is tragic enough, in all conscience. It is to be assumed that the Government is following the dictates of Trades Hall in this matter, and it may be regarded as significant that the 1929 Act has been allowed to operate without any appearance of Government disapproval all through the period of the present Parliament until the last days of a session immediately preceding a general election. The Bill also was introduced on the eve of the commencement of a triennial Trades and Labour Convention, and we suspect that the new restriction on employers in the building trade is considered an appropriate measure to placate political supporters, or assumed supporters, in the Labour 'movement.' It nevertheless is exceedingly unwise and contrary to the true interests of numerous young fellows who, in present circumstances, coming out of the term of apprenticeship, have a precarious outlook on life. One remarkable thing about this amendment is that the Apprenticeship Executive of the State, which has a statutory status and is supposed to be consulted for the benefit of industry—for the good of both employers and employees—has been entirely ignored. Its views on the amendment have not been sought—

> probably because it was anticipated that those views would conflict with the desires of Trades Hall and the caucus. Thus a 'Labour' Government proceeds to ensure more unemployment. And this by disallowing what it has tacitly, at least, approved for two and a-half years; by abolishing provisions which it has administered without comment or the slightest hint of disagreement and taking full responsibility for the consequences."

I have called as witnesses against the statement made by the Minister certain practical men, who say that this amendment will be detrimental to industry and should be effaced. We have here the remarks of the members of the Executive as well as a statement by the secretary of the Brisbane Timber Merchants' Association, a man who can speak with a certain amount of authority. We have the editors of the Brisbane "Courier" and the "Telegraph," who also say that the Government are doing something that will be disastrous to our young men engaged in industry. We on this side of the House have a duty to perform, and that duty is to do our best to protect youths who are out of employment.

The day the Government give effect to this legislation they will be placing the youths on the industrial scrap heap. The Government must take the responsibility. We on this side of the House have pointed out what is likely to happen, and we know only too well the attitude that Labour members will adopt when their anticipations are not realised. They will exclaim piously, "We did not think it would have that effect." Probably we shall have the Deputy Premier stating that when on a previous occasion he told a number of unemployed, namely, "Get married and go on the dole." We on this side desire to see young men employed at a good rate of pay. If this Bill becomes law, however, there can be only one end.

It has been said that those whom the gods would destroy they first make mad. I believe the gods have made the Government mad. I am sorry that at this late hour the Government have seen fit to introduce legislation of this character. We know that hon. members opposite prior to the last election made promises of what they would do. We can visualise what they will do and say on the eve of the next election. They will say to the youths of this State, "Some of you will get the award rates of pay, but the others—well, we did the best we could for you and we told the employing class they had to give you employment." Little do the Government realise—or appear to realise—that the whole trend of their legislation is to put the employing class out of industry. Hon. members opposite may endeavour to dope the people outside, but we will tell the young men of this State—and their parents too—of the extraordinary attitude adopted by the Government on this matter. Let the Minister tell us why he ignored the Apprenticeship Executive that was created by his own party. Further, let the hon. gentleman say what he proposes to do for the young men of the community and state definitely whether he will find employment for them and pay them award rates of pay. We know that Labour promised award rates of pay on another occasion, and we only too tragically recall that the basic wage mentioned by hon. members opposite turned out in practice to be no more than 27s. a week. Yet the present Government would have us believe that they are sincerely desirous of raising the standard of living. If the people are satisfied with them all I can say is, "God help them."

Mr. G. C. TAYLOR (*Enoggera*) [5.21 p.m.]: The hon. member who has just resumed his seat has been belabouring the issue of the elimination of the "junior journeymen" provision in the existing legislation when he might have given this House the benefit of his experience, both as a worker and as an employer. The hon. member knows, however, that at the present time we have a large number of experienced men who have families to maintain and at whose expense the employers are employing the junior journeymen. The hon. member also knows that under the Act a permit can be procured from the Registrar of the Industrial Court by a youth who has served his time and is not regarded as being a fully competent journeyman. The hon. member knows that provision has been in force under legislation that did not permit of junior journeymen and he also knows that to-day employers are taking an unfair advantage of the "junior journeyman" section of the Act to employ not only the competent apprentice who has served his time and become competent at the end of five years, but also other individuals who perhaps have left employers with warranties of full efficiency and gone to other employers on the "junior journeyman" basis. Those are the facts of the case, and if we as a Government in this year of Our Lord one thousand nine hundred and thirty-four introduce legislation that is against the best interests of the workers in industry we are not entitled to any consideration at their hands.

Since the formation of guilds in the building trades in Australia fifty or sixty years ago an apprenticeship system has been in operation. At one time apprentices, on entering into the service of a master, had to pay a premium. Later that was eliminated and although at that time the premiums were paid by the fathers of the apprentices to the masters, there was never any intention on the part of the master to take the boy's period of apprenticeship over the legitimate time of five or six years. It was provided by the Act introduced by the Moore Government that he could be classed as a junior journeyman for a period of years after he served his time. While it is argued by hon. members opposite that during a period of depression it may be necessary to smash every legitimate system in operation in industry in order that work may be provided for one class of individual, the system they suggest offers cheap labour. It can also be argued that the employment of that individual is keeping out of employment the efficient tradesman who has a family to maintain. After all, that is the main issue in regard to this amendment of the Act.

I claim that when an apprentice has served his apprenticeship of five years, as apprentices have done during the last fifty years and qualified as journeymen tradesmen, they are entitled to the rate of pay of a journeyman tradesman; and if a case can be made out for a permit——

Mr. RUSSELL: It is difficult to get permits.

Mr. G. C. TAYLOR: It is difficult to get permits, because the workers in industry recognise that the employer is prepared to use the apprentice as a cheap labour proposition.

The hon. member for Toowong referred to the fact that clause 6 provided that an apprentice shall be paid the same allowance for travelling time, fares, meal money, distant jobs, work performed under extraordinary conditions, and dirt money as the tradesman. Can the hon. member mention a system of transport which will carry an apprentice to a job at a cheaper rate than a journeyman tradesman? Could a boarding-house keeper be asked to supply a young apprentice of eighteen or nineteen years with a meal at a cheaper rate than that charged for a journeyman? Extraordinary work, of course, is paid for on the proportional basis.

Although the hon. member who has just resumed his seat knows industry as well as any other hon. member in this Chamber, he has not put up a good case. The fact that he said this Government promised the workers the basic wage rate of wages and they had only given them a basic wage of 27s. a week indicates that he was a little astray. He was evidently referring to something outside this measure, apparently the unemployment relief scheme, under which all workers in industry receive the full basic wage for work done.

Mr. KENNY: That is not the basic wage.

Mr. G. C. TAYLOR: The hon. member for Cook interjects that that is not the basic wage. Will the hon. member tell me what is the basic wage.

Mr. NIMMO: £3 14s. a week.

Mr. G. C. TAYLOR: Would the hon. member agree, if the party he supports were in power, to make his Government pay £3 14s. a week to a man for one day's work a week? That covers the argument implied by the interjection of the hon. member for Cook. There is not much else that can be said. I have dealt with the essentials, and the Government are to be commended, for the reasons stated, on bringing forward this Bill.

Mr. RUSSELL (*Hamilton*) [5.31 p.m.]: I have listened patiently to the speeches delivered by the Secretary for Public Instruction and the hon. member for Enoggera, but apart from a mass of assertions no argument has been brought forward as to why the present Act should be interfered with. The Minister has stated that the experience of industry is that junior journeymen are unnecessary. I deny that statement in toto, and say, on the contrary, that the experience of industry proves that the provisions as to junior journeymen were wise in the extreme and should be continued.

Mr. P. K. COPLEY: Cheap labour.

Mr. RUSSELL: The reason actuating the Moore Government in 1929 was not a desire to provide cheap labour, as hon. members opposite assert, but to prevent the wholesale dismissal of employees that was going on at that time. In 1929 we were faced with an extreme economic crisis, and it was felt that something should be done to prevent the dispensing with the services of those apprentices who had served their term of five years. A youth of twenty-one years of age, who has served five years at a trade is not equal to an experienced man of thirty-five or forty years of age who has served many years at it. It is an entirely absurd assertion that a youth of twenty-one in the carpentry trade is as good as a man who has served up to the age of thirty-five years in that trade. The latter has an extensive knowledge of construction. And what applies to the carpentry trade applies to almost every other trade. When it came to reduction in staff, naturally the employer would keep the most efficient man, the man with long experience and the most capable. If this Bill comes into operation there will be a sudden increase in the wages of the apprentices to those of journeymen. The hon. member for Toowong cited two cases. In the joinery trade at the end of the fifth year the apprentice in receipt of £3 a week rises to £5 a week, and in the building trade the apprentice, at the end of his term, goes from £3 a week to £5 10s. a week. The employer will then say that for the extra £2 or £2 10s. per week he can obtain the services of a number of efficient men who will be more capable than his apprentice, and whose labour will be of more value. That is the only common-sense view that can be taken of the situation, and that was the main reason actuating the Moore Government in introducing the Apprentices and Minors Act.

At 5.34 p.m.,

Mr. SPEAKER resumed the chair.

Mr. RUSSELL: It is a regrettable step the Government are taking, and I feel certain that it is due to outside pressure brought by the unions. Are the unions so blind to their own interests that they feel that by displacing these youths they will make things better for themselves? In many instances these youths are the support of their parents, and it does not follow that when they are displaced there will be more jobs for the men. Unfortunately, the whole trend of Labour legislation has been to this end. Owing to their stupidity the unions have demanded from the Industrial Court year after year such exorbitant increases for juniors, that when they arrive at the age of eighteen or nineteen years and upwards, their services are dispensed with. They then have younger juniors substituted for them. That process is proceeding to-day in every industry. The policy of hon. members on this side of the House is that while times are so depressed there must be a modification of awards for juniors in order that more people may be kept in work. I am certain that if the whole system of Industrial Court awards were overhauled and the increases for juniors spread over a longer period there would be a lesser number of unemployed than at present.

Despite the depressed times and despite bad balance-sheets the employer is asked to increase the wages of a boy or girl by 12s. 6d. or 15s. a week simply because he or she has a birthday, but it cannot be done; consequently the unfortunate hand gets the "order of the boot" and a junior is put on in his or her place. That is exactly what is going to happen here.

Section 43 of the 1929 Act provides—

> "Notwithstanding anything in any Act or law or award to the contrary,

> every apprentice shall, after completing the full period of apprenticeship as prescribed in his indentures, and upon passing the final examination test, be immediately classed or designated a 'young journeyman,' and as such may continue his trade or calling for a term of eighteen months . . . . "

That is divided into three periods of six months each. For the first six months the wage is 70 per cent. of the increase paid to tradesmen—not a very great sacrifice to ask of a young man. It is far better that he should accept 70 per cent. of the advance rather than that he should be sent about his business. During the second six months he receives 80 per cent., or four-fifths of the advance, and at the end of twelve months he receives 90 per cent. of the advance. It is not too much to ask of a young man that he should forgo 10 per cent. of the advance in the last six months of a period of eighteen months. Does anybody say that that is a serious sacrifice to ask of any young man?

Single tradesman are paid the same wage as married men with a wife and three children. That is the basis of the Industrial Court awards, but it is absurd. The whole system needs revising so that industry shall not be asked to stand the heavy burden of high wages that are designed for a man, his wife, and family of three children. Surely the obvious remedy is to pay for the work done and to pay an extra amount out of some fund to a married man with a wife and family? We shall have to come to that. The Bill proposes that a single man at twenty-one years of age shall be paid the same rate as a married man of experience with a wife and family. The thing is impracticable and unwise. The provisions of the 1929 Act were not compulsory; they were optional. There was nothing to stop the employer from paying the full rate of wages to an apprentice of ability if he could prove that at twenty-one years of age he was equal to the best tradesman in his shop. Surely to goodness an employer who has a good apprentice is wise enough to recognise the fact and will not deny him the full wage of a journeyman. So that all this "tripe" about the rights of men is sheer nonsense. I want to protect them and to see that boys are kept in work. Surely a period of eighteen months is not too long a period over which to ask them to bear this small sacrifice, as against the enormous sacrifices that are being made to-day by married men with families.

The Minister said that over the last eighteen months the apprentices practically loafed on their employers. That is a very serious assertion to make. He wants us to believe that because the period of apprenticeship was extended from five years to six and a-half years the apprentice did not put his shoulder into the job, as he had a longer period over which to spread his experience. That is a libel on the men. There may be some renegades amongst them, but I dare say the majority of the apprentices are willing and anxious to do their job.

Mr. G. C. TAYLOR: Who said that?

Mr. RUSSELL: The Minister said so. He said that because the Act provided for an additional eighteen months over which the apprentice could spread his experience he did not exert himself over the six and a-half year period as he would over the five-year period to make himself efficient. That is sheer nonsense. It is a pure assertion to say that five years is a sufficient time in which to train an apprentice to be a tradesman. That statement will not stand the test of investigation. I admit that in some industries five years are sufficient for a boy to become a journeyman. Some boys can achieve the height of their ambition in less than five years, but there are some intricate trades that require a longer period. I should say that it would take much longer for the boy in the engineering trade to become thoroughly efficient and be classed as a first-class tradesman than a boy indentured to some lesser calling.

The Minister said that industry was prepared to pay the wages. Industry is not prepared to pay the wages. The wages to-day are a tremendous infliction on industry, and industry should not be called to pay the wages for the great number of wives and children that do not exist. It is prepared to pay a fair wage.

As I said just now, it should not be asked to pay the same wage for these young journeymen of twenty-one years of age as it is asked to pay for a married man with a wife and three children. That basis must be altered. The hon. member for Enoggera said that the effect of the present Act is that married men are kept out of their jobs. That is not correct. The hon. member has no right to make that assertion in this House unless he can back it up with figures. On the contrary, no married men have been kept out of jobs because of the journeymen apprentice provisions in the present Act.

Mr. P. K. COPLEY: Where are your figures?

Mr. RUSSELL: My statement is quite as good as that of the hon. member for Enoggera and I challenge him to prove his statement. Why should we listen to these bald assertions thrown across the Chamber? No journeyman with experience should fear competition from journeymen apprentices. Trained men can keep their jobs with far greater security, because they are far better employees for the employer than apprentices who have just finished their indentures. The "junior journeymen" provisions of the Moore Government Act contained a humane proposal, and their annulment will have the effect of throwing a great number of these youths on the industrial scrap-heap. We should in every possible way endeavour to keep them in their jobs. It can be done if we spread the increases over a longer period than is proposed to-day.

What applies to apprentices also applies to minors in various occupations. The 1929 Act provided that minors and apprentices who came within the schedule were to be taken out of the jurisdiction of the Industrial Court and placed under the jurisdiction of the Apprenticeship Executive. This Bill proposes to tie the Apprenticeship Executive down to providing for the same scale of pay as is provided in the awards for tradesmen. The whole question of the employment of youths and minors has not been sufficiently investigated by the Industrial Court, which has been actuated mostly by the desire to put into effect the principle that when he arrives at the age of twenty-one the youth must get a man's wage. That system is wrong. Some youths of twenty-one are entitled to a man's wage, but a great num-

ber of them are not. The effect of the awards to-day throughout our industries is that many of these juniors on arriving at the age of twenty-one years must draw a man's pay, although they are not earning it. The result is that in a great number of cases their services are dispensed with. We want to see that they are kept in their jobs. I cited two cases in the joinery and building trades of sudden increases from the rate of the last year of apprenticeship to that of the journeyman, but I have a more extreme example. Under the process engravers' award an apprentice in his fifth year of apprenticeship receives 60s. a week, but immediately his indentures are completed he goes up to £5 17s. a week, the wage prescribed for journeymen. Nobody can tell one that a boy of twenty-one years of age in the process engraving trade is equal in merit or efficiency to a journeyman who has had many years of experience and is in receipt of a wage of £5 17s. a week. What will happen in that trade if this Bill precludes the employers from continuing the services of their last year apprentices as journeymen at the rates prescribed in the 1929 Act? There is nothing more certain than that these apprentices will receive the "order of the boot." There are any numbers of experienced process engravers whose services can be obtained at £5 17s. per week, and there is no doubt that they will get preference of employment.

I am inclined to think that the unions are behind this move, as the hon. member points out that these journeymen apprentices are keeping men out of work. The unions believe that these apprentices who are now junior journeymen are keeping journeymen out of work. That is why they want the Act amended to prescribe the full rate of pay when an apprentice has finished his indentures. I should like the hon. member for Enoggera to produce proof of that assertion because it is a mistaken conception of the present situation. We are all agitating to-day for more employment for youths. The unemployment of youth is one of the greatest tragedies of the unemployment question. Even if some men were kept out of work we owe a duty to the young people of this community and we must not close up these avenues to them. The whole trend of Labour policy is for the retention of older men without any regard for younger men, but the latter have their rights as well as their elders, some of whom had their opportunities in the past and perhaps missed them. Why should that be brought up against the juniors to prevent them from securing work? I put in a plea for the young folk and that is why I am opposed to this Bill. I want the unemployed youth considered so that until times are better they will have a far better opportunity for employment as apprentices and minors in industry. The majority of employers are big enough to strain every effort to retain the services of all youths instead of dispensing with them owing to stupid increases of pay demanded by awards. I have mentioned on several occasions that, in their disregard of the claims of youth, the present Government are lacking in their duty, condemning as they do a big section of the youth to prolonged unemployment, which saps their moral fibre and renders them utterly useless as good citizens. We should stand up to our duties and see that greater opportunities are given to them. Restrictive legislation of this nature will not aid us, and as it tends in the opposite direction it must be resisted. Let us continue the present Act; it has done no harm but rather a fair amount of good. We do not hear of any employers getting rid of their journeymen between the ages of twenty-one and twenty-two and a-half years. I believe the services of a great number of them are retained when they are twenty-two and a-half years of age and they are due to receive the full journeyman's wage. Surely it is no great sacrifice to wait until they are twenty-two and a-half years of age before asking for the same rate of pay as is paid to more efficient and experienced men!

The SECRETARY FOR LABOUR AND INDUSTRY: How do you explain the fact that fewer apprentices were employed during the Moore regime than at any other time?

Mr. RUSSELL: The Moore Government had to clean up the mess left by their predecessors in office—the Labour Government. The Apprentices and Minors Act was an honest attempt by the Moore Government to deal with the question, and because it has had some good effect the present Government are putting it aside at the behest of the unions, who are blind to their own interests. It is tragic that such a thing should be perpetuated by a Labour Government who, to say the least of it, should stand up for the youths of this country. Employers have no desire to dismiss these young men on their reaching the age of twenty-one, but on inquiry I am told that many of the boys will have to go because many experienced and efficient men are looking for work. A learned judge of the Supreme Court referred recently at Rockhampton to the "terrible curse of unemployment," and referred to the arbitration system under which when a youth reaches twenty-one years of age and is due for an increase in wages his services are dispensed with. The press comment on the matter reads—

> "The learned judge, however, did not (as he might have) add that the principal cause for this state of affairs exists in the laws of the country. Employers have no desire to dismiss men when they reach the age of twenty-one, but they are practically compelled to do so owing to the restrictions that are imposed. In the building and painting trades, for instance, when a lad has served his apprenticeship the employer, under existing laws, must pay him the full journeyman's wages. With numberless more experienced and efficient men looking for work the employer naturally dispenses with the services of the younger employees when he is compelled to pay them the full award rates and engages those who are more competent because of their longer experience. This is a necessary economy."

When the Apprentices and Minors Act was introduced in 1929 by the Moore Government, the Premier had a good deal to say about it. I take one sentence from his speech—

> "The interests of the boy who is being trained as an apprentice should be paramount."

That is what we are contending for—that the interests of the boy must be paramount.

The Act introduced by the Moore Government endeavoured to make his interests paramount, but his interests are being disregarded in this amending Bill because of pressure from men outside who foolishly think these boys are keeping their seniors out of work.

The Premier also made use of the following argument when dealing with the question of apprentices:—

> "In almost every warehouse, in every large undertaking in Queensland, you will find boys and girls being taken over after they have left school, at the age of fifteen or sixteen, and when they are eighteen or a little over they are often paid off because the employer desires to bring in a fresh lot of juniors at a lower rate of pay."

What was happening in 1929 is bound to happen in 1934, and that is the position we should endeavour to avoid. The first step the Moore Government took in regard to apprentices was to endeavour to prevent the wholesale exodus of boys and girls from employment. Any further legislation introduced after that period should have had the object of retaining the services of boys and girls in warehouses, factories, and other places of employment, and that could have been done by applying a system of graduated rises, so that, instead of boys or girls receiving big rises over a short period, their increases would have been spread over a long period.

This is one of the most drastic Bills brought forward by the Government, and the fact that it has been introduced at the end of the session indicates that they are somewhat ashamed of it. They do not seem to be very enthusiastic over it. An examination of the debate that occurred in 1929, when the Moore Government introduced the Bill dealing with apprentices, discloses the fact that with the exception of the speech delivered by the Premier very little was said in opposition to the Bill. I honestly believe Ministers are of opinion that this legislation is ill-timed. The Minister has not advanced any argument in justification of it. We can only assume the Government have been forced to take this action by the extreme elements in the party and by union leaders who desire this legislation in order that those unionists may retain their jobs whilst the multitude are outside the fence, and they may thus get rid of those boys whom they imagine are standing in their way. I hope that is not the case, because it would be a rather heartless attitude for them to adopt in regard to the employment of youths.

What is the powerful and wealthy Australian Workers' Union doing to increase the employment of youths? It is extracting 25s. from every rotational worker to swell its funds, and it pays huge salaries to its officials. What sympathy is it showing for the unemployed boys and girls? Work can be secured provided the sacrifices are equally divided throughout the community. I object to union leaders clamouring for the retention of their privileges and endeavouring to place the multitude outside the fence whilst they are drawing good salaries. The Government are showing a woeful disregard of the rights of the young people of this country, because the whole of their legislation has been detrimental to the welfare of youth. This Bill is not going to bring about the sunshine and happiness that were predicted by the Premier during the 1932 elections.

Mr. GLEDSON (*Ipswich*) [7 p.m.]: I desire to commend the Minster on his introduction of this Bill, which, as has been truly said, is long overdue. The measure contains several principles affecting apprentices and minors, but a point that has been cursorily touched upon by members of the Opposition who have already spoken is the practice of employers of obtaining premiums from prospective apprentices. That is contrary to the law. The payment of a premium meant that a boy purchased his job. This was illegal, but several cases have been discovered in Queensland. When they were unearthed all that could be done under the Act was to penalise the employer for a breach thereof, but there was nothing that made it obligatory on him to return the money he had illegally obtained from their parents. The Bill makes provision that anyone who receives a payment, either by way of premium, or gift, or any other monetary consideration, may not only be prosecuted for a breach of the Act, but may also be compelled to repay the money illegally obtained. This matter has not yet been touched upon by members of the Opposition, although they say they are opposing the measure.

The hon. members for Hamilton and Toowong have addressed themselves to the employment of junior journeymen. This matter has given very much concern to us, but not because of the reasons put forward by hon. members on the opposite side, who have stated that the provisions of the Bill will prevent boys from obtaining work, and be the means of putting young journeymen on the labour market. But what is the position? What has been the effect of the Act passed by the Moore Government in 1929? Statistics prove that it resulted in preventing boys from becoming engaged as apprentices. The figures submitted to us by the Apprenticeship Executive show that during practically the whole of the regime of the Moore Government very few lads were apprenticed under its provisions. It was under this Act that they were to provide employment for a greater number of boys and fulfil the slogan in their policy speech of, "Give the boy a chance."

The Act provides for an extension of the apprenticeship period from five to six and a-half years in practically every case. That meant that during the periods of six, twelve, or eighteen months that the young men were employed as junior journeymen they were not counted as tradesmen for the purpose of enabling the employer to put on another apprentice. This, therefore, meant that the employer could take no further apprentices and prevented dozens of lads in Queensland from obtaining an opportunity of learning trades that otherwise they would have had.

I am speaking of a subject I know something about. I made many attempts during the past two years to have lads placed in employment, but I discovered that the Act passed by the Moore Government in 1929 hindered the employer in this direction because the junior journeymen who were continued in employment beyond the apprenticeship period of five years could not be counted as journeyman for the purpose of

determining the ratio of apprentices to journeymen in the establishment.

The whole basis of the arguments by the hon. member for Toowong and the hon. member for Hamilton was that under the present system the boys could not qualify as tradesmen in five years and that a longer period was required. Their criticism amounted to a travesty on the employers of this State who had entered into indentures with the guardians or parents of the boys to teach them their trade—a solemn agreement to teach their boys in an efficient manner, the Apprenticeship Executive being set up to see that the boys received the necessary training. If the present system is to be condemned, then the condemnation cannot be based on the wages to be paid, but must be directed towards the employers who have failed to train their apprentices in a competent way.

Let us consider the case of an industry where the journeyman is paid £5 a week. Under the 1929 Act passed by the Moore Government, a lad who had served his apprenticeship period of five years was to be paid 70 per cent. of the wages paid to the journeyman during the first six months after the completion of his indentures. That would mean that he would be paid £3 10s. a week or that £39 would be taken from him to go into the pockets of the employer, although he would be performing the work of a journeyman. During the second six months he would be paid £4 per week or £1 a week less than a tradesman's wage, which meant that a total of £26 would be taken from him during that period. For the third six months he would be paid 90 per cent. of the wage of £5 a week, which meant that he would be deprived of 10s. a week or £13 for the period—a total deprivation of £78.

Mr. KENNY: What would he be paid if he were dismissed?

Mr. GLEDSON: I am coming to that question. The hon. member for Toowong wept tears of misery because he alleged there was a dearth of tradesmen in Queensland. He claimed that we had not trained apprentices and he asked what we were doing to train them. On the one hand we are told by hon. members opposite that there is no work for competent tradesmen, and on the other hand that there are not sufficient tradesmen. If there are not sufficient tradesmen, then that is due to some extent to the action of the Moore Government in passing the Act of 1929, which practically extended the period of apprenticeship from five years to six and a-half years and thus prevented a greater number of apprentices from being employed because apprentices out of their time could not be regarded as journeymen for the purpose of arriving at the proportion of apprentices to journeymen that could be employed.

I do not wish to labour this matter, but there are one or two points that I should like to mention. The hon. member for Hamilton asked why a boy of twenty-one years of age—as he called him—should receive the full tradesmen's wage after he had served his apprenticeship. He claimed that the employers would not pay that wage. He asked whether the employers were going to pay a lad of twenty-one years of age the same wage as they would have to pay a more experienced tradesman, of, say, forty-five years of age. He asserted that the employer would prefer the older and more experienced hand.

Hundreds of apprentices are more than twenty-one years of age when they emerge from their apprenticeship. As a matter of fact, they could be apprenticed up to the age of twenty-one years. Some of our youths could not become apprenticed when the Moore Government were in power. When that blight was upon Queensland, great difficulty was experienced in apprenticing lads. Everything appeared to be stopped because of that blight. Since then a number of those boys had gone into apprenticeship. Not only have these boys entered upon a five years' apprenticeship in the workshops, but they have had, in addition, three or four years' experience in the technical colleges in obtaining a theoretical as well as a practical knowledge of their respective trades. It may be that some of those lads are twenty-three, twenty-four, and even twenty-five years of age. Many an apprentice who obtained a position three or four months ago will be twenty-five years of age before he comes out of his apprenticeship. Had the present Act continued in operation he would have been twenty-six and a-half years of age before he received a journeyman's wages. Probably he would then be a married man with a young family. Those are the boys to whom the hon. member for Toowong says the employer is not prepared to pay a full journeyman's wage! All that sort of talk has been heard in this House on previous occasions, as well as on the hustings. So long as they can make a profit out of the artisan or other worker, the employers will employ him. If they cannot do so they will not employ him. It is the profit they can make out of the worker they are concerned about. They will not employ any person if they cannot get "value" out of him. These apprentices who get five years' training in a workshop attend classes at the technical college throughout their apprenticeship. Each year they must pass examinations in order to show that they are competent to enter the calling. Take any lad who has served his five years, in addition to passing the examination at the end of each year and thus proving that he is qualified in both the theoretical and practical branches of his trade. Could any hon. member honestly say he is not worth journeyman's wages set down by the Industrial Court?

The hon. member for Hamilton stressed the question of minors very strongly. He was also very much concerned about what he says has been the result. During the whole period the present Act has been in operation hundreds of lads have been dismissed on reaching the ages of eighteen or twenty-one years, as the case may be, not because of the passage of any legislation of any Government. Under the apprenticeship scheme apprentices cannot be dismissed if there is work for them to do; but how many apprentices during the three years of the Moore Government had their indentures cancelled because the employers could not carry on their work?

Mr. KENNY: How many?

Mr. GLEDSON: We can give hon. members the figures if they want them.

Mr. KENNY: Give us them; don't make bald statements.

Mr. GLEDSON: The figures are contained in the report, and I can give them to the hon. member if he desires. The point I want to make is that while the hon. members for Hamilton and Toowong have been bitter in their attack on this Bill, it only provides for the elimination of the "junior journeyman" clauses, thus making provision that an apprentice who has served his apprenticeship shall be paid the proper wage, and the minor shall get his proper wage, when he reaches the age of twenty-one years. Hon. members opposite say that hundreds of them will, as a result, be thrown on the scrap-heap.

The hon. member for Hamilton said that these boys would get the "order of the boot." We can all recall the period from 1914 to 1918 when an effort was made under a voluntary recruiting scheme to get lads to go overseas to fight for the country. Did the authorities then say that these lads had to be twenty-one, twenty-two, twenty-three, or twenty-four years of age before they would be allowed to enlist? No, they said that when lads were eighteen years of age they were fit to undergo training and proceed overseas to take a man's part in fighting for their country. In times of peace, however, these same people say that at twenty-one years of age apprentices who have completed their indentures are not fit to get a man's wage. The boys are of the same stock——

Mr. KENNY: That is great sob stuff.

Mr. GLEDSON: I do not suppose anyone can put over more sob stuff than the hon. member who interjects.

Hon. members opposite say that if youths of twenty-one years of age receive the full wage to which they are entitled when to all intents and purposes they become men it will mean that they will be displaced from work and their places taken by others. But youths of that age did not get the "order of the boot" during the strenuous years of war.

The workers of Queensland will welcome this Bill to provide for the full journeyman's wage being paid to lads who complete their indentures and become competent tradesmen. The fact that junior journeymen will become full journeymen will provide an opening for other apprentices.

What did hon. members opposite ever do for boys so far as apprenticeship is concerned? Even after examinations had been held and boys had been appointed the Moore Government cancelled the indentures and refused to apprentice anyone. Not one apprentice was employed during the whole of their time, but the present Government remedied that position to a large extent. In the Government service alone between 150 and 200 lads have been apprenticed to different trades during the term of the present Government, and many lads in addition have been apprenticed to trades and callings throughout Queensland. It is all very well for us to sit here and listen hour after hour to reams of abuse from the Opposition because we are endeavouring to remedy a wrong——

Mr. TOZER: Don't you know we have to do it, too? (Opposition laughter.)

Mr. GLEDSON: If the hon. member is prepared to listen to his colleagues on that side of the House, that is his look out. The fact remains that Government members have to listen to reams of abuse from the Opposition because we are endeavouring to remedy a position created by the previous Government, who should never have interfered with apprenticeship legislation in any way. The Bill now before the House will go a long way to improve a position that should never have occurred.

Mr. NIMMO (*Oxley*) [7.22 p.m.]: Every hon. member is seized of the great importance of the question of the employment of youths. To try to secure useful employment for boys and girls is, I imagine, the earnest desire of every hon. member. In 1929, the Moore Government made a splendid attempt to deal with the position by enacting the Apprentices and Minors Act. A great deal of opposition was displayed to that measure, but admittedly it has stood the test and to a great degree has fulfilled its purpose. After a period of five years we find that the only amendment brought forward is that relating to junior journeymen. Why are the Government so intent upon repealing the legislation in that respect? The hon. member for Enoggera probably gave us the true facts this afternoon. On this occasion the hon. member apparently spoke for the Government when he said that men who have large families are being kept out of employment by these junior journeymen. That is a very short-sighted view. No one will seriously contend that it is the desire of any employer to displace Australian born boys who are being taught trades simply in order to replace them by other men. The thought behind this Bill is that all these junior tradesmen will be scrapped and other men employed. Apparently the union officials at the Trades Hall have decided that these young men are not to be allowed to continue in employment and get that experience which is so necessary to produce the finished tradesman.

There is no doubt we have a remarkably efficient system for training apprentices in this State, and the men who have charge of this work are to be commended. I desire to pay a tribute to the chairman of the Apprenticeship Executive for the great work that has been accomplished. The good results of that work will be negatived by the introduction of this Bill, which alters the conditions governing apprentices. Under "The Apprentices and Minors Act of 1929," after an apprentice served five years, he continued for a period as junior journeyman before he became entitled to a journeyman's wages. Before the operation of the 1929 Act these young men were put off at the end of five years, and they had no opportunity of securing work elsewhere in competition with experienced tradesmen. Some hon. members have suggested that the employers wanted cheap labour.

GOVERNMENT MEMBERS: So they are.

Mr. NIMMO: I say they do not, because any genuine employer is anxious to teach these boys their trade. Every hon. member knows that when an apprentice has completed five years of service he has by no means completed his training.

In certain portions of Brisbane brick homes are being erected, and I understand a good deal of staircase work is being done, and very few of our locally trained youths are able to do it, and the men from overseas have to be engaged to do it. It will be found that most of the tradesmen engaged on large works in Brisbane are from overseas, and very few of them are native born.

The native born are doing the labouring work! It is the duty of Parliament to endeavour to remove that anomaly, and the only way to do it is by giving youths an opportunity to learn trades and encourage employers to engage apprentices. Is it fair to ask an employer to engage an apprentice when he will have to pay him the full journeyman's wages at the end of five years? If that is insisted upon there will be a reduction in the number of apprentices engaged.

The hon. member for Ipswich stated that if a youth became apprenticed under the Act introduced by the Moore Government when he was eighteen or nineteen years of age, he would have to continue until he was twenty-six before he was entitled to a full journeyman's wage. Is it not better to provide an opportunity for a youth to become a tradesman than to go through life as a labourer? The hon. member for Ipswich also stated that very few apprentices had been engaged by the Moore Government during their term of office.

The SECRETARY FOR LABOUR AND INDUSTRY: That is a fact.

Mr. NIMMO: The Secretary for Labour and Industry also makes the same assertion. I would point out that during the period the Moore Government were in office Australia, in common with all other countries in the world, was suffering from a terrific depression, which has now lifted to a certain extent, and it is a well-known fact that fewer people were employed in every avenue of employment in every State in Australia during that time than before.

The hon. member for Ipswich and the Minister in charge of this Bill welcome it because all apprentices in their electorates are employed by the Government, and naturally they will not lose their employment, while the boys who are apprenticed to private employers will be put off as a result.

Some time ago I asked a question in this House—

> "How many apprentices were placed in employment (*a*) Government employment, (*b*) private employment, for the year 1933-34?"

And the answer was that there were fourteen apprentices indentured to the Government and 561 to private employers during that period, which indicates that private enterprise is still doing its job, and if it were not for private enterprise very few boys would have an opportunity of learning a trade.

The hon. member for Ipswich stated that a large number had been indentured by the present Government, but the answer to my question showed that only fourteen were indentured during 1933-34. Even at this stage I trust the Government will withdraw the clause abolishing the principle of junior journeymen. Its operation will do harm to a greater degree than the majority of hon. members have calculated.

Mr. FOLEY: You are living in the Middle Ages.

Mr. NIMMO: I am not. I know exactly what is happening. I know every hon. member in this House who has a trade is aware that at the end of his five years of apprenticeship he was far from being a finished tradesman, but had to be treated sympathetically by his employer and given the opportunity to do new jobs when they came along. Many of these jobs were not done in the best manner, but the employer, being sympathetic, allowed him to learn the method of doing new work.

Is there anything in experience? Has the boy who has served five years in a trade obtained all the experience needed for that trade? The Premier, when speaking on the Bill introduced in 1929, stated that medical men and those in other professions were not required to go through a period of reduced earning after they had qualified. I say definitely that such professional men do. A doctor, after he has graduated from the university and obtained all the degrees that enable him to practise, in actual practice has to walk the hospitals for two years before he is allowed to go out and practise on the general public. How many of the legal profession get into the forefront of that profession immediately they pass their examinations? I venture to say it is three or four years before they are taking a leading part in their chosen sphere. The same remarks apply to architects.

The SECRETARY FOR LABOUR AND INDUSTRY: Are you arguing that the period of apprenticeship is too short?

Mr. NIMMO: No. What I am saying is that after a boy has served his indentures he should be allowed to continue to improve himself at his trade and not jump into the first-class tradesman stage. I have here figures showing the rates of pay that an apprentice receives in the joinery trade, and they are:—

	Per week. £ s. d.
First Year	0 15 0
Second Year	1 1 11
Third Year	1 12 10
Fourth Year	2 5 3
Fifth Year	3 0 0

According to this Bill he then jumps £2 4s. 6d. a week. That would be all right, provided things were booming. If there were a shortage of tradesmen, naturally, these young men would be kept in employment, but I ask, Mr. Speaker, if you were employing a man or looking for a man to do work in connection with the Parliament House, would you accept a young fellow just out of his time, or would you rather accept the services of a man who had had ten or twelve years of experience in the class of work involved? I venture the opinion that you would take the expert man. The section that is being eliminated from the Act by this Bill is operative the world over. Every country of which I have been able to obtain information provides for a certain period before an apprentice becomes a full journeyman. Every other State in Australia also makes provision for the space between the period of apprenticeship and the time when he receives the wages of a full journeyman. The provision the Government are bringing forward will do no good at all to the young man. Naturally the Government are looking for a certain amount of kudos from them. The Government will say to them, "We put up your wages by £2 4s. 6d. a week as soon as you are out of your time." Let them not forget that the Government will have put them out of work. I know many young men who have not had employment in their

trade since they finished their articles previous to the young journeymen's provisions coming into operation. The Act has worked very well for five years, and the Government would be well advised to allow its provisions to continue.

Mr. G. C. TAYLOR: You are an optimist.

Mr. NIMMO: Yes, I would be an optimist, so far as the hon. member is concerned. I suppose he is one of the members who forced the Bill through the party. The Apprenticeship Executive endeavoured to see the Minister with reference to this matter. It asked for the right to introduce a deputation to the Minister, but it was sidestepped. I understand that 7th September was the date fixed when the Minister would see the members of the Apprenticeship Executive, but something intervened and another date was fixed. However, the Apprenticeship Executive was unable to bring the matter before the Minister. A very grave wrong is being done to the young people of this State by the introduction of the Bill, and I am satisfied that if hon. members opposite were prepared to do some very hard thinking on the matter they would agree with my contention. The employers are certainly not going to be encouraged to employ more apprentices when they are faced with the fact that at the end of five years half-baked tradesmen will be entitled to the full wage for journeymen. The apprentices will then be dismissed. No man likes to dismiss hands who have been in his employ for five years, but there is no alternative if the economic conditions make it impossible for him to pay the wage prescribed. It is not the wish of any employer or of any firm to dismiss his employees, but if the business cannot afford to retain them in employment there is no option. The Government are acting very wrongly towards the young people of this State, and I enter my emphatic protest against the proposal.

Mr. WATERS (*Kelvin Grove*) [7.38 p.m.]: I believe that the Bill will be welcomed by trade unionists, by the people most vitally interested—the apprentices—and by the community generally. The Moore Government did not pass "The Apprentices and Minors Act of 1929" with the object of increasing the measure of skill that they assert the apprentices should have, but solely for the purpose of providing the employing class at that time with cheap labour. The arguments that were advanced in favour of that Act have been advanced by hon. members opposite again to-day. The main argument advanced by the hon. member for Oxley and his colleagues who have proceeded on similar lines is that it is in the interests of the employers to provide them with a source of cheap labour, and that is why the Moore Government included a provision for the employment of junior journeymen in the Act of 1929.

Mr. NIMMO: That is not correct.

Mr. WATERS: The mere statement by the hon. member for Oxley that my assertion is not correct does not disprove my argument. The experience gained since the passage of that Act is altogether against the argument by the hon. member for Oxley and his colleagues. They have contended that when an apprentice completed his five-year period in the past he was sacked by his employer.

Mr. NIMMO: That has generally been done.

Mr. WATERS: At the present time, even after he has completed his period of eighteen months as a junior journeyman he is sacked and treated in the same way as apprentices who were dismissed after serving their apprenticeship of five years. That means that that section of employers who desired to avail themselves of this source of cheap labour were able to do so under the provisions of the 1929 Act introduced by the Moore Government.

The hon. member for Hamilton put forward the contention that a youth of twenty-one was not as competent as a man of forty-five. Although no one will perhaps dispute that contention, it may be asked whether a man of twenty-two and a-half years of age is as competent as a man of forty-five years of age, and so on along the scale of ages. A man may not reach the zenith of his trade until quite a number of years after he has served his apprenticeship, but given the requisite amount of care and attention during his period of training for five years, he should then be able to go out into the world equipped with the necessary knowledge to carry out his trade in a competent way. It is all humbug to say that another eighteen months will refashion him and make him an expert tradesman and provide him with greater equipment to engage in the struggle for existence. What is the position in connection with a person apprenticed to a solicitor for a period of five years, or articled, as it is generally called? His articles are more or less akin to the indentures of an apprentice. After a period of five years, provided the articled clerk passes the necessary examination pertaining to that profession, he is admited as a full-fledged solicitor. There is no particular rush on the part of hon. members opposite to get up and say that student on the completion of his articles is not as competent as a solicitor who has been practising for a number of years. Take accountancy. A man, by taking lessons under the correspondence system with any of the accountancy coaching institutions in the Commonwealth, can study all the subjects allied with accountancy, and after a period, provided he passes his examinations, be allowed to engage in practice as an accountant. There is no outcry on the part of the Opposition against that practice.

Mr. MOORE: The apprentice is also enabled to go out. There is nothing to stop him.

Mr. WATERS: I realise that there is nothing to stop him.

Mr. MOORE: What is your argument?

Mr. SPEAKER: Order!

Mr. WATERS: The argument advanced by hon. members opposite is that an additional period of eighteen months would make the apprentice a more efficient tradesman. Why not apply that principle to the accountant? Why not apply it to the solicitor? Why not apply it to the other professions? Why not apply it to medicine and dentistry? As a matter of fact, a similar provision applies to the student in dentistry. After a period of training extending over five years the student in dentistry, provided he passes his qualifying examination, can immediately engage in the practice of his profession. There is no outcry on the part of the Opposition that he should not.

At the present time, with the development of machinery and labour-saving devices in industry, quite a number of apprentices are

fully competent tradesmen after three years' training. With the application of further methods of mass production in industry—and they are being used in every branch of industry to-day—it will not be very long before a lesser period than five years will suffice to equip an apprentice with all the requisite knowledge for his trade.

Mr. J. G. BAYLEY: You don't think that?

Mr. WATERS: The hon. member may not think that. Perhaps he has not that knowledge of the subject, nor is he aware that leading men the world over are definitely of the opinion that science and technology are advancing at such a rate that labour-saving devices and mass production in industry are making it less difficult and shortening the time necessary to learn a trade or calling as compared with five or ten years ago. The period required to-day is certainly less than it was fifteen years ago. The modern trend is toward the simplification of production. A five-year period of apprenticeship is certainly, to say the least of it, the maximum period in which the ordinary intelligent boy can equip himself with all the necessary knowledge to become a fully qualified tradesman.

Opposition members dwelt upon the question of unemployment as applied to youths. One would think they were the only party concerned about the problem. We know that the displacement of youths when they complete their terms of apprenticeship on reaching the age of twenty-one or thereabouts is not due to inefficiency on their part, but because the profit system under which we are operating makes the employer displace these lads in order to get others to do the work for the same rate they were receiving at the time of their discharge. We are living under a system in which the rate of profit is the predominant factor in any trade or calling.

Until the system itself is altered the non-employment of youths in industry will not be terminated. It is tragic to think that the flower of our future manhood and womanhood has not even the opportunity of working. Private enterprise—that much-vaunted principle that the Opposition are always talking about—must carry its share of responsibility so far as the unemployment of youths is concerned. Members of the Opposition talk about the effects of industrial awards and of restrictions as applied to industry by industrial inspectors and the like, but the fact remains that if those awards were not in existence and if those so-called restrictions did not obtain the majority of men who are out of work to-day would still be unemployed, simply because of the system under which we are living. Members of the class that hon. members opposite represent—the capitalist class—must shoulder responsibility for unemployment, particularly amongst the youths. None of their protestations regarding apprenticeship methods and the effect of legislation of this kind in relation to the unemployment question will hold water. The fact remains that so soon as the junior journeyman provision was inserted in industrial awards the number of apprentices decreased considerably. Take a comparison of the number of apprentices during the last three years the Labour Party were in power with the number of apprentices indentured to trades and callings during the Moore regime, and you will find that the comparisons are odious and do not justify the argument advanced by the Opposition that the "junior journeyman" provision had any material bearing upon the number of lads who were apprenticed during the period of the Moore Government. The reverse is actually the case, and it has been definitely proved that the employers, having sought a way out by cheap labour, had the method served up to them on a plate by the Moore Government and did not hesitate to use it.

People generally will welcome this Bill, which removes a most obnoxious form of sweating from the statute-book. It calls upon employers to pay the basic wage to a young man who has satisfactorily completed his period of apprenticeship. If employers are not called upon to do that they will be neglecting a duty that they owe to the community generally and to the apprentices in particular.

Other provisions that are welcomed relate to the payment of "dirt money" and to the question of an apprentice working alongside a fully qualified tradesman and carrying out the same work.

The provision regarding sick leave is a forward move and should be included in every award and in every contract entered into between an employer and employee. No reason exists why the outside worker, as opposed to the public servants or the bank officer, should not have sick leave provision. I hope that such a provision will be a lead to the Government and to the Industrial Court and that outside workers generally will benefit in the long run from its application.

I welcome the Bill, which I believe will supply a long-felt want.

Mr. P. K. COPLEY (*Kurilpa*) [7.54 p.m.]: One of the greatest problems confronting this Parliament and all persons who take an interest in the welfare of Queensland is that of endeavouring to find employment for the 8,000 youths who leave our public schools each year. Up to the present one of the avenues has been by means of the apprenticeship scheme, which when inaugurated by the Labour Government in 1929 was considered to be one of the finest in the world. As a matter of fact, the operations of that scheme were studied by many other nations. With the advent of the Moore Government the scene changed; the apprenticeship scheme was cut into. I was astounded at the attitude to this matter adopted by the hon. member for Toowong and the hon. member for Hamilton. It will be remembered that in 1929 certain examinations had been held for railway apprentices. The elections were held in May of that year, but a by-election occurred in November, and up to the issue of the writ of that by-election, not one of the lads who sat for that examination had been notified as to whether or not he had been successful. When the question was made an issue in the by-election campaign the lads were merely notified they had been successful, but strange to say not one of them was actually placed in employment during the time of the Moore Government's administration.

That, of course, is in direct contrast with that wonderful piece of political propaganda that was issued on the eve of the 1929 elections, "Give the boy a chance!" When one considers what has been done by this Government in an endeavour to right the position it will be realised it is not the Opposition

but the Government who have at heart the interests of the workers and their sons who are desirous of availing themselves of the apprenticeship scheme.

When the hon. member for Ipswich was speaking I think the hon. member for Hamilton asked how many apprentices had their indentures cancelled during the period the Moore Government were in power. I have gone to the trouble of looking the matter up, and on page 26 of the fourth annual report of the Under Secretary, Department of Labour and Industry, the following statement and table appears:—

> "The number of youths in Queensland indentured in the skilled trades as apprentices is given in the following table, which shows the net gain for each year after allowing for cancellation of indentures:—

	Number Indentured.	Number Cancelled.	Net gain.
1929-30 ...	826 ...	140 ...	686

As I indicated earlier that result is mainly due to the examinations and the work put in by the Labour Government prior to the elections.

	Number. Indentured.	Number. Cancelled.	Net Gain.
1930-31 ...	572 ...	168 ...	404
1931-32 ...	322 ...	239 ...	83
1932-33 ...	435 ...	86 ...	349
1933-34 ...	575 ...	83 ...	492

I realise hon. members opposite did not want those figures, but I considered it proper that the people of Queensland should know the true position. The hon. member for Hamilton was very amusing in regard to junior journeymen. I may have a perverted sense of humour, but I can well imagine an hon. member who occupied a seat in this House many years ago as a representative of the party opposite, and who was probably one of the largest shareholders in one of the boats that journeyed to the South Sea Islands recruiting kanakas to work on the canefields of Queensland, making a plea for low wages, not in the suave manner adopted by the hon. member for Hamilton but in a more brutal and direct way. That gentleman was a large shareholder in the boat called the "Edith," which met with a disaster as a result of which the lives of hundreds of South Sea Islanders were lost.

The statement was also made by the hon. member for Hamilton that a youth of twenty-one years could not be expected to be as efficient as a man of thirty-five or forty. The hon. member for Kelvin Grove had something to say on that matter, but I am prepared to go further and say frankly and definitely that in some cases a lad who has a special aptitude for a particular trade will be as capable of doing the work of that trade at the age of twenty-one as the man who has had twenty years of experience. Misfits will be found in every sphere of employment, and the argument that a man who has had twenty-five or thirty years' experience is entitled to a greater wage than the much younger man will not hold water. I agree with the hon. member for Kelvin Grove in the statement that the provision that an apprentice should serve eighteen months as a journeyman after he has completed his apprenticeship term was inserted as a means to obtain cheap labour. The hon. member for Ipswich indicated the true position when he stated that the youth serving his apprenticeship is forced to go to college and pass examinations, and he will not get his final certificate until he has proved satisfactory to his employers.

One of the main reasons advanced by the hon. member against the Bill is that a certain proportion only of the wages be paid. He, of course, founded his argument on the false premise that a young man of twenty-one in the last six months of his journeyman's stage should be prepared to give away 10 per cent. He says, without any logic or reason, that being without dependants he can afford to do it. The hon. member for Ipswich has definitely shown that young men of twenty-four or twenty-five years of age are doing their "junior" year under the apprenticeship scheme, and it is quite impossible for the hon. member for Hamilton to realise that many a young man or woman has entered matrimony before he has arrived at the age of twenty-four or twenty-five. Of course, it may be questionable whether it is advisable for a young man of that age to do so, but at the same time we cannot inquire into the wisdom of such matters, which affect the liberty of the subject, nor can we argue, of course, that this Bill is wrong from that aspect.

We have had emanating from hon. members opposite some very peculiar remarks concerning the question under discussion. The hon. member for Hamilton has stated that there is nothing to prevent an employer from giving additional wages to a boy still in his apprenticeship. Ever since I could listen to arguments of a political nature I have always heard it stated that the employer will give a good workman a bonus or something more than the basic wage, but it has been my experience, and I think it is the experience of every hon. member of this House, that the basic wage is the maximum wage that is paid, and that the wage fixed by an award is the maximum amount that will be paid by an employer to an employee in any calling. That wage is considered to be the minimum for the maintenance of a workman, his wife, and three children. In how many cases is it found that additional money is paid for additional skill and the additional return obtained from the workman? Using the parlance of the schoolboy, it would be something to chalk up on the wall if we could get information of any instance of it. Of course, I quite realise that men doing special work to-day prefer to come into Parliament and make it a sort of pleasure or pastime so that when they have other interests outside of Parliament they probably can afford to devote their parliamentary salaries to paying something over the award rates to persons to look after their businesses. But that is not on all-fours with the case I am arguing. Hon. members opposite may say what they like regarding this question of wages, but without fear of contradiction I can say that the wages fixed by industrial awards for an apprentice or any other workman will be the only wage paid to those individuals. Hon. members opposite cannot argue that at the end of eighteen months a man will be of any greater value. One has only to look at the logic of the thing. If an employer will sack a man because at the end of eighteen months he has to pay him 10 per cent. more, he will sack him in any case, that is, if the increase

is the deciding factor. Any increase will decide the matter, and the question of percentage will not affect the employer whatsoever. The Leader of the Opposition says, "Rubbish."

Mr. MOORE: I did not say anything at all. I did not open my mouth.

Mr. P. K. COPLEY: I am sorry. I thought the hon. gentleman said, "Rubbish." He has a very happy knack of dropping his voice on occasion and saying things that are not intended for publication, and some of them are particularly nasty, and I thought he was getting in with one of those remarks. I have been hoping to catch one of his remarks while I have been on my feet.

The bulk of the statement of the hon. member for Oxley was mere drivel. If we turn up the speech of the hon. member on the Address in Reply we shall find he had a good deal to say to the contrary.

I submit that the amendment of the apprenticeship scheme is introduced because of the desire of the Labour Party to get men back to work—and also their sons—in order that something may be done for the people of Queensland in general. It will not only ensure that they will have work; it will also ensure that they will have good conditions while working.

Mr. MOORE (*Aubigny*) [8.6 p.m.]: I was very surprised to hear the statements made by the Minister and by other Government members. Most of their arguments or excuses were mere bald assertions that economic factors had nothing whatever to do with apprenticeship. They were trotted out as proof that the Act passed in 1929 had failed. The hon. member for Ipswich asked what the statistics since the passing of the Act in 1929 had proved. What do they prove? Absolutely nothing. The hon. member knows perfectly well that at that time quite a number of employers were not engaging their full complement of apprentices. Why? Because of the adverse economic conditions throughout the world. The economic position at that time was a very difficult one. The rate of interest paid by State and Commonwealth Governments was very high. It was impossible to secure loan money and Australian bonds fell to as low as £55 in London and £79 in Australia. Nothing could be done. Men were being thrown out of work.

The hon. member for Ipswich said that apprentices were not employed because junior journeymen were not regarded as tradesmen for the purpose of determining the proportion of apprentices that may be employed. He knows perfectly well that the Act of 1929 had nothing whatever to do with that. He knows full well that quite a number of employers were not employing their full complement of apprentices because there was not sufficient work to be done.

The SECRETARY FOR LABOUR AND INDUSTRY: You have repeatedly stated that the position has become worse since the present Government assumed office. How do you reconcile your statement?

Mr. MOORE: I said nothing of the sort. I have stated that we cannot expect to get out of our difficulties by spending loan money and throwing the burden upon future generations. The hon. member knows the Government are not endeavouring to get the State out of its difficulties by helping its people to earn more.

Mr. SPEAKER: Order!

Mr. MOORE: The hon. member for Kurilpa stated that he had never heard of a case where the wages paid were in excess of the amount prescribed in the award. I know of quite a number of cases, and I can tell the hon. member for Kurilpa why it is not done in a greater number of cases. If an employer feels disposed to pay an additional amount to a good employee who has served him well for years, an application is immediately made to the Industrial Court by the union urging that the special rate paid should become the minimum wage. (Government dissent.) Unfortunately, that is the position.

Mr. P. K. COPLEY: Penalise the good man.

Mr. MOORE: The good man is penalised by the selfish and stupid action of a union that insists that the wage of the inferior man should be brought up to the level of the good man.

If there ever was a time when we should open the door of opportunity a little wider to the young people starting in life instead of banging it shut, it is the present. A junior journeyman was not compelled to remain with an employer for eighteen months if he could secure a higher wage elsewhere, but rather than lose his job we considered he should have an opportunity to retain it.

The hon. member for Ipswich also asked if according to statistics many men in the period 1929 to 1932 had lost their jobs. That was not the question. The object of the 1929 Act was to enable the apprentice to retain his job, which he otherwise might have lost because of the prevailing circumstances. Quite a number were able to retain their jobs who otherwise would have lost them. If that were not so, then why did not the Minister seek the advice of the Apprenticeship Executive on this Bill? Why did he not ask if the Act of 1929 had not worked satisfactorily? Why did he not seek the opinion of the Employers' Federation. He received a deputation from it and promised that he would not do anyhing until he had further discussed the matter with it.

The SECRETARY FOR PUBLIC INSTRUCTION: I got their opinion.

Mr. MOORE: The Minister said that he was very thankful for it, that he appreciated it, and that he would not do anything until he had further discussed the position with them.

The SECRETARY FOR PUBLIC INSTRUCTION: If they so desired.

Mr. MOORE: They did desire, but, unfortunately, the Minister did not. The Bill has been introduced not to benefit the youth of the State but in response to pressure by the unions, and hon. members opposite have endeavoured to excuse their action by using silly statistics that have nothing whatever to do with the matter. The hon. member for Kurilpa quoted figures showing the number of apprenticeships cancelled during 1929, 1932, and 1933. He said that I did not want to hear them. But most people in the State have sense enough to realise that quite a number of apprenticeships were cancelled during that period. Hundreds of men lost their jobs not because of what the Government had done, but because of the

adverse economic position throughout the world. The depression was not confined to Queensland; it was world-wide. But during its operation for three years the number of men who lost their jobs per 1,000 employees was less in this State than any other State in the Commonwealth.

Only 123 per thousand lost their jobs in this State at that time, whereas in all the other States of the Commonwealth the average was over 200. There is nothing to be gained by such statements as hon. members have made. I do not object to the truth. The figures have been published and they are open for the world to see. The ordinary man of the world would not read into these figures something that had anything to do with the question of apprenticeship. He would have enough common sense to know that the cancellation of indentures was due to the position that obtained not merely in Queensland but all over the world, and to a greater extent in the other States than here. The whole purpose of the Act was to see that when these apprentices finished their time that they would have an opportunity of carrying on. It was only another method of trying to soften the blow, and to prevent them from being dismissed.

A GOVERNMENT MEMBER: Cheap labour!

Mr. MOORE: I can give an instance of a former member of the hon. member's own Government, and also of a man who held a high position in one of the unions, whose sons found themselves in this very position—that when they reached the age of twenty-one years their employers found that it was unprofitable to keep them on and pay them the full journeyman's rates. They asked that their boys should be kept on and said, "We will give you back the money." The employer said, "I won't do that, I should be breaking the law." They were prepared to adopt any device to keep their boys employed when their age rendered their employment unprofitable in order to bolster up the position, rather than face the position and attempt to get some alteration in the law in order to allow those boys to retain decent jobs. The whole principle is wrong. If I found myself in the position of an employer and an apprentice came to me at the end of his term and I had to choose between that apprentice and a journeyman with a wife and family I should certainly choose the experienced man with his greater competency, experience, and obligations. I think most hon. members on the Government side would do so also. They would look around and say that if they had to pay the same rate for a man without experience as to a man with experience they would get a better return from the man who had been working longer at the trade, and who had family obligations, and engage him accordingly.

The SECRETARY FOR LABOUR AND INDUSTRY: According to you the young fellow would get the job to the exclusion of the married man with a family.

Mr. MOORE: I did not say that. A rate for a junior journeyman gives him the right to continue in his trade and acquire more experience. Hon. members, if they looked at the question from the standpoint of an employer, would admit that they would select the best tradesman with experience. They must recognise that men with more experience and longer at the trade can give better value than an apprentice just out of his time. Therefore, they would not keep on a young man if they had to pay him the same rate as an experienced journeyman. If they were allowed to keep the junior journeyman and encourage him to obtain more experience by paying him a rate in between the fifth year apprenticeship rate and the full journeyman's rate they would do so. The 1929 Act did not impose a hard-and-fast rule. It gave the apprentice the full right to get the full wage if he went to some other employer. Even the Government recognises that principle in this Bill, because they provide that under certain conditions the period of apprenticeship may be extended.

To me, the bringing in of a Bill of this kind is silly. The Government are expending an unprecedented amount of loan money in this trying period we are passing through, when our deficits are very large, and because a certain amount of employment is being created—nothing like the amount that should be created in proportion to the amount of money spent—they are going back and making the position of the employer harder and more difficult by placing conditions on him that will only react on those boys whom they say they are anxious to assist.

The hon. member for Kelvin Grove talked about solicitors, doctors, and accountants. If there is a section of people who go through a period of "short commons" after they finish their examinations then these professions do. They do not get the same business as a more experienced man. They have first to prove their capacity, and it takes them some time to do so. Those professions were the very worst examples the hon. member could cite as a justification for the alteration of this principle. All the facts are entirely against the hon. member.

This question has been debated as if some new principle had been established, but a junior journeyman was recognised in Queensland before for many years. It was suggested later on that it was one of the greatest mistakes that this provision had been abolished, just as at one period it was a question of four weeks' sick leave.

In view of the expense put upon them under the apprenticeship regulations, expense that ran into a considerable amount in the year, particularly in the third, fourth, and fifth year of the apprenticeship, the employers submitted indisputable proof to the Industrial Court that malingering was in evidence because of a desire to secure the requisite amount of leave under the apprenticeship law. Satisfied with the application, the court reduced the amount of sick leave to a week. The journeyman outside does not get a fortnight; he gets a week's holiday, but this Bill is putting the apprentice on another basis altogether. The effect is to load industry, making it more difficult for employers to give jobs to apprentices. The Government persist in saying that the one thing they want to do is to place boys in better positions, but instead of doing so they are closing the door to them and are placing restrictions upon employers. Figures have already been quoted as to the number of apprentices indentured to private employers not in the Government service; and the greater load that is placed upon private enterprise the more difficult it becomes to employ apprentices. After all, the obligation upon the employer is big enough now without placing an additional burden on

him. It is infinitely better to sacrifice a few pounds or a week's holiday in order to secure adequate training that will place apprentices in the position of having a trade they can follow than to introduce Bills that will make it more difficult for employers to give employment. Of course, the idea behind this Bill is that someone outside Parliament has been using pressure. We know the source whence that pressure came, and the Government in the last days of the session are too weak to stand up against it, for they realise that a State election will take place next year. The whole position is a sad commentary on the method of conducting parliamentary business generally, when we find that legislation is introduced under such circumstances, particularly when we have an Apprenticeship Executive that has been lauded by the Minister himself. What is the good of appointing a competent body when the advice of that body is not obtained in a critical period?

Mr. LLEWELYN: Parliament should be the supreme authority.

Mr. MOORE: Parliament is so well educated and its members so carefully selected that it should be the supreme authority. Hon. members opposite think that members of Parliament can manage everyone's business, but, unfortunately, the legislation of this Government is driving scores of people out of business by reason of the difficulties placed upon private enterprise. Unfortunately, many hon. members have the idea that because they become members of Parliament they are competent to manage other people's business, whereas if they knew anything at all about that business they would not dream of doing the things they actually do. We are suffering to-day from this omnipotence of Parliament. No matter what burden is placed upon industry, no matter what conditions are imposed upon private enterprise, business must still be able to prosper irrespective of interstate or oversea competition, regardless in fact of every economic factor. The very fact that Parliament says that certain things can be done is sufficient! If the employer cannot carry on under the conditions imposed hon. members opposite say that the capitalistic system has broken down or that private industry has failed. Put conditions on private enterprise that are so onerous as to be unbearable and private enterprise will fail. Government enterprise will fail in the same way unless Governments have the taxpayers to fall back on to meet the losses sustained.

The hon. member for Ipswich, in referring to "The Apprentices and Minors Act of 1929," said that no apprentices were taken on because of the blight of the Government then in power. The hon. member might have been decent enough to say that the state of affairs existing then was not due to any Government or to any apprenticeship law, but to the world-wide state of economic depression. As a matter of fact, the hon. member should realise that the actions taken by all Australian Governments during that period have made possible the various actions that the Government are taking at the present time. But for the courageous action of all Australian Governments at that period, the present Queensland Government would be in a very awkward position indeed, and would not have been able to extend many of the provisions inserted in legislation that has come before us this session.

The main clause in the Bill relates to junior journeymen, and there is also the question of sick pay. Governments may place charges on industry, but the public have to pay. If you put an extra charge upon industry in the way of more burdensome conditions or wages the person who has to build a house or buy a pair of boots has to pay for it. It is not a question of the Government being responsible, it is a question of the employer being termed an exploiter of men or a profiteer. Hon. members opposite apparently cannot realise the effect of legislation of this kind. On each occasion when legislation of this nature is passed a little more is added on to the cost of a house and the cost of clothing and other things that people have to purchase; gradually the cost of living goes up owing to the cumulative effect of concessions given with the view of gaining votes at election time.

I do not think this Bill is going to help the youths of this country a bit; in fact, I am sure it will be detrimental to them. It will make it more difficult for apprentices who have served their indentures to find employment and to gain that extra experience that is so necessary. I am sure that extra cost will be passed on as a result of this concession.

For the reasons I have enunciated I am opposed to the Bill. I am satisfied there are no good reasons for bringing it in—we have not had a single reason; all we have had are excuses to cover up the real reason for its introduction. This Bill is brought forward owing to the stupidity and selfishness of a large body of men who have the idea that it will prevent somebody else from entering into competition with them in their work. That view is encouraged by the Government. This Bill is not going to assist young people to get a job or secure training; it is going to make things infinitely worse for them in the future than they are to-day.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*) [8.26 p.m.]: I desire to reply to one or two statements by hon. members opposite, and to inform the hon. member for Toowong that the Apprentices and Minors Act was handed over to the Department of Public Instruction to administer because, after all, an apprentice is being taught his trade, which is a matter of education. Practical education enters so largely into the teaching of a trade to-day that the Premier was of the opinion that the Department of Public Instruction was the proper department to adminsiter the Act.

Mr. MAXWELL: We agree to differ.

The SECRETARY FOR PUBLIC INSTRUCTION: We still hold to our view. The debate has circled about the question of junior journeymen, and, indeed, that is the principal alteration in the measure. As a matter of fact the Apprenticeship Act in force prior to 1929 was acclaimed throughout the length and breadth of the world. On page 2213 of "Hansard" of 1929 this extract from the "Courier" of 16th March, 1928, appears:—

> "Queensland is leading the world in regard to the training of apprentices. No other country has such a well-organised scheme, and as a result the

> Queensland Government is receiving inquiries from many countries as to the methods adopted here."

Mr. MOORE: That sounds like a ministerial statement on which they have written an article.

The SECRETARY FOR PUBLIC INSTRUCTION: The hon. member is so chary of somebody giving an honest opinion that he doubts everything. On the same page of "Hansard" appears a statement by Mr. J. R. Riddell, Principal of the London School of Printing. This gentleman had no connection with the Labour Party, and his statement reads as follows:—

> "Queensland is far ahead of us in regard to the apprenticeship system, and I congratulate the far-sightedness of your State in putting apprenticeship on such a solid foundation."

Mr. GODFREY MORGAN: Is that one of your own speeches you are quoting from?

The SECRETARY FOR PUBLIC INSTRUCTION: I am quoting from "Hansard" of 1929.

Mr. GODFREY MORGAN: Who made that speech?

The SECRETARY FOR PUBLIC INSTRUCTION: I do not know, I just came across it. No matter who made it, it does not alter the fact that Mr. Riddell made that statement. Prior to 1929 the Apprenticeship Act was a good one, and it was admitted by the Secretary for Labour and Industry in the Moore Government that it was a good Act; and he merely altered it in one or two particulars. As a matter of fact, the Act of 1929 will stand to-day with just a few alterations that are being made by these amendments. The Act is practically the 1924 Act with one or two "improvements" that were made in the 1929 Act, and as a result of this Bill it will be minus one or two of the things not considered to be in the best interests of apprenticeship.

Hon. members opposite have made the statement that five years is not a sufficiently long enough time for an apprentice to learn a trade. The hon. member for Oxley went so far as to refer to five-year apprentices as half-baked tradesmen. The world, for the last twenty, thirty, forty, and fifty years, has been giving apprentices a five-year term. The world has been turning out very good tradesmen. If they were required twenty-five or thirty years ago to be more complete men than they are to-day—machinery has robbed the hands of much of the work that was done by the hands, and to-day there is not the call for skilled hand work of twenty-five or thirty years ago—then in those days five years was sufficient time in which to teach boys a trade and to be as competent as the hon. member for Toowong is, and was.

Mr. MAXWELL: Is that so?

The SECRETARY FOR PUBLIC INSTRUCTION: As a tradesman, I believe so. I have been told that no man can do a better job than the hon. member for Toowong, but I challenge him to-day to turn out a better job for finish or durability than the ducoed job on a motor car. Nevertheless, a car can be turned out in one-fourth or one-fifth of the time that the hon. member for Toowong, with all his expertness, could do the job. Twenty-five or thirty years ago a tradesman who made a four-panellel door in a day was a competent man. To-day, machines with one man can turn out ten four-panelled doors. To-day there is no call for the long term of apprenticeship that existed previously. When hon. members opposite put forward the argument that men cannot learn their trade in five years, then I desire to know where the expert tradesmen obtains his experience.

Mr. MAHER: By working.

The SECRETARY FOR PUBLIC INSTRUCTION: Where does he work.

Mr. MAXWELL: By concentration on his work.

The SECRETARY FOR PUBLIC INSTRUCTION: After his apprenticeship he is a tradesman. He must go into industry after his apprenticeship has been served.

I informed the hon. member when I moved the second reading that on matters of administration the Government were always open to consult their executive, and did consult it, but on matters of policy this Government consulted nobody but itself. We are open to listen to the employers' representatives, or representatives of the unions, or any other representative; and, as a matter of fact, I did listen to these representations. And on these things we form our policy. The hon. member for Toowong has been in Parliament long enough to know, and should know, that this Government's policy is not directed by the officials of any department. That is the truth, and a plain statement of the facts. I am satisfied that nothing has been advanced in the debate to deflect me from the idea that the junior journeyman is an excrescence in the Apprenticeship Act, and I am satisfied that by its excision we shall have apprentices getting the same complete training and not have the employer saying, "I still have eighteen months," and the apprentice saying, "I will not be out of my time for eighteen months; I still have eighteen months to go." I am satisfied we shall get well-equipped apprentices, better tradesmen, with that greater concentration on their work that is so greatly desired by the hon. member for Toowong. All these things will come, because there is a proper system properly directed. The same executive exists. There is no alteration in that respect. It has existed for the last ten years. There is no basic alteration in the system except that we are asking for the excision of the "junior journeyman" section of which such great exception has been taken by men engaged in industry. I can see no argument that has been advanced by the Opposition except the vague fear that it will be the cause of many youths being put out of work.

An OPPOSITION MEMBER: That is a big reason.

The SECRETARY FOR PUBLIC INSTRUCTION: In 1924, before the time of the junior journeymen—I cannot give the exact figures—but prior to the Apprenticeship Act passed by the then Secretary for Public Works, the present Premier, apprentices in Queensland numbered 1,925—I think that should be the exact figures—and in 1928, after four years of this Act, there were over 4,000. During that time there was no provision in the Act for the "junior journeymen" period in the life of the apprentice.

That Act made for apprenticeship. That Act built up tradesmanship in Queensland, and if we brought the whole Act back to its original position as in 1924, I do not consider that we should be doing any great damage at all. As a matter of fact, the 1929 Act, with the exception of the alterations made by the then Secretary for Labour and Industry, the hon. member for Sandgate, practically re-enacted the legislation sponsored by the Labour Government. Brought up to date by the Bill now before the House, the legislation on the subject will be to the greater advantage of trade and industry and of apprentices generally.

Question—"That the Bill be now read a second time" (*Mr. Cooper's motion*)—put; and the House divided:—

AYES, 22.

Mr.	Barber	Mr.	Larcombe
,,	Bedford	,,	Llewelyn
,,	Bruce	,,	Mullan
,,	Bulcock	,,	O'Keefe
,,	Conroy	,,	Pease
,,	Cooper	,,	Smith
,,	Foley	,,	Taylor, G. C.
,,	Gledson	,,	Williams
,,	Hanson		
,,	Hayes		*Tellers:*
,,	Hynes	,,	Copley, P. K.
,,	King, W. T.	,,	Waters

NOES, 18.

Mr.	Annand	Mr.	Maxwell
,,	Barnes	,,	Moore
,,	Bayley	,,	Morgan
,,	Costello	,,	Russell
,,	Deacon	,,	Tozer
,,	Edwards	,,	Wienholt
,,	Fadden		
,,	Kenny		*Tellers:*
,,	King, R. M.	,,	Clayton
,,	Maher	,,	Nimmo

PAIRS.

AYES.		NOES.	
Mr.	Copley, W. J.	Mr.	Walker
,,	Brassington	,,	Sizer
,,	Keogh	,,	Swayne
,,	Dash	,,	Daniel
,,	Collins	,,	Taylor, C.
,,	Stopford	,,	Bell
,,	Funnell	,,	Brand
,,	Hanlon	,,	Nicklin

Resolved in the affirmative.

COMMITTEE.

(*Mr. Hanson, Buranda, in the chair.*)

Clause 1—"*Short title and construction*"—agreed to.

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

Mr. MOORE (*Aubigny*) [8.40 p.m.]: This is the clause that we contend will do the most harm. We cannot amend it. The Minister has stated that it is the most important feature of the Bill. I regret very much that it is proposed to abolish the definition of "junior journeyman," because after an experience of five years, to which the Minister has referred, there is nothing to show that the Act has been detrimental, but there is very much to show that it has been of considerable advantage. If there had been any evidence in favour of the proposal contained in clause 2 the Minister would not have hesitated to produce it. His mere assertion that the Bill is going to bestow considerable benefits is of no evidential value at all, because the employers were able definitely to establish the fact that the Act of 1929 conferred benefits on the apprentices, upon the employers, and generally provided for a better apprenticeship scheme. It is a pity that the scheme is to be weakened merely because it is the policy of the Government. The Minister has not been able to point to any proof that the 1929 Act was not beneficial in its incidence.

When we want to alter the policy it is this party that has to do it. That seems to ignore the experience that can be gained by asking those people who have had charge of the working of the Act. Unfortunately, we know that the policy of the body of men who are in charge of some of our union organisations is a short-sighted one. It is the cause of the Government's desire that juniors shall be paid a full journeyman's rate immediately they are out of their apprenticeship, that is, in order that the older men shall get work instead of the youths being kept on. I can quite understand their point of view. Every union endeavours to make its organisation a close corporation with the idea of restricting its membership and keeping up the rate of pay its members get. Whether that policy is for the advantage of the country or apprentice is a very different proposition.

If it is such a bad principle to recognise a junior journeyman in this Bill, why does he exist in other parts of the Commonwealth? Why did such a provision operate in Queensland without detriment? That is why it is a pity this amendment should have been rushed in at a time when there are thousands of unemployed youths. It will simply make the position harder and more difficult. The principle is a wrong one. We have objected to that principle as being the worst feature of the Bill. I can see no advantage in it.

Question—"That clause 2, as read, stand part of the Bill"—put; and the Committee divided:—

AYES, 21.

Mr.	Barber	Mr.	Larcombe
,,	Bedford	,,	Mullan
,,	Bruce	,,	O'Keefe
,,	Bulcock	,,	Pease
,,	Conroy	,,	Smith
,,	Cooper	,,	Taylor, G. C.
,,	Copley, P. K.	,,	Waters
,,	Foley		
,,	Gledson		*Tellers:*
,,	Hayes	,,	Llewelyn
,,	Hynes	,,	Williams
,,	King, W. T.		

NOES, 18.

Mr.	Annand	Mr.	Moore
,,	Barnes	,,	Morgan
,,	Bayley	,,	Nimmo
,,	Clayton	,,	Russell
,,	Deacon	,,	Tozer
,,	Edwards	,,	Wienholt
,,	Fadden		
,,	King, R. M.		*Tellers:*
,,	Maher	,,	Costello
,,	Maxwell	,,	Kenny

PAIRS.

AYES.		NOES.	
Mr.	Copley, W. J.	Mr.	Walker
,,	Brassington	,,	Sizer
,,	Keogh	,,	Swayne
,,	Dash	,,	Daniel
,,	Collins	,,	Taylor, C.
,,	Stopford	,,	Bell
,,	Funnell	,,	Brand
,,	Hanlon	,,	Nicklin

Resolved in the affirmative.

Clauses 3 to 14, both inclusive, agreed to.

The House resumed.

The CHAIRMAN reported the Bill without amendment.

THIRD READING.

The SECRETARY FOR PUBLIC INSTRUCTION (Hon. F. A. Cooper, *Bremer*): I move—

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

Question put and passed.

SPECIAL ADJOURNMENT.

The PREMIER (Hon. W. Forgan Smith, *Mackay*): I move—

"That the House, at its rising do adjourn until 2 o'clock p.m. to-morrow."

Question put and passed.

The House adjourned at 8.53 p.m.