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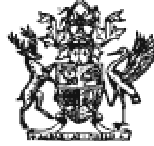

Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 9 APRIL 1954

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FRIDAY, 9 APRIL, 1954.

Mr. SPEAKER (Hon. J. H. Mann, Brisbane) took the chair at 11 a.m.

QUESTIONS.

Subsidy for Workers Club, Collinsville.

Mr. LLOYD ROBERTS (Whitsunday) asked the Premier—

"In view of the fact that the Collinsville and Scottville Workers' Club Committee are contemplating the erection of a club building at a tentative cost of £12,500 and that in addition to owning a piece of land they have a credit balance of £725 with a fortnightly income of £32 by way of contributions from both branches of the Miners' Union,—

"1. Is there any avenue through Government channels or the Coal Board whereby a grant or a subsidy can be made towards the cost?

"2. What avenues, if any, exist through the Government, to obtain a loan to finance the project?"

Hon. V. C. GAIR (South Brisbane) replied—

"1. The State Mine has no funds for use for such purposes and at the present time all moneys standing to the credit of the Welfare Fund of Queensland Coal Board have been set apart for subsidy payments towards the provision of water supply and electricity reticulation schemes in coal mining districts.

"2. Subsidies or grants are not made by the Government for the purposes mentioned. The State's Approved Subsidy Scheme applies to works carried out by local authorities in respect of certain approved community facilities. The granting of loan and/or subsidy funds is contingent upon the land on which the building is to be erected being held in the name of the local authority. Where a proportion of the cost of the work is raised by private subscriptions, subsidy may become payable to the local authority provided such subscriptions are handed over to the Council and the facilities operated as a function of local government."

SALE OF LIQUOR BY R.S.S.A.I.L.A. CLUBS.

Mr. NICKLIN (Landsborough) asked the Premier—

"1. How many unlicensed R.S.L. liquor bars have recently been closed by police action?

"2. How many unlicensed clubs in Queensland are still selling liquor illegally?

"3. In view of (*a*) his published statement on 6 April that the Government had ordered a searching review of Queensland liquor laws, but that no amendments of such laws would be practicable before the session commencing in August next, (*b*) the lengthy period of up to 30 years during which unlicensed R.S.L. clubs have been allowed to sell liquor, and (*c*) the extremely unsatisfactory discrimination amongst R.S.L. clubs that now exists, will he kindly give consideration to an immediate simple amendment of the liquor laws to permit the sale of liquor by all approved R.S.L. clubs, subject to appropriate conditions, pending the comprehensive amendments to the liquor laws which he has foreshadowed?"

Hon. V. C. GAIR (South Brisbane) replied—

"1 and 2. The Commissioner of Police informs me that the desired information is not readily available and would take time to obtain.

"3. I have stated the Government has ordered a full review of the Queensland Liquor Laws which will include the claims not only of the ex-servicemen's clubs to liquor bar facilities but of all classes of clubs. The hon. member can be assured that in determining what clubs should be licensed regard will be had to the full facilities offered by such clubs to their members, as my Government does not consider that a liquor bar alone constitutes a club. It is the Government's intention that this review should be fully comprehensive, and therefore, some time must elapse before it is complete. Meanwhile, I consider that in view of the tremendous importance of this matter it would be inadvisable to make it the subject of rush legislation as the hon. member suggests. If the hon. member is unhappy about what he selects to describe as 'extremely unsatisfactory discrimination amongst R.S.L. clubs,' and desires all to be similarly treated, I am prepared to give consideration to the closure of all such clubs throughout Queensland. I would also add that the clubs recently reported to be closed were not all R.S.L. clubs, and as an instance, in the case of Roma, although it was represented as such the President of the R.S.S.A.I.L.A., Sir Raymond Huish, has publicly stated that it is not."

DELAYS IN REAL PROPERTY REGISTRATIONS.

Mr. EVANS (Mirani) asked the Attorney-General—

"In view of numerous complaints from Mackay and my electorate of the long and costly delays in the registration of documents connected with real property dealings, will he kindly take whatever action is practicable to expedite this section of public business?"

Hon. W. POWER (Baroona) replied—

"The ordinary registrations of the Townsville Registry are completed within one week, and new titles on old plans issue within one month, unless requisitions thereon are not attended to by the solicitors or the persons lodging same. During January last, I arranged for the Townsville Registry to work overtime three nights per week and Saturday mornings, so as to cope with the additional work cast upon the Titles Office due to the 1953 amendment of the Auctioneers' and Commission Agents' Acts. A survey of the present position shows that the accumulation of work is rapidly being reduced."

FENCING OF GUTHALUNGRA STATE SCHOOL.

Mr. COBURN (Burdekin) asked the Secretary for Public Instruction—

"As the playground of the Guthalungra State school is unfenced and is on the Northern Highway, thus creating a danger to the children from passing motor traffic and straying stock, will he kindly give favourable consideration to the enclosure of such ground at an early date?"

Hon. G. H. DEVRIES (Gregory) replied—

"As this request has been referred to the Department of Public Works by my department, it is suggested that the question be addressed to the Secretary for Public Works and Housing."

Iron and Steel Works, Bowen.

Mr. COBURN (Burdekin) asked the Premier—

"In reference to his answer on 29 September last to my question regarding iron and steel works at Bowen, in which he indicated the intention of Mr. F. N. Lloyd of F. H. Lloyd & Co. Limited, Wednesbury, England, to visit Queensland and examine personally the position, will he kindly state whether there has been any further development in this matter?"

Hon. V. C. GAIR (South Brisbane) replied—

"Not up to the present."

New Hospital, Bowen.

Mr. COBURN (Burdekin) asked the Secretary for Health and Home Affairs—

"In reference to his previous answers to my questions regarding a new hospital at Bowen, will he kindly give favourable consideration to the inclusion of such work in the Budget appropriation for 1954-1955?"

Hon. W. M. MOORE (Merthyr) replied—

"The Bowen Hospitals Board's request for provision of loan money in the 1954-1955 Loan Works Programme, to construct a new hospital at Bowen, has been submitted by the Board to the Co-ordinator-General of Public Works. This project will be in competition for the available loan money with hospital building works submitted by other hospitals boards throughout the State, and the allocations to be made will be determined on the basis of the relative urgency of the various proposals submitted."

High Top, Pialba School.

Mr. PIZZEY (Isis) asked the Secretary for Public Works and Housing—

"In view of the serious disabilities suffered by secondary school pupils from the Hervey Bay area attending the high schools at Maryborough will he kindly give favourable consideration in the programme for Public Works in 1954-1955 to the provision of the necessary schoolrooms so that a high top can be established at Pialba School?"

Hon. P. J. R. HILTON (Carnarvon) replied—

"Consideration will be given to the proposal to provide accommodation for high top classes at Pialba, in conjunction with proposals for similar accommodation at other centres, when it is known what funds will be available for such works in the financial year 1954-1955."

Water Charges, Moura Wier.

Mr. H. B. TAYLOR (Clayfield) asked the Secretary for Public Lands and Irrigation—

"In view of the order in council under the Water Acts, 1926 to 1942, tabled by him on 31 March, in which it is ordered that persons holding a licence to pump from Moura Weir must now pay 4s. per acre foot per annum for water, has the policy of the department which has permitted anyone who had paid £1 for a licence liberty to pump without further charge, from weirs constructed by the department such as the Mundubbera Weir, been changed?"

Hon. T. A. FOLEY (Belyando) replied—

"Eight irrigable farms on the Dawson River near Moura were recently taken up by selectors. These farms can be served by the water stored by Moura weir. Included in the conditions for selection of the lands were the installation by the selector of pumping equipment for irrigation purposes, and payment for water used at the rate of 4s. per acre foot per annum. The question of charges for water used from other weirs is under consideration."

Field Employees, Department of Forestry.

Mr. BJELKE-PETERSEN (Barambah) asked the Secretary for Public Lands and Irrigation—

"1. What is the approximate average number of employees in the Forestry Department who are engaged in actual forestry operations?

"2. How many of such employees have left the service within the past 12 months?"

Hon. T. A. FOLEY (Belyando) replied—

"1. The average number (based on average monthly figures) of wages employees engaged on forestry field operations for the period 1 March, 1953 to 28 February, 1954 was 1,549. (The number employed at the end of February, 1954, was 1,500).

"2. Figures for the January-March, 1954 quarter are not yet available, but during 1953 the movement of labour was—

	Men Leaving the Job.	New Employees.
January-March ..	275	319
April-June	358	276
July-September ..	271	157
October-December ..	198	122
Totals	1,102	874"

Glaring Headlights on Motor Cars.

Mr. KERR (Sherwood) asked the Secretary for Labour and Industry—

"Will he please arrange for an investigation by the police into the possibility of eliminating as far as possible the danger to motorists by glaring headlights on motor vehicles?"

Hon. A. JONES (Charters Towers) replied—

"Yes."

Cost of State Reception to Queen.

Mr. COBURN (Burdekin), for **Mr. AIKENS** (Mundingburra), asked the Premier—

"1. What was the total cost, including galvanised iron roof, drapings, floral decorations, etc., of the marquee built on Parliament House lawn for the supper guests at the recent State Reception to Her Majesty the Queen?

"2. What was the total cost of the supper?"

Hon. V. C. GAIR (South Brisbane) replied—

"1. Separate costs of the marquee as against other work carried out at the same time at Parliament House were not maintained. All accounts in respect of illumination and decoration of Government buildings have not yet been met and total costs have not been computed. However, the galvanised iron for the roof of the marquee was not purchased, the requisite quantity being borrowed from stocks on hand.

"2. Information in this regard is not yet available."

PAPER.

The following paper was laid on the table—

Order in Council under the Supreme Court Act of 1921.

MINISTERIAL STATEMENT.

Press Report on Objectionable Literature Bill.

Hon. V. C. GAIR (South Brisbane—Premier) (11.11 a.m.), by leave: The attempt of "The Courier-Mail" to extricate itself from the false assertion, exposed by me in Parliament yesterday, that the Objectionable Literature Bill was passed through all its stages in one day reminds me of a squid on the defensive which seeks to camouflage itself from its pursuers by emitting an inky-black fluid.

"The Courier-Mail" now hedges; it qualifies its original assertion by saying that the Bill was passed through all the stages that remained to make it law. It suggests that the meaning must have been plain to me. I am expected to be able to interpret the cloudy thoughts of the leader-writer on this question.

By no tortuous twisting of logic, by no straining of the written word, can "The Courier-Mail" make it appear to any person of reasonable intelligence that the two assertions are identical in meaning.

"The Courier-Mail", in its attempt to establish its case that the measure was rushed through Parliament, makes the sneer that research may supply Mr. Gair with precedents in countries like Argentina or under the Fascist or Nazi regimes in Italy and Germany. It says further that it is the customary procedure of Parliaments of other States and of the Federal Parliament to allow sufficient time for controversial Bills to be discussed.

That is news to me, especially so far as the Federal Parliament is concerned. I suggest that "The Courier-Mail" editorial writer himself should undertake a little research on this point. He would discover that no Parliament in the British Commonwealth of Nations affords more time for the consideration and dispatch of business than does the Queensland Parliament.

It was unfortunate for his case that "The Courier-Mail" should have quoted the Federal Parliament, which under the regime of the Menzies-Fadden coalition has become notorious for the speed with which it dispatches the national business. We have never reached the stage in the Queensland Parliament, as has happened more than once in recent years in the National Parliament at Canberra, that protracted sittings and the speed with which legislation has been dispatched has caused collapse from exhaustion and prostration among members of the "Hansard" reporting and typing staffs.

The facts show that under a Labour Government in Queensland, parliamentarians enjoy a greater freedom of speech and wider scope in debate than under Tory Governments.

In the three years to August, 1953, in the Queensland Parliament, the closure motion or "gag" was applied on only three occasions, but in the three years of the Moore Government the "gag" was applied no less than 85 times.

In the House of Representatives, between June, 1951, and November, 1952, the Menzies-Fadden Government applied the "gag" on 133 occasions, a record number in the history of the Federal Parliament.

I advance these figures as indisputable proof that the Queensland Labour Government have a far keener appreciation and conception of democracy than the parties whose cause "The Courier-Mail" espouses.

The assertion by "The Courier-Mail" that Queensland Labour Governments have long disregarded this elementary right of democracy to be allowed to follow with full-informed minds what its legislators are debating is maliciously false. If the public was not fully informed of the contents of the measure, which I doubt, that is not the fault of the Government. The fault, if any, lies at the door of "The Courier-Mail" which has long ceased to supply its readers with extended, accurate, and objective reports of the proceedings in Parliament. An excellent example of that was the poor report the Deputy Leader of the Opposition got after having delivered an excellent analysis of the particular Bill.

It is idle for "The Courier-Mail" to prate of censorship and the freedom of the Press, when it repeatedly construes its freedom as licence to distort and to suppress by omission. There is no more rigid dictator of news than "The Courier-Mail". Latest

example of its practice of suppression by omission is provided by the fact that it suppressed the whole of my reply to "The Courier-Mail's" attempt to justify its inaccurate headings and report by irrelevant quotations from "Hansard".

INSPECTION OF SCAFFOLDING ACTS AMENDMENT BILL.

Second Reading.

Hon. W. POWER (Baroona—Attorney-General) (11.17 a.m.): I move—

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

On the introduction of this Bill I explained the principles very fully and there is nothing I desire to add at this stage.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (11.18 a.m.): The provisions of this amending Bill are necessary because of weaknesses discovered in the working of the Inspection of Scaffolding Act. I think that all legislation should be kept under constant review because weaknesses can creep into the administration of the law and if these cannot be corrected in any other way amending legislation should be introduced to correct them.

I again in the closing days of this session take the opportunity of congratulating the Attorney-General on the work he has done in his own department in bringing legislation up to date; he holds the record for the number of Bills introduced during the current session. In most cases the amending legislation has been very necessary.

Mr. A. Jones: There is the case of stockpiling under the Coal Bill.

Mr. NICKLIN: That happened to be one in the charge of the Secretary for Mines and Immigration; the Attorney-General was only deputising for that hon. gentleman. He was, however, unlucky to run into that one to spoil his record.

There are really only three alterations in this amending Bill, which as I have said are desirable. The first concerns the definition of "Chief inspector" and it is in line with the usual definitions we find attached to these appointments. There is a more extensive definition of the term "Place" in that the words "whilst under construction or repair, any ship or boat" have been added. That is necessary because a good deal of scaffolding is used in both repairing and building ships. It was necessary, if there was any doubt as to the meaning of the term "place" that the question should be tidied up, as the Minister has done. It has been found that there was a weakness in regard to the definition of "Scaffolding." It arose as a result of an unfortunate accident at the South Brisbane Auxiliary Hospital. Nobody could have foreseen what happened there. When the matter was looked into, it was found necessary to tighten up the law to protect the workers. After all, the whole purpose behind this legislation is the protection of the workers engaged on various jobs in which scaffolding is erected.

We find that there is a very important omission from the present legislation, an omission that affects the protection of workmen on very high structures who are subjected to the very great danger of being injured by articles dropped from above them. I think it is very necessary that that weakness should be removed. I always admire workmen whom I see working at a tremendous height on very flimsy-looking scaffolding. In view of the great danger to these men and the risks to which they are subjected, we should see that they are protected by our legislation to the greatest possible extent.

Mr. DEWAR (Chermside) (11.21 a.m.): I agree with what has been said by the Leader of the Opposition and I commend every action that is taken to close any loophole that may exist in our legislation, particularly where the lives of workmen may be endangered through the use of unsafe scaffolding.

I should like to draw the attention of the Minister to something that in my opinion is rather strange. Living in my electorate is a Mr. Pledge, who some time ago invented an attachment for use on ladders as a type of scaffolding. The invention is known as the Pledge ladder-scaffold wall-bracket. I might say for the information of hon. members that this matter was brought to my notice only last week, and before I knew that this Bill was coming before the house. In 1934 the then Chief Inspector of Machinery and Scaffolding, Mr. T. E. Alford, wrote the following letter to Mr. Pledge—

> "In reply to your letter of 29 May last, and in connection with amended blueprint submitted for approval, I have to advise, as the result of check of design, also the several inspections made, that this ladder-scaffold bracket has my approval and may be safely used to carry not more than two men engaged in any normal building repair work.
>
> "This approval does not permit building material to be carried on the scaffold."

That appears to convey the official approval of the department, and Mr. Pledge went ahead with the construction and sale of the brackets.

In 1947 the people through whom Mr. Pledge arranged the distribution of these brackets received a letter from the department almost identical with the letter that I have just read. However, although Mr. Pledge received that official approval of his brackets, and although he has received no information from the Chief Inspector to the effect that his bracket is not safe, he finds that when his brackets go out on to a job the scaffolding inspectors will not allow them to be used.

Mr. Hiley: Is that in all cases, or only some?

Mr. DEWAR: I do not know whether it is in all cases, or only some.

Now that Mr. Pledge is in retirement he hopes that this sideline will help to keep him, but the scaffolding inspectors will not allow them to be used. The least he can expect is that if his bracket is not approved by the department, the department should notify him that it is unsafe or unfit for use. As I say, he has a letter from the department to the effect that his bracket has the approval of the Chief Inspector, and it seems rather strange that the inspectors of the department are killing its sale. I merely wished to bring that matter before the notice of the Minister.

Motion (Mr. Power) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Clark, Fitzroy, in the chair.)

Clauses 1 and 2, as read, agreed to.

Bill reported, without amendment.

THIRD READING.

Bill, on motion of Mr. Power, read a third time.

STATE ELECTRICITY COMMISSION ACTS AND ANOTHER ACT AMENDMENT BILL.

SECOND READING.

Hon. W. POWER (Baroona—Attorney-General) (11.27 a.m.): I move—

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

I gave a full explanation of the contents of the measure on the introductory stage and I have nothing to add now.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (11.28 a.m.): The purpose of the measure is to tidy up the little anomalies that have been disclosed in the implementation of the principal Act. There are one or two matters involved and I propose to examine them for the purpose of getting more information from the Attorney-General.

The first provision deals with the right of the commission, with the approval of the Minister, to impose restrictions on the distribution and consumption of electricity by certain electric authorities. I am not disagreeing with the need for that but I am rather concerned about how the proposal is to be applied. The application of this principle might easily lead to a number of anomalies and perhaps injustice to certain classes of people. This principle is introduced particularly for the purpose of dealing with the small plants established in Western Queensland. And very good plants they are, too. They are cheaply operated and they can run for a part of the day unattended, with the result that they supply a lighting service to towns that otherwise would not get it for years, if ever, because the country surrounding the township is not thickly populated. In such areas as are covered by the Brisbane City Council, S.E.A., or the other important electric authorities it would not be necessary to implement this provision except in a case of dire emergency. It would be applied if for some unknown reason the demand on their only plants exceeded their generating capacity.

In the small townships and in areas served by the smaller units there is a possibility that if everybody rushed in and got all the electric appliances available the drain on the generating capacity of the area would be too great and there would be all sorts of trouble. It is essential that there should be some power to prevent the unlimited installation of electrical gadgets that would develop a greater demand than could be met by the generating unit in the area. If these restrictions are to prevail, will all electric jugs or stoves be banned, or will the restriction be on the basis of limiting the number of appliances according to the units that may be used by any household or business premises?

Mr. Power: This really means that the Governor in Council, on the recommendation from the State Electricity Commission, may say that you cannot use certain appliances because the generating plant cannot supply sufficient current to meet the consequent demand.

Mr. NICKLIN: It will be a general application on all types of appliances?

Mr. Power: In some cases they could carry a stove but in other cases they could not; it depends on the capacity of the generating plant.

Mr. NICKLIN: If there is not a general ban on a particular type of electrical appliance, for instance, the Minister may be fortunate enough to get a stove and when I applied for a stove they might tell me I could not get it because it was banned.

Mr. Power: Before people put in those appliances they are supposed to seek the approval of the board.

Mr. NICKLIN: That would be the best time to tackle it, when the initial installations are made, when the electric authorities would be able to tell the people that they could give them so many lights or power points.

Mr. Power: Yes.

Mr. NICKLIN: So many lights or power points consuming so many units a day.

Mr. Power: That is the intention.

Mr. NICKLIN: If it is done like that it will obviate much trouble. I agree with the principle; I was just wondering about the application of it. The Minister appreciates the point I make that if one person had an appliance and another person was refused authority to use such an appliance there would be trouble.

The other principle in the Bill deals with a vacancy is the position of chairman. The board must notify the Minister and, when it has a full number of members, appoint a new chairman. If it fails to do so the Governor in Council may appoint the chairman.

I hope there will not be any trouble in regard to the election of a chairman. It has sometimes happened that when the boards cannot agree they come back to the Governor in Council to make an appointment. I can quote an instance at Bowen where the Labour member stayed away from the council meetings so that the council would not be required to make any appointment, and eventually the appointment came back to the Governor in Council. I believe that members of local authorities should be prepared to accept their responsibility and not play politics in matters such as this. It is not a very wise provision whereby manoeuvres can take place and the responsibility is put back on the Governor in Council. In some instances the Minister concerned may approve of the tactics employed by some of the members of the board.

However, the principles in the Bill are simply to tidy up weaknesses found in the implementation of previous legislation.

Hon. W. POWER (Baroona—Attorney-General) (11.35 a.m.), in reply: The matter raised by the Leader of the Opposition as to filling vacancies and the failure of members to attend meetings does not come within the jurisdiction of the Government. Our responsibility arises only when the body concerned cannot fill the position; then we have to do the job in accordance with our power.

The other matter raised by the hon. gentleman is very important and should be clarified. The purpose of the Bill is to prevent plant from being taxed when the generating power of the undertaking is not sufficient to carry the load. It has always been the practice, when a person desired to put in an electric generating plant, particularly in the western parts of the State for the State Government to advance as much as 66⅔rds per cent. of the cost to enable him to carry on. I am not saying this with a view to making propaganda for the Government.

Mr. Nicklin: Because the other fellows say they thoroughly deserve it.

Mr. POWER: That has been always the practice and will continue to be the practice. When application is made for electric current the applicant should be able to get only the amount the plant can carry and the reason why we are taking this action is best exemplified by the action of a person who connected a lathe to the electricity supply. If he was allowed to continue many people would be affected because the generating plant did not carry sufficient current for such apparatus but only enough to serve the original purpose for which it was intended.

Motion (Mr. Power) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Clark, Fitzroy, in the chair.)

Clauses 1 to 6, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING.

Bill, on motion of Mr. Power, read a third time.

TRADE DESCRIPTIONS (TEXTILE PRODUCTS) BILL.

SECOND READING.

Hon. W. M. MOORE (Merthyr—Secretary for Health and Home Affairs) (11.40 a.m.): I move—

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

On the initiation of the Bill I referred briefly to the history that led up to the introduction of this measure and gave an outline of its contents.

The first request for action came as far back as 1938 from the Selectors' Association of Queensland, which asked that legislation be introduced to require the labelling of woollen goods to show the proportion of wool in them. The Queensland Government recognised the need for legislative action but recognised also that it was a matter that could not be dealt with by a single State. I think hon. members will appreciate the difficulty that would face a single State that attempted to tackle a matter such as this.

The question was referred to the Australian Agricultural Council, which recommended that no action be taken until the International Wool Secretariat made investigations. That body in due course made certain recommendations for legislation by all the States and all the States agreed that textiles should be labelled to show the materials of which they were made and the proportion of each of such materials. Difficulties arose when it came to incorporating other things in the uniform legislation. Many conferences were held by the States, and in 1944 it was thought agreement had been reached and that uniform legislation would be brought down by all Parliaments. The Queensland Government wished to do all in their power to protect the various interests concerned and the buying public from exploitation and to ensure honest selling and fair buying. They brought down the Trade Descriptions (Textile Products) Act of 1944 but the goal of uniform legislation was not achieved and the Queensland Act was not proclaimed. Interest continued to be taken in the matter and in 1947 it was hoped again that with some modifications of the original proposals the necessary legislation would be passed in all States.

In this matter, too, the co-operation of the Commonwealth Government was essential. It would be very undesirable and unjust to force Australian manufacturers of textile products and sellers to conform to certain requirements if the same conditions could not be applied to imported articles. In 1949 an agreement was arrived at and the States agreed to pass uniform legislation, but before it could be put into operation the then Federal Labour Government were defeated and the Liberal-County Party Government

who were elected for some reason were reluctant to accept the proposals that had been agreed upon previously.

My predecessor, the present Secretary for Labour and Industry, had attended a number of conferences on the matter. The chief obstacle at the first conference I attended, at which Senator Neil O'Sullivan was present, was the inability to define the categories of wool. Under the previous legislation, wool was referred to as virgin wool, reprocessed wool, and re-used wool. The submission of the then Federal Government was, probably rightly, that these categories could not be scientifically distinguished. This meant that in the event of a prosecution no technical evidence could be adduced to sustain the definition of those three categories. A great deal of discussion centred round this point, but no agreement was reached. It was pointed out that a garment might contain a certain amount of pure wool, a certain amount of processed wool, and a certain amount of used wool. That appeared to be the stumbling block to most Ministers. If we could not obtain a labelling that would define these things, if we could not devise a definition that would be sustained in a court, it was decided that we should adopt a labelling that would in effect give protection to the wool industry and at the same time give the buyers of materials a fair indication of what type of textile was in the cloth of the garment and so prevent the wholesale dumping of shoddy material upon the public.

We reached the stage when all Governments agreed on the legislation we are presenting this morning. It was patent to the Ministers concerned that it would be difficult for the layman to tell the difference in certain articles. I have a number of pieces of textile here and I am sure that most members of the House would not be sure as to which is wool and which is other textile, and these are products from which ordinary wearing apparel is made.

All hon. members know that more rayons and synthetics are being used today than before. I should say that in the bigger garments it is essential that the buyer should have an indication of what he is buying. I think that every hon. member as well as the general public has had the experience of buying an article and having it cleaned and finding that it was not the high-quality material he thought he was buying. That is the experience of all sections of the community.

I am satisfied that this Bill, when put into operation, will go a long way towards giving the buyer an opportunity of knowing what he is buying and will check the practices that many people in the community think are undesirable. The Bill is the result of unanimity reached between the States and the Commonwealth. It is couched in plain language and is not difficult to understand. The exceptions to the labelling are to be found in the schedule to the Commonwealth Commerce and Import Regulations. It was readily seen by the Ministers that there were certain small articles of clothing, such as handkerchiefs and collars, that would be hard to distinguish; this applies also to certain women's wear, handbags, collars, babies' wear, such as bibs, and so there is a list of household drapery that has been exempted from the Bill, and this will give the labelling a chance to be effective on the bigger articles.

The outstanding features of the Bill are that the following requirements must be complied with:—

> The label must be written in English, in clearly legible characters. It shall be attached to the product in the prescribed manner, or if none is prescribed, it shall be printed or stamped on or woven into the product or securely attached to the product. If the product contains 95 per centum or more by weight of wool it shall include the words "pure wool". If the product contains less than 95 per centum by weight of wool it shall not include the words, "pure wool". If the product contains less than 95 per centum by weight of wool, but not less than 5 per centum by weight of wool, it shall include a statement specifying—(*a*) the percentage by weight of wool which is contained in the product; and (*b*) the other fibres contained in the product in order of dominance by weight.

If the percentage by weight of wool is greater than the percentage by weight of any other fibre, it shall state the percentage by weight of wool first, otherwise last. If the product contains less than 5 per centum by weight of wool, it shall state the fibres other than wool in order of dominance by weight followed by the words "less than 5 per centum wool". If the product contains no wool, it shall include a statement specifying the fibre contained in the product, or if the product contains more than one fibre, the fibres in order of dominance by weight.

Further important requirements are included in the Bill for the protection of the buyer against the offering of shoddy materials for sale in a way that might mislead the public. It is required that if the product contains loading or weighting substances, other than ordinary dressing, the label shall include the word "Loaded" or the word "Weighted". If the product contain paper, the label shall include a statement that the product contains paper.

Ordinary dressing, as opposed to loading or weighting, is deemed to mean a dressing that is used to meet legitimate trade requirements, and does not contain anything in the nature of an adulteration, and does not contain aything used for the purpose of deceiving as to the quality, substance, or nature of the textile product.

For the protection of the honest trader, the Bill sets out two defences in any prosecution for contravening or failing to comply with the requirements as to label. The first is designed to protect traders against prosecution for contravention of the Act by selling, or having for sale, any textile product that

is not correctly labelled if that product was manufactured in, or imported into, Queensland before the commencement of the Act, provided that the product was held by him bona fide and without any fraudulent intention.

The second defence provides for the case where a trader holds, or offers for sale, goods bearing the wrong description, provided that it bears the same description as had been applied to it when he acquired it, and that that description appeared to comply with the Act and had not been altered by him. This defence meets the objection that might be raised that a person could be prosecuted for a breach of which he had no knowledge.

I have endeavoured to give the House a full history of the events that have led up to the presentation of this Bill, and of what it contains. It is the result of very extensive discussions between representatives of all the Governments of Australia, including the Commonwealth Government, and is a link in a nation-wide effort to provide something that has long been necessary. It has been accepted by Governments of different political beliefs, and due weight has been given to the recommendations of experts in both the law and textiles. The various Governments have discussed its requirements with representatives of both manufacturers and sellers, both of finished articles of clothing and of materials used in those articles, as well as the wool-producers.

An objection has been raised by certain sections of the trade about the cost of labelling. I should say, however, that taking into consideration the existing exemptions, some of which I have already referred to, the cost will be very small. I feel quite sure that anyone who has to bear any extra cost as the result of this measure, will bear it willingly with the feeling that his interests are being protected.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (11.54 a.m.): I am sure all hon. members were interested in the history of this legislation that has been given to us by the Minister. As the Minister knows, legislation covering textile labelling has had a very rocky road. It was first proposed at the end of the 1930s, and this Parliament attempted to play its part when it introduced legislation in 1944. Of course, it had to be uniform legislation throughout Australia, because no such legislation could have any effect at all unless it was agreed to by all the State Governments and the Commonwealth Government. I think we made a pretty good job of the legislation that we passed through this Parliament. There was a long debate on the Bill, it was closely examined, and the Minister accepted a number of amendments. Personally I thought that the final result was one that should meet with the approval of the other States, which had more or less agreed to the main principles of the Bill. The legislation has been in operation now for some years and it is still the law. However, the Minister knows that there was a good deal of log-rolling and approaches to various Governments and political parties, both in the State and Federal spheres and both for and against the legislation. I believe that at times some of the Governments, both State and Federal, paid too much regard to the representations of the manufacturers who really did not want this legislation because it would prevent them from putting over the public the many things they had done for a considerable time.

This legislation is not purely Australian in origin, but something that has been in operation in the United States of America for some years where it has been successful and where it has the entire backing of both the American wool-grower and American manufacturers who deal in woollen products. I cannot remember the exact date but at one time the American Congress voted a special appropriation of 200 million dollars for the more efficient policing of the textile labelling legislation then in operation in that country. And I might say that this action of the American Congress had the backing of the American wool-growers and the American manufacturers of woollen goods.

When the legislation was first introduced into this country the wool industry did not know exactly where it stood in the matter of the competition with woollen products that was rapidly developing. New products were being produced by the chemists of the world and there were many varieties of synthetic material. We find now that the test-tube wizards were able to outspin the silkworm in the production of fine fabrics and that these chemists made improvements even in nature's own production. Fortunately for the wool industry the chemist has not yet been able to produce some of the very essential qualities of wool that are produced by the sheep itself with the aid of good old Mother Nature but there is no guarantee that the chemist will not produce the qualities of wool that are an important feature in keeping it one of the best-selling and highest-priced fabrics sold in the world today.

However, this legislation is not designed solely for the protection of the wool-grower or solely for the protection of the wool manufacturer or solely for the protection of the consumer of woollen goods; it is designed to protect all three, the wool-grower, the manufacturer and the consumer.

For a start let us have a look at the protection that the wool-grower gets from this legislation. He can now have his product sold as wool only when it is wool. He will thereby be protected in any competition with material that looks very much like wool and which the manufacturers are able to pass on an unsuspecting public as a wool product. The buyers would quickly find out if they went out in a shower of rain that it was not wool. From time to time, from the production of the original rayons and nylons to the ones that are turned out today, we have been getting materials that very closely resemble wool and could easily be passed over by the unsuspecting. That being so, it is essential that these materials be labelled in order to show their constituents. One thing that has reacted very favourably to the wool industry is that although these

synthetic materials look like wool they have lacked its essential qualities, and the manufacturers, in order to build up the quality of their product, are finding it essential to include a percentage of wool. As a result, the consumption of wool, instead of going down because of the production of synthetics, has increased because the greater production of synthetics has brought about a demand for wool that was not apparent in the early 1940s, when this legislation was first introduced. I am not mentioning that as anything against legislation of this kind; on the contrary, I believe this legislation is essential and the sooner we get it in operation in Australia the better it will be, not only for the wool industry, but the manufacturer and the consumer. At the present time the mixture going into synthetics is becoming increasingly wool rather than cotton and other fibres. The cotton-grower has lost more as a result of the competition with synthetic fabrics than the wool-grower. Nevertheless, there is still keen competition against woollen products from those synthetics that are produced by the chemists of the world.

The next point is in regard to the protection to manufacturers. All responsible and reputable manufacturers, not only in Australia, but in other parts of the world, are 100 per cent. behind the introduction of this legislation. We had an example of that in this House when one of the largest manufacturers, Mr. Bruce Pie, was a very keen advocate of our original legislation, and gave much study to the matter with the object of improving that Bill when it was being considered. As I said before, the manufacturers in America were as keen in the implementation of the legislation over there. The responsible manufacturer will be protected from the unscrupulous manufacturer, who gains his greatest advantage from the fact that textile products are not labelled and the public, who are not informed in these matters, do not know what they are buying, and when they get what they think is a woollen product or something containing a large percentage of wool they often find it contains very little wool at all.

This legislation will afford protection to the consumers and I believe it is they who will get the greatest protection of all. As hon. members know, at present when buying fabrics in a retail store one does not know exactly the composition of the cloth, and considering the mighty price that has to be paid for some of the stuff on sale today one wants to get what one is buying and not something that is a poor imitation. Today men's suits are very pricey. Although the pure wool suit and the synthetic wool suit may look the same, when it comes to standing up to hard wear, resistance to creases and a shower of rain there is no comparison between the two fabrics in the suits. Here I might say that synthetic woollen suits are not sold to any great extent in Australia, but are sold very largely in America and, might I state, labelled as such. There is no comparison between the two fabrics. Pure woollen fabric is reasonably shower-proof and has greater wearing and lasting qualities than any of the synthetic substitutes on the market at the moment. This Bill will do much to protect the users of the various fabrics.

One thing I am particularly interested in is that the Bill makes no attempt to define wool, to define the various classes of wool such as re-processed and re-used wool as distinguished from virgin wool. It does, however, define wool. It says that "wool",

> "means the natural fibre from the fleece of any variety of domestic sheep or lamb".

In the previous legislation, re-processed, re-used and virgin wool were mentioned. Personally I am rather in favour of that, but I know of the difficulty that would be involved in a prosecution.

Mr. Moore: The Federal Minister would not agree.

Mr. NICKLIN: I know the difficulty was in the Federal sphere, but I remember Mr. Bruce Pie when in this Parliament spoke on a Bill of this kind previously said it was possible to pick out virgin wool from re-processed or re-used wool in a mixture of virgin, re-used, but re-processed and re-used wools in a mixture are very difficult to detect. He said that shoddy could be used in the production, of course, and it could be labelled as wool, but the quality was not to be compared with a cloth made of virgin wool. I realise the difficulty that would be involved in labelling the various wools and the mixtures of the various wools in the fabric.

For the information of hon. members who perhaps are not conversant with the difference between virgin, re-used and re-processed wools; let me say that virgin wool is wool straight from the sheep's back manufactured into cloth. Re-processed wool is woollen scraps collected in a factory after the making of articles in the factory. They are picked up, teased and made into cloth again.

Mr. Moore: Actually they would not have been used.

Mr. NICKLIN: They would not have been used, but left over. When teased up, the wool has lost certain qualities. It may be termed dead wool as against live wool. The re-used wool is shoddy. It comes from garments that have been worn for perhaps 18 months or two years, picked up from a rubbish heap, washed, re-teased and used again. Still, the garments made from this re-used wool are woollen products, and the fact that it can be made into garments, worn, re-teased and remade into garments emphasises the great qualities of wool.

Mr. Moore: The fear of most Ministers was that too much re-used wool might be included in cloths.

Mr. NICKLIN: That is so. For instance, one could buy a product labelled "Pure Wool" but it might be manufactured either solely from shoddy or a mixutre of shoddy and reprocessed wool, and there is a world of difference between the virgin wool cloth

and the cloth made from shoddy wool. That is why I felt that it would have been preferable to endeavour to overcome the technical difficulties that I know are involved in sustaining prosecutions and detecting what quantities are virgin, processed and re-used wool in an article. When they are used separately, I understand there is no difficulty, but if the different qualities are mixed it is very difficult to ascertain, and it may be hard to sustain a prosecution. However, we have something in this Bill and even though a cloth may contain shoddy or re-used wool, and even though it is labelled ''Pure Wool'' when placed on the market, there will be a tremendous difference between it and the cloth made entirely from virgin wool, and it will then be a simple matter for the discriminating housewife to identify the different types.

I come now to the question of labelling. There was a great deal of controversy during the discussion of the previous legislation as to whether the responsibility for labelling should rest entirely with the manufacturer, the wholesaler, or the retailer or whether it should apply to the whole trade. If we eliminated the manufacturer from taking responsibility for labelling, it would be impossible for the manufacturer who made garments from that material to say whether the mixture was 90/10, 50/50, 25/75 or anything else. It is necessary that the manufacturer of the original textile should label his product as a guide for later users in the trade. Although there are difficulties about it and certain expense is involved, it is interesting to note that the manufacturers in America make a great selling point of the fact that their goods are labelled ''Pure Virgin Wool''. One of the manufacturers of woollen materials in America advertises in one of the national magazines there, and in every advertisement it features the fact that its products carry the label ''Pure Virgin Wool''. I think that our textile manufacturers or the manufacturers of garments could take a lesson from those American concerns and make it a selling point that the product is true to label, and I am sure that any expense and trouble involved in labelling would be more than recouped by the excellent selling angle that the product is true to the label it bears.

However, I think that this Bill is desirable and should have had legislative force many years ago. There might be odd weaknesses in regard to the use of virgin, dead, and shoddy wools that carry the wool label, but it is far better to have a wide definition, as we have got to get the Act started. If we find later on that manufacturers are abusing the term ''wool'' by using shoddy instead of virgin wool, they might be dealt with by an amendment of the Act.

The main purpose of the Bill is to protect wool against unfair competition from other fibres and to protect the scrupulous against the unscrupulous manufacturer and to protect the user of textiles against having something foisted upon him which he did not intend to buy. I hope that when we pass this legislation it will not have the fate that the 1944 and 1947 legislation had because the other States and the Commonwealth did not do their parts in the legislative programme necessary to bring them into force. It is hoped that the other Parliaments and the Commonwealth will quickly follow our example and pass the necessary legislation so that we may have this useful legislation in force throughout Australia.

Mr. MUNRO (Toowong) (12.18 p.m.): I support the remarks of the Leader of the Opposition in his acceptance of this measure, although perhaps in some minor respects I might do so for different reasons. Fundamentally, however, our reasons would be the same.

I think it profitable on an occasion like this to examine briefly the principles on which the measure is or should be founded. The basic principle, of course, is the protection of the housewife——

Mr. Moore: And her husband.

Mr. MUNRO: That is so and, as far as is reasonably practicable letting her know what she is buying. But there is, however, the subsidiary point of some protection to the wool industry. There is emphasis on the point of letting the users know how much wool there is in a product as distinct from any general indication of the quality of the product. I should accept that subsidiary principle also because all Australians, in an economic sense, are largely dependent on the wool industry. If there is a certain amount of sentiment amongst buyers in favour of products that contain wool it is quite a good thing for Australia and it should be encouraged.

A second principle that I think is also important in any measure of this kind is that there should be no undue interference with the normal trade practices of the better types of manufacturers, wholesalers and retailers dealing with these products. That is very important, because in every manufacturing industry there are quite a number of technical processes and technical problems that cannot be completely visualised legislatively. In this regard my view of the legislation might be slightly different from that of the Leader of the Opposition, but I believe that one of the merits of this measure is that it does not tend to go too far. I make that point in relation to the fact that the requirements regarding the various proportions are very simple, and it seems to me that they can be complied with without any undue interference in manufacturing and trading processes. It is impossible—and this applies to almost every form of product—legislatively to indicate with exactitude the quality of a product, and that applies to textiles very much more than to most other products. It is not only a question whether the wool in a certain product is virgin wool, or reprocessed wool, or used wool; a tremendous lot depends on the efficiency of the manufacturing processes. A blend of wool, for example, might be made in the spinning stage or it might be made in the weaving stage, and there is such a variety of processes

in the treatment of wool and other fibres that there can be very considerable differences between the qualities of the fabric or between one fabric and another, even though each might consist of 60 per cent. wool and 40 per cent. other fibres.

The next point I want to mention—and I am particularly glad that the Minister has referred to it—is the very great importance of making any measure of this kind uniform in application in all the States of the Commonwealth. It is of course well known that many of the textiles that are sold and used in Queensland are manufactured in the southern States. It is perhaps not quite so well known that textiles are manufactured in Queensland in considerable quantities and exported to and sold in every other State of Australia in competition with similar products manufactured in New South Wales and Victoria. In any legislation of this kind we have to be very careful that, perhaps as the result of our enthusiasm to achieve some particular objective, we do not handicap our own industries in relation to the other States. From the explanation by the Minister I feel reasonably satisfied that would not occur in this case. If I had the slightest reason for doubt it would be because of the provision contained in Clause 11 which says—

> "This Act shall be read with, but so as not to derogate from, such of the provisions of the Health Acts . . . . . . as apply."

I have not had the opportunity of perusing the provisions of the Health Acts, but I believe that there is the possibility that if this Bill is read in conjunction with other Queensland Acts we should have a total application in Queensland slightly different from that of the other States. I have no reason to think that it will be so and I certainly trust that it will not be so.

Mr. Keyatta: There will be uniformity in all the States.

Mr. MUNRO: Yes, but there cannot be complete uniformity in the application of clause 11 for the reasons I have mentioned. I should not have felt impelled to mention that if it were not for the fact that in the textile industry we have already been considerably handicapped in Queensland by the application of other legislation that has detrimentally affected Queensland manufacturers as distinct from southern manufacturers. I should be out of order if I attempted to discuss that matter in detail, but I will mention the matter of price-fixing, which is applied, perhaps to some extent because of constitutional difficulties, to certain Queensland-manufactured products in a way that is more harmful to the manufacture of those products here than it is to a similar manufacturer outside the State. That is a difficulty that should be guarded against and I think there is just the possibility of some little difficulty arising under clause 11, but I should not think myself it would cause any serious trouble. I mention the matter now because if measures are not carefully scrutinised it may afterwards be found that certain little points have been discovered that only come under notice from practical application.

I believe that this measure will work well, especially as we have the assurance of the Minister that the legislation is the result of conferences over the years between representatives of the State and Commonwealth Governments.

Hon. W. M. MOORE (Merthyr—Secretary for Health and Home Affairs) (12.29 p.m.), in reply: I thank the Leader of the Opposition and the hon. member for Toowong for their contributions to the debate, in which they gave the measure the imprimatur of their approval. On the subject of conferences, let me say that representatives of the various States in the Commonwealth, including myself, had to be convinced that the categories of wool could not be scientifically decided. I believed that they could, but of course I was only a layman. The Federal Minister, Senator O'Sullivan, said that the matter had been referred to the experts, C.S.I.R.O., who had said that it could not be scientifically proved, and State analysts were at variance on the question. The conference looked likely to collapse on that point and in face of that I felt it would be dangerous to argue the matter further, because if evidence could not be produced in favour of the Government on a scientific matter, a prosecution could not be sustained. Nothing could be more damaging to the liberty of a subject than any legislation such as that. That conference ended and Mr. Landa, the New South Wales Minister, subsequently became chairman of the conference and I had a talk with him and we decided that we would try to get an agreement. A subsequent conference of State Ministers was held at Sydney, at which Mr. Landa presided, and the result was the legislation I have brought down. I assure the Leader of the Opposition that if at some future date science is of the opinion that the different categories of wool can be defined and a definition can be stated in court, I shall be pleased to bring down an amendment to the Act to provide for it.

The hon. member for Toowong mentioned several interesting matters. Certain factories will produce a better article than other factories. That applies in the kitchen: one housewife will make a better cake than her neighbour. The purchaser is in a better position today than he was before; he has greater protection.

Another interesting matter raised by the member for Toowong was the possibility of conflict in other administrative processes as between the States. He referred to the Bill as being administered in conjunction with the Health Acts of this State. In the other States the legislation will be implemented in conjunction with the Shops and Factories Acts. I was the only Health Minister at the conference in Sydney; the other Ministers were Ministers for Labour and Industry.

Mr. Munro: Those other provisions would be identical with our Health Acts.

Mr. MOORE: The matter was referred to Mr. Landa, who was chairman of the conference, and he thought it was quite in order. I believe that the Bill will do all that it is expected to do.

Motion (Mr. Moore) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Clark, Fitzroy, in the chair.)

Clauses 1 to 6, both inclusive, as read, agreed to.

Clause 7—False Trade descriptions, etc., prohibited—

Mr. HILEY (Coorparoo) (12.35 p.m.): I rise to get some clarification of the operation of this clause, which deals with the prohibition of the distribution and sale of goods unless described and marked in accordance with the fabric. The manufacturer starts off and prepares the articles and I take it that is the time when the manufacturer must mark a description on the goods as required. Being manufactured, the goods tend to flow in some instances through wholesalers and in other cases direct from the manufacturer to retailers, and eventually they are retailed to the public. My concern is as to the impossibility of commanding any simultaneous observance of this Bill at every stage of the distribution. It will be possible on fairly short notice, to say to a manufacturer that after a certain date every thing he produces must be marked to comply with this statute. A very short period of notice is adequate in the case of the manufacturer but as the goods go down the distribution avenues, retailers will have goods on their shelves. Take sweaters to be sold this winter. In a great number of instances sweaters will be on sale perhaps up to the end of July, under our climatic conditions. These sweaters will have reached the retailers for sale during January and February, to meet the autumn and winter sale. My purpose in rising is to ask the Minister whether he thinks it will be possible to safeguard this distribution time factor adequately under the Bill as it is or by some power of regulation. So long as he has envisaged that point and is able to assure the Committee that there will be a period of warning to manufacturers, and a longer period to retailers, and after that time everything offered to the public must be marked in accordance with this Bill, I shall be content.

Hon. W. M. MOORE (Merthyr—Secretary for Health and Home Affairs) (12.38 p.m.): This is a new Bill and its implementation will be a new experience to all the parties concerned, including inspectors of my department. The Brisbane Chamber of Manufactures waited on me some time ago and similar chambers waited on Ministers in other States. I assured them that before the regulations are gazetted they may have a conference with me on any matters they think need ironing out, and I would see that there was a common-sense approach to these matters. My inspectors would discover anomalies from time to time but ample opportunity would be given to members of the chamber to state their case before a decision was made on them. The matters will be given serious consideration and in the process of time all these anomalies must be ironed out. I appreciate that there will be a number of anomalies in the implementation of the Bill.

Clause 7, as read, agreed to.

Clauses 8 to 11, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING.

Bill, on motion of Mr. Moore, read a third time.

OPTICIANS ACTS AMENDMENT BILL.

SECOND READING.

Hon. W. M. MOORE (Merthyr—Secretary for Health and Home Affairs) (12.40 p.m.): I move—

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

There is only one principle in the measure, which gives the board the right by by-law, subject to the approval of the Governor in Council, to increase fees from time to time. I told hon. members yesterday that the fees were fixed and included in the Act many years ago. Now that administrative costs are much higher, it is necessary that fees be increased. This amendment will allow increases to be made from time to time by by-law subject to the approval of the Governor in Council.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (12.41 p.m.): This Bill is similar to the amendment to the Dental Acts that was brought down towards the end of last year. It is introduced for exactly the same purpose, the taking out of the Act the fees that were fixed by legislation and included in it and the giving of power to the board to increase the fees from time to time, subject to the approval of the Governor in Council. We agree with the principle. It is essential that there be flexibility to follow the fluctuation in costs.

It is interesting to note that yesterday, the day the Minister introduced this legislation, he laid on the table a regulation under the Dental Acts fixing new fees according to the amendment to the Dental Acts introduced towards the end of last year.

Motion (Mr. Moore) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Clark, Fitzroy, in the chair.)

Clauses 1 to 4, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING.

Bill, on motion of Mr. Moore, read a third time.

WORKERS' COMPENSATION ACTS AMENDMENT BILL.

SECOND READING.

Hon. E. J. WALSH (Bundaberg—Treasurer) (12.45 p.m.): I move—

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

I do not think there is any necessity to go over the principles of the Bill again; I outlined them fully yesterday and as hon. members have the Bill they have been able to study the various amendments.

Apart from the substantial increased amounts to be paid in respect of fatal and non-fatal injuries, I think it is agreed that the other important principle is the right extended to the worker to continue to receive weekly compensation payments until an award of a court might be made. I think it should be understood by hon. members that that right is extended to the worker. The Insurance Commissioner will of course be indemnified by the parties to the extent of the compensatoin that has been paid by him.

The Bill in no way suggests that the weekly payment of the compensation paid to a domestic or a share-farmer will be altered in any way. There appears to be a good deal of loose thinking about share-farmers and comment and criticism of the department in its attitude on the basis on which it makes assessments. It is a little difficult if the Commissioner is not supplied with the necessary information to enable him to make assessments in these cases on the basis he thinks reasonable and fair, not only to himself but to the parties concerned. The difficulty of the Commissioner is that he has not been supplied with the information required from the owners of properties who are engaged in share-farming or who make an agreement with other persons to engage in share-farming. It is a case of supplying the correct information. I might say that in the case of the share-farmer in the dairying industry there is no difficulty whatever because, generally speaking, the owner of the property provides not only the land but the equipment, but in the case of wheat-farmers it is the practice, generally speaking, for the owner to supply the land only and the share-farmer to supply the equipment. The Insurance Commissioner has been endeavouring, on a voluntary basis, to obtain information from the owners of the land and the share-farmers to enable him to make an assessment on a fair and just basis to all concerned. Not having met with success on a voluntary basis, we propose to bring down a regulation whereby the owner or the share-farmer will be compelled to supply the information.

Mr. Kerr: The agent concerned?

Mr. WALSH: The share-farmer is the person we are concerned about because he is the person who will be covered under the Act, not the owner, and consequently we have to determine the extent of the share-farmer's expenditure apart from what the net earnings might be.

Mr. Kerr: Would you consider the premium payable by the owner a charge against profits?

Mr. WALSH: I have been trying to explain that the Commissioner has been endeavouring to get the necessary information to enable him to assess the premium on the proper basis. I take it that the hon. member for Sherwood is not suggesting that we should assess it on an income of less than the basic wage?

Mr. Kerr: Not for a moment.

Mr. WALSH: It appears that the hon. member has not given sufficient study to the terms he used. The share-farmer would expect to get the same compensation as any injured worker on a higher scale and he could not expect to pay a premium on an income less than that amount. If the Commissioner cannot get the information on a voluntary basis it is necessary that he should have some other power that is not contained here. I make it plain that the share-farmer will not be disadvantaged because of the amendments under this Bill.

The other clauses are more or less minor ones, and as hon. members have had an opportunity to peruse the Bill I do not propose to make any further remarks at this stage.

Dr. NOBLE (Yeronga) (12.50 p.m.): I should like to congratulate the Treasurer on the administration of this legislation, although I have always regarded it as being more of a sickness benefit Act than a real Workers' Compensation Act. In my own practice I have always found that those who administer this legislation give all sympathy to the injured worker wherever possible.

I believe that everyone on this side of the House was extremely pleased to hear that the benefits payable under this legislation are to be increased. With the increased cost of living of recent years, people who have been injured and are receiving less than they had been used to getting when in employment have found it hard to carry on in their ordinary daily lives.

I was very interested yesterday to hear the hon. member for Burdekin quote the case of a constituent of his who was suffering from heart trouble. He went to work at one wharf, where he was told he had to go to another wharf, and he had to run to catch a bus that was about to leave for the other wharf. I think that if that case had been properly presented to the Insurance Commissioner by the doctor or the employer, or whoever was concerned, compensation would have been paid.

Mr. Coburn: He was not a constituent of mine. He was a constituent of the Premier's.

Dr. NOBLE: Irrespective of whose constituent he was, I think he would have received compensation if the case had been properly presented. I had an instance in my

own practice of a railway employee who was pumping a hand trolley along the railway-line, and suffered a coronary thrombosis and dropped dead. His widow received full compensation.

Recently I was approached by a lady whose husband had been employed in one of the factories at Rocklea. He got a pain in the chest whilst at work one day and was examined by the ambulance bearer attached to the factory, who told him that he had indigestion. He was sent home in an old, broken-down T-model Ford, and the journey home shook him up considerably. When he arrived at his home the pain was much worse. The local doctor was called in and the man was sent to hospital and died that night. His widow tried to get compensation, but the Insurance Commissioner could not see his way clear to pay it. As I say, the widow approached me, and I told her that all she had to prove was aggravation. There was no doubt that the worker had suffered a coronary thrombosis, and had he been sent home by ambulance he might have been alive today. His being sent home in this rickety old car caused further damage to his heart and he died. When, on my advice, a second claim was presented to the Commissioner, the widow was paid full compensation. She has since been able to buy a home and can now look forward to security with her own home and a widow's pension to maintain her.

As I say, wherever a case is properly presented to the Commissioner, compensation is readily paid. But the Commissioner is not always consistent in his payments. One thing that has caused a good deal of discussion is rupture or hernia. In many such cases, I think the Commissioner has paid out a good deal more compensation than he should have. In these days most people know the symptoms that they should have in a case of hernia, and they come in to the doctor or the Commissioner so readily and with a tale so glib that one cannot fail to realise immediately that it is a tale they have been told to tell. Almost invariably they tell you that they were lifting something at work, that they got a pain in the side, that they began to feel sick and reported the matter to their employer, and that after returning home at night a lump appeared. They then claim compensation for a hernia. Very often there is suspicion in the mind of the physician or doctor that perhaps the person has had the hernia for a good many years. However, being desirous of having the hernia fixed up, he conceives the idea of getting compensation, or being paid while out of work while he has the operation, and so he furnishes the tale to the doctor that his fellow employees have told him to tell. The doctor cannot be accused of failing in his duty if in the circumstances he decides that the hernia was the result of his work and so the patient gets compensation. In many instances the compensation is paid because of the sympathetic tendencies of the Commissioner himself and so the Act, instead of being really a compensation Act, is in effect a sickness benefit Act.

In certain cases, the hernia actually develops because of the employee's work. On one occasion I had a patient, a man who had been a patient of mine for a number of years, and I knew that he did not have a hernia. He was working in one of the factories of Brisbane and he was lifting a crate of cases onto a high rack when a lump developed and I diagnosed it as a hernia. However, the employer was not prepared to give the necessary certification to say that it had happened at work. I appealed to the Commissioner on two or three occasions to decide in this man's favour but the compensation was never paid. I wanted the man to take the matter further, but he went out West working on a property somewhere deciding to go no further with his claim. That was one instance of a genuine case where compensation was not paid.

The time is getting on and I have other matters to deal with. There is a provision in the Bill that compensation shall be paid for severe facial disfigurement. A board is to be set up, a patient will appear before the board, and he must abide by its decision. That is a very fine feature of the Bill. I know that plastic surgery has improved considerably in the last few years, especially since the latter part of the war. During the war period an American truck ran into a tram at Salisbury and a number of young girls from the munitions factory were severely burned. I was called into the Mater Hospital to treat some of these young people. They had severe disfigurement of the faces and their faces were scarred. Despite the fact that plastic surgery had made remarkable strides it was unfortunate that in a great many of these cases very little could be done. I think it is a great pity that some compensation was not paid to these girls who had lost their looks and appearances, which are thought so highly of by the female sex. I think the provision for the payment of compensation in the case of facial injury is a very good one.

In looking through the schedule of injuries I noticed that it includes ''Total and incurable paralysis of the limbs or of mental power,'' for which the amount of compensation is £2,800. When it speaks of the total loss of mental powers I take it to mean that compensation will be paid in respect of the totally insane who will go into a mental hospital and whose affairs will be taken over by the Public Curator. I was wondering whether, if the £2,800 was payable in that case, it would be kept by the Public Curator to care for the injured worker or be given to his dependants.

Mr. Walsh: If he enters a mental institution, you know what happens.

Dr. NOBLE: Would the Public Curator be prepared to hand it over in bulk or in annuities?

Mr. Walsh: When a person enters a mental hospital it means his affairs come under the jurisdiction of the Public Curator, and the latter would have regard to the

circumstances of the family. He could not give everything away to the family without considering the patient.

Dr. NOBLE: I was wondering whether, if a capable wife wished to run a business to care for the family, the Public Curator would give her a bulk sum.

Mr. Walsh: A lump sum would be payable if the injured worker did not enter a mental institution.

Dr. NOBLE: What would happen if he was declared to be insane?

Mr. Walsh: The Public Curator must take charge.

Dr. NOBLE: If he was in his own home would there be any difference in the payment?

Mr. Walsh: There must be under the law. The Public Curator must be guided by the Mental Hygiene Act.

Dr. NOBLE: Further down in this table there is an amount of £1,450 payable for loss of speech, and for the loss of a hand and a foot the amount payable is £2,800. To my mind the loss of speech is a far greater loss than the loss of a hand and a foot. I was wondering whether it would not be possible to increase that to a greater amount.

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

Dr. NOBLE: When I was a resident doctor a young man came in from Hancock & Gore's with part of his finger cut off in a saw. I fixed it up, but he was no sooner back to work when he came back with another joint severed. That was duly fixed up, and later he came back a third time, with a third joint severed. I said to him, "You seem to be making a habit of this." He said, "After three joints I shall be able to get my fruit run".

As far as I am concerned this is a very good Bill. I have never had any quarrel with the sympathetic spirit of the Commissioner in the payment of compensation.

Hon. E. J. WALSH (Bundaberg—Treasurer) (2.19 p.m.) in reply: The hon. member no doubt has some knowledge of the Mental Hygiene Act in which there is provision whereby the affairs of mental patients are brought under the jurisdiction of the Public Curator. If a patient did not enter a mental hospital I take it the Insurance Commissioner would follow the practice he has always followed and pay a weekly amount to the wife of the worker. In those circumstances the family would handle the money. The Public Curator would, of course, use his discretion and examine each case on its merits. If it was a matter of investing money and so earning income from it the Public Curator would decide.

The other matters dealt with by the hon. member come under the heading of administration. He has some very interesting examples. The other day I gave the example of a man to whom a medical certificate for compensation was issued on the basis that he was not able to live more than three or four years longer. However, he later engaged in heavy work and became a claimant.

Generally speaking, I am pleased to see that the Bill has been accepted by hon. members on both sides as one that will be of great assistance to workers and their families throughout the State.

Motion (Mr. Walsh) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Clark, Fitzroy, in the chair.)

Clauses 1 and 2, as read, agreed to.

Clause 3—New s. 14A inserted; Facial disfigurements—

Dr. NOBLE (Yeronga) (2.22 p.m.): I notice that the amount payable for loss of speech is £1,450, as against £2,500 for loss of hand and foot and am wondering, considering the amount payable for the loss of hand and foot, whether some additional amount could not be paid for the loss of speech.

Hon. E. J. WALSH (Bundaberg—Treasurer) (2.23 p.m.): I would inform the hon. member at this stage that the amount of compensation payable for loss of speech is fixed on a similar basis to that of loss of hearing but any amendment that might be moved or any suggestion to increase the amount would be ruled out of order because it would be entirely outside the order of leave.

Clause 3, as read, agreed to.

Clauses 4 and 5, as read, agreed to.

Clause 6—Amendments of Schedule—

Mr. HILEY (Coorparoo) (2.24 p.m.): There are two or three aspects of this clause I should like to discuss and after discussing them generally I shall submit an amendment for the consideration of the Committee. At the outset, let me say, I am aware of some of the administrative difficulties that are bound to attach to the complete removal of the whole barrier of forcing a person to elect whether he will take workers' compensation or pursue his common-law remedy. Quite apart from the monetary aspect the greatest merit of it is this: the great bulk of people who seek benefit under the Workers' Compensation Acts are people who are only in receipt of wages and who have little in the way of a capital fund behind them. When an injury occurs and their wages stop, not many people in employment have a considerable bank account to tide them over the six months that inevitably will elapse in first of all instituting, and secondly pursuing their common-law remedy? For some weeks after a worker is injured he is not in a state to talk to lawyers and have his case examined to determine whether the action should be taken against someone. When he is well enough to stand examination by lawyers so that his case can be prepared, we all know that from the time the writ is issued

in the Supreme Court until it is heard there is frequently a gap of several months. Sheer financial necessity forces many workers to turn their backs on a very good case at common law because they have to live in the meantime. There is not the slightest doubt that the step the Treasurer is now taking is basically wise, humane and beneficial to the great body of workers in this State.

Mr. Walsh: One thing I am fearful of is that the lawyers will "take the worker for a ride".

Mr. HILEY: That is something we should examine with considerable care and guard against with everything in our power. I have no difficulty in accepting the broad principle that if a man has been injured under circumstances where negligence can be established and where his entitlement to damages might have been much greater than the liberalised benefits that are possible under workers' compensation, we should do all in our power to see that that man is enabled to take advantage of his common-law remedy.

Having accepted that principle, we then come down to details of how it should work. Again it is essential to recognise that the great majority of workers, not being able to maintain themselves while their common-law rights are determined, want to go to the Insurance Commissioner and draw weekly sustenance during the period of their injury before they are able to get back to work, and it is necessary to consider that in the great majority of cases where a worker does seek the common-law remedy he will have already had from the Insurance Commissioner amounts covering several weeks' maintenance, in some cases totalling many hundreds of pounds. That is quite logical and understandable.

Then follows the very natural corollary that if a man is going to pursue his common-law remedy he should not get both benefits. I agree that a man should not be able to get his full common-law remedy and workers' compensation as well, so that I accept the doctrine of this clause that in such a case the Insurance Commissioner should be protected up to the amount of the compensation he has paid. Again I have not the slightest difficulty in accepting that as a desirable principle.

Now we come to some of the protective measures that are designed to take care of it, and I am bound to say that the purpose of those protective measures meets with my full support, but I find some little difficulty with the language the Parliamentary Draftsman has employed to take care of them.

I ask the Committee to study Clause 24A, sub-clause (3) of the Schedule. It provides that if a worker has drawn compensation and also recovered damages from exercising his common-law rights, the Insurance Commissioner shall be entitled to be indemnified by that worker. I interpret that as being related to the moneys the Commissioner has paid out. Let us suppose there is a case in which the Commissioner has paid out £300 during the period by way of weekly payments up to the time when the claim is settled by him. Let us suppose also that in due course the common-law remedy is pursued and £700 is recovered by that employee. In such a case, it is quite right and logical that the Insurance Commissioner should be indemnified for his £300 because that is the amount he is out of pocket. The man, on the principle that he should not get both benefits, one on top of the other, should say, "Out of the damages I have recovered I will pay £300 to the Insurance Commissioner and keep the balance of £400 for myself." That man is then left in the position of having had £300 as he went along and getting £400 by way of final settlement, so that actually he has had in cash benefit in one way and another the entire sum of the common-law damages and the Insurance Commissioner has recovered the £300 he has advanced. Where the amount of damages in common law is equal to or greater than the compensation the Commissioner has paid out, the drafting of the clause is perfect and will work perfectly. But what of the case where the amount of damages is less than the amount of compensation that has been paid?

Here I ask the Committee to observe that we have, in our wisdom, passed laws in recent years that make this quite likely because, in an amendment brought down by the Attorney-General a year or two ago, we accepted the doctrine that where there is contributory negligence the court is directed to weigh the relative contribution to the accident and to strike what it thinks is a fair proportion of the total damage. It might decide that one-quarter should be paid by the injured person because of contributory negligence and if the total damage was £800 and the court thinks that one-quarter should be paid to the injured worker the actual money damages to be paid over would be one-quarter of £800, namely, £200. There are bound to be cases of workers injured in the course of their travel from and to their places of employment and they constitute by no means a light proportion of the total accidents that occur where the amount of compensation that will be paid out by the Commissioner will exceed the recoverable damages, under the principle of sharing the loss where contributory negligence is established. I think the principle of indemnification should be stated, but it should be made clear that under no circumstances would the Commissioner recover more than the damages the person is liable to pay.

Mr. Walsh: Could you give an example how that could happen?

Mr. HILEY: Very well. Take the case where the Commissioner has paid £300. The man takes his case to common law and, because of contributory negligence, the total damage assessed is £800, but because of the contributory negligence the court awards

him one-quarter of the damages. The Commissioner should not be entitled to be indemnified to the extent of £300.

Mr. Walsh: How could the Commissioner recover?

Mr. HILEY: The clause says that the Insurance Commissioner shall be entitled to be indemnified by that employer or other person——

Mr. Walsh: He could only be indemnified for any expenses incurred.

Mr. HILEY: He has incurred £300 but the total damage awarded was only £200.

Mr. Walsh: I am not worrying about that. You are wanting to make sure that the Commissioner is not in the position of paying more than the damage?

Mr. HILEY: Yes.

Mr. Walsh: Show me how it can be done.

Mr. HILEY: By adding a word or two at the end.

Mr. Walsh: I have considered your amendment but I should like an explanation as to what authority the Commissioner would have to recover more than he has paid out.

Mr. HILEY: Clause 24 (3) sets out the new entitlement of the Commissioner and the Commissioner would not in any circumstances ask for £300 when the amount of damages was only £200. That would be an extravagant thing, but why not make the language in the statute clear? If we add the words, "to the extent of his liability" after the word "person" in line 49 there would be no possibility of doubt. If by any chance we happen to get administration different from what we have had in the past there would be no possibility of the Insurance Commissioner's saying, "In terms of Clause 24A (3) I have paid out £300 and I ask to be indemnified to the extent of £300." To me this amendment would remove any possibility of doubt as to the interpretation of the clause, but I repeat that I have no doubt that in the hands of the present Commissioner—and I have discussed the matter with him—things would be all right because he makes it clear that he would administer the law in the way the Treasurer suggests is right. That is to say, where the outlay by the Commissioner is £300 and the damages are fixed at £200, he would not attempt to ask to be indemnified for the £300. In discussion with the Parliamentary Draftsman, he could see no possible harm in the addition of the words as they remove any possibility of doubt as to future interpretation. I submit it to the Minister and to the Committee as designed to put in this legislation, in the clearest and most unmistakable language, exactly what all of us think is completely fair in relation to this matter.

I move the following amendment—

"On page 7, line 49, after the word 'person', insert the words—

'to the extent of his liability.' "

Hon. E. J. WALSH (Bundaberg—Treasurer) (2.36 p.m.): I have listened with a good deal of interest to the analysis of this clause by the hon. member for Coorparoo. In my opinion, for what it is worth, as the clause stands at present there is no doubt that the Commissioner would recover only what he was entitled to up to the date of the award of the court. I cannot see anything in the clause as it stands that would empower the Commissioner to claim anything beyond what he has paid out.

Mr. Hiley: He would be entitled to claim what he has paid out, but what if the amount he has paid out is more than the damages that the court awards?

Mr. WALSH: I might say that I intend to accept the amendment, but I do not think it really makes any difference. It is merely adding a few more words to the clause and taking up the time of the Government Printing Office. I draw the attention of the hon. member to sub-clause (2) which says—

"Any amount of compensation under the said provision (B) paid to a worker to whom this clause applies pending the recovery by him of damages from the employer or, as the case may be, other person legally liable therefor shall be a first charge upon those damages."

That obviously implies that any compensation that has already been paid must be a first charge upon the damages. It does not concede a right to the Commissioner to claim anything in excess of what he has paid out.

Mr. Hiley: But you cannot charge £300 on £200.

Mr. WALSH: The hon. member is arguing the other way. What he wants to do—and I am not disagreeing with him—is to place a liability on the employer.

Mr. Hiley: The Bill does that.

Mr. WALSH: The hon. member wants to make it clearer, according to him, that even though the court awards a lesser amount in damages than has actually been paid, the employer will reimburse the Commissioner?

Mr. Hiley: Up to the amount of the damages awarded by the court.

Mr. WALSH: The hon. member does not want the Commissioner to have the right to recover the whole of the amount that he may have expended?

Mr. Hiley: Not if the court awards less.

Mr. WALSH: That is a different matter altogether. I have discussed this with both the Commissioner and the Parliamentary Draftsman, who have advised me to the same effect as they advised the hon. member for Coorparoo, that is, that his amendment will not make any difference to the clause. Therefore, there is no reason why I should reject it.

Amendment (Mr. Hiley) agreed to.

Mr. HILEY (Coorparoo) (2.40 p.m.): I have a further amendment. It relates to sub-clause (4), which says—

> "A worker shall not settle or compromise any claim for damages had by him independently of this Act in respect of an injury to which this clause applies without the prior consent in writing of the Insurance Commissioner."

There is a very good and understandable reason why that clause is there. For the first time we are now entitling the Insurance Commissioner to pay out sustenance payments to a man whilst he is suffering from injury before he proceeds to the exercise of his common-law rights. I have already hailed that as being a very desirable and useful provision. As the Insurance Commissioner is interested in the man's right of recovery it is very necessary that we should give the Commissioner some power to protect his interest in those damages. Let us suppose that the Commissioner has paid up to £300 in progress payments to the injured person and then someone proposes a settlement to the man for a lot less than £300 or for a lot less than should be paid, thereby depriving the Insurance Commissioner of his right to recover. In equity, up to the amount of payments that have been made, it is no longer the person's claim but the Insurance Commissioner's claim and no person should be in a position to give away the right of the Insurance Commissioner.

Mr. Walsh: In other words, the money is only on loan.

Mr. HILEY: Held on trust—put it that way. That is a principle that I have no difficulty in accepting. I was wondering whether we should in all cases require the consent where the injured man recovers more than the amount to which the Commissioner is entitled. Say for instance the Insurance Commissioner is entitled to the sum of £300 then settlement up to £300 is very much the concern of the Commissioner. But as soon as the settlement is for £400, £500 or £1,000 and in view of the fact that the Commissioner has absolute protection up to £300 the person paying the damages does not pay to the Commissioner himself the amount that should be paid. It does seem to me that there is no good reason why we should insist upon the prior consent of the Commissioner where the figure of settlement is more than the Commissioner is entitled to get. However, where the Commissioner may become involved in a loss in respect of his claim his consent should be required. As soon as he is paid 20s. in the £1 in respect of his claim I think his equity is completely and absolutely protected and the claim is then the concern of the man himself.

I ask you to observe that in all fairness I do not think the Commissioner would seek to force any man to go needlessly to law. The Commissioner has a very big underwriting business of his own. For instance, he carries a lot of his own business in the matter of motor-vehicle cover. He is a big insurer himself and he knows the importance of having a settlement in such cases and that only a tiny fraction of them should go to the expense of course of litigation. Let us suppose, therefore, that the insurance interests amount to £300 and let us suppose also that the man is offered a settlement of £500. Let us suppose also that the Commissioner, looking at the case, says, "No, I do not think that £500 is enough in these circumstances and I refuse my consent." What are the consequences of such an attitude? This man is forced to go to law by the Commissioner, not at the Commissioner's expense but at his own expense. I do not think that is a good legal principle. I think that all we are required to do is to ensure that the Commissioner cannot be jinked of the amount to which he is fairly entitled, that there will be no subterfuge settlement for a low figure with a few pounds on the side so that the Commissioner may be diddled of the amount to which he is fairly entitled. My suggestion is that the Commissioner's right must be absolute but that once his payments are completely covered I do not think there is any need to ask him to consent to the settlement.

Therefore, in order to give effect to my suggestion, I move the following amendment—

> "On page 7, line 54, after the word 'compromise' insert the words and commas—
>
> ', for a sum less than the amount of compensation charged on those damages,'."

Mr. F. E. Roberts: At the time he is contemplating civil proceedings, how does the Insurance Commissioner know the extent of his liability? It may be continuing.

Mr. HILEY: That is so. Before a person endeavours to settle a claim of this description the practice will grow up in all these cases that he will go to the Commissioner and find out how much goes to him. I think that is desirable. If they go to the Insurance Commissioner to get that advice, the Insurance Commissioner must be in a position to say, "My interest is £X". A man may go to the Insurance Commissioner in the morning and then put his figure on in the afternoon to settle. If claims are still being made the Insurance Commissioner can check that up. Where the man draws his benefit under common law a further entitlement stops immediately. By the making of inquiries of the Commissioner you have a complete and absolute protection to the Commissioner.

Hon. E. J. WALSH (Bundaberg—Treasurer) (2.48 p.m.): I should probably save discussion if I said I would accept the amendment but I should like to make a few observations. During the course of my opening remarks I mentioned the things that could happen by extending this Bill to the common-law right. One of the things that I am fearful of is that in the course of time we probably should have to re-examine this provision because of the abuse that would have crept in. Representations have been made to me from time to time by various industrial unions and I have pointed out to

them that there is the possibility that some members of the legal profession might so abuse the position that it might become necessary to review the provision and put many more limitations on it. It may be that the Commissioner, having the right to fix a lump sum in accordance with the table of injuries, but after weekly payments have been made for the loss, of say, an arm, would have paid by way of weekly payments £1,000—under the old schedule the amount was £1,000 for the loss of an arm, and under the new schedule it is £1,900—and he would then finalise the claim on the basis of the additional amount that would have to be made. On the other hand it would be possible under this clause for a legal man to string an injured worker along—and I make this statement specifically because of practices that can be and were engaged in many years ago in this State and are being engaged in in other States—on compensation rates so that he would receive the maximum figure of £2,800, and then decide he was not going to proceed with his action at common-law. Those things will have to be watched.

The hon. member for Coorparoo and other members have at least some understanding and if the injured worker exercises his rights and is given the right advice, and legal men will not abuse and take advantage of it, it will go along all right. On the other hand, if it does not it will be necessary for the Government to review the legislation and tighten it up where necessary. We do not want a position where we are going to open things for legal men to come in, as was the case in the old compensation laws, and get the figures based on the damages that might be awarded by way of costs.

Mr. Hiley: I quite agree with that.

Mr. WALSH: We have to guard against that. Up to the present time appeal to the jurisdiction of the Supreme Court to decide such issues does not exist. They are limited to the Industrial Court against whose decision there is no appeal and where representatives other than the legal profession can be engaged, so that the injured workers must not face extensive legal charges. It is is one of the things I am really fearful of in this provision. However, as I have intimated, I propose to accept the amendment.

Amendment (Mr. Hiley) agreed to.

Mr. MUNRO (Toowong) (2.52 p.m.): There are one or two observations that arise mainly from the remarks of the Treasurer when he indicated that he might find it necessary later to review this clause. I take it he is referring particularly to the clause in its amended form. I am glad to know that the Treasurer is giving that consideration, not only for the reasons stated by him but more particularly for other reasons. If I had had the opportunity of speaking earlier I should have been somewhat inclined to suggest that it would have been wise to defer for the time being the insertion of this new clause 24A, until there is the opportunity of giving the whole matter further consideration. The subject matter of the new clause is really to a considerable extent outside the field of workers' compensation insurance and I believe that it could quite appropriately have been made the subject of a separate Bill that would have dealt with these problems more comprehensively. I have in mind, for instance, that some of the provisions that will be contained in this new Clause 24A have a bearing on certain provisions that were passed in the early days of this session, I think in the Act dealing with tort feasors. There is the possibilty that this clause might conflict with some of the provisions that we put in that Act. I suggest that this whole matter requires further consideration on account of the difficulties that arise on what might I describe as the time element in connection with the making of claims and arriving at a determination of all matters in claims for damages as distinct from claims for compensation.

Mr. Walsh: A matter I did give consideration to was limiting the time in which claims might be lodged.

Mr. MUNRO: Let us consider the law as it stands in relation to the claim for damages. We have two distinct types of cases. One is the case of a claim against a Government or semi-Government institution. In such cases as those there are very rigid limitations on the time in which notice of a claim may be given and, in some cases, as to the further time that might be allowed for the bringing of an action. For example, under the Police Act, notice of a claim against the Police Department must be given within one month. If that notice is not given, all rights are lost. Similar provisions apply in claims under the Local Government Acts. For instance, in a claim against the Tramways Department of the Brisbane City Council there is one time limit and another for other departments. In a claim against the Railway Department there is another time limit, so that the whole position from the point of view of the person who may possibly be involved in a claim is confused.

The other class of case is where the claim for damages is between individuals or by an individual or a corporation outside this group of semi-Government activities. There we find the most anomalous position that there is no time limit at all other than that of six years under the Statute of Limitations. These differentiations, apart from the anomaly involved, can cause grave hardship. It may be that a person is injured and has a claim against the Brisbane City Council or the Railway Department, for instance, but the injury arising from the accident had not become apparent until after the very short time allowed for the making of the claim had elapsed. It might happen that in a perfectly bona-fide case an injured person might be deprived of his rights by reason of that anomaly under the law.

Mr. Walsh: That is where very careful consideration will have to be given to the time factor.

Mr. MUNRO: That is so. I feel that it should have been considered prior to the bringing into effect of this provision, but as it has not been dealt with I mention it now because if these provisions are being reviewed at anytime these anomalies could be cleared up.

Let us study now the case of a claim between individuals. The prospective claimant is well and amply protected because he may make his claim at any time within six years, but what about the person who may be responsible for an injury caused by a truck driven by one of his employees? That man might be the employer of a number of people and his responsibility, if any, might have been due to some action or lack of action on the part of one or more of those employees. What is his position if, without any prior notice, he is faced some three or four years afterwards with a claim for some damage arising from an accident in which the driver of one of his trucks was involved? By that time it is quite possible that the employee driving the truck has given up his employment and left the State and even if he is here he may have completely forgotten the occurrence because there was no notice of the claim within a reasonable time. It is possible that he may have forgotten the details of the occurrence and, particularly in circumstances where he was not responsible, he would not be in the position to bring forward evidence, because of the lapse of time. I mention these things because the whole problem requires very careful thought and my idea is that instead of having these various provisions in quite a number of different Acts there should be one Act in the nature of the Act relating to tortfeasors, which was passed some time ago, that would bring together all the various time limits and make them, if not absolutely uniform, at least have some measure of conformity to particular conditions. There should be reasonable protection for every prospective claimant, having regard to the fact that in some cases the disability arising from an accident does not become evident until a considerable time after the accident takes place, and, on the other hand taking into consideration that unless there is some prior notice to the person who ultimately may be called upon to pay, he is deprived of the reasonable opportunity every person should have of having available the necessary evidence to rebut any claim against him.

I think that this clause has been very much improved by the amendment accepted on the motion of the Deputy Leader of the Opposition. If I have any doubt at all it is in reference to the final sub-paragraph (4) of Clause 24A. However, I think the position has been improved by the words added to it.

Mr. Walsh: It is an experiment.

Mr. MUNRO: I hope that in future consideration of this legislation the Treasurer will keep in mind the points I have made.

Mr. HILEY (Coorparoo) (3.4 p.m.): I cannot let the opportunity pass without thanking the Treasurer for his consideration of the arguments put before the Committee.

Mr. Walsh: I must be weakening.

Mr. HILEY: And to say that there are some matters in which it is prudent to wait until the answers are completely clear to the last degree before we have courage to act. There are cases when where you are entering new fields of law you need to act with courage and an open mind to see how they work and where you must correct in the light of subsequent experience. The Treasurer has made it clear that he is not without some doubt as to how this new move might develop. I am glad he has not allowed a doubt to stop him from doing anything, and I think that he has approached this problem with particular courage. I shall respond to the observations he made about some of the dangers by saying that I will gladly join with him to seek the appropriate correction of any abuse that might develop.

From all my experience of the Workers' Compensation Act, I regard its administration as one of the very best in the whole of the Government service. Very often, a Bill that on its wording or in its basic principles may be a little weak can be made a very effective instrument by good administration. I console myself with the thought that the same people who have performed so well in recent years in administering the old workers' compensation law will be administering this changed development, and perhaps some of the evils to which the Treasurer has made reference may in practice prove to be not so great as some of us fear, simply because of the wise way in which the legislation will be administered.

It is quite true that, in the hands of a disreputable lawyer, this field of common law can become dangerous. Fortunately, we have never seen in this country quite the parallel of what has developed in the United States of America, where the term "ambulance chasers" has become a recognised feature of judicial processes. When the victim of a hit-run accident is being carried, streaming with blood, on a stretcher to the ambulance vehicle, men are chasing him getting him to sign an authority for them to act for him. That sort of thing is quite rightly frowned upon by the legal profession of this country, and whilst I admit that danger will be present if bad lawyers start to take advantage of that sort of thing, I am certain that they will get no encouragement whatever from the people responsible for administering workers' compensation in this State.

The administration has also to ensure that there is a proper and careful weighing of each claim from the point of view of the responsibility of the State and the office the Commissioner administers. The other day I had brought to my notice a case that had been the subject of some delay, and I rang the chief claims clerk. I said to him, "I have no personal knowledge whatever of this matter, and some of the circumstances of the case do not impress me very greatly. However, I think the important thing is that you should make up your mind one way or the other. If you are going to reject the claim you should say so." The chief claims clerk asked for four hours to study the file. He

rang me back within the four hours and said, "We still have a very considerable doubt about this case—we are far from satisfied that there is a clear entitlement—but weeks have passed and we have been unable to resolve that doubt one way or the other. In spite of our doubt, however, we will pay. For your own private ear, he is a very lucky fellow." My own opinion also was that he was very lucky, but that incident is typical of the way in which the administration handles cases that come before it. I attach a very great value to the administrative backing that the State Government Insurance Office will give to what the Treasurer quite rightly says is a development not without some inherent possibilities.

Clause 6, as amended, agreed to.

Bill reported, with amendments.

Third Reading.

Bill, on motion of Mr. Walsh, read a third time.

RABBIT ACTS AMENDMENT BILL.

Second Reading.

Hon. T. A. FOLEY (Belyando—Secretary for Public Lands and Irrigation) (3.10 p.m.): I move—

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

I gave a very full explanation of the measure on the introductory stage and there is no reason why I should repeat what I said then. If a rabbit board is of the opinion that a landholder is not destroying the rabbits on his property the board may issue an order calling upon him to do so. Should the landholder fail to observe the conditions of the order the work will be done for the landholder by the board at the landholder's expense.

The board has a number of competent officers and the expenditure of the Leichhardt Rabbit Board last year was £8,000. By such an expenditure much good work can be done, especially in dealing with difficult problems. It will be readily understood that in some districts it will be necessary to clear out the little warrens of rabbits that might in other circumstances be missed or overlooked. That work will now be attended to.

I commend the Bill to the consideration of hon. members.

Mr. MULLER (Fassifern) (3.12 p.m.): On reading the Bill one must conclude that no matter what mesh the netting is, it is not possible to keep out every single rabbit. One is somewhat comforted to hear from the Minister that the law will be administered with discretion and not in accordance with its absolute letter. If there is not sympathetic administration much hardship might be inflicted on some property-holders.

I was told by the inspector of the Moreton Rabbit Board—and no doubt this applies to the other boards too—that the difficulty in the destruction of the rabbits is in knowing just where they are. He told me also that in some instances it is almost impossible to get any degree of co-operation from certain people. There are some who will give you all the help in the world but on the other hand there are others who for some unknown reason will refuse to help and will refuse to accept any share of their responsibility. In some cases if there is a rabbit inside the fence the owner will make every effort to get him, and will seek the aid of the board's men. On the other hand you find people who allow the rabbits to remain; some keep them for training racing dogs and others make pets of them. The Bill will deal drastically with these people. The inspector will have power to see that they do what is expected of them. There is little use in building fences if we are not going to deal with the rabbit inside. The same thing applies to noxious weeds. Some people are careful to clean up noxious weeds on their properties and others are not.

I think the provisions of the Bill could be unduly hard on some people. The inspector has wide power to enter a property where he suspects there are rabbits and engage men to search for them; and the charge will fall on the owner of the property. I have no sympathy with the person who is not prepared to play his part, but at the same time there is the danger that a person who is only suspected of harbouring rabbits may be asked to pay a considerable amount for the cost of searching his property.

Apart from what I have said, we have no objection to the Bill. We believe the rabbit is a serious menace and that we should take every possible means to keep them outside the fences and at the same time eradicate those inside. This legislation deals chiefly with those who have got inside.

Mr. FLETCHER (Cunningham) (3.19 p.m.): I should like to commend the Minister for what I think is an honest and practical approach to the matter. I do not have rabbits in my country but as one who is protected by a rabbit board and by a rabbit board fence and who believes the precept he pays is a good investment, I have some slight knowledge of the situation.

The Minister's approach to this problem has been that to some extent anyway the rabbit problem has got out of hand, and this amending Bill is an attempt to cope with the situation and bring it under control. The principle of compelling the owner to kill his own rabbits is justifiable and defensible from a practical point of view, so long as the rabbit board is prepared to help in every way and be a sympathetic partner. Otherwise it could constitute a considerable injustice to certain land-owners.

The Minister has admitted that the pest has to a certain extent got out of hand and that there are large colonies of rabbits within the boundary fence. The justification for putting on the land-owner the responsibility for killing his own rabbits is quite good, so long as there are rabbits on the property at the time when that obligation is put upon him. The rabbits have been allowed to get

through and establish themselves on his property in large numbers, and he suddenly finds that the responsibility is on him to clear them out. That is why I say the board must treat the matter sympathetically. The Minister can understand the reaction of men who have paid their precepts for years and years and have felt that this would give them protection from rabbits, but now, the board vested with the responsibility of giving them that protection having failed, find themselves suddenly required to kill the rabbits. Naturally they have a very considerable sense of injustice and hardship. The Minister will remember that he referred to the fact that certain areas in the Stanthorpe district had become so heavily infested and so difficult to control, because of the type of country and vegetation, that the Darling Downs Rabbit Board was approaching him with the idea of fencing that area out.

Mr. Foley: I think it was the Killarney district.

Mr. FLETCHER: It is quite reasonable to expect that any amount of rough country would be just as hard to clear as that area and the landholder would be in the same difficulty as the board had found there. The Minister is now putting the onus on the landholder, who has all along paid his precepts and thought he was protected by the board, and if the board does not collaborate with him and give him every degree of help he will have a sense of injustice and hardship. I am sure the Minister sees the point. The hon. gentleman said that every consideration would be given to circumstances like that. I can quite understand the reaction of such landholders.

Wanting to trace the history of rabbits and rabbit Acts in general, I had a look at the statutes and I found that the very power being sought under this Bill was written into the Act as far back as 1896 and was consolidated in the Rabbit Act of 1913, which states—

> "The Minister may cause to be served upon the owner of any holding which is enclosed with a rabbit-proof fence, or is situated within another holding so enclosed, a notice in writing, requiring such owner to forthwith take effective measures for the destruction of rabbits upon his holding."

The Act then deals with notices and says that the Minister may authorise any person to destroy the rabbits at the landholders' expense. There are other details as to the recovery of costs, charges and expenses. These are exactly the powers the Minister is seeking under this Bill, with only a very slight difference. For instance, the existing law says "The Minister may cause to be served" and this Bill reads "The board may cause." It is a really very small difference from the administrative point of view. This Bill enables the board to take virtually the same but certainly no more effective action. In any case, it is difficult to understand why the Minister has not exercised this power, so obviously and directly conferred upon him many years ago.

Mr. Foley: The board is closer than the Minister to the job. It has its staff patrolling the fences and keeping an eye on where the rabbits are.

Mr. FLETCHER: All the boards have to do is indicate the need for the action and the Minister has power to take it. It is difficult to see why no action has been taken under this power, especially when we realise that the Minister has stated that the rabbits have been getting out of hand for 20 years now. It is a matter of great wonder to me. Probably the Minister has some explanation but it seems to me that legal authority for such action has been there all the time.

Motion (Mr. Foley) agreed to.

COMMITTEE.

(Mr. Graham, Mackay, in the chair.)

Clauses 1 and 2, as read, agreed to.

Clause 3—Insertion of headnote and ss. 47G, 47H, 47I.—

Mr. MULLER (Fassifern) (3.28 p.m.): I said during the second reading that I appreciated the need for the great power taken under this Bill. This clause instructs the owners of properties that they must not only keep them clean but must do certain other things or render themselves liable to a penalty of £50. I do not object to that, but I am worried about the innocent person who might find himself in an awkward position. I draw attention to sub-clause (3), in particular to the paragraph reading—

> "Moreover, upon such failure, whether proceedings are taken for an offence in relation thereto or not, or whether the person failing to comply with the notice is convicted or not on the taking of any such proceedings, the Board may authorise any person, with or without assistants, to enter upon the holding and other lands, if any, in relation thereto as specified by subsection one of this section to search for and destroy rabbits. Any person so authorised may enter, re-enter, and remain upon the holding and those other lands, if any, with or without assistants, and may take all such measures as to the Board or him may appear expedient for the purpose of his entry thereon."

The clause goes on to say—

> "The amount of all costs, charges, and expenses incurred by the board in the search for and destruction of rabbits under the authority of this sub-section shall be recoverable by the Board from the person failing to comply with the notice by action in any court of competent jurisdiction."

The point as I see it is that the Inspector or the officer concerned might remain on the property and he might even bring in a team of men, and they might come a second time and the whole of the expense would be charged to the owner of the property. We have to remember that the rabbit is not a stationary animal; he does not stay inside a fence unless he is fenced in. He moves

about all the time and so I say anybody working on that property could work up a substantial bill to be charged up to the owner of the property. If the provisions of this Bill were carried out in their entirety it would impose perhaps a severe penalty on a person who probably was not aware that there were rabbits on his holding. I know that you have to take wide powers to deal with people who will not play the game but this part of the clause could perhaps place an innocent owner in a very difficult position. I am not suggesting that it would happen frequently. I admit that I might be taking an extreme view but there might be cases where inspectors took an extreme view and might place the owner of a property in a difficult position.

I hope the Minister will be able to give the reason for that clause. I agree with the first part of it, which speaks of the powers and the authority of the board to order people to destroy rabbits and deals with the penalty; the part that I disagree with is the provision for entering upon a property and staying there without any regard to the cost. An owner might be up for £100 and he might not be responsible for the fact that the rabbits were on his property.

Hon. T. A. FOLEY (Belyando—Secretary for Public Lands and Irrigation) (3.33 p.m.): As the hon. member pointed out, we have to have wide powers to meet any emergency that might occur and to enable us to administer the Act properly. Although it is quite possible that such a thing as he suggests might arise and some inspector might unduly harass a settler I think that in actual practice the settlers are safeguarded because there would be some notice to the board that would cause it to determine whether there were rabbits on a particular holding. If it was found there were and that the owner was not taking action, the board would serve notice on him that he must clean up his holding within a given time. Naturally, that owner would report back to the board that he had carried out the work, when an inspection would be made and a report submitted by the inspector to the board that the order had been carried out. There the matter would end. On the other hand you have the man who simply does not take any action and does not report that he has attempted to destroy the rabbits and in that case you must have power to go on the property to determine whether the place is clean or not.

There is this further protection from harassing any particular man, that the board is composed of representatives selected by the people in the board area and if the hon. member for Fassifern himself happened to be a member of a board and a complaint was made that a settler was being unduly harassed he would take action to see that the activities of the inspector were curtailed.

The board itself has the power to direct, and if its direction is not carried out it has power to order a search. If the search discloses anything, the board can see that the job is done and it can make a charge. On the other hand, if a complaint is made that some powers are being exercised unnecessarily in respect of an innocent settler who has no rabbits on his property, that complaint will have the attention of the members of the board. I believe that such a provision will prevent any person in the community from suffering an injustice. It is only reasonable to expect that the board members, who after all are the representatives of the people living in the area, will look after their interests.

Mr. MULLER (Fassifern) (3.36 p.m.): I will give the Minister a practical illustration of what I am driving at. Smith might say, "I saw a rabbit on Jones's property", and although Jones might say he had never seen a rabbit on his property, Smith might report the matter to the inspector, who would put men on Jones's property. The men might be there for weeks, but if they find only one rabbit Jones will have to bear the cost.

Mr. Foley: No. They have sufficient revenue to do anything like that.

Mr. MULLER: But the legislation goes as far as that.

Clause 3, as read, agreed to.

Bill reported, without amendment.

THIRD READING.

Bill, on motion of Mr. Foley, read a third time.

PUBLIC SERVICE SUPERANNUATION ACTS AMENDMENT BILL.

SECOND READING.

Hon. V. C. GAIR (South Brisbane—Premier) (3.38 p.m.): I move—

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

It is not my intention to speak on the Bill at any length on the second reading. On the introductory stage the Deputy Premier gave a very comprehensive outline of the principles, since when it has been printed and circulated and its provisions should now be well known to members of the Opposition.

I should like, however, to give the House the benefit of an inquiry I made of the State Actuary about the proportion of contributions to the fund by the contributors and the Government. My inquiry was prompted by the remarks of hon. members opposite yesterday to the effect that the Commonwealth Government subsidised their scheme in the ratio of £2 to £1. I am not sure what hon. members opposite claimed in respect of private superannuation schemes.

Opposition Members: £1 for £1.

Mr. GAIR: In the case of the Commonwealth Public Service superannuation scheme, hon. members opposite said that the Government's contribution was in the ratio of £2 for every £1 contributed by the employees.

The State Actuary, who performs the actuarial work of the State Public Service Superannuation Fund, has informed me that

when the new arrangements regarding the compulsory units of annuity come into force, taking into account the fact that the Government bear the cost of administration and the additional rate of interest they are paying on the contributions, this Government will be paying a total subsidy of at least £2 for every £1 contributed by the employees. This information was supplied to me by the actuary and I am sure it will be appreciated by hon. members.

As I said last night, the Bill will be welcomed by all hon. members. It is a further improvement in the State Public Service Superannuation Scheme, which I conceded last night was one that merited some improvement.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (3.41 p.m.): There is no doubt, as the Premier said last night, that the State's Public Service Superannuation Scheme needs review and some improvement The Bill is certainly an improvement on the scheme as it is now but not such a great improvement that we should be throwing up our hats and cheering about it. Nor do I think that the public servants themselves will be throwing up their hats and cheering much about the improvement. Many of them very rightly expect a considerably greater improvement than they are getting under this measure.

Let us have an analysis of the whole situation so as to form a judgment on the exact effect of the present increase. When the Act was passed in 1912, the annuity per unit of pension assurance was £50 per annum. Up to 1948 the Government contribution was equal to 5d. in the £1 of the contributions to the fund. Complaints were widespread. In "State Service" for May, 1948, it was pointed out that whereas the Queensland Government paid only 5d. in the £1, the Commonwealth Government paid 30s. for every £1, the Victorian anti-Labour Government, also paid 30s. and the other States paid at least £1 for £1. That comparison is not very much in favour of Queensland.

In 1948 the Government amended the Act after the scheme had been in operation for 36 years, to increase the annuity per unit of pension from £50 to £100 per annum, but its subsidy was still only 5s. 8d. in the £1.

The Commonwealth subsidy is now £2 on each £1 contributed by officers and a Bill is now before the Federal Parliament to increase the annuity per unit from 15s. to 17s. 6d. a week. That will mean a further increase in the Commonwealth subsidy.

In private employment, every scheme of which I have been able to obtain details provides for a subsidy of £1 for £1 or better.

When the Queensland scheme was introduced in 1912, the basic wage was £2 2s. a week and the old-age pension 10s. The present basic wage is £11 5s. and the old-age pension £3 10s. This comparison discloses that there is nothing extremely generous for the public servants in the present measure.

In the meantime the basic wage has risen 435 per cent., and the old-age pension by 600 per cent., whereas the annuity to retired public servants has increased by only 100 per cent. That is not very generous and is not something to get very enthusiastic about. The present annuity is rather niggardly. The Premier has said that the State bears the cost of the administration charges, but that is a contribution, not a subsidy.

Whatever the Government are doing for the Queensland public servants generally, they should make some special provision for those who have contributed for a long period and who have therefore paid their contributions in money that had about the same value as in 1912. Over the years those in the Public Service have paid their contributions in real money, and when we compare the value of the money they paid with the value of the inflated money of today we can see how much greater their contribution really was than that made by present-day contributors.

Mr. Gair: That is what I think about my insurance policy.

Mr. NICKLIN: That applies to insurance policies too.

Mr. Gair: The insurance companys will not agree.

Mr. NICKLIN: That applies to insurance companies. Nevertheless, those who were contributors for 20 years are entitled to some special consideration. They have paid their contributions in money that would average more than three times the present value, while the rate of annuity they receive at the present time has only been doubled. Reverting to the insurance companies they do "break it down a bit" by paying an annual bonus; that helps.

This Bill applies, as from 1 May, 1954, to retiring allowances. There is no increased subsidy in respect of assurance or of incapacity allowance except where the contributor has actually retired on account of ill-health.

The additional subsidy of £75 per unit, formerly £50, is not payable to an officer in respect of any period of four weeks or longer during which he is employed, after he becomes entitled to a retiring allowance, by the Government, the University, or any instrument or authority of government where the Government supply the funds from which his employment is paid. A number of public servants who have reached the retiring age have continued——

Mr. Gair: As far as insurance is concerned it is conceded by the Public Service unions that the conditions are better than private insurance companies would give them.

Mr. NICKLIN: I am not in a position to offer any opinion.

Mr. Gair: That is what they say. They do not want any alteration in the insurance section of the fund.

Mr. NICKLIN: The Premier knows that a number of our public servants are continued for varying periods after reaching the retiring age but if they are the additional subsidy is not payable. I am not saying it should be, but that has to be taken into consideration. As I said, if employed by the Government, the University or any authority where the Government supply the funds, a public servant while so employed is paid an annuity on the 1912 rate of £50 per annum. Each 1912 unit of £50 annuity under the 1912 Act, which is £100 under the 1948 Act, now becomes £125 and the additional subsidy of £75, formerly £50, is payable up to a limit of 3 units. That has been increased from two units, which I believe is an advantage. The additional subsidy is payable to those who have already become eligible for retiring allowance or the incapacity allowance. If they are employed they pay to the fund, and, as I previously mentioned, if they are not so employed, they are not liable during that period. Most public servants who have retired or will be retiring in the very near future have two units and their annuities will be increased from £200 to £250 per annum.

If, however, the maximum allowable additional income in the case of an age, invalid or widow's pensioner is less than the amount payable to a retired officer who becomes a pensioner, the total annuity payable will be reduced to that maximum allowable additional income but at the expense of the Federal Treasurer. The Deputy Premier said last night that he was going to reduce their amounts of annuity and not let the Federal Treasurer have it. The Premier nods his head but that is exactly the provision in the Bill.

The present additional income allowed to a pensioner under the Commonwealth Social Service legislation, without deduction is £104 per annum, if single and £208 if he has a spouse. While the means test remains as at present, the effect of this new provision in the case of a pensioner eligible for a full amount will save the Government the following amounts of subsidy—

—	Two units of Annuity (*a*).	Three Units of Annuity (*b*).
Single Pensioner..	£146 out of £150	£225 out of £225
Married Pensioner	£42 out of £150	£167 out of £225

These savings will be at the expense of the Federal Treasurer in the case of every one of the annuitants in receipt of pension, and in the case of three units the increase of £25 per unit is virtually worthless to them.

It appears to me that the effect of this new paragraph, that is, in the new provision, will be to reduce the present annuity payable to a two-unit retired officer who is a single person. I do not know whether that was intended, but we will deal with that aspect in the Committee stage. It appears to be so, and if that is the intention it will be quite unjust to those who have qualified for an annuity of £200 under the principal Act and are now being paid that amount. It seems to me the effect of the new paragraph will be to reduce such a present annuity from £200 per annum to £104 per annum. That would amount to a breach of contract, a repudiation by the Government of the contract they entered into with these contributors to the scheme. Surely the Government do not intend that to be so? Surely it was not the intention to repudiate a contract with the contributors to this scheme. I can quite appreciate the point that they endeavour to pass as much of the responsibility as possible on to the Federal Treasurer, but in addition to that they are repudiating the contract and instead of paying £250, which would be the public servant's due after the passing of this Bill, they are paying actually £104 and the Federal Treasurer pays the balance. That is a particularly important principle that must be examined very closely when we are in Committee.

Having read the Bill, I think there seems to be nothing of great importance in it except that the amount of increase, £25 a unit up to three units, is totally inadequate when compared with other superannuation schemes, either Government or private.

An hour or two ago, we were examining the pensions paid to coal and oil shale mine workers. Let us compare the contributions by the employers and employees under that Act with those paid under the present Public Service Superannuation Act and what will be paid when this Bill becomes law. Under the Coal and Oil Shale Mine Workers' (Pensions) Act the amount contributed by the employer is £232,794. That paid by the employee is £59,191, so that the proportion paid by the employer represents 80 per cent. Under the present Public Service Superannuation Act, the Government contribute £38,440 as against £134,524 by the employees, so that the Government contribute only 23 per cent. of the total amount. When this Bill becomes law, the employers' contribution may be £55,131, or 29 per cent. of the total. This represents the paltry increase of 6 per cent. in the employers' contribution.

The Premier gave us a report from the State Actuary. In that report it is stated that when we take into consideration the administrative cost plus the amount of sweetened interest paid to the credit of the fund the Government's contribution amounts to £2 for every £1 paid in by the employee. But that is an indirect contribution, whereas my figures are related to direct contributions.

Let us now make a comparison with the basic wage since 1948. In 1948, the basic wage was £5 19s. By 1954, it had increased by 90 per cent. to £11 5s. The proposed increase of £25 a unit a year up to three units is far below the increase in the basic wage since 1948, and the basic wage is equated very closely with the cost of living and the value of money. I repeat that this paltry increase of 25 per cent. is nothing to throw up our hats and cheer about at all and I am certain it will not be acclaimed loudly by the public servants of this State. Apart from that, the cost of the increase is borne mainly by the Federal Treasurer, not the

Government, assuming that a large proportion of retired public servants become pensioners, as I believe they will. The value of the increase is almost nullified by the fact that in the case of pensioners the superannuation annuities will not be increased at all or increased only to a small extent. He will pay for the extra compulsory unit but will get little benefit. The gain is to the Queensland Government at the expense of the Federal Treasurer.

Mr. Gair: You would have it in reverse.

Mr. NICKLIN: I am speaking of the position where the means test remains as it is at present. We do not know what will happen. We can only deal with the Bill as if the £2 a week remained the maximum allowable income without reduction of pension, which is £4 a week in the case of a married pensioner. In the case of Commonwealth pensioners the actual subsidy payable by the State Government under this Bill will be, in the case of a single pensioner holding two units, the magnificent sum of £4. That would be the subsidy, but if the single pensioner has three units, the Government will make no contribution whatever, not one penny will they pay.

In the case of a married pensioner holding two units the contribution by the State Government will be £108 but if he holds three units the contribution by the State Government will be £58. It will be very much to the advantage of the State Government for the contributors under this scheme to take out the extra unit because it will save the Government if the pensioners are married and receive social Social Service benefits. If this Bill had not been passed the subsidies would have been £100 for two units and £150 for three units. Where the retiring officers become pensioners, the new subsidies will be very much less than they were under the principal Act.

The net effect of this Bill is that the whole cost of the additional subsidies as reduced by paragraph (viii.) on page 6, and a good deal more, will be paid by the Federal Treasurer. When looking at the effect of this legislation we have to emphasise the point that the Government will not make such a magnificent contribution towards the increased benefits provided under this Bill, for they have taken jolly good care to protect themselves and pass on their responsibility to the Federal Government. The benefits, although welcome to beneficiaries under the scheme, will be nothing in comparison with the increased cost of living that has taken place since 1948, when benefits were first increased. The Government cannot take much credit for this increase because they are very largely pushing off their responsibilities to the Federal Government.

In the Committee stage we will examine the point I have raised that the Government have fallen down on the contract they entered into with the contributors to this scheme and are pushing their responsibilities onto the Federal Government. I shall reserve further comment until we reach the Committee stage.

Mr. KERR (Sherwood) (4.4 p.m.): At this juncture there is just one point I wish to make. I must say that I listened attentively to the Premiers' second-reading speech, in which he gave full details and quoted figures. He made the statement that the Government were subsidising this scheme on a £2 for £1 basis. He said that on the information and advice of the actuary. That must be corrected; it is immoral. I am not an actuary, I am an accountant. I have examined the Public Service Superannuation Fund and I believe without a doubt that the £4,500,000 in it belongs to the public servants of Queensland. Over the years they have been entitled to interest at the rate of 3¾ per cent. on the balance standing to the credit of the fund, so that under no circumstances could anybody say that the Government's contribution has been £2 for every £1 contributed by public servants. I think the Premier's statement in that regard should be corrected. The real proportion of the Government's contribution to the fund is something under 17s. in the £1. The moneys standing to the credit of the Public Service Superannuation Fund are not the property of the Government; they belong to the public servants, who are entitled to interest on it. The actuary might use that as an argument for saying——

Mr. Gair: That is the excess interest, the interest in excess of what the original Act provided.

Mr. KERR: The fund is paid interest at the rate of 5 per cent. on the total investment, but it is entitled to at least the average rate of interest over the whole period. It is entitled to 3¾ per cent. or at least 3½ per cent. The difference between what it is entitled to and what it is being paid is 1½ per cent. Under no circumstances can I allow to go unchallenged the Premier's statement that the Government subsidise the fund to the extent of £2 for every £1 contributed by the public servants. I do not think it is right for him to make a statement such as that.

Mr. PIZZEY (Isis) (4.8 p.m.): It is true that one of the great advantages of employment in the Public Service is security of employment, but in this State the Public Service Superannuation Scheme has always been a real bone of contention, and it has always been a matter for regret that it is not better than it is. I am very pleased to see that some improvement is now being made, and I think the Premier should review the position more frequently than he has done in the past.

Some of the improvements conferred by this Bill will be more or less compensated for, from the Government's point of view, by the fact that the Federal Government will relieve the State Government of some of their responsibilities. It is not within the knowledge of any of us how many of those public servants who are retiring within the next year or so will receive a Commonwealth pension.

I think the Premier's objective should be to make an officer's pension at least half the amount of the salary he is receiving when he retires. That is the position in the Army and in many other organisations. Most public servants feel that they are paying twice for the same thing. They are paying for it in their income tax and in the superannuation scheme.

We are all inclined to the view that the means test should be gradually liberalised, and I have no doubt that the time will come when the compulsory units of the superannuation scheme will be outside the scope of the means test. I should like some information about the case of a public servant who is about to retire with five units, surrenders three and takes the annuity of two. It is proposed to sugar or sweeten his payment by an extra £25. Is it possible for a public servant to refund the value of one unit so as to be able to get the value of three units instead of two?

Then there is the case of the man who has retired from the service on the annuity of two and then comes back as a temporary employee. Will he continue to be paid the annuity while temporarily employed in a Government department? Take the teaching service, for instance. Let us suppose that he draws superannuation for a year or 18 months, then finds that he is still physically fit, and that the department urgently needs teachers. He goes back to the department in a temporary capacity for a year or so. During that period of temporary employment does he lose the advantage of his superannuation payment or is it continued while he is still temporarily employed? I should like some clarification on these points.

Mr. MORRIS (Mt. Coot-tha) (4.12 p.m.): During my speech on the introductory stage of the Bill I said that the Government has been very parsimonious in their contributions towards this scheme and I compared it with the generous contributions made to the Federal Public Service Superannuation Scheme and to the contributions by the employers to the superannuation schemes in private industry. The Premier more or less denied what I had said and today he told hon. members that he had been in touch with the actuary associated with the State scheme—it is quite proper of him to do that—and the actuary had told him that the total payments by the Government to the scheme were £2 to £1, or that would be so after the passage of this measure. I have no doubt that the actuary told the hon. gentleman that, but to use a phrase frequently used in this Chamber, I am looking for the nigger in the woodpile. In arriving at that figure, I think that the actuary unjustly included or computed a percentage that he determined would be paid if there was no age-pension scheme, and because I had that in mind I decided to mention it now.

The Leader of the Opposition said in the course of his speech that he would refer more in detail to the contention by the Premier when the Bill was in Committee and the Premier said to the Leader of tl Opposition by way of interjection that tl Leader of the Opposition had looked at tl position in reverse, or something to th effect. I know that I cannot refer in deta to a particular clause on the second readin but I can say that a further study of tl measure convinces me absolutely that tl Leader of the Opposition did not have tl position in reverse at all. The wording c that clause makes it abundantly clear th the body that will be saved the money the State Public Service Superannuatio Fund, at the expense of the Federal Gover ment. I still say that even with the pa sage of this Bill this scheme will still b parsimonious and that the contribution by th Government to the scheme will be infinitel less than the contributions by employe under the acceptable superannuation scheme at present in vogue throughout private indu try, and the contribution by the Feder Government to their superannuation schem

I am rather disappointed that the actuar should provide figures without taking int consideration the subsidies provided for unde this Bill which made those figures com pletely inaccurate. The Queensland Gover ment will not be subsidising one way or th other £2 for every £1 by the employee. The will be paying out-of-pocket expenses, bu that will be infinitely less than £1 for ever £1 paid by the employee. This Governmen are very astute—very wily in trying to ve the analysis such as was made by the Leade of the Opposition; and I think it ver important that that veil should be rent i twain and that the public servants shoul know that the Queensland Government, i comparison with all other major employer in Queensland are being mean, parsimoniou and miserable indeed.

Hon. V. C. GAIR (South Brisbane—Premier) (4.18 p.m.), in reply: Ther is very little in the remarks mad by members opposite that I feel called o to reply to. First I want to reply to th statement of the hon. member for Sherwood who described the information given by m and provided by the State Actuary a immoral. To say the least of it, I think hi language was intemperate and stupid. Doe he think for a moment that I am going t accept his opinion in preference to that o the State Actuary? That applies to the hon member for Mt. Coot-tha too. Would an Premier or Minister accept a statement o the hon. member for Sherwood or Mt Coot-tha in preference to that of the Stat Actuary, who had been asked to examine thi thing and who has been examining th superannuation funds of the State for considerable time and who is qualified an trained to give an expert opinion of it? I describing his opinion as immoral the hon member for Sherwood has displayed th utmost audacity. Again I say that hi language does not become him.

With regard to the question asked by th hon. member for Isis about the retire teacher who is brought back into the ser vice in a temporary capacity, that teacher

like all public servants, begins to draw his annuity on retirement, and if he is re-employed he continues to draw the annuity without the subsidy.

Mr. Pizzey: Without the subsidy?

Mr. GAIR: Yes.

The case made by the Leader of the Opposition might have appeared to contain some merits if he had an audience that was not prepared to examine what he was saying. He made comparison of the new deal with the basic wage but as I said by way in interjection, if he is going to try to assess the value of money let us take insurance policies. One pays the premiums on an insurance policy over the years but when one draws the amount of the assurance at a time like this that money has deteriorated in value and the money is not there.

Mr. Morris: But do not forget you get bonuses.

Mr. GAIR: You do on some policies but not all.

Mr. Morris: No.

Mr. GAIR: There are some policies with bonuses and some without. The Leader of the Opposition made no reference to the gradual increase in salaries and wages that has taken place over that period but there has not been an increase in the rate of deductions from salary or contributions. The question must be examined from all angles. It is not sufficient to say that the basic wage was £4 5s. and is £11 5s. today but the annuity has altered very little. That is no case at all.

As regards the point the Leader of the Opposition made so much about, which can be dealt with in the greatest detail in the Committee stage, he set the additional annuities benefit and Government subsidy against the Commonwealth pensions. His case discloses a misunderstanding or misconception of the whole thing. The first thing to be remembered is this: that the retired public servant cannot get both, because of the means test of the Commonwealth Government. He can get his annuity from the Public Service Superannuation Board if he is not a pensioner or does not apply for a pension under the Commonwealth scheme. If he is content with the superannuation benefit there is no interference with his annuity or subsidy, none whatsoever. But if he applies for the pension there is a proportionate reduction. Who should bear the cost of that? According to the Leader of the Opposition, the Commonwealth Government should contribute nothing. According to the hon. member for Isis, the public servant is paid in the form of tax or Social Service benefit.

Mr. Pizzey: He is paying twice.

Mr. GAIR: Is not the Commonwealth Government then entitled to pay something? Remember, he cannot get both and that is because of the means test of the Commonwealth Government. Nothing occurs as far as superannuation is concerned until he applies or becomes a pensioner under the Commonwealth scheme.

Mr. Pizzey: You can force him to declare himself.

Mr. GAIR: No. If he makes no application for the pension——

Mr. Pizzey: Supposing he makes application and gets the pension?

Mr. GAIR: The Commonwealth would soon let us know. They check up. All he has got to do is to say on this form, and if he tells the truth——

Mr. Pizzey: He would say he is getting this pension?

Mr. GAIR: They check with the Public Service Superannuation Board as to what he was getting before and whether he is entitled to part or any pension at all.

Mr. Pizzey: That is an arrangement.

Mr. GAIR: They always do that. They check with any Government.

Mr. Pizzey: Regarding the reduction, he could be getting £32 a year.

Mr. GAIR: Some people are smart enough to get over anything but in the normal case they would not get away with it. The thing to remember is that they cannot get both. If we were prepared to concede what the Leader of the Opposition says, the Commonwealth would not approve of his application for a pension, so he would remain where he was. Until he makes application for the pension and becomes a pensioner his annuity under the State scheme remains untouched.

Motion (Mr. Gair) agreed to.

COMMITTEE.

(Mr. Graham, Mackay, in the chair.)

Clauses 1 to 5, both inclusive, as read, agreed to.

Clause 6—Amendment of s. 21A; additional payments in respect of compulsory annuity benefits—

Mr. NICKLIN (Landsborough—Leader of the Opposition) (4.28 p.m.): I move the following amendment—

> "On page 6, line 37, after the word 'pounds,'

add the proviso—

> 'Provided that this sub-section shall not apply so as to reduce the amount of any annuity payable now or in the future under the provisions of the principal Act.' "

When replying to my remarks, the Premier asked, "Why should not the Federal Government pay? Who should pay if they do

not?'' The point I raise is that these contributors to the superannuation scheme have entered into a contract that the pensions they draw will be so much a week upon retirement, and for that they contribute so much from their salary.

Mr. Gair: They get that.

Mr. NICKLIN: They do not.

Mr. Gair: They do. The only thing that is affected is the subsidy.

Mr. NICKLIN: They are entitled to that.

Mr. Gair: No. They get the annuity for which they subscribe.

Mr. NICKLIN: They get the two £50 units on the 1912 basis.

Mr. Gair: That is their contract.

Mr. NICKLIN: Yet the Government come to you and say that in 1948 they doubled the amount of benefit under the Act and that they are now adding another 25 per cent. Actually, they are not doing that by any means at all. Actually, they are repudiating the contract that they have with the annuitants under this fund.

Let us examine the effect of the new proposal. While the means test remains as it is, a single retired officer who is a Commonwealth pensioner and who is in receipt of two units of annuity would receive £250 under this Bill. If he has three units, his payment would be £375. The maximum additional income allowed for pension purposes is £104 in each case, so that the excess amount of annuity is £146 in the case of two units and £225 where three units have been taken out. The State Government would not be paying a brass farthing.

Mr. Gair: We would pay the lot provided he does not make application for a pension.

Mr. NICKLIN: Admittedly, but if a man is entitled to a certain amount under the Social Service legislation and it is a greater amount than he gets under this scheme, is he not entitled to apply for it?

Mr. Gair: That is a matter for the Commonwealth.

Mr. NICKLIN: However, let me continue this illustration to show how it applies to the single public servant on a pension. The superannuation before the passage of this Bill would be £200 but on the passage of this Bill he will get £104; the amount of pension he would receive would be £86 but it will be £182 when the Bill is passed, making a total of £286. The retired officers have entered into a contract with the Government and they have subscribed to get £200 and are entitled to get £200, but under this Bill that is being taken away from them. If, as the Premier says, he prefers to rely on his contribution to the scheme, he naturally will not be paid the full amount, but that is not the point. He entered into a contract with the Government and they as a result of the introduction of this legislation have repudiated that contract and are in effect paying him less than he is entitled to.

Mr. Gair: He can get the lot if he wants to.

Mr. NICKLIN: Under this amending legislation the Government make it a penalty for him to apply for the pension under the Commonwealth Social Services legislation.

Let me continue my illustration. As a single two-unit retired officer who is a pensioner is now getting £200 a year superannuation he will have his present annuity reduced to £104 in order to be eligible for a full pension under the Commonwealth Social Services Scheme. In each such existing case the State will gain £96 a year and the Commonwealth will pay the same amount as additional pension. If we take a retired officer with a wife who is a Commonwealth pensioner the savings to the Government will be, in the case of a two-unit man, £42 a year and in the case of a three-unit man, £167. It can therefore be said that this new provision is designed to save contributions by the Government at the expense of the contract they entered into with the various contributors.

To ensure that this will not operate I have moved the amendment accordingly, because, after all, when we enter into a contract with anybody we expect the contract to be carried out just as these contributors to the fund in their contract with the Government expect the contract to be honoured. The position is, in a nutshell, that these contributors who have been contributing over the years to the fund in the hope that they would receive an amount would have been as well off had they not contributed one penny piece and had applied for the pension on their retirement.

Those people have contributed to the fund for 30 or 40 years on the understanding that on their retirement they would be paid in respect of whatever number of units they had subscribed for. In this new provision, however, the Government have repudiated that contract and do not now propose to pay the full amount that employees have subscribed for over the years.

Hon. V. C. GAIR (South Brisbane—Premier) (4.36 p.m.): The Leader of the Opposition has endeavoured to make a lot out of what he described as a breach of contract. There is no breach of contract if the annuitant elects to accept the full amount due to him under the superannuation scheme and makes no application for a pension. If this annuity is reduced because he is in receipt of a Commonwealth pension, it is not because of anything this State Government have done but because of the means test, which is operated by the Commonwealth Pensions Department. I repeat that a retired public servant cannot get both

the full Commonwealth pension and the full annuity subsidy. As I say, that is because of the means test that is operated by the Commonwealth Government. Since one of those two benefits must be reduced if the other is paid in full, why should not the State Treasury be given preference by the State Parliament? That is all that the provision at which this amendment is directed aims to do. It does not reduce by one penny the maximum real income that the annuitant can derive from the combined annuity and pension. The Leader of the Opposition must understand that. There is not a reduction of one penny in the combined income from the annuity and the pension, but in the event of an annuitant's making an application for a pension, his annuity is proportionately reduced according to what he gets from the Commonwealth. To put it in reverse would be to benefit the Commonwealth Government at our expense, that is, if the retired public servant did elect to apply or was eligible for a pension. A single annuitant with three units would get the lot, because he would not be eligible for a pension. That will apply to many public servants, both single and married, particularly those who have carried more than the compulsory two units.

Mr. Kerr interjected.

Mr. GAIR: He would not be eligible because of the means test. It would appear that the Leader of the Opposition is more concerned about the effect of the measure on the Commonwealth Treasury.

Mr. Morris: No, on the public servant.

Mr. GAIR: It will not affect the public servant one penny. His total income is not altered. It is just a question of who should pay it. He will get the lot from the State if he does not apply for the aged pension, and so the contract with the public servant that the Leader of the Opposition is so much concerned about is preserved. In any case it is preserved now, because it is only the subsidy he is entitled to get that is affected under the Bill.

It would appear that the Leader of the Opposition has some misconception about the clause, but I have explained it several times now and it should be clear to him. The public servant is not going to lose anything at all, and in the circumstances I cannot accept the amendment. Indeed, the amendment would destroy the effect of the clause completely.

Mr. MORRIS (Mt. Coot-tha) (4.42 p.m.): The Premier said that the only thing that would prevent the retired public servant from getting the full benefit of the annuity and the whole of the age pension was the present means test in relation to age pension, but he is wrong in saying that. Let us suppose for the purpose of argument that the means test in relation to the age pension was abolished and that the retired public servant applied for the age pension. Immediately the relevant clause in this Bill would become operative and thus he would not be able to get the full annuity, because the clause says—

> ". . . . then a sum equal to the annual amount by which the rate of pension aforesaid would be so reduced shall be deducted from the annual rate of additional incapacity allowance benefit which, but for this subsection, would be payable and the rate of additional incapacity allowance benefit payable under this section shall be reduced accordingly."

The Premier says that the Federal Government would then rob the retired public servant of the extra money but that is not correct. If the means test in relation to the age pension was abolished this clause would deprive the retired public servant of the money that he contracted to get out of the State Superannuation Scheme.

Mr. Moore: You are putting up a suppositious case that you know will never operate.

Mr. MORRIS: All that I can say is——

Mr. Moore: Do you think the means test will be abolished?

Mr. MORRIS: All I can say is——

Mr. Moore: Answer the question. Do you think the means test will be abolished?

Mr. MORRIS: Does the hon. gentleman think that he can keep his mouth shut?

Mr. Moore: No. I am asking you the question. The case that you make will not exist.

Mr. MORRIS: All that I can say is——

Mr. Moore: Why do you not attempt to tell the truth? Put it that way.

Mr. MORRIS: I am telling the Committee——

Mr. Moore: I am telling you that such a case will not exist.

The TEMPORARY CHAIRMAN (Mr. Graham): I ask the Minister to allow the hon. member for Mt. Coot-tha to direct his remarks to the Chair.

Mr. MORRIS: With the constant interruption it is rather difficult to put an involved case. I ask you to try to discipline the constant interjector on that side.

I am building up my case on the argument of the Premier. He has talked about what would happen if the means test was abolished; he said it was because of the means test and the Federal Government. If there is an abolition of the means test in relation to pensioners the Bill will rob the retired public servant.

Mr. Gair: Not at all; he gets the lot.

Mr. MORRIS: That means unless the amendment is carried. I support the amendment. I believe it is the only way to protect the interests of retired public servants.

Hon. V. C. GAIR (South Brisbane—Premier) (4.46 p.m.): There is an old saying—"There are none so blind as those who will not see," and I think that applies here. The hon. member said the means test did not come into it and that I was wrong in saying it did. That would mean that a retired person in receipt of £104 a year today could get a full pension equivalent to £182 per annum, but every £1 he earns or receives in excess of £104 means that his pension is reduced by £1.

Mr. Morris: At the present time, yes.

Mr. GAIR: At the present time. That is the effect of the means test on the superannuation paid by the Public Service Superannuation Board. If the means test was abolished he could get pension and annuity and everything; he could get the lot. If the means test is abolished he can earn what he likes; his income can be anything. With the means test, if we give it to him the Commonwealth would get the benefit of it. The more we did for the annuitants the less the Commonwealth Government would be required to pay; we should be merely lessening their liability. It is the duty of the Commonwealth Government, irrespective of party, to give early consideration to a full national insurance scheme.

Government Members: Hear, hear!

Mr. GAIR: That would embrace a big body of workers not covered by any superannuation scheme at all. If that was carried out, we should not have this repeated argument about superannuation and pension schemes.

I think I have convinced hon. members opposite of the meaning of this thing. There is nothing in the amendment of any value. The Commonwealth Treasury seems to be the main concern of the Leader of the Opposition, but his concern should be the State Treasury rather than the Commonwealth Treasury, which has greater means of obtaining revenue than we have. If a retired public servant is not eligible for a pension he gets what he is entitled to from the State Government.

Amendment (Mr. Nicklin) negatived.

Clause 6, as read, agreed to.

Clauses 7 and 8, as read, agreed to.

Bill reported, without amendment.

THIRD READING.

Bill, on motion of Mr. Gair, read a third time.

SPECIAL ADJOURNMENT.

Hon. V. C. GAIR (South Brisbane—Premier): I move—

"That the House at its rising do adjourn until Tuesday, 4 May, 1954."

Motion agreed to.

ADJOURNMENT.

Hon. V. C. GAIR (South Brisbane—Premier) (4.52 p.m.): I move—

"That the House do now adjourn."

In moving this motion I would like to thank briefly all concerned for their co-operation during this section of this session, which is commonly known as the autumn session. This year it has been shorter than normally, of course, because of the visit of Her Majesty the Queen and the Duke of Edinburgh. Nevertheless, we have succeeded in disposing of 18 Bills. It is true many of them are short, containing one or two principles. However, we have dealt with these Bills expeditiously, but without any undue rush. I think they will all prove of benefit to the people and an improvement to the existing Acts.

There is nothing further I wish to say except that I trust everyone will have a very happy Easter.

Honourable Members: Hear, hear!

Motion (Mr. Gair) agreed to.

The House adjourned at 4.54 p.m.

BILLS ASSENTED TO AT CLOSE OF SESSION.

Gazettes Extraordinary were issued notifying the assent of His Excellency the Governor to the following Bills:—

(Tuesday, 20 April, 1954)—

- Barrier Fences Bill;
- Objectionable Literature Bill.

(Tuesday, 27 April, 1954)—

- Acts Interpretation Bill;
- Railways Acts Amendment Bill;
- Hotel Theodore Sale Bill;
- Art Union Regulation Acts Amendment Bill;
- Mining on Private Land Acts Amendment Bill;
- Coal Industry (Control) Acts Amendment Bill;
- Coal and Oil Shale Mine Workers (Pensions) Acts Amendment Bill;
- Inspection of Machinery Act Amendment Bill;
- Sugar Experiment Stations Acts Amendment Bill.

(Wednesday, 28 April, 1954)—

- Inspection of Scaffolding Acts Amendment Bill;
- State Electricity Commission Acts and Another Act Amendment Bill;
- Trade Descriptions (Textile Products) Bill;
- Opticians Acts Amendment Bill;
- Workers' Compensation Acts Amendment Bill;
- Rabbit Acts Amendment Bill;
- Public Service Superannuation Acts Amendment Bill.

PROROGATION.

Parliament was prorogued by the following Proclamation in *Gazette Extraordinary,* Thursday, 29 April, 1954.

A PROCLAMATION by His Excellency Sir JOHN DUDLEY LAVARACK, Lieutenant-General on the Retired List of the Australian Military Forces, Knight Commander of The Royal Victorian Order, Knight Commander of The Most Excellent Order of the British Empire, Companion of The Most Honourable Order of the Bath, Companion of the Most Distinguished Order of St. Michael and St. George, Companion of The Distinguished Service Order, Governor of the State of Queensland and its Dependencies, in the Commonwealth of Australia.

[L.S.]

JOHN LAVARACK,
Governor.

IN pursuance of the power and authority vested in me as Governor of the State aforesaid, I, Sir JOHN DUDLEY LAVARACK, the Governor aforesaid, do, by this my Proclamation, Prorogue the Parliament of Queensland to TUESDAY, the Fifteenth day of June, 1954.

Given under my Hand and Seal, at Government House, Brisbane, this Twenty-ninth day of April, in the year of Our Lord one thousand nine hundred and fifty-four and in the third year of Her Majesty's reign.

By Command,
V. C. GAIR.

GOD SAVE THE QUEEN!